

**Analysis of Intercollegiate
Data regarding
Compliance with Title IX©**

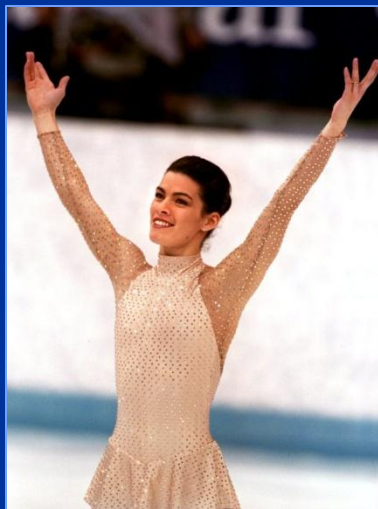
Angela Lumpkin
University of Kansas

Without Title IX Would these Women Be Olympians and Professional Athletes?

Diana Taurasi



Misty May-Treanor and Kerri Walsh



Nancy Kerrigan



Venus and Serena Williams

Non-Discrimination on the Basis of Sex in all Educational Programs

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.”

(37 words with broad implications)

Education Amendments — Enacted into Law by Congress on June 23, 1972

➤ Most schools and colleges complied with the educational implications of this law in good faith within a reasonable period of time.

➤ However, some educational institutions attempted to gain an exemption from this law, resisted or delayed complying with this law, or intentionally failed to eliminate discrimination by sex in athletics?



Section 106.41 Athletics



“No person shall on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, or no recipient shall provide athletics separately on such basis.”



Title IX Requires Educational Opportunity and Equity

- Title IX is not an affirmative action statute; it is an anti-discrimination statute.
- Title IX does not require equality, equal dollars, or quotas in determining compliance.
- Compliance with Title IX is based on an assessment of the overall athletics program, not on a team-by-team comparison.

Understanding Title IX*

- Regulations, which have the force of law, were issued on July 21, 1975, with schools and colleges having three years to comply.
- A Final Policy Interpretation: Title IX and Intercollegiate Athletics, issued on December 11, 1979, is given deference by the courts, which means that while not law, it carries much weight in support of the law and its regulations.
- Letters of clarification issued in 1996, 1998, 2003, 2005, and 2008 are given deference by the courts in support of the law.



Enforcement Options

- **In-house compliance**
 - Section 106.8 requires each institution to have an employee responsible for compliance, a complaint process, and grievance procedures
- **Office of Civil Rights receives complaints** — has investigative and enforcement power
- **Lawsuits**
 - Claimant must have legal standing
 - Are expensive
 - Take longer
 - Can lead to receipt of punitive (monetary) damages
 - Can result in courts enforcing a remedy



Compliance Areas Required by Title IX



- **Financial assistance (grants-in-aid) must be available on a substantially proportional basis to male and female athletes.**
- **Program areas meaning males and females should receive equivalent treatment, benefits, and opportunities, such as equipment and supplies and practice and competitive facilities.**
- **Interests and abilities of male and female students are equally effectively accommodated.**

Financial Assistance



- “To the extent that a recipient awards athletic scholarships or grants-in-aid, it must provide reasonable opportunities for such awards for members of each sex in proportion to the number of students of each sex participating in interscholastic or intercollegiate athletics.”

Program Areas

- The provision of equipment and supplies
- Scheduling of games and practice time
- Travel and per diem allowance
- Opportunity to receive coaching and academic tutoring
- Assignment and compensation of coaches and tutors
- Provision of locker rooms, practice and competitive facilities
- Provision of medical and training facilities and services
- Provision of housing and dining facilities and services
- Publicity
- Recruitment of athletes
- Support services for athletes

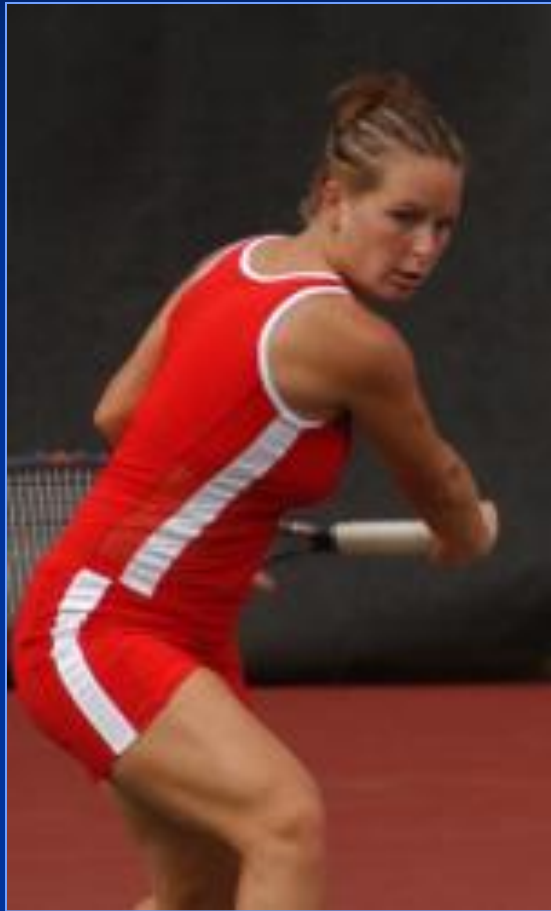


Meeting Interests and Abilities

- “The regulation requires institutions to accommodate effectively the interests and abilities of students to the extent necessary to provide equal opportunity in the selection of sports and levels of competition available to members of both sexes.”



Meeting One Part of Three-Part Test



- Participation opportunities are substantially proportionate to the undergraduate enrollment.
- There must have been a continuing practice of program expansion in response to developing interests and abilities of the under-represented sex.
- An institution must show that the interests and abilities of the members of the under-represented sex have been fully and effectively accommodated.

A Major Step Backwards and then Forward Again



- 1984 — The United States Supreme Court ruled in *Grove City College v Bell* that Title IX was applicable only to educational programs that directly received federal funding.
- 1988 — Congress passed (over presidential veto) the Civil Rights Restoration Act, which stated that Title IX applies on an institution-wide basis, including to athletics.

An Incentive to Comply with Title IX

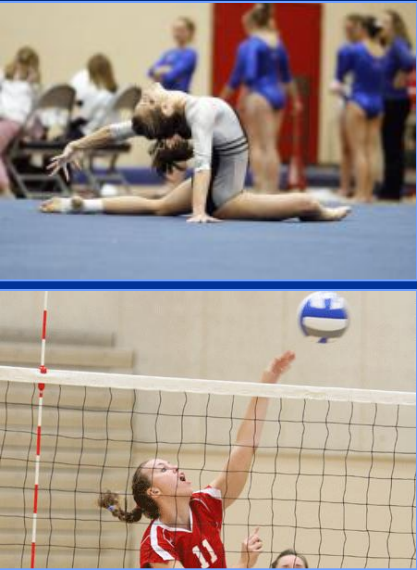
- 1992 — The United States Supreme Court ruled in *Franklin v Gwinnett County Public Schools* that plaintiffs could sue for compensatory and punitive damages in cases alleging intentional discrimination.



Landmark Case for Title IX

Enforcement

- *Cohen v. Brown University* — In 1992, members of the women's gymnastics and volleyball teams, whose teams were to be demoted to club status due to budget cuts, obtained a permanent injunction to protect their teams.
- In 1997, the Supreme Court let stand the lower courts' rulings supporting Title IX as written.
- Equal opportunity means participation opportunities should mirror enrollment.



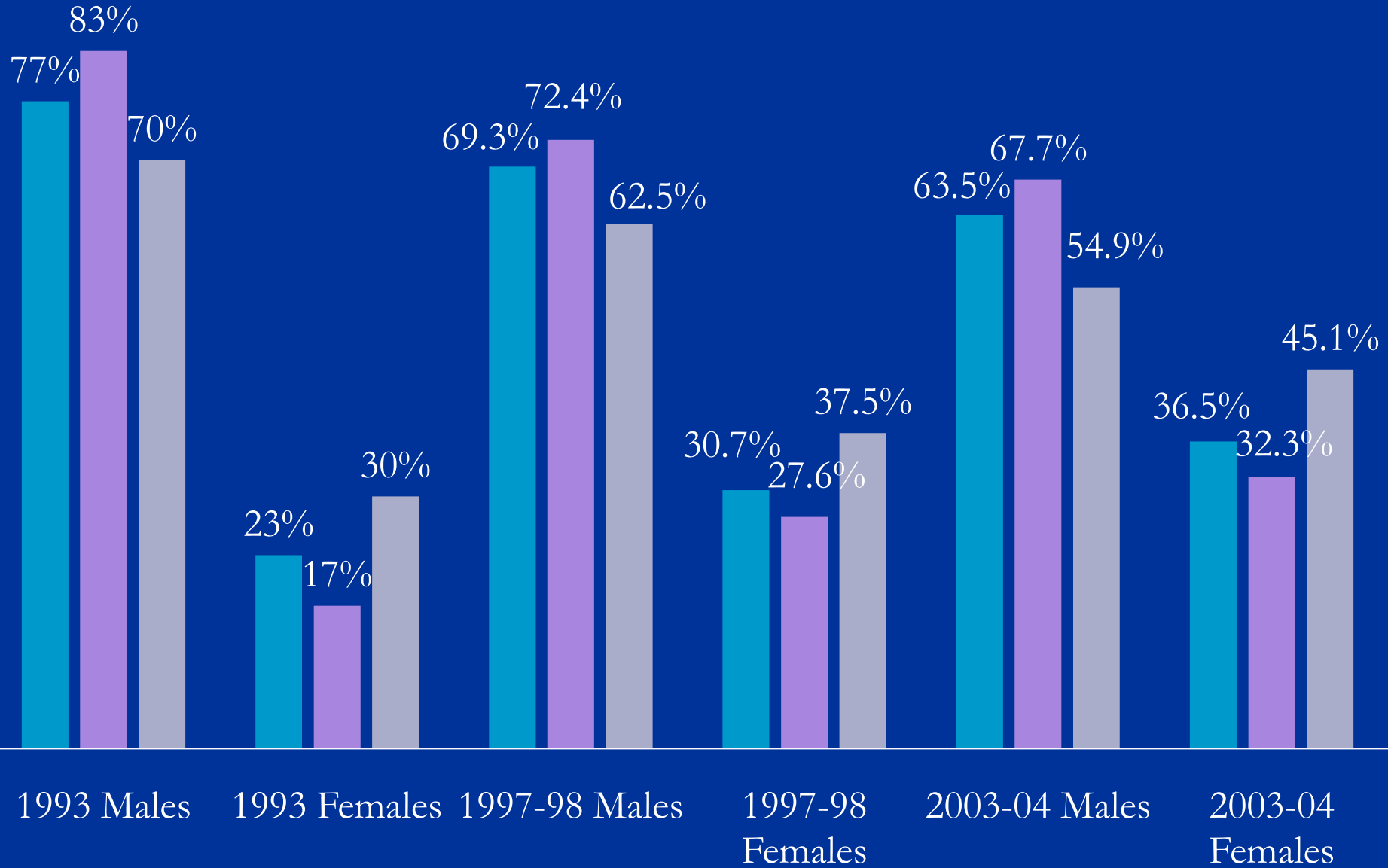
First NCAA Gender Equity Task Force Report in 1993



- Women comprised 35% of the varsity athletes.
- Women received 30% of the athletic grant-in-aid dollars.
- Women were allocated 17% of the recruiting dollars.
- Women received 23% of the operating budget dollars.
- Women had access to 37% of the participation opportunities on athletic teams.

NCAA Gender Equity Studies

■ Operating/Overall ■ Recruiting ■ Grants-in-Aid



Commission on Opportunity in Athletics

- This Commission may have been appointed in 2002 in response to the elimination of men's teams, and especially wrestling teams.
- It was charged to
 - Strengthen enforcement
 - Expand opportunities to ensure equal opportunity for male athletes and female athletes
- This Commission upheld the use of proportionality in the three-part test for access to participation opportunities in athletics.

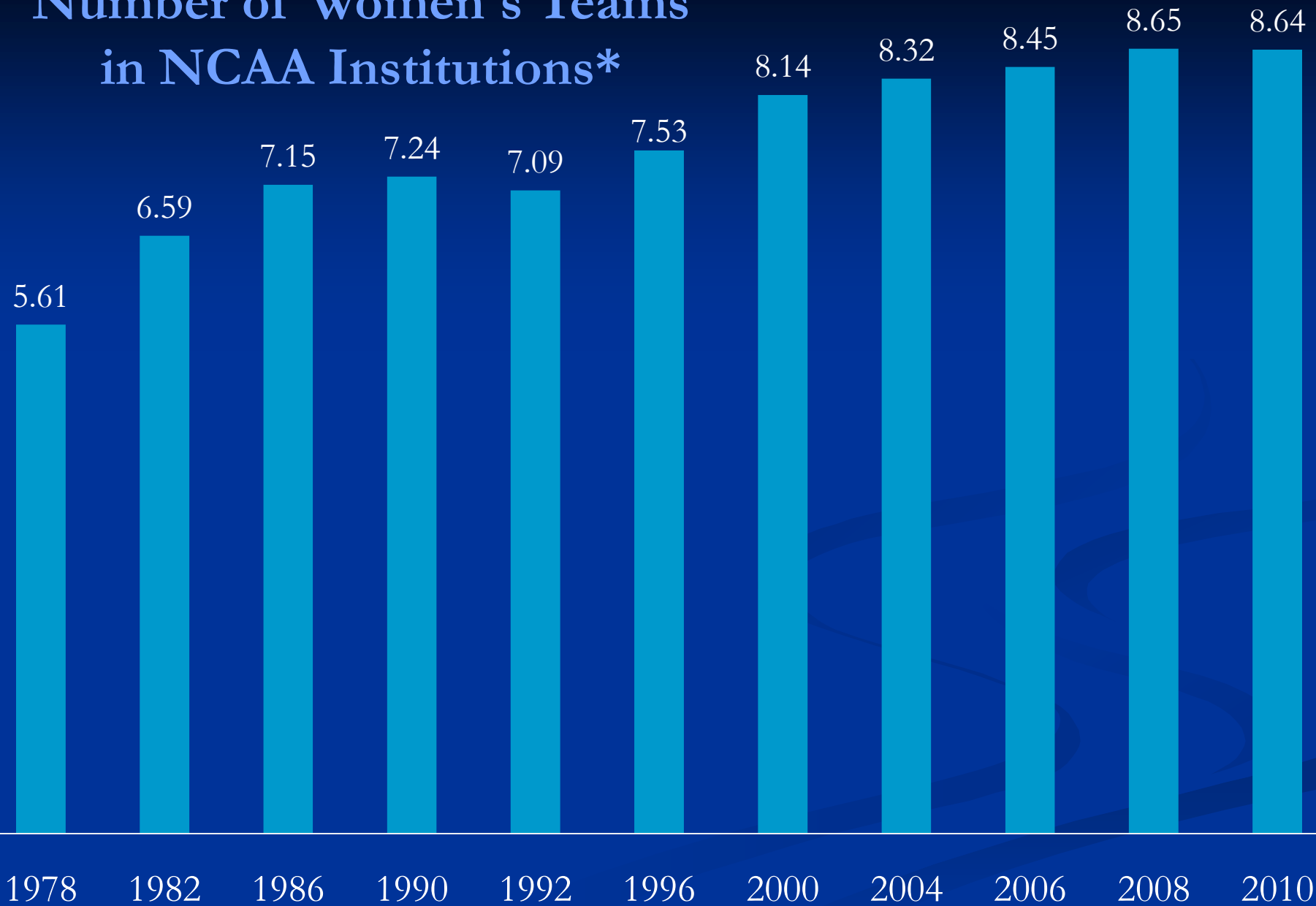


Retaliation — Whistle-Blowers Protected under Title IX

- Previously, retaliation was a separate cause of action. Individuals had to file a separate complaint.
- On March 29, 2005, the Supreme Court in a 5-4 vote overturned a lower court ruling to protect advocates of victims of discrimination from retaliation. In this case, *Jackson v Birmingham Board of Education*, a high school girls' basketball coach was fired for complaining about discrimination against his team.



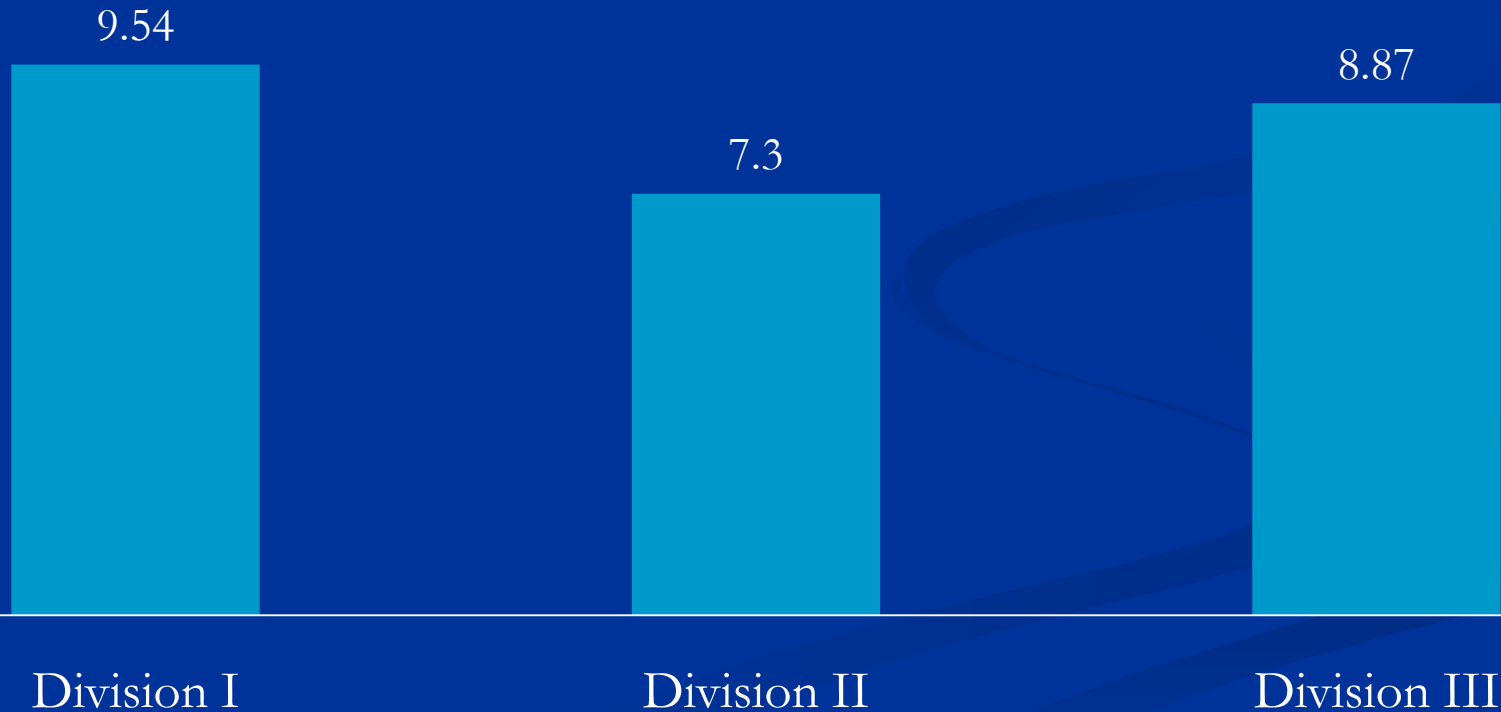
Number of Women's Teams in NCAA Institutions*



*Acosta & Carpenter, 2010

NCAA Football Bowl Subdivision (I-A) = 8 teams per gender
NCAA Football Championship Subdivision (I-AA) = 7 teams per gender
NCAA Division I (I-AAA) (no football) = 7 teams per gender
NCAA Division II = 5 teams per gender
NCAA Division III = 5 teams per gender

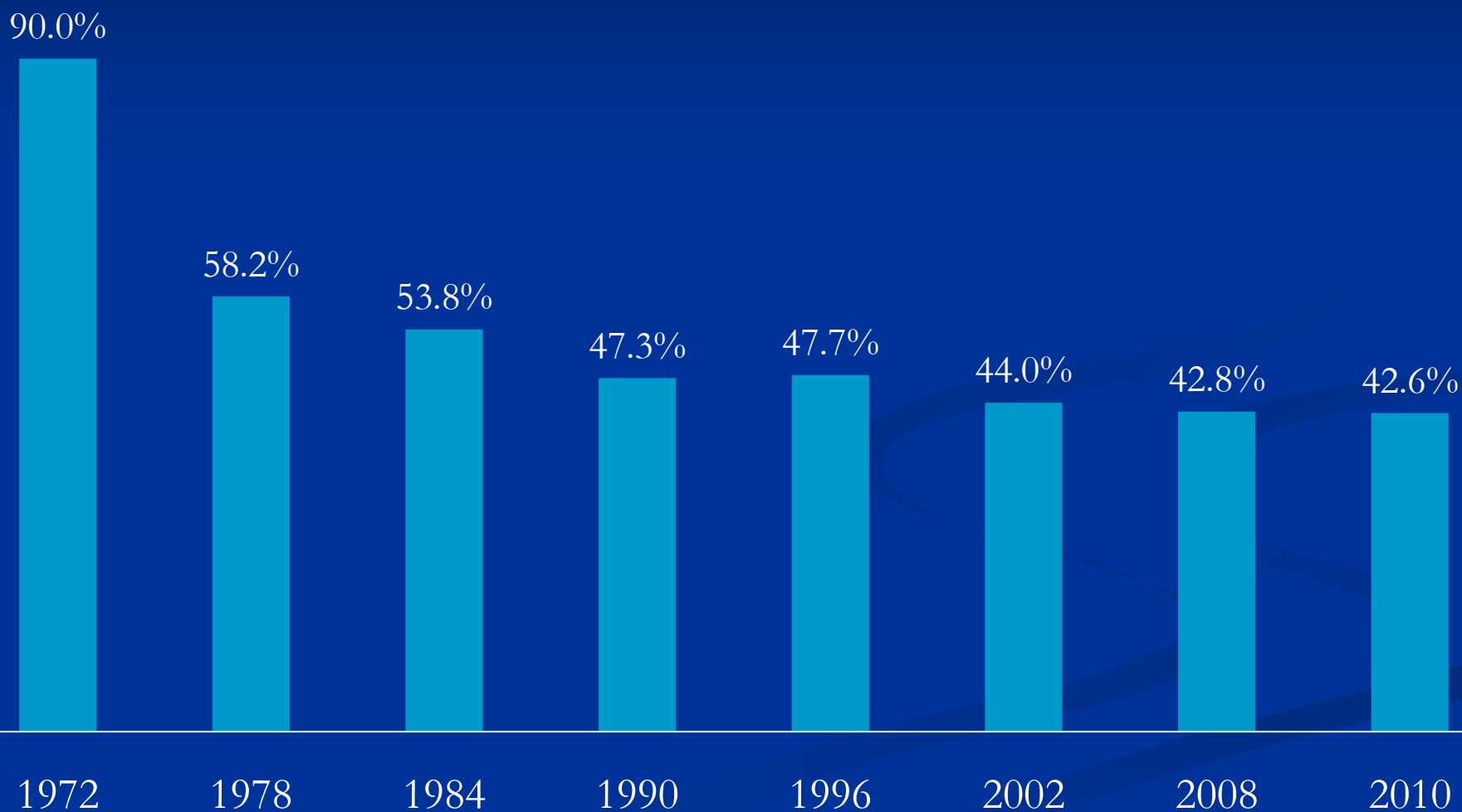
■ Teams per institution in 2010



*Acosta & Carpenter, 2010

Women's Teams Coached by Females in NCAA Divisions I, II, and III*

■ Percentage of teams



*Acosta & Carpenter, 2010

Key Points from Acosta and Carpenter's Longitudinal Studies

- Participation opportunities for females have dramatically increased over the past 30-40 years due to the Association for Intercollegiate Athletics for Women, societal changes, and Title IX.
- Among institutions in the NCAA, larger institutions and those without football teams offer more teams for females than do institutions in Division II.
- For the past 20 years, an increasing majority of women's teams in institutions that are members of the NCAA are coached by males.

