

Congresswoman Louise M. Slaughter (NY-28), Chairwoman of the House Committee on Rules and a strong advocate of women's sports, praised a new policy that will help ensure that girls' sports programs continue to have even footing with men's. The new Title IX athletics guidance will help undo a Bush Administration policy from 2005 that had allowed colleges an easy way to justify cuts to women's sports programs.

"The sports opportunities afforded by Title IX should rightly be preserved – not dismissed as the previous administration sought to do," Slaughter said. "Student athletes do better at school, graduate at higher rates and are less likely to abuse alcohol or use drugs. Studies have shown that they have more confidence, better body image, and higher self-esteem than female non-athletes. That's one of the main reasons I have introduced the High School Athletics Accountability Act. My bill would help track high school athletic opportunities for women so that local school districts pressed for funds can no longer cut out girls programs to balance their budgets."

The [text of Slaughter's bill can be found here](#) and [a summary of the legislation can be found here](#).

The ruling rescinds the 2005 "Additional Clarification of Intercollegiate Athletics Policy: Three-Part Test - Part Three." Under that decision, schools could use non-responses to a simple, SPAM-like email survey to demonstrate that there was a lack of interest in athletics. Based on those responses, schools can and have justified cutting women's programs.

The announcement was scheduled to be made this afternoon by the Department of Education during a ceremony at George Washington University. The Department of Education also published [a letter explaining the change](#).

### **Background**

Up until 2005, there were rigorous requirements for schools to demonstrate that they were treating women fairly and in compliance with Title IX. The policy guidance, also known as the "2005 Clarification," lowered the bar for schools, making it easier for schools to prove compliance by using a less rigorous and thorough e-mail-based survey method.

This gave schools an easy out by allowing them simply to send email surveys to their female students that ask what additional sports they have the interest in and ability to play. If the responses do not show enough interest or ability, then a school is presumed to be in compliance with Title IX. Schools also can assume that lack of response to the survey means lack of interest in increased sports opportunities.

The survey is inherently flawed because it presumes a survey alone can accurately measure student interests. The guidance does not require schools to look at other factors they once had to consider, such as coaches' and administrators' opinions or women's participation in sports in surrounding high schools or recreational leagues.

The issuance of this policy guidance was their biggest success in a years-long attempt to weaken Title IX. The Bush Administration's Commission on Opportunity in Athletics in 2002 made several recommendations that would have weakened Title IX, but the Commission pulled back after significant public outcry.