



CALIFORNIA
WOMEN'S
LAW CENTER

FAIR PLAY FOR GIRLS IN SPORTS:
A PROJECT OF CWLC

DETAILED TOOLKIT

Time Out: Helping Schools Play Fair

Title IX of the Education Amendments of 1972

Information for evaluating and acting on
school compliance with Title IX

PREFACE

The Time Out guide is designed to help students, coaches, parents, and educators understand girls' rights under Title IX to equitable athletic opportunities and benefits in school athletic programs. This guide provides general information, not legal advice. For anyone seeking help with a particular legal problem involving girls' athletics, contact the California Women's Law Center at (323) 951-1041 or cwlc@cwlc.org. Further, given the pace of legal and regulatory change in certain aspects of Title IX athletics, readers are encouraged to seek current legal advice for any specific facts or questions, as the law in some areas continues to evolve. While the material covers high school athletics in depth, some college-oriented items are included, as Title IX equity requirements span all federally-funded educational institutions including Pre-K, K-12, colleges, and universities.

The mission of California Women's Law Center is to create a more just and equitable society by breaking down barriers and advancing the potential of women and girls through transformative litigation, policy advocacy, and education.



TABLE OF CONTENTS

III.	INTRODUCTION	04
IV.	TOP TEN LIST: WHY SPORTS ARE GREAT FOR WOMEN AND GIRLS	05
V.	WHAT IS TITLE IX	06
VI.	NONDISCRIMINATORY OPPORTUNITIES TO PLAY SPORTS	07
VII.	EQUAL TREATMENT AND BENEFITS	09
VIII.	SCHOLARSHIPS	17
IX.	KNOW THE SCORE: Evaluate a School's Title IX Compliance	18
X.	QUESTIONS AND ANSWERS	24
XI.	REFERENCES	28
XII.	ACKNOWLEDGMENTS	29

III. INTRODUCTION

In 1971, nationwide, only 294,000 girls participated in school sports, while 3.6 million boys participated in athletic teams.¹ In 1972, Congress passed Title IX, a federal law prohibiting sex discrimination in any school receiving federal money, which includes nearly all public schools (K-12, charter schools, colleges and universities), and most private colleges.² Although the purpose of Title IX is to prohibit any type of sex discrimination in schools, it is also a tool to support and achieve gender equity in athletic programs. Since the passage of Title IX, female participation in high school athletics has increased tenfold, to well over 3 million spots on school teams.³ Although this is great progress, there is still more work ahead, since the number of boys participating in high school sports is well over 4 million, and girls want to play in greater numbers.⁴ Today, girls comprise about 40% of high school athletes, still have fewer opportunities to play than boys did in 1972, and also often lack equity when they play.

Many people assume that Title IX applies only to colleges because most of the publicity centers around university lawsuits. But this is a misconception. Title IX applies to any school receiving federal funds, including high schools, middle schools, and elementary schools. It is important that athletes, coaches, parents, teachers, and administrators learn about Title IX, as highlighted by recent reporting that a majority of schools are still not in compliance with Title IX.⁵ Many families and students are unaware of their rights, and several schools lack an understanding of their Title IX responsibilities.

Anyone can use this guide for information and to assess whether a school treats its girls fairly in sports as compared to boys. This guide includes steps that one can take to help address athletics inequity issues at schools. Take action now, speak up, and don't let discrimination persist in schools!

*Note, while this material and work focuses on youth identifying as girls, CWLC supports equitable athletic access for all youth regardless of gender, gender identity, sexual orientation, race, socioeconomics, ability, and more. CWLC notes the drafters' binary approach and language in laws like Title IX and the Fair Play Act (California Government Code Section 53080), and further underscores the importance of ensuring inclusive, equitable, welcoming, and safe environments for all youth. See, for example, the [Trevor Project](#) for more resources.



IV. TOP TEN LIST

WHY SPORTS ARE GREAT FOR WOMEN AND GIRLS

Below are ten reasons why women and girls participate in sports, and why creating equitable opportunities for them to do so is critical.

1. Women and girls who exercise regularly may reduce their lifelong risk of breast cancer by approximately 20%.⁷
2. Adequate weight bearing exercises, especially in a girl's high school and college years, help prevent osteoporosis.⁸
3. Female athletes have reduced risk of diabetes, obesity, and cardiovascular disease.⁹
4. Girls who participate in athletics are less likely to experience unwanted teen pregnancy than those who do not play sports.¹⁰
5. Teenagers who play sports are less likely to take up smoking.¹¹
6. Girls who play sports are more likely to get good grades, graduate, and go on to college.¹²
7. Girls who play sports have better body images than girls who do not, and learn to appreciate their own power, strength, and agility.¹³
8. Playing sports helps build girls' self-confidence and self-esteem.¹⁴
9. Participation in athletics helps promote a better overall state of mental health and helps decrease stress and depression for girls.¹⁵
10. Sports teach women and girls important skills such as leadership, teamwork, and focus that help them excel in the corporate world. Of the female CEOs of Fortune 500 companies, at least 80% participated in sports as young women. Girls who play sports in high school are more likely to earn at least 7% higher wages compared to their non-athlete high school peers later on in life.¹⁶





V. WHAT IS TITLE IX

Title IX of the Education Amendments of 1972 is a federal law prohibiting gender discrimination in any school receiving federal funds. The text of the law states: *No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.*¹⁷ Title IX applies to all public schools, almost all private colleges, and other schools accepting federal funds because they receive federal tax dollars.¹⁸ Regarding athletic programs, Title IX requires schools to:

- Provide female students with nondiscriminatory opportunities to play sports;
- Treat female student athletes fairly, offering them equivalent treatment and benefits to those offered to their male peers; and
- Prohibit and refrain from retaliation, ensuring there are no negative effects (e.g., canceling a girls' team) against anyone who raises a concern about Title IX inequities.

VI. NONDISCRIMINATORY OPPORTUNITIES TO PLAY SPORTS

Equal Opportunities to Compete

Although Title IX does not require “quotas” of female athletes, Title IX does require that women and girls have nondiscriminatory opportunities to play sports should they want to play. Schools comply with Title IX by meeting any one of the three parts of the following test regarding equitable opportunities to play sports:²³

Part One - Substantial Proportionality

A school complies with this part of the test if the numbers of male and female athletes are substantially proportionate to the percentages of boys and girls enrolled at the school.

- **Example:** If a high school's enrollment is 50% girls and 50% boys, but 57% of the school's athletes are boys and only 43% are girls, there is a 7% point participation gap for girls (50% girls at the school and 43% girls in the athletics program = 7% gap). If the 7% point gap translates into 30 fewer female athletes than male athletes—that imbalance could be remedied by adding another girls' team (or several) and thus the school is not in compliance with Part 1 until such girls' opportunities are added. By contrast, the same percentage gap at a smaller school may amount to only 3 fewer female athletes, which may be insufficient to support an additional team or level and therefore more likely to be deemed substantially proportionate under Part 1. Ultimately, so long as athletic participation percentages closely track enrollment percentages, a school is likely to be found in compliance under Part 1.

Part Two - History and Continuing Practice of Expansion

If the ratio of male to female athletes is not substantially proportionate, a school may still comply with the law if it has a history and continuing practice of expanding athletic opportunities for female students.



- **Example:** If a school has consistently and continuously added opportunities for girls since the passage of Title IX (such as adding new girls' teams or increasing spots on existing teams), it may be in compliance with this aspect of the law. However, simply adding a few girls' teams in the past 50 years would not count as a history and continuing practice of expansion. Nor would a practice of adding and then cutting teams for girls.



Part Three - Fully and Effectively Accommodating Interests:

If the ratio of male to female athletes is not substantially proportionate, a school may still comply with the law by showing that it fully and effectively accommodates girls' interests and abilities in sports. To show that it is meeting all of the interest in female sports, a school should:

- Evaluate girls' requests to add teams;
- Examine girls' participation rates in club and intramural sports;
- Analyze female participation in physical education classes that introduce particular sports;
- Conduct periodic student surveys to determine the interest levels in all sports for girls and boys; and
- Assess sports played by girls at nearby schools, feeder schools, and in local recreational athletic leagues, clinics, camps, and classes.

