

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

T. WILLARD FAIR, *Chairman*

Members

DONNA G. CALLAWAY

DR. AKSHAY DESAI

ROBERTO MARTÍNEZ

PHOEBE RAULERSON

KATHLEEN SHANAHAN

LINDA K. TAYLOR

Dr. Eric J. Smith
Commissioner of Education



March 13, 2008

Contact Person

Pamela Stewart

850-245-0509

pamela.stewart@fldoe.org

K12: 2008-31

MEMORANDUM

TO: District School Superintendents

FROM: Frances Haithcock, Chancellor, Public Schools

SUBJECT: Competitive Cheerleading

The Florida High School Athletic Association (FHSAA) has taken a proactive approach regarding competitive cheerleading. As a result, cheerleading in Florida is being taken from a sideline ancillary activity to the level of athletic competition. The Florida High School Athletic Association works to insure the regulation of competitive cheerleading under the same guidelines, rules, rights, and privileges as other sports to insure compliance with Title IX requirements.

A letter from the Executive Director of the FHSAA of October 15, 2007, outlines the compliance requirements of the United States Department of Education's Office of Civil Rights and FHSAA's member schools' responsibilities in complying with the regulations. That letter is attached for your review and remains on file in the Florida Department of Education's Office of Equity and Access, serving as assurance that the Title IX requirements are being met. All schools and districts that submit competitive cheerleading as a sport on the Annual Equity Report and Updates does so as certification that all specified requirements are being followed.

I hope this helps to clarify any confusion on this issue.

Thank you.

cc: District Athletic Directors
Office of Equity and Access

DR. FRANCES HAITHCOCK
CHANCELLOR, K-12 PUBLIC SCHOOLS

October 15, 2007

Commissioner Jeanine Blomberg
Florida Department of Education
325 West Gaines Street, Suite 1514
Tallahassee, FL. 32399

Dear Commissioner,

The purpose for this correspondence is to request your consideration for all Florida High School Athletic Association (FHSAA) member schools to count their Competitive Cheerleading participants towards Title IX compliance.

On December 7, 2006, this office received a letter from Acting Chief Regional Attorney, Arthur L. Manigault from the Office for Civil Rights (OCR). Within that letter, Mr. Manigault advised the FHSAA to review the Dear Colleague letters from the OCR to the Michigan and Minnesota High School Athletic Associations for guidance in developing Competitive Cheerleading as a high school sport in the State of Florida. Upon receipt of this information, we immediately reviewed the letters and took all necessary steps to make sure that all criteria listed within the letters were met. In addition, we also made contact several times with the Michigan High School Athletic Association to ensure we were proceeding correctly in order for Florida High Schools to be afforded the same recognition regarding Title IX that Michigan High Schools are.

We have also attempted to get written approval from the Office for Civil Rights and in seeking this approval; we feel that it is necessary to reiterate the fact that the Office for Civil Rights has never given written approval to any High School Athletic Association. The Office for Civil Rights has chosen to look at each school on a case-by-case basis if an investigation were to occur. Therefore, even State High School Athletic Associations, such as the Michigan High School Athletic Association, who does count their Competitive Cheerleading programs towards Title IX, has never received written approval from The Office for Civil Rights.

To further solidify our attempts to meet the necessary criteria to count Competitive Cheerleading as a sport please review the following information. Using the criteria provided by the Office for Civil Rights, this information provides necessary evidence that FHSAA Competitive Cheerleading will be conducted in the same manner as all other FHSAA sports and in turn, should be counted towards Title IX compliance.

OCR Determining Factor #1: Whether selection for the team is based upon objective factors related primarily to athletic ability;

FHSAA Competitive Cheerleading: Try-outs will be conducted on a school-by-school basis. Most generally, they are carried out in the same fashion as football or basketball. Try-outs for Competitive Cheerleading squads are primarily based on a student's athletic ability due to the regulations and competitiveness of the sport.

OCR Determining Factor #2: Whether the activity is limited to a defined season;

FHSAA Competitive Cheerleading: The FHSAA Competitive Cheerleading sport season is Aug. 6th – Mar. 8th culminating with a State Championship on March 7-8, inclusive of qualifying and final rounds.

OCR Determining Factor #3: Whether the team prepares for and engages in competition in the same way as other teams in the athletic program with respect to coaching, recruitment, budget, try-outs and eligibility, and length and number of practice sessions and competitive department;

FHSAA Competitive Cheerleading: All policies and by-laws set forth by the FHSAA, published in the FHSAA Handbook govern all FHSAA sports, including Competitive Cheerleading. Additionally, the FHSAA has published specific Rules and Regulations for the sport of Competitive Cheerleading in the same manner as all other FHSAA sports.

