

## **TITLE IX ATHLETICS AUDIT Brunswick High School**

**REPORT TO THE SCHOOL BOARD  
MAY 6, 2020**

**Presented by**

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## **Title IX: What is it?**

- Title IX of the Education Amendments of 1972.
  - Federal law prohibiting sex discrimination in education programs
- Intended to prohibit gender-based discrimination in any educational program or activity that receives federal funds.
  - Covers virtually all aspects of an educational program or activity.
- Includes athletics!
  - Integral part of schools' programs.

## Application to Sports

- Title IX focuses on girls program compared to boys program overall
  - Not sport to sport comparison
    - Differences can be non-discriminatory
    - Boys' and girls' teams do not need to have the exact same budgets, the same pieces of new and used equipment, or play the same number of games
  - Basic test of compliance is overall equality between girls and boys athletic program

## Financial Support & Booster Clubs

- Funding and support provided to athletic teams by booster clubs or private sources is included with school funding/support under Title IX.
- Title IX compliance (regarding funding/support) will be judged based on the totality of benefits for each team.

# Title IX Requirements

How is equality assessed?

**Component I: Accommodation of students' interests and abilities in athletics**

(e.g., are sports opportunities for girls and boys proportional to enrollment)

**AND**

**Component II: Benefits and treatment of student athletes**

# BHS TEAMS

**FALL:**

Boys Cross Country (V)  
Girls Cross Country (V)  
Field Hockey (V/JV)  
Football (V/JV)  
Golf (V/JV)  
Boys Soccer (V/JV/First)  
Girls Soccer (V/JV/First)  
Volleyball (V/JV)

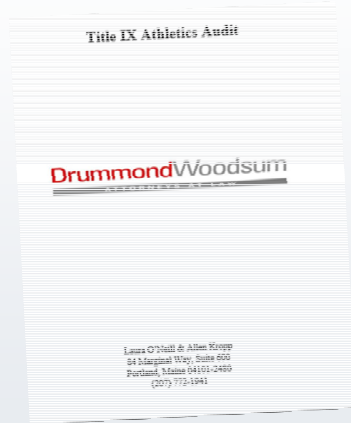
**WINTER:**

Boys Basketball (V/JV/First)  
Girls Basketball (V/JV/First)  
Boys Ice Hockey (V/JV)  
Girls Ice Hockey (V/JV)  
Boys Indoor Track (V)  
Girls Indoor Track (V)  
Boys Skiing (Alpine)  
Girls Skiing (Alpine)  
Boys Skiing (Nordic)  
Girls Skiing (Nordic)  
Boys Swim/Dive (V)  
Girls Swim/Dive (V)  
Wrestling (V/JV)

**SPRING:**

Baseball (V/JV)  
Boys Lacrosse (V/JV/First)  
Girls Lacrosse (V, JV)  
Boys Outdoor Track (V)  
Girls Outdoor Track (V)  
Softball (V/JV)  
Boys Tennis (V/JV)  
Girls Tennis (V/JV)

## REPORT FINDINGS



### **Executive Summary** **[Component 1 – Sports Opportunities]**

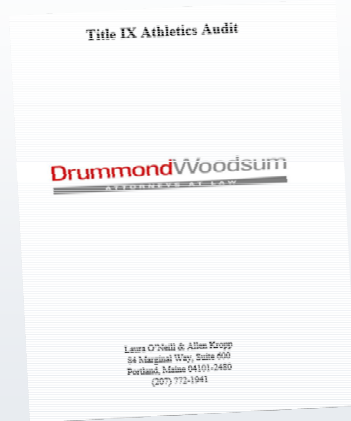
Year	Girls		
	Percent of Student Body	Percent of Athletes	Disparity
2016-2017	44.15%	42.95%	1.2%
2017-2018	44.41%	42.21%	2.2%
2018-2019	45.13%	42.31%	2.82%

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## REPORT FINDINGS



### **Executive Summary** **[Component II: Benefits and Treatment]**

1. Equipment and supplies\*
2. Scheduling of practice and competition
3. Travel\*
4. Opportunities for coaching and assignment and compensation of coaches
5. Locker room, practice\* and competitive facilities
6. Medical and training facilities and services
7. Publicity
8. Support Services
9. Additional Benefits\*

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## Key Takeaways from Audit

- A very positive picture in many respects!
- Fully compliant under Title IX with regard to:
  - Component 1 (Participation)
  - Most aspects under Component 2 (Benefits)
- Disparities in certain areas under Component 2 warrant improved oversight of booster club expenditures for BHS sports teams.

# QUESTIONS?

## Organizational Changes and Oversight [Booster Clubs]

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## 501(c)(3) Nonprofit Corporation - Boosters

- **Nonprofit Corporation:**
  - Corporate form limits personal liability
  - Maine Nonprofit Corporation Act – provides directors additional protection for good faith actions
- **IRS 501(c)(3) Status:**
  - Shields fundraisers from income tax
  - Allows tax deductible contributions
  - Facilitates pursuing grants

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## 501(c)(3) Nonprofit Corporation - Process

- Form Board of Directors
- Bylaws
- Maine Articles of Incorporation
- Director Resolutions
- IRS Tax Identification Number
- IRS Form 1023, Application 501(c)(3) status

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## Booster Groups

### **Brunswick Elementary Groups**

- Fundraise and otherwise support elementary schools
- Legal paperwork is complete and IRS 501(c)(3) application has been mailed

### **Brunswick Schools Performing Arts Boosters**

- Fundraise and otherwise support Brunswick Schools' performing arts programs
- Nonprofit Corporation formed, IRS 501(c)(3) application is being finalized

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# Booster Groups

## Brunswick High School Athletics

- Fundraise and otherwise support High School Athletic Programs
- Board of Directors with each team having an individual sub-committee
- Efficiencies from forming single athletic booster (set-up and maintenance)
- Drafts of bylaws, articles of incorporation, etc. have been circulated and pending approval

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# THANK YOU!



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