If these factors reveal that girls have an interest in sports that is not being met, the school should expand its sports program to address that need.



- **Example:** If a high school survey indicates that a dozen girls are interested in field hockey, and neighboring schools also have field hockey programs, but the school refuses to honor the girls' request to be given varsity status, despite a participation gap (under Part One), the school is not fully and effectively accommodating the female athletes' interests and abilities. Note, Title IX factors in competition regions such that sport offerings can hinge on having enough teams in the area to play.

Moreover, athletic directors and schools can work together by adding a new sport at the same time in order to create enough league competition.

Reminder: Skill level and team success are not relevant to these analyses. Title IX does not focus on win-loss records or abilities such that a girls' or boys' sport must "succeed." The key is offering healthy, co-curricular sport options that help students grow, exercise, build connections, and thrive.

Equal Levels of Competition

A school must also provide equal levels of competition and opportunities for boys' and girls' teams. There are two ways to comply with this aspect of Title IX:²⁵

- Provide equivalently advanced athletic competition opportunities to a proportionate number of boys and girls; or
- Demonstrate a history and continuing practice of upgrading the competitive opportunities available to girls.



- **Example:** High School X fields varsity boys' water polo, but offers only JV water polo for girls. Because High School X does not provide equal levels of competition for boys' and girls' teams, the school may be in violation of Title IX.

Note, generally, any of the above participation-related issues may constitute a stand-alone violation of Title IX, irrespective of other parts of Title IX analysis (*i.e.* equal treatment and benefits).

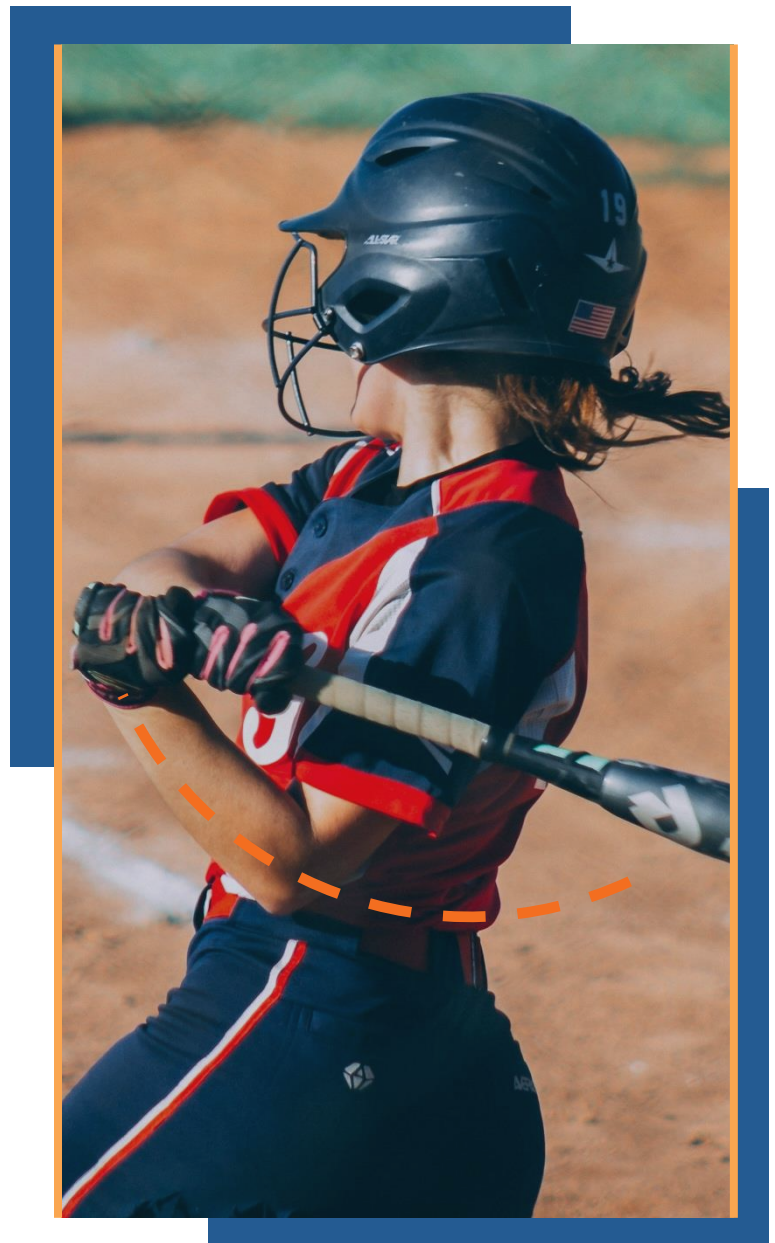


VII. EQUAL TREATMENT AND BENEFITS

In evaluating a high school's Title IX compliance regarding treatment and benefits, the assessment is not sport-by-sport or requiring identical spending, but instead examines whether the *overall* athletic program provides equitable opportunities and treatment for female and male student-athletes. Some inequalities between teams may be acceptable if not substantial and/or if they are compensated for elsewhere. For example, so long as the school provides uniforms of similar quality and quantity for the boys' football team and the girls' flag football team, it is not a Title IX violation simply because the boys' uniforms are more expensive. To find out whether the school treats girls fairly, a variety of factors (called "the laundry list") must be examined, such as:²⁶

- Equipment and Supplies
- Practice and Competitive Facilities
- Game Schedules and Practice Times
- Coaching Staff
- Travel and Related Expenses
- Publicity
- Access to Tutoring
- Medical and Training Facilities and Services
- Housing and Dining Facilities and Services
- Recruitment of Student Athletes
- Athletic Scholarships and Other Athletic Benefits
- Support Services

A substantial inequity in any one of the above program components can be a Title IX violation; some schools can offset an inequity in one component with equity in another component, and typically there are numerous inequities experienced by girls' sports across "the laundry list" meriting attention, action, and equity adjustments.



Equipment and Supplies

Title IX requires that girls' programs receive equivalent equipment and supplies. In general, equipment, and supplies include (but are not limited to) uniforms and apparel such as game and practice uniforms, shoes, and warm-up apparel. Such factors as equipment quality, quantity, suitability, availability, maintenance, and replacement should be considered when evaluating a school's equipment and supplies for girls as compared with boys.²⁷ Schools should consider the following:

- Sport-specific equipment and supplies such as bats, sticks, rackets, gloves, and balls
- Training and instructional devices such as pitching machines for softball or baseball and ball machines for tennis
- Conditioning and weight training equipment²⁸

 **Example:** If boys' teams receive strength training, yet girls' teams do not, the school may be in violation of Title IX. Similarly, if the school provides higher quality sport-specific equipment and/or replaces it more often for boys' teams than for girls' teams, this is a Title IX concern. However, if the boys' football training equipment (e.g., blocking sleds) happens to cost more than the girls' tennis training equipment (e.g., ball machine)—such sport-specific differences in cost are allowable as long as the equipment is of the same quality.

Practice and Competitive Facilities

The facilities and locker rooms available to boys' and girls' teams should be of equal quality and suitability. If schools provide male

students with better facilities than female students, that is a Title IX concern. If all athletes use the same facilities, they should have equal access and fair scheduling (see next section). Also, if new facilities are built, they should not be for the exclusive use of male athletes, without facilities of equal quality being provided for or shared with the female athletes.

- **Example:** If a school builds a state-of-the-art baseball facility for the boys, while the girls' softball team must play on old rundown fields, the school may be in violation of Title IX because the facilities are not of equal quality. Note, all facilities of girls' and boys' teams are part of the evaluation. If the boys play on a regulation-size basketball court while the girls play on a smaller, older court, this would also be a potential violation of Title IX.

Another factor to consider is whether the practice and competitive facilities are maintained equally for boys' and girls' teams. Fixtures such as scoreboards, goals, nets, and bleachers should be of comparable quality and quantity for male and female teams.

In addition to the competitive and practice facilities, locker rooms should be of equivalent size and quality. If male athletes are provided with lockers that are large enough to accommodate their sports equipment, female athletes must be provided with similarly sized lockers. If the bathrooms and showers are well-maintained in the boys' locker room, they must be comparably maintained in the girls' locker room.



