

Division I Title IX Compliance: Methods, Motives, and Measures

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Title IX, of the Education Amendments Act of 1972, is a United States federal statute that was created to prohibit sex discrimination in education programs that receive federal financial assistance. Since its inception, the number of women participating in intercollegiate athletics has increased well over 500% (Acosta & Carpenter, 2008). Women are now given more opportunities to participate on the playing field and they receive more funding for scholarships, travel expenses, equipment, and facilities (Bryjak, 2000; Semo & Bartos, 2002). Despite the tremendous strides this legislation has made throughout the last 36 years, it still remains controversial in some circles, there are no solid statistics related to the percentage of schools actually "in compliance," and there is still expressed uncertainty regarding the three-prong test and its application. The most often employed method of compliance is the proportionality prong (NCWGE, 2002). This compliance method provides the option to comply with the participation requirements of Title IX by providing participation opportunities substantially proportionate to the ratio of males to females in the student body. Many administrators have viewed this prong as their only compliance option because they have found it difficult to meet the terms of the other two prongs (Carpenter & Acosta, 2005), and the U.S. Department of Education's guidelines have designated a numerical balance to be a "safe harbor" regarding gender equity concerns (U.S. Department of Education, 1996). This prong is controversial, however, because some have deemed it an unfair ratio system and many athletic directors, particularly in the face of financial pressures, have chosen to cut men's sports rather than increase opportunities for women (Staurowsky, Lawrence, Paule, & Reese, 2007; Goplerud, 2003).

The other two prongs or compliance options that an institution may utilize in order to satisfy the participation requirements of Title IX include demonstrating a history and continuing practice of expanding opportunities for the underrepresented sex, or fully and effectively accommodating the interests and abilities of the underrepresented sex. Both of these options can be difficult to quantify, and as such may be difficult in an effort to "prove" compliance. In the last six years alone, these issues have been addressed through a federal commission (2002), a commission final report (Secretary of Education's Commission on Opportunity in Athletics, 2003), a further clarification letter (U.S. Department of Education, 2003), an additional clarification of prong three (OCR, 2005), and a dismissal of the OCR clarification by the NCAA (Brand, 2005).

The purpose of this study is to make strides toward establishing a reality related to Title IX compliance at the Division I level. To this end, Senior Woman Administrators will be asked whether they believe their athletic departments are in compliance with Title IX. Further, their institutional methods of compliance and the motivations behind these methods will be explored. Specifically, which prong is being utilized, what methods are employed in order to achieve compliance under that prong, and why the athletic administrators have chosen that particular method of compliance.

The study utilized a 10-item scale to investigate Division I Senior Woman Administrator methods, motives, and measures related to Title IX compliance. The instrument was created specifically for this study, thus the construct validity was addressed utilizing a panel of experts (n=10). The instrument was disseminated via an electronic survey sent directly to the entire population of Division I Senior Woman Administrators (n=333). Descriptive statistics will be generated for scale items. In addition, the authors will apply regression analysis to examine the impact on compliance status of subdivision IA, prong utilized, and athletic department budget.

Within this presentation, the authors will discuss the current state of Title IX compliance at the Division I level. Methods of compliance, motivations behind the compliance decisions, and significant findings from the regression analysis will also be examined. The findings will be compared with previous benchmark studies and the implications that these new findings have on the intercollegiate athletic landscape and discipline of sport management.