
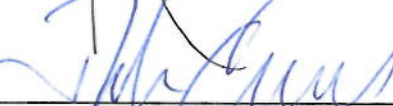


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2 Chairman Phil Mendelson

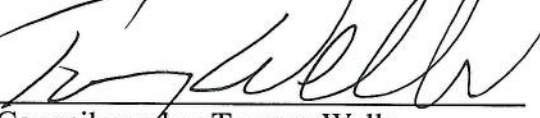
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6 Councilmember David Catania

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10 Councilmember Marion Barry

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14 Councilmember Muriel Bowser


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18 Councilmember Jack Evans

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22 Councilmember David Grosso


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26 Councilmember Tommy Wells



Councilmember Kenyan R. McDuffie


Councilmember Yvette Alexander


Councilmember Anita Bonds


Councilmember Mary Cheh


Councilmember Jim Graham


Councilmember Vincent Orange

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30 A BILL

31 _____
32 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
33 _____

34 Councilmember Kenyan R. McDuffie introduced the following bill, which was referred to the
35 Committee on _____.

36 To require each public elementary, middle, and high school to submit an annual assurance of
37 compliance with Title IX; to require the Mayor to publish a list of schools that do not
38 submit an assurance of compliance; to require schools to annually report data on their
39 athletic programming and make such data publicly available; to require the Mayor to
40 develop five-year athletic equity strategic plans; to require the Mayor to issue regulations

1 establishing grievance procedures; and to designate District-wide and school-based Title
2 IX Athletic Coordinators and an NCAA Eligibility and Athletic Scholarship Coordinator.

3 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
4 act may be cited as the “Title IX Athletic Equity Act of 2013”.

5 Sec. 2. Nondiscrimination; assurance of compliance.

6 Each District public elementary, middle, and high school shall operate its athletic
7 programs in a manner that does not discriminate against students or staff on the basis of sex or
8 gender. Each public elementary, middle, and high school shall submit an assurance of
9 compliance with Title IX of the Education Amendments of 1972 (Pub. L. 92-318, 20 U.S.C.
10 1681 *et seq.*) (“Title IX”) and this act to the Mayor annually. The Mayor shall annually publish a
11 list of schools that fail to submit the assurance of compliance by August 1.

12 Sec. 3. Athletic equity reporting.

13 (a) The annual assurance of compliance required by section 2 shall include the following
14 information:

15 (1) The total enrollment in the school by gender, and race and/or ethnicity;

16 (2) The number of students participating in athletics by team (including by
17 competition level) and by gender, and race and/or ethnicity;

18 (3) The coach-to-athlete ratio by team;

19 (4) The total number of athletic directors, athletic staff, coaches, trainers, and
20 medical service providers, and for each employee, an identification of the employee’s:

21 (A) Title, compensation (separated by primary duties and athletic duties, if
22 applicable), gender, and race and/or ethnicity;

23 (B) Employment status, such as full-time, part-time, contract, or volunteer;

24 (C) Qualifications and experience, including length of time in the current

1 position and relevant certifications; and

2 (D) Duties other than those related to athletics, training, or medical
3 services, as applicable;

4 (5) The funding sources for athletic programs and to which programs those funds
5 are allocated and in what amount, including state and federal funding, fundraising or booster
6 clubs, game and concession receipts, donations, grants, and other sources;

7 (6) The total annual expenditures by team, if applicable, including:

8 (A) Capital expenditures;

9 (B) Expenditures for travel;

10 (C) Expenditures for equipment, including any equipment replacement
11 schedule;

12 (D) Expenditures for uniforms, including any uniform replacement
13 schedule;

14 (E) Expenditures for construction, renovation, expansion, maintenance,
15 repair and rental of athletic facilities, including medical facilities, locker rooms, fields, and
16 gymnasiums;

17 (F) Publicity and recruitment; and

18 (G) Awards, banquets, insurance, and any other expenses;

19 (7) The practice and competition schedule, including the day of the week, time,
20 and location where a practice or competition was scheduled;

21 (8) The season in which each team competed;

22 (9) Whether each team participated in post-season competition and the success of
23 such team in any post-season competition;

