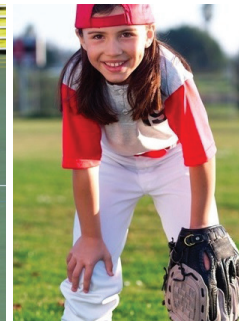


Fair Play in Community Sports Act

Information+Checklist



GIRLS' YOUTH SPORTS

Girls who play sports have higher self-esteem, greater physical fitness, and make healthier decisions about drugs, alcohol, and relationships. Studies have shown that high school girls who are involved in team sports are significantly more likely to graduate from high school and college. Further, female high school athletes earn higher wages as adults in the workplace. Despite these benefits, many girls in California do not have the same access to community based youth sports programs that boys do. This, however, should not be the case under the law.

THE FAIR PLAY ACT

AB 2404, the Fair Play in Community Sports Act ("Fair Play Act"), is a California law that prohibits gender discrimination in community youth sports programs. The Fair Play Act requires that girls be provided opportunities for participation in community sports programs that are equal, both in quality and scope, as those provided to boys. The Act allows community members to make a complaint and/or file suit against local agencies (such as park and recreation departments) that do not comply with the law.

Although the Act has been in effect since 2005, many Californians are not aware of this law and many park and recreation departments are not following the law. This pamphlet is designed to increase awareness of the Fair Play Act and help Californians better understand its requirements.

WHAT PROGRAMS ARE COVERED BY THE FAIR PLAY ACT?

The Fair Play Act applies to all community youth athletics programs. Whether the law applies to a certain program depends on three things.

- **Community:** The law applies to programs that are run or supported by local park and recreation departments. This includes sports leagues run by third-party organizations that use park and recreation property.
- **Youth:** The Fair Play Act only applies to sports programs in which most of the participants are under the age of 18. It does not apply to adult athletics programs.
- **Athletics Programs:** The Fair Play Act applies to programs that involve athletic competition. This includes youth sports leagues such as baseball, softball, football, soccer, basketball, etc. The Fair Play Act is not limited to team sports. Swimming, gymnastics, track, and other individual sports are covered so long as there is competition involved.

WHAT DOES THE FAIR PLAY ACT REQUIRE?

The Fair Play Act requires that park and recreation departments provide girl and boy athletes with equal opportunities and equal treatment in their youth sports programs.

Equal Opportunities

Your local department must provide youth sports programs for girls and boys in numbers that reflect the percentages of girls and boys in the community. A typical community has roughly the same amount of girls as it does boys (i.e., 50% girls and 50% boys). Thus, the number of sports opportunities (i.e., slots on teams) offered to each sex should be more or less equal (i.e., 50% of athletic program participants should be girls and 50% should be boys).

Equal Treatment

Park and recreation departments must distribute money, equipment, fields, and coaching to girls' and boys' sports programs equally. Violations of this requirement can take many forms. Some examples include:

- Consistently giving boys' sports priority when scheduling access to fields;
- Providing inferior sporting equipment, facilities, or fields to girls' sports;
- Paying girls' coaches less than boys' coaches;
- Publicizing sports programs for boys and not for girls; or
- Not providing enough umpires or referees to girls' sporting events.

These are only meant to be examples of possible violations. If you are uncertain whether this law has been broken, use your common sense. If it seems to you that a park and recreation department is treating girls' sports unfairly, that department is likely violating the Fair Play Act.

HOW DOES THE FAIR PLAY ACT AFFECT BOYS' SPORTS?

The goal of the Fair Play Act is to increase athletic opportunities for girls; not to reduce opportunities for boys. In some situations, however, boys' sports may be affected. One likely effect is boys' teams having to share access to certain fields with girls' teams. Departments must be resourceful, creative, and open-minded regarding ways to maintain boys' sports programming while ensuring girls are provided equal opportunities, benefits, and treatment.

HOW CAN I TELL IF MY PARK AND RECREATION DEPARTMENT IS COMPLYING WITH THE FAIR PLAY ACT?

Complete the attached checklist to determine whether your local park and recreation department is meeting the requirements of the Fair Play Act.

