**Section 829.70 Extracurricular Programs and Activities**

a) General Practices

1) Except as provided in subsection (b)(1)(A), students of both sexes shall have equal access to all extracurricular programs and activities, including clubs, committees, service or honor organizations, intramural sports programs, interscholastic athletics and other after-school activities that are offered by a School.

2) Except as provided in subsection (b)(1)(A), extracurricular programs and activities offered by a School shall not use titles that imply that membership or participation is restricted on the basis of sex.

3) A School shall not provide significant assistance to any association or conference whose purpose is to organize or regulate interscholastic competition if that association or conference discriminates on the basis of sex in the provision of benefits or services to students.

4) The School may cooperate with single sex youth organizations that are tax exempt and whose membership has traditionally been limited to members of one sex and principally to persons who are under 19 years of age, provided that comparable activities shall be available for both sexes.

b) Selected Activity Areas

1) Athletics (Interscholastic and Intramural)

A) Both sexes shall be accorded equal opportunities to participate in athletic programs.

i) Single-sex teams are permitted for contact sports or when selection for team membership is based upon competitive skill, provided the interests and abilities of both sexes are accommodated.

ii) In a non-contact sport, when a team is provided only for members of one sex, members of the excluded sex must be allowed to compete for a place on the team if their overall athletic opportunities have been limited in comparison with those of the other sex.

iii) When a coeducational team in a given sport does not accommodate the interests and abilities of members of both sexes, separate teams shall be afforded by sex. For example, if the level of interest determined pursuant to subsection (b)(1)(B) indicates that 30 students of one sex and 30 students of the other sex want to participate in a particular sport, but only one student of the first sex is able to qualify to compete while 20 students of the other sex do so, a coeducational team does not accommodate the interests and abilities of both sexes.

B) At least once every four years, each School shall assess student athletics interest by administering a written survey to all students. If survey data indicate that the overall levels of student interest in the range of alternatives being provided are disparate between the sexes and this disparity may be the result of discrimination, the School shall initiate efforts to reduce this disparity.

C) Based upon the results of the interest survey, existing offerings and other pertinent factors (e.g., budget, facilities, available competition, etc.), each School shall provide comparable continuity in sports opportunities for students of both sexes (i.e., students have the opportunity to acquire skills at successive levels, over time, within a given sport).

D) The nature and extent of the athletics programs offered by a School shall accommodate the interests and abilities of both sexes to a comparable degree. Factors to be considered in assessing program comparability include, but are not necessarily limited to, the following:

i) selection of sports offered;

ii) levels of competition within sports;

iii) length of sports seasons;

iv) scheduling of athletics opportunities throughout the calendar year;

v) scheduling of practices and games during prime time;

vi) use of facilities for practice and competition;

vii) ratio of coaches to athletes;

viii) quality of coaching and officiating (e.g., credentials, experience and compensation);

ix) assignment and compensation of coaches and officials;

x) supplies and equipment;

xi) allowances for travel and per diem;

xii) medical and training services;

xiii) publicity for teams and individual participants; and

xiv) overall distribution of athletic budget funds.

2) Music

A) Choruses segregated by sex shall not be allowed; however, choral groups based upon vocal range and qualities are allowable.

B) Instrumental music skill acquisition and performance shall be based upon students' individual interests and abilities, regardless of their sex.

3) Speech and Drama

A) Competitive speaking events shall be open to both sexes.

B) Materials limited to a single sex (e.g., a monologue specific to one sex) may be used as long as comparable opportunities are provided for both sexes.

4) Miscellaneous

A) Activities such as cheerleading, pompom squads, color guards, school safety patrol, teacher or office aides, and library assistants shall be open to students of both sexes.

i) Participation criteria, selection procedures, or uniform restrictions that would discriminate on the basis of sex shall not be applied.

ii) Criteria for the utilization of these groups shall not discriminate on the basis of sex.

B) A king or queen of an activity may be selected; however, comparable opportunities for students of both sexes shall be provided.

C) If a School sponsors mother-son, father-daughter, mother-daughter, or father-son activities, comparable activities shall be available for both sexes, and the special needs of children from single-parent families shall be accommodated.

(Source: Amended at 37 Ill. Reg. 6368, effective April 25, 2013)