

**SUBSTITUTE AMENDMENT TO THE AMENDMENT IN
THE NATURE OF A SUBSTITUTE TO H.R. 734
OFFERED BY M S . ADAMS**

Strike all after the enacting clause and insert the following:

1 SECTION 1 . SHORT TITLE.

2 This Act may be cited as the “Fair Play for Women
3 Act”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) over 50 years ago, Congress passed title IX
7 of the Education Amendments of 1972 (referred to
8 in this section as “title IX”), helping to transform
9 participation in and support for women’s sports by
10 barring discrimination on the basis of sex in all
11 schools that receive Federal funding, including in
12 their athletic programs.

13 (2) Since the passage of title IX, millions more
14 women and girls have had the opportunity to com-
15 pete in interscholastic athletics. At the high school
16 level, athletic participation opportunities have in-
17 creased from nearly 300,000 in 1972 to more than
18 3,400,000 in 2019. At the collegiate level, opportuni-

1 ties have increased from nearly 30,000 in 1972 to
2 215,000 in 2020 on teams sponsored by institutions
3 who are members of the National Collegiate Athletic
4 Association (referred to in this section as the
5 “NCAA”).

6 (3) Despite progress, women and girls still face
7 unequal opportunities. At the high school level, girls
8 have over 1,000,000 fewer athletic opportunities
9 than boys, with schools providing girls with 43 per-
10 cent of all athletic opportunities while girls represent
11 nearly half of all students. At the collegiate level,
12 colleges would need to provide women with an addi-
13 tional 148,000 sports opportunities to match the
14 same ratio of sports opportunities per student as is
15 offered to men.

16 (4) Girls of color are often most impacted by
17 inequitable opportunities. At high schools predomi-
18 nantly attended by White students, girls have 82
19 percent of the opportunities that boys have to play
20 sports, while at high schools predominantly attended
21 by students of color, girls have only 67 percent of
22 the opportunities that boys have to play sports.

23 (5) The magnitude of current gaps in intercolle-
24 giate participation opportunities is likely under-
25 counted, as investigations of intercollegiate athletics

1 data have found that the majority of NCAA member
2 institutions inflate the number of women partici-
3 pating in sports by double- and triple-counting
4 women athletes who participate in more than one
5 sport more often than the institutions double- and
6 triple-count their male counterparts, counting male
7 practice players on women's teams as women ath-
8 letes, and packing women's teams with extra players
9 who never end up competing.

10 (6) Women and girls in sports also face unequal
11 treatment. They are frequently provided worse facili-
12 ties, equipment, and uniforms than men and boys,
13 and they receive less financial support and publicity
14 from their schools, as women receive \$240,000,000
15 less than men in athletic-based scholarships annu-
16 ally. For every dollar colleges spend on recruiting,
17 travel, and equipment for men's sports, they spend
18 58 cents, 62 cents, and 73 cents, respectively, for
19 women's sports.

20 (7) Amid ongoing inequitable treatment, ath-
21 letes and athletics-related staff too often are un-
22 aware of the rights and obligations that are de-
23 scribed in or come from title IX. In surveys of chil-
24 dren and their parents, the majority report not
25 knowing what title IX is. A study conducted by the

1 Government Accountability Office in 2017 found
2 that the majority of high school athletic administra-
3 tors were unaware of who their title IX coordinator
4 was or felt unsupported by their title IX coordinator.
5 In collegiate sports, the majority of coaches report
6 that they never received formal training about title
7 IX as part of the preparation for their jobs.

8 **SEC. 3. AMENDMENTS.**

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

11 (1) in section 901 by adding at the end the fol-
12 lowing:

13 “(d) DISCRIMINATION BY INTERCOLLEGIATE ATH-
14 LETIC ASSOCIATIONS.—

15 “(1) IN GENERAL.—No intercollegiate athletic
16 association shall, on the basis of sex, subject any
17 athlete to discrimination with respect to intercolle-
18 giate athletics, including discrimination through—

19 “(A) the rules it sets for intercollegiate
20 athletics;

21 “(B) the sports required for association
22 membership or the sports sponsored for associa-
23 tion competitions or supported with association
24 championships;

1 “(C) the location, facilities, or amenities
2 provided for association competitions or cham-
3 pionships;

4 “(D) the provision or arrangement for the
5 provision of goods or services (including bene-
6 fits) for association competitions or champion-
7 ships; or

8 “(E) the distribution of revenues or other
9 benefits to association members or institutions
10 under the authority of the association.

