

Title IX Discussion

BHS Activities Reductions

Board Workshop

March 9, 2009

After the February Board Workshop, the Board of Education asked me to investigate any “grey area” in Title IX statute that would possibly allow a different course of action regarding activities reductions at Buffalo High School. You have received a copy of *Providing Equal Athletic Opportunities: A Guide to Compliance*. I have reviewed that information. It’s the same framework used to help guide the decision to add Boys Swim/Dive and Dance Team to our department four years ago.

On February 11, I contacted Sara Winter at the Minnesota Department of Education hoping to get clarification and her interpretation of Minn. Stat. 121A.04 and how it applies to our specific case in Buffalo. Although we discussed maintaining equality in programs, participation numbers, and even seasonal offerings, Sara would not commit to a position of right or wrong in my program reduction proposal. Instead, Sara offered up two other resources for me, OCR in Chicago, Illinois, and Dave Stead, President of the Minnesota State High School League (MSHSL).

On February 17, I contacted Dave Stead at the MSHSL with the same set of inquiries. Dave did review the history of our program additions and our current program reduction plan. We again talked at length about *Providing Equal Athletic Opportunities: A Guide to Compliance*. Dave’s words in our conversation were, “This situation is unfortunate, but you have a plan that makes sense according to Title IX law. From what I see here, you would likely have issues reducing only a male or female activity.”

There are some specific pieces of information in *Providing Equal Athletic Opportunities: A Guide to Compliance* I would like to review with you.

(Review Document)

My conversation with Dave ended with a discussion on cooperative opportunities with other schools to continue to provide opportunities for our students in Buffalo. I shared with him our plans to send districts a letter of consideration. He agreed that this was a positive avenue to pursue in difficult financial times. He also asked me to keep him posted on my findings.

(Review Cooperative Documents)