Equity in Athletics Disclosure Act

- In 1994 (became effective in October, 1996), Congress passed the Equity in Athletics Disclosure Act (EADA), which requires institutions of higher education to provide data about their intercollegiate athletic programs and student financial aid programs.



The Equity in Athletics Data Analysis Cutting Tool

is brought to you by the Office of Postsecondary Education of the U.S. Department of Education. This analysis cutting tool was designed to provide rapid customized reports for public inquiries relating to equity in athletics data. The data are drawn from the OPE Equity in Athletics Disclosure Website database. This database consists of athletics data that are submitted annually as required by the Equity in Athletics Disclosure Act (EADA), via a Web-based data collection, by all co-educational postsecondary institutions that receive Title IV funding (i.e., those that participate in federal student aid programs) and that have an intercollegiate athletics program.

Cautionary Note

- Please note that valid comparisons of athletics data are possible only with study and analysis of the conditions affecting each institution.
- The OPE Equity in Athletics Data Analysis Cutting Tool Website is linked to the Department of Education's Federal Student Aid site.

- **Please click on the desired report from the list below to start.**
- **Get data for one institution** This report will provide you with data for one institution. After you define your target institution, you can view the institution's Equity in Athletics data along with general information about the institution.
- **Get aggregated data for a group of institutions** This report will provide you with aggregated data for a group of institutions you select. After you select your target group of institutions, you can select and view specific categories of Equity in Athletics data.
- **Download selected data** This report will provide you with selected Equity in Athletics data for selected institutions, or all institutions, for a selected year. The data are presented in a Comma Delimited, CSV text file.
- **Download data files** This utility allows you to download the complete data file for all institutions for a selected year.

Equity in Athletics Data Analysis

Cutting Tool

Searches by

Data

- Institution
 - State
 - Sanctioning organization
 - Conference
 - Enrollment
 - Type of institution
- Participation numbers by gender and sport
 - Number of head, assistant, and part-time coaches and average salaries for head and assistant coaches (of the sports coached) by gender
 - Revenues and expenses by gender including operating, athletically related student aid, and recruiting
 - Total expenses and total revenues

Number of Male and Female Athletes in 2007-2008 by Governing Organization

National Collegiate Athletic Association (NCAA)

National Association of Intercollegiate Athletics (NAIA)

National Junior College Athletic Association (NJCAA)

National Christian College Athletic Association (NCCAA)

Other = no governing organization for athletics

■ Males ■ Females

230,099

171,587

34,364

23,173

32,938

19,603

1,837

1,104

25,927

15,632

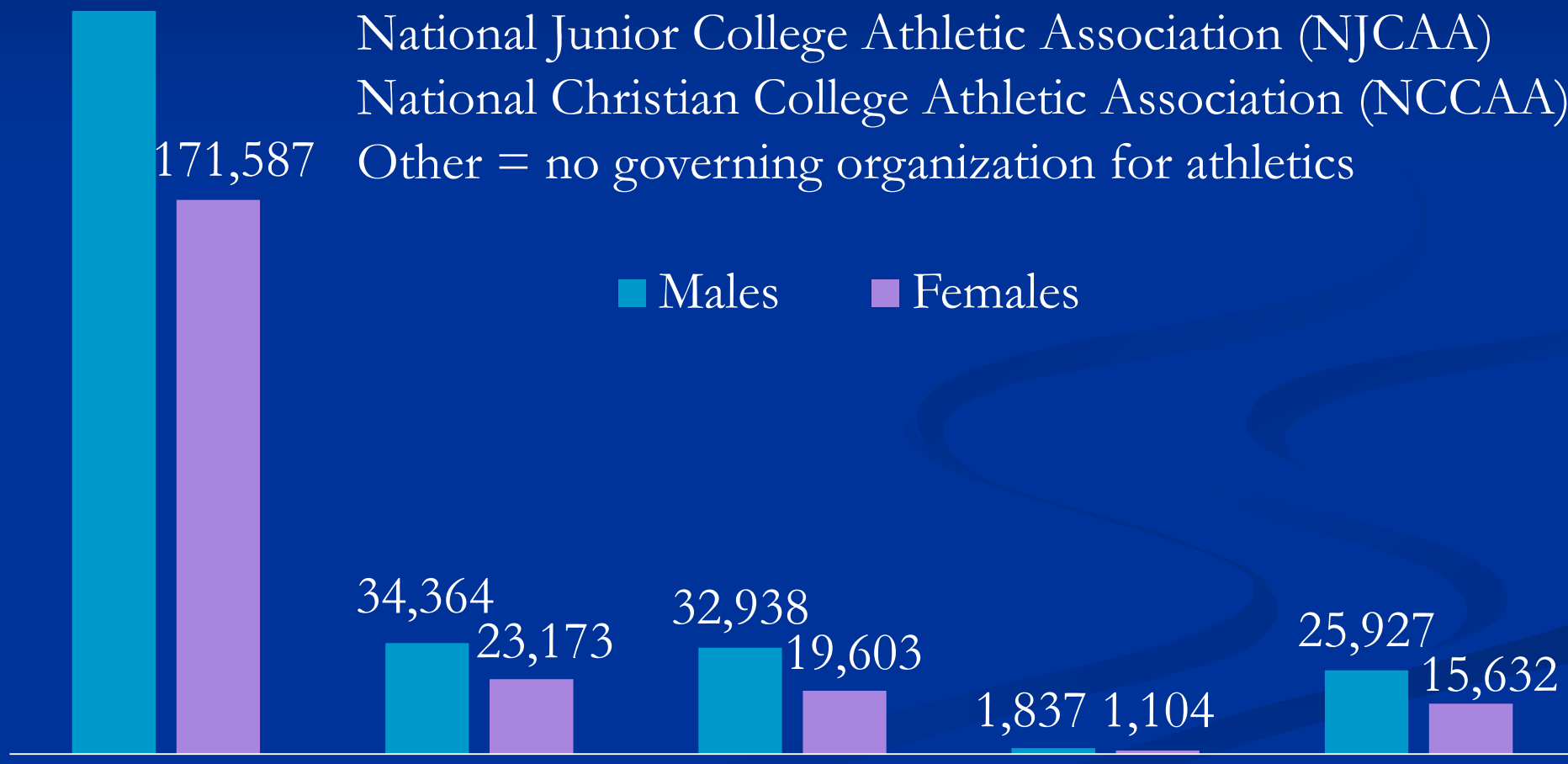
NCAA

NAIA

NJCAA

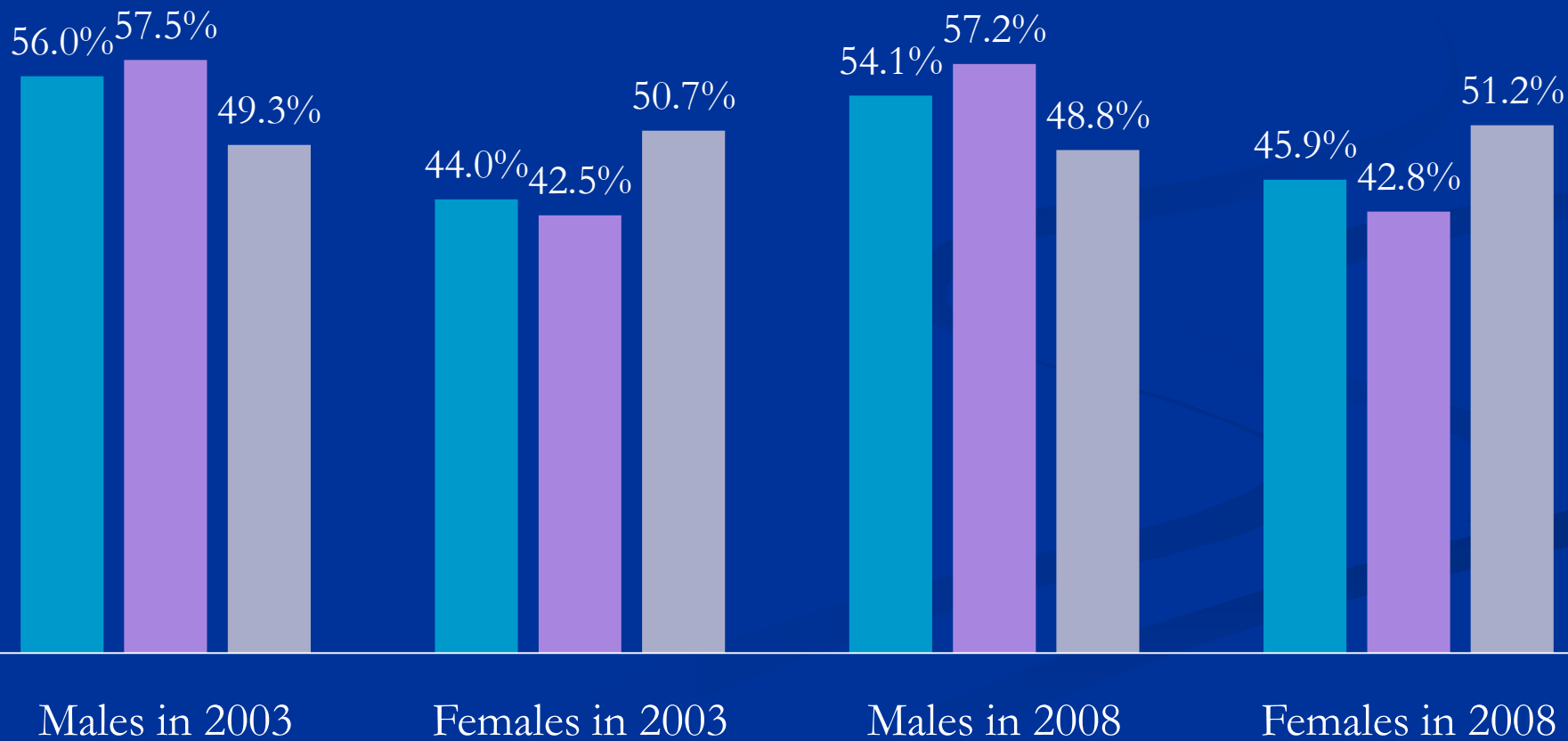
NCCAA

Other



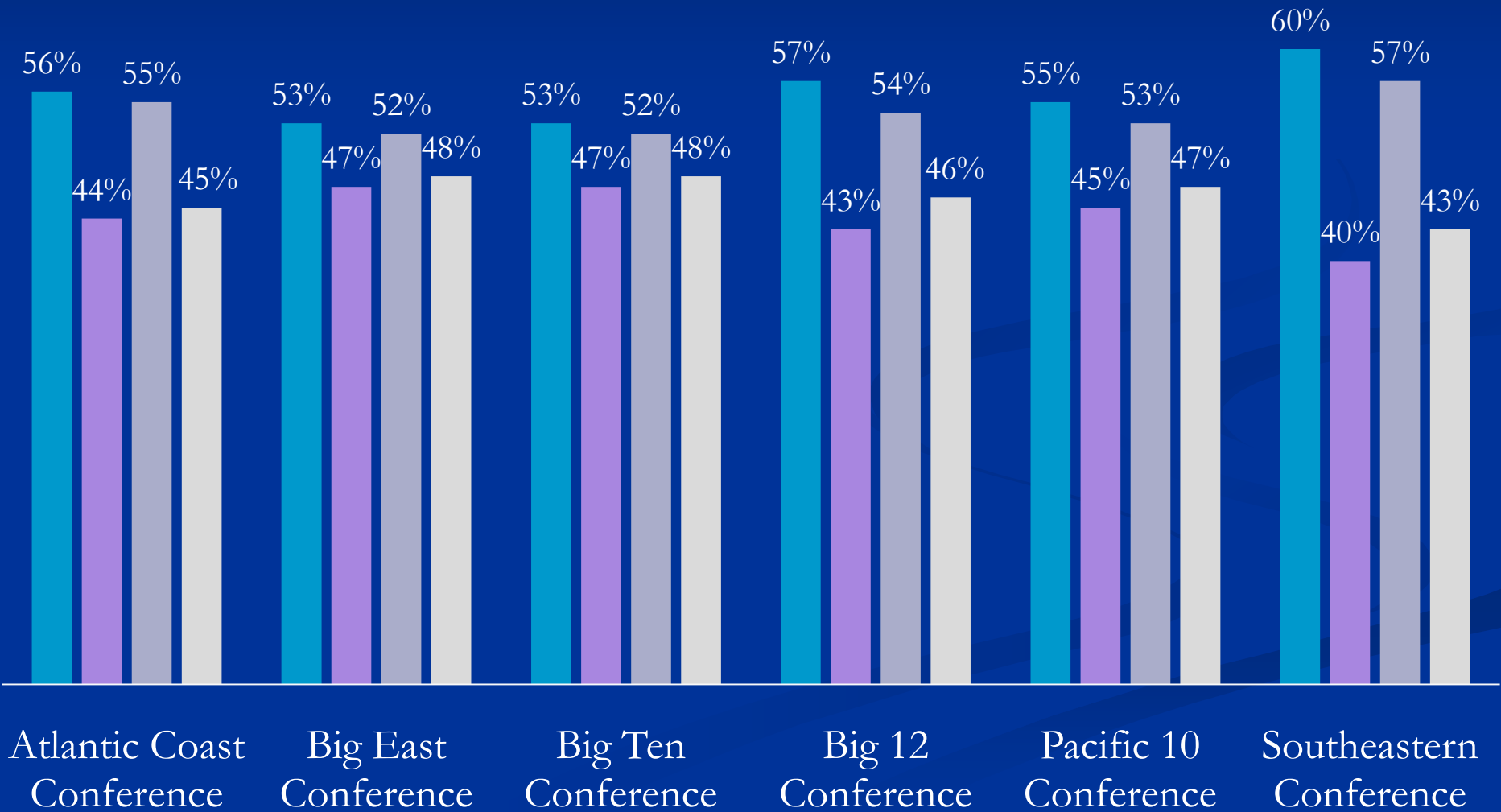
Percentage of Male and Female Athletes in NCAA Division I Institutions

- Football Bowl Subdivision
- Football Championship Subdivision
- Division I (no football)



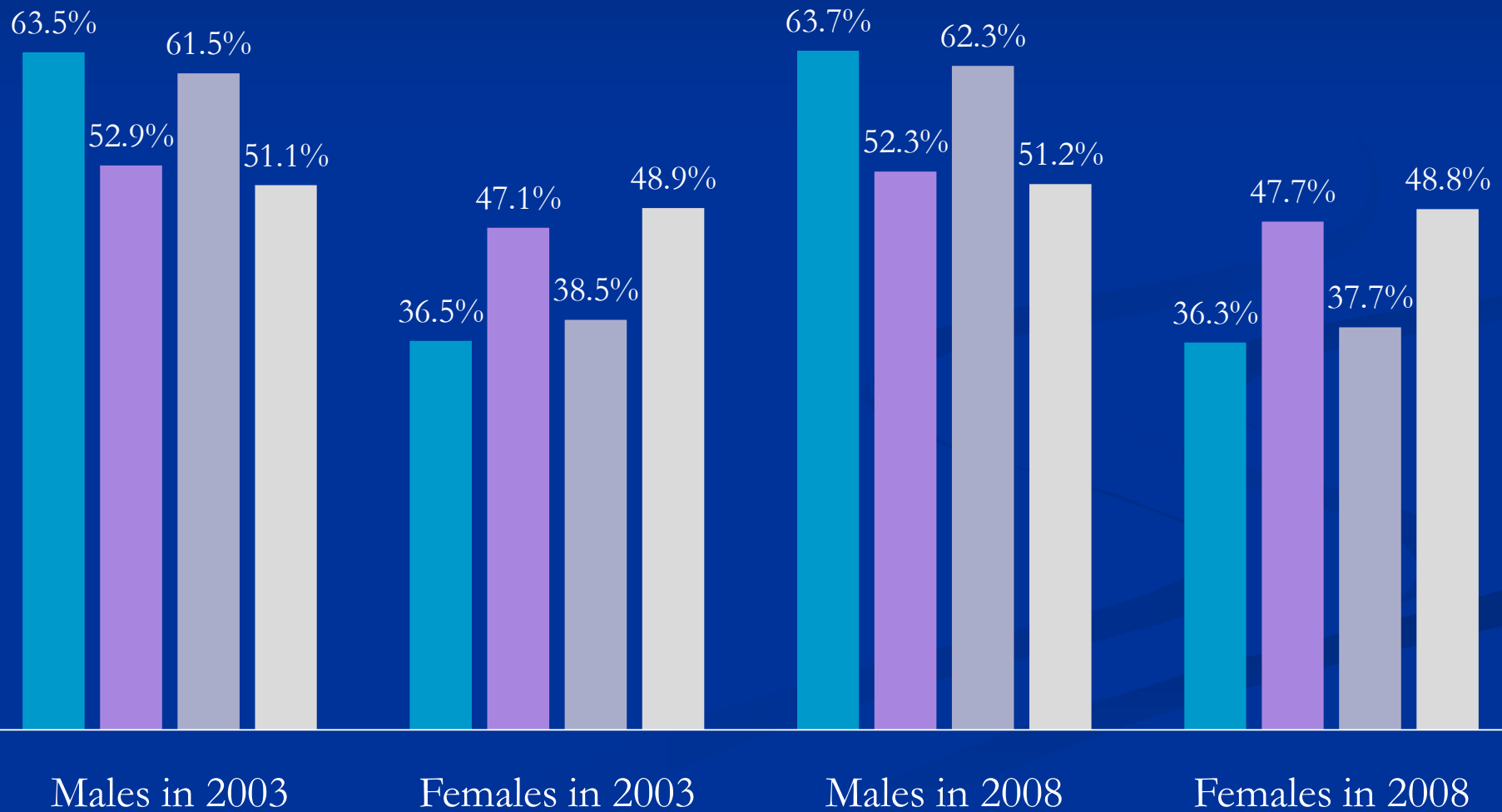
Percentage of Male and Female Athletes in Six Conferences in Football Bowl Subdivision

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



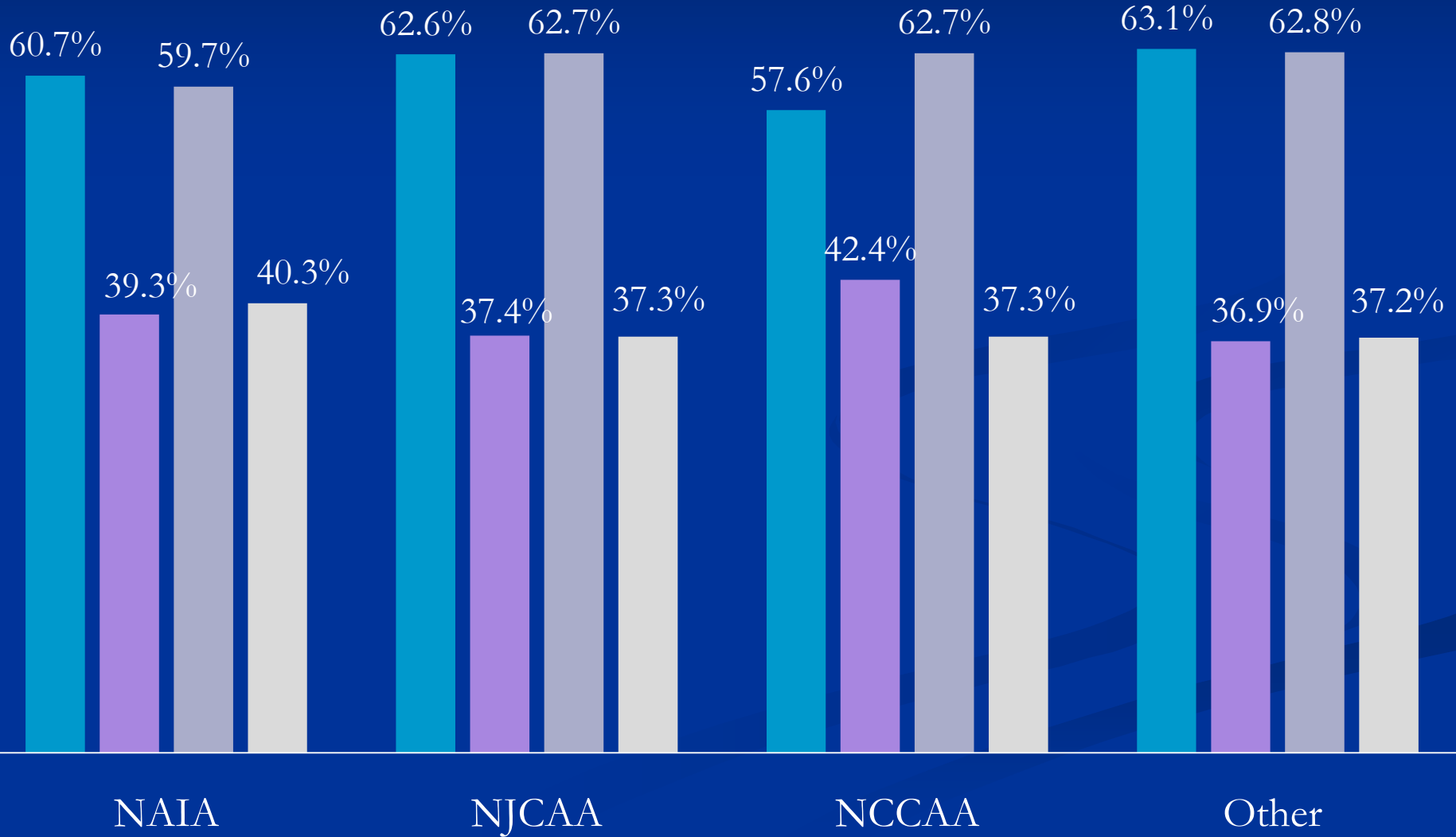
Percentage of Male and Female Athletes in NCAA Division II and III Institutions

- Division II (with football)
- Division II (no football)
- Division III (with football)
- Division III (no football)



