



Oregon School Activities Association

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TITLE IX AND HIGH SCHOOL ATHLETICS

2015 Oregon School Law Conference

Title IX and Athletics:

§106.41 No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide any such athletics separately on such basis.

With regard to athletics, Title IX requires that overall school programs meet the following three analytic standards:

1. **Offer both female and male students equal athletic participation opportunities, and effectively accommodate your students' interests and abilities by meeting one of the following in the "Three Part Test":**
 - a. Participation opportunities for both sexes are substantially proportionate to respective enrollments; or
 - b. The district/school demonstrates a history and continuing practice of expanding athletic participation opportunities for the underrepresented sex; or
 - c. Even if the school is not offering substantially proportionate opportunities, it has fully and effectively accommodated the interests and abilities of the underrepresented sex.

2. **Demonstrate equal treatment by making sure that the overall program is providing male and female athletes with equal benefits and opportunities with regard to:**
 - ❖ Equipment and supplies;
 - ❖ Locker rooms, practice and competitive facilities;
 - ❖ Assignment and compensation of coaches and tutors;
 - ❖ Scheduling of games and practices;
 - ❖ Travel and per diem;
 - ❖ Housing and dining;
 - ❖ Publicity;
 - ❖ Opportunity to receive academic tutoring;
 - ❖ Medical and training facilities;
 - ❖ Recruitment;
 - ❖ Support Services.

Issue from FAQs: Funding sources used for the above benefits and opportunities.

3. **Allocate athletic financial assistance equitably.**

Percentages of athletic scholarship money is awarded to male and female athletes within 1%.

Resources:

- OCR Reading Room: <http://www2.ed.gov/about/offices/list/ocr/publications.html>
- 1975 Title IX Regulations
- 1979 Policy Interpretation: Intercollegiate Athletics
- Guidance based on 1979 Policy Interpretation
- 1996 Clarification: The Three-Part Test
- 2003 Further Clarification: The Three-Part Test
- 2010 Dear Colleague Letter: The Three-Part Test

Presenters

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DEPARTMENT OF
EDUCATION

Oregon School
Activities Association



Oregon School Activities Association
and the Oregon Department of Education present a
series of webinars on
TITLE IX and ATHLETICS

WEBINAR #2 / RESCHEDULED

**January 13, 2016 / The Laundry List - Part 1
9am-10:30am**

HOW TO PARTICIPATE

No Pre-Registration Required

Please join this meeting from your
computer, tablet or smartphone.

<https://www.anymeeting.com/057-422-552>

You can also dial in using your phone.
United States (Toll-free): 800-366-4068
Access Code: 259 0666#

Topics Covered

Participation:
The 3-Part Test

Scholarships

Q & A Sessions

Experiences and

Benefits:

Scheduling

Travel

Coaching

Locker Rooms

Facilities

Medical/Training

Publicity

Recruiting

Tutoring

And more...

TITLE IX

“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 EDUCATION PROGRAM OR
ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE.”

Future Webinar: February 10, 2016

The Laundry List Continued, Athletic Funding, Case Studies, Audience Q & A

Three-Part Test Webinar Recording and PowerPoint Link:

<http://www.osaa.org/docs/osaainfo/TitleIXThreePartTestWebinarSept2015OSAAODE.mp4>

Questions:

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