

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To prohibit certain discrimination against athletes on the basis of sex by intercollegiate athletic associations, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To prohibit certain discrimination against athletes on the basis of sex by intercollegiate athletic associations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Play for Women  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) 50 years ago, Congress passed title IX of  
9 the Education Amendments of 1972 (referred to in  
10 this section as “title IX”), helping to transform par-

1 participation in and support for women’s sports by bar-  
2 ring discrimination on the basis of sex in all schools  
3 that receive Federal funding, including in their ath-  
4 letic programs.

5 (2) Since the passage of title IX, millions more  
6 women and girls have had the opportunity to com-  
7 pete in interscholastic athletics. At the high school  
8 level, athletic participation opportunities have in-  
9 creased from nearly 300,000 in 1972 to more than  
10 3,400,000 in 2019. At the collegiate level, opportuni-  
11 ties have increased from nearly 30,000 in 1972 to  
12 215,000 in 2020 on teams sponsored by institutions  
13 who are members of the National Collegiate Athletic  
14 Association (referred to in this section as the  
15 “NCAA”).

16 (3) Despite progress, women and girls still face  
17 unequal opportunities. At the high school level, girls  
18 have over 1,000,000 fewer athletic opportunities  
19 than boys, with schools providing girls with 43 per-  
20 cent of all athletic opportunities while girls represent  
21 nearly half of all students. At the collegiate level,  
22 colleges would need to provide women with an addi-  
23 tional 148,000 sports opportunities to match the  
24 same ratio of sports opportunities per student as is  
25 offered to men.

1           (4) Girls of color are often most impacted by  
2 inequitable opportunities. At high schools predomi-  
3 nantly attended by white students, girls have 82 per-  
4 cent of the opportunities that boys have to play  
5 sports, while at high schools predominantly attended  
6 by students of color, girls have only 67 percent of  
7 the opportunities that boys have to play sports.

8           (5) The magnitude of current gaps in intercolle-  
9 giate participation opportunities is likely under-  
10 counted, as investigations of intercollegiate athletics  
11 data have found that the majority of NCAA member  
12 institutions inflate the number of women partici-  
13 pating in sports by double- and triple-counting  
14 women athletes who participate in more than one  
15 sport more often than the institutions double- and  
16 triple-count their male counterparts, counting male  
17 practice players on women's teams as women ath-  
18 letes, and packing women's teams with extra players  
19 who never end up competing.

20           (6) Women and girls in sports also face unequal  
21 treatment. They are frequently provided worse facili-  
22 ties, equipment, and uniforms than men and boys,  
23 and they receive less financial support and publicity  
24 from their schools, as women receive \$240,000,000  
25 less than men in athletic-based scholarships annu-

1 ally. For every dollar colleges spend on recruiting,  
2 travel, and equipment for men's sports, they spend  
3 58 cents, 62 cents, and 73 cents, respectively, for  
4 women's sports.

5 (7) Amid ongoing inequitable treatment, ath-  
6 letes and athletics-related staff too often are un-  
7 aware of the rights and obligations that are de-  
8 scribed in or come from title IX. In surveys of chil-  
9 dren and their parents, the majority report not  
10 knowing what title IX is. A study conducted by the  
11 Government Accountability Office in 2017 found  
12 that the majority of high school athletic administra-  
13 tors were unaware of who their title IX coordinator  
14 was or felt unsupported by their title IX coordinator.  
15 In collegiate sports, the majority of coaches report  
16 that they never received formal training about title  
17 IX as part of the preparation for their jobs.

18 **SEC. 3. PURPOSES.**

19 The purposes of this Act are to—

20 (1) address inequitable and discriminatory  
21 treatment of women and girls in sports in elemen-  
22 tary and secondary schools, as well as institutions of  
23 higher education; and

24 (2) improve the collection and transparency of  
25 data pertaining to participation in and support for

1 women's and girls' sports at schools receiving Fed-  
2 eral financial assistance.

3 **SEC. 4. DISCRIMINATION BY INTERCOLLEGIATE ATHLETIC**  
4 **ASSOCIATIONS.**

5 (a) IN GENERAL.—No intercollegiate athletic associa-  
6 tion shall, on the basis of sex, subject any athlete to dis-  
7 crimination with respect to intercollegiate athletics, includ-  
8 ing discrimination through—

9 (1) the rules it sets for intercollegiate athletics;

10 (2) the sports required for association member-  
11 ship or the sports sponsored for association competi-  
12 tions or supported with association championships;

13 (3) the location, facilities, or amenities provided  
14 for association competitions or championships;

15 (4) the provision or arrangement for the provi-  
16 sion of goods or services (including benefits) for as-  
17 sociation competitions or championships; or

18 (5) the distribution of revenues or other bene-  
19 fits to association members or institutions under the  
20 authority of the association.

