NATIONAL WOMEN'S LAW CENTER
EXPANDING THE POSSIBILITIES

TITLE IX

FACT SHEET

The Battle for Gender Equity in Athletics in Colleges and Universities

June 2012

Title IX of the Education Amendments of 1972 bars sex discrimination in all schools that receive federal funding, including in their athletic programs. Title IX requires schools to (1) offer members of both sexes equal opportunities to play sports; (2) allocate athletic scholarships equitably; and (3) treat male and female athletes equally with respect to other benefits and services, such as equipment, coaching and facilities. While Title IX has led to greater opportunities for girls and women to play sports, receive scholarships, and obtain other important benefits that flow from sports participation, its goal of equal opportunity in sports has yet to be realized.

Title IX Has Partially Opened Doors for Women

Because of Title IX, women have gone from being almost totally excluded from athletics to having a disproportionately small but important share of athletic opportunities.

- When Congress passed Title IX in 1972, fewer than 32,000 women competed in intercollegiate athletics.[1] Women received only 2% of schools' athletics budgets, and athletic scholarships for women were nonexistent.[2]
- Title IX has made a huge difference in female participation in intercollegiate sports. The number of college women participating in competitive athletics is now nearly five times the pre-Title IX rate. In 2010-11, a record number of 193,232 women competed, representing 44% of college athletes nationwide.[3]

Despite Advances, Women Have Not Yet Achieved Equity In Athletics

- Although women are over half of the undergraduates in our colleges and universities, female participation in intercollegiate sports just recently caught up to pre-Title IX male participation: While 170,384 men played college sports in 1971-1972 (Title IX was passed in 1972), female intercollegiate athletes did not pass 170,000 until 2005-2006.[4]

Young Women Face Inequities Nationwide

Complaints of discrimination at college and universities involve schools providing inadequate participation opportunities and inferior treatment for female students and athletes.

- **Connecticut:** In 2009, Quinnipiac University in Hamden, Connecticut cut its women's volleyball team and elevated cheerleading to varsity sport status. The volleyball team's coach, along with several players, filed a suit[5] against the school alleging that the changes violated Title IX. The Court ruled that cheerleading did not count as a sport under Title IX's regulations[6], and order Quinnipiac to reinstate volleyball.

- **California:** In 2003, Arezou Mansourian and two other female students at the University of California Davis filed a Title IX suit alleging that they had been denied access to the school's wrestling team, which had previously been open to students of all genders. The students

Examples of Unequal Opportunities - *continued* -

also claimed that UC Davis was not providing women with equal participation opportunities overall. The case was settled in 2012 after a finding by the District Court of Eastern California that UC Davis had not expanded its athletics programs for women in a manner compliant with Title IX.[7]

- **Georgia:** Fort Valley State University in Fort Valley, Georgia, eliminated its women's volleyball team in March 2012, leaving its players who were attending the school on athletic scholarships out in the cold. Eliminating the team threatened the university's compliance with Title IX, in that without the opportunities providing by the volleyball team, it did not provide equal opportunities for male and female students. Upon the urging of Title IX advocates, Fort Valley State has since reinstated the team – and the scholarships of its players.[8]

- And the playing field is still not level. While more than half of the students at NCAA schools are women, they receive only 44% of the athletic participation opportunities.[9] Moreover, female athletes at the typical Division I-FBS (formerly Division I-A) school receive roughly 28% of the total money spent on athletics, 31% of the recruiting dollars, and 42% of the athletic scholarship dollars.[10] In addition, at the typical FBS school, for every dollar spent on women's sports, about two and a half dollars are spent on men's sports.[11]
- There is no shortage of interest by women and girls in participating in athletics. Since 1972, when Title IX first opened up opportunities for women and girls, female participation in athletics has skyrocketed, disproving claims made by opponents of Title IX that the lower numbers of female athletes are due to lack of interest as opposed to lack of opportunities.[12]

Women Who Play Sports Experience Significant Benefits

Competitive athletics promote greater academic and employment success, increased personal skills and a multitude of health benefits for all female athletes.[13] Title IX's mandate of equality in sports is especially important for minority women and girls.