WHAT SHOULD I DO IF MY LOCAL PARK AND RECREATION DEPARTMENT IS VIOLATING THE FAIR PLAY ACT?

If you believe that your local park and recreation department is violating the Fair Play Act, there are several steps that you can take to help remedy the situation.

Gather More Information

If you believe your local park and recreation department is violating the Fair Play Act, begin gathering more information. This might include counting the number of programs available to each gender, talking to coaches, or taking pictures of fields, gyms, and sports equipment. With more information you can better determine whether a violation has occurred. Additionally, if you later contact your local department with concerns, you can provide them with examples of possible violations.

Contact Your Local Park and Recreation Department

If you are concerned that your local park and recreation department is violating the Fair Play Act, contact them. Inform them of the law's requirements and give examples of how they are not complying with the law. Your local department should be receptive to your concerns and work to fix any problems.

Get Involved

If you notice possible gender inequities, you may also get involved in solving the problem. Departments are ultimately responsible for achieving equality in their youth sports programs, yet community members can help with this process. If new girls' sports programs are needed, help recruit more girls to form a team, connect your local department with a girls sports league, or offer to coach a team or officiate games. If girls' sports teams need new equipment, offer to spearhead a fundraising effort. If fields are in disrepair, offer to help with maintenance. The department must ensure its resources are being used equitably with respect to gender, although community members can play a part in identifying issues and potential solutions.

Contact the Legal Aid at Work

If you have contacted your local park and recreation department and they are unresponsive, contact the Fair Play for Girls in Sports project of the Legal Aid at Work. The staff of Fair Play at Legal Aid at Work can help answer any questions you might have about the Fair Play Act. They can also help you to determine whether your local department is violating the Fair Play Act and how to best fix the problem. If a park and recreation department is violating the law, Legal Aid at Work will strive to work cooperatively with that department to resolve any issues. Legal Aid at Work can be reached at:



LEGAL AID AT WORK

Fair Play for Girls in Sports
180 Montgomery Street, Suite 600
San Francisco, CA 94104

Telephone: 877-593-0074
Email: fairplay@legalaidatwork.org

THE FAIR PLAY ACT CHECKLIST

1. Does the Fair Play Act cover this program?

- | | Yes | No |
|---|--------------------------|--------------------------|
| a. Is the program run or supported by a park and recreation department? This can include third-party programs that operate on city property. | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Are most of the participants in the program under the age of 18? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Does the program involve athletic competition? | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered yes to all three questions, then the Fair Play Act applies.

2. Are girls and boys being provided with equal opportunities to participate in community sports programs?

- | | Yes | No |
|---|--------------------------|--------------------------|
| a. Are there equal numbers of sports programs available to girls and boys? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Do girls make up about half of the participants in your community's youth sports programs? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Does your park and recreation department provide programs that meet the interests and skill levels of local girls? | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered "No" to any of the above questions, your local park and recreation department might be violating the Fair Play Act.

3. Is my local park and recreation department treating girls unfairly?

- | | Yes | No |
|--|--------------------------|--------------------------|
| a. Does your park and recreation department allocate more money to boys' sports programs than to girls' sports programs? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Does your park and recreation department provide girls' sports with equipment that is worse than the equipment provided to boys' sports? This includes uniforms, balls, goals, protective equipment, etc. | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Does your park and recreation department give boys' sports first choice when scheduling access to fields, gyms, tracks, or other athletic facilities? | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Are the athletic facilities provided to girls' sports inferior to those provided to boys' sports programs? This includes fields, gyms, locker rooms, dugouts, scoreboards, bleachers, etc. | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Are more coaches provided to boys' sports than to girls' sports? | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Are coaches for boys' sports paid more than coaches for girls' sports? | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Are girls' sports offered out of season while boys' sports are offered during the season that the sport is typically played? (e.g. girls' softball being offered in the fall while boys' baseball is offered in the spring) | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Are boys' sports programs publicized more than girls' sports programs? | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Does your park and recreation department provide fewer umpires or referees for girls' sporting events than they do for boys' sporting events? | <input type="checkbox"/> | <input type="checkbox"/> |

If you answered "Yes" to any of the above questions, your local park and recreation department might be violating the Fair Play Act.

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