



The High School Athletics Transparency Bills of 2011

High School Athletics Accountability Act, H.R. 458
High School Data Transparency Act, S. 1269

The High School Athletics Transparency Bills require that schools disclose basic information on the numbers of female and male students and athletes, as well as the expenditures made for each sports team. Schools must submit an annual report to the Commissioner for Education Statistics, who will make the information publicly available.

MYTH 1: The High School Athletics Transparency Bills are not needed because Title IX has leveled the playing field.

FACT 1: Girls still do not receive as many opportunities to play sports as do boys.

Despite the growth of female athletic participation since Title IX was enacted, girls in high school still receive 1.3 million fewer opportunities to play sports as compared to boys.¹ Girls make up half of the high school population,² but receive only 41% of all athletic participation opportunities.³ No state is providing athletic opportunities to its female students in numbers that are proportionate to their enrollment in school. Even when girls are given opportunities to play, they often receive inferior benefits and services (such as coaching, facilities and publicity) as compared to male athletes. This translates into lost opportunities to reap the benefits of participation⁴ as well as access to college athletic scholarships.⁵

MYTH 2: The High School Athletics Transparency Bills impose an undue burden on school administrators.

FACT 2: School officials already collect the information that they are required to report under the High School Athletics Transparency Bills, but it is not readily available to the public.

The National Federation of State High School Associations already requires that school administrators submit annual reports of their athletic participation numbers by sport and gender to their state athletic associations. Additionally, schools already keep records of all expenditures—including those made within the athletic department—and athletics administrators maintain budgets for each male and female sport. Therefore, the bills merely require that schools transfer this existing data into a report that is publicly available, a task that administrators in other states with similar laws estimate should take from two to six hours maximum, depending on the number of sports offered.⁶

MYTH 3: The information required to be collected by the High School Athletics Transparency Bills serves no useful purpose.

FACT 3: The High School Athletics Transparency Bills shine a spotlight on the athletic opportunities that schools provide to girls and boys, which will help ensure that all students are being treated fairly in school athletic programs.

In states like Georgia and Kentucky, newspapers collected and published data identical to that required by the bills (by requesting it under open records laws). The information revealed a lack of opportunities for girls in sports, which fueled the creation of state gender equity legislation that requires schools to disclose information about their athletic programs and provides incentives for compliance. While a federal law requires colleges to publicly report such information each year, high schools are not covered by the law, making it difficult for communities to determine whether their school athletic programs are treating girls and boys fairly.

MYTH 4: The requirements of the High School Athletics Transparency Bills cannot actually be implemented.

FACT 4: Legislation similar to the High School Athletics Transparency Bills has already been adopted and successfully implemented in several states and localities.

Kentucky and Georgia have adopted and successfully implemented state laws that require high schools to submit annual reports with information regarding their athletic participation rates and expenditures by gender. New Mexico will begin implementing their new law in the near future. Administrators in the Kentucky and Georgia State High School Athletic Associations report significant improvements in the Title IX compliance of their member schools since implementation of the legislation.⁷

For more information please contact Neena Chaudhry at the National Women's Law Center at 202-588-5180 or nchaudhry@nwlc.org.

¹ National Federation of State High School Associations (NFHS). *2010-2011 High School Athletics Participation Survey*. (<http://www.nfhs.org/>).

² National Center for Educational Statistics (NCES). 2006-2007. (<http://nces.ed.gov/>).

³ See note 1.

⁴ Research shows that girls who play sports have a reduced risk of breast cancer, heart disease, and depression. Academically, they have higher grades, are less likely to drop out, and have higher graduation rates than their non-athletic peers. Girls who play sports also have lower rates of sexual activity/pregnancy and are less likely to smoke or use drugs. For more information, see Sabo, D. et al. (2004). *Her Life Depends On It: Sport, Physical Activity, and the Health and Well-Being of American Girls*. East Meadow, NY: Women's Sports Foundation.

⁵ For some, an athletic scholarship is the only path to college. Minority female athletes are more likely to be involved in extracurricular activities and become leaders in their communities than minority females who don't play sports. But minority girls are also more likely to participate in sports on school sponsored teams than through private athletic clubs. See Sabo.

⁶ Conversations between Women's Sports Foundation staff and compliance officers at the Georgia and Kentucky State High School Athletic Associations and high school athletic directors in Missouri. May 2007.

⁷ See note 6.