

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 932 (Irwin)
Version: June 19, 2025
Hearing Date: July 1, 2025
Fiscal: Yes
Urgency: No
ME

SUBJECT

Community youth athletics programs: sex or gender discrimination

DIGEST

This bill applies the statute prohibiting discrimination in youth athletics (Government Code section 53080) to local educational agencies and school and recreation facilities and resources.

EXECUTIVE SUMMARY

In 2004 the Legislature passed and the Governor signed AB 2404 (Steinberg, Ch. 852, Stats. 2004) into law. The bill prohibited local governments and special districts from discriminating against any person on the basis of sex or gender in the operation, conduct, or administration of community youth athletics programs or in the allocation of parks and recreation facilities and resources that support or enable these programs. Still, twenty years later, research by the Women's Sports Foundation found that 36 percent of girls participate in youth athletics while 46 percent of boys participate. The author brings AB 932 to apply the antidiscrimination statute, enacted through AB 2402, to local educational agencies and school and recreation facilities and resources to expand equal access for youth of all genders and hopefully increase their participation in sports.

The bill is sponsored by the Davis Storm Girls' Basketball Club and supported by organizations that support children and student health and education, including the California Teachers Association. The bill is opposed by Californians United for Sex-Based Evidence in Policy and Law and Our Duty-USA. If this bill passes this Committee, it will then be referred to the Senate Committee on Education.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that no city, county, city and county, or special district, including, but not limited to, a community services district, recreation and park district, regional park district, regional park and open-space district, regional open-space park district, or resort improvement district shall discriminate against any person on the basis of sex or gender in the operation, conduct, or administration of community youth athletics programs or in the allocation of parks and recreation facilities and resources that support or enable these programs. (Gov. Code § 53080 (a).)
- 2) Specifies that in civil actions brought for violations of 1), above, or under other applicable antidiscrimination laws alleging discrimination in community youth athletics programs, courts shall consider the following factors, among others, in determining whether discrimination exists:
 - a) whether the selection of community youth athletics programs offered effectively accommodate the athletic interests and abilities of members of both genders;
 - b) the provision of moneys, equipment, and supplies;
 - c) scheduling of games and practice times;
 - d) opportunity to receive coaching;
 - e) assignment and compensation of coaches;
 - f) access to lands and areas accessed through permitting, leasing, or other land use arrangements, or otherwise accessed through a city, a county, a city and county, or a special district;
 - g) selection of the season for a sport;
 - h) location of the games and practices;
 - i) locker rooms;
 - j) practice and competitive facilities;
 - k) publicity; and
 - l) officiation by umpires, referees, or judges who have met training and certification standards. (Gov. Code § 53080 (f).)
- 3) Defines “community youth athletics program” to mean any athletic program in which youth solely or predominantly participate, that is organized for the purposes of training for and engaging in athletic activity and competition, and that is in any way operated, conducted, administered, supported, or enabled by a city, county, city and county, or special district. (Gov. Code § 53080 (c).)
- 4) Defines “parks and recreation facilities and resources” as specified. (Gov. Code § 53080 (d).)

- 5) Provides that in making the determination under 2), above of whether the selection of community youth athletics programs offered effectively accommodate the athletic interests and abilities of members of both genders, a court shall assess whether the city, county, city and county, or special district has effectively accommodated the athletic interests and abilities of both genders in any of the following ways: the community youth athletics program opportunities for boys and girls are provided in numbers substantially proportionate to their respective numbers in the community; and where the members of one gender are underrepresented in community youth athletics programs, the city, county, city and county, or special district can demonstrate that the interests and abilities of the members of that gender have been fully and effectively accommodated by the present program and allocation of resources. (Gov. Code § 53080 (g).)
- 6) Specifies that it is the intent of the Legislature in enacting Government Code section 53080 that girls shall be accorded opportunities for participation in community youth athletics programs equal, both in quality and scope, to those accorded to boys. (Gov. Code § 53080 (e).)
- 7) Provides that nothing in section 53080 shall be construed to invalidate any existing consent decree or any other settlement agreement entered into by a city, county, city and county, or special district to address gender equity in athletic programs. (Gov. Code § 53080 (i).)
- 8) Provides that section 53080 and any ordinances, regulations, or resolutions adopted pursuant to this section by a city, county, city and county, or special district may be enforced against a city, county, city and county, or special district by a civil action for injunctive relief or damages or both, which shall be independent of any other rights and remedies. (Gov. Code § 53080 (j).)

This bill:

- 1) Revises the statute prohibiting discrimination in youth athletics (Government Code section 53080) to also apply to local educational agencies and school and recreation facilities and resources.
- 2) Provides that nothing in revised section 53080 shall be construed to invalidate any existing consent decree or any other settlement agreement entered into by a city, county, city and county, special district, or local educational agency to address gender equity in athletic programs.
- 3) Provides that revised section 53080 and any ordinances, regulations, or resolutions adopted pursuant to this section by a city, county, city and county, special district, or local educational agency may be enforced against a city, county, city and county,

special district, or local educational agency by a civil action for injunctive relief or damages or both, which shall be independent of any other rights and remedies.

- 4) Defines “local educational agency” as a school district, county office of education, or charter school.
- 5) Defines “school and recreation facilities and resources” as including, but not limited to, school facilities, including, but not limited to, athletic fields, athletic courts, gymnasiums, recreational rooms, restrooms, concession stands, and storage spaces; lands and areas accessed through permitting, renting, leasing, or other land use arrangements, or otherwise accessed through local educational agencies; sports and recreation equipment; devices used to promote athletics such as scoreboards, banners, and advertising; and all moneys used in conjunction with youth athletics.

