

113TH CONGRESS  
1ST SESSION

# H. R. 455

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 4, 2013

Ms. SLAUGHTER (for herself, Ms. BONAMICI, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CONYERS, Ms. DELAURO, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LOFGREN, Ms. MCCOLLUM, Ms. MOORE, Ms. NORTON, Ms. PINGREE of Maine, Mr. POLIS, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHWARTZ, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, and Mr. YARMUTH) 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “High School Data  
3 Transparency Act of 2013”.

4 **SEC. 2. FINDINGS AND PURPOSES.**

5 (a) FINDINGS.—The Congress finds as follows:

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

9 (2) Girls who participate in sports have higher  
10 levels of confidence and self-esteem, lower levels of  
11 depression, are less likely to be suicidal, are more  
12 likely to have a positive body image than female  
13 non-athletes, and are half as likely to experience an  
14 unintended pregnancy as compared to female non-  
15 athletes. Girls who participate in sports have higher  
16 graduation rates, receive better grades, and are less  
17 likely to smoke or use illegal drugs.

18 (3) Sports participation effectively combats obe-  
19 sity, which is particularly significant given that one  
20 in six girls are obese or overweight and African-  
21 Americans and Hispanic girls face even greater  
22 risks.

23 (4) Despite advances in athletic opportunities  
24 for women and girls since the passage of title IX of  
25 the Education Amendments of 1972, discrimination  
26 still limits athletic opportunities for females in inter-

1 scholastic and intercollegiate athletics. Girls com-  
2 prise 49 percent of the high school population, but  
3 receive only 41 percent of all interscholastic athletic  
4 participation opportunities nationwide. This trans-  
5 lates into 1,300,000 fewer opportunities to play high  
6 school sports for girls than for boys. These lost par-  
7 ticipation opportunities also result in the loss of ath-  
8 letic scholarships that make it possible for many  
9 girls and young women to attend college.

10 (5) There is ample evidence that girls' teams  
11 often receive inferior benefits and services when they  
12 do play, in areas such as overall budgets; travel;  
13 equipment; uniforms; facilities, including locker  
14 rooms, fields, and practice and competitive facilities;  
15 training and medical services; publicity; access to  
16 coaches; and scheduling of practices, games, and  
17 sports seasons.

18 (6) Without information about how athletic op-  
19 portunities and benefits are being allocated at the el-  
20 ementary and secondary school levels, students may  
21 be deprived of opportunities to play sports and to re-  
22 ceive athletic scholarships to attend college.

23 (7) Students, parents, and schools should be  
24 aware of the athletic opportunities and benefits  
25 available to male and female students so that they

1 can work to enhance athletic opportunities for all  
2 and address any inequities.

3 (b) PURPOSES.—The purposes of this Act are as fol-  
4 lows:

5 (1) To ensure that information about the allo-  
6 cation of athletic opportunities and benefits at the  
7 elementary and secondary school levels is available  
8 to all students.

9 (2) To promote equal opportunities for both  
10 boys and girls to engage in school-sponsored ath-  
11 letics.

12 (3) To provide boys and girls with equal access  
13 to the physical, psychological, health and other bene-  
14 fits that result from playing sports.

15 **SEC. 3. DISCLOSURE OF STATISTICS ON EQUALITY IN ATH-**  
16 **LETIC PROGRAMS.**

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

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

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

1           “(1) The number of students that attended the  
2 school and for each student an identification of such  
3 student’s—

4                   “(A) sex;

5                   “(B) race; and

6                   “(C) ethnicity.

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

10                   “(A) The total number of participants as  
11 of the day of the first scheduled contest for the  
12 team, and for each participant an identification  
13 of such participant’s—

14                           “(i) sex;

15                           “(ii) race; and

16                           “(iii) ethnicity.

17                   “(B) The year the team began.

18                   “(C) The total expenditures for each team  
19 from school and nonschool sources, including a  
20 listing of the following data for each team:

21                           “(i) Expenditures for travel.

