

**CLIENT NEWS BRIEF**

**2006  
No. 18**

**June**

**NEW STATE LAW CREATES AN ATHLETES' BILL OF RIGHTS**

Assembly Bill 322, Chapter 386 of the Statutes of 2005 ("AB 322"), adds Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code to establish an Athletes' Bill of Rights for high school students.

AB 322 expresses legislative concern that there is still serious need for improvement in gender equity in school athletics. AB 322 is intended to increase awareness of Title IX rights in high school students and their parents. Specifically, it requires the California Department of Education, by July 1, 2006, to post on its website the information set forth in the federal regulations that implement Title IX. This information is required to be posted in English and Spanish and at a reading level appropriate for high school students. AB 322 sets forth the following list of rights, based on the federal regulations:

- (a) The right to fair and equitable treatment and freedom from sex discrimination;
- (b) The right to be provided with an equitable opportunity to participate in all academic extracurricular activities;
- (c) The right to inquire about athletic opportunities at the school;
- (d) The right to apply for athletic scholarships;
- (e) The right to receive equitable treatment and benefits in the provision of athletic equipment, services, and facilities;
- (f) The right to have access to a gender equity coordinator to answer questions regarding gender equity laws;
- (g) The right to access information on gender equity laws from the State Department of Education and the California Interscholastic Federation;
- (h) The right to file a discrimination complaint if discriminated against or treated unequally based on sex;
- (i) The right to pursue civil remedies if discriminated against; and
- (j) The right to be protected from retaliation if a discrimination complaint is filed.

School districts, community colleges and county offices of education have no new responsibilities under this act. However, increased awareness may lead to challenges to practices in and conditions of existing programs. For that reason, local educational agencies should consider conducting an internal review of their Title IX compliance.

If you have any questions regarding this new law or would like assistance with an internal review, please contact one of our six statewide offices.

*As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.*

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