

## Title IX – Booster Clubs Q & A'S

- Q1: Does Title IX apply to booster clubs and other types of (similar) support for athletic teams?
- A1: Yes. If the school permits an individual or group to donate funds for the benefit of a specific gender or sport, it must also make sure that benefits and services are equivalent for both sexes.
- Q2: If the men's baseball team receives money from outside sources (i.e., a sponsorship or booster club), is the women's softball team entitled to receive the same benefits as were provided by the booster money used for the men's team?
- A2: Title IX applies to all institutional revenues used for athletics, including donations from "boosters" or "sponsors" that are designated for specific teams. When an institution allows a specific team to have a sponsor and the sponsor specifies that the money be used for a particular purpose or go only to the baseball team, the institution may accept the money with the restriction specified by the sponsor, but in so doing, cannot use the circumstance as justification for discrimination. It must find resources from somewhere else to make sure that the women's sports programs have the same benefits as the men's sports programs. These benefits do not have to match by sport (i.e., men's baseball and women's softball) because "equal opportunity" under Title IX is determined by looking at the men's program as a whole vs. the women's program as a whole (not comparing one sport for men to the same sport for women). On the whole, considering all men's and women's sports, the school or university is obligated to distribute all of its resources (and the sponsor money is a university resource once the university accepts it) in a non-discriminatory manner.

## RESOURCES

- Bethany Brookens, Assistant Commissioner Equity Liaison – Colorado High School Activities Association ([bbrookens@chsaa.org](mailto:bbrookens@chsaa.org))
- Ramon F. Villarreal  
Interwest Equity Assistance Center  
Colorado State University  
410 17<sup>th</sup> St., Suite 1690  
Denver, CO 80202  
303-623-9023
- Valerie Bonnette, Editor and Publisher Title IX Athletic Q&A ([goodsports@earthlink.net](mailto:goodsports@earthlink.net))
- U.S. Department of Education [www.ope.ed.gov/athletics](http://www.ope.ed.gov/athletics)
- Western Division – OCR [Ocr\\_denver@ed.gov](mailto:Ocr_denver@ed.gov)
- This brochure is the completed works of the 2005 CHSAA Equity Committee. The brochure was created with numerous written and verbal resource materials.

# BOOSTER

# CLUBS

## Supporting School Programs

Developing a  
partnership between  
school administration  
and booster clubs to  
foster equity

(Resource guide developed  
By the CHSAA Equity  
Committee)



## • Booster Definition

As districts face shrinking budgets, they rely increasingly on booster clubs to provide financial support for extracurricular activities.

Booster clubs provide parents and interested community members a means to support extracurricular activities beyond serving as mere spectators. Booster clubs hold fundraisers, organize banquets, and donate merchandise to schools.

### Current Constitution By-Laws

**SOURCE OF SALARIES** - All salaries or remuneration for the fulfillment of the school district coaching/director contract must come as direct payment from the employing school district or private school governing body. Acceptance of additional pay, gratuities or any other remuneration either in money or merchandise from any organization or group outside of the school itself is a violation of this regulation. Recognized outside groups such as “booster” groups may make a donation to the school’s or district’s general activities fund, but may not specify any monies be utilized for the payment of salaries for Advisor A, Coach B, etc. This regulation, on the other hand, does not prevent school employees from receiving gifts or awards of no intrinsic value.

Q1: Can an outside group (i.e. Booster club) help fund a specific school/athletic program?

A1: Yes, as long as all funds are given to the appropriate school for distribution through the school administration.

Q2: Can a Booster Club pay a person(s) directly for officials, uniforms, field/gym rental, coaches’ salaries, etc.?

A2: No, all funds must be given to the school for distribution.

## Administrative Control

Develop a written policy and procedure to ensure that benefits to gender equity are maintained whenever the District and individual schools within the District make budgetary decisions on donations.

Train all District activity/athletic administrators, principals and coaches regarding the acceptance of donations. The training should include information on the District’s donation policy, the proper procedure for the District to accept donations, and how the District’s acceptance of donations is affected by the requirements of gender equity.

Provide a copy of the District’s donation policy to all booster clubs, team sponsors, donors and any other contributors.

## TITLE IX “What is it?”

“Title IX” refers to Title IX of the Education Amendments of 1972, a federal law that prohibits sex discrimination in education programs that receive federal financial assistance, which includes athletics programs. Since nearly all educational institutions receive or benefit from federal government funds, nearly all educational institutions must comply with Title IX.

Title IX covers the following 13 major athletics program components: athletic scholarships; accommodation of interests and abilities (the opportunity to participate and sports offerings - this component includes the three-part test); equipment and supplies; scheduling of games and practice times; travel and per diem allowances; tutoring; coaching; locker rooms, practice and competitive facilities; medical and training facilities and services; housing and dining facilities and services; publicity; support services; and recruitment of student-athletes. The Title IX regulation has the force of law.

Title IX is enforced by the Office for Civil Rights (OCR) of the U.S. Department of Education. OCR has a headquarters office in Washington, D.C., and 12 regional offices nationwide.

### RED FLAGS

- Travel Accommodations
- Concessions
- Fundraising
- Facilities Opportunity
- Equipment/Supplies
- Coaching Allocations
- Charitable Contributions
- Schedules