Greater Academic Opportunities and Success

- Female college athletes in NCAA Division I schools generally graduate at higher rates than other students.[14]
- The availability of athletic scholarships dramatically increases a young woman's ability to pursue a college education and to choose from a wider range of colleges and universities. Yet women still do not receive their fair share of athletic scholarship dollars. In 2010, women at the typical DI-FBS school received roughly 42% of the total available athletic scholarship dollars – a difference that amounts to over $1 million more per year in athletic scholarships at the typical school.[15]
- Minority female athletes get better grades than their nonathletic peers[16] -- in particular, black female athletes are 15% more likely to graduate from college.[17] Hispanic female athletes are more likely to graduate from high school and attend college.[18]

Increase in Employment Opportunities

- A recent study using state-level data concluded that an increase in female sports participation leads to an increase in women's labor force participation down the road and greater female participation in previously male-dominated occupations, particularly high-skill, high-wage ones.[19]
- In addition, more than four out of five executive businesswomen played sports growing up, and the vast majority reported that the lessons they learned on the playing field contributed to their success in business.[20]
- A survey of senior managers and executives worldwide found that 90% of the women sampled had played sports at some point in their education. Over 96% of women in C-level positions had played sports.[21]
- Female and minority athletes are more likely to aspire to hold leadership positions later in life than their peers who are not athletes.[22]

Health Benefits

- Sports participation decreases a young woman's chance of developing heart disease, osteoporosis, and other health related problems.[23]
- Women who participate in sports significantly reduce their risk of developing breast cancer.[24]
- Female college athletes are less likely to smoke than their non-athletic peers.[25]
- Female college athletes are are less likely than non-athletes to use drugs.[26]
- Female college athletes are significantly less likely to get pregnant than their non-athlete peers.[27]
- Young women who play sports have a higher level of self-esteem, a lower incidence of depression and a more positive body image.[28]

Increased Opportunities for Female Athletes: Success Stories

Increased participation by women and girls in sports since Title IX has led to a new generation of athletes and fans who pack stadiums and spend a growing number of consumer dollars on women's sports.

- In 1989, the University of Connecticut's women's basketball team played before just 287 fans in the front half of a doubleheader shared with the men. During the 2009-10 season, UConn women set the NCAA "record for invincibility"[29] by earning a 90-game winning streak, supported by a total of 357,627 fans attending Connecticut's 39 games.[30]
- Women's rowing and soccer programs have experienced some of the biggest gains since Title IX was enacted. The number of women's crew teams nationwide increased from 12 teams in 1991 to 147 teams in 2013. Women's soccer teams have increased from 318 NCAA teams in 1991 to 1,011 teams in 2013.[31]
- Women's soccer continues to grow in popularity. The first time the United States hosted the Women's World Cup, in 1999, fans broke attendance records for a women's sports event. The opening match between the United States and Denmark drew a record-breaking crowd of 78,972 fans.[32] The final, between the United States and China, brought a crowd of 90,185 to the Rose Bowl, the largest crowd ever to witness a women's athletic event.[33] The 2011 World Women's World Cup played multiple sold out matches and, during the final, broke the Twitter world record in number of tweets per second: 7,196.[34] All 32 games were broadcast live on ESPN or ESPN2.[35]
- Women won a record 53 Olympic medals in the 2008 Summer Olympic Games, including gold medals in basketball, soccer, and doubles tennis. The United States' women's basketball team is a powerhouse that has won the gold medial at the last four Summer Olympics. The women's ice hockey team won the silver in the 2010 Winter Olympic Games, and U.S. women won twelve medals at the Winter Olympics in 2010.[36] In 2002, the first African-American ever to win a gold medal in the Winter Olympics was a woman.[37]

Women and girls have come a long way since the enactment of Title IX, but much work still needs to be done to fulfill the law's promise.

Are you concerned about sports inequities at your school? Call NWLC @ 1.855.HERGAME

1 *See* Department of Health, Education, and Welfare, Policy Interpretation, 44 Fed. Reg. at 71419 (1979).

2 Remarks of Senator Stevens (R-AL), 130 Cong. Rec. S 4601 (daily ed. April 12, 1984).

3 National Collegiate Athletic Association (NCAA), 1981-82—2010-11 NCAA Sports Sponsorship and Participation Rates Report 69-60October 2011).

4 NCAA, *1981-82—2005-06 Participation Rates Report,* 76, 78, 224 supra note 3.

5 National Women's Law Center, *Quinnipiac University Sued for Title IX Violation* (14 May 2009), *available at* http://www.nwlc.org/our-blog/quinnipiac-university-sued-title-ix-violation

6 *Biediger v. Quinnipiac University*, 728 F.Supp.2d 62 (D.Conn. 2010), *aff'd* 691 F.3d 85 (C.A.2 2010).

7 Diverse Issues in Higher Education, *UC Davis Pays $1.35M To Settle Title IX Case* (20 Feb 2012), *available at* http://diverseeducation.com/article/16844/#

8 Public Justice Center, *Fort Valley State University Reinstates Women's Volleyball Team to Avoid Title IX Suit* (13 Aug 2012), *available at* http://publicjustice.net/content/fort-valley-state-university-reinstates-womens-volleyball-team-avoid-title-ix-suit-1

9 NCAA, *Supra* at 4

10 NCAA, 2004-10 *Gender-Equity Report* 28-36 (January 2012). (All figures from the NCAA Gender Equity Report exclude spending that is not specifically allocated by gender.)

