

10 A RESOLUTION CONCERNING
20 TITLE IX OF THE 1972 EDUCATION AMENDMENTS

30 WHEREAS: Sex discrimination in any federally funded program was prohibited; and,

40 WHEREAS: Athletic departments, whether directly or indirectly federally funded, are
50 subject to comply with Title IX; and,

60 WHEREAS: If an athletic department of a university isn't at all federally funded, but the
70 university it belongs to is at all federally funded, the athletic department must comply to
80 Title IX; and,

90 WHEREAS: The Office of Civil Rights defined being in compliance with Title IX for
100 athletic programs, as giving each gender equal opportunity to participate in sports; and,

110 WHEREAS: Later, a three prong test was formed to determine Title IX Compliance; and,

120 WHEREAS: To be in compliance with Title IX, an athletic program must satisfy at least one prong of
130 the test: 1) have a proportionately equal number of male to female athletes based on
140 enrollment numbers, 2) have a history and continuing practice of expanding the athletic
150 program for the under-represented sex, or 3) already satisfy the interests and abilities of
160 the under-represented sex; and,

170 WHEREAS: 350 Division 1 men's teams have been cut since 1992, when Title IX became
160 more enforced; and,

170 WHEREAS: It only seems human that the interest in playing varsity sports by males and
180 females is different; and,

190 WHEREAS: If a college is 55% female, and the interest level is different for females and males, the
200 number of female athletes in that college should not be 55%; and,

210 WHEREAS: Only if a survey of interest in playing a varsity sport finds that interest levels
220 are equal among genders, should the percent of female athletes ever be equal to the
230 percent of females enrolled in the college; and,

240 WHEREAS: Prong's two and three of the three part test only lead to eventually
250 satisfying prong one: making the proportion of female athletes equal to the proportion
260 of females enrolled; and

270 WHEREAS: Even the Office of Civil rights only recognized prongs two and three
280 as stepping stones to eventually lead to prong one; and,

290 WHEREAS: Female's lack of interest in sports, and the fact that males can only
300 participate based on the number of females participating, reduces the number of
310 males that can participate on a team; and,

320 WHEREAS: There is the potential for entire teams to be cut due to the scarce number of female
330 athletes; and,

340 WHEREAS: Even if an entire team isn't cut, some members may be, and the team is reduced
350 to extremely low numbers, with members getting cut potentially never playing sports
360 again.

370 THEREFORE BE IT RESOLVED: That the Maryland Student Legislature urges Congress
380 to base the proportion of male to female athletes in a athletic program on the interest in

390 playing a varsity sport by males and females at that institution, not simply by the
400 enrollment numbers at the institution; and,

410 BE IT FURTHER RESOLVED: That the proportion of male to female athletes in an
420 athletic program should be within 3% of the proportion of males to
430 females who are interested in playing a varsity sport; and,

440 BE IT FURTHER RESOLVED: That interest levels of both genders in playing a varsity sport
450 could be evaluated by, but not limited to: surveys to incoming freshman, number of male
460 and female athletes trying out for a sport, etc; and,

470 BE IT FURTHER RESOLVED: That the method of evaluation should be approved by the Office of
480 Civil Rights; and,

490 BE IT FURTHER RESOLVED: That re-evaluations must take place at least every year.

500 MANDATES: President George W. Bush
510 House of Representatives Government Reform Committee
520 House of Representatives Judiciary Committee
530 Senate Governmental Affairs Committee
540 Senate Judiciary Committee

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