Scheduling of Games and Practice Times

Scheduling of games and practice times is often an issue in schools where boys' and girls' teams share the same facilities. If the boys' teams practice and compete at more desirable times and for longer periods in comparison to girls' teams, that may be a Title IX concern. To avoid a Title IX violation, a school must ensure that the practice and competition times are equally desirable in scheduling and length for boys' and girls' teams across the athletics program. Schools should follow a schedule by which the boys' and girls' teams alternate the best game and practice times.



- **Example:** It is a Title IX concern if a school always schedules the girls' basketball games at times when parents, guardians, and the school community cannot attend to support, whereas boys' games occur when such attendees can participate and cheer them on. The school could comply with Title IX by alternating times for the games between boys and girls.

Note that schools and districts must coordinate with leagues, state athletics sections, and state associations to ensure equity. All such stakeholders may be subject to Title IX depending on status with regard to federal funds. Title IX is not about subjective

opinions or mindsets, it focuses instead on objective, universal analyses of equity across the athletic program. For example, there may be a Title IX violation if coaches of girls' teams accept and approve inferior times (or other inferior aspects of program components) compared to boys' teams.

Factors to consider when determining Title IX compliance include:

- Number of competitive events offered per sport
- Number and length of practices
- Time of day and day of week competitive events are scheduled
- Time of day and day of week practices are scheduled
- Number of pre-season and post-season competitive opportunities²⁹

All teams should have approximately the same number of games per season and have similar opportunities to participate in pre- and post-season competition.



- **Example:** If the boys' varsity soccer team at High School X competes in off-season tournaments and has more varsity games than the girls' team, the school may not be in compliance with Title IX.

Coaching

When determining whether a school provides equal coaching benefits for girls' and boys' teams, such factors as coach availability, qualifications, and pay should be considered.

1. Availability

Are there as many coaches (including assistant coaches) for girls' teams as for boys' teams?

What is the coach-to-athlete ratio for male athletes and for female athletes?



- **Example:** Take the total number of female athletes and divide by the total number of coaches for girls' teams at the school. Complete this calculation for the male athletes. The numbers should be similar. A school with a ratio of 22.7 male athletes per coach and a ratio of 44.9 female athletes per coach was found to be in violation of Title IX.³⁰

Are the coaches of female athletes as accessible as the coaches of male athletes? Coaches who are also full-time teachers are available to student athletes during school hours throughout the school year, while walk-on coaches may be available only during the season at practice and game times. Walk-on coaches may also not have the same ability to access school facilities like storage, weight rooms, and locker rooms as compared to teachers.

2. Qualifications

Schools should select equally qualified coaches for girls' and boys' teams. It is a Title IX concern if the best-qualified coaches are only coaching boys' teams. When assessing a coach's qualifications, factors such as training, experience, and professional

standing should be considered. Although many years of coaching experience may be an indicator of qualification, remember that someone who has coached for three years can be as good as, or better than, someone who has coached for ten years. A wide variety of factors are important. Further, female coaches are shown to be especially effective in coaching girls and boys, and despite making up just 25% of youth coaches, are growing in number.



- **Example:** High School X has a boys' tennis coach with ten years of coaching experience and hires a girls' tennis coach who has no coaching experience with the sport. This may constitute a Title IX violation (looking at coaching across the board).

3. Compensation

To determine whether coaches of girls' teams are compensated fairly, the following should be considered:³¹

- Compensation or salary/stipend (per sport, per season)
- Duration of the coaching contract
- Conditions relating to contract renewal
- Coach's experience (*i.e.*, head coach vs. assistant coach)
- Coaching duties performed

Note, if female coaches (of either boys' or girls' teams) believe that they have been discriminated against, or receive lower pay than male coaches, they should seek legal advice as they may have grounds to bring their own lawsuit.³² Coaches receiving less pay and benefits can be and have been found to be Title IX violations.

Travel and Related Expenses

Sports teams often travel to games, matches, or competitions. For teams of the same size, transportation of the same quality should be provided.



- **Example:** A school may violate Title IX if it provides an air-conditioned chartered bus to transport the boys' football team to the playoffs, but only provides a yellow school bus, or parent carpools to transport the girls' basketball team to the playoffs (considering travel across the board as to how girls' and boys' teams are experiencing treatment).

If the school pays for teams to stay in hotels for an out-of-town competition, it should provide the same quality accommodations for girls' and boys' teams. Furthermore, male athletes should not sleep two to a room while female athletes are required to sleep four to a similarly-sized room. If any money is provided for meals, the amount should be the same for boys and girls. Factors to consider in assessing compliance are:³³

- Method and quality of transportation
- Accommodations
- Daily dining allowances

Publicity

Under Title IX, schools are obligated to devote the same amount of publicity to girls' and boys' sports. However, many schools promote boys' athletic events much more than girls' athletic events. Examples of publicity include:³⁴

- School newspaper articles
- Pep rallies
- Cheerleaders, drill teams, pep bands, etc.

- Yearbook coverage
- Public address announcements
- Bulletin boards and posters
- Website announcements
- School calendars
- Athletic awards and recognition
- Social media and other marketing
- School marquees and murals

For example, if varsity cheerleaders perform at boys' games, they should also perform at girls' games.³⁵

Note, (also relevant to the participation opportunities analysis) while traditional sideline cheerleading is a vital part of school spirit, cheer is generally not counted as a sport for Title IX participation purposes unless it meets specific criteria applicable to competitive athletic programs. To be considered a "sport" under Title IX, a program must have a defined season, a primary purpose of competition rather than school support, and other aspects. Students, advocates, and staff can reference specific Office for Civil Rights (OCR) guidance to determine when and how a cheer program structure constitutes a sport for Title IX compliance and reporting.

Similarly, if a school has a Homecoming rally for the boys' football team, it should have a similar rally for a girls' team, or include girls' teams in the same rally to celebrate all teams. Publicizing girls' sports can help eliminate the stereotype that boys' sports are more important, and can help boost female athletes' confidence. Publicity further draws more spectators to girls' sports and creates interest in girls' sports, which in turn may help close participation opportunity gaps.

Access to Tutoring

If a school provides tutoring assistance for athletes, it must do so equally for male and female athletes who desire such academic assistance. Tutoring conditions should be equitable for female and male students. Factors to consider include:³³

- Qualifications of tutors
- Time tutors are available
- Compensation of tutors
- Process or criteria for requesting a tutor
- Number of student athletes tutored per session
- Availability of facilities and materials for tutoring

For example, if a school provides tutors for male athletes, it must also do so for female athletes. Tutors for male and female athletes should be equally qualified and have access to similar equipment and tools (e.g., computers). Additionally, tutors for male and female athletes should receive equal compensation (if any). Male athletes should not be provided private tutoring sessions while female athletes are only provided with group tutoring sessions.

Medical and Training Services and Facilities

Access to medical and training services and facilities should be gender equitable, such as around having athletes' ankles taped before games and availability of ice for injuries during practice and competition. Further, team access to areas such as weight and training rooms should be equitable. Factors to consider when determining Title IX compliance include:³⁷

- Availability and quality of weight and training facilities

- Availability and qualifications of athletic trainers
- Availability of medical personnel and assistance
- Insurance coverage (if any)



- **Example:** Included in this section are weight rooms, which should be equally available to all teams. If the school has only one weight room, it should be equally accessible to all teams, offering weights appropriate for all levels of training and a range of athletes, and contain items tailored to girls' and boys' teams. A school should not favor boys' teams over girls' teams by providing boys' teams with better equipment than female teams. For example, many schools discriminate by maintaining separate "football" weight training rooms that are not accessible to female students. Instead, schools can maintain a weight training room welcoming to and stocked for a wide range of teams.³⁸

Housing and Dining Services and Facilities

This factor rarely applies to high schools as they do not usually provide housing and dining services for student athletes. If a school does provide one or more of these services, the overall quality of services and benefits (e.g., access to sports dietitians and meal stipends) should be equivalent for male and female athletes. There may be allowable differences between sports; however, there should not be significant disparities between girls' and boys' teams of the same sport.³⁶



- **Example:** If a high school provides special cafeteria meals for boys' football and basketball teams before play-off games, yet provides no such special catering for any girls' team, the school may be in violation of this aspect of Title IX.