11 “(2) PRIVATE RIGHT OF ACTION.—A covered
12 institution of higher education that is a member of
13 or under the authority of an intercollegiate athletic
14 association, or an individual who applies to partici-
15 pate, participates, or previously participated in inter-
16 collegiate athletics, at a covered institution of higher
17 education that is a member of or under the author-
18 ity of an intercollegiate athletic association, may
19 bring an action in any Federal or State court of
20 competent jurisdiction against the intercollegiate
21 athletic association to remedy a violation of this sec-
22 tion. The court may award such legal or equitable
23 relief as may be appropriate for such a violation.
24 The legal relief may include compensatory damages

1 for emotional distress, humiliation, or pain and suf-
2 fering.

3 “(3) TRAINING.—Each intercollegiate athletic
4 association shall ensure that each employee of the
5 association receives, at least once per year, training
6 on the provisions of this section, including the rights
7 delineated under this section and the procedures for
8 bringing actions under this section.

9 “(4) DEFINITIONS.—In this subsection:

10 “(A) COVERED INSTITUTION OF HIGHER
11 EDUCATION.—

12 “(B) INTERCOLLEGIATE ATHLETIC ASSO-
13 CIATION.—The term ‘intercollegiate athletic as-
14 sociation’ means any conference, association, or
15 other group or organization, established by or
16 comprised of 2 or more covered institutions of
17 higher education, that—

18 “(i) governs competitions among, or
19 otherwise exercises authority over inter-
20 collegiate athletics at, such institutions of
21 higher education who are members of or
22 under the authority of the intercollegiate
23 athletic association; and

24 “(ii) is engaged in commerce or an in-
25 dustry or activity affecting commerce.”.

1 (2) by redesignating sections 904 through 908
2 as sections 905 through 909, respectively,

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

4 **“SEC. 904 EXPANDING EQUITY IN ATHLETICS DISCLOSURE**
5 **REQUIREMENTS.**

6 “(a) DISCLOSURE OF STATISTICS ON EQUALITY IN
7 COLLEGE ATHLETIC PROGRAMS.—

8 “(1) IN GENERAL.—Each coeducational institu-
9 tion of higher education that participates in any pro-
10 gram under in any education program or activity re-
11 ceiving Federal financial assistance, and has an
12 intercollegiate athletic program, shall annually, for
13 the immediately preceding academic year, prepare a
14 report that contains the following information re-
15 garding intercollegiate athletics:

16 “(A) The number of male and female full-
17 time undergraduates that attended the institu-
18 tion.

19 “(B) A listing of the varsity teams that
20 competed in intercollegiate athletic competition
21 and for each such team the following data:

22 “(i) The total number of participants,
23 by team.

24 “(ii) Total operating expenses attrib-
25 utable to such teams, except that an insti-

1 tution may also report such expenses on a
2 per capita basis for each team and expend-
3 itures attributable to closely related teams
4 such as track and field or swimming and
5 diving, may be reported together, although
6 such combinations shall be reported sepa-
7 rately for men’s and women’s teams.

8 “(iii) Whether the head coach is male
9 or female and whether the head coach is
10 assigned to that team on a full-time or
11 part-time basis. Graduate assistants and
12 volunteers who serve as head coaches shall
13 be considered to be head coaches for the
14 purposes of this clause.

15 “(iv) The number of assistant coaches
16 who are male and the number of assistant
17 coaches who are female for each team and
18 whether a particular coach is assigned to
19 that team on a full-time or part-time basis.
20 Graduate assistants and volunteers who
21 serve as assistant coaches shall be consid-
22 ered to be assistant coaches for the pur-
23 poses of this clause.

24 “(C)(i) The total amount of money spent
25 on athletically related student aid, including the

1 value of waivers of educational expenses, sepa-
2 rately for men's and women's teams overall.