1 (10) The nature and extent of training provided to athletic administrators, coaches,
2 and other staff regarding the requirements of Title IX and strategies to promote gender equity in
3 athletics;

4 (11) The availability of academic supports for athletes;

5 (12) The conditions and locations of all athletic facilities and a listing of the teams
6 that use each facility;

7 (13) The elementary and secondary academic success, graduation rates, college
8 attendance rates, and college athletic scholarship acceptance rates (if known) of students by
9 gender, race and/or ethnicity, and level of athletic competition; and

10 (14) For the initial submission under this section, the school year in which each
11 existing team was established and, for each subsequent year, a listing of teams that were newly
12 established, reestablished, eliminated or demoted from competition during the school year.

13 (b) The Mayor shall publish the information submitted pursuant to subsection (a) of this
14 section on the website of the Office of the State Superintendent of Education and the Public
15 Charter School Board and submit the information to the Council by August 1.

16 Sec. 4. Title IX athletic equity strategic plans.

17 (a) By August 1, 2014, and every 5 years thereafter, the Mayor shall develop a five-year
18 strategic plan to bring all public elementary, middle, and high schools into compliance with
19 federal Title IX athletic regulations and policies and this act. The plan shall include:

20 (1) Data submitted to the Mayor under this act for the prior five years;

21 (2) A listing of schools by gender participation gap by greatest to least, to be
22 measured by the difference between the percentage of enrolled students who are girls and the
23 percentage of total athletic opportunities (measured as spots on teams) provided to girls;

1 (3) A description of athletic funding, by school;

2 (4) A strategy for increasing athletic gender equity;

3 (5) A survey of best practices from other states, municipalities, and local
4 community-based organizations; and

5 (6) A summary and analysis of any complaints made to the Mayor pursuant to
6 Section 5.

7 Sec. 5. Grievance procedures.

8 (a) The Mayor shall issue regulations establishing grievance procedures for responding to
9 and resolving complaints made by students, guardians, and community organizations relating to
10 noncompliance with Title IX or this act, including a timeline for responding to complaints,
11 informing complainants as to the resolution of the complaint, and an appeals process.

12 (b) The Mayor shall summarize all complaints made under this Act, including their
13 resolution, in an annual report and briefing to the Council.

14 Sec. 6. Designation of Title IX athletic coordinators.

15 (a) The Mayor shall designate at least one employee to coordinate the District's efforts to
16 comply with and carry out its responsibilities under Title IX and this act (the "Coordinator"). The
17 Coordinator may be the same person required to be designated under 34 C.F.R. § 106.8. The
18 Mayor shall annually notify all students and guardians of and make publicly available on a
19 website the name, address, e-mail address, and phone number of the Coordinator. The Mayor
20 shall post a notice with this information in each school's athletic facilities.

21 (b) The Mayor shall additionally designate one Title IX Athletic Coordinator per school,
22 who shall have the following minimum responsibilities:

23 (1) To receive and process complaints and inquiries related to Title IX and

1 athletics;

2 (2) To make recommendations to the school's administration on promoting
3 gender equity in athletics;

4 (3) To maintain a permanent Title IX file;

5 (4) To implement the school's athletic non-discrimination policy, if any; and

6 (5) To enforce corrective measures to comply with Title IX.

7 Sec. 7. Designation of an NCAA eligibility and athletic scholarship coordinator.

8 (a) The Mayor shall designate at least one employee in the District to liaise with each
9 public high school and to educate each school, its students, and their guardians regarding
10 National Collegiate Athletic Association ("NCAA") eligibility requirements and collegiate
11 athletic scholarships, with particular emphasis on outreach to girls.

12 Sec. 8. Rulemaking.

13 The Mayor shall have the authority to issue regulations under this act.

14 Sec. 9. Fiscal impact statement.

15 The Council adopts the fiscal impact statement in the committee report as the fiscal
16 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
17 approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-206.02(c)(3)).

18 Sec. 10. Effective date.

19 This act shall take effect following approval by the Mayor (or in the event of veto by the
20 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
21 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
22 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
23 Columbia Register.