Recruitment of Student Athletes

This component of Title IX applies to colleges and universities that recruit student athletes. Some high schools conduct recruiting as well, such as outreach to middle schools. Schools should not discriminate against women and girls in recruiting activities and budgets. A higher recruiting dollar figure for boys and men does not automatically indicate a violation — nondiscriminatory differences may account for disparities, such as an unusually large graduating class creating short-term demand. Overall, recruiting budgets should be approximately proportional to the percentages of male and female athletes at the school. At the high school level, equity in recruiting may focus less on budget comparisons and more on whether outreach activities, such as demonstration days, sign-up events, and middle school visits, are offered equally for girls' and boys' programs.



- **Examples:** If a university allocates 75% of its recruiting budget to male athletes while women comprise 45% of its athletes, and male recruits receive elaborate campus visits while female recruits stay in dorms

and eat in the cafeteria, the school may be in violation of Title IX. At the high school level, similar equity principles apply. For example, outreach visits to feeder middle schools, demonstration days, and sign-up events should be offered equally for girls' and boys' programs.

Support Services

At the high school level, schools rarely provide administrative and clerical support to athletic teams. For example, athletic teams may have an administrative assistant responsible for booking travel and accommodation for team games and tracking execution of athletes' permission forms and waivers. Although some teams may need more support than others, overall there should be no discrimination against girls' teams. For example, a Title IX violation may occur if the boys' basketball team receives clerical support while the girls' basketball team does not.⁴³ Such disparity leaving a coach of the girls' team with more duties than the coach for the boys' team can detract from time available for coaching and recruiting.



A Note on Funding

The budgets for girls' and boys' teams do not have to be equal—sport-specific cost differences are allowable. For example, boys' football uniforms are more expensive than girls' volleyball uniforms. However, benefits must be equal – e.g., the football uniforms may not be new every year and top quality while the volleyball uniforms are several years old and made of second-rate materials.¹⁹

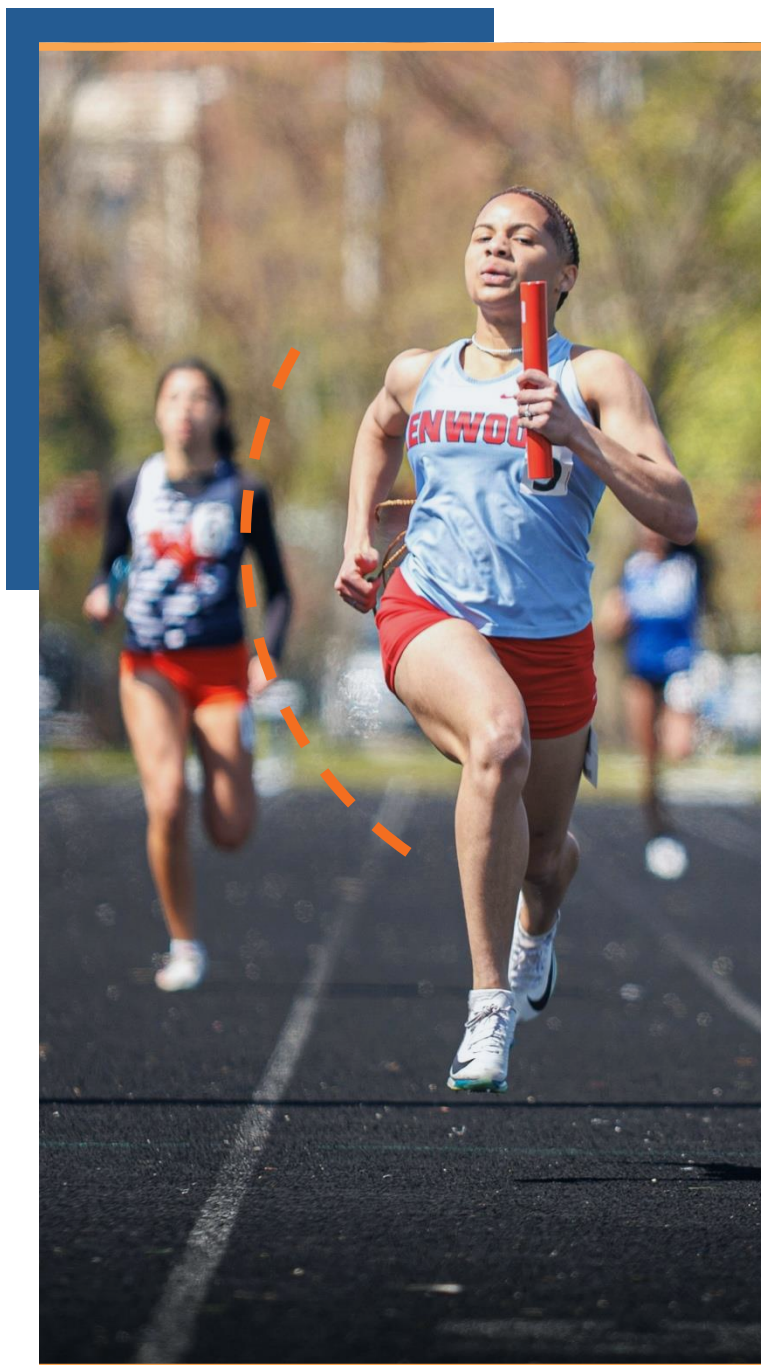
Where benefits are not equal, a school may not cite insufficient funds to provide better equipment, supplies, facilities, etc. for its boys' teams. Schools must use limited resources equitably among all teams. Further, schools often raise money for athletics through booster clubs supported by parents, guardians, community members, and/or alumni. If the school raises money for boys' teams through booster clubs, the school is still responsible for making sure that girls' teams receive equal benefits, and should further ensure girls' teams have similar opportunities and resources for fundraising (e.g., access to school personnel and facilities for a fundraising event, such as a dinner, carwash, or other activation).²¹ Just as schools would not allow donations of academic resources (e.g., computers) solely to male students, schools should not allow inequity in athletics-oriented donations. If booster club funds disproportionately benefit boys' teams, the school can:

- Ensure booster club funds are in a general school athletics fund for all teams;
- Refuse the donation, unless donors agree to provide equivalent benefit to girls' teams; or
- Reallocate monies from the general athletics fund to girls' teams that do not receive booster support.

The bottom line is that the school is responsible for Title IX compliance.



- **Example:** If a school holds post-season banquets for only the boys' football and basketball programs (claiming that this is allowable because they were gifts from the booster clubs), but no girls' teams receive post-season banquets, this is a Title IX concern.²² The school must ensure that the booster club funds do not result in discrepancies in benefits provided for the boys' and girls' teams.



VIII. SCHOLARSHIPS

While the majority of this guide focuses on high schools, for example, in contexts regarding colleges and universities, such institutions must provide scholarships to student athletes on a basis substantially proportional to the numbers of male and female athletes at the school.⁴⁴ For example, if 53% of athletes are male, only 52-54% of scholarship money should go to male athletes.⁴⁵ **To determine a school's compliance:**⁴⁷

1. Calculate the percentages of male and female athletes at the school. Count the total number of female athletes and divide by the total number of athletes at the school. Do the same for male athletes. Count each individual only once even if they compete for more than one team.⁴⁸
2. Determine the proportion of financial aid provided to male and female athletes. Find out the total dollar amount of scholarship money given to female athletes (check with the athletic department) and divide by the total dollar amount of athletic scholarship money provided to student athletes; do the same for male athletes. Note, it is important to find the total dollar amount, not simply the number of scholarships given, because male athletes often receive higher dollar amounts even if the total number of scholarships given is proportional.
3. Compare the results. The proportion of scholarship money given to female athletes should be within approximately $\pm 1\%$ of the proportion of female athletes at the school. For example, if girls are 44% of the athletes at the school, the proportion of scholarship money awarded to female athletes should be between 43-45%.⁴⁹ Also, male and female athletes should receive a proportionate amount of non-grant assistance, such as work-study opportunities.

