

GENDER EQUITY SELF AUDIT TOOL

Gender Equity “Points of Emphasis”

Purpose: To develop basic, concise, practical information on major components of gender equity compliance.

Target Recipients: State association personnel who will subsequently distribute the information to their member schools in a method that is appropriate for their individual states.

Goal: Improved gender equity in high school activities. Improvement starts with awareness.

Suggestion 1 Understand the *Interest and Abilities* Component of Title IX

The interests and abilities component of Title IX includes a three-prong evaluation. Successfully meeting any of the three prongs can constitute compliance.

- A. **Proportionality** – Is the number of interscholastic male and female athletic opportunities substantially proportionate to the number of female and male students enrolled?

Use the formula below to evaluate proportionality. When counting the number of athletes, count the total number of opportunities or filled slots. For example, one male athlete who participates in football in the fall and track in the spring would count as two opportunities.

Do not include participants whose activity is not an interscholastic athletic activity.

	BOYS	GIRLS	TOTAL
Number Enrolled			
Percentage Enrolled			100%
Number of Athletes			
Percentage of Athletes			100%
Variance			

Sample

<i>Sample</i>	BOYS	GIRLS	TOTAL
Number Enrolled	1600	1525	3125
Percentage Enrolled	51%	49%	100%
Number of Athletes	235	165	400

Percentage of Athletes	59%	41%	100%
Variance	8%	-8%	

B. **District’s History of Adding Sports** – When is the last time your district added a sport or a level of a sport for the underrepresented gender? Have sports or levels of sports been added on a regular basis, demonstrating that the district is improving the ratio between enrollment and athletic participation?

C. **Athletic Interests Are Met by the Current Programs** – Has the district recently conducted an athletic interest survey of all high school students to determine whether interests are being met by the current athletic program?

Has the district gathered other reports or information providing justifiable, non-discriminatory explanations for the current athletic program, which may not be meeting the substantially proportionate ratio requirement? Lack of available competition in the area or not enough athletes to field a team might be valid factors. Budgetary restrictions or lack of booster support are not justifiable explanations.

Ideas for achieving compliance include, but are not limited to:

- Adding a sport for the underrepresented gender
- Adding another level to a presently offered sport (JV or other sub-varsity team)
- Reducing the number of players presently being cut, whenever retention of these players can give them a meaningful team experience.

Suggestion 2
Know What Defines a “Sport”

The Office for Civic Rights (OCR) can review, on a case-by-case basis, any information pertinent to the determination of whether an activity should be considered an interscholastic sport. Answer the following questions:

A. Is the Activity:

- Recognized and governed by the state association?
- Sponsored for the primary purpose of preparing for and engaging in athletic competition against other similar teams?
- Scheduled during a regular season with definite starting and ending dates as set by the state association?
- Governed by a specific set of rules published by a state or national organization?

B. Does the Activity:

- Prepare for and engage its participants in competition the same way other teams in the interscholastic athletic program prepare and engage participants?
- Require that students meet eligibility requirements?

- Require that participants receive coaching?
- Require team tryouts, regular practice sessions and regularly scheduled athletic competitions?
- Base selection for the team on factors related primarily to athletic ability?
- Assign trained and certified officials/judges who have met a certification standard?
- Follow a competition structure like other sports to the state championship level?
- Stand alone as the primary event without being scheduled simultaneously with another event?

Questions most often arise in the evaluation of cheerleading (spirit). The governance of cheerleading varies by state association.

Suggestion 3
Identify the Areas that Have the Greatest Potential for Disparity

From the smallest district to the largest, every school has its share of “hot button” issues. State associations are no different. There are some issues that afford a great deal of room for disparity and/or discrimination. Below are just two examples:

A. Facilities

The first thing to note about facilities is that the OCR Investigators’ Manual lists “facilities” under the component of LOCKER ROOMS, PRACTICE AND COMPETITIVE FACILITIES. Here are some points to review when evaluating facilities:

- Do the policies, procedures or criteria used for allocating locker rooms, practice and competitive facilities differ by gender?
- Are there any differences in the quality and availability of practice and competitive facilities for males and females?
- Are there any differences in the quality and availability of locker rooms for males and females?
- Is the number of male teams that have exclusive use of practice and/or competitive facilities comparable to the number of female teams that have exclusive use of practice and/or competitive facilities?
- Is the number of male teams that have exclusive use of locker rooms comparable to the number of female teams that have exclusive use of locker rooms?
- Are the maintenance and preparation of practice and competitive facilities equivalent for both genders?

Do any of the above answers indicate disparity or significant disparity?

B. Boosters

Private fundraising is permissible under Title IX regulations. But regardless of the source of funds, districts must take action to ensure that benefits, services, treatment and opportunities are equivalent for males and females.

Remember that outside donations, such as contributions from businesses, community members or parents, are treated as private funds even if the school doesn't have a formal "booster club." School districts (and state associations) should affirmatively encourage boosters and similar groups to devote comparable attention to both genders.

It's also important to check your state regulations regarding private contributions to public school districts. Laws vary from state to state.