3 “(ii) For each men's and women's
4 sport—

5 “(I) the total amount of athlet-
6 ically related student aid;

7 “(II) the total number of athlet-
8 ically related scholarships, and the av-
9 erage amount of such scholarships;

10 “(III) the total number of athlet-
11 ically related scholarships that fund
12 the full cost of tuition at the institu-
13 tion;

14 “(IV) the total number of athlet-
15 ically related scholarships that fund
16 the full cost of attendance for the ath-
17 lete;

18 “(V) the total number of athlet-
19 ically related scholarships awarded for
20 a period equal to or less than one
21 year; and

22 “(VI) the total number of athlet-
23 ically related scholarships awarded for
24 a period equal to or greater than aca-
25 demic years.

1 “(D) The ratio of athletically related stu-
2 dent aid awarded male athletes to athletically
3 related student aid awarded female athletes.

4 “(E) The total amount of expenditures on
5 recruiting, separately for men’s and women’s
6 teams overall and disaggregated by each men’s
7 sport and each women’s sport.

8 “(F) The total annual revenues generated
9 across all men’s teams and across all women’s
10 teams, except that an institution may also re-
11 port such revenues by individual team.

12 “(G) The average annual institutional sal-
13 ary (which, for purposes of this subparagraph,
14 includes compensation, bonuses, benefits, and
15 buyouts paid to coaches and reportable by the
16 institution or related entities, including booster
17 clubs and foundations) of the head coaches of
18 men’s teams, across all offered sports, and the
19 average annual institutional salary of the head
20 coaches of women’s teams, across all offered
21 sports.

22 “(H) The average annual institutional sal-
23 ary (which, for purposes of this subparagraph,
24 includes compensation, bonuses, benefits, and
25 buyouts paid to coaches and reportable by the

1 institution or related entities, including booster
2 clubs and foundations) of the head coaches of
3 men’s teams, across all offered sports, and the
4 average annual institutional salary of the head
5 coaches of women’s teams, across all offered
6 sports.

7 “(I) The average annual institutional sal-
8 ary (which, for purposes of this subparagraph,
9 includes compensation, bonuses, benefits, and
10 buyouts paid to coaches and reportable by the
11 institution or related entities, including booster
12 clubs and foundations) of the assistant coaches
13 of men’s teams, across all offered sports, and
14 the average annual institutional salary of the
15 assistant coaches of women’s teams, across all
16 offered sports.

17 “(J)(i) The revenues from the institution’s
18 intercollegiate athletics activities, in the aggre-
19 gate and disaggregated by each men’s sport and
20 each women’s sport, including—

21 “(I) total revenues; and

22 “(II) each category of revenues
23 described in clause (ii).

24 “(ii) For the purpose of clause (i),
25 revenues from intercollegiate athletics ac-

1 activities allocable to a sport shall include
2 (without limitation) gate receipts, broad-
3 cast revenues, appearance guarantees and
4 options, concessions, advertising, and, to
5 the extent practicable, student activities
6 fees and alumni contributions.

7 “(K)(i) The expenses made by the institu-
8 tion for the institution’s intercollegiate athletics
9 activities, in the aggregate and disaggregated
10 by each men’s sport and each women’s sport,
11 including—

12 “(I) total expenses; and

13 “(II) each category of expenses
14 as described in clause (ii).

15 “(ii) For the purpose of clause (i), ex-
16 penses for intercollegiate athletics activities
17 allocable to a sport shall include (without
18 limitation) grants-in-aid, salaries, travel,
19 equipment, and supplies, but expenses such
20 as general and administrative overhead not
21 so allocable shall be included in the cal-
22 culation of total expenses only.

23 “(L) The numbers of participants who par-
24 ticipate in 1, 2, or 3 intercollegiate sports at
25 the institution, in the aggregate and

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

3 “(M) The total number of male players
4 that practice on women’s teams, in the aggregate and disaggregated by each women’s sport.

5 “(N) Information regarding race and ethnicity for athletes and coaches (including assistant coaches), in the aggregate and disaggregated by each men’s sport and each women’s sport.

6 “(O) A certification that the institution
7 has verified the information submitted in the report under this paragraph.

8 “(P) With respect to the sports participation opportunities requirements under this title—

9 “(i) a certification that the institution
10 complies with such requirements by showing—

11 “(I) substantial proportionality;

12 “(II) a history and continuing
13 practice of expanding sports participation opportunities; or

14 “(III) full and effective accommodation of athletics interests; and

1 “(ii) an identification of the method of
2 compliance described in subclauses (I)
3 through (III) of clause (i) that the institu-
4 tion uses.

