

## **Quick Facts on Title IX and Athletics**

*As Title IX turns 35 this June, the National Women's Law Center provides this briefing to help explain this important civil rights law.*

**Title IX of the Education Amendments of 1972 is the federal law that prohibits sex discrimination in education.** Title IX says: "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 education program or activity receiving Federal financial assistance."

**Title IX is best known for creating more opportunities for women and girls to play sports.** Title IX requires schools and colleges receiving federal funds to give women and girls an equal chance to play sports and to treat men and women equally when it comes to athletic scholarships and other benefits like equipment, coaching and facilities.

**But Title IX does not apply ONLY to athletics.** The law prohibits sex discrimination in ALL aspects of education, including career and technical education programs, assignment to classes, employment policies, standardized testing, and treatment of pregnant and parenting teens.

**Since Title IX, the number of male AND female student athletes has greatly increased.** The number of male college athletes increased from 170,384 in 1972 to 228,106 in 2005-06;<sup>1</sup> the number of female college athletes increased over five-fold, from 31,852<sup>2</sup> to 170,526 over the same period.<sup>3</sup> The number of high school girls playing competitive sports grew from fewer than 300,000 before Title IX<sup>4</sup> to 2.95 million in 2005.<sup>5</sup> This shows that women's – and men's - interest in sports is manifested as they have increased opportunities to play.

**Even so, Title IX's role in athletics is not yet finished.** Resources for women's athletic programs continue to lag behind men's. While women are 53% of the student body at Division I colleges, they are only 44% of the athletes, receive only 32% of recruiting dollars, 45% of the scholarship monies, and 37% of the overall amounts that colleges spend to support their teams.<sup>6</sup> At the high school level, the inequitable treatment, budgets and equipment girls receive can be far worse.

**There are important things that Title IX does not do. It does not mandate "quotas."** The use of this hot-button word creates the impression that schools, especially in the area of athletics, must set aside a certain mandatory number of slots for women. In fact, every court that has heard this argument has said that Title IX does NOT require quotas. A school can comply with Title IX by showing that it is trying to expand opportunities for female athletes or that it is accommodating the interests and abilities of female students at the school.

**Nothing in Title IX requires colleges and universities to cut men's teams.** Most schools comply with Title IX by adding athletic opportunities for women without cutting teams. In fact, a study done by the Government Accountability Office found that 72% of colleges and universities that added women's teams did so without cutting any men's teams. Football and basketball continue to consume the majority of men's total athletic budgets in Division I-A schools - 74% - forcing the other men's programs to compete for the remaining funds, with the women's program also getting only a small share of the total athletics budget.<sup>7</sup>

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1. National Collegiate Athletic Association (NCAA), 1981-82—2005-06 NCAA Sports Sponsorship and Participation Rates Report 78 (2006).
  2. See Department of Health, Education, and Welfare, Policy Interpretation, 44 Fed. Reg. at 71419 (1979).
  3. National Collegiate Athletic Association (NCAA), 1981-82—2005-06 NCAA Sports Sponsorship and Participation Rates Report 76 (2006).
  4. National Federation of State High School Associations (NFHS), 1971 Sports Participation Survey (1971).
  5. National Federation of State High School Associations (NFHS), 2005 High School Athletics Participation Survey 2 (2005).
  6. National Collegiate Athletic Association (NCAA) 2003-04 Gender-Equity Report 25 (2006).
  7. National Collegiate Athletic Association (NCAA), 2002-03 Revenues and Expenses of Divisions I and II Intercollegiate Athletics Programs Report 32 (2005).