21 (b) PRIVATE RIGHT OF ACTION.—A covered institu-  
22 tion of higher education that is a member of or under the  
23 authority of an intercollegiate athletic association, or an  
24 individual who applies to participate, participates, or pre-  
25 viously participated in intercollegiate athletics, at a cov-

1 ered institution of higher education that is a member of  
2 or under the authority of an intercollegiate athletic asso-  
3 ciation, may bring an action in any Federal or State court  
4 of competent jurisdiction against the intercollegiate ath-  
5 letic association to remedy a violation of this section. The  
6 court may award such legal or equitable relief as may be  
7 appropriate for such a violation. The legal relief may in-  
8 clude compensatory damages for emotional distress, hu-  
9 miliation, or pain and suffering.

10 (c) TRAINING.—Each intercollegiate athletic associa-  
11 tion shall ensure that each employee of the association re-  
12 ceives, at least once per year, training on the provisions  
13 of this section, including the rights delineated under this  
14 section and the procedures for bringing actions under this  
15 section.

16 (d) DEFINITIONS.—In this section:

17 (1) COVERED INSTITUTION OF HIGHER EDU-  
18 CATION.—The term “covered institution of higher  
19 education” means an entity described in section  
20 908(2)(A) of the Education Amendments of 1972  
21 (20 U.S.C. 1687(2)(A)).

22 (2) INTERCOLLEGIATE ATHLETIC ASSOCIA-  
23 TION.—The term “intercollegiate athletic associa-  
24 tion” means any conference, association, or other  
25 group or organization, established by or comprised

1 of 2 or more covered institutions of higher edu-  
2 cation, that—

3 (A) governs competitions among, or other-  
4 wise exercises authority over intercollegiate ath-  
5 letics at, such institutions of higher education  
6 who are members of or under the authority of  
7 the intercollegiate athletic association; and

8 (B) is engaged in commerce or an industry  
9 or activity affecting commerce.

10 **SEC. 5. EXPANDING EQUITY IN ATHLETICS DISCLOSURE**  
11 **REQUIREMENTS.**

12 (a) INSTITUTIONS OF HIGHER EDUCATION.—Section  
13 485(g) of the Higher Education Act of 1965 (20 U.S.C.  
14 1092(g)) is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (B), by striking  
17 clause (i) and inserting the following:

18 “(i) The total number of participants,  
19 by team.”;

20 (B) in subparagraph (C)—

21 (i) by striking “The total amount”  
22 and inserting the following: “(i) The total  
23 amount”; and

24 (ii) by adding at the end the fol-  
25 lowing:

1 “(ii) For each men’s and women’s sport—

2 “(I) the total amount of athletically  
3 related student aid;

4 “(II) the total number of athletically  
5 related scholarships, and the average  
6 amount of such scholarships;

7 “(III) the total number of athletically  
8 related scholarships that fund the full cost  
9 of tuition at the institution;

10 “(IV) the total number of athletically  
11 related scholarships that fund the full cost  
12 of attendance for the athlete;

13 “(V) the total number of athletically  
14 related scholarships awarded for a period  
15 equal to or less than one year; and

16 “(VI) the total number of athletically  
17 related scholarships awarded for a period  
18 equal to or greater than 4 academic  
19 years.”;

20 (C) in subparagraph (E), by inserting  
21 “and disaggregated by each men’s sport and  
22 each women’s sport” before the period at the  
23 end;

24 (D) in subparagraph (G), by inserting  
25 “(which, for purposes of this subparagraph, in-



1 cludes compensation, bonuses, benefits, and  
2 buyouts paid to coaches and reportable by the  
3 institution or related entities, including booster  
4 clubs and foundations)” before “of the head  
5 coaches of men’s teams”;

6 (E) in subparagraph (H), by inserting  
7 “(which, for purposes of this subparagraph, in-  
8 cludes compensation, bonuses, benefits, and  
9 buyouts paid to coaches and reportable by the  
10 institution or related entities, including booster  
11 clubs and foundations)” before “assistant  
12 coaches of men’s teams”;

