

Senate Bill No. 1349

Passed the Senate August 11, 2014

Secretary of the Senate

Passed the Assembly August 7, 2014

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 221.9 to the Education Code, relating to school athletics.

LEGISLATIVE COUNSEL'S DIGEST

SB 1349, Jackson. School athletics: information relating to competitive athletics.

Existing law, known as the Sex Equity in Education Act, declares that it is the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted without regard to the sex of the pupil enrolled in those classes and courses. The act also prohibits public funds from being used in connection with any athletic program conducted under the auspices of a school district governing board or any student organization within the school district that does not provide equal opportunity to both sexes for participation and for use of facilities.

This bill would express legislative findings and declarations relating to the participation of girls and women in competitive athletics. The bill would require, commencing with the 2015–16 school year and every year thereafter, each public elementary and secondary school in the state, including each charter school, that offers competitive athletics, as defined, to make specified data publicly available at the end of the school year, as specified.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Female pupils receive substantial benefits from participating in athletics, including physical benefits, psychological and emotional health benefits, learning responsible social behavior, and achieving greater academic success. The achievements of women in athletics is demonstrated by their performances in the Olympic Games, women's professional sports leagues, and other national and international women's sporting events that receive public attention.

(b) In 1912, only 2 percent of Olympic athletes were women; in 2012, 44 percent of Olympians were women.

(c) Between 1972 and 2011, the number of girls competing in high school sports jumped from under 295,000 to nearly 3,200,000. But the level of opportunity for girls still has not reached the level of opportunity for boys that existed when Title IX of the Education Amendments of 1972 to the Civil Rights Act of 1964 was enacted.

(d) There are more women playing collegiate sports—about 200,000—than ever before. The number of female athletes at National Collegiate Athletic Association (NCAA) schools has increased from less than 30,000 to over 193,000 since 1972, but women still have over 60,000 fewer participation opportunities than their male counterparts.

(e) Despite the fact that millions of women and girls are competing, they are unlikely to see athletic role models of their own gender in the media. Researchers from the University of California and Purdue University completed a 20-year study of sports coverage that shows the short shrift that women’s sports receives compared to men’s on network news and ESPN SportsCenter: in 2009, women’s sports got only 1.6 percent of the airtime, down from 6.3 percent in 2004.

(f) Unfortunately, Title IX has not managed to extend the social and health benefits of sports to all girls equally. In 2008, a national survey of pupils in grades 3 to 12, inclusive, by the Women’s Sports Foundation found that 75 percent of Caucasian girls play sports, compared to less than two-thirds of African American and Hispanic girls, and about one-half of Asian girls. And, while boys from immigrant families are well represented in youth sports, less than one-half of the girls from those families are playing sports.

(g) The gender gap is also worse in urban schools and among kids from low-income families. These disparities in youth sports persist at the collegiate level. African American women are underrepresented in all sports except for Division I basketball and track and field, and Latinas make up just 4 percent of the female athletes in the NCAA.

SEC. 2. Section 221.9 is added to the Education Code, to read:

221.9. (a) Commencing with the 2015–16 school year and every year thereafter, each public elementary and secondary school in the state, including each charter school, that offers competitive

athletics shall publicly make available at the end of the school year all of the following information:

- (1) The total enrollment of the school, classified by gender.
- (2) The number of pupils enrolled at the school who participate in competitive athletics, classified by gender.
- (3) The number of boys' and girls' teams, classified by sport and by competition level.
 - (b) The data required pursuant to subdivision (a) shall reflect the total number of players on a team roster on the official first day of competition.
 - (c) The school shall make the information specified in subdivision (a) publicly available as follows:
 - (1) If the school maintains an Internet Web site, by posting the information on the school's Internet Web site.
 - (2) If the school does not maintain an Internet Web site, by submitting the information to its school district or, for a charter school, to its charter operator. The school district or charter operator shall post the information on its Internet Web site, and the information shall be disaggregated by schoolsite.
 - (d) The materials used by a school to compile the information specified in subdivision (a) shall be retained by the school for at least three years after the information is posted on the Internet pursuant to subdivision (c).
 - (e) As used in this section, "competitive athletics" means sports where the activity has coaches, a governing organization, and practices, and competes during a defined season, and has competition as its primary goal.

Approved _____, 2014

Governor