OCR Determining Factor #4: Whether the activity is administered by the athletic department;

FHSAA Competitive Cheerleading: The FHSAA is strictly an Athletic Association and administers athletics only. Each member school's principal or his/her designee (FHSAA Representative) is the primary contact for all correspondence from a member school with the FHSAA and is responsible for his/her athletic program. All Competitive Cheerleading student-athletes must meet all of the eligibility requirements listed by the FHSAA for all sports and it is each school's Athletic Director/FHSAA representative's responsibility to ensure the set criteria is met.

OCR Determining Factor #5: Whether the primary purpose of the activity is athletic competition and not the support or promotion of other athletes;

FHSAA Competitive Cheerleading: The primary purpose for the Competitive Cheerleading team at a given school is to compete in interscholastic head-to-head competition. As in all other sports, member schools must declare their commitment to participate in the State Series.

OCR Determining Factor #6: Whether organizations knowledgeable about the activity agree that it should be recognized as an athletic sport;

FHSAA Competitive Cheerleading: All recommendations for the implementation of Competitive Cheerleading were reviewed by the appropriate committees prior to its recognition as a sport. The FHSAA Competitive Cheerleading Advisory Panel, the Florida Athletic Coaches Association Representative, Athletic Directors Advisory Committee and Board of Directors each voted to approve Competitive Cheerleading as a recognized sport within the FHSAA. Therefore the FHSAA now fully recognizes Competitive Cheerleading as a sport.

OCR Determining Factor #7: Whether the activity is recognized as part of the interscholastic or intercollegiate athletic program by the athletic conference to which the institution belongs and by the organized state and national interscholastic or intercollegiate athletic associations.

FHSAA Competitive Cheerleading: There are many State and National Associations that recognize Competitive Cheerleading as a sport on all levels. The National Federation of State High School Associations has published specific rules and regulation for the sport, by which all Florida High School Competitive Cheerleading Squads are bound.

OCR Determining Factor #8: Whether state, national and conference championships exist for the activity;

FHSAA Competitive Cheerleading: State, National and Conference Championships exist on all levels as well. To be more specific, the State of Florida has been hosting the High School and College National Championships for many years now. These events are held at Walt Disney World, January – March. Additionally, many local conferences (i.e., Hillsborough School District and Marion School District) as well as the Florida Athletic Coaches Association have also been hosting annual competitions.

OCR Determining Factor #9: Whether a state, national, or conference rule book or manual, has been adopted for the activity;

FHSAA Competitive Cheerleading: As previously noted, the FHSAA has published State Rules and Contest/Competition Regulations for the sport. In addition, the NFHS Rules Book has also been published on the National level. These regulations are sport specific just as any other FHSAA Manual or NFHS Rules Book.

OCR Determining Factor #10: Whether there is a state, national, conference regulation of competition officials along with standardized criteria upon which the competition may be judged

FHSAA Competitive Cheerleading: The FHSAA will be using UCA/Varsity judges during its inaugural year as they have had to meet certain criteria to become judges on the National level. Additionally, the FHSAA is researching the possibility of training, testing and certifying judges on the State level as the sport evolves. Lastly, there is a specific judging criterion used in the FHSAA Competitions that has already been published. These judging sheets more specifically identify what is being judged within each division. The score sheets also identify the maximum number of points possible and model what has been used on the National level.

OCR Determining Factor #11: Whether participants in the activity/sport are eligible to receive scholarships and athletic awards (e.g., varsity awards)

FHSAA Competitive Cheerleading: Each student-athlete as a competitive Cheerleader has the opportunity to receive Varsity Letters as any other high school student-athlete would. Additionally, many colleges and universities offer scholarships for Competitive Cheerleading and for that, a student-athlete may advance to the Intercollegiate Level and compete as well.

As the aforementioned evidence suggests, we have met all necessary criteria for FHSAA Competitive Cheerleading to be considered a sport. We sincerely appreciate your favorable approval of this request and if you should have any further questions, please feel free to contact me at anytime. I look forward to your reply.

Sincerely,

John A. Stewart, Ed. D.
Executive Director
Florida High School Athletic Association

Cc: Richard Finlayson, FHSAA Board President
Tom Greer, FHSAA Board Member
Jamie Rohrer, FHSAA Competitive Cheerleading Administrator
Wayne Blanton, FSBA
Bill Montford, FADSS