Although a school may have justifiable reason for disparities in scholarship awards (for example, a college may coincidentally have more out-of-state male athletes who require more financial aid, or it may make reasonable choices for program development), there is often no justification for disproportionate awards.⁵⁰

None of the following reasons can be used as an excuse to offer less financial assistance to female athletes:⁵¹

- Revenue-producing capabilities of certain teams
- Sources of funds (e.g., booster club funds or alumni donations)
- Athletic association rules
- Differing levels of spectator interest or community and student support

Note that the intersection of Title IX with name image likeness (NIL) compensation and direct revenue sharing at the college level is a rapidly developing and unsettled area of law; anyone navigating these issues should consult current legal counsel.



IX. KNOW THE SCORE: Evaluate a School's Title IX Compliance

Knowing more about Title IX and other applicable laws, one can determine whether a school seems to be in compliance. Utilize the following checklists to find the problem areas at the school meriting attention and action. You can find the relevant information from the athletic director, administrators, coaches, athletes, and the school's website. In some instances, a public records act request is useful to obtain the information or requests to the school board if necessary. Note, the high school athletics association or other governing body may maintain data as to the number of athletes playing sports at the school to help evaluate equity.

Do women and girls have equal opportunities to play sports?

A school has three different options to fulfill the "equal opportunities" requirement of Title IX. Therefore, "yes" to any one of the three following options signals the school is providing equal opportunities to play sports.

1. *Are the percentages of male and female athletes the same (or very close to the same) as the percentages of boys and girls enrolled at the school?*

☐ YES ☐ NO



1. What is the total number of students in the school? How many are female? How many are male?	_____ Total _____ Female _____ Male
2. Divide the number of female students (from #1) by total students (from #1).	_____ %
3. Divide the number of male students (from #1) by total students (from #1).	_____ %
4. What is the total number of athletes at the school? (Count all levels — varsity, junior varsity, etc., but do not include club or intramural athletes.)	_____
5. How many are female athletes?	_____
6. How many are male athletes?	_____
7. Divide the number of female athletes (from #5) by total athletes (from #4).	_____ %
8. Divide the number of male athletes (from #6) by total athletes (from #4).	_____ %
9. Subtract the percentage of female athletes (from #7) from the percentage of female students enrolled (from #2). This is the participation gap for girls.	_____ % gap
10. Multiply the participation gap percentage (from #9) by the total number of athletes (from #4). This is approximately how many additional girl athlete spots are needed for proportionality — whether added through new teams, new levels, or expanded rosters.	_____ girls to add



2. *Does the school have a history and a continuing practice of expanding athletic opportunities for female students?*

☐ YES ☐ NO

In order to show a continuing practice of expanding athletic opportunities for girls (the historically underrepresented sex), a school must either add new teams or levels for female athletes, or add spots to existing girls' teams over time. Simply capping the size of boys' teams or cutting boys' teams does not count as expanding opportunities for girls. Furthermore, a school must show that it is continuing to add new teams or spots. If it had added teams in the past but is doing nothing presently (or has cut girls teams), the school does not fulfill this aspect of the equal opportunities test.

The following can help you determine whether a school has a history and continuing practice of expanding athletic opportunities for female students (if you answer "false" to any of the following, the answer to the above question is "no"):

Over the last few years (*i.e.*, 5-10 years), the school has added girls' teams:

☐ True ☐ False

Over the last few years, the school has not cut any girls' teams:

☐ True ☐ False

The school has policies for adding new athletic teams or athletes to girls' and boys' teams to ensure that boys are not favored over girls:

☐ True ☐ False

3. *Is the school fully and effectively accommodating female students' interests and abilities in athletics?*

☐ YES ☐ NO

A school's third option for complying with the "equal opportunities" component of the law is to show that it is already fully and effectively accommodating the interests of female students. To prove this, a school must demonstrate that it offers a team for every sport in which there is:

- sufficient interest and ability for a viable team; and
- a reasonable expectation of competition for that team in the institution's normal competitive region.⁵²

To determine whether there is sufficient interest and ability for a viable team, a school should review its on-campus and feeder programs.⁵⁴ On-campus programs may include club sports, intramural sports, and physical education classes.⁵⁵ If the school has any girls' club teams for which there is no corresponding varsity team, such as a club lacrosse team, this may indicate that the school is not currently meeting the interests and abilities of female student athletes. The same is true for intramural teams or physical education classes that teach a particular sport. Feeder programs include middle school programs, and recreational programs in the school's vicinity.⁵⁵ If female athletes elsewhere in the vicinity, but not at the school, are playing a particular sport, there may be unmet interest in that sport at the school. Further, assessment about regularly available girls' sports in the league helps in gauging what sports for girls the school can be offering.

A school may also conduct a survey of enrolled and future students to determine unmet interest in a particular sport. However, the school should not rely on this method alone to determine interest and ability. Surveys can be a useful tool to measure the female student body's interests in athletics, but they should not be the school's only method of assessment.⁵⁶



In summary, compliance with this third method is unlikely if there is a sport not currently offered to girls but for which there is competition in the region and 1) a club team; 2) an intramural team; or 3) a physical education class which teaches that sport.⁵⁷ Compliance is also unlikely if the school refused requests by female students to add a varsity or junior varsity team. Finally, if girls are trying out for a sport, yet being turned away due to lacking capacity on available teams, this constitutes another sign of unmet interest, especially where enough try out to make up additional levels (e.g., junior varsity volleyball, or third and fourth level teams for popular sports).

Are women and girls provided equal levels of competition?

1. *Does the school provide male and female athletes with similar competitive opportunities?*

☐ YES ☐ NO

Title IX covers more than just the quantity of teams and athletes; it also applies to the quality of competitive opportunities for male and female athletes.⁵⁸ In determining whether a school provides similar competitive opportunities for boys and girls, consider the following:⁵⁹

- Number of competitive events provided for each team at the school's competitive level
- Number of off-season competitive opportunities provided for each team

Note, if the school does not provide similar competitive opportunities for boys and girls, it may still be in compliance with Title IX if it has a history and continuing practice of upgrading the competitive opportunities available to girls.



Do women and girls receive equal treatment and benefits?

Please refer to the preceding chapters on treatment and benefits to determine whether the school treats female students the same as male students in these respects. Then check either "yes" if the school treats female students equally for that aspect, or "no" if it does not.

1. *Equipment and Supplies (e.g., game and practice apparel, bats, balls, pitching machines, etc.)*
☐ YES ☐ NO
2. *Locker Rooms (e.g., girls' and boys' locker rooms should have comparable amenities such as showers, toilets, lockers to accommodate equipment, etc.)*
☐ YES ☐ NO
3. *Practice and Competitive Facilities (e.g., scoreboards, goals, and bleachers should be of equivalent quality)*
☐ YES ☐ NO
4. *Scheduling of Games (e.g., dates, times, and numbers of scheduled games, number of pre-season and post-season opportunities, etc.)*
☐ YES ☐ NO
5. *Scheduling of Practice Times (e.g., dates, times, length, and numbers of scheduled practices)*
☐ YES ☐ NO
6. *Coaching (e.g., availability and ratio of coaches, including assistant coaches, their qualifications, and compensation)*
☐ YES ☐ NO
7. *Travel and Related Expenses (e.g., methods of transportation, dining allowances, accommodations, etc.)*
☐ YES ☐ NO
8. *Publicity (e.g., school newspaper articles, cheerleaders in attendance at games, public address announcements, school calendars, pep rallies, etc.)*
☐ YES ☐ NO
9. *Access to Tutoring (e.g., qualifications of tutors, availability of tutors, number of students per tutor per session, facilities, and materials available, etc.)*
☐ YES ☐ NO
10. *Medical and Training Facilities and Services (e.g., availability and quality of weight training facilities, athletic trainers, and medical personnel, etc.)*
☐ YES ☐ NO
11. *Housing Facilities and Servicesⁱ*
☐ YES ☐ NO
12. *Dining Facilities and Serviceⁱⁱ*
☐ YES ☐ NO
13. *Recruitment of Student Athletes (e.g., substantially proportionate to numbers of male and female athletes at the school)ⁱⁱⁱ*
☐ YES ☐ NO
14. *Support Services (e.g., clerical or administrative support provided to the teams)^{iv}*
☐ YES ☐ NO



Are women and girls offered proportional scholarship awards?

