

THE FAIR PLAY FOR WOMEN ACT

SPONSORED BY SENATOR CHRIS MURPHY & REPRESENTATIVE ALMA ADAMS

More than fifty years ago, Title IX's passage transformed sports, helping millions more women and girls compete in athletics than ever before. Despite this progress, we have not achieved true gender equity and fairness in sports. Today, girls have over a million fewer opportunities than boys to participate in high school sports and despite women comprising most undergraduate students, they represent only 44 percent of all college athletes. Even when women and girls compete in sports, schools often provide fewer resources in the form of worse facilities, uniforms, and equipment, along with fewer athletic scholarships and unequal promotion of their sports. Meanwhile, the ways in which we hold schools accountable for failing to comply with Title IX are ineffective or incomplete. Schools often misreport critical athletics data and public reporting of this data lacks meaningful transparency, repeated Title IX violations do not carry serious consequences to ensure schools come into compliance, and athletes are too often unaware of their rights under Title IX and how to affect change at their schools.

To address ongoing unfairness in school-based athletics and help make sports fair for all athletes, the Fair Play for Women Act would:

- Hold schools and athletic associations accountable for discriminatory treatment. The bill would codify that state and intercollegiate athletic associations, including the NCAA, cannot discriminate based on sex, along with asserting non-discrimination protections within all school-based athletics, including club and intramural sports. It would also provide a robust private right of action for all athletes in their discrimination claims, making it easier for athletes to push for change at their schools. The bill would authorize the Department of Education to levy civil penalties on schools that repeatedly discriminate against athletes and require schools to submit publicly available plans to remedy violations, providing more tools to compel compliance and resolve ongoing discrimination.
- Expand reporting requirements for college and K-12 athletics data and make all information easily accessible to the public. The bill would establish a one-stop shop for key athletics data by expanding the scope and detail of reporting by colleges, extending these requirements to include athletics at elementary and secondary schools, and requiring the Secretary of Education to house all data on the same public website. The bill also requires that schools certify the data they submit and report how they are claiming Title IX compliance, it directs the Department of Education to publish an annual report on gender equity in school-based athletics. These provisions will help weed out reporting tricks by programs to skirt non-discrimination laws and make it easier for athletes and stakeholders to evaluate persisting gaps in athletic programs or use publicly available data in their claims against schools.
- Improve education of Title IX rights among athletes, staff, and stakeholders. The bill would require Title IX trainings on an annual basis for all athletes, Title IX coordinators, and athletic department and athletic association staff. The bill would also establish a public database of all Title IX coordinators at colleges and K-12 schools, included in the one-stop shop for athletics data. These provisions will ensure all people involved with K-12 and college athletics understand what Title IX means and what students' rights are under the law.