

From: Beth Israel
Sent: Fri, 11 Jun 2021 15:06:54 -0500
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (Protecting Women's Sports)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Title IX was signed into law in 1972. It stated, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." In 1971, 1% of college athletic budgets went to women's programs and high school male athletes outnumbered female athletes 12.5 to 1. (Source: <https://www.billiejeanking.com/equality/title-ix/>) The passing of Title IX helped female participation grow by 1057% at the high school level and 614% at the college level.

But it has not made things equal for women and girls yet; there are violations all the time. (Source: <https://www.lrt-sports.com/blog/what-is-going-on-in-womens-ncaa-sports-right-now/>)

To be in compliance with Title IX, an institution must "Demonstrate a history and continuing practice of program expansion for the underrepresented sex" (Source: <https://www.ncaa.org/about/resources/inclusion/title-ix-frequently-asked-questions>), and since women are the underrepresented sex, changing the marker to gender identity instead of sex will violate this principle. There are only 2 sexes and women are the underrepresented sex.

"From 1973 to 2018, the percentage of high school sports played by girls increased from 24.2% to 42.9%" (Source: <https://pubmed.ncbi.nlm.nih.gov/33210569/>), which is an improvement. I tried to find the percentage of high school students who are girls to compare to the overall high school population, but this site did not sex-disaggregate their data for high school students; more women attend college by about 2.8 million. (Source:

[Of%20the%2050.7%20million%20public%20school%20students%20\(source\)%3A\)](#)

It is also notable that Title IX has not advanced women as coaches. Women hold more than half of the collegiate head coaching jobs in only 7 of the 24 recognized NCAA sports. (Source: <http://www2.edc.org/womensequity/resource/title9/report/athletic.htm>)

If gender identity replaces sex as a marker in an educational context, this will hurt women and women's sports.

It is possible to protect students from discrimination without encroaching on women's rights and protections.

Please keep sports sex-segregated, commit to funding women's sports, increase the number of women as head coaches, and strengthen Title IX compliance using the OCR.

I am a woman, a high school teacher, and an athlete who benefited from sex-segregated spaces.