

108TH CONGRESS
2D SESSION

H. R. 4994

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Ms. SLAUGHTER (for herself, Mrs. CAPITO, Ms. GINNY BROWN-WAITE of Florida, Ms. SOLIS, Mrs. BIGGERT, Mr. BOEHLERT, Mr. CASE, Mrs. DAVIS of California, Ms. DELAURO, Mr. DOGGETT, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. INSLEE, Mrs. JONES of Ohio, Mrs. JOHNSON of Connecticut, Mr. KUCINICH, Ms. LEE, Mrs. MCCARTHY of New York, Mr. McNULTY, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHAYS, Mr. SIMMONS, Mr. STARK, 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

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 Athletics
3 Accountability Act of 2004”.

4 **SEC. 2. FINDINGS.**

5 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) Participation in sports results in many long-
10 term physical and psychological health benefits for
11 girls. For instance—

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

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

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

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

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

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

11 (C) girls who participate in sports have
12 more positive attitudes towards science, a field
13 traditionally predominated by males;

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

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

20 (F) girls who participate in sports learn
21 important professional lessons that have a life-
22 long influence (Eighty percent of women identi-
23 fied as key leaders in Fortune 500 companies
24 participated in sports while growing up, and 82
25 percent of executive businesswomen played

1 sports, with the majority saying lessons learned
2 on the playing field contributed to their success
3 in business.).

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

8 (5) Physical inactivity is much more common
9 among females than males.

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

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

17 (8) Several reports indicate that girls' teams
18 often receive inferior opportunities and benefits in
19 other aspects of athletics programs, including overall
20 budgets; equipment; uniforms; locker rooms and
21 practice and competitive facilities; scheduling of
22 practices, games, and sports seasons; training and
23 medical services; coaches; and publicity.

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

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

9 **SEC. 3. DISCLOSURE OF STATISTICS ON EQUALITY IN ATH-**
10 **LETIC PROGRAMS.**

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

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

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

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

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

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

5 “(B) The year the team began.

6 “(C) The total budget and expenditures for
7 the team, including a listing of the following
8 data:

9 “(i) The travel budget and expendi-
10 tures.

11 “(ii) The equipment budget and ex-
12 penditures (including any equipment re-
13 placement schedule).

14 “(iii) The uniform budget and expend-
15 itures (including any uniform replacement
16 schedule).

17 “(iv) The budget and expenditures for
18 facilities (including locker rooms, fields,
19 and gymnasiums) and their maintenance
20 and repair.

21 “(v) The budget and expenditures for
22 training and medical facilities and services.

23 “(vi) The budget and expenditures for
24 publicity (including press guides, press re-

1 leases, game programs, and publicity per-
2 sonnel) for competitions.

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

7 “(i) gender;

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

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

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

18 “(i) gender;

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

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

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

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

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

13 “(I) The season in which the team com-
14 peted.

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

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

24 “(4) The average annual institutional salary at-
25 tributable to coaching of the assistant coaches of

1 men’s teams, across all offered sports, and the aver-
2 age annual institutional salary attributable to coach-
3 ing of the assistant coaches of women’s teams,
4 across all offered sports.

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

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

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

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

23 “(d) SUBMISSION; INFORMATION AVAILABILITY.—
24 On an annual basis, each coeducational elementary or sec-
25 ondary school described in subsection (a) shall provide the

1 information contained in each report by the school under
2 this section to the Commissioner for Education Statistics
3 not later than 15 days after the date that the school makes
4 such information available under subsection (c).

5 “(e) DUTIES OF COMMISSIONER FOR EDUCATION
6 STATISTICS.—The Commissioner for Education Statistics
7 shall—

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

11 “(2) not later than 180 days after the date of
12 the enactment of the High School Athletics Account-
13 ability Act of 2004, notify all elementary and sec-
14 ondary schools in all States regarding the avail-
15 ability of information under subsection (c) and how
16 such information may be accessed.”.

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