Percentage of Male and Female Athletes in NAIA, NJCAA, NCCAA, and Other

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females

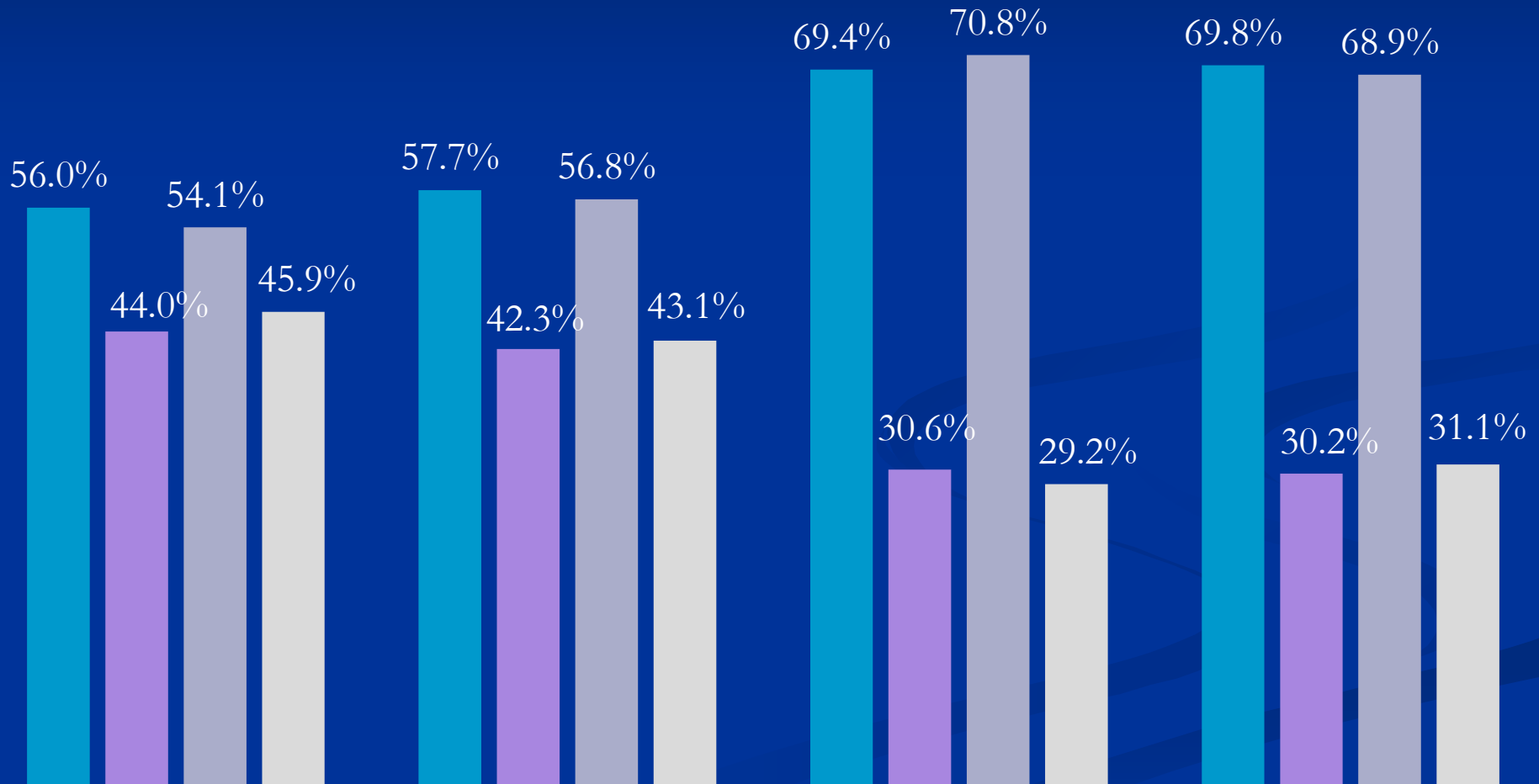


What EADA Reveals about Participation Opportunities for Females in 2007-2008

- NCAA (42.7%); NAIA (40.3%); NJCAA (37.3%)
- Within NCAA Division I: without football (51.2%); Football Bowl Subdivision (45.9%); Football Championship Subdivision (42.8%)
- Among the “big six” conferences: SEC (43%) and ACC (45%) had the lowest percents; Big 10 (48%) and Big East (48%) had the highest percents
- NCAA Division II without football and Division III without football had over 10% more (47.7% and 48.8% respectively) than did institutions in these divisions with football (36.3% and 37.7% respectively)

NCAA Football Bowl Subdivision (126 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



Number of Athletes

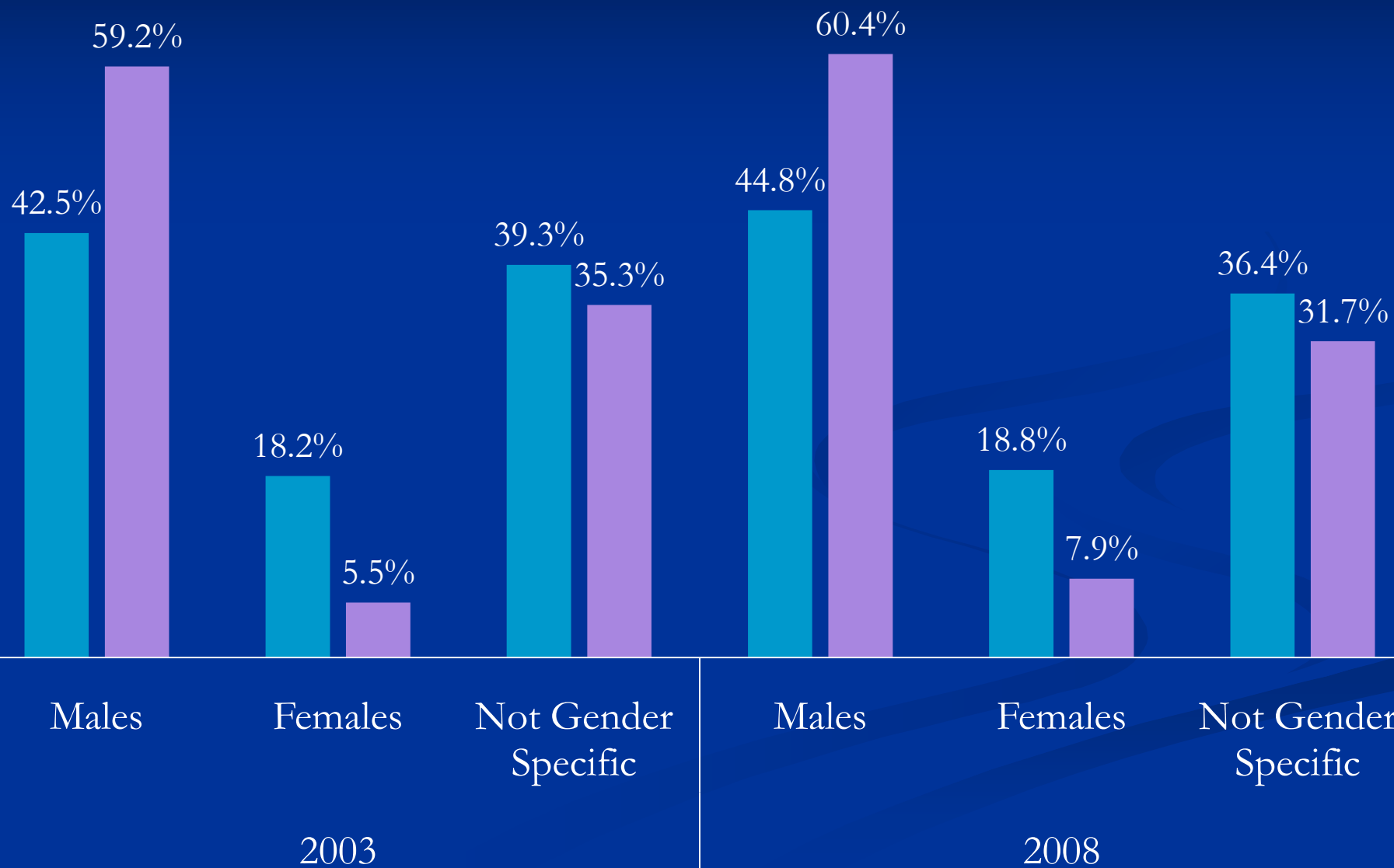
Grants-in-Aid

Operating Expenses

Recruiting Expenses

NCAA Football Bowl Subdivision

■ Total Expenses ■ Total Revenues

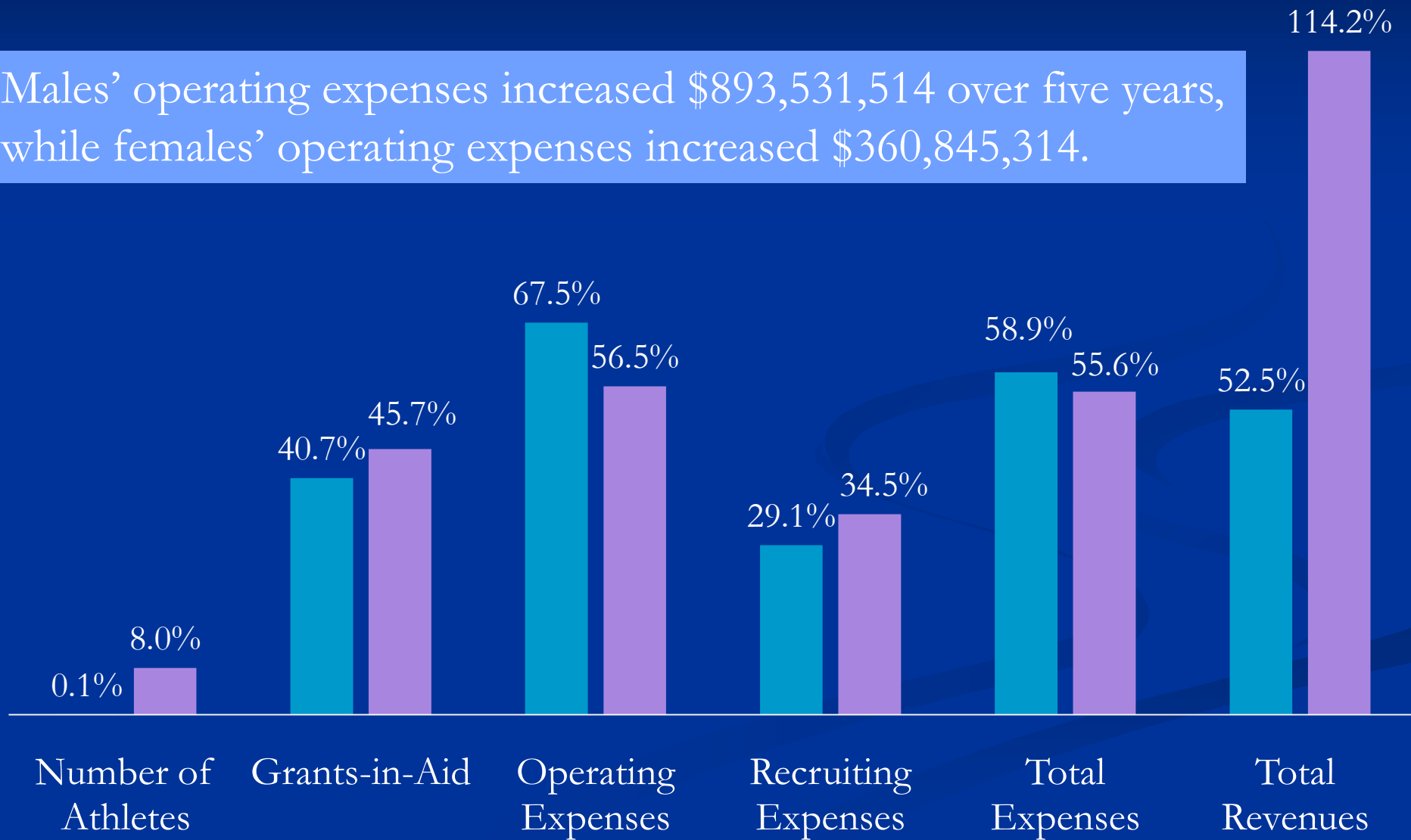


NCAA Football Bowl Subdivision

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$893,531,514 over five years, while females' operating expenses increased \$360,845,314.

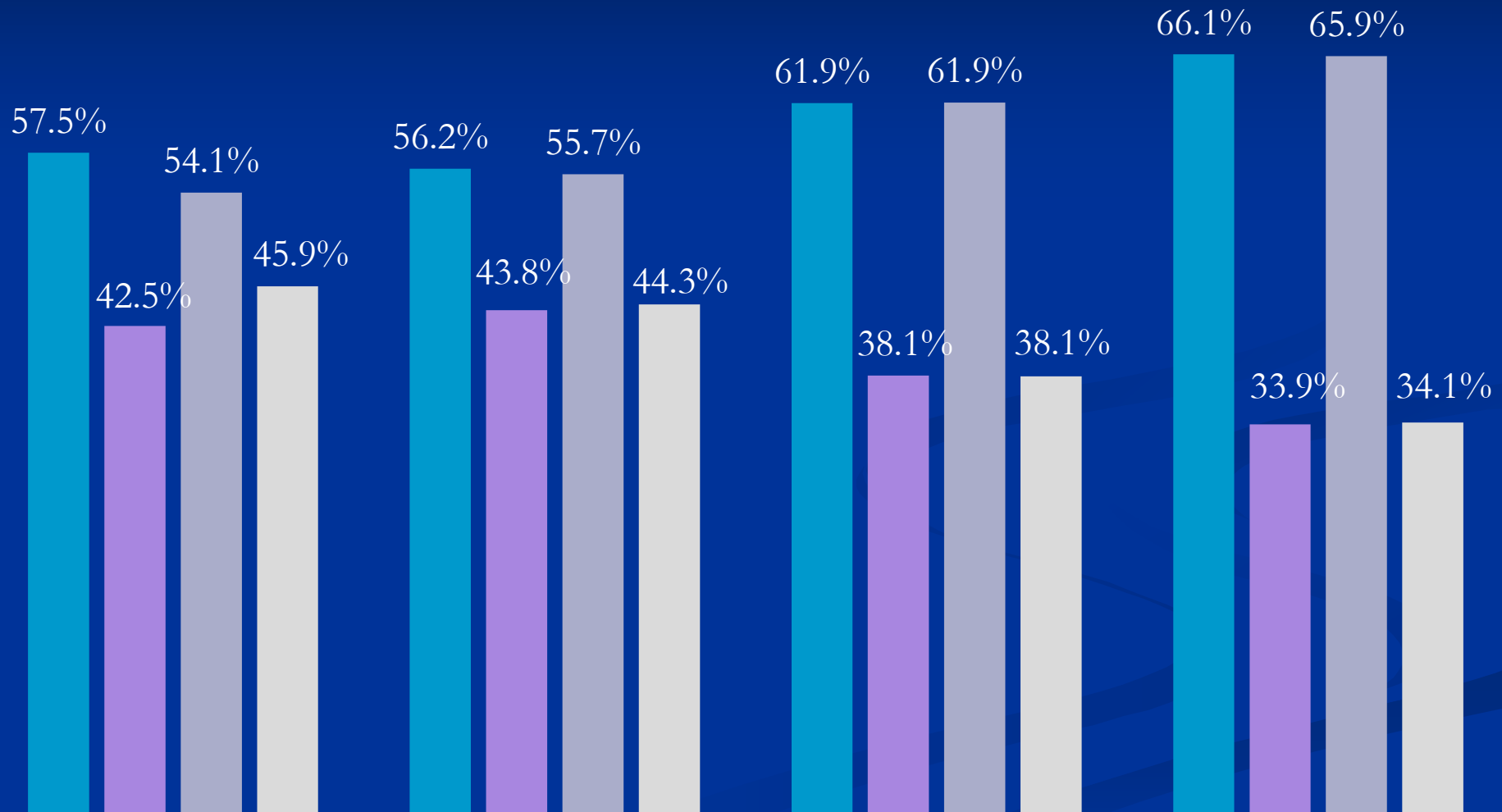


What EADA Reveals about Financial Support for Females in the NCAA FBS in 2007-2008 and since 2003-2004

- Grants-in-aid increased slightly to 43.1% of the total and increased at a higher percent than for males.
- Operating expenses declined to 29.2%, increased at a slightly lower percent than for males, and totaled \$532,686,200 less than for males.
- Recruiting expenses increased slightly to 31.1% and increased at a higher percent than for males.
- Total expenses slightly increased to 18.8% but increased at a lower percent than for males.

NCAA Football Championship Subdivision (121 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



Number of Athletes

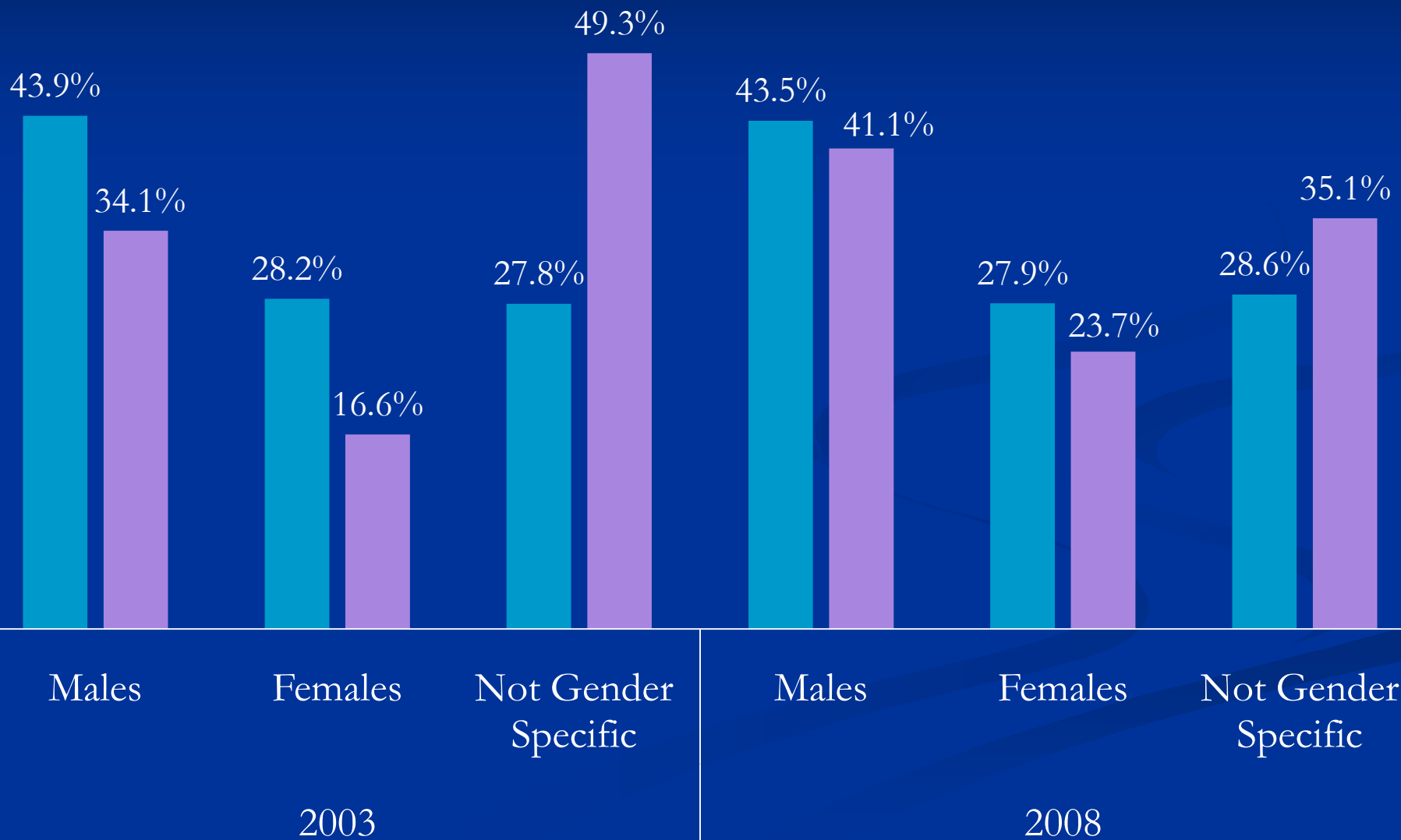
Grants-in-Aid

Operating Expenses

Recruiting Expenses

NCAA Football Championship Subdivision

■ Total Expenses ■ Total Revenues

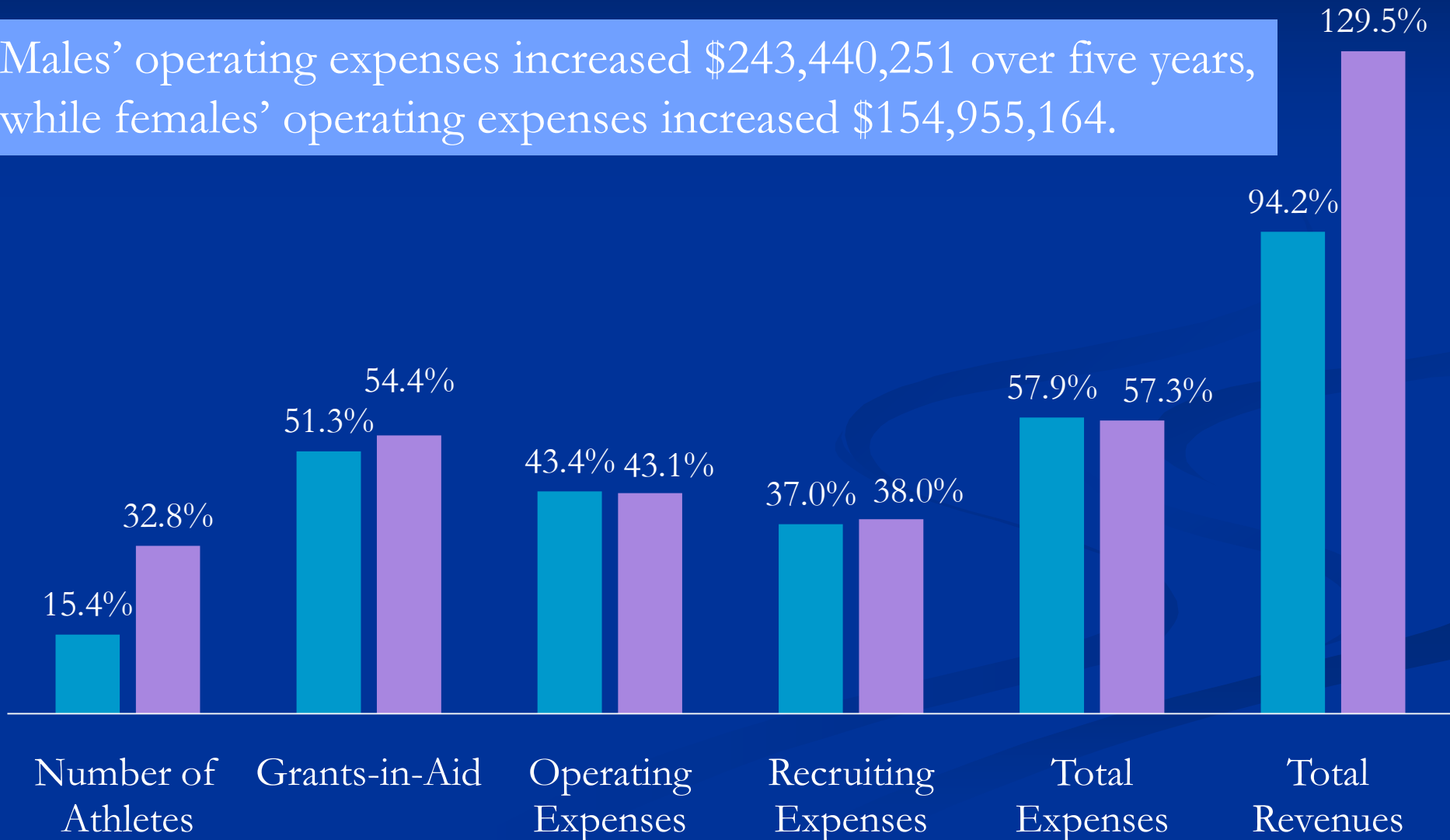


NCAA Football Championship Subdivision

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$243,440,251 over five years, while females' operating expenses increased \$154,955,164.

