

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 595

To amend the Elementary and Secondary Education Act of 1965 to direct certain coeducational elementary and secondary schools to make available information on equality in school athletic programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Ms. SLAUGHTER (for herself, Mrs. CAPITO, Ms. GINNY BROWN-WAITE of Florida, Ms. SOLIS, Ms. ROS-LEHTINEN, Mrs. CAPPS, Mrs. BIGGERT, Mr. BOEHLERT, Mr. SHAYS, Mr. SIMMONS, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. CONYERS, Ms. DELAURO, Mr. DOGGETT, Mr. ENGEL, Mr. GRIJALVA, Ms. HARMAN, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. LARSON of Connecticut, Ms. LEE, Mrs. MALONEY, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. OWENS, Mr. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. WATSON, Mr. WEXLER, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to direct certain coeducational elementary and secondary schools to make available information on equality in school athletic programs, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “High School Athletics  
5 Accountability Act of 2005”.

6 **SEC. 2. FINDINGS.**

7        The Congress finds as follows:

8            (1) Participation in sports teaches youth critical  
9 life skills and has a significant positive impact on all  
10 areas of their lives, especially for girls.

11           (2) Participation in sports results in many long-  
12 term physical and psychological health benefits for  
13 girls. For instance—

14            (A) providing opportunities to play sports  
15 in school is one key way to combat the rising  
16 rates of childhood obesity, which is caused in  
17 large part by physical inactivity;

18            (B) girls who participate in sports have  
19 lower rates of heart disease, breast cancer, and  
20 osteoporosis; and

21            (C) girls who participate in sports have  
22 higher levels of confidence and self-esteem,  
23 lower levels of depression, are less likely to be  
24 suicidal, and are more likely to have a positive  
25 body image than female non-athletes.

1           (3) Participation in sports promotes responsible  
2 social behaviors and greater academic success among  
3 girls. For instance—

4           (A) girls who participate in sports are  
5 more likely to refrain from sexual activity, are  
6 more likely to defer having sex until a later age  
7 and to have fewer sex partners, and are half as  
8 likely to experience an unintended pregnancy as  
9 compared to female non-athletes;

10          (B) girls who participate in sports have  
11 higher graduation rates, receive better grades,  
12 and score higher on standardized tests than fe-  
13 male students in general;

14          (C) girls who participate in sports have  
15 more positive attitudes towards science, a field  
16 traditionally predominated by males;

17          (D) girls who participate in sports are less  
18 likely to smoke or use illegal drugs;

19          (E) girls who participate in sports often  
20 have strengthened family relationships, includ-  
21 ing with their fathers and other male family  
22 members; and

23          (F) girls who participate in sports learn  
24 important professional lessons that have a life-  
25 long influence (Eighty percent of women identi-

1           fied as key leaders in Fortune 500 companies  
2           participated in sports while growing up, and 82  
3           percent of executive businesswomen played  
4           sports, with the majority saying lessons learned  
5           on the playing field contributed to their success  
6           in business.).

7           (4) The opportunity to play sports in secondary  
8           school helps many middle- and low-income stu-  
9           dents—who might otherwise be unable to attend col-  
10          lege—to gain access to higher education.

11          (5) Physical inactivity is much more common  
12          among females than males.

13          (6) Girls who are not involved in physical activ-  
14          ity by age 10 have only a 10 percent chance of being  
15          athletic when they are 25.

16          (7) Girls receive 1,100,000 fewer opportunities  
17          to play high school sports than do boys, which trans-  
18          late into many lost opportunities for athletic partici-  
19          pation and scholarships.

20          (8) Several reports indicate that girls' teams  
21          often receive inferior opportunities and benefits in  
22          other aspects of athletics programs, including overall  
23          budgets; equipment; uniforms; locker rooms and  
24          practice and competitive facilities; scheduling of

1 practices, games, and sports seasons; training and  
2 medical services; coaches; and publicity.

3 (9) Students and parents should be aware of  
4 the athletic opportunities and benefits that their  
5 schools provide to male and female students.

6 (10) Without information about how athletic  
7 opportunities and benefits are being allocated at the  
8 elementary and secondary school level, students may  
9 be deprived of opportunities to play sports and to at-  
10 tend college on an athletic scholarship.

11 **SEC. 3. DISCLOSURE OF STATISTICS ON EQUALITY IN ATH-**  
12 **LETIC PROGRAMS.**

13 Subpart 2 of part E of title IX of the Elementary  
14 and Secondary Education Act of 1965 (20 U.S.C. 7901  
15 et seq.) is amended by adding at the end the following:

16 **“SEC. 9537. EQUALITY IN ATHLETIC PROGRAMS.**

17 “(a) REPORT.—Each coeducational elementary or  
18 secondary school that participates in any program under  
19 this Act and has an athletic program, shall annually, for  
20 the immediately preceding academic year, prepare a report  
21 that contains the following information:

22 “(1) The number of male and female students  
23 that attended the school.