5 “(2) SPECIAL RULE.—For the purposes of sub-
6 paragraphs (G) and (H) of paragraph (1), if a coach
7 has responsibilities for more than one team and the
8 institution does not allocate such coach’s salary by
9 team, the institution should divide the salary by the
10 number of teams for which the coach has responsi-
11 bility and allocate the salary among the teams on a
12 basis consistent with the coach’s responsibilities for
13 the different teams.

14 “(3) DISCLOSURE OF INFORMATION TO STU-
15 DENTS AND PUBLIC.—An institution of higher edu-
16 cation described in paragraph (1) shall make avail-
17 able to students and potential students, upon re-
18 quest, and to the public, the information contained
19 in the report described in paragraph (1), except that
20 all students shall be informed of their right to re-
21 quest such information.

22 “(4) SUBMISSION; REPORT; INFORMATION
23 AVAILABILITY.—

1 “(A) INSTITUTIONAL REQUIREMENTS.—
2 Each institution of higher education described
3 in paragraph (1) shall—

4 “(i) by October 15 of each year, pro-
5 vide the information contained in the re-
6 port required under such paragraph for
7 such year to the Secretary; and

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

12 “(B) PUBLIC AVAILABILITY.—By not later
13 than February of each year, the Secretary shall
14 make the reports and information described in
15 subparagraph (A) for the immediately preceding
16 academic year available to the public, which
17 shall include posting the reports and informa-
18 tion on a public Internet website of the Depart-
19 ment in a searchable format.

20 “(5) REPORTS BY THE SECRETARY.—

21 “(A) IN GENERAL.—By not later than 2
22 years after the date of enactment of the Fair
23 Play for Women Act, and every 2 years there-
24 after, the Secretary shall prepare and publish a

1 report on gender equity using the information
2 submitted under this subsection.

3 “(B) CONTENTS.—The report required
4 under subparagraph (A) shall, in the aggregate
5 for all institutions of higher education described
6 in paragraph (1) and disaggregated by each in-
7 dividual institution—

8 “(i) identify participant gaps, if any,
9 by indicating the number of participants
10 that need to be added in order for partici-
11 pants of the underrepresented sex at the
12 institution to match the proportion of en-
13 rolled fulltime undergraduate students of
14 the underrepresented sex at the institution;
15 and

16 “(ii) identify funding gaps, if any, by
17 showing the percentage differences, com-
18 pared to proportions of male and female
19 enrollment at the institution, in expendi-
20 tures for athletically related student aid,
21 recruiting, promotion, and publicity in
22 intercollegiate athletics; and

23 “(iii) identify any trends evident in
24 such data that address relevant inequities

1 in intercollegiate athletics participation and
2 financial support.

3 “(6) DEFINITIONS.—For purposes of this sub-
4 section, the term ‘operating expenses’ means expend-
5 itures on lodging and meals, transportation, officials,
6 uniforms and equipment.

7 “(b) DISCLOSURE OF STATISTICS ON EQUALITY IN
8 ELEMENTARY AND SECONDARY EDUCATION ATHLETIC
9 PROGRAMS.—

10 “(1) DEFINITION OF PARTICIPANT.—

11 “(A) IN GENERAL.—In this subsection, the
12 term ‘participant’ means an athlete in a sport
13 who participates in the sport in interscholastic
14 competitive events, organized practice sessions,
15 and other team meetings and activities on a
16 regular basis during the sport’s season.

17 “(B) DEFINITION OF SEASON.—For pur-
18 poses of paragraph (1), the term ‘season’, when
19 used with respect to a team sport, means the
20 period beginning on the date of a team’s first
21 interscholastic athletic competition in an aca-
22 demic year and ending on the date of the
23 team’s final interscholastic athletic competition
24 in such academic year.

1 “(2) IN GENERAL.—The Secretary shall collect
2 annually, from each coeducational elementary school
3 and secondary school that receives Federal financial
4 assistance and has an interscholastic athletic pro-
5 gram, a report that includes the following informa-
6 tion for the immediately preceding academic year:

7 “(A) The total number of male and female
8 students that attended the school, fully
9 disaggregated and cross-tabulated by sex and
10 race or ethnicity.

