

## An Open Letter To Parents:

As the fall athletic season of 2007 commenced, girls who participated in volleyball, basketball and golf enjoyed for the first time the benefits of playing their sport in the beneficial season. The MHSAA is responsible for the scheduling of the seasons and for equitable treatment and benefits at all state tournament contests. However, each individual school district is responsible for compliance with state and federal antidiscrimination laws. These include the Equal Protection Clause of the Fourteenth Amendment, Title IX, and the Michigan Elliot-Larson Civil Rights Act. PLEASE become an advocate for equity.

It is imperative that you and your student athlete understand your legal rights as they apply to athletic programs. Briefly, under Title IX, each district is responsible for providing nondiscriminatory opportunities to play sports by meeting any of the following three tests: substantial proportionality, history of continuing practice of expansion, or fully and effectively accommodating interests. Under Title IX, your school district is also responsible for providing fair treatment and benefits.

### Equal Opportunities to Compete- Three Part Test

1. Substantial Proportionality– A school complies with this prong of the test if the number of male and female athletes is substantially proportionate to the percentages of males and females enrolled at the school.
2. History of 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 the underrepresented gender, which historically have been females.
3. Fully and Effectively Accommodating Interests– A school may comply with Title IX by fully and effectively meeting students interests and abilities in sports. To determine if it is meeting all of the interests, for example, in girls' sports, a school should: (a) evaluate girls' requests to add sports (b) evaluate female student participation in club or intramural sports (d) conduct periodic student surveys to determine the interest levels in all sports for females and males (e)access sports played by girls at nearby schools, feeder schools for universities, and local recreation athletic leagues.

### Treatment and Benefit Issues

1. Coaching salaries– comparable depending on experience and level
2. Primetime opportunities– Friday night/ Sat night games: Ex. girls' teams should have the same number of Friday night 7pm contests as boys' teams.
3. Uniform rotation– uniforms should be equitable between boys and girls teams and be replaced on the same schedule

4. Availability of comparable equipment/ supplies– equipment for boys’ and girls’ teams should be comparable in quality and quantity and purchased on the same rotation schedule.
5. Practice rotation schedules– practice sites and times must be rotated so as to provide both boys’ and girls’ teams with the same number of prime practice times and sites.
6. Competition sites– contests must be held in equitable facilities. If boys basketball games are held in the main gym, girls basketball games must also be held in the main gym.
7. Support services– programs, pep bands, cheer teams, etc. should be provided for both male and female teams in the same manner and number. If a school district has a booster club, money should be allocated to both boys’ and girls’ teams equitably.
8. Travel methods– travel to and from competition sites must be equitable. If male teams are transported by bus to and away, girls’ teams must also be transported in the same manner.

Many areas of discrimination continue. Girls have fewer athletic opportunities for participation in the winter season since only cut sports are offered while boys have non-cut participation opportunities during every season. Also because the MHSAA chose to split athletic seasons for girls in golf, tennis, swimming and soccer between the Upper Peninsula and the Lower Peninsula, girls participating in those sports in the U.P. cannot compete for a state championship. Boys are affected by this split in only soccer. Also, the current compliance plan still leaves 16% of all female athletes playing in a harmful season compared to 9% of the male athletes.

The struggle is not over. The battlefield is now at the local level. Communities for Equity will continue to provide education and assistance to parents, coaches, or student athletes who find equity problems at their schools. Please contact us at [cfeinfo@gmail.com](mailto:cfeinfo@gmail.com). Communities for Equity can provide an Athletic Equity Checklist that can be used to evaluate your school. Assistance can also be found at the Women’s Sports Foundation([www.womenssportsfoundtion.org](http://www.womenssportsfoundtion.org)) and the National Women’s Law Center ([www.nwlc.org](http://www.nwlc.org))