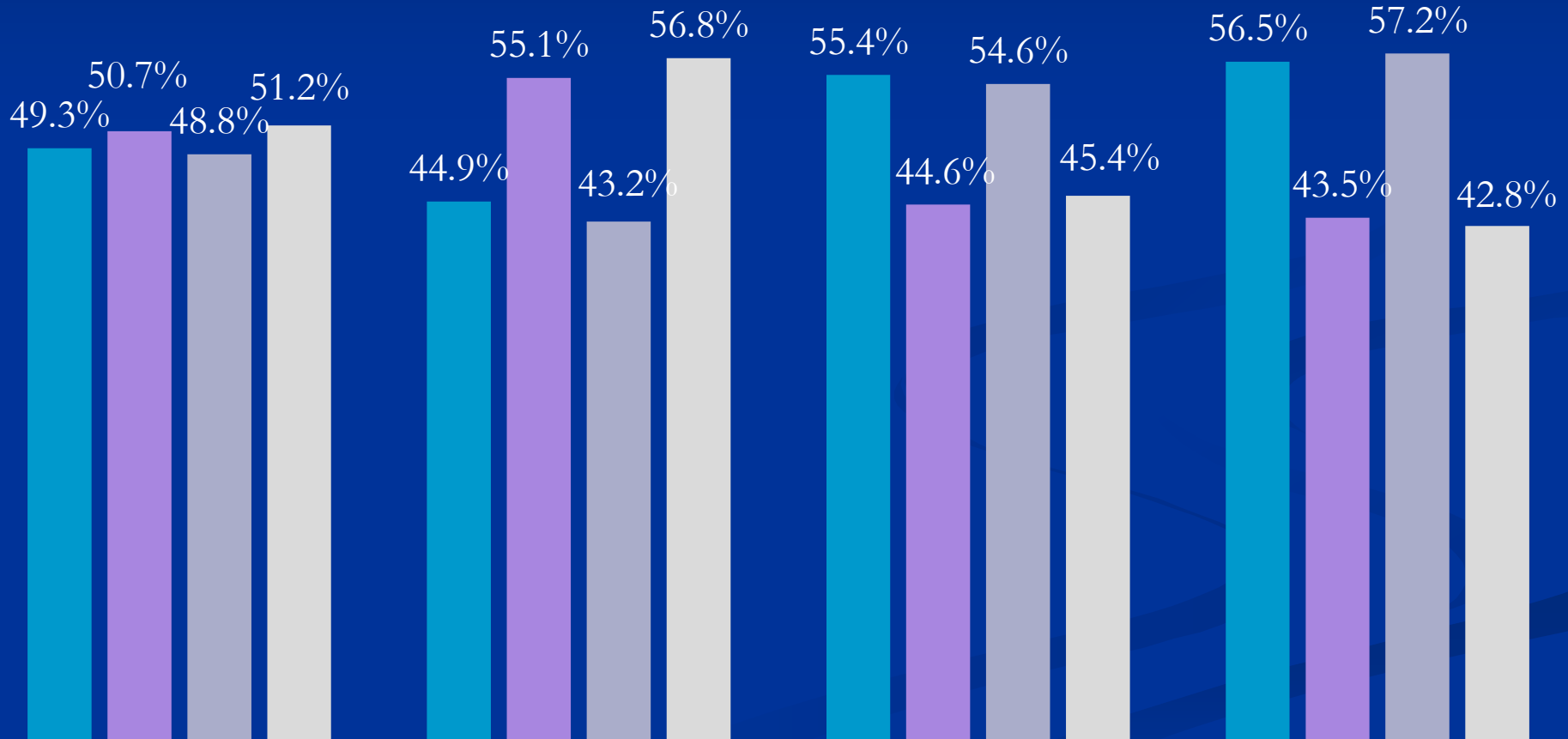


What EADA Reveals about Financial Support for Females in the NCAA FCS in 2007-2008 and since 2003-2004

- Grants-in-aid increased slightly to 44.3% of the total and increased at a higher percent than for males.
- Operating expenses remained the same at 38.1%, increased at a slightly lower percent than for males, and totally \$88,485,087 less than for males.
- Recruiting expenses increased slightly to 34.1% and increased at a slightly higher percent than for males.
- Total expenses decreased slightly to 27.9% and increased at a slightly lower percent than for males.

NCAA Division I without Football (97 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



Number of Athletes

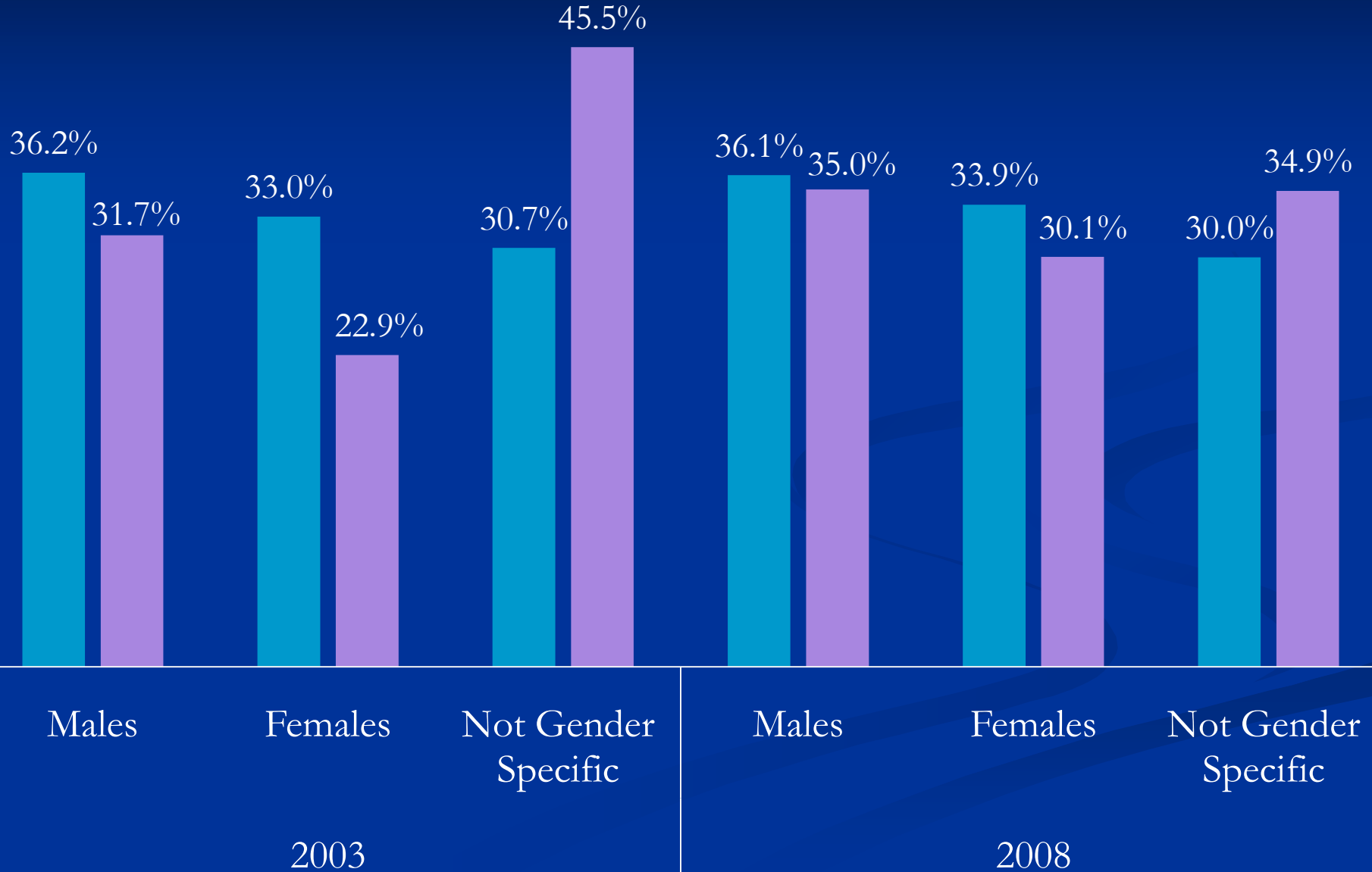
Grants-in-Aid

Operating Expenses

Recruiting Expenses

NCAA Division I without Football

■ Total Expenses ■ Total Revenues

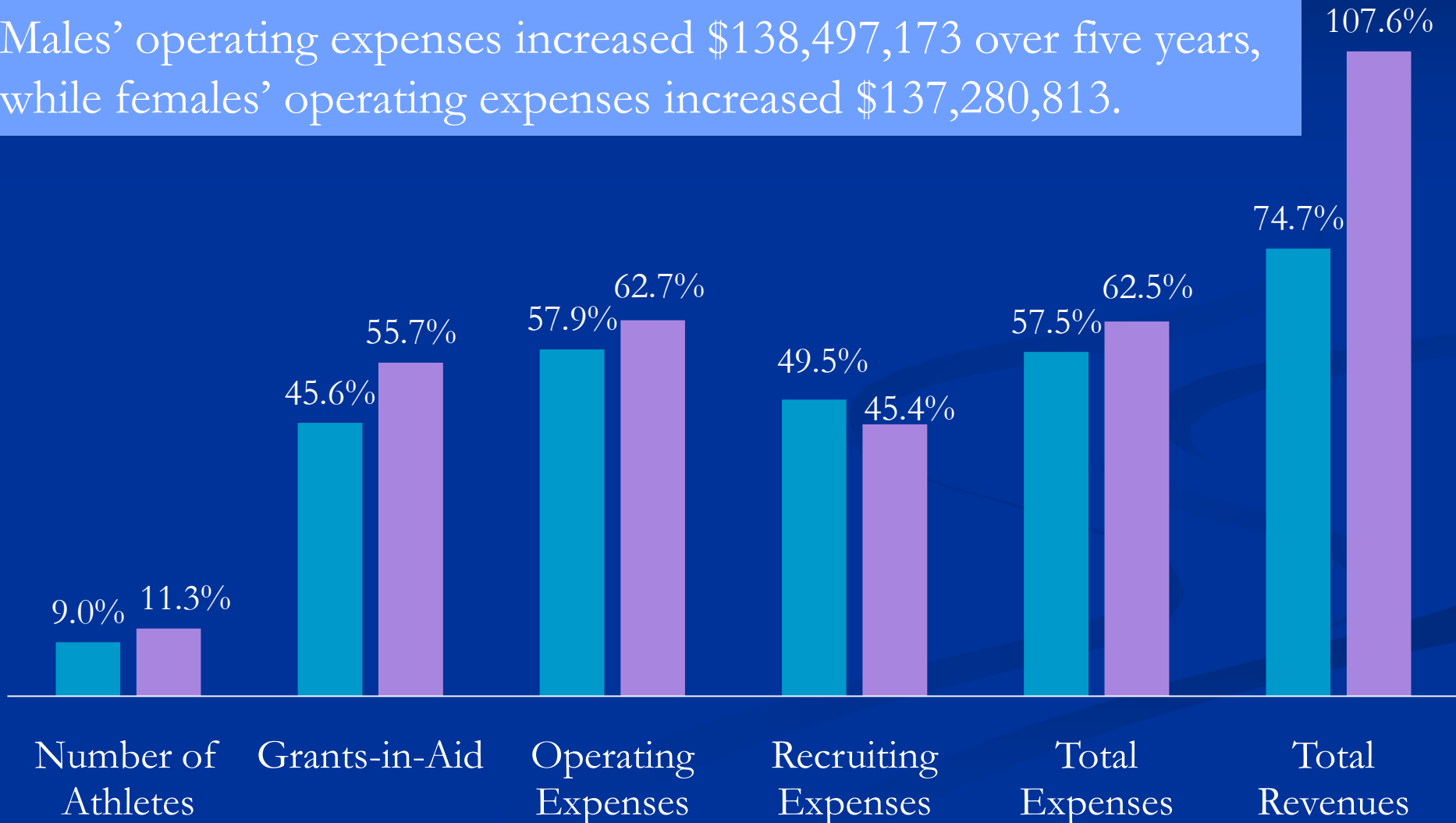


NCAA Division I without Football

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$138,497,173 over five years, while females' operating expenses increased \$137,280,813.

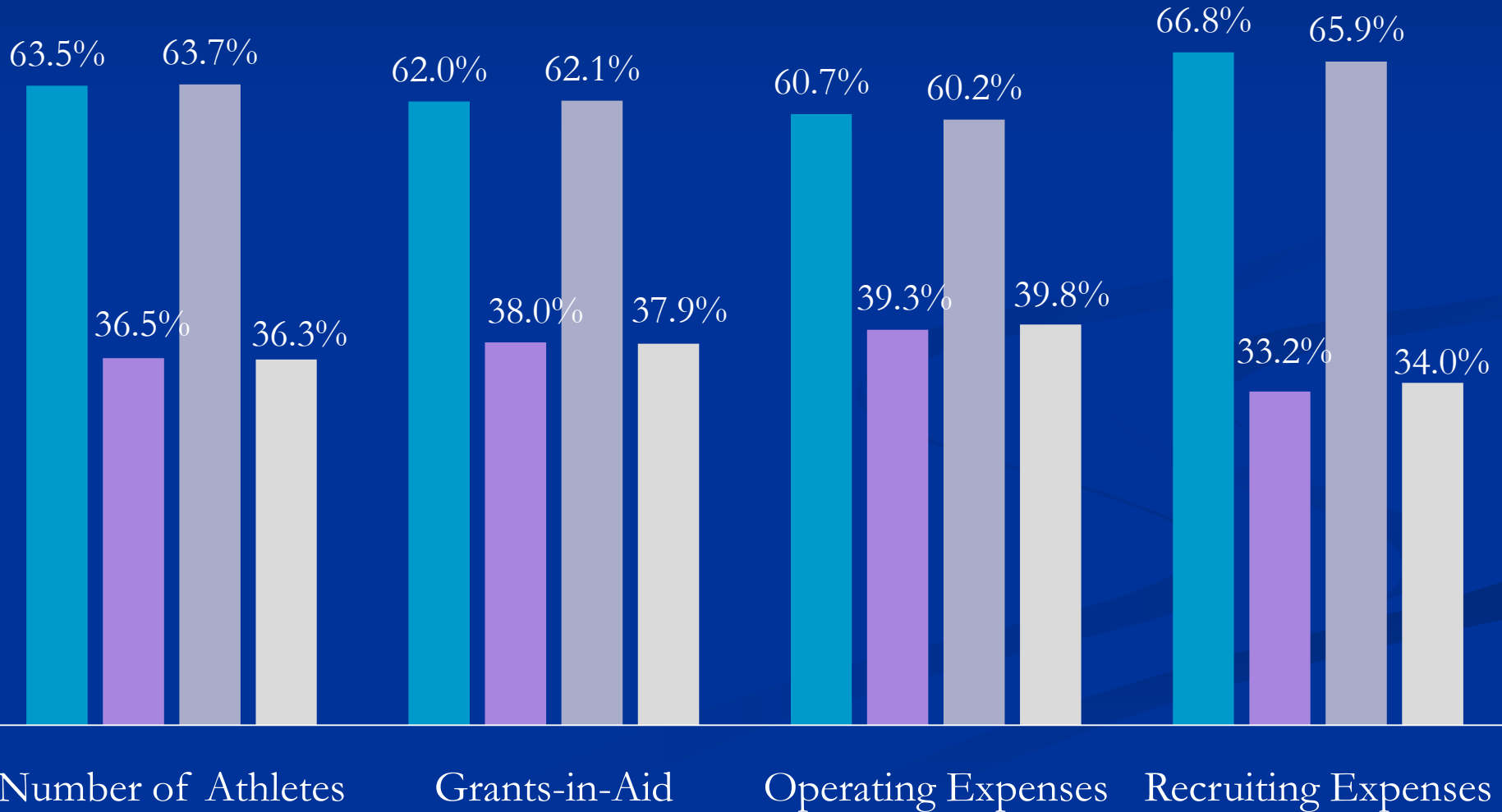


EADA Reveals about Financial Support for Females in the NCAA Division I without Football in 2007-2008 and since 2003-2004

- Grants-in-aid increased to 56.8% of the total and increased at a higher percent than for males.
- Operating expenses increased slightly to 45.4%, increased at a higher percent than for males, and totaled \$1,216,360 less than for males.
- Recruiting expenses decreased slightly to 42.8% and increased at a lower percent than for males.
- Total expenses increased slightly to 33.9% and increased at a higher percent than for males.

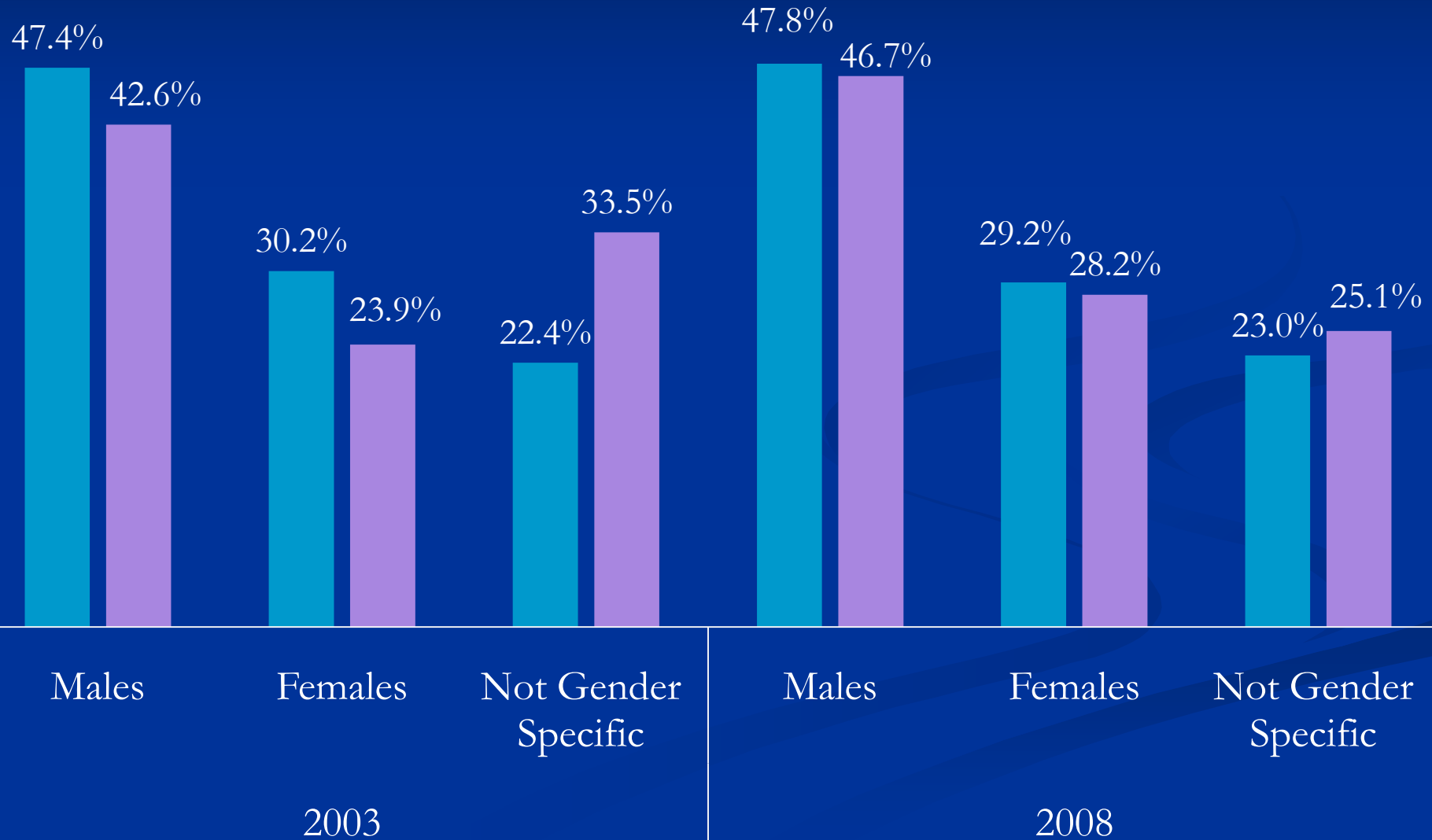
NCAA Division II with Football (152 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



NCAA Division II with Football

■ Total Expenses ■ Total Revenues

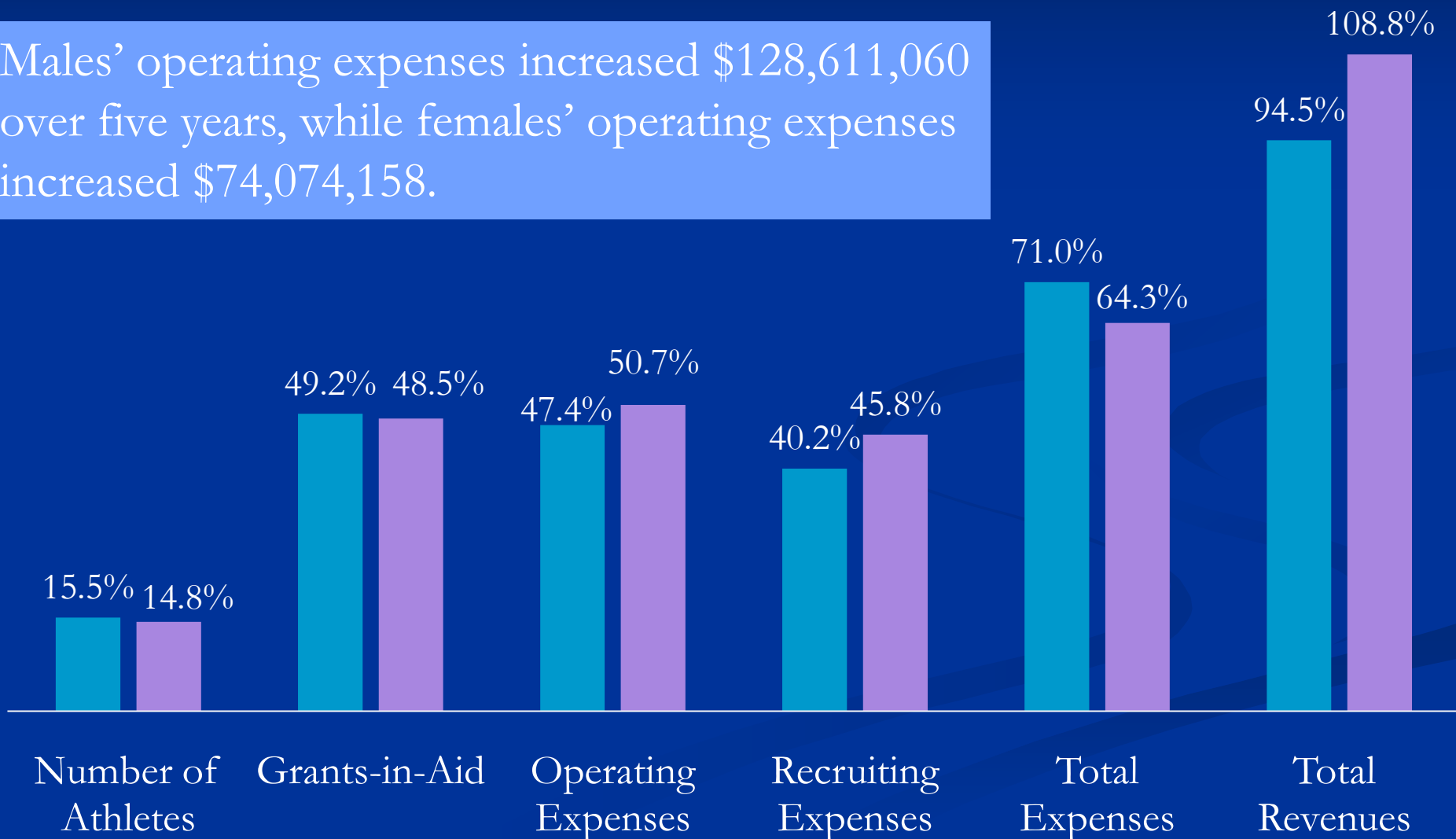


NCAA Division II with Football

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$128,611,060 over five years, while females' operating expenses increased \$74,074,158.



