

## **Guidance for Considering Dance and Drill and Cheerleading as Competitive Sports**

### **Introduction**

In many states and school districts, dance and drill and cheerleading have continued to transition from support activities to activities that are more competitive in nature. This transition, along with the Office for Civil Rights' (OCR) recent letter outlining criteria to determine if an activity is a sport for assessing equal opportunity, requires guidelines and assistance for the interscholastic community. Guidance is needed so that these activities are properly supported consistent with the treatment of other athletic activities by interscholastic associations. Also, guidance is needed in addressing all of the issues raised by OCR that relate to assessing equal opportunity in participation. Before providing insight into these criteria and the impact on an entire school's activities programs as well as a state association, three important points must be made.

First, the determination of whether an activity is a sport will be on a case-by-case/school-by-school basis. The determination will be based on the action of the school toward meeting the established criteria. Simply stated, if an activity is declared a sport, such declaration will be made only because those in charge of the program treat the program as a sport and the participants as athletes. Schools are not required to offer competitive cheerleading or dance and drill programs. Such a decision is left to the local school district.

Secondly, these guidelines and descriptions are meant to provide direction. As with most initial steps into new territory, the path is unknown and untested and, in some cases, the destination is uncertain. What is important is the journey and the realization that development requires open dialogue and a realization that as the process and methods are tested, they may change not only the process, but also some of the determiners. Given this, as long as the focus remains on fairness and what is best for all students, the very students for which activities programs are designed will be the real winners.

Lastly, the ability of a school to count certain participants toward the proportionality test that OCR or a particular state uses to determine if equal opportunity is met must not be the "driver" in deciding whether to make dance, drill or cheerleading competitive sports.

The primary motivation for providing healthy activities that are tied to educational goals must remain the sole reason for any school's programs. To do otherwise would convolute the mission of co-curricular programs, would undermine the credibility of a school's administration and its coaches, and would create mistrust with the students, parents and community that a school serves. The guidance we provide now will need to be revisited regularly and modified to adapt to changes that occur as these activities transition into sports programs comparable to other competitive sports offerings. If school administrators, coaches, parents and students wish to take their dance and drill and/or cheerleading programs to the level of competition available for students who participate in football, volleyball, and other sports, then the students who participate must be treated as any other athlete.

Once a decision is made to transition dance and drill and/or cheerleading to that level of competition, the development of a program should follow a process similar to that of any school activity and look the same once the process is complete.

### **Discussion of the OCR Criteria**

The next section of this memorandum discusses the elements of the Office for Civil Rights' definition of a sports activity outlined in the recent OCR letter. In this letter, OCR reiterates the

presumption that dance, drill and cheerleading are not at this time considered sports; however, it provides criteria OCR will consider on a case-by-case basis if a district seeks to overcome this presumption. OCR has stated in its recent letter that it will, on a case-by-case basis, determine whether an activity sponsored by a secondary school\* is a sport based upon whether the activity meets all of the following criteria:

1. Whether selection for the team is based upon objective factors related to athletic activity.  
**Discussion:** The type of factors usually considered when selecting athletes includes speed, strength, agility, ability to be cooperative and competitive, citizenship and the role the athletes fulfill on the team. For activities such as dance, drill, and cheerleading to be considered an athletic offering, selection must be based on factors similar to those used for selecting athletes for other sports.
2. Whether the activity is limited to a defined season.  
**Discussion:** The state association will be responsible for establishing a starting and ending date as well as rules and regulations that are similar to other sanctioned sports. Typically those determinations are made with input from school personnel and others who are knowledgeable about the activity/sport.

Each school must determine if it will sponsor competition squad(s) and the impact that such a decision will have on providing the traditional cheerleading and dance and drill squads that have been a part of the support groups for athletic events for decades. A school could choose to field competitive squads and continue to provide squads that support athletic events through sideline activity and halftime entertainment. In fact, some participants may choose to be involved in both offerings. (To review the WIAA's goal for this issue, please read the addendum.)

3. Whether the activity is administered by the athletic department.  
**Discussion:** This is self-explanatory and a matter of developing the proper chain of responsibility, oversight, and funding.
4. Whether the team prepares for and engages in competition in the same way as other teams in the athletic program with respect to the following:
  - a. Coaching -- Individuals who coach dance and drill and cheerleading would need to meet the same hiring and evaluation criteria as other coaches. This would also include monetary stipends and any other benefits such as opportunities to receive training.
  - b. Budget -- The programs would receive a budget that would meet the needs of the activity and is comparable to that school's other programs. The budget would include allowances for equipment, uniforms, travel, meals, lodging, and any other items similar to other sports programs.
  - c. Tryout and Eligibility -- Participants would be required to meet the same local school and state association eligibility guidelines. (Please review the WIAA's goals in the addendum.)
  - d. Length and number of practice sessions -- The squads would receive comparable practice time as well as use of comparable facilities. The state association will establish the number of practice sessions prior to initial competition.
  - e. Competitive opportunities and recognition -- While the number of regular season competitions would be established by the state association, the athletic director and coach would be responsible for establishing league affiliation to insure that a schedule is as complete as other sports teams in the school district. Awards such as a varsity letter, "all-league" and "top scorer," which are appropriate and are common with other sports, must also be provided.

