

The Administrative Enforcement of Title IX in Intercollegiate Athletics

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Introduction

Title IX of the Education Amendments of 1972¹ was the "single most important catalyst" for the growth of women's athletics.² Between 1972 and 1979, female participation in intercollegiate athletics more than doubled.³ Women's share of intercollegiate athletic budgets grew from one percent to sixteen percent.⁴ By 1980, one third of intercollegiate athletes were women.⁵

Women athletes have progressed since the enactment of Title IX but are still treated inequitably over a decade later.⁶ Women athletes remain a minority of intercollegiate athletes. Though women are one third of all intercollegiate athletes, they

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1. Title IX provides that:

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

20 U.S.C. § 1681(a) (1982). An estimate of the total number of colleges and universities subject to Title IX is 2700. June Jensen, *Title IX and Intercollegiate Athletics: HEW Gets Serious About Equality in Sports?* 15 New England L. Rev. 573, 575 (1980).

2. Affidavit of Donna Lopiano at 23, Association for Intercollegiate Athletics for Women v. National Collegiate Athletic Association, 558 F. Supp. 487 (D.D.C. 1983). Dr. Lopiano is Director of Intercollegiate Athletics for Women at the University of Texas at Austin. She was president of the Association for Intercollegiate Athletics for Women (AIAW) during 1981.

3. *Id.* at 24. The National Collegiate Athletic Association (NCAA) found a 102% increase in female intercollegiate athletes between 1972 and 1979. *How Has Athletics Changed?* 76 Graduate Woman 19, 21 (1982).

4. Lopiano, Affidavit, *supra* note 2, at 24. In 1973, institutions offered women participation in an average of 2.5 intercollegiate sports. By 1979, institutions offered an average of 6.48 women's intercollegiate sports. *Id.* at 23.

5. *Id.* at 23.

6. Fifty-seven of the seventy-two institutions the Department of Education's Office for Civil Rights (OCR) has investigated were violating Title IX in one or more areas of their athletic programs. The OCR found 256 individual violations, an average of 3.55 violations per institution. See Appendix C.

receive only one sixth of all athletic budgets.⁷ The results of Title IX compliance reviews show that great disparities continue between female and male athletes with regard to athletic scholarship,⁸ publicity,⁹ and recruitment budgets.¹⁰ Most institutions provide fewer athletic teams for women than for men.¹¹ These factors demonstrate that institutions continue to provide female athletes with fewer benefits than their male counterparts.¹²

The Department of Education is the agency responsible for implementing Title IX.¹³ During the past three years, the Department has been investigating Title IX complaints about athletic programs across the country.¹⁴ The Department's Office for Civil Rights (OCR) has found that most educational institutions have athletic programs that are currently violating Title IX.¹⁵ All the non-complying institutions formulated com-

7. *How Has Athletics Changed?*, *supra* note 3, at 21.

8. See Appendix E. Women athletes at the University of Georgia (30% of all athletes) received only 18% of the institution's athletic scholarship funds in 1980-81. The University of Nevada at Reno allocated 13.1% of the 1980-81 athletic scholarship budget to women; yet 27.9% of the athletes there are women. Finally, the University of Hawaii at Manoa gave female athletes (29% of athletic participants) 18% of the athletic scholarship budget in 1979-80. The Office for Civil Rights (OCR), which enforces Title IX, found 39% of the institutions which awarded athletic scholarships in violation of Title IX. See *infra* Section III. A. and Appendix E.

9. See Appendix M. The University of Illinois-Urbana spent 91.5% of the athletic publicity budget publicizing men's athletics and 8.5% publicizing women's athletics. Utah State University's Sports Information Office did not publicize women's athletics at all. At the University of Bridgeport, the Sports Information Director spent 75-90% of his time covering men's athletics; coaches of the women's teams wrote their own stories for the media. Thirty-six percent of the institutions that the OCR investigated violated Title IX in provision of publicity. See Appendix C.

10. See Appendix N. Boston College did not budget any money for recruiting female athletes, but spent \$71,500 recruiting male athletes. The University of Florida spent \$405,187 recruiting male athletes and only \$9,323 recruiting female athletes. Michigan State University and the University of Montana allocated 98.5% and 94.3% of their recruiting budgets, respectively, to recruitment of male athletes. The OCR found 51% of the institutions it investigated in violation of Title IX in recruitment of student-athletes. See Appendix C.

11. See Appendix D. Seventy-one percent of the institutions the OCR investigated offer fewer sports for women than they offer for men. These institutions average 6.7 sports for women, 8.2 for men.

12. For further examples of Title IX violations in athletics, see generally Appendices E through O, which summarize all of the OCR's findings from seventy-two Title IX investigations.

13. See *infra* text accompanying notes 72-75.

14. The OCR completed its first investigation on April 20, 1981. For the date the OCR completed each investigation, see Appendix B.