1. Do female athletes receive their fair share of athletic scholarship money?

☐ YES ☐ NO

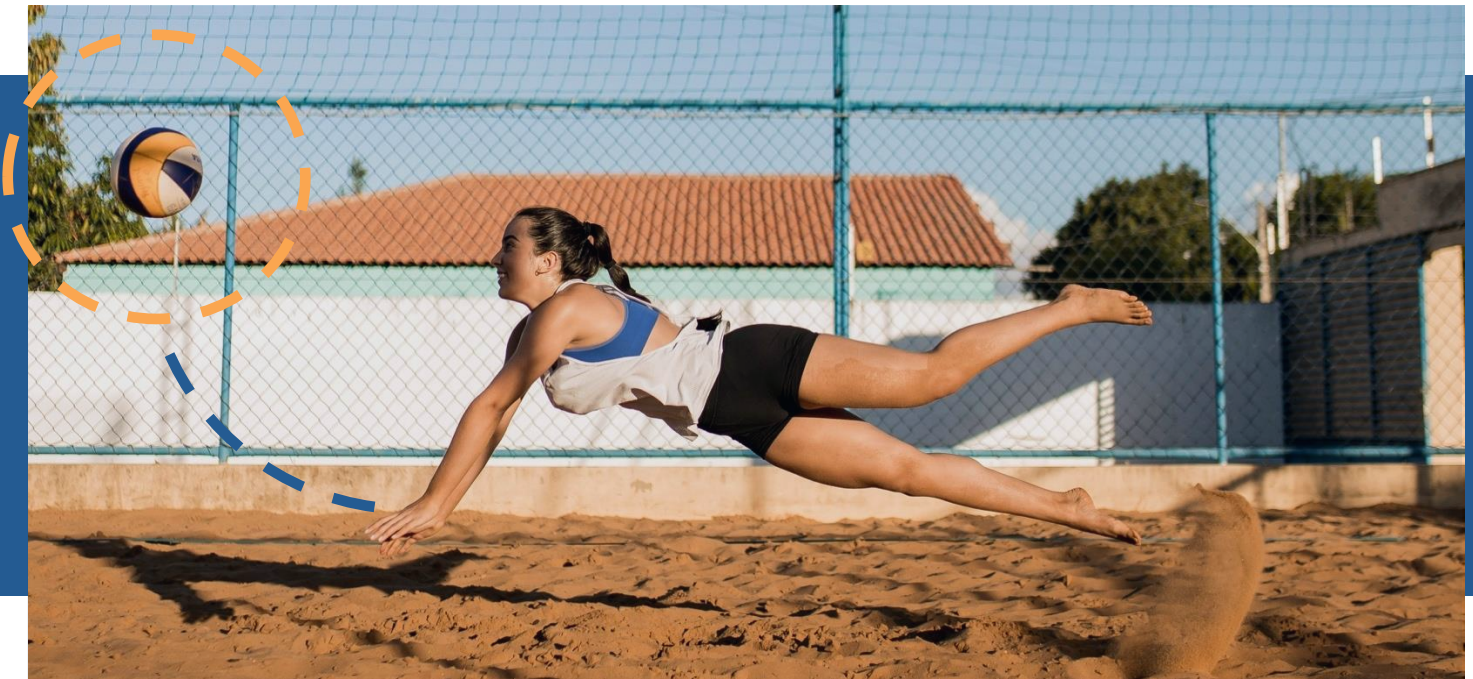
Institutions must provide financial aid in proportion to the number of students of each sex participating in intercollegiate athletics.⁶⁰ The law does not require that the total number of scholarships be proportionate to the number of participants of each sex, or that individual scholarships be of equal dollar value, but it does require the total dollar amount of scholarship aid given to girls to be substantially proportionate to their participation rates.

To determine whether proportionately equal amounts of financial assistance are available to boy's and girl's athletic programs, divide

the amounts of aid available for the members of each sex by the numbers of male or female participants, and compare the results. Financial assistance includes not only grants, but also work-study aid and loans.⁶¹



Example: University X provides \$450,000 in financial assistance to male athletes and \$400,000 to female athletes. There are 360 male athletes and 320 female athletes at the school. $\$450,000 / 360 = \$1,250$ per male athlete. $\$400,000 / 320 = \$1,250$ per female athlete. Because the amount of scholarship money is proportional to the number of athletic participants, this school is in compliance with this component of the law. Note, however, that the school does not actually have to give \$1,250 to every athlete; some athletes may receive more, and some athletes may receive no scholarship money at all.



- i. Applies mainly to colleges and universities.
- ii. Id.
- iii. Id.
- iv. Id.



X. QUESTIONS AND ANSWERS



I think the school is in violation of Title IX. What do I do now?

- The first step is to be alert about the school potentially being in violation—many schools do not know the law and what Title IX requires. The school may be willing to make voluntary changes.

Each school district is required by law to have a Title IX coordinator, and to publicize the name and contact information of the Title IX coordinator on its website. Find out who that person is and tell them about the Title IX problem(s) you have identified. If the school is a high school or middle school, consider contacting the principal, the athletic director, and the coaches in addition to the school district and/or school board personnel.

Noting the complaint in writing (*i.e.*, in an email), keeping a copy of the complaint, and saving related documents is helpful. Students can voice concerns by writing letters to school officials and school board members. Parents and guardians may also advocate for their children, and coaches of athletes. School personnel and leadership that note the issue can speak up and take action. Anyone can make a Title IX complaint and/or take action to elevate and address issues.

In addition, the OCR in the U.S. Department of Education is one body responsible for enforcing Title IX. A lawsuit is a possibility to enforce Title IX rights in addition to complaints being made to the school board and/or district and the state education department as well as the state athletics association. Note, complaint processes can take some time in terms of resolving the concerns.

If you have legal questions regarding the school and Title IX, or if you have been unsuccessful in resolving the claim, contact the California Women's Law Center (CWLC) at (323) 951-1041 or cwlc@cwlc.org. Students, families, coaches, and school personnel with specific legal questions are encouraged to seek current legal advice, as Title IX enforcement, regulations, and related areas continue to develop.

A reminder regarding retaliation that Title IX strictly prohibits schools from retaliating against any individual—including students, parents, coaches, or staff—who reports sex discrimination or participates in a compliance investigation or matter. Retaliation can include subtle or overt actions such as benching an athlete, reducing a coach's hours, or creating a hostile environment for those who speak up about inequities. Schools must ensure they do not create or act against girls, families, coaches, school personnel or anyone bringing an inequity complaint. Critically, such retaliation is considered a separate violation of the law and can serve as a standalone cause of action in a lawsuit. Courts have recognized the problem of retaliation and make clear that no adverse action should be taken against a player, coach, team, or related parties who are asserting inequity issues.



I am a coach of a girls' high school team that is being discriminated against by the high school in violation of Title IX. Is it legal for the school district to fire me for filing a Title IX complaint?

No. The Supreme Court ruled that it is illegal for a school district to retaliate against any person for complaining about sex discrimination in violation of Title IX.⁶² Examples of retaliation include negative performance evaluations after reporting sex discrimination, removal from the coaching position, limiting roles and opportunities within the coaching position, reducing or eliminating employee compensation, and other adverse employer actions following the Title IX Complaint, such as reducing gym access or other privileges.⁶³ Coaches and teachers are often in a helpful position to advocate for the rights of their students because they are able to identify discrimination and bring it to the attention of administrators.⁵⁹

There is a girls' club field hockey team at the school with enough female players to field a varsity team. The club has repeatedly asked to be given varsity status, but the school claims there is not enough funding. Is this legal under Title IX?

If the school provides male athletes with a greater number of slots on athletic teams than their proportion of the school population, refusing to add another girls' team is most likely a violation of Title IX. Lack of funding is never a valid justification for discrimination under Title IX. If there is a club team that has enough members to field a varsity team, has teams at other schools in the region to play, and has repeatedly asked to be awarded varsity status, then the school is not currently meeting female athletic interest and ability and is probably violating Title IX.

