

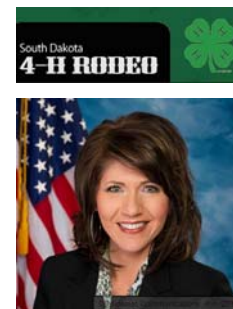


# USDA puts controversial 4-H Rodeo Rule under review

Tuesday, April 10, 2018 7:02 p.m. CDT by Nick Hill



SD 4-H Rodeo (sd4hrodeo.org)



WASHINGTON, D.C. (KELO.com (<http://KELO.com>)) -- USDA Secretary: "4-H may organize its rodeos in South Dakota as it always has."

According to U.S. Secretary of Agriculture Sonny Perdue and after a strong push from Rep. Kristi Noem, the USDA will review its legal opinion of Title IX's application to 4-H youth rodeo.

The USDA was moving forward with the elimination of exclusively "boys" and "girls" events in 4-H youth rodeo, against the wishes of many within the rodeo community.

"The previous legal opinion was more about political correctness than the rodeo experience for the kids involved," said Noem. "After months of pressure, the USDA finally listened to those actually involved in the rodeo, hit pause, and allowed South



Dakota youth rodeo to continue to operate as it has for decades. I am grateful to Secretary Perdue for hearing us out and helping me push career bureaucrats to take South Dakota 4-H seriously."

Noem wrote Secretary Perdue regarding the issue in November 2017.

In the letter she explained: "Whether it is barrel racing or calf roping, the differences between the male and female competitors can create unfair advantages...As a mother who has had three children participate in the program and volunteered for 16 years, I respectfully request you department conduct a review of its legal opinion..."

Earlier today, Secretary Perdue wrote in response that it would withhold action while the U.S. Department of Education conducted a broader review of Title IX regulations. The Secretary further confirmed that, "It would also not be appropriate for the USDA to take action against the traditional structure of South Dakota's 4-H rodeos while this review is ongoing. 4-H may organize its rodeos in South Dakota as it always has."

Noem's letter to Secretary Perdue.

"Dear Secretary Perdue,

Rodeo is a sport that contains diverse contests. The outcomes of these contests are heavily dependent both on the skill of the contestants and in many instances, the inherent differences between the sexes. Whether it is barrel racing or calf roping, the differences between the male and female competitors can create unfair advantages. To that end, a number of my constituents have expressed concern to me that the U.S. Department of Agriculture's legal opinion from 1972 is advantaging some competitors over others in an otherwise fair sport.

In South Dakota, the 4-H organization is affiliated with many youth rodeo events. As you know, 4-H is the nation's largest youth program. The organization has a rich  history dating back over a hundred years. Since its founding, 4-H has encouraged

participation by both sexes. Over the years, the organization spread across the nation. With the passage of the Smith-Lever Act and the creation of the Cooperative Extension System, youth across the nation gained the opportunity to increase their knowledge of agriculture and life skills.

As a mother who has had three children participate in the program and volunteered for over 16 years, I respectfully request your department to conduct a review of its legal opinion on the issue of whether such sex-separate events violate Title IX of the Civil Rights Amendments of 1972. Specifically, whether Title IX requires youth rodeos operated in cooperation with 4-H not to be sex-segregated or sex-exclusive. I believe upon review, you will find that rodeo deserves an exemption.

Thank you for your time. I look forward to your response.

Secretary Perdue's response.

Dear Congresswoman Noem:

This is in response to your November 8, 2017, letter concerning sex-separate events in 4-H rodeo contests and whether they violate Title IX of the Civil Rights Amendments Act of 1972 (Title IX). I sincerely thank you for bringing my attention to this important issue, and I apologize for the delayed response.

South Dakota State University 4-H program leaders are interacting with the South Dakota 4-H program organizers about this issue. The National Institute of Food and Agriculture (NIFA) provided advice to South Dakota organizers in May 2017, based on a 1979 legal opinion from the U.S. Department of Agriculture (USDA). Before 2017, USDA had its own unique version of the Title IX regulations. In 2017, however, USDA enacted a new version of its Title IX regulations that accord with the common rule developed by the U.S. Department of Justice in 2000. For your reference, I have attached a copy of USDA's new Title IX regulation.



The U.S. Department of Education (ED) is the lead Federal agency with respect to Title IX enforcement involving students, and it is our understanding that ED is currently reviewing some of its Title IX regulations. USDA will seek input for ED on the rodeo issue. To ensure consistent legal guidance across the Federal Government, it would not be advisable for USDA to provide formal guidance to NIFA on this matter without consulting with ED.

Similarly, it would also not be appropriate for USDA to take action against the traditional structure of South Dakota's 4-H rodeos while this review is ongoing. 4-H may organize its rodeos in South Dakota as it always has. NIFA is happy to continue to engage with the South Dakota 4-H rodeo program organizers if they have any questions. We wish the organizers and young competitors much success in their upcoming rodeo season.

I hope that you find this information helpful.

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