

**TESTIMONY OF JACK MOWATT  
COMMISSIONER, MARYLAND-DC AMATEUR SOFTBALL ASSOCIATION**

**ON “BUILDING ON THE SUCCESS OF 35 YEARS OF TITLE IX”**

**BEFORE THE  
SUBCOMMITTEE ON HIGHER EDUCATION, LIFELONG LEARNING, AND  
COMPETITIVENESS**

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Chairman Hinojosa, Ranking Member Keller, and members of the Committee, thank you for inviting me to testify before you today. I would like to share with you my story of the gender equity problems that I saw in the girls’ athletics programs in Prince George’s County, Maryland and how those problems were resolved in a way that could be replicated in other communities across the country.

I have been an active softball umpire in the Washington, D.C. metropolitan area since 1968 and have seen many softball fields in Maryland. Over the years, I became more and more concerned about many of the safety issues that I saw on the girls’ high school softball fields in Prince George’s County, Maryland. Several years ago during a game, I thought: *These young women deserve more than this.* It has been my belief that athletes who play on good fields play better and enjoy the game much more.

I talked to a fellow umpire who has also been officiating for a number of years, and we decided to go around to the schools in Prince George’s County and take pictures of the safety hazards at the girls’ fields and see if we could get the school district to make improvements to the fields. Our main concern was the unsafe conditions to which these young women were exposed on their school softball fields. At first, I did not think of the problems as gender equity problems, but now I realize that by not taking care of the

softball fields, the county was sending a message to girls that their sports are not as important.

Our photographs of the fields showed problems that go beyond safety concerns. The girls' softball fields did not have basic things that the boys' fields had, such as benches for the team and fencing to protect them. For example, at Largo High School, the boys' baseball field there had perimeter fencing, dug outs and a scoreboard. The girls' softball field had none of those amenities.

After we had taken pictures of every high school softball field in Prince George's County, we presented the County Athletic Director with the photographs and asked him to make improvements to the girls' fields. We also requested help from the former superintendent. Unfortunately, after numerous conversations, nothing was done to improve the girls' fields.

After a year, when we saw that Prince George's County was not responding, one of the softball coaches and I contacted the National Women's Law Center in 2003. Together with the Center, we did a more comprehensive investigation of the treatment of female athletes as compared to male athletes in Prince George's County. We found serious problems in the way girls' teams were treated, including in the number of participation opportunities offered to girls and the amount of money the school district spends on girls' sports.

The Center sent a letter to attorneys for the Prince George's County Public Schools in the fall of 2004 describing all the ways in which girls were not being treated fairly and reminding the county of its Title IX obligations. Fortunately, the county stepped up to the plate and recognized that it needed to make changes. Over the next

year and a half, the Center, together with attorneys from the D.C. office of Steptoe & Johnson, LLP, negotiated an agreement that includes all public middle and high schools in the county and requires equal treatment for girls in opportunities to practice and play, funding and facilities, and many other areas. Some of the details include:

- By the beginning of the 2007 softball season, the Board had to improve its softball fields and conditions of play, which at some schools required that it install backstops and fencing to protect players and fans from balls, eliminate jagged edges around fencing, and make sure that fields are free of gaping holes and other safety hazards. These small changes, which the Board has already made, have led girls playing softball to feel like for the first time, they are important. (See Josh Barr, “Title IX Deal Transforms Dreams to Fields,” Wash. Post, March 22, 2007, at E7.)
- By the beginning of the 2008 softball season, the Board will make additional improvements to the softball fields to provide girls with the same amenities that are already provided to boys’ baseball teams. In some cases this will include covered dugouts, scoreboards and bleachers.
- Beyond softball, the Board agreed to provide equal funding for boys’ and girls’ sports and to make sure that outside fundraising does not create inequalities between boys’ and girls’ programs. The Board will also provide girls’ and boys’ teams with equal facilities and the male and female athletes will receive equal amounts – and equal quality – of publicity.
- Finally, the people of Prince George’s County will be able to hold the Board to its word that it will provide these equal opportunities to its male and female students.

The Agreement requires that the Board regularly evaluate its athletics program and its compliance with the Agreement, and that it make its reports public.

A copy of the agreement is attached to my testimony.

I am so glad that the Board of Education agreed to do the right thing and correct these problems. Their actions send a strong message to girls that they matter just as much as boys. And providing girls with equal opportunities to play sports is an investment in their future. Studies show that girls who play sports have higher grades, are less likely to drop out and have higher graduation rates than those who do not play sports. Athletes are less likely to smoke or use drugs, and female athletes have lower rates of both sexual activity and pregnancy than females who do not play sports. Playing sports also decreases a young woman's chance of developing heart disease, breast cancer and depression. (See National Women's Law Center, "The Battle for Gender Equity in Athletics in Elementary and Secondary Schools," June 2007, available at <http://www.nwlc.org/details.cfm?id=2735&section=athletics>.)

Unfortunately, I learned that the problems we found in Prince George's County are not unique. Title IX turns 35 this week, and while women and girls have come a long way since the law was passed in 1972, there is lots of work still to do. For example, there are many other reports of girls across the country playing on run-down, bare bones softball fields, while boys play on fields fit for minor league baseball teams.

I am so glad that the Board agreed to make changes that will benefit girls throughout Prince George's County and I hope school districts nationwide follow the school board's lead. Several years ago I decided that the conditions were too unsafe for

me to continue umpiring in the County. But because of this agreement, I decided to go back to being an umpire and I am so excited to see the changes first hand. Thank you.