5. Whether the primary purpose of the activity is athletic competition and not the support or promotion of other athletes.

**Discussion:** Competition must be the focal point of the event in which the student participates. The traditional “appearances” that are part of other athletic contests are not appropriate avenues to showcase these participants as athletes.

### **Other Evidence that may be Considered**

The OCR letter discusses the central role of state associations and other organizations in determining whether an activity will be considered a sport for equal opportunity purposes. Among the evidence OCR may consider in applying the criteria are the following issues:

1. Organizations knowledgeable about the activity agree that it should be recognized as a sport.

2. The activity is recognized as part of the interscholastic athletic program by the athletic conference to which the institution belongs and by the organized state and national interscholastic athletic/activities associations.

**Discussion:** Action by the National Federation of State High School Associations (NFHS) suggests that this body has determined that cheerleading and dance and drill are sports. In addition to requesting that OCR review its criteria to allow for a determination that each is a sport, the NFHS has also developed rules and training materials.

3. Whether a state, national or conference rulebook or manual has been adopted for the activity.

**Discussion:** As stated above, the NFHS has already established rules for competition that address safe and fair competition. The state association must adopt these rules or similar ones as well as adopt rules and regulations similar to other sports. In addition, leagues and other organizational structures such as districts, regionals, or divisions must adopt Standard Operating Procedures (SOP's) similar to other such programs.

4. Whether a state championship exists for the activity.

**Discussion:** A state event that is developed to showcase the athletic talent of cheerleaders and dance and drill participants must be developed similar to that of other sports. If a state association offers state championships or other such competitions, similar competitions must be developed.

5. Whether there is state regulation of competition officials along with standardized criteria upon which the competition may be judged.

**Discussion:** A state organization, similar to those in place for other sports officials, may need to be developed to provide annual rules clinics, seminars, and training. Ranking systems and methods for selecting post-season judges would also be created. Criteria to evaluate performances would be utilized by trained judges similar to gymnastics.

6. Whether the activity is recognized as part of the interscholastic athletic program by the state association.

### **Conclusion**

These OCR criteria have yet to result in a finding by OCR that a district may include its dance, drill or cheerleading participants in its evaluation of equal opportunity under Title IX. As these activities evolve, this situation may change. However, it is important to emphasize that districts

should not make changes in these activities on the assumption that OCR will accept them as sports. Instead, the interests of the students should drive changes involved.

\* While OCR guidelines also address intercollegiate sports, this document is meant to address only programs at the interscholastic level (junior high, middle school, and high school).

## **ADDENDUM**

### **The Impact of this Criteria on the WIAA State Office, State Events and its Member Schools**

The WIAA has begun the transition to allow member schools to offer dance and drill and cheerleading programs as sports. Neither the WIAA Executive Board or Representative Assembly will take action to officially declare an activity such as dance and drill and cheerleading as a sport. Such a “declaration” will be made through the actions of those schools that wish to create competitive interscholastic programs.

In 1997, through the action of the WIAA’s Equity Committee, the WIAA requested that OCR reconsider its definition of dance and drill and cheerleading as sports. With the guidance of coaches and administrators who have been working toward this end for the past several years, action has been taken that will allow a smooth, professional, and realistic transition.

In March of 2001, the WIAA’s dance and drill state event will be competitive. For the first time, teams will be judged and then placed or ranked, and a state champion will be crowned. Cheerleading coaches, with the assistance of WIAA staff, are taking similar steps and, while no set date has been established to offer a state championship, the goal at this time is to provide such an event within the next five years. In both cases, the WIAA Executive Board must develop comprehensive tournament guidelines that will cover the scope of each event. Such guidelines may need to allow for regional qualifying competition.

The WIAA Executive Board must also establish a defined season for competition. While this issue has been discussed informally, there has been no action taken to date. The Representative Assembly must also pass rules and regulations that provide parameters for regular season limitations, such as the number of competitions for each squad and participant. In conjunction with this action, the WIAA Executive Board and Representative Assembly must address the existing participant eligibility rules and regulations in order that dance and drill and cheerleading participants are required to meet the same eligibility requirements as other athletes. At this time they must meet all eligibility rules except the WIAA transfer rule.

Similarly, one other eligibility rule and an association definition of practice must be addressed. WIAA Rule 18.17 stipulates that, except for students in Class B schools, a student may not compete in two concurrent sports. Therefore, the WIAA Executive Board must determine when students in this situation will have to comply with this rule. Additionally, WIAA Rule 17.9 prohibits class time being used for practice for interscholastic competition. Currently, many member schools allow class time for participants to practice these activities. Again, the WIAA Executive Board must determine when it will require the schools that are utilizing this method must redesign these classes.

In 1998, dance and drill judges became members of the Washington Officials Association and the National Federation Officials Association. Annual training is conducted and each judge is required to meet the same standards as other athletic officials. Judges for the state event are

selected following objective criteria. Similar requirements must be implemented for judges of cheerleading competition.

While the WIAA has several issues to resolve, many decisions have already been made that are current in moving the association and its member schools closer toward treating dance and drill and cheerleading as sports. Those involved at the local and state levels support this action, which they realize will benefit student participants as well as each activity.