1           “(2) A listing of the teams that competed in  
2 athletic competition and for each such team the fol-  
3 lowing data:

4                   “(A) The total number of participants as  
5 of the day of the first scheduled contest for the  
6 team, and for each participant an identification  
7 of such participant’s gender.

8                   “(B) The year the team began.

9                   “(C) The total budget and expenditures for  
10 the team, including a listing of the following  
11 data:

12                           “(i) The travel budget and expendi-  
13 tures.

14                           “(ii) The equipment budget and ex-  
15 penditures (including any equipment re-  
16 placement schedule).

17                           “(iii) The uniform budget and expend-  
18 itures (including any uniform replacement  
19 schedule).

20                           “(iv) The budget and expenditures for  
21 facilities (including locker rooms, fields,  
22 and gymnasiums) and their maintenance  
23 and repair.

24                           “(v) The budget and expenditures for  
25 training and medical facilities and services.

1           “(vi) The budget and expenditures for  
2           publicity (including press guides, press re-  
3           leases, game programs, and publicity per-  
4           sonnel) for competitions.

5           “(D) The total number of trainers and  
6           medical personnel, and for each trainer or med-  
7           ical personnel an identification of such per-  
8           son’s—

9                   “(i) gender;

10                   “(ii) employment status (including  
11                   whether such person is employed full-time  
12                   or part-time, and whether such person is a  
13                   head or assistant trainer or medical serv-  
14                   ices provider) and duties other than pro-  
15                   viding training or medical services; and

16                   “(iii) qualifications, including whether  
17                   the person is a professional or student.

18           “(E) The total number of coaches, and for  
19           each coach an identification of such coach’s—

20                   “(i) gender;

21                   “(ii) employment status (including  
22                   whether such coach is employed full-time  
23                   or part-time, and whether such coach is a  
24                   head or assistant coach) and duties other  
25                   than coaching; and

1                   “(iii) qualifications, including whether  
2                   the person is a professional or student.

3                   “(F) The total annual revenues generated  
4                   by the team (including contributions from out-  
5                   side sources such as booster clubs),  
6                   disaggregated by source.

7                   “(G) The total number of competitions  
8                   scheduled, and for each scheduled competition  
9                   an indication of what day of the week and time  
10                  the competition was scheduled.

11                  “(H) The total number of practices sched-  
12                  uled, and for each scheduled practice an indica-  
13                  tion of what day of the week and time the prac-  
14                  tice was scheduled.

15                  “(I) The season in which the team com-  
16                  peted.

17                  “(J) Whether such team participated in  
18                  postseason competition, and the success of such  
19                  team in any postseason competition.

20                  “(3) The average annual institutional salary at-  
21                  tributable to coaching of the head coaches of men’s  
22                  teams, across all offered sports, and the average an-  
23                  nual institutional salary attributable to coaching of  
24                  the head coaches of women’s teams, across all of-  
25                  fered sports.



1           “(4) The average annual institutional salary at-  
2           tributable to coaching of the assistant coaches of  
3           men’s teams, across all offered sports, and the aver-  
4           age annual institutional salary attributable to coach-  
5           ing of the assistant coaches of women’s teams,  
6           across all offered sports.

7           “(b) SPECIAL RULE.—For the purpose of reporting  
8           the information described in paragraphs (3) and (4) of  
9           subsection (a), if a coach has responsibilities for more  
10          than 1 team and the school does not allocate such coach’s  
11          salary by team, the school should divide the salary by the  
12          number of teams for which the coach has responsibility  
13          and allocate the salary among the teams on a basis con-  
14          sistent with the coach’s responsibilities for the different  
15          teams.

16          “(c) DISCLOSURE OF INFORMATION TO STUDENTS  
17          AND PUBLIC.—A coeducational elementary or secondary  
18          school described in subsection (a) shall—

19                 “(1) make available to students and potential  
20                 students, upon request, and to the public, the infor-  
21                 mation contained in reports by the school under this  
22                 section; and

23                 “(2) ensure that all students at the school are  
24                 informed of their right to request such information.

1       “(d) SUBMISSION; INFORMATION AVAILABILITY.—  
2 On an annual basis, each coeducational elementary or sec-  
3 ondary school described in subsection (a) shall provide the  
4 information contained in each report by the school under  
5 this section to the Commissioner for Education Statistics  
6 not later than 15 days after the date that the school makes  
7 such information available under subsection (c).

8       “(e) DUTIES OF COMMISSIONER FOR EDUCATION  
9 STATISTICS.—The Commissioner for Education Statistics  
10 shall—

11               “(1) ensure that reports under this section are  
12 made available to the public within a reasonable pe-  
13 riod of time; and

14               “(2) not later than 180 days after the date of  
15 the enactment of the High School Athletics Account-  
16 ability Act of 2005, notify all elementary and sec-  
17 ondary schools in all States regarding the avail-  
18 ability of information under subsection (c) and how  
19 such information may be accessed.”.

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