



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

August 7, 2026

Via e-mail only to: [redacted content]

Lindsay P. Hazen
Giarmarco, Mullins & Horton, P.C.
Tenth Floor Columbia Center
101 West Big Beaver Road
Troy, Michigan 48084

Re: Jefferson School District (MI) – OCR Case Number 15-24-1288

Dear Ms. Hazen:

This letter is to notify you of the disposition of the above-referenced complaint filed on January 25, 2024, with the U.S. Department of Education, Office for Civil Rights (OCR), against Jefferson School District (the District) alleging that the District discriminated against female student athletes on the basis of sex in the scheduling of primetime competitions.

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of federal financial assistance. As a recipient of federal financial assistance from the Department of Education, the District is subject to this law.

During its investigation to date, OCR reviewed information provided by the Complainant and the District and interviewed the District's athletic director. Before OCR completed its investigation, the District expressed an interest in resolving the complaint pursuant to Section 302 of OCR's Case Processing Manual (CPM). On January 17, 2025, the District signed a Resolution Agreement, which, when fully implemented, will address all of the allegations in the complaint.

Summary of OCR's Investigation to Date

The District is in Monroe County Michigan. It is currently a member of the Huron League which covers a wide geographic range in the southeast portion of the state.

The Complainant alleged a disparity in the scheduling of the District's boys' and girls' high school varsity basketball games, in that girls' games are rarely scheduled on Friday nights. Specifically, the Complainant alleged that during the 2023-2024 basketball season the District's boys' high school basketball team had 22 scheduled games, 11 of which were on Friday nights, whereas the District's girls' high school basketball team had 22 scheduled games, three of which were on a Friday nights. The Complainant stated that the disparity in the District's scheduling of

boys' and girls' high school varsity basketball games deprives the girls' team of the opportunity to play on Friday evening.

OCR examined the District's competitive high school sports schedules for the 2023-2024 school year. The schedules show that the following boys' and girls' teams had the following number of games or competitions scheduled on Fridays:¹

Team	Girls	Boys
Softball/Baseball	2	4
Basketball	3	25
Football ²	N/A	8
Golf	0	1
Soccer	1	1
Wrestling ³	N/A	3
Volleyball	0	N/A
TOTAL	6	42

The District's athletic director told OCR that the District is a member of the Huron League. She stated that the League has a conference schedule, which it creates after the athletic directors in the League meet to discuss conflicts, dances, and other special adjustments. The athletic director solicits input from the District's coaches prior to negotiating with the other athletic directors on competition schedules.

The athletic director told OCR that the Huron League has no input on non-conference scheduling. She stated that she discusses schedules for non-conference games with District coaches and fits in what works. She said the ability to hire referees is an issue.

With respect to crowd sizes, the athletic director said that the District gets the biggest crowds at football games, and much larger crowds for basketball games scheduled on Thursdays and Fridays versus those scheduled on other days. She reported that, across sports, Thursday and Friday competitions typically draw more spectators than competitions on other days. She stated

¹ This table includes varsity and, as applicable, junior varsity and freshman teams. It does not include teams whose schedules state that they were designated for "Boys/Girls." It also does not include the girls' cheerleading teams, as OCR would need to continue its investigation to determine whether these "activities can be counted for the purpose of Title IX compliance." See <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-20080917.pdf>.

² While the schedule provided to OCR states that the District's football teams were designated for boys, the District's athletic director reported that there were two girls participating on these teams.

³ While the schedule provided to OCR states that the District's wrestling team was designated for boys, the District's athletic director reported that there were three girls participating on these teams.

that she had received no complaints regarding the scheduling of basketball games, believed that scheduling for the District's boys' and girls' interscholastic athletic teams was equitable, and was not aware of any prior conversations within the District on this topic.

Applicable Regulatory Standards

The Title IX regulations, at 34 C.F.R. § 106.41, provide that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club, or intramural athletics offered by a recipient of federal financial assistance, and no such recipient shall provide any such athletics separately on such basis. As a means of assessing compliance under the regulations, OCR follows its Policy Interpretation on Title IX and Intercollegiate Athletics, 44 Fed. Reg. 71413, et seq. (1979). Although the Policy Interpretation focuses on intercollegiate athletics, OCR applies the same general principles to high school athletic programs.

Analysis and Conclusion

Based on evidence OCR has reviewed to date, including the 2023-2024 schedules for the District's competitive high school sports teams, OCR has a cause for concern that the boys' teams played approximately seven times more games and competitions on Fridays than the girls' teams.⁴ This evidence raises a cause for concern that the District does not provide equal athletic opportunity to members of both sexes with respect to the scheduling of games, as required by the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(3).

Concerning the Coaching component, OCR has cause for concern that the coaches who are given wide latitude in scheduling the games may not have given adequate consideration to whether the girls' and boys' teams were provided equitable access to primetime competitions. This evidence raises a cause for concern that the District does not provide equal athletic opportunity to members of both sexes with respect to coaching, as required by the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(5) and (6).

Finally, with regard to the Publicity component, OCR similarly finds a cause for concern. While the athletic director did not indicate that the District publicized boys' games more than girls' games, she reported that Thursday and Friday competitions (which disproportionately involved the boys' teams) generally had the highest attendance. The District should be attempting to remedy that disparity. This evidence raises a cause for concern that the District does not provide equal athletic opportunity to members of both sexes with respect to publicity, as required by the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(10).

Under Section 302 of OCR's CPM, allegations under investigation may be resolved at any time when, prior to the conclusion of the investigation, the recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR's investigation has identified concerns that can be addressed through a resolution agreement. In

⁴ While girls' teams were scheduled for twice the number of Thursday competitions as boys' teams during the 2023-2024 school year (26 vs. 13), and both competitions scheduled on Thursdays and Fridays may generally have had above average attendance, this disparity does not fully offset the disparity in competitions scheduled on Fridays.

this case, the District expressed an interest in resolving the allegation prior to the conclusion of OCR's investigation and OCR determined resolution was appropriate. On January 17, 2025, the District signed the enclosed Resolution Agreement, which, when fully implemented, will address all of the allegations in the complaint. OCR will monitor the implementation of the Resolution Agreement.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. Individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions about this letter, you may contact Rachel Phillips-Cox by telephone at (202) 453-7638 or by e-mail at Rachel.phillips-cox@ed.gov.

Sincerely,

/s/

Paul Easton
Supervisory General Attorney

Enclosure