Achieving Gender Equity: Title IX’s Applications to Athletics

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NCAA Senior Vice President, Retired
Co-Founder Alliance of Women Coaches
NCAA Membership President 1991-92
Facts, Myths and Misunderstandings

1. What is Title IX?
2. How is Title IX applied to athletics?
3. Who is responsible for Title IX compliance?
4. Does Title IX require that equal dollars be spent on men’s and women’s sports?
5. Does Title IX require identical athletics programs in the same sport for men and women?
6. Has Title IX caused a decrease in opportunities for male athletes?
7. How does fund-raising impact support of teams?
8. What are “tiering” and “roster management”? 
Title IX of the 1972 Education Amendments to the 1964 Civil Rights Act

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance."
The 37 words communicate a broad scope

- Law protects both men and women, both staff and students
- Covers any educational institution receiving any form of federal funding, including guaranteed student loans.
### 1993 Gender Equity Task Force Report Results

<table>
<thead>
<tr>
<th></th>
<th>Male Student-Athletes %</th>
<th>Female Student-Athletes %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation Opportunities</td>
<td>70%</td>
<td>30%</td>
</tr>
<tr>
<td>Operating Budgets</td>
<td>77%</td>
<td>23%</td>
</tr>
<tr>
<td>Athletic Scholarship Funds</td>
<td>70%</td>
<td>30%</td>
</tr>
<tr>
<td>Recruiting Funds</td>
<td>83%</td>
<td>17%</td>
</tr>
</tbody>
</table>

Gender Equity Definition

“An athletics program can be considered gender equitable when the participants in both the men's and women's sports programs would accept as fair and equitable the overall program of the other gender. No individual should be discriminated against on the basis of gender, institutionally or nationally, in intercollegiate athletics.”

NCAA Gender-Equity Task Force 1993
What does gender equity look like?
Impact of Title IX on Participation Opportunities

1972
1 out of every 27 girls and women participated in athletics.

2014
1 in every 2.3 girls and women participated in athletics.

Participation opportunities for boys and men have also increased.
NCAA Women’s Participation by Race: All Divisions

2001:
- White: 77.1%
- Black: 4.0%
- Hispanic: 2.7%
- Asian: 4.5%
- Non-Resident Alien: 1.7%
- Other: 10.1%

2016:
- White: 70.8%
- Black: 6.8%
- Hispanic: 5.1%
- Asian: 3.7%
- Non-Resident Alien: 2.4%
- Other: 11.2%

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## Participation Rates

<table>
<thead>
<tr>
<th></th>
<th>1972</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High School</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>294,015</td>
<td>3.0 million</td>
</tr>
<tr>
<td>Male</td>
<td>3.7 million</td>
<td>3.9 million</td>
</tr>
<tr>
<td><strong>College</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>29,977</td>
<td>200,232</td>
</tr>
<tr>
<td>Male</td>
<td>170,384</td>
<td>256,890</td>
</tr>
</tbody>
</table>
Title IX Compliance Components

Equitable Participation Opportunities
The Three-Part Test

Equitable Scholarships

Fair Treatment (the “laundry list”)
Coaching, Facilities, Equipment, etc.
Three Part Test

Prong 1:
Provide participation opportunities for women and men that are substantially proportionate to their respective rates of enrollment as full-time undergraduate students.
Prong 2: Demonstrate a history and continuing practice of expanding opportunities for the underrepresented sex.
Prong 3:
Fully and effectively accommodate the interests and abilities of the underrepresented sex.
Athletics Scholarships

Should be awarded in same proportion as proportion of participants.
<table>
<thead>
<tr>
<th>Laundry List Area of Review</th>
<th>Men’s Program</th>
<th>&lt;/&gt;/=</th>
<th>Women’s Program</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and Supplies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scheduling</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Per Diem and Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tutors</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coaches</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Medical &amp; Training Services</td>
<td></td>
<td></td>
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<tr>
<td>Housing</td>
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<tr>
<td>Publicity</td>
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<td></td>
</tr>
<tr>
<td>Support Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recruiting</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**OVERALL ASSESSMENT**
Allocation of Resources: Division III

Total Expenses:
- Men’s Sports: 30%
- Women’s Sports: 22%
- Unallocated and Coed: 47%

Recruiting:
- Men’s Sports: 56%
- Women’s Sports: 33%
- Unallocated and Coed: 11%

Scholarships:
- Men’s Sports: 0%
- Women’s Sports: 0%
- Unallocated and Coed: 0%

Head Coaches Compensation:
- Men’s Sports: 52%
- Women’s Sports: 47%
- Unallocated and Coed: 1%

Assistant Coaches Compensation:
- Men’s Sports: 69%
- Women’s Sports: 31%
- Unallocated and Coed: 1%
Expenses by Men’s Sport Program: Division I FBS

In 2015-16, Division I FBS institutions spent an average of 80 percent of their overall men’s budget on football and men’s basketball.

Source: NCAA Financial Reporting System

Expenses by Men’s Sport Program: Division I

For Division I overall, 74 percent of the men’s budget was allocated to football and basketball.

Source: NCAA Financial Reporting System
NCAA Men's and Women's Gymnastics Team Decline

- Men's Gymnastics
- Women's Gymnastics


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Tier System

Tier One: Men’s Sports
FB 104 S-As
BB 15 S-As
Baseball 33 S-As
152 S-As

Athletic Population: 53% men and 47% Women
## Tier System

### Tier 1

<table>
<thead>
<tr>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>FB</td>
<td>BB</td>
</tr>
<tr>
<td>104 S-As</td>
<td>15</td>
</tr>
<tr>
<td>BB</td>
<td>Soccer</td>
</tr>
<tr>
<td>15 S-As</td>
<td>25</td>
</tr>
<tr>
<td>Baseball</td>
<td>Softball</td>
</tr>
<tr>
<td>33 S-As</td>
<td>19</td>
</tr>
<tr>
<td>152 S-As</td>
<td>Volleyball</td>
</tr>
<tr>
<td></td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Rowing</td>
</tr>
<tr>
<td></td>
<td>62</td>
</tr>
</tbody>
</table>

152 S-As  
135 S-As

\[
152 = 53% \\
135 = 47%
\]

**Athletic Population:** 53% men and 47% Women
Administrators By Division and Gender: Directors of Athletics

<table>
<thead>
<tr>
<th>Division</th>
<th>1996</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division I</td>
<td>93.3%</td>
<td>89.5%</td>
</tr>
<tr>
<td>Division II</td>
<td>87.5%</td>
<td>84.3%</td>
</tr>
<tr>
<td>Division III</td>
<td>70.7%</td>
<td>74.9%</td>
</tr>
</tbody>
</table>

Male Administrators: 
- 1996: 93.3%
- 2016: 89.5%

Female Administrators: 
- 1996: 6.7%
- 2016: 10.5%

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Test your Title IX IQ with the Women’s Sports Foundation

Sarah Axelson
WSF Director of Advocacy

#NCAAIInclusion
Ball is in your court............

Questions/Comments?