EADA Reveals about Financial Support for

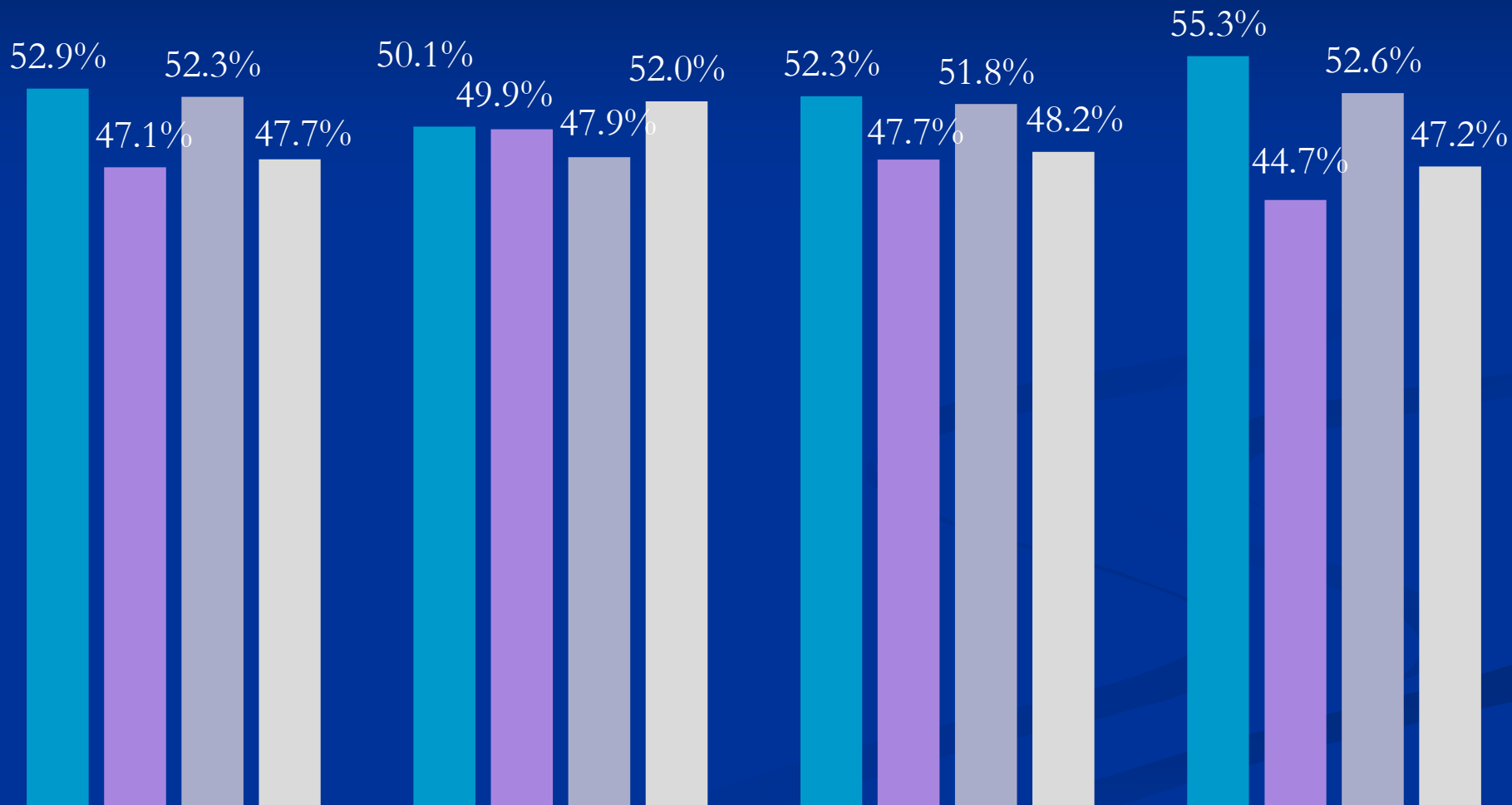
Females in the NCAA Division II with

Football in 2007-2008 and since 2003-2004

- Grants-in-aid decreased slightly to 37.9% of the total but decreased at a slightly lower percent than for males.
- Operating expenses increased slightly to 39.8%, increased at a higher percent than for males, and totaled \$54,536,902 less than for males.
- Recruiting expenses increased slightly to 34.0% and increased at a higher percent than for males.
- Total expenses decreased slightly to 29.2% and increased at a lower percent than for males.

NCAA Division II without Football (133 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



Number of Athletes

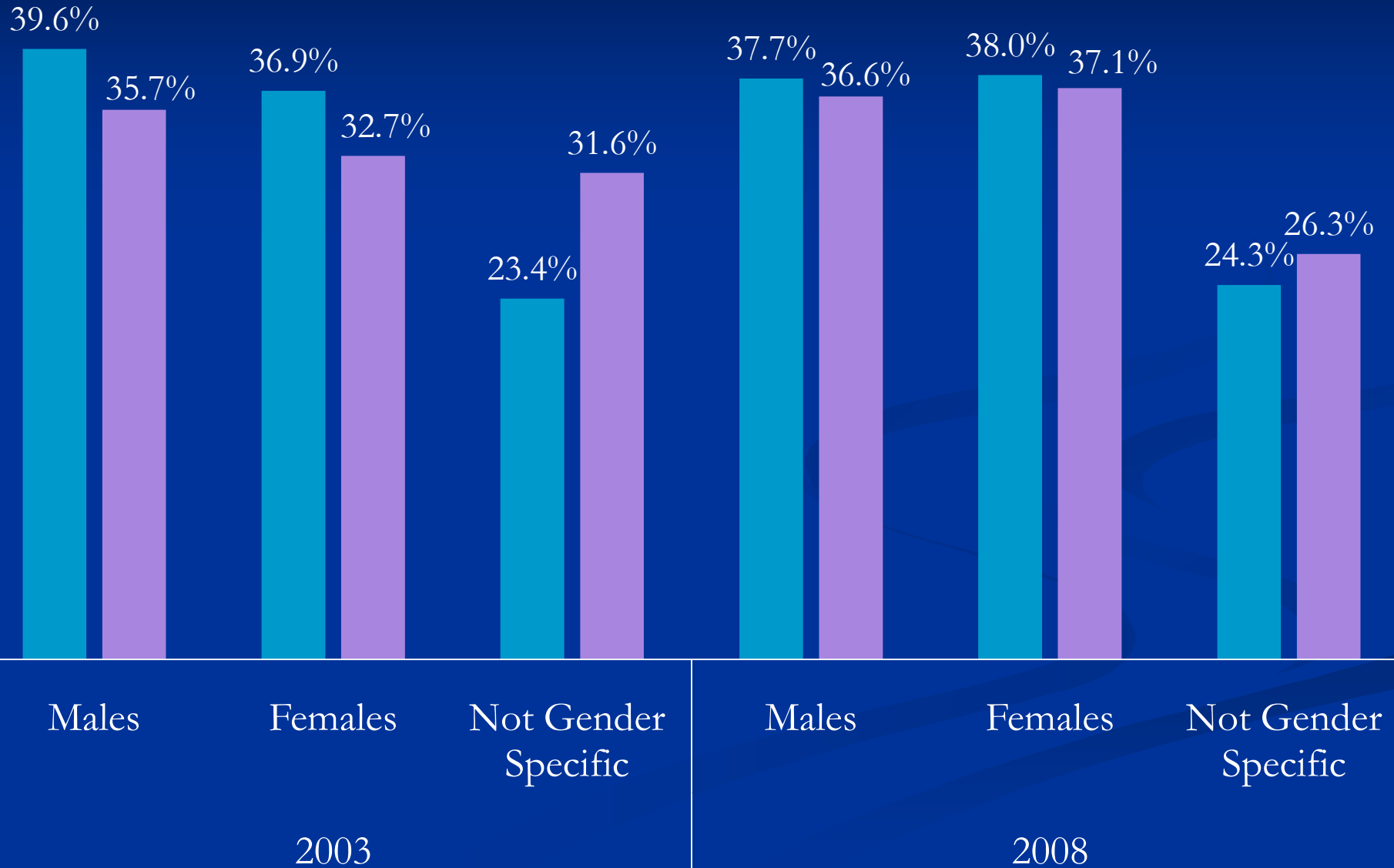
Grants-in-Aid

Operating Expenses

Recruiting Expenses

NCAA Division II without Football

■ Total Expenses ■ Total Revenues

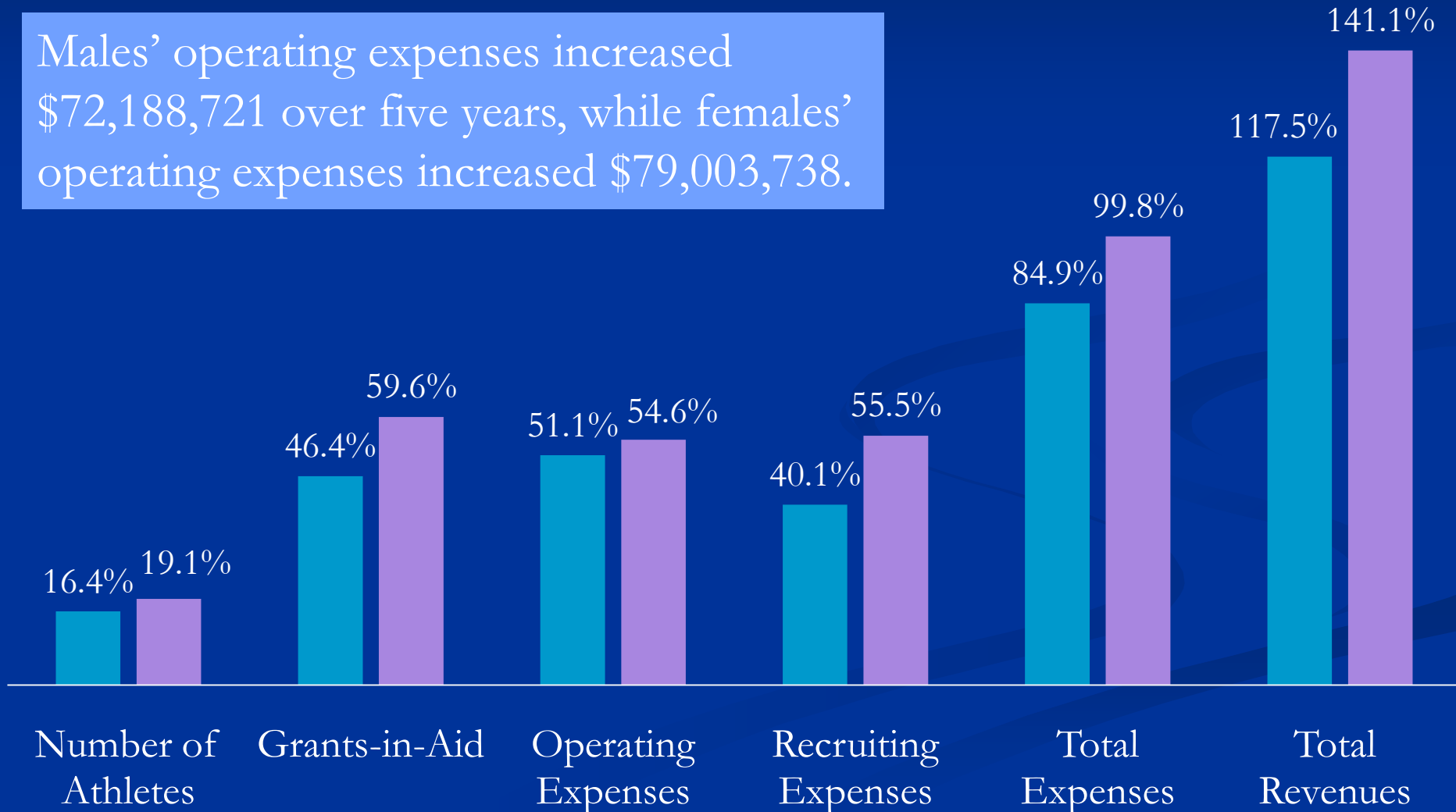


NCAA Division II without Football

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$72,188,721 over five years, while females' operating expenses increased \$79,003,738.

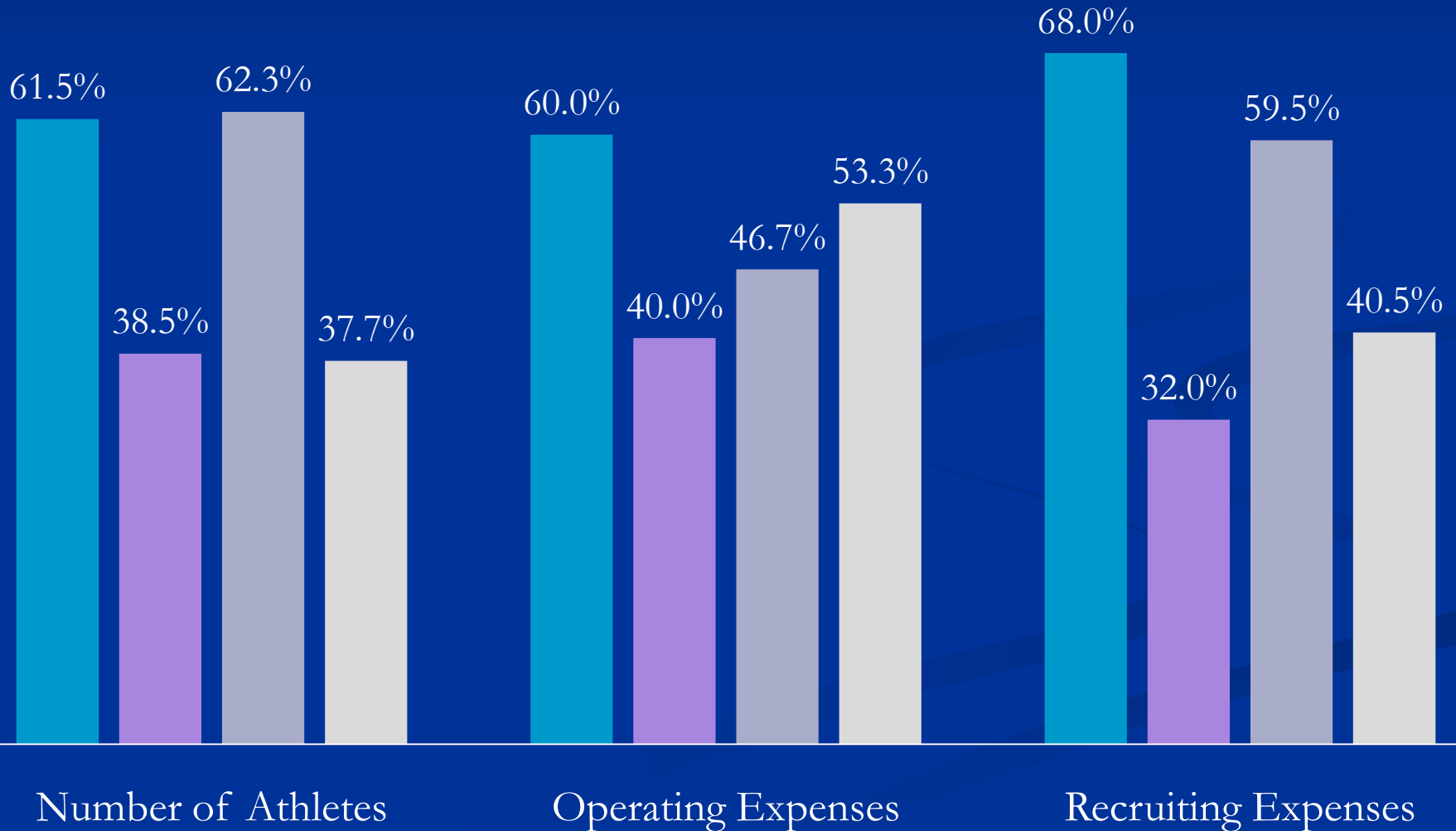


EADA Reveals about Financial Support for Females in the NCAA Division II without Football in 2007-2008 and since 2003-2004

- Grants-in-aid increased to 52.0% of the total and increased at a higher percent than for males.
- Operating expenses increased slightly to 48.2%, increased at a higher percent than for males, and totaled \$6,815,017 more than for males.
- Recruiting expenses increased to 47.2% and increased at a higher percent than for males.
- Total expenses increased to 38.0% and increased at a higher percent than for males.

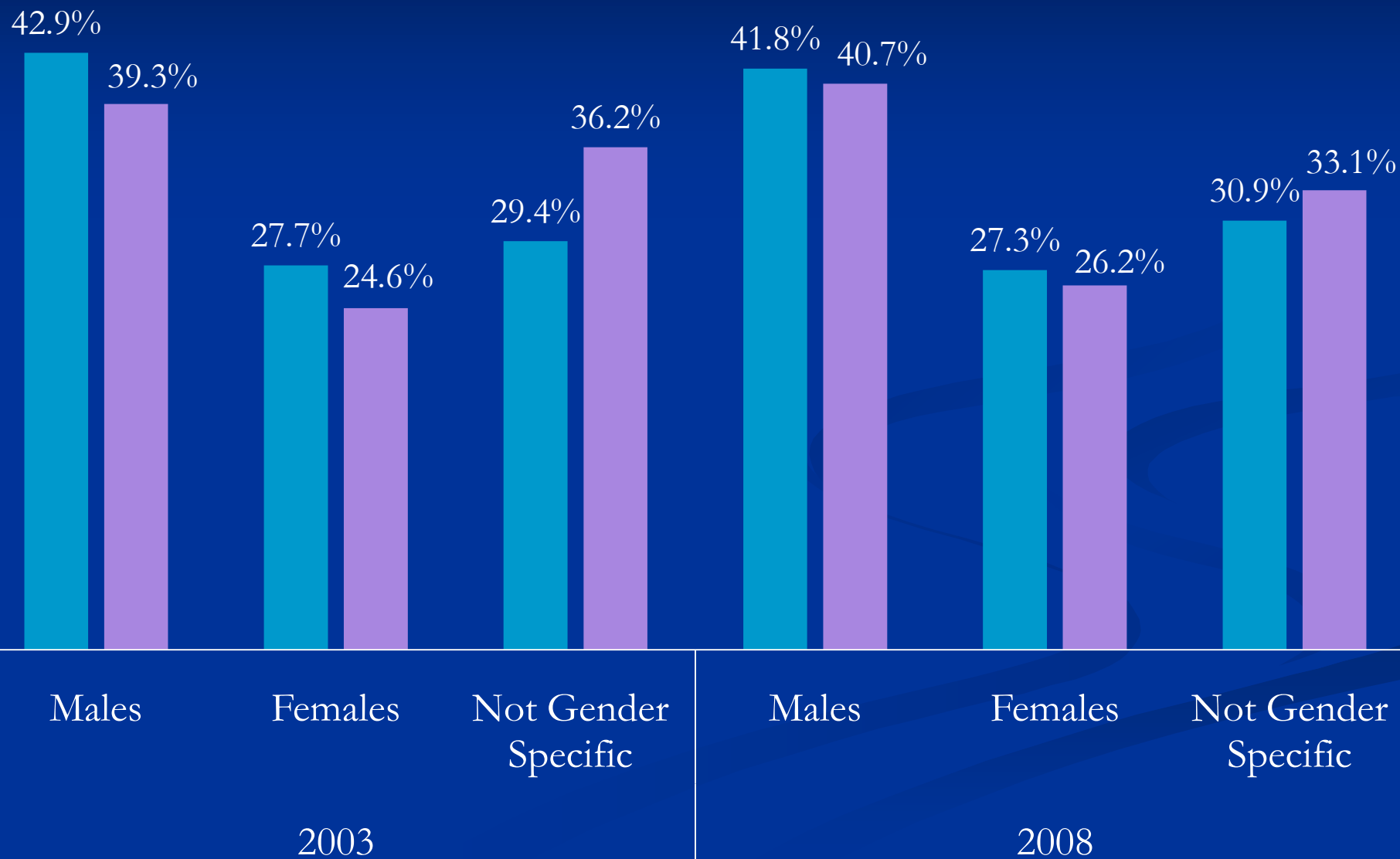
NCAA Division III with Football (234 institutions)