11 *Id.* 36

12 NFHS, 2010-11 *High School Athletics Participation Survey* 2 (2011); *id*. at 3.

13 Alex Poinsett, Carnegie Corporation of New York, *The Role of Sports in Youth Development* 9 (March 1996).

14 Her Life Depends On It II: Sport, Physical Activity, and the Health and Well-Being of American Girls, 49 (East Meadow, NY: Women's Sports Foundation, 2009)

15 NCAA, *Supra* note 11, at 24, 76, 33.

16 Sabo D., Minorities in Sports: the Effect of Varsity Sports Participation on the Social, Educational, and Career Mobility of Minority Students (East Meadow, NY, Women's Sports Foundation 1989).

17 Jerry Crowe, "Graduation Rates Fall for Most Players," *Los Angeles Times*, Nov. 21, 2000, at D6.

18 *Her Life Depends On It II*, *supra* note 15, at 49.

19 Betsey Stevenson, *Beyond the Classroom: Using Title IX to Measure the Return to High School Sports* 23-24 (Nat'l Bureau of Econ. Research, Working Paper No. 15728, 2010).

20 Women's Sports Foundation, Women's Sports and Physical Activity Facts and Statistics 14 (2007), *available at* http://www.womenssportsfoundation.org/binary-data/WSF_ARTICLE/pdf_file/191.pdf.

21 Ernst & Young, *Women Athletes Global Leadership Network: Perspectives on sport and teams* (2013) *available at* http://www.ey.com/BR/pt/About-us/Our-sponsorships-and-programs/Women-Athletes-Global-Leadership-Network---perspectives-on-sport-and-teams

22 Sabo, *supra* note 17.

23 *See generally Her Life Depends On It II;* see generally Dorothy Teegarden, et al., "Previous Physical Activity Relates to Bone Mineral Measures in Young Women", 28 Medicine and Science in Sports and Exercise 105 (January 1996).

24 L. Bernstein et al., "Physical Exercise and Reduced Risk of Breast Cancer in Young Women", 86 Journal of the National Cancer Institute 1403 (1994); *see also* Marilie D. Gammon, et al., "Does Physical Activity Reduce the Risk of Breast Cancer? (Abstract), 3 Menopause: The Journal of the North American Menopause Society 172 (1996).

25 *Her Life Depends On It II*, *supra* note 15, at 29.

26 *Her Life Depends On It II*, *supra* note 15, at 33. Drugs include marijuana, "hard drugs such as cocaine, LSD, opiates, stimulantss, or ecstasy," prescription drugs, and "designer 'club' drugs."

27 *Her Life Depends On It II*, *supra* note 15, at 39.

28 *See,* e.g., Don Sabo et al., *High School Athletic Participation and Adolescent Suicide: A Nationwide Study, International Review for the Sociology of Sport* (2004) (on file with the Women's Sports Foundation); G. Nicoloff, and T.S. Schwenk, "Using Exercise to Ward Off Depression", 9 Physician Sports Med. 23, 44-58 (1995); R.M. Page & L.A. 12 Tucker, "Psychosocial Discomfort and Exercise Frequency: An Epidemiological Study of Adolescents," 29 Adolescence, 113, 183-91 (1994) (suggesting that physically active adolescents tend to feel less lonely, shy, and hopeless as compared to their less physically active peers).

29 Jeré Longman, "UConn Women Own the Longest Streak," *The New York Times*, December, 2010, available at http://www.nytimes.com/2010/12/22/sports/ncaabasketball/22uconn.html.

30 John Altavia, "Tennessee Finishes Ahead Of UConn In NCAA Report On Attendance," Courant.com, May 2010, *available at* http://blogs.courant.com/uconn_womens_basketball/2010/05/tennessee-finishes-ahead-of-uc.html.

31 NCAA, 1981-82—2012-13 *NCAA Sports Sponsorship and Participation Rates Report* 29, 73 (2013).

32 Amy Shipley, "U.S. Rolls in Cup Opener,@ Washington Post, June 20, 1999, at D1. (The previous record was set by the 76,489 fans who watched the US beat China for the 1996 Summer Olympic soccer gold medal.)

33 William Gildea, "AU.S. Takes One for the Team; Collective Selflessness Culminates in Title at Women's World Cup," *Washington Post*, July 11, 1999, at A1.

34 Associated Press, "Tweets per second mark set during final." July 18, 2011, *available at*: http://espn.go.com/sports/soccer/news/_/id/6779582/women-world-cup-final-breaks-twitter-record

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36 *U.S. Olympic Medal Winners,* USA Today, *available at:* http://content.usatoday.com/sports/olympics/vancouver/medals/United-States.

37 Bud Greenspan, "Will They Make History?" Parade.com, Feb. 5, 2006, *available at* http://www.parade.com/articles/editions/2006/edition_02-05-2006/Olympics.