

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1464 Session of  
2013

INTRODUCED BY KNOWLES, HAGGERTY, AUMENT, KAUFFMAN, COX, CLYMER,  
HARHART AND SIMMONS, JUNE 3, 2013

REFERRED TO COMMITTEE ON EDUCATION, JUNE 3, 2013

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," repealing provisions relating to  
6 disclosure of interscholastic athletic opportunities.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Article XVI-C of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, added  
11 June 30, 2012 (P.L.684, No.82), is repealed:

12 [ARTICLE XVI-C

13 DISCLOSURE OF INTERSCHOLASTIC

14 ATHLETICS OPPORTUNITIES

15 Section 1601-C. Scope of article.

16 This article requires reporting by school entities of  
17 athletic opportunities afforded to male and female secondary  
18 school students.

19 Section 1602-C. Definitions.

20 The following words and phrases when used in this article

shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Athletic facilities." Locker rooms, playing fields, gymnasiums, field houses, arenas, athletic training rooms, stadiums, weight rooms or any other location used by secondary school students and their coaches for sports training, practice, competition and coaching.

"Department." The Department of Education of the Commonwealth.

"Equipment and supplies." Sport-specific equipment and supplies, general equipment and supplies, instructional devices and conditioning and weight training equipment.

"Participant." A secondary school student who is:

(1) receiving institutionally sponsored support normally provided to athletes competing at the institution involved, such as coaching, equipment, medical and training room services, on a regular basis during a sport's season;

(2) participating in organized practice sessions and other team meetings and activities on a regular basis during a sport's season; and

(3) listed on the team list on the day of the team's first scheduled competition, excluding preseason scrimmages.

"School entity." A school of a school district, joint school district, area vocational-technical school or charter school that provides interscholastic athletic opportunities for secondary school students.

"Secondary school student." A student who attends a school entity in grades 7 through 12.

"Travel." Transportation, housing furnished during travel and per diem dining allowances.

1 "Uniforms." Clothing for practice and games, such as shoes,  
2 rain gear and warm-up suits.

3 Section 1603-C. Duty to disclose.

4 (a) Information.--A school entity shall annually submit  
5 information to the department regarding interscholastic athletic  
6 opportunity and treatment for male and female secondary school  
7 students for the preceding school year.

8 (b) Disclosure form.--The information shall be submitted on  
9 a disclosure form and in a manner to be established by the  
10 department.

11 (c) Submission.--By October 15, 2013, and October 15 of each  
12 year thereafter, a school entity shall submit to the department  
13 the completed disclosure form for the immediately preceding  
14 school year.

15 (d) Public access.--No later than November 1 of each year, a  
16 school entity shall make a copy of the completed disclosure form  
17 available for public inspection during regular business hours,  
18 including on any publicly accessible Internet website of the  
19 school entity. The completed disclosure form shall constitute a  
20 public record subject to public inspection under the act of  
21 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

22 (e) Notice to students and other affected individuals.--As  
23 soon as the disclosure form required by this section is  
24 completed, each school entity shall provide notice of its  
25 availability for review to students, educational personnel,  
26 student athletes and parents by posting a notice on school  
27 bulletin boards, in the school newspaper, on any electronic  
28 mailing list or list serve and by any other means reasonably  
29 likely to provide such notice.

30 Section 1604-C. Department duties.

1 (a) Duties.--The department shall establish a disclosure  
2 form for the submission of the required information for the  
3 immediately preceding school year by school entities. The  
4 department shall provide for the distribution of the disclosure  
5 form through the department's Internet website and shall provide  
6 technical assistance to school entities.

7 (b) Disclosure form information.--The following information  
8 shall be collected for all secondary school students in grades 7  
9 through 12 and shall be included in the disclosure form:

10 (1) The total number of students in each school entity  
11 as of October 1 of the immediately preceding school year,  
12 including:

13 (i) the total number of students by gender; and

14 (ii) the total number of male students by race or  
15 ethnicity and the total number of female students by race  
16 or ethnicity.

17 (2) A listing by gender of each varsity, junior varsity  
18 and freshman athletic team that competed in interscholastic  
19 athletic competition.

20 (3) For each team identified in paragraph (2), the  
21 following information:

22 (i) The total number of team participants as of the  
23 day of the first scheduled competition for each team by  
24 gender.

25 (ii) The total number of male team participants by  
26 race or ethnicity and the total number of female team  
27 participants by race or ethnicity as of the day of the  
28 first scheduled competition for each team.

29 (iii) For the initial submission under this article,  
30 the school year in which each existing interscholastic

1 athletic team was established and, for teams that the  
2 school entity sponsored in the past but no longer  
3 sponsors, the identity of the team and the year it was  
4 eliminated or demoted from interscholastic competition.  
5 For each subsequent year, a listing of interscholastic  
6 athletic teams that were newly established,  
7 reestablished, eliminated or demoted from interscholastic  
8 competition during the reported school year.

9 (iv) The seasons during which each interscholastic  
10 athletic team competed.

11 (v) The total value of contributions and purchases  
12 made on behalf of each team by booster clubs, alumni and  
13 any other nonschool sources.

14 (vi) The total expenditures for each team in the  
15 school year, including a separate listing of expenditures  
16 for each team in each of the following categories:

17 (A) The total amount of expenditures for travel.

18 (B) The total amount of expenditures for  
19 purchase and replacement of athletic uniforms.

20 (C) The total amount of expenditures for  
21 purchase and replacement of equipment and supplies.

22 (D) Compensation of coaches, per sport and per  
23 season.

24 (E) Expenditures made for construction,  
25 renovation, expansion, maintenance, repair and rental  
26 of athletic facilities. For any facilities shared by  
27 multiple teams, expenditures per team shall be  
28 calculated either by dividing expenditures by the  
29 number of teams using the facility or percentage of  
30 time used by each team.

1 (F) Compensation of athletic trainers per  
2 academic year.

3 (vii) The total number of athletic trainers,  
4 including the amount of time spent by each athletic  
5 trainer with each team.

6 (viii) The total number of coaches per team by  
7 employment status, full time, part time, head and  
8 assistant.

9 (ix) The total number of competitions scheduled and  
10 played per team.

11 (x) The name of the school entity's Title IX  
12 compliance officer required under 34 CFR § 106.8(a)  
13 (relating to designation of responsible employee and  
14 adoption of grievance procedures).

15 (c) Copies.--The department shall make copies of all  
16 submitted disclosures available for public inspection on the  
17 department's publicly accessible Internet website.

18 (d) Annual report.--No later than January 15 of each year,  
19 the department shall prepare and submit an annual report to the  
20 General Assembly regarding the compliance with the disclosure  
21 requirements of this article and summarizing the information  
22 submitted to it regarding interscholastic athletic opportunity  
23 for and treatment of each gender by race and ethnic group and  
24 other such information as the department deems relevant.

25 Section 1605-C. Regulations.

26 The department may promulgate rules, regulations or standards  
27 to administer this article.]

28 Section 2. This act shall take effect in 60 days.