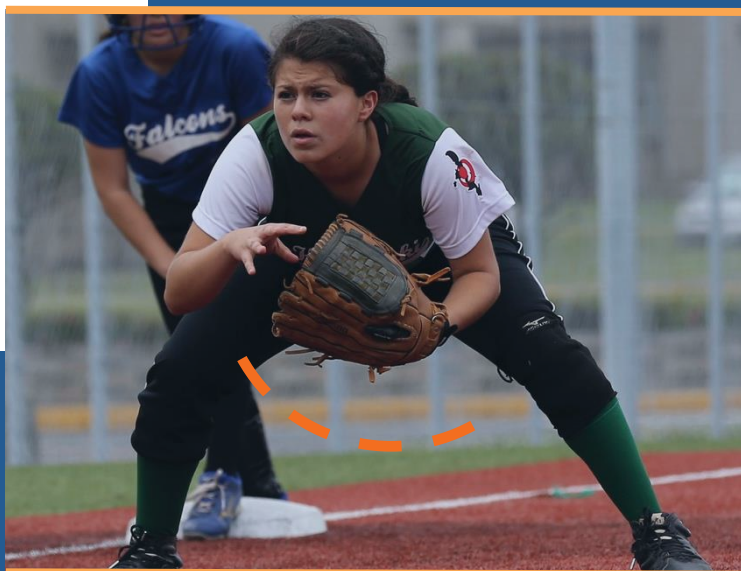
The school is a private school that does not receive any type of federal funding. Does this mean there is no recourse under Title IX?

If the school receives no federal funding, Title IX does not apply. Yet, nearly all private colleges receive federal funding through financial aid programs. Private high schools or middle schools may receive some benefit from federal tax dollars (e.g., federal lunch programs or school voucher programs). Further, private schools accepting federal vouchers, loans, and/or other federal support through dollars may be subject to Title IX.

Even if the school receives no federal funding, there may be separate state laws which often mirror Title IX but apply to schools that receive state funding (e.g., California Education Code § 221.5; California Education Code § 66271.7 (prohibiting gender discrimination in schools)).

Some private schools that operate within a league and/or association that receives Title IX support may render the school potentially subject to Title IX.

Charter schools are subject to Title IX and are in essence public schools due to public funds, yet often run outside district structures.



I heard that Title IX requires schools to cut boys' teams. Is this true?

Definitely not. Title IX does not require schools to cut boys' teams to comply with its requirement that schools provide girls with opportunities to play sports in proportion to their enrollment in the school. Individual schools may choose to cut boys' teams, rather than add more girls' teams, as a means to comply with Title IX. However, this is the decision of individual schools rather than a mandate under Title IX. Many schools are able to creatively use available resources to maintain the same level of boys' teams and sports programs while adding girls' teams and sport programs where necessary to be responsive to girls' interests and abilities.

Does Title IX apply to parks and recreation teams?

No. Title IX is an educational law which applies only to schools that receive federal funding. However, in 2004, California enacted the Fair Play Act, Government Code Section 53080, which prohibits gender discrimination in community youth athletic programs and the allocation of parks and recreation facilities. Like Title IX, this law requires community recreational departments to provide equitable opportunities, services, facilities, supplies, and more to male and female youth athletes. Reach out to CWLC to learn more about the Fair Play Act.

How are "name image likeness" (NIL) agreements impacting youth sports with Title IX in mind?

NIL rights allow student athletes to profit from their personal brand — through endorsements, social media, appearances, and similar opportunities. While NIL has been widely discussed in the college context, it is increasingly relevant at the high school level as state laws and school policies evolve to permit it. Under Title IX, if a school or its affiliated programs facilitate, promote, or

support NIL opportunities for student athletes, those opportunities must be made available equitably to both male and female athletes. For example, if a school helps connect its football players with local sponsors or endorsement deals, it must make comparable support available to female athletes. Allowing NIL access to flow predominantly to boys' programs — whether through school resources, staff time, or institutional relationships — can constitute a Title IX violation. The source of the opportunity does not eliminate the school's responsibility to ensure gender equity.

State rules on high school NIL vary significantly, and schools should consult applicable state athletic association guidelines alongside their Title IX obligations. Because NIL law at both the high school and college levels is actively evolving, and federal guidance in this area is shifting, students, families, and schools with specific questions should seek current legal advice rather than rely solely on this guide.

What if one boys' sport or team at the school is treated much better than a girls' sport or team (i.e., the importance of an overall program analysis)?

Title IX assesses the overall athletic program, not individual sport-to-sport comparisons. The analysis looks at all girls' teams together versus all boys' teams together — in terms of treatment, benefits, and participation opportunities. That a boys' lacrosse program is treated better than a girls' basketball program, while concerning and likely evidence of a larger pattern, does not determine whether a violation exists in isolation. The question is whether boys' sports, taken as a whole, receive superior treatment, benefits, or roster opportunities compared to girls' sports as a whole. Football, which typically has no direct female counterpart, is included in this aggregate analysis rather than excluded from it.



? Does it matter how an athletic director, principal, or coach opines about the situation, such that they express personal sentiments about girls' sports?

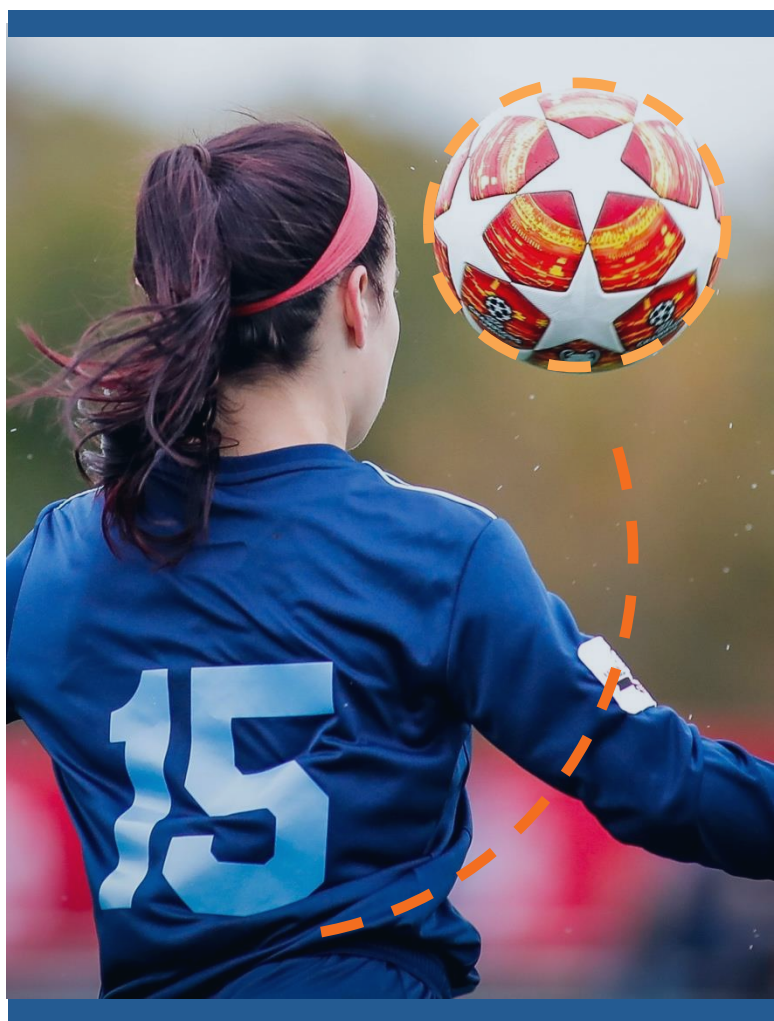
Title IX focuses on objective outcomes, such as how resources are allocated, which fields are assigned, and how many teams are offered, rather than on anyone's subjective views or stated intentions. Whether a school official personally supports or likes girls' sports (while helpful!) is generally irrelevant in comparison to the program's budget for uniforms, scheduling, and opportunity offerings. This makes both the analysis and the remedies more straightforward; regardless of individual attitudes, the program must be gender equitable. Note, if a retaliation claim is at issue, the words and actions of individual people such as the athletic director do come into play.

