

DARRIN v. GOULD
540 P.2d 882 (1975)

Sexual Discrimination

Facts

Two sisters who were high school students decided to try out for their high school football team. The high school did not have a girls' contact football team, and, therefore, the girls attempted to join the boys' football team.

One sister was a junior in high school, 5 feet 6 inches, weighing 170 pounds, and the other was a freshman, 5 feet 9 inches, weighing 212 pounds. The girls complied with all eligibility requirements, passed the required physicals, and participated in initial practice sessions. According to the coach, the girls "held their own with the boys in practice" and were looking forward to playing in interschool competition.

Just prior to the start of the football season, the State Interscholastic Activities Association, an organization of over 600 schools in the state, informed the coach that their regulations prohibited the girls from participating in interscholastic contact football on boys' teams. Based on this ruling, the local school board prohibited the Darrin girls from any further participation on the school football team.

The girls sued, claiming that such a ruling constituted sex discrimination and violated their equal protection rights.

The school board and the state association replied that, in football, boys possess a higher degree of athletic ability, that girls are weaker and more injury-prone in contact sports, and that dissimilar treatment in the case was necessary for protection of the girls.

Decision of the Court

In *Darrin v. Gould*, the federal court concluded that the State Interscholastic Activities Association ruling violated the state's Equal Rights Amendment, if not the equal protection clause of the Fourteenth Amendment. Such a regulation prohibiting girls from playing football when there was no girls' contact football team was declared invalid. The girls sued in 1973, and the case was finally decided in their favor by the state supreme court on September 25, 1975, unfortunately not in time for the football season.