■ Males ■ Females ■ Males ■ Females



NCAA Division III with Football

■ Total Expenses ■ Total Revenues

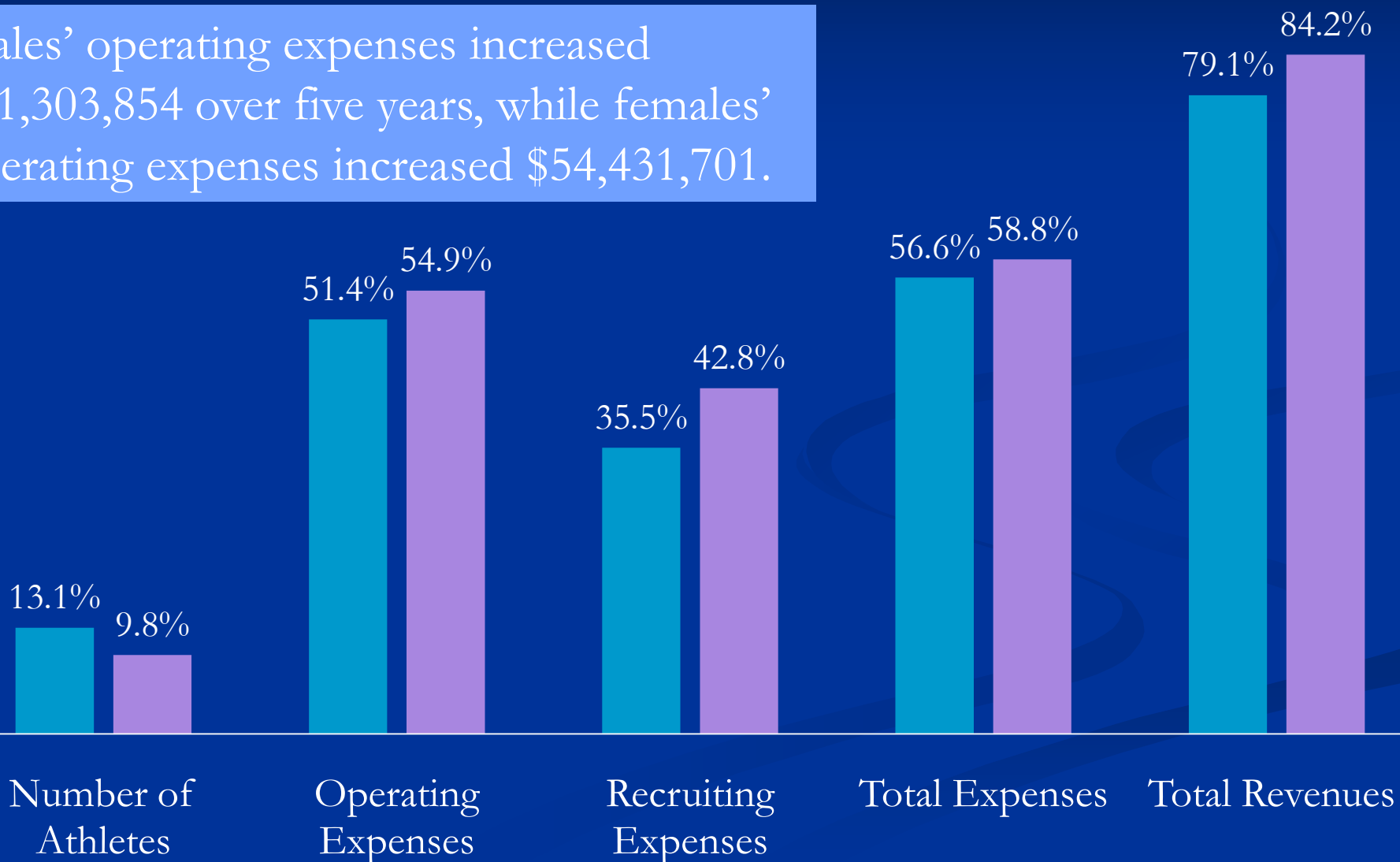


NCAA Division III with Football

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$81,303,854 over five years, while females' operating expenses increased \$54,431,701.



EADA Reveals about Financial Support for Females in the NCAA Division III with Football in 2007-2008 and since 2003-2004

- Operating expenses increased slightly to 40.5%, increased at a higher percent than for males, and totaled \$26,872,153 less than for males.
- Recruiting expenses increased to 33.1% and increased at a higher percent than for males.
- Total expenses decreased slightly to 27.3% yet increased at a higher percent than for males.

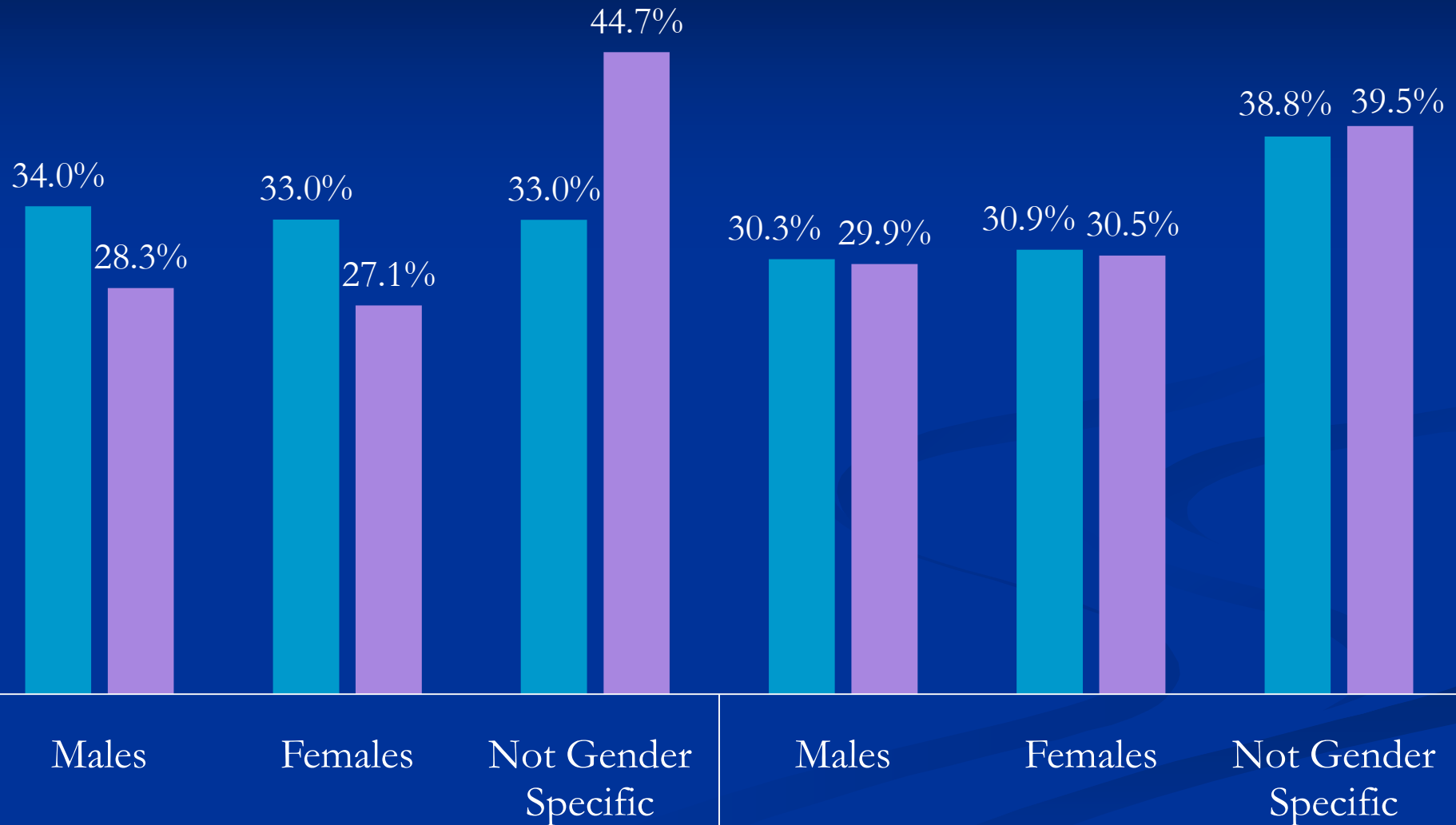
NCAA Division III without Football (183 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



NCAA Division III without Football

■ Total Expenses ■ Total Revenues



2003

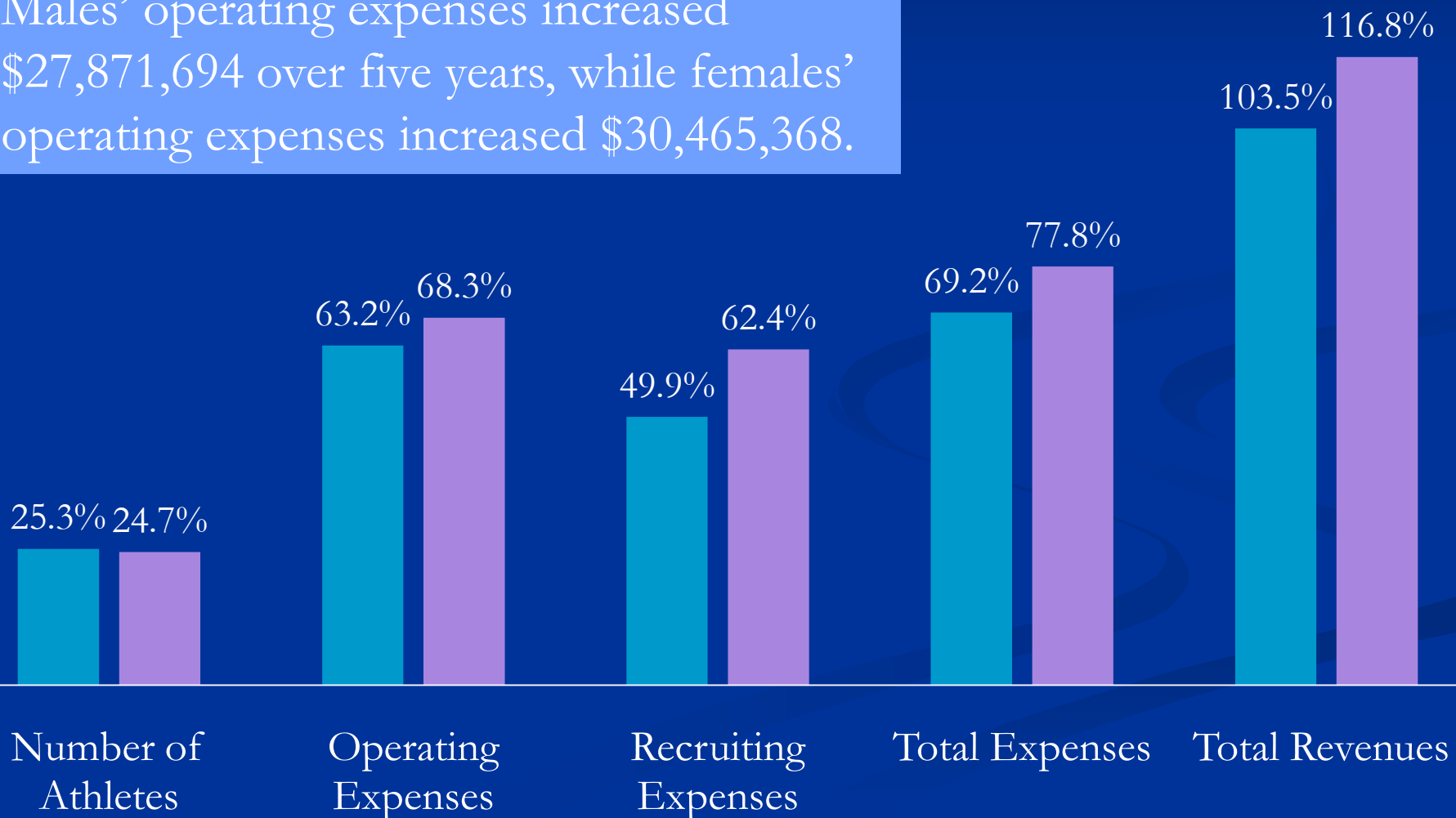
2008

NCAA Division III without Football

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$27,871,694 over five years, while females' operating expenses increased \$30,465,368.

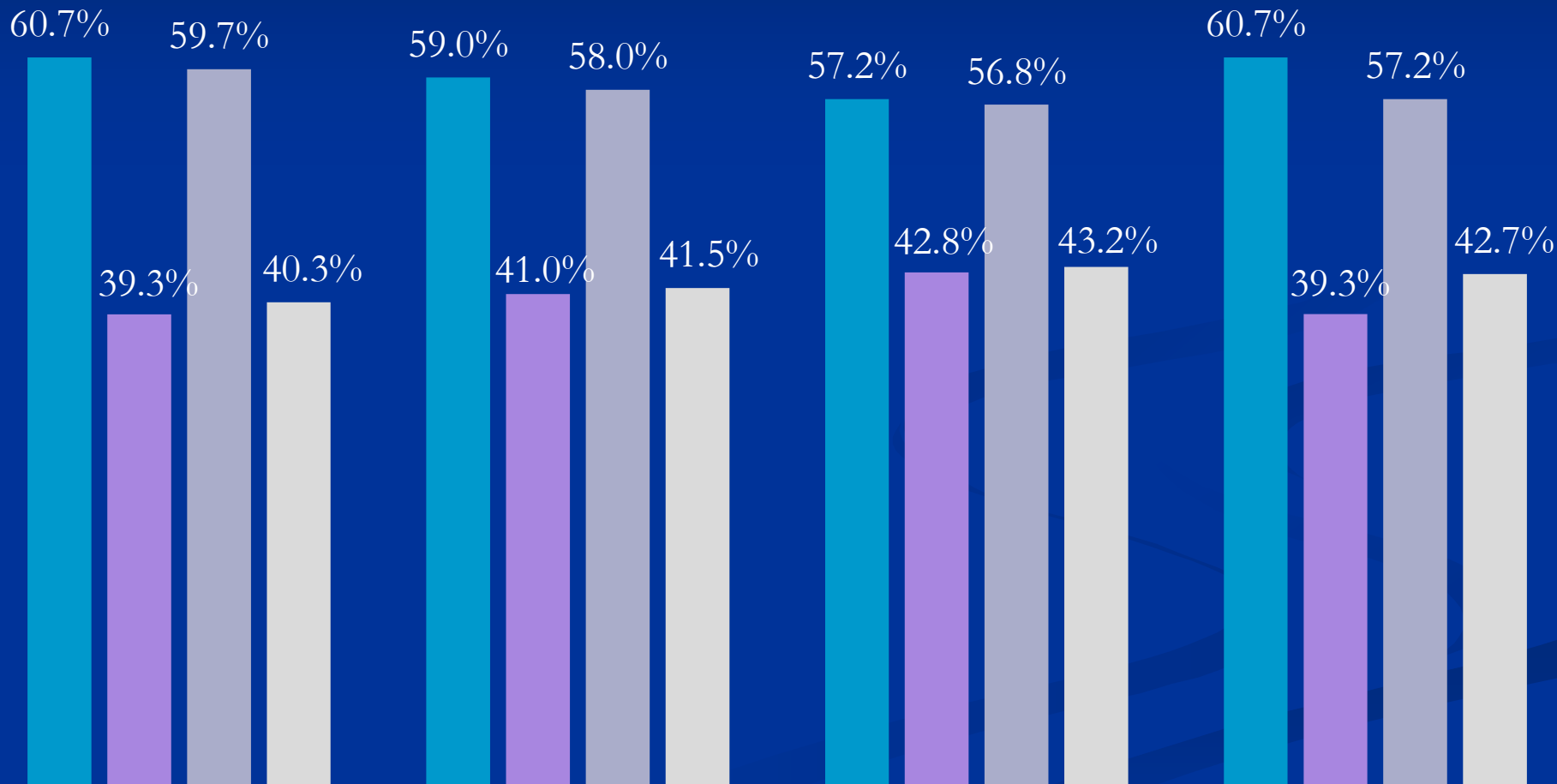


EADA Reveals about Financial Support for Females in the NCAA Division III without Football in 2007-2008 and since 2003-2004

- Operating expenses increased slightly to 49.6%, increased at a higher percent than for males, and totaled \$2,593,674 more for females.
- Recruiting expenses increased slightly to 48.9% and increased at a higher percent than for males.
- Total expenses decreased to 30.9% yet increased at a higher percent than for males.

National Association of Intercollegiate Athletics (281 institutions)

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



Number of Athletes

Grants-in-Aid

Operating Expenses

Recruiting Expenses

National Association of Intercollegiate Athletics

■ Total Expenses ■ Total Revenues

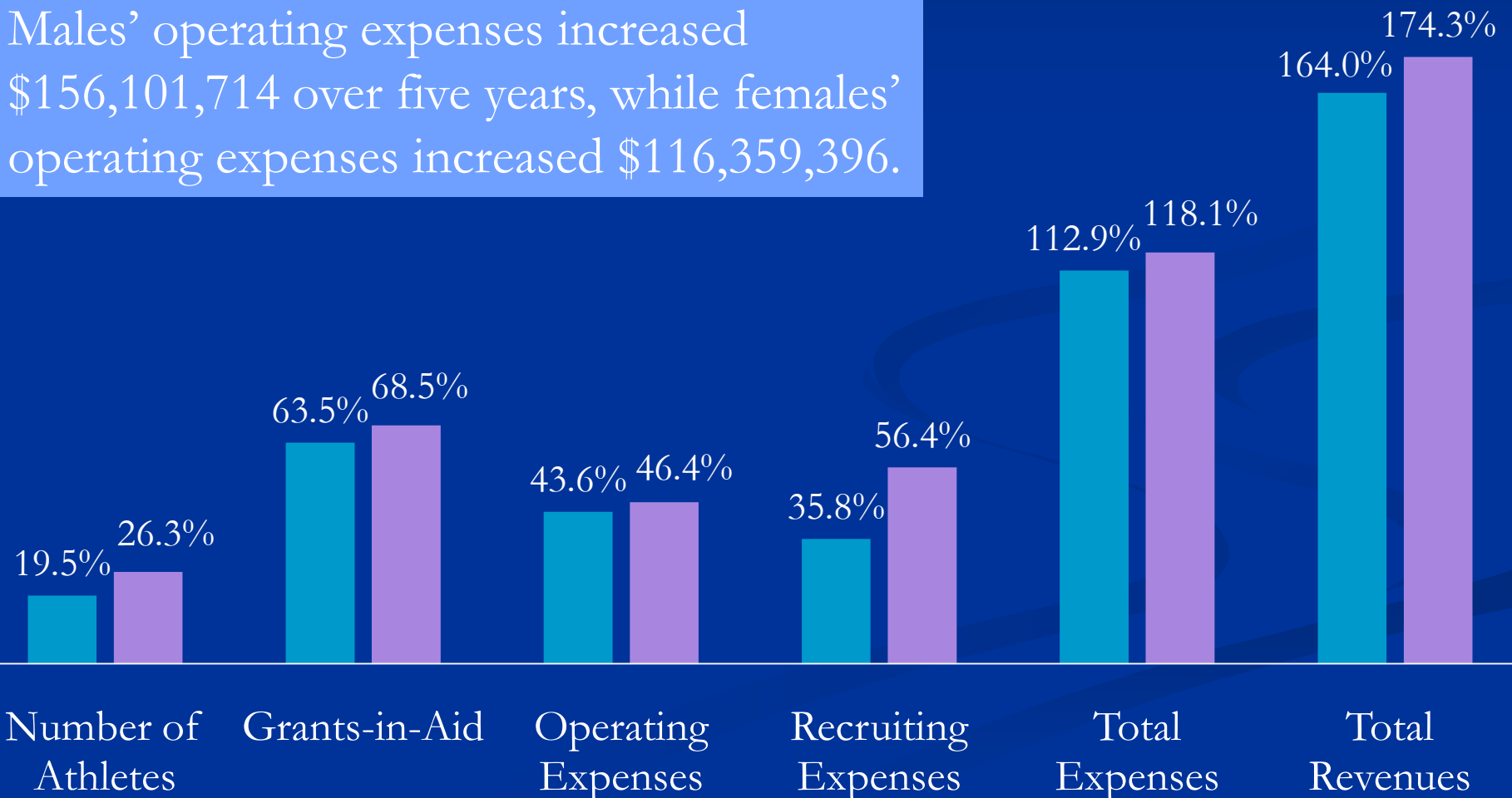


National Association of Intercollegiate Athletics

■ Male % increase from 2003 to 2008

■ Female % increase from 2003 to 2008

Males' operating expenses increased \$156,101,714 over five years, while females' operating expenses increased \$116,359,396.

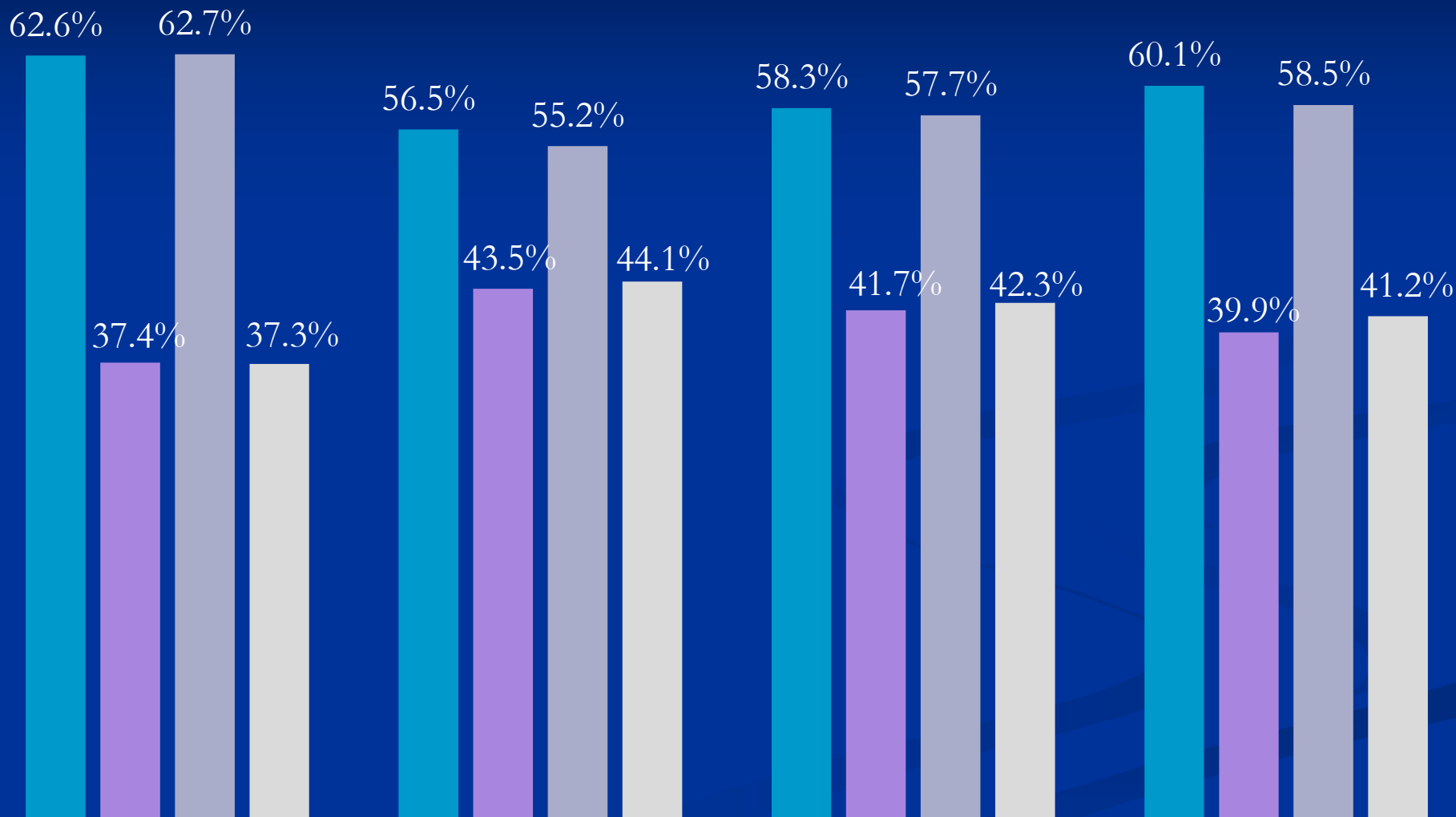


What EADA Reveals about Financial Support for Females in the NAIA in 2007-2008 and since 2003-2004

- Grants-in-aid increased slightly to 41.5% of the total and increased at a higher percent than for males.
- Operating expenses increased slightly to 43.2%, increased at a higher percent than for males, and totally \$39,742,318 less than for males.
- Recruiting expenses increased to 42.7% and increased at a higher percent than for males.
- Total expenses increased slightly to 36.4% and increased at a higher percent than for males.