13 (F) in subparagraph (I)—

14 (i) by striking clause (i) and inserting  
15 the following: “(i) The revenues from the  
16 institution’s intercollegiate athletics activi-  
17 ties, in the aggregate and disaggregated by  
18 each men’s sport and each women’s sport,  
19 including—

20 “(I) total revenues; and

21 “(II) each category of revenues de-  
22 scribed in clause (ii).”; and

23 (ii) in clause (ii), by striking “, and  
24 advertising, but revenues” and all that fol-  
25 lows through the period at the end and in-

1           serting “, advertising, and, to the extent  
2           practicable, student activities fees and  
3           alumni contributions.”;

4           (G) by striking clause (i) of subparagraph  
5           (J) and inserting the following: “(i) The ex-  
6           penses made by the institution for the institu-  
7           tion’s intercollegiate athletics activities, in the  
8           aggregate and disaggregated by each men’s  
9           sport and each women’s sport, including—

10                   “(I) total expenses; and

11                   “(II) each category of expenses as de-  
12                   scribed in clause (ii).”; and

13           (H) by adding at the end the following:

14                   “(K) The numbers of participants who  
15           participate in 1, 2, or 3 intercollegiate sports at  
16           the institution, in the aggregate and  
17           disaggregated by each men’s sport and each  
18           women’s sport.

19                   “(L) The total number of male players  
20           that practice on women’s teams, in the aggre-  
21           gate and disaggregated by each women’s sport.

22                   “(M) Information regarding race and eth-  
23           nicity for athletes and coaches (including assist-  
24           ant coaches), in the aggregate and

1 disaggregated by each men’s sport and each  
2 women’s sport.

3 “(N) A certification that the institution  
4 has verified the information submitted in the  
5 report under this paragraph.

6 “(O) With respect to the sports participa-  
7 tion opportunities requirements under title IX  
8 of the Education Amendments of 1972—

9 “(i) a certification that the institution  
10 complies with such requirements by show-  
11 ing—

12 “(I) substantial proportionality;

13 “(II) a history and continuing  
14 practice of expanding sports participa-  
15 tion opportunities; or

16 “(III) full and effective accommo-  
17 dation of athletics interests; and

18 “(ii) an identification of the method of  
19 compliance described in subclauses (I)  
20 through (III) of clause (i) that the institu-  
21 tion uses.”;

22 (2) in paragraph (2), by striking “For the pur-  
23 poses of paragraph (1)(G)” and inserting “For the  
24 purposes of subparagraphs (G) and (H) of para-  
25 graph (1)”;

1           (3) by striking paragraph (4) and inserting the  
2 following:

3           “(4) SUBMISSION; REPORT; INFORMATION  
4 AVAILABILITY.—

5           “(A) INSTITUTIONAL REQUIREMENTS.—

6           Each institution of higher education described  
7 in paragraph (1) shall—

8           “(i) by October 15 of each year, pro-  
9 vide the information contained in the re-  
10 port required under such paragraph for  
11 such year to the Secretary; and

12           “(ii) by not later than February 15 of  
13 each year, publish such information on a  
14 public Internet website of the institution in  
15 a searchable format.

16           “(B) PUBLIC AVAILABILITY.—By not later  
17 than February 15 of each year, the Secretary  
18 shall make the reports and information de-  
19 scribed in subparagraph (A) for the imme-  
20 diately preceding academic year available to the  
21 public, which shall include posting the reports  
22 and information on a public Internet website of  
23 the Department in a searchable format.”;

24           (4) by redesignating paragraph (5) as para-  
25 graph (6);



1 enrollment at the institution, in expendi-  
2 tures for athletically related student aid,  
3 recruiting, promotion, and publicity in  
4 intercollegiate athletics; and

5 “(iii) identify any trends evident in  
6 such data that address relevant inequities  
7 in intercollegiate athletics participation and  
8 financial support.”; and

9 (6) in paragraph (6), as redesignated by para-  
10 graph (4)—

11 (A) by striking “DEFINITION.—For the  
12 purposes of this subsection, the term” and in-  
13 serting the following: “DEFINITIONS.—For pur-  
14 poses of this subsection:

15 “(A) OPERATING EXPENSES.—The term”;  
16 and

17 (B) by adding at the end the following:

18 “(B) PARTICIPANT.—The term ‘partici-  
19 pant’ means an athlete in a sport who—

20 “(i)(I) is receiving the institutionally  
21 sponsored support normally provided to  
22 athletes competing at the institution in-  
23 volved on a regular basis during the sport’s  
24 season;

1                   “(II) is participating in organized  
2                   practice sessions and other team meetings  
3                   and activities on a regular basis during the  
4                   sport’s season; and

5                   “(III) is listed on the eligibility or  
6                   squad list maintained for the sport; or

7                   “(ii) due to injury, does not meet the  
8                   requirements of clause (i) but continues to  
9                   receive financial aid on the basis of athletic  
10                  ability in the sport.

