CHEERLEADING GOVERNANCE CASE-STUDY: BIEDIGER & OTHERS v. *QUINNIPIAC UNIVERSITY*

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FACTS

In 2010, The case of *Biediger v. Quinnipiac University* re-ignited the debate over whether cheerleading could and indeed should be recognised as a sport. Essentially, the United States District Court (Connecticut) had to decide whether competitive cheerleading constituted an intercollegiate varsity sport for Title IX purposes, after Quinnipiac University elevated their cheerleading squad to full varsity status, culling its women's volleyball team in the process. Perhaps unsurprisingly, the women's volleyball team complained that cheerleading was ineligible to be included within these Title IX calculations. Ultimately, the Court agreed with the volleyball team. Without the cheerleading participation figures, Quinnipiac had discriminated by failing to provide enough athletic opportunities for women. and the Court therefore restored the university women's volleyball team for the 2009-10 season.

The case has important implications for the governance of cheerleading, not least because of several notable comments made during the course of the trial:

- @[295] in the Preliminary injunction, Judge Underhill referred to competitive cheer as an athletic endeavour that *"could easily be described as 'group floor gymnastics'"*
- Jeff Webb was quoted @[32] as saying that the *"NCA scoring system was intertwined with the promotion of Varsity Brands"* and @[33] that he *"wanted competitive cheer to be distinguished from traditional sideline cheer out of concern that competitive cheer will threaten his competitions."*

IMPLICATIONS FOR GOVERNANCE

While Judge Underhill did make a point of saying later in the judgment that *"competitive cheer is a difficult, physical task that requires strength, agility and grace. I have little doubt that at some point in the near future…..competitive cheer will be acknowledged as a bona fide sporting activity,"* he also suggested it needed to be better organized and defined @[71]. Therein lies the crux of the problem. One of the most significant barriers to cheerleading being recognised (at both national and indeed international level) is the lack of appropriate governance for the activity. It is true that a number of organisations do regulate the activity at some level, however what is needed is consensus and agreement between these bodies rather than inconsistencies and in-fighting.

If cheerleading is to become a recognised sport, it needs to have both a professional administrative structure underpinning the activity and also to behave in a comparative way to other more established sports, for example in relation to child protection, anti-doping, funding, coaching structure, medical clearance, access to facilities etc.

One way cheerleading could accomplish this would be through a merger with gymnastics under the auspices of that International governing body (Federation International of Gymnastics (FIG)). Indeed, competitive cheerleading and stunting share obvious similarities with traditional gymnastics and any merger would not just make cheerleading a discipline of an established sport thereby giving it sporting status, but also potential access to Olympic competitions. However a merger between the two activities would also bring with it challenges, in particular in relation to cheerleading retaining its own separate identity and customs.

Whichever route cheerleading goes down (independence or merger) it is important that the governance structure is appropriate for modern sport, at present this is not the case.

Read the FULL case at: *http://courtweb.pamd.uscourts.gov/courtwebsearch/ctxc/KX330R32.pdf*