National Junior College Athletic Association

■ 2003 Males ■ 2003 Females ■ 2008 Males ■ 2008 Females



Number of Athletes

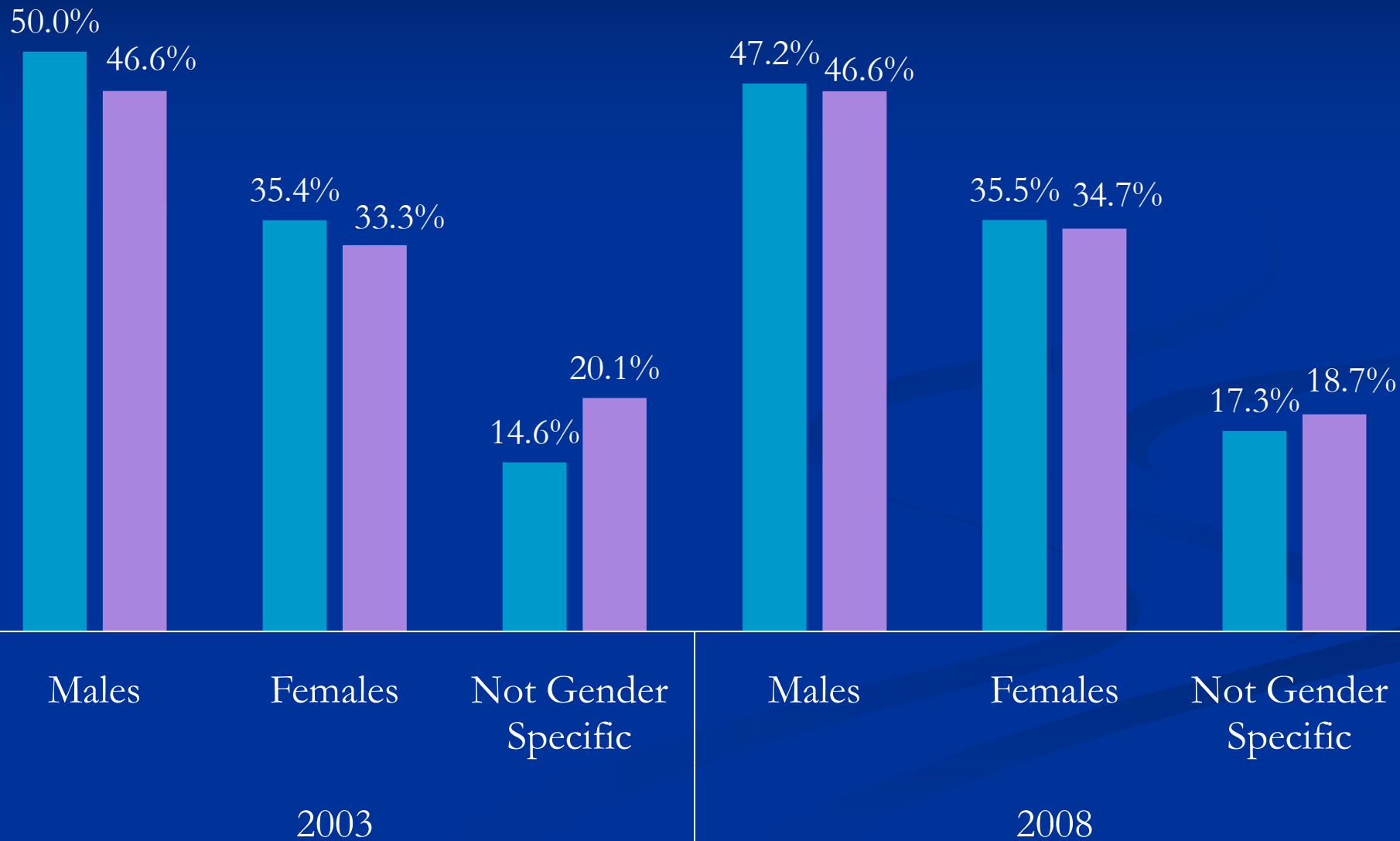
Grants-in-Aid

Operating Expenses

Recruiting Expenses

National Junior College Athletic Association

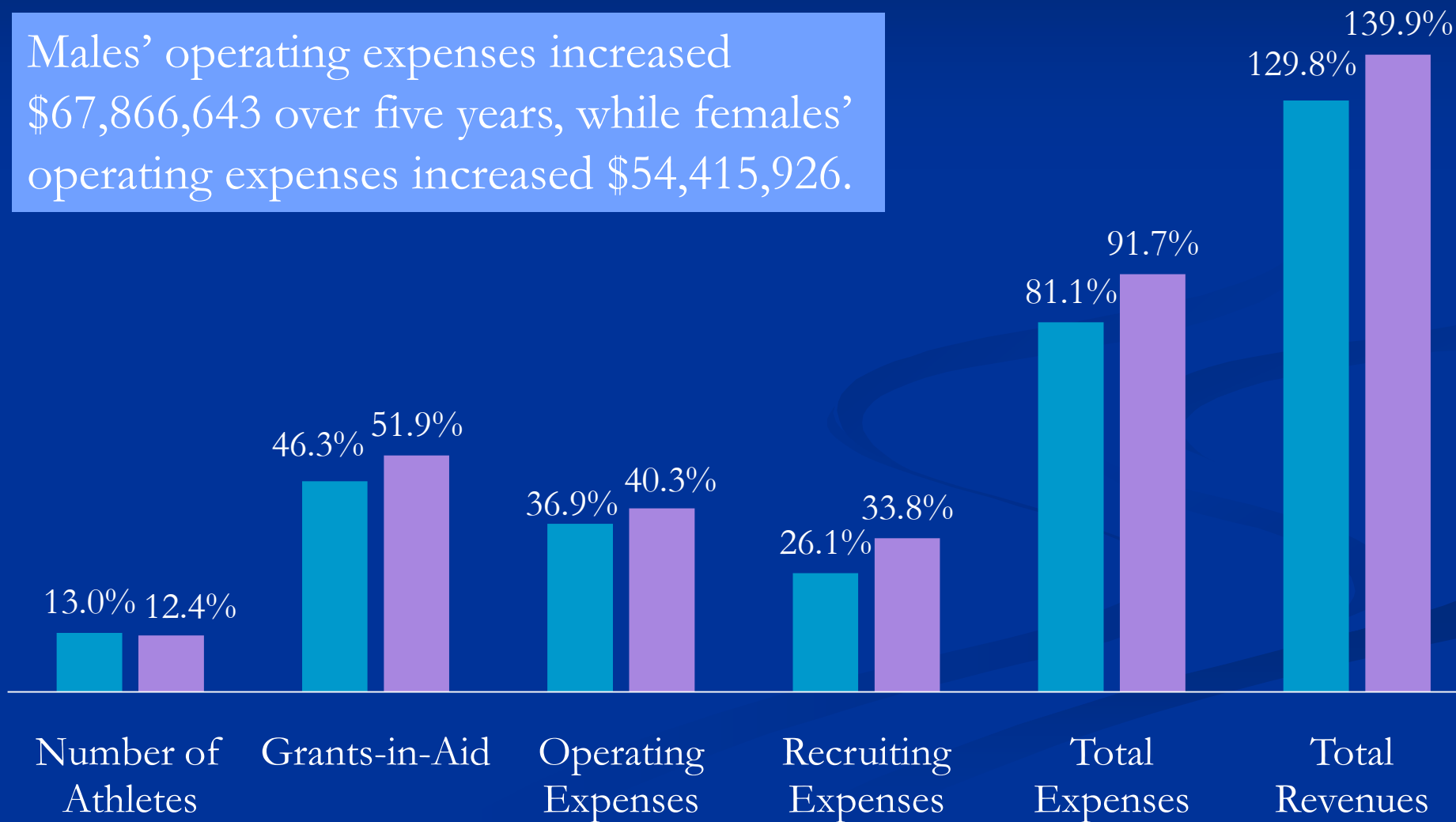
■ Total Expenses ■ Total Revenues



National Junior College Athletic Association

- Male % increase from 2003 to 2008
- Female % increase from 2003 to 2008

Males' operating expenses increased \$67,866,643 over five years, while females' operating expenses increased \$54,415,926.



What EADA Reveals about Financial Support for Females in the NJCAA in 2007-2008 and since 2003-2004

- Grants-in-aid increased slightly to 44.1% of the total and increased at a higher percent than for males.
- Operating expenses increased slightly to 42.3%, increased at a higher percent than for males, and totaled \$13,450,717 less than for males.
- Recruiting expenses increased slightly to 41.2% and increased at a higher percent than for males.
- Total expenses increased slightly to 35.5% and increased at a higher percent than for males.

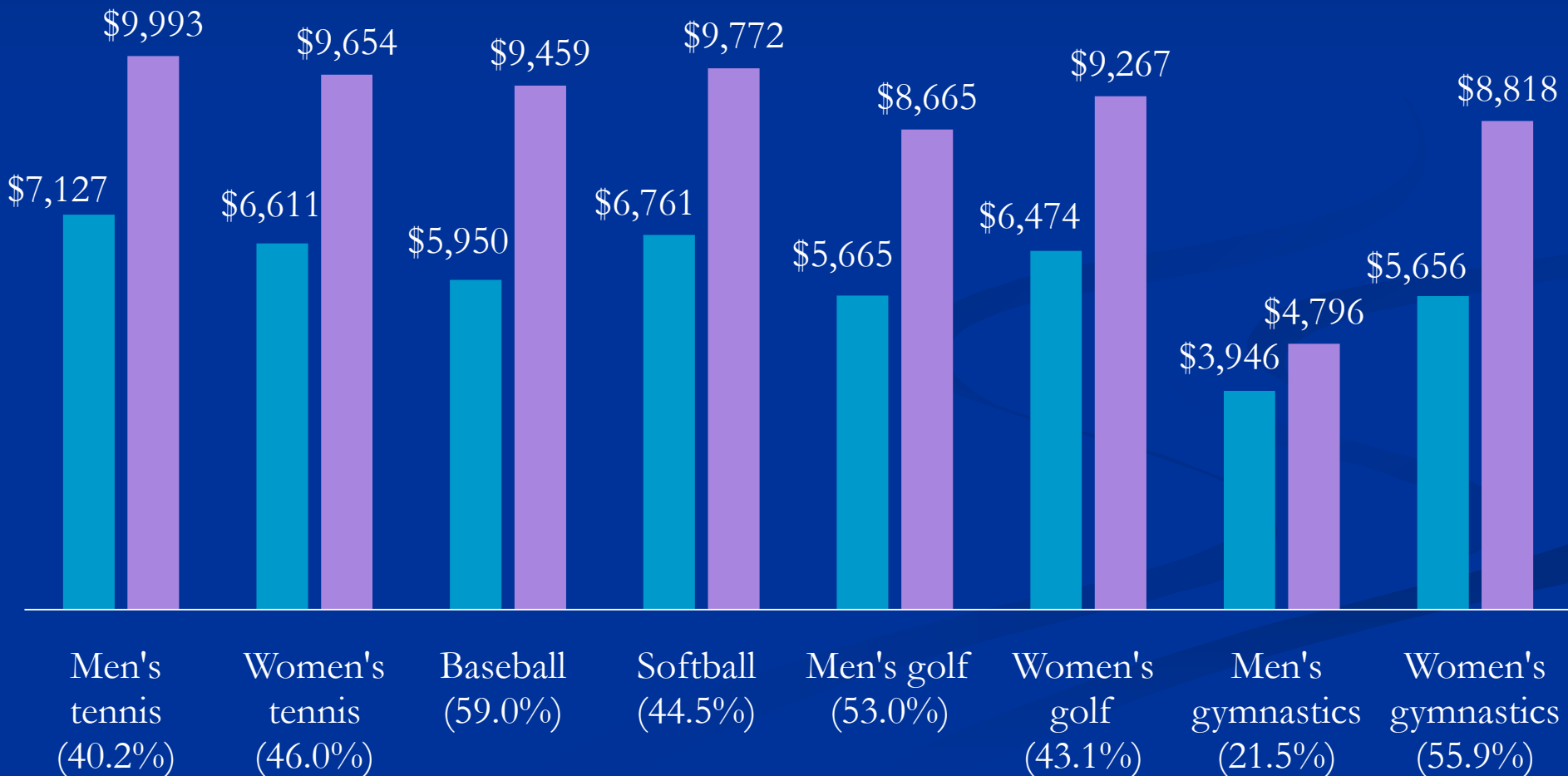
Increases in Operating Expenses per Athlete and Sport in the NCAA Football Bowl Subdivision

■ 2003 ■ 2008



Increases in Operating Expenses per Athlete and Sport in the NCAA Football Bowl Subdivision

■ 2003 ■ 2008



Operating Expenses per Athlete in NCAA FBS Increased Dramatically between 2003-2004 and 2007-2008

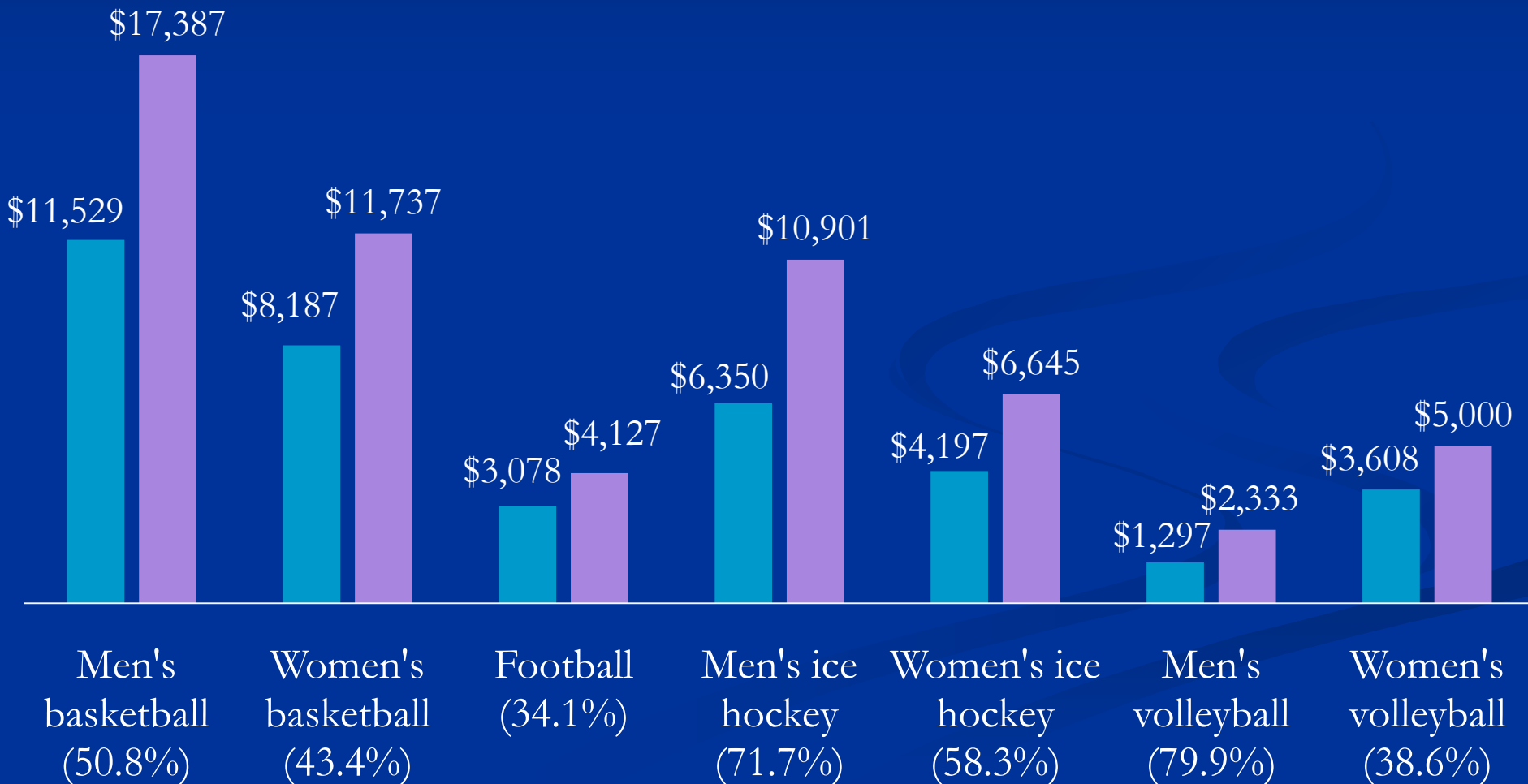
- Men's football (75.9%)
- Men's ice hockey (75.1%)
- Men's basketball (71.0%)
- Men's baseball (59.0%)
- Men's volleyball (58.8%)
- Women's gymnastics (55.9%)
- Men's golf (53.0%)
- Women's basketball (52.2%)

- Competitive facilities
- Practice facilities
- Training facilities
- Locker room facilities
- Coaches' salaries
- Travel and per diem
- Commercialization

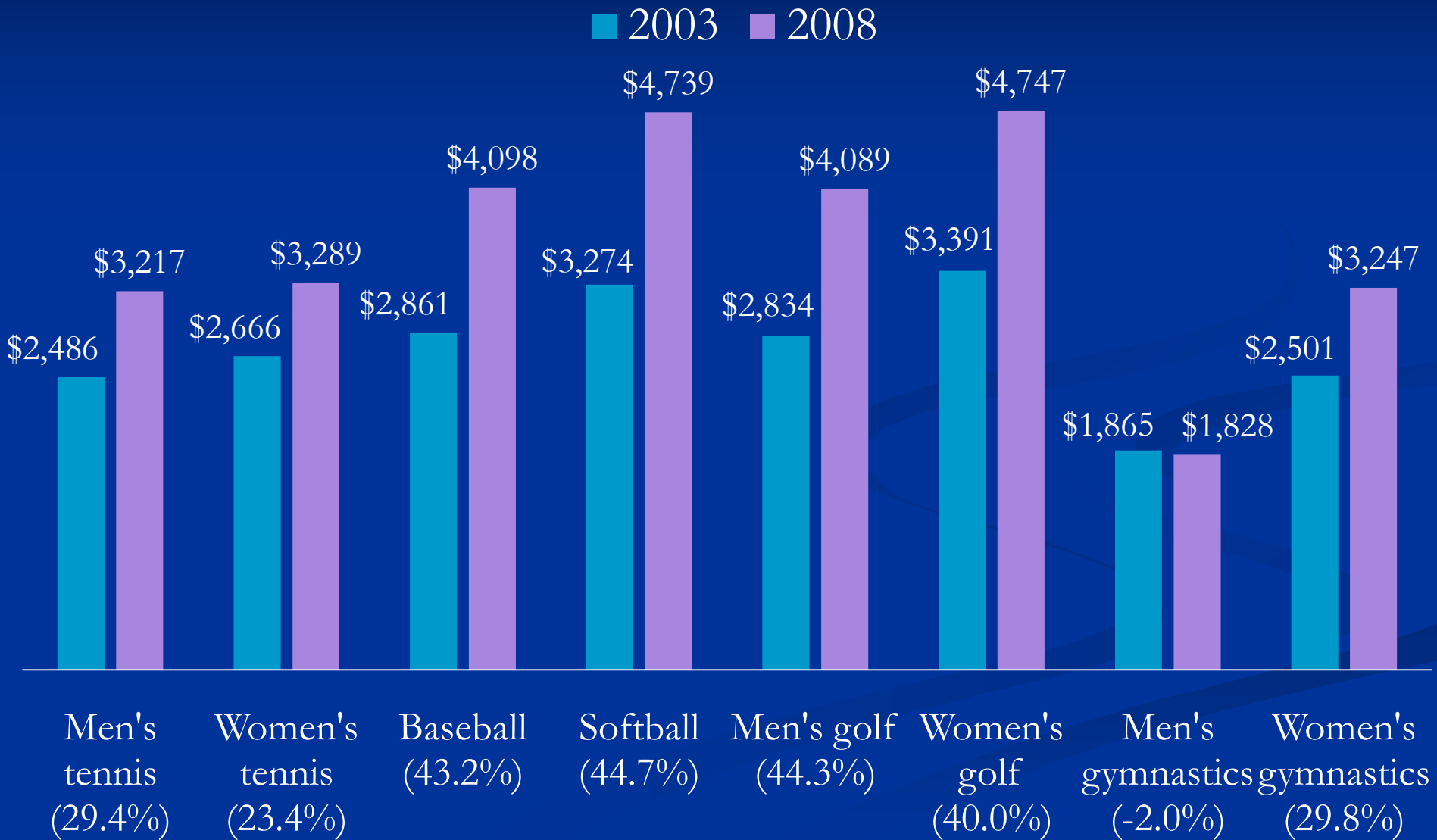
ARMS RACE

Increases in Operating Expenses per Athlete and Sport in the NCAA Football Championship Subdivision