11                  “(C) SEASON.—The term ‘season’, when  
12                  used with respect to a team sport, means the  
13                  period beginning on the date of a team’s first  
14                  intercollegiate competitive event in an academic  
15                  year and ending on the date of the team’s final  
16                  intercollegiate competitive event in such aca-  
17                  demic year.”.

18                  (b) ELEMENTARY SCHOOL AND SECONDARY SCHOOL  
19                  ATHLETIC PROGRAMS.—

20                  (1) IN GENERAL.—Subpart 2 of part F of title  
21                  VIII of the Elementary and Secondary Education  
22                  Act of 1965 (20 U.S.C. 7901 et seq.) is amended by  
23                  adding at the end the following:

1 **“SEC. 8549D. DISCLOSURE OF STATISTICS ON EQUALITY IN**  
2 **ELEMENTARY AND SECONDARY EDUCATION**  
3 **ATHLETIC PROGRAMS.**

4 “(a) DEFINITION OF PARTICIPANT.—

5 “(1) IN GENERAL.—In this section, the term  
6 ‘participant’ means an athlete in a sport who partici-  
7 pates in the sport in interscholastic competitive  
8 events, organized practice sessions, and other team  
9 meetings and activities on a regular basis during the  
10 sport’s season.

11 “(2) DEFINITION OF SEASON.—For purposes of  
12 paragraph (1), the term ‘season’, when used with re-  
13 spect to a team sport, means the period beginning  
14 on the date of a team’s first interscholastic athletic  
15 competition in an academic year and ending on the  
16 date of the team’s final interscholastic athletic com-  
17 petition in such academic year.

18 “(b) IN GENERAL.—The Secretary shall collect annu-  
19 ally, from each coeducational elementary school and sec-  
20 ondary school that receives Federal financial assistance  
21 and has an interscholastic athletic program, a report that  
22 includes the following information for the immediately pre-  
23 ceding academic year:

24 “(1) The total number of male and female stu-  
25 dents that attended the school, fully disaggregated  
26 and cross-tabulated by sex and race or ethnicity.



1           “(2) A listing of the school’s teams that com-  
2           peted in athletic competition and for each such team  
3           the following data:

4                   “(A) The season in which the team com-  
5                   peted.

6                   “(B) The total number of male and female  
7                   participants, fully disaggregated and cross-tab-  
8                   ulated by sex and race or ethnicity and level of  
9                   competition.

10                   “(C) The total expenditures for the team  
11                   from all sources, including school funds and  
12                   funds provided by any other entities, such as  
13                   booster organizations, including the following  
14                   data:

15                           “(i) The travel expenditures.

16                           “(ii) The equipment expenditures (in-  
17                           cluding any equipment replacement sched-  
18                           ule).

19                           “(iii) The uniform expenditures (in-  
20                           cluding any uniform replacement sched-  
21                           ule).

22                           “(iv) The expenditures for facilities,  
23                           including medical facilities, locker rooms,  
24                           fields, and gymnasiums.

1                   “(v) The total number of trainers and  
2                   medical personnel, and for each trainer or  
3                   medical personnel an identification of such  
4                   individual’s—

5                                 “(I) sex; and

6                                 “(II) employment status (includ-  
7                   ing whether such individual is as-  
8                   signed to the team full-time or part-  
9                   time, and whether such individual is a  
10                  head or assistant trainer or medical  
11                  services provider) and duties other  
12                  than providing training or medical  
13                  services.

14                   “(vi) The expenditures for publicity  
15                  for competitions.

16                   “(vii) The total salary expenditures  
17                  for coaches, including compensation, bene-  
18                  fits, and bonuses, the total number of  
19                  coaches, and for each coach an identifica-  
20                  tion of such coach’s—

21                                 “(I) sex; and

22                                 “(II) employment status (includ-  
23                  ing whether such coach is assigned to  
24                  the team full-time or part-time, and  
25                  whether such coach is a head or as-

1                   sistant coach) and duties other than  
2                   coaching.

3                   “(D) The total number of competitive  
4                   events (in regular and nontraditional seasons)  
5                   scheduled, and for each an indication of what  
6                   day of the week and time the competitive event  
7                   was scheduled.