COMMENTS

1. Stated need for the bill

According to the author:

AB 932 shines a light on longstanding practices that exclude and marginalize girls in sports. Oftentimes girls join a club sports team because their preferred sport is not available until high school, or because they are hoping to improve to be able to play at a college or professional level. Under current law, boys’ club teams can still be afforded better practice times, more gym or field time, or different prices than the girls’ team for the corresponding sport by a school district or local education agency. Many of these practices are borne out of longstanding relationships between boys’ club teams and school rental facilities, compounding historical inequities. In addition to concerns about disparities in the quality of facilities, girls’ sports clubs face gender-based discrimination when trying to find adequate practice times to rent out school facilities. While previous legislation has aimed to curtail inequities at city and county parks, AB 932 would close the loophole that still allows discrimination against young women in school facility rentals to third-parties such as club sports groups. This loophole creates a pathway for continued gender-based discrimination, and sends the message to young women that their sport, their talent, and their hard work will be overlooked from the start of their athletic careers.

The California Teachers Association, supporters of the bill, note that participation “in sports is critical to the development of young people. The Office of Disease Prevention and Health Promotion published in 2020 that organized youth sports not only kept young people active and physically healthy, but also had benefits to mental and social

health, by promoting teamwork, leadership, and increased life skills, goal setting, time management, negotiation.”

As noted by the American Academy of Pediatrics, California, in support of the bill:

Despite longstanding protections under Title IX, girls, especially girls of color and those from low-income communities – still face significant barriers to equal participation in sports. According to the Women’s Sports Foundation’s 2022 report, "The State of High School Sports in America", girls have 1.1 million fewer opportunities to participate in high school sports compared to boys. Additionally, schools serving predominantly students of color have 33% fewer athletic opportunities than schools with predominantly white students.

Further, research shows that access to youth sports is directly correlated with higher academic achievement, increased self-esteem, and improved physical and mental health outcomes. According to the Aspen Institute’s Project Play, youth who participate in sports are twice as likely to be engaged in school, 15% more likely to attend college, and less likely to engage in risky behavior.

However, these benefits cannot be fully realized if girls and gender-diverse youth continue to be systemically underserved. AB 932 empowers families and communities by creating an independent right to bring civil action, offering a clear path to accountability and recourse when discrimination occurs.

2. The bill closes a loophole in state law

The Davis Storm Girls Basketball Club sponsor this bill to fill a gap in state law. They point out that Education Code section 221.7 prohibits the use of public funds for school sponsored athletic programs that fail to provide equal opportunities for athletes of different genders. Subsequently, in 2004, AB 2404 (Steinberg, Ch. 852, Stats. 2004) prohibited local governments and special districts from discriminating against any person on the basis of sex or gender in the operation, conduct, or administration of community youth athletics programs or in the allocation of parks and recreation facilities and resources that support or enable these programs. As noted by Davis Storm Girls Basketball Club, “neither of those laws addresses equal opportunities when a school rents its facilities to third-party community athletics programs.” The sponsors explain:

In our experience as a program serving only female athletes, we have learned that there is a deficiency in the law that this legislation would solve. For example, when it was time to reserve gym time for practices for the spring 2025 semester in the Davis Joint Unified School District (DJUSD), we found ourselves competing with three basketball clubs that serve only boys. DJUSD has historically used a first-come, first-served model in accordance with district

policy. Although our club serves roughly the same number of athletes as all of the boys' basketball clubs in Davis combined, we did not enter our reservations quickly enough on the day the system opened for spring 2025, and the boys' basketball clubs reserved 90% of the available gym time at the two gyms we utilize. We were left with one evening (four hours) per week at one gym to be split among our six teams (73 total girls) to practice and host games, while the boys' teams secured 9 days (between the two gyms) per week. We were fortunate that the district governing board and superintendent stepped in to prevent us from having to cancel our season by ensuring that we were able to reserve 1.5 additional days (amounts to 25% of available gym time at the two gyms), which is still not enough for our program and is an inequitable result compared to the boys' teams now having 7.5 days (75%). This result is clearly inequitable due to a process that does not include an equity lens and an absence of relevant state law on the subject to prevent this outcome.

The author brings AB 932 to ensure the inequity described by the bill sponsors ceases to exist. The bill does this by expanding the antidiscrimination statute, enacted twenty years ago through AB 2402, to local educational agencies and school and recreation facilities and resources.

SUPPORT

Davis Storm Girls' Basketball (sponsor)
American Academy of Pediatrics, California
CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO
California Teachers Association
LGBTQ+ Inclusivity, Visibility, and Empowerment

OPPOSITION

Californians United for Sex-Based Evidence in Policy and Law
Our Duty-USA

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 2881 (Aguiar-Curry, 2020) would have enacted the Fair Play in Community Sports Act which would have required gender equity in community sports and reporting of gender equity information by each local agency with a community athletics program. The bill was never heard by any committee because of the limitations placed on bills

due to the COVID-19 pandemic.

AB 2404 (Steinberg, Ch. 852, Stats. 2004) provided that no city, county, city and county, or special district, including, but not limited to, a community services district, recreation and park district, regional park district, regional park and open-space district, regional open-space park district, or resort improvement district shall discriminate against any person on the basis of sex or gender in the operation, conduct, or administration of community youth athletics programs or in the allocation of parks and recreation facilities and resources that support or enable these programs.

PRIOR VOTES:

Assembly Floor (Ayes 65, Noes 1)

Assembly Appropriations Committee (Ayes 13, Noes 0)

Assembly Judiciary Committee (Ayes 11, Noes 0)

Assembly Arts, Entertainment, Sports, and Tourism Committee (Ayes 6, Noes 0)
