



Gender Equity



Frequently Asked Questions: Title IX — Equipment & Supplies

Q: What is the Title IX “Laundry List” of benefits?

A: Title IX regulations require that institutions “provide equal athletics opportunities for members of both sexes.” In order to determine whether or not a school provides equivalent athletics benefits and opportunities, the Office for Civil Rights (OCR) will review the following “laundry list” of treatment issues:

- (1) Provision and maintenance of equipment and supplies;
- (2) Scheduling of games and practice times;
- (3) Travel and per diem expenses;
- (4) Opportunity to receive tutoring and assignment and compensation of tutors;
- (5) Opportunity to receive coaching, and assignment and compensation of coaches;
- (6) Provision of locker rooms, practice and competitive facilities;
- (7) Provision of medical and training services and facilities;
- (8) Provision of housing and dining services and facilities;
- (9) Publicity;
- (10) Support services; and
- (11) Recruiting.



The availability, quality and kinds of benefits, opportunities, and treatment provided to members of both sexes must be assessed within each of these areas. Compliance can only be established if the men’s overall program and the women’s overall program are equal in effect. The law does not mandate identical benefits, opportunities or treatment in each area but rather provides that where members of one sex enjoy more favorable treatment in one area, such benefit must be “offset” by treatment in another area that favors members of the other sex.

This flexibility sometimes lulls schools into relying upon equitable budgeting for programs of each sex and then leaving it to the coaches to decide how best to spend money. While this approach certainly empowers coaches and encourages them to make responsible decisions, it can lead to treatment problems if not monitored. It is imperative to make sure that the decisions do not merely reflect the preference of the coach but also the preferences of the majority of team members as well.

The key questions that must be asked in each of the treatment areas are the following:

- a. Are the benefits provided to students equally available?
- b. Is a benefit being provided to one sex, but not the other? If so, why?
- c. Is the under-represented sex denied or limited any benefit that is provided to the other sex? If so, why?

Q: How do you measure equity in the provision and maintenance of equipment and supplies?

A: The first of the treatment areas, equipment and supplies, includes but is not limited to uniforms, other apparel, sport-specific equipment and supplies, instructional devices, and conditioning and weight-training equipment. In assessing compliance, the following factors are reviewed: quality, amount, suitability,

maintenance and replacement, and availability of equipment and supplies.

With respect to uniforms and apparel, the common issues that often arise involve the number of game uniforms provided to the respective teams, the types and amount of practice clothing (numbers of shirts, shorts, etc.), the types and amount of footwear, the availability and amount of travel warm-ups, the availability of laundry service and the related turnaround time, and the types and availability of travel bags and gear.

The maintenance and replacement schedules for game uniforms, practice clothing and footwear also are important issues that constantly are recurring. The more consistent and uniform an institution's policies and practices are in this regard, the better off it will be.

With respect to equipment, each team's access to both practice- and game-related equipment needs — on both an individual and team basis — is important. The quality, currency and replacement schedule of equipment should be monitored to ensure an equitable allocation. Although some teams may not require annual upgrades and replacements, care should be taken so that decisions are made on a logical and fair basis. The desire for the “best and the latest” are the desires of almost every team, but they must be tempered by the economic realities of the institution and guided by a fair decision-making process.

Clearly, there will be differences among athletics programs with regard to the amount spent on uniforms and equipment. Title IX does not require that schools provide identical uniforms or spend the same amount of money outfitting comparable teams. Rather, the test is whether teams are provided equitable uniforms. For example, a school most likely will spend a good deal more outfitting its men's lacrosse team than it will providing for the women's team. That's OK provided the quality and quantity of equipment and clothing is equitable.

Weight-training programs and the addition of strength-training coaches have expanded dramatically for men and

women since the passage of Title IX. The location and adequacy of weight-training facilities should be part of this review. For example, is one team given its own weight facility or the exclusive use of a facility during specific times when others are not? Do some teams have access to weight facilities around the clock when others must use them during specific times? Also, are the machines and weights provided useful for the variety of sport programs offered at the institution and the needs of the individual team members? Again, where it can be demonstrated that weight training is integral to one program and not to another, differences may be justified.

The adequacy, quality and location of storage space for equipment is another factor to consider. Again, this review must be program-specific. It is not enough to give each program the same amount of space when they each have different storage needs. A good review should take into account the amount of equipment to be stored and whether it is accessible. Its proximity to the practice and competition facilities often is of particular concern as well.

Checklist for Provision and Maintenance of Equipment and Supplies

1. Key Questions:

- What do we provide to each team?
- Are there differences between what we provide for the men's program and the women's program?



- If so, what are the reasons for the differences?
- Do we provide support items (gym bags, towels, jackets, travel bags, sweaters, rings, etc.) of similar quality and quantity for female and male athletes?
- Do we provide practice and competitive uniforms of similar quality and quantity for male and female athletes?
- Do we maintain and replace equipment and supplies on the same schedule?

2. Areas to Review for Each Team:

- a. Uniforms:
 - Game
 - Practice
 - Travel
 - Amount/Availability
 - Quality
 - Maintenance
 - Replacement
 - Budget
- b. Equipment Provided to Athletes:
 - Amount/Availability
 - Quality
 - Maintenance
 - Replacement
 - Budget
- c. Supplies Provided to Athletes:
 - Amount/Availability
 - Quality
 - Maintenance
 - Replacement
 - Budget
- d. Equipment and Supplies Provided by Student-Athletes:
 - Type
 - Cost
 - Reasons student-athletes supply them

For additional gender-equity resources visit
www.NCAA.org/gender_equity
and the online NCAA Gender Equity Manual