22                           “(ii) Expenditures for equipment (in-  
23 cluding any equipment replacement sched-  
24 ule).

1           “(iii) Expenditures for uniforms (in-  
2           cluding any uniform replacement sched-  
3           ule).

4           “(iv) Expenditures for facilities (in-  
5           cluding locker rooms, fields, and gym-  
6           nasiums) and their maintenance and re-  
7           pair.

8           “(v) Expenditures for training and  
9           medical facilities and services.

10          “(vi) Expenditures for publicity for  
11          competitions (including press guides, press  
12          releases, game programs, and publicity  
13          personnel).

14          “(D) The total number of trainers and  
15          medical personnel, and for each trainer or med-  
16          ical personnel an identification of such per-  
17          son’s—

18                 “(i) sex;

19                 “(ii) employment status (including  
20                 whether such person is employed full-time  
21                 or part-time, and whether such person is a  
22                 head or assistant trainer or medical serv-  
23                 ices provider) and duties other than pro-  
24                 viding training or medical services; and

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

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

5                   “(i) sex;

6                   “(ii) employment status (including  
7                   whether such coach is employed full-time  
8                   or part-time, and whether such coach is a  
9                   head or assistant coach) and duties other  
10                  than coaching; and

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

13                  “(F) Total annual revenues generated by  
14                  the team (including contributions from outside  
15                  sources such as booster clubs), disaggregated by  
16                  source.

17                  “(G) The total number of competitions  
18                  scheduled, and for each scheduled competition  
19                  an indication of what day of the week and time  
20                  the competition was scheduled.

21                  “(H) The total number of practices sched-  
22                  uled, and for each scheduled practice an indica-  
23                  tion of what day of the week and time the prac-  
24                  tice was scheduled.

1           “(I) The season in which the team com-  
2           peted.

3           “(J) Whether such team participated in  
4           postseason competition, and the success of such  
5           team in any postseason competition.

6           “(3) The average annual institutional salary at-  
7           tributable to coaching of the head coaches of men’s  
8           teams, across all offered sports, and the average an-  
9           nual institutional salary attributable to coaching of  
10          the head coaches of women’s teams, across all of-  
11          fered sports.

12          “(4) The average annual institutional salary at-  
13          tributable to coaching of the assistant coaches of  
14          men’s teams, across all offered sports, and the aver-  
15          age annual institutional salary attributable to coach-  
16          ing of the assistant coaches of women’s teams,  
17          across all offered sports.

18          “(b) SPECIAL RULE.—For the purpose of reporting  
19          the information described in paragraphs (3) and (4) of  
20          subsection (a), if a coach has responsibilities for more  
21          than 1 team and the school does not allocate such coach’s  
22          salary by team, the school should divide the salary by the  
23          number of teams for which the coach has responsibility  
24          and allocate the salary among the teams on a basis con-



1 sistent with the coach’s responsibilities for the different  
2 teams.

3 “(c) DISCLOSURE OF INFORMATION TO STUDENTS  
4 AND PUBLIC.—On an annual basis, each coeducational el-  
5 ementary or secondary school described in subsection (a)  
6 shall—

7 “(1) make available to students, potential stu-  
8 dents, and the public, upon request, the information  
9 contained in each report by the school under this  
10 section by October 15 of each school year; and

11 “(2) ensure that all students at the school and  
12 members of the relevant community are informed of  
13 their right to request such information.

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

21 “(e) DUTIES OF COMMISSIONER FOR EDUCATION  
22 STATISTICS.—The Commissioner for Education Statistics  
23 shall—

1           “(1) ensure that the data required under this  
2 section are posted on the Department of Education’s  
3 Web site within a reasonable period of time; and

4           “(2) not later than 180 days after the date of  
5 the enactment of the High School Data Trans-  
6 parency Act of 2013, notify all elementary and sec-  
7 ondary schools in all States about the requirements  
8 under subsection (c) and issue guidance to all ele-  
9 mentary and secondary schools on how to collect and  
10 report the information required under this section.”.

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