

## Oversight of Booster Clubs Essential for Gender Equity

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High school athletics booster clubs have become a necessity in these financially-trying times. Once predominately organized to provide sports teams with the “extras” required to run a high-level program, these organizations are now the primary sources of funding for nearly all athletics expenditures in many school districts.

Some school boards furnish only the physical facilities and stipends for coaches, leaving support groups to raise the money for equipment, supplies, travel and other operational needs. With these expectations and the involvement of various interests groups, particularly parents, there are many challenging issues, including:

1. The operation of these clubs as independent entities with little oversight, control or accountability;
2. The attempts to influence coaching personnel decisions and/or playing time for athletes; and
3. Gifts or funds generated by these clubs resulting in disparate opportunities along gender lines, putting the school out of compliance with Title IX regulations.

Athletics programs are often the targets in Title IX litigation. While schools may satisfy one of the three prongs of the test (i.e., proportionality), this does not guarantee overall compliance. According to the Office of Civil Rights, consideration must also be made with regard to equipment and supplies, game/practice schedules, travel/per diem allowances, coaching, facilities, training/medical services and publicity, etc. Although high schools do not have to submit annual reports as colleges do, they are still required to monitor and balance these athletics opportunities as related to gender.

Single-sport booster groups can be especially problematic since they don’t want to be told how to spend “their money “and want their efforts to be proportionately distributed to their teams. It is this money earmarked for a specific sport that usually creates the inequities in male and female sports. These dollars can be significant, skewing figures in the comparable sport (usually a women’s sport) or overall program. It is the

responsibility of the district (not the booster club) to comply with Title IX and remedy the situation; therefore, it may have to allocate its own resources to do so.

It should be noted, however, that the law does not require that budgets for sports be equal for each gender; schools may consider real differences in equipment, for example, in outfitting football players as compared to field hockey players. What must be considered is overall program quality. It is also permissible for schools to elevate or privilege one sport over another, as long as the difference is bridged somewhere else in the program.

## Recommendations

Administrators certainly do not want to reject donations and should not have to do so. Following are some suggestions for principals and athletic directors to ensure that booster clubs operate with integrity and the school remains in compliance with Title IX.

1. Before allocating district or school funds to specific sports, administrators should do an annual review related to eight factors of Title IX, which include interest/ability, equipment/supplies, scheduling, facilities, coaching, publicity, medical/training and travel/per diem. A resource for doing the evaluation may be found at <http://www.k12.wa.us/Equity/Districts/AthleticPrograms.aspx> (Equity Coordination Program - Washington State Office of the Superintendent of Public Instruction).
2. School officials should meet with booster clubs to provide ethics training and to inform participants of district and state policies as well as Title IX implications. The organization needs to register as a nonprofit organization and ensure compliance with IRS regulations. The club should also draft a constitution and operational bylaws, including creation of an advisory council to recommend funding allocations.
3. The best set-up, if at all possible, is to have one booster club that supports the entire athletics program rather than sport-specific ones. Some schools prohibit gifts earmarked for a sports team, requiring such to be given to the athletics department in general. This can be challenging to initiate when single-sport clubs have been entrenched. Resentment can occur, particularly if there is little or no contribution by parents of other sports team members (this reaffirms the need for an advisory board with representatives from each sport). Another related approach is to create an administrative fee where a percentage (i.e., 5 to 10%) of fund-raising dollars is placed in a general or endowment fund. This would benefit the athletics program corporately and would be used at the discretion of school officials. Ideally, all funds should be administered

through the school (one central control) with approval from administrators and consultation with the club's advisory council; at the very least, the principal and/or athletic director should be executive members of the club and have oversight of expenditures.

School officials experience many difficult situations as they work with booster organizations and attempt to balance desires, needs, expectations and legal obligations. Through a process of program evaluation, education, communication and planning, administrators can capitalize on the interest and commitment of these parent-booster clubs to maximize student-athlete experiences while maintaining program equity and integrity.

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