■ 2003 ■ 2008

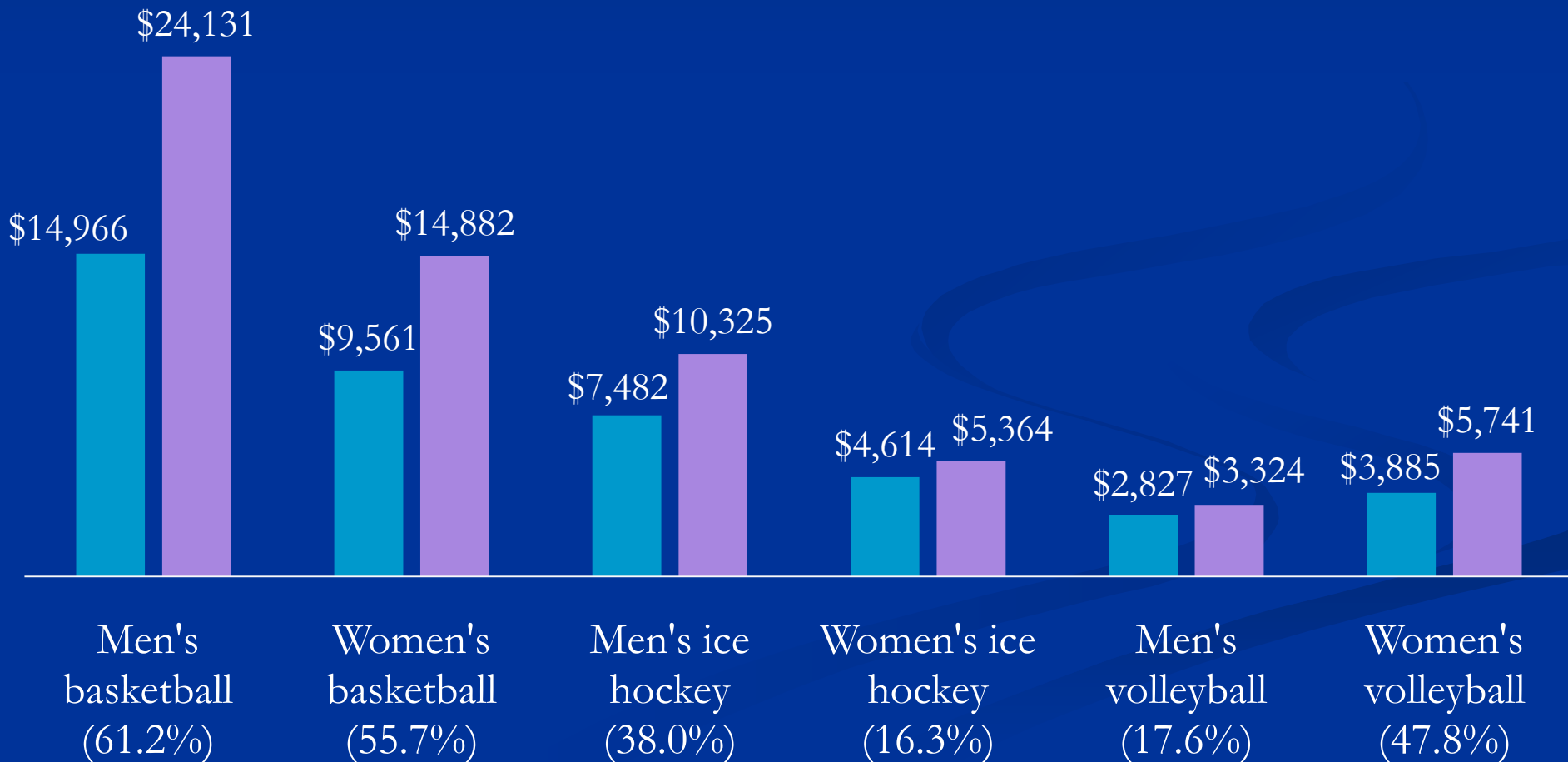


Increases in Operating Expenses per Athlete and Sport in the NCAA Football Championship Subdivision



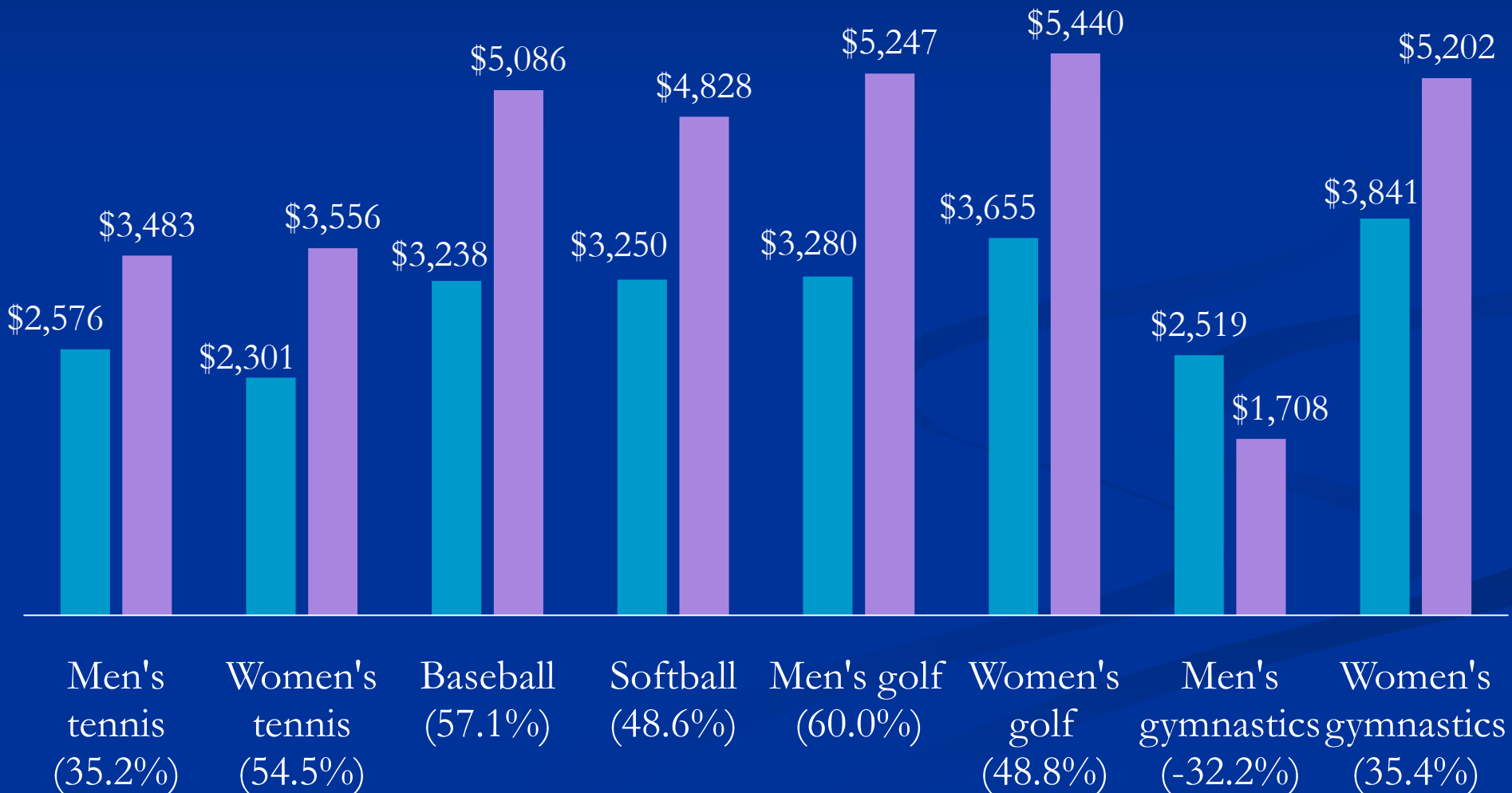
Increases in Operating Expenses per Athlete and Sport in the NCAA Division I-AAA (without Football)

■ 2003 ■ 2008



Increases in Operating Expenses per Athlete and Sport in the NCAA Division I-AAA (without football)

■ 2003 ■ 2008



Increases in Operating Expenses per Athlete in NCAA FCS and Division between 2003-2004 and 2007-2008

NCAA Football Championship Subdivision

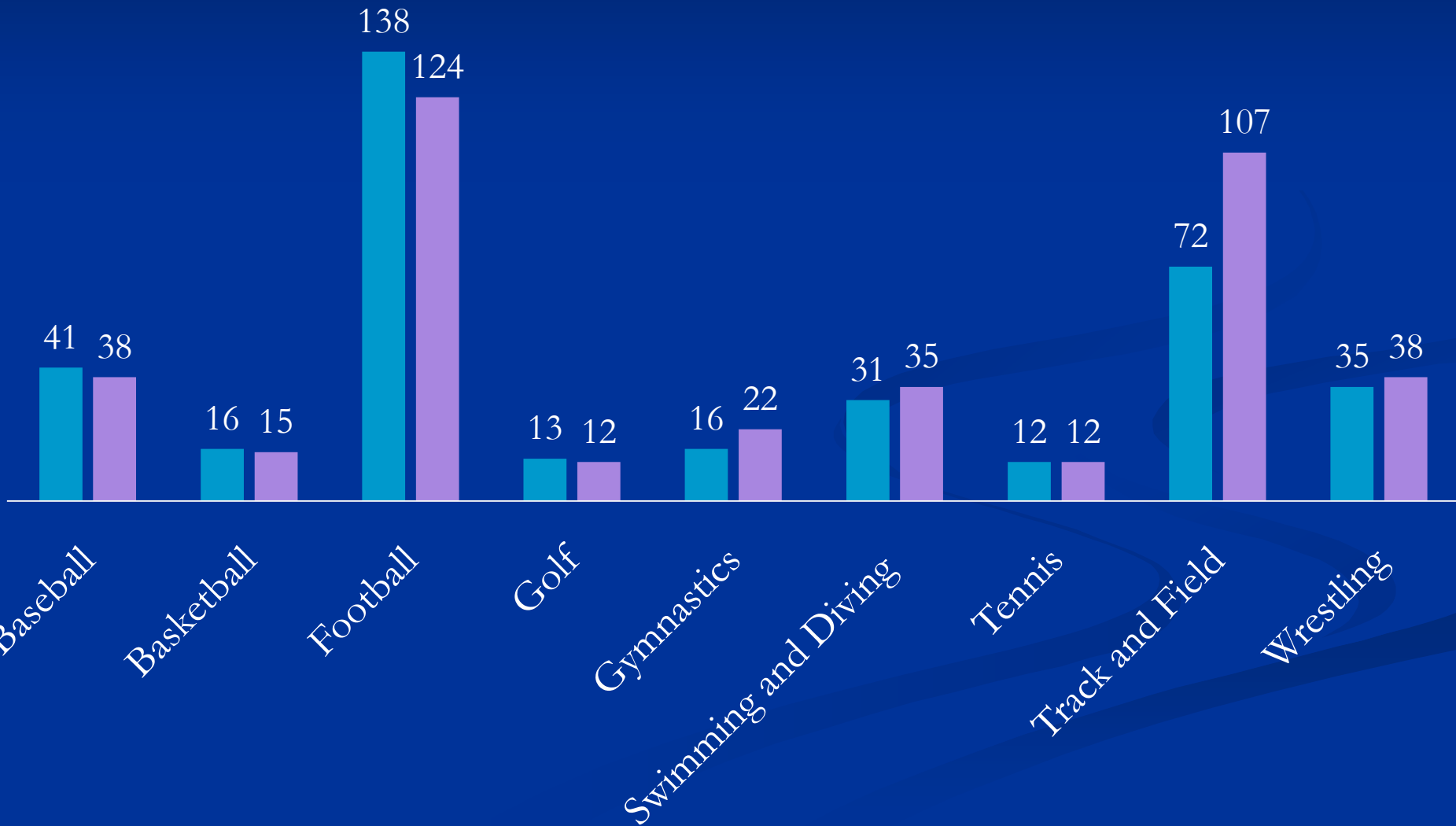
- Men's volleyball (79.9%)
- Men's ice hockey (71.7%)
- Women's ice hockey (58.3%)
- Men's basketball (50.8%)

NCAA Division I (without football)

- Men's basketball (61.2%)
- Men's golf (60.0%)
- Men's baseball (57.1%)
- Women's basketball (55.7%)
- Women's tennis (54.5%)

Average Number of Male Athletes per Sport in the Big 12 Conference

■ Men in 2003 ■ Men in 2008



NCAA Allowable Grants-in-Aid and Average Squad Sizes for Men's Teams in the Big 12 Conference

Allowable Grants-in-Aid (157.4)

- Football = 85
- Basketball = 13
- Track and field = 12.6
- Baseball = 11.7
- Wrestling = 9.9
- Swimming and diving = 9.9
- Gymnastics = 6.3
- Golf = 4.5
- Tennis = 4.5

Average Squad Sizes

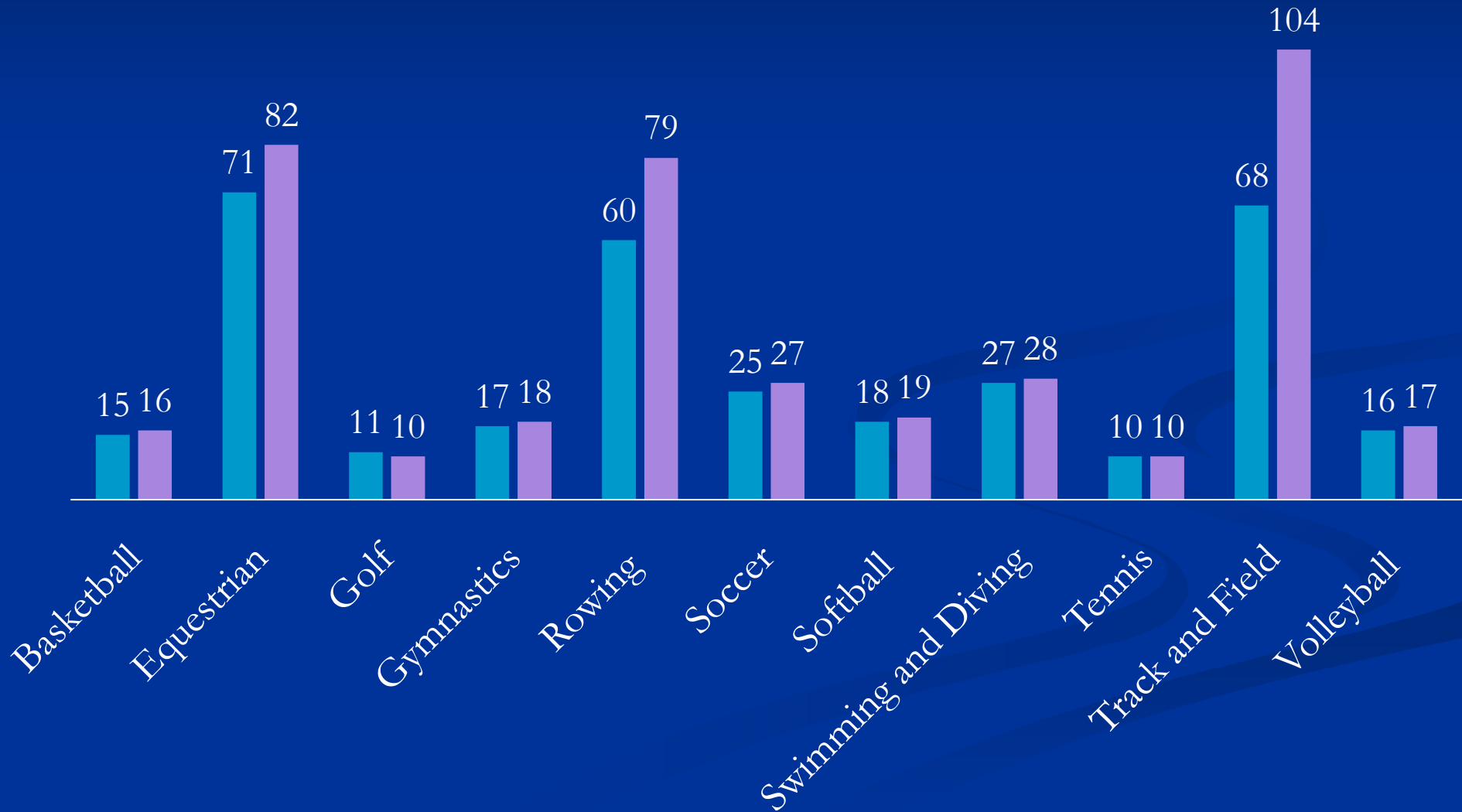
- Football = 124
- Basketball = 15
- Track and field = 107
- Baseball = 38
- Wrestling = 38
- Swimming and diving = 35
- Gymnastics = 22
- Golf = 12
- Tennis = 12

Cost-Saving Possibilities

- If each institution playing in the Big Twelve reduced the squad size of its football team from an average of 124 to the allowable 85 grants-in-aid and continued to spend the same average amount per football player of \$21,850, this would result in an annual savings of over \$850,000 per institution or a total of over \$10 million.
- If each of the 126 institutions playing in the Football Bowl Subdivision reduced its squad size by 20 football players (the current average is 108) and continued to spend the same average amount per player of \$21,850, this would result in an annual savings \$437,000 per institution or a total of over \$55 million.

Average Number of Female Athletes per Sport in the Big 12 Conference

■ 2003 ■ 2008



NCAA Allowable Grants-in-Aid and Average Squad Sizes for Women's Teams in the Big 12 Conference

Allowable Grants-in-Aid (146)

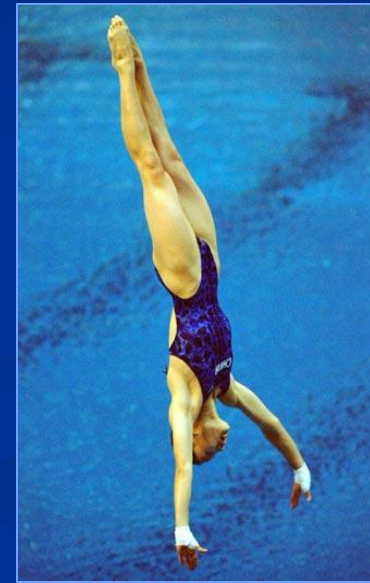
- Rowing = 20
- Track and field = 18
- Equestrian = 15
- Basketball = 15
- Swimming and diving = 14
- Soccer = 14
- Softball = 12
- Gymnastics = 12
- Volleyball = 12
- Tennis = 8
- Golf = 6

Average Squad Sizes

- Rowing = 79
- Track and field = 104
- Equestrian = 82
- Basketball = 16
- Swimming and diving = 28
- Soccer = 27
- Softball = 19
- Gymnastics = 18
- Volleyball = 17
- Tennis = 10
- Golf = 10

Some Questions to Consider

- Why are the allowable number of grants-in-aid for females higher than for males in equivalent sports like golf, gymnastics, swimming and diving, tennis, and track and field?
- Have the squad sizes for equestrian and rowing been increased without competitive opportunities to off-set the number of players on football teams?
- Are coaches of women's teams required to keep a minimum number of athletes on their teams while coaches of men's teams are prohibited from allowing walk-ons to play on their teams?



Where Are We Today?

- Key question: Would males or females accept for themselves all aspects of the athletic program (participation opportunities, grants-in-aid, recruiting expenses, and operating expenses) provided to individuals of the opposite gender?
 - **If the answer is yes, then the likelihood of compliance with Title IX is high.**
 - **If not, it is likely that compliance with Title IX has not been achieved.**

Is Title IX the Cause for the Elimination of Men's Teams?

- Elimination of a men's team is an institutional decision and not required by Title IX.
- When a men's team will be cut, compliance with Title IX is often cited as the cause rather than budget cuts to reduce expenses.
- Title IX does not require an equal number of teams by gender but educational opportunity in all programs.
- If institutional support is the primary revenue source for athletic programs, what percentage of resources should be provided to each gender?

2004-08 NCAA Revenues and Expenses of Division I Intercollegiate Athletic Programs Report

- Expenses continued to increase at a slightly faster rate than revenues across all three subdivisions.
- In all three subdivisions, while the number of athletes remained fairly constant, the expense per athlete continued to increase.
- The expense per athlete in the FBS was almost three times that in the FCS and over twice that in Division I without football.

Note: Allocated revenues include student fees, direct institutional support, indirect institutional support, and direct governmental support.

2004-08 NCAA Revenues and Expenses in the FBS

- In the 2007-2008, 25 programs in NCAA-member institutions reported positive net revenues.
- For all other programs in the FBS, the average annual net deficit was \$9,870,000 in 2007-2008.
- Salaries and benefits (33%) and grants-in-aid (17%) were the leading expense items.
- Ticket sales (26%) and donations (25%) accounted for over half of generated revenues.
- Allocated revenues rose to 30% of total revenues in 2007-2008 (up from 20% in 2005-2006).
- Substantial disparities continued to exist between salaries for male and female coaches.

2004-08 NCAA Revenues and Expenses in the FCS

- The average annual negative net generated revenues (expenses in excess of generated revenues) were \$7,937,000.
- Salaries and benefits (31%) and grants-in-aid (27%) were the leading expense items.
- Ticket sales (16%), donations (27%), and NCAA/conference distributions (18%) accounted for the highest percent of generated revenues.
- Allocated revenues remained steady in 2007-2008 at 72% of total revenues.
- Substantial disparities continued to exist between salaries for male and female coaches.

2004-08 NCAA Revenues and Expenses in Division I (without football)

- The average annual negative net generated revenues were \$8,031,000, a 32% increase over five years.
- Salaries and benefits (32%) and grants-in-aid (29%) were the leading expense items.
- Ticket sales (14%), donations (27%), and NCAA/conference distributions (18%) accounted for the highest percent of generated revenues.
- Allocated revenues rose slightly to 75% of total revenues in 2007-2008.
- Disparities between salaries for male and female coaches persisted, but the gap narrowed.

Knight Commission Report on Financing Intercollegiate Athletics

- To cut costs and make athletics more sustainable, university presidents in the FBS suggested
 - Reduce the number of coaches and sports-specific personnel for revenue-producing sports
 - Reduce the number of contests for non-revenue producing sports
 - Reduce the level of financial commitment required for FBS membership
 - Change the BCS and NCAA revenue distribution policies

Knight Commission Report on Financing Intercollegiate Athletics

- **Challenges associated with increasing costs in the FBS**
 - **Difficulties in balancing the athletic budget and keeping costs under control**
 - **Insidious and growing cultural divide between academics and athletics in which athletics is in an increasingly privileged position**
 - **Growing imbalance between the “haves and have-nots”**
 - **Competitive and financial pressures created by the arms race**

Conclusions

- Colleges have been required to comply with Title IX since 1978. Despite opposition, reluctance, resistance, and gradually expanded funding, most, if not all, institutions have never been in full compliance with this law.
- The fundamental requirements of Title IX have remained unchanged since 1988.
- The competitive opportunities and financial support for women's teams have remained consistently higher in institutions without football teams than in institutions with football teams at the same competitive levels.

Conclusions

- At most competitive levels, the highest percent of funding for female athletes is in grants-in-aid.
- The highest percent of and total increases in operating expenses per athlete through 2007-2008 in NCAA Division I institutions are provided to male athletes.
- Allocated revenues have become the primary source of funding for intercollegiate athletic programs except for the FBS.
- The current imbalance between expenses and revenues at all competitive levels in intercollegiate athletics cannot be sustained.

Questions and Comments



Thank you for attending this session.

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