8                   “(E) Whether such team participated in  
9                   postseason competition, and the success of such  
10                  team in any postseason competition.

11               “(c) DISCLOSURE TO STUDENTS AND PUBLIC.—A  
12               school described in subsection (b) shall—

13                   “(1) by October 15 of each year, make available  
14                   to students, potential students, and parents of stu-  
15                   dents and potential students, upon request, and to  
16                   the public, the report and information required of  
17                   the school under such subsection for such year; and

18                   “(2) ensure that all students and parents at the  
19                   school are informed of their right to request such re-  
20                   port and information.

21               “(d) SUBMISSION; INFORMATION AVAILABILITY.—  
22               On an annual basis, each school described in subsection  
23               (b) shall provide the report required under such sub-  
24               section, and the information contained in such report, to  
25               the Secretary not later than 15 days after the date that

1 the school makes such report and information available  
2 under subsection (c).

3 “(e) DUTIES OF THE SECRETARY.—The Secretary  
4 shall—

5 “(1) ensure that reports and information sub-  
6 mitted under subsection (d) are available on the  
7 same public website, and searchable in the same  
8 manner, as the reports and information made avail-  
9 able under section 485(g)(4)(B) of the Higher Edu-  
10 cation Act of 1965; and

11 “(2) not later than 180 days after the date of  
12 enactment of the Fair Play for Women Act—

13 “(A) notify all elementary schools and sec-  
14 ondary schools in all States regarding the avail-  
15 ability of the reports and information under  
16 subsection (c); and

17 “(B) issue guidance to all such schools on  
18 how to collect and report the information re-  
19 quired under this section.”.

20 (2) CONFORMING AMENDMENT.—The table of  
21 contents in section 2 of the Elementary and Sec-  
22 ondary Education Act of 1965 is amended by insert-  
23 ing after the item relating to section 8549C the fol-  
24 lowing:

“Sec. 8549D. Disclosure of statistics on equality in elementary and secondary  
education athletic programs.”.

1 **SEC. 6. ADMINISTRATIVE ENFORCEMENT THROUGH CIVIL**  
2 **PENALTIES.**

3 Section 902 of the Education Amendments of 1972  
4 (20 U.S.C. 1682) is amended—

5 (1) by inserting “(a)” before “Each Federal”;

6 and

7 (2) by adding at the end the following:

8 “(b)(1) The Secretary of Education shall determine,  
9 at the beginning of each year, each covered institution of  
10 higher education that was found during the prior year to  
11 be in noncompliance with a requirement of this title as  
12 part of an administrative proceeding under subsection (a).

13 “(2) If the Secretary determines under paragraph (1)  
14 that a covered institution of higher education was in such  
15 noncompliance during the prior year, the Secretary may  
16 impose a civil penalty on the institution.

17 “(3) If the Secretary determines under paragraph (1)  
18 that a covered institution of higher education was in such  
19 noncompliance during 2 or more of the prior 5 years, the  
20 Secretary shall—

21 “(A) require the institution to submit, not later  
22 than 120 days after receiving notice of the deter-  
23 mination, a plan for coming into compliance with all  
24 requirements of this title; and

25 “(B) make the report publicly available.”.

1 **SEC. 7. PRIVATE RIGHT OF ACTION.**

2 Section 903 of the Education Amendments of 1972  
3 (20 U.S.C. 1683) is amended—

4 (1) by inserting “(a)” before “Any depart-  
5 ment”; and

6 (2) by adding at the end the following:

7 “(b) **RIGHT OF ACTION.**—An individual who applies  
8 to participate, participates, or previously participated in  
9 an education program or activity covered under this title,  
10 offered by a covered institution of higher education, may  
11 bring an action in any Federal or State court of competent  
12 jurisdiction against the institution, alleging a violation of  
13 this title. The court may award such legal or equitable  
14 relief as may be appropriate for such a violation. The legal  
15 relief may include compensatory damages for emotional  
16 distress, humiliation, or pain and suffering.”