15. See Appendix C. Seventy-four percent of the institutions that the OCR investigated were violating Title IX at the time of the OCR investigation.

pliance plans acceptable to the OCR.¹⁶ This article reviews and critiques the OCR's findings and examines the compliance plans that the OCR has accepted. This article also suggests ways that the OCR can more effectively pursue Title IX's goal of equality for women in sport.¹⁷

Section One of the article describes significant changes in the national and institutional administration of women's athletics that have occurred since Title IX's enactment. This section shows that strict enforcement of Title IX is crucial because female athletic administrators have lost most of their power to fight for equal status for female athletes. Section Two outlines the development of the Title IX athletics regulations, policy interpretation, and enforcement provisions. Section Three examines the OCR's application of the Title IX policy interpretation

16. The compliance plans that the OCR accepted are described in Appendices E through O.

17. This article focuses solely upon how the OCR can better enforce the current Title IX regulation and policy interpretation in intercollegiate athletics. Thus, the article does not deal with Title IX enforcement in high school athletic programs or judicial remedies for violation of Title IX. The article also does not examine or suggest alternatives to the Title IX regulation and policy interpretation. Instead, the article evaluates the OCR's enforcement of Title IX under current compliance standards and suggests methods the OCR should use to improve enforcement under those standards.

The general method of assessing equality for women in intercollegiate athletics is to compare the athletic benefits and opportunities an institution provides to its female athletes with the benefits and opportunities an institution provides to its male athletes. Thus, an institution that treats its male and female athletes exactly the same complies with Title IX. The author does not share the Title IX view of equality as sameness. In many instances, equality for Title IX purposes merely mandates that women's athletic programs be as equally ridiculous as men's athletic programs. During the 1970's, the Association for Intercollegiate Athletics for Women (AIAW) governed women's intercollegiate athletics. While most of the AIAW rules were similar to the rules promulgated by the National Collegiate Athletic Association (NCAA) for men's athletics, several AIAW rules were different than the NCAA rules. For example, NCAA institutions often divide their men's programs into "major" and "minor" sports, providing much larger budgets and many more benefits to the major sports teams. The AIAW's philosophy was that each participant's sport is the most important sport to her, so all sports in an athletic program should be provided with equal benefits. The AIAW also organized its institutions' competitive areas within a state or region of contiguous states because the energy crisis was increasing transportation costs dramatically, and rejected the NCAA's more traditional, but geographically more separated, competitive conferences.

Given the developments outlined in Section I of this article, female athletic administrators can no longer develop a program for female athletes that is substantially different from men's athletic programs. Now both men's and women's intercollegiate athletics are governed by the NCAA, and operate under the same rules. Therefore, the most effective way to increase benefits and opportunities for female athletes at present is through vigorous enforcement of Title IX by the OCR.

to seventy-two intercollegiate athletic programs and suggests methods that the OCR should use to improve its enforcement of Title IX.

I. Changes in the Administration and Coaching of Female Athletes Since 1972

The plight of female professionals in athletic administration and coaching contrasts sharply with the growth of opportunities for female athletes. These professional women have been systematically eliminated from positions of control in women's athletic programs. Departmental mergers and the demise of the Association for Intercollegiate Athletics for Women (AIAW) were the principal reasons for this loss. The growth of women's programs "often precipitated an internal power struggle over whether those programs would be under the direction of the female educators who had traditionally held stewardship over women's athletics or the male administrators who had been responsible for the men's varsity athletic program."¹⁸

A. Departmental Mergers

On the institutional level, the outcome of this power struggle was often the merger of women's and men's athletic departments. Historically, women's and men's athletic programs at most institutions were administered by separate departments. For example, in Division I¹⁹ institutions prior to Title IX, women administered ninety-four percent of the women's athletic programs through departments separate from men's athletic departments.²⁰ Institutions merged many of these separate athletic departments in the mid-1970's, ostensibly to save money and to avoid duplication of administrative effort. By 1980, only thirty-six percent of Division I institutions had separate athletic departments.²¹

When mergers occur, women lose administrative power. One study of the merger of women's and men's physical educa-

18. Lopiano, Affidavit, *supra* note 2, at 24 n.75.

19. Division I is the competitive division in intercollegiate athletics where institutions provide most of their athletes with full athletic scholarships to compete on university teams. Division II institutions provide some full and some partial athletic scholarships to their athletes. Division III institutions provide no athletic scholarship aid to athletes.

20. M. Catherine Mathison, *A Selective Study of Women's Athletic Administrative Settings Involving AIAW Division I Institutions* (University of Pittsburgh, February, 1980), cited in Lopiano, Affidavit, *supra* note 2, at 118 n.345.

21. *Id.*

tion departments, which was also common in the 1970s, found that men held the position of department chair in eighty-two percent of the new combined departments.²² At the time of each merger, the institutions all employed a woman qualified to chair the new department: the chair of the women's physical education department.²³

The University of Minnesota in 1980 considered and ultimately rejected a merger of its women's and men's athletic departments. The University found that the merger would not significantly affect athletic spending.²⁴ The University also con-

22. Jack Razor & Florence Grebner, *People's Physical Education: A Status Report on Merging of Departments*, Journal of Health, Physical Education and Recreation 32, 34 (May 1976). This study was based on data from 134 institutions in Illinois, Indiana, Michigan, Ohio, West Virginia and Wisconsin. *Id.* at 32. Eighty-two percent of these institutions had merged formerly sex separate physical education departments. The study also found, not surprisingly, that 55% of male professors in the remaining separate departments wanted to merge while only 17% of female professors desired a merger. *Id.* at 34.