11 “(B) A listing of the school’s teams that
12 competed in athletic competition and for each
13 such team the following data:

14 “(i) The season in which the team
15 competed.

16 “(ii) The total number of male and fe-
17 male participants, fully disaggregated and
18 cross-tabulated by sex and race or eth-
19 nicity and level of competition.

20 “(iii) The total expenditures for the
21 team from all sources, including school
22 funds and funds provided by any other en-
23 tities, such as booster organizations, in-
24 cluding the following data:

25 “(I) The travel expenditures.

1 “(II) The equipment expendi-
2 tures (including any equipment re-
3 placement schedule).

4 “(III) The uniform expenditures
5 (including any uniform replacement
6 schedule).

7 “(IV) The expenditures for facili-
8 ties, including medical facilities, locker
9 rooms, fields, and gymnasiums.

10 “(V) The total number of train-
11 ers and medical personnel, and for
12 each trainer or medical personnel an
13 identification of such individual’s—

14 “(aa) sex; and

15 “(bb) employment status
16 (including whether such indi-
17 vidual is assigned to the team
18 full-time or part-time, and wheth-
19 er such individual is a head or
20 assistant trainer or medical serv-
21 ices provider) and duties other
22 than providing training or med-
23 ical services.

24 “(VI) The expenditures for pub-
25 licity for competitions.

1 “(VII) The total salary expendi-
2 tures for coaches, including compensa-
3 tion, benefits, and bonuses, the total
4 number of coaches, and for each
5 coach an identification of such
6 coach’s—

7 “(aa) sex; and

8 “(bb) employment status
9 (including whether such coach is
10 assigned to the team full-time or
11 part-time, and whether such
12 coach is a head or assistant
13 coach) and duties other than
14 coaching.

15 “(iv) The total number of competitive
16 events (in regular and nontraditional sea-
17 sons) scheduled, and for each an indication
18 of what day of the week and time the com-
19 petitive event was scheduled.

20 “(v) Whether such team participated
21 in postseason competition, and the success
22 of such team in any postseason competi-
23 tion.

24 “(3) DISCLOSURE TO STUDENTS AND PUB-
25 LIC.—A school described in paragraph (2) shall—

1 “(A) by October 15 of each year, make
2 available to students, potential students, and
3 parents of students and potential students,
4 upon request, and to the public, the report and
5 information required of the school under such
6 subsection for such year; and

7 “(B) ensure that all students and parents
8 at the school are informed of their right to re-
9 quest such report and information.

10 “(4) SUBMISSION; INFORMATION AVAIL-
11 ABILITY.—On an annual basis, each school described
12 in subsection (b) shall provide the report required
13 under such subsection, and the information con-
14 tained in such report, to the Secretary not later than
15 15 days after the date that the school makes such
16 report and information available under subsection
17 (c).

18 “(5) DUTIES OF THE SECRETARY.—The Sec-
19 retary shall—

20 “(A) ensure that reports and information
21 submitted under paragraph (4) are available on
22 the same public website, and searchable in the
23 same manner, as the reports and information
24 made available under paragraphs (4) and (5) of
25 subsection (a); and

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

4 “(i) notify all elementary schools and
5 secondary schools in all States regarding
6 the availability of the reports and informa-
7 tion under paragraph (3) ; and

8 “(ii) issue guidance to all such schools
9 on how to collect and report the informa-
10 tion required under this subsection.”.

11 **SEC. 4. ADMINISTRATIVE ENFORCEMENT THROUGH CIVIL**
12 **PENALTIES.**

13 Section 902 of the Education Amendments of 1972
14 (20 U.S.C. 1682) is amended—

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

16 and

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

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

23 “(2) If the Secretary determines under paragraph (1)
24 that a covered institution of higher education was in such

1 noncompliance during the prior year, the Secretary may
2 impose a civil penalty on the institution.

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

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

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

12 **SEC. 5. PRIVATE RIGHT OF ACTION.**

13 Section 903 of the Education Amendments of 1972
14 (20 U.S.C. 1683) is amended—

15 (1) by inserting “(a)” before “Any depart-
16 ment”; and

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

18 “(b) **RIGHT OF ACTION.**—An individual who applies
19 to participate, participates, or previously participated in
20 an education program or activity covered under this title,
21 offered by a covered institution of higher education, may
22 bring an action in any Federal or State court of competent
23 jurisdiction against the institution, alleging a violation of
24 this title. The court may award such legal or equitable
25 relief as may be appropriate for such a violation. The legal

1 relief may include compensatory damages for emotional
2 distress, humiliation, or pain and suffering.”.