17 **SEC. 8. TRAINING AND INFORMATION FOR ATHLETES.**

18 Title IX of the Education Amendments of 1972 (20  
19 U.S.C. 1681 et seq.) is amended—

20 (1) by repealing section 906;

21 (2) by redesignating section 905 (20 U.S.C.  
22 1685) as section 906; and

23 (3) by inserting after section 904 the following:

24 **“SEC. 905. TRAINING AND INFORMATION.**

25 “(a) **TRAINING.**—

26 “(1) **COVERED SCHOOL SYSTEMS.**—

1           “(A) EMPLOYEES.—Each covered school  
2 system shall ensure that each title IX coordi-  
3 nator, and that each employee who works with  
4 athletics or teaches physical education or  
5 health, for the school system receives, at least  
6 once per year, training on the rights under this  
7 title of students at elementary schools or sec-  
8 ondary schools, and procedures for submitting  
9 complaints of violations of this title to the Of-  
10 fice for Civil Rights of the Department of Edu-  
11 cation.

12           “(B) ELEMENTARY AND SECONDARY  
13 SCHOOL ATHLETES.—Each covered school sys-  
14 tem shall ensure that—

15           “(i) a title IX coordinator for the sys-  
16 tem provides training to athletes at ele-  
17 mentary schools or secondary schools in  
18 the system on the rights of the athletes  
19 under this title, and procedures for submit-  
20 ting complaints of violations of this title to  
21 the Office for Civil Rights of the Depart-  
22 ment of Education; and

23           “(ii) each such athlete receives that  
24 training at least once per year.

1           “(C) DEFINITIONS.—In this paragraph,  
2           the terms ‘elementary school’ and ‘secondary  
3           school’ have the meanings given the terms in  
4           section 8101 of the Elementary and Secondary  
5           Education Act of 1965 (20 U.S.C. 7801).

6           “(2) COVERED INSTITUTIONS OF HIGHER EDU-  
7           CATION.—

8           “(A) EMPLOYEES.—Each covered institu-  
9           tion of higher education shall ensure that each  
10          employee of the athletic department of the insti-  
11          tution receives, at least once per year, training  
12          on the rights under this title of students at cov-  
13          ered institutions of higher education, and proce-  
14          dures for submitting complaints of violations of  
15          this title to the Office for Civil Rights of the  
16          Department of Education.

17          “(B) POSTSECONDARY SCHOOL ATH-  
18          LETES.—Each covered institution of higher  
19          education shall ensure that—

20                 “(i) an expert in matters relating to  
21                 this title, who is not an employee of the in-  
22                 stitution’s athletic department, provides  
23                 training to athletes at the institution on  
24                 the rights of the athletes under this title,  
25                 and procedures for submitting complaints



1 of violations of this title to the Office for  
2 Civil Rights of the Department of Edu-  
3 cation; and

4 “(ii) each such athlete receives that  
5 training at least once per year.

6 “(b) DATABASE.—The Secretary of Education shall  
7 establish and maintain a database of title IX coordinators,  
8 which shall be separate from the civil rights coordinators  
9 data maintained by the Office for Civil Rights of the De-  
10 partment of Education. The database shall include, at a  
11 minimum, the name, phone number, and email address for  
12 each title IX coordinator. The Secretary shall make the  
13 information in the database available to the public with,  
14 and by the same means as, reports made available under  
15 section 485(g)(4)(B) of the Higher Education Act of 1965  
16 (20 U.S.C. 1092(g)(4)(B)).”.

17 **SEC. 9. OTHER DEFINITIONS.**

18 Title IX of the Education Amendments of 1972 (20  
19 U.S.C. 1681 et seq.) is amended—

20 (1) by redesignating section 909 as section  
21 907A and moving that section 907A so as to follow  
22 section 907; and

23 (2) by adding at the end the following:

24 **“SEC. 909. OTHER DEFINITIONS.**

25 “In this title:

1           “(1) COVERED INSTITUTION OF HIGHER EDU-  
2           CATION.—The term ‘covered institution of higher  
3           education’ means an entity described in section  
4           908(2)(A).

5           “(2) COVERED SCHOOL SYSTEM.—The term  
6           ‘covered school system’ means an entity described in  
7           section 908(2)(B).

8           “(3) TITLE IX COORDINATOR.—The term ‘title  
9           IX coordinator’ means the individual who coordi-  
10          nates the efforts of a covered school system to com-  
11          ply with, and carry out the system’s responsibilities  
12          under, this title.”.

13 **SEC. 10. RULE OF CONSTRUCTION.**

14          Nothing in this Act shall be construed to imply that  
15          intercollegiate athletic associations (as defined in section  
16          2)—

17                 (1) are not covered by title IX of the Education  
18          Amendments of 1972 (20 U.S.C. 1681 et seq.); or

19                 (2) were not covered by that title on the day be-  
20          fore the date of enactment of this Act.