? How does the law view booster clubs and third party donations?

The source of funding does not determine whether Title IX applies. If a school's athletic program receives federal funding, it must be gender equitable — regardless of whether money comes from the school budget or external donors. If a booster club raises funds and directs them primarily or exclusively to boys' teams, that arrangement is not permissible under Title IX. The same principle applies to in-kind donations: a technology company donating computers only to male students would not be an acceptable gift. Schools, their staff, and their leadership are responsible for ensuring that donations, monetary or otherwise, are distributed equitably across curricular and co-curricular activities, equally benefitting the student body.

? Do exceptions to Title IX exist for specific sports such as football?

No. Gender equity is required across all school-sponsored activities in federally funded institutions, in the classroom and in athletics alike. There is no carve-out for any sport, including football or basketball, or in the event a sport is more popular with fans, on a winning streak, or revenue-generating, such as through ticket sales. Just as a school cannot assign girls to inferior classrooms or give them outdated textbooks while boys receive new ones, it cannot provide girls with inferior athletic opportunities, facilities, or treatment. All sports are included in the Title IX equity analysis, and no sport or team is exempt from the requirement.



XI. REFERENCES

1. Kathryn M. Reith, *Playing Fair: A Women's Sports Foundation Guide to Title IX in High School & College Sports* 6 (4th ed. 2004) [hereinafter, "*Playing Fair*"].
2. Title IX is a gender-neutral statute and prohibits sex discrimination of any kind; therefore the statute protects boys as well as girls. Historically, girls have been the underrepresented sex at most schools, so this manual focuses on girls' rights. However, if boys are underrepresented in a school's athletic program, such as at a previously all-girls school that has become co-ed, the rules of Title IX would apply to boys' athletic teams as well.
3. NFHS (National Federation of State High School Associations), *2020–2021 High School Athletics Participation Survey Results*. Indianapolis: NFHS (2022), available at https://www.nfhs.org/media/5989280/2021-22_participation_survey.pdf.
4. *Id.*
5. National Women's Law Center, *The Battle for Gender Equity in Athletics in Elementary and Secondary Schools* (2022), available at https://nwlc.org/wp-content/uploads/2022/06/MM_NWLC_K12_50th_FS.pdf [hereinafter, "*Battle for Gender Equity*"].
6. Karen Blumenthal, "Title IX's Next Hurdle," *Wall St. J.*, Jul. 6, 2005, at B1.
7. Rebecca D. Kehm, *et al.*, "Physical activity during adolescence and early adulthood and breast cancer risk before age 40 years." *Cancer Epidemiology, Biomarkers & Prevention* 34.1, 108–116 (2025)
8. Dorothy Teegarden *et al.*, "Previous Physical Activity Relates to Bone Mineral Measures in Young Women," 28 *Med. & Sci. in Sports and Exercise* 105 (1996).
9. Mercedes R. Carnethon *et al.*, "Cardiorespiratory Fitness in Young Adulthood and the Development of Cardiovascular Disease Risk Factors," 290 *JAMA* 3092, 3098–99 (2003).
10. Battle for Gender Equity, *supra* note 5, at 2.
11. Luis G. Escobedo *et al.*, "Sports Participation, Age at Smoking Initiation, and the Risk of Smoking Among US High School Students," 269 *JAMA* 1391, 1394 (1993).
12. Ralph McNeal, "Extracurricular Activities and High School Dropouts," 68 *Sociology of Education* 62, 74 (1995).
13. Korey Capozza, "Team Sports Give Girls an Edge: Your Future CEO Could Get Her Start in Athletics," *Prevention* (Aug. 11, 2005), available at <https://web.archive.org/web/20051208075717/http://msn.prevention.com/article/0,5778,s2-6-73-87-3629-1,00.html>.
14. The Women's Sports Found., "*Benefits – Why Sports Participation for Girls and Women: The Foundation Position*" (Aug. 14, 2001), available at <https://web.archive.org/web/20021027081900/http://www.womenssportsfoundation.org/cgi-bin/iowa/issues/body/article.html?record=577>.
15. *Id.*
16. Ernst & Young Global Ltd., *Why a Female Athlete Should Be Your Next Leader*, EY (2018), available at https://www.ey.com/en_au/athlete-programs/why-a-female-athlete-should-be-your-next-leader.
17. 20 U.S.C. § 1681 (2000).
18. *Playing Fair*, *supra* note 1, at 5.
19. *Id.* at 10.
20. *Id.*
21. U.S. Department of Education, Office for Civil Rights, Title IX Athletics Investigator's Manual 5 (1989), available at <https://files.eric.ed.gov/fulltext/ED315919.pdf> [hereinafter, "*Investigator's Manual*"].
22. *Playing Fair*, *supra* note 1, at 11.
23. "A Policy Interpretation: Title IX and Intercollegiate Athletics," 44 *Fed. Reg.* 71,413 (Department of Health, Education & Welfare Dec. 11, 1979) (codified at 45 C.F.R. pt. 86) [hereinafter, "*1979 Policy Interpretation*"].



24. Investigator's Manual, *supra* note 21, at 24.
25. *Id.* at 22.
26. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,415.
27. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,416.
28. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,416.
29. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,416.
30. Playing Fair, *supra* note 1, at 24.
31. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,416.
32. Playing Fair, *supra* note 1, at 27.
33. *Id.* at 22.
34. *Id.* at 30.
35. *Id.*
36. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,416-417.
37. Playing Fair, *supra* note 1, at 28.
38. *Id.*; see also NCAA, *Achieving Gender Equity*. 17-18 (3d ed.) [hereinafter, "*Gender Equity*"].
39. Playing Fair, *supra* note 1, at 29.
40. *Id.* at 29.
41. Gender Equity, *supra* note 38, at 23.
42. *Id.*
43. *Id.* at 21.
44. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,415.
45. Linda Bunker *et al.*, "National Women's Law Center, Check it Out: Is the Playing Field Level for Women and Girls at Your School?" 12 (2000).
46. *Id.*
47. *Id.*
48. *Playing Fair*, *supra* note 1, at 17; see also *Gender Equity*, *supra* note 38, at 5.
49. *Playing Fair*, *supra* note 1, at 17-18.
50. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,415.
51. Gender Equity, *supra* note 38, at 4-5.
52. U.S. Department of Education, Office for Civil Rights, *Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test* (1996), available at <http://www.ed.gov/about/offices/list/ocr/docs/clarific.html>
53. Gender Equity, *supra* note 38, at 7.
54. *Id.*
55. *Id.*
56. *Id.*
57. *Id.*
58. *Playing Fair*, *supra* note 1, at 17.
59. *Id.*
60. *Id.*
61. 1979 Policy Interpretation, 44 *Fed. Reg.* at 71,415.
62. *Jackson v. Birmingham Bd. of Educ.*, **125 U.S. 1497** (2005).
63. *Id.*

XII. ACKNOWLEDGMENTS

Special recognition to Vicky Barker for drafting the original Time Out guide in 2006.



The mission of California Women's Law Center is to create a more just and equitable society by breaking down barriers and advancing the potential of women and girls through transformative litigation, policy advocacy, and education.

*Note, while this material and work focus on youth identifying as girls, California Women's Law Center (CWLC) supports equitable athletic access for all youth regardless of gender, gender identity, sexual orientation, race, socioeconomic status, ability, and more. CWLC notes the drafters' binary approach and language in laws covered in these materials and further underscores the importance of ensuring inclusive, equitable, welcoming, and safe environments for all youth.

Thank you to all who contributed to CWLC's Fair Play materials, including Goodwin Procter LLP.

[Learn More](#) | [Support](#) | [Get Involved](#) | [Donate](#)

CONTACT US!

California's Women's Law Center

360 N. Pacific Coast Hwy.
Suite 2070, El Segundo, CA 90245

cwlc@cwlc.org

323.951.1041

cwlc.org

CALIFORNIA
WOMEN'S
LAW CENTER