3 **SEC. 6. TRAINING AND INFORMATION FOR ATHLETES.**

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

6 (1) by repealing section 907, as so redesignated
7 by section 3 of this Act,

8 (2) by redesignating section 905, as so redesign-
9 nated by section 3 of this Act, as section 906; and

10 (3) by inserting after section 904, as added by
11 this Act, the following:

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

13 “(a) TRAINING.—

14 “(1) COVERED SCHOOL SYSTEMS.—

15 “(A) EMPLOYEES.—Each covered school
16 system shall ensure that each title IX coordi-
17 nator, and that each employee who works with
18 athletics or teaches physical education or
19 health, for the school system receives, at least
20 once per year, training on the rights under this
21 title of students at elementary schools or sec-
22 ondary schools, and procedures for submitting
23 complaints of violations of this title to the Of-
24 fice for Civil Rights of the Department of Edu-
25 cation.

1 “(B) ELEMENTARY AND SECONDARY
2 SCHOOL ATHLETES.—Each covered school sys-
3 tem shall ensure that—

4 “(i) a title IX coordinator for the sys-
5 tem provides training to athletes at ele-
6 mentary schools or secondary schools in
7 the system on the rights of the athletes
8 under this title, and procedures for submit-
9 ting complaints of violations of this title to
10 the Office for Civil Rights of the Depart-
11 ment of Education; and

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

14 “(C) DEFINITIONS.—In this section, the
15 terms ‘elementary school’ and ‘secondary
16 school’ have the meanings given the terms in
17 section 8101 of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 7801).

19 “(2) COVERED INSTITUTIONS OF HIGHER EDU-
20 CATION.—

21 “(A) EMPLOYEES.—Each covered institu-
22 tion of higher education shall ensure that each
23 employee of the athletic department of the insti-
24 tution receives, at least once per year, training
25 on the rights under this title of students at cov-

1 ered institutions of higher education, and proce-
2 dures for submitting complaints of violations of
3 this title to the Office for Civil Rights of the
4 Department of Education.

5 “(B) POSTSECONDARY SCHOOL ATH-
6 LETES.—Each covered institution of higher
7 education shall ensure that—

8 “(i) an expert in matters relating to
9 this title, who is not an employee of the in-
10 stitution’s athletic department, provides
11 training to athletes at the institution on
12 the rights of the athletes under this title,
13 and procedures for submitting complaints
14 of violations of this title to the Office for
15 Civil Rights of the Department of Edu-
16 cation; and

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

19 “(b) DATABASE.—The Secretary of Education shall
20 establish and maintain a database of title IX coordinators,
21 which shall be separate from the civil rights coordinators
22 data maintained by the Office for Civil Rights of the De-
23 partment of Education. The database shall include, at a
24 minimum, the name, phone number, and email address for
25 each title IX coordinator. The Secretary shall make the

1 information in the database available to the public with,
2 and by the same means as, reports made available under
3 section 485(g)(4)(B) of the Higher Education Act of 1965
4 (20 U.S.C. 1092(g)(4)(B)).”.

5 **SEC. 7. OTHER DEFINITIONS.**

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

8 (1) by redesignating section 909, as so redesign-
9 nated by section 3, as section 907 and moving that
10 section 907 to follow section 906 as so redesignated
11 by this Act; and

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

13 **“SEC. 909. OTHER DEFINITIONS.**

14 “In this title:

15 “(1) COVERED INSTITUTION OF HIGHER EDU-
16 CATION.—The term ‘covered institution of higher
17 education’ means an entity described in section
18 908(2)(A).

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

22 “(3) TITLE IX COORDINATOR.—The term ‘title
23 IX coordinator’ means the individual who coordi-
24 nates the efforts of a covered school system to com-

1 ply with, and carry out the system’s responsibilities
2 under, this title.”.

3 **SEC. 8. RULE OF CONSTRUCTION.**

4 Nothing in this Act or the amendments made by this
5 Act shall be construed to imply that intercollegiate athletic
6 associations (as defined in the amendment made by sec-
7 tion 3(1)) —

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

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