23. Long before it became popular to form all-women organizations, women physical educators . . . had their own group for fifty years. This power base had enabled many of them to achieve upward mobility within their own schools to become chair or head of the women's physical education department. Clearly, choosing men over women for the top jobs in merged departments was not because . . . there were "not enough qualified women available."

Candace Hogan, *Title IX for Coaches: Part I, 4 Coaching: Women's Athletics* 76, 79 (1978). The Razor study reported that all sex separate physical education departments were administered by a person of the same sex as the department's students. Razor & Grebner, *supra* note 22, at 34.

24. Report of the Ad Hoc Committee on Athletic Department Merger 3 (University of Minnesota, May 2, 1980). The committee found that

there would be no significant savings as a result of conjoining the departments. In each of the support service areas (fund-raising, health and training, sports information, the ticket office and event management) it would not be possible to decrease the number of staff without an accompanying decline in the amount or quality of services provided. Where possible or feasible, major equipment items are already being purchased and used jointly.

Id. at 1. The committee compared the costs of separate departments and a merged department in several areas in order to reach its conclusion:

Area	Cost of Two Departments	Projected Cost of Merged Departments
Administration	737,160	700,010
Sports Information	385,667	383,804
Academic and Financial Aid	72,657	103,452
Health Services	218,215	225,575
Fund Raising	179,717	193,461
Team Costs	2,458,807	2,485,403
Ticket Office	248,262*	344,902**
	4,300,485	4,436,607

*serves men's department only

**would presumably serve men's and women's athletics

cluded that

[t]he University, in merging the two athletic departments, would be required to appoint one athletic director, one sports information director, one director of fund raising, and so forth. The use of any evaluative standard which included length of experience would require that men be in most if not all of the administratively superior positions. The entire activity of women's athletics has not existed at the organized programmatic level long enough for professional women in athletics to gain the experience now enjoyed by men in comparable positions.²⁵

Finally, the University contacted leaders of women's athletics nationwide. These women reported that most departmental mergers have not served the interests of professional women in athletics.²⁶ Specifically, they noted that 1) career opportunities for women were restricted when the men's athletic staff became their supervisors,²⁷ 2) women lost control of their athletic budgets,²⁸ and 3) women lost their direct channel of communication to the university administration since after merger they reported to the male athletic director instead.²⁹ The University of Minnesota rejected a merger of its two athletic departments

Id., Appendix I.

25. Response to the Legislative Rider on Merging the Departments of Men's and Women's Intercollegiate Athletics 6 (University of Minnesota 1980). Because most women's athletics programs were instituted recently, female athletic administrators rarely have the seniority that male athletic administrators enjoy. Female professionals in physical education, however, usually lose top administrative positions to male physical educators when separate departments are merged, even though they enjoy equivalent seniority with their male counterparts. See *supra* notes 22-23 and accompanying text.

26. *Id.*

27. The committee noted that

[a]t most other comparable institutions with merged departments, women almost invariably serve in "assistant" or non-supervisory positions. The Committee is of the opinion that providing opportunities for women to serve in decision-making positions is a considerable part of equal opportunity.

Report, *supra* note 24, at 3. The committee also noted that women serving in supervisory positions are role-models for young women aspiring to professional employment in athletics. *Id.* at 2.

28. The female assistant athletic director responsible for women's athletics in a merged department submits her budget to the athletic director, who generally supervises men's athletics. If an institution has separate departments, each athletic director would submit her or his respective budget to a university vice president.

29. Merged women's "programs often report to an assistant athletic director (rarely to a President or Chancellor) and their needs are often ignored or are never heard by those in positions of authority." Letter to the Ad Hoc Committee from Jeannine McHaney, Women's Athletic Director at Texas Tech University, November 14, 1980.

after considering the detrimental effects a merger would have on its female athletic administrators.

Statistics confirm the qualitative findings of the University of Minnesota. Women administered 79% of women's intercollegiate athletic programs in 1972, the year Congress enacted Title IX. The percentage of women administrators dropped to 56% by 1975.³⁰ By 1980, a single athletic department with a male athletic director administered 80.5% of women's intercollegiate athletic programs.³¹ Coaching statistics follow a similar pattern.³² One study found that the number of coaches for female athletes increased 37% from 1974 to 1979.³³ During that same period, the number of male head coaches in women's athletics increased 137%; the number of female head coaches *decreased* 20%.³⁴ While the number of female assistant coaches increased

30. Bonnie Parkhouse & Milton Holmen, *Trends in the Selection of Coaches for Female Athletes: A Demographic Inquiry*, 52 Research Quarterly for Exercise and Sport 9, 9-10 (1981). By 1980, at institutions with one athletic administrator, 80% were male. At institutions with two administrators, 70% were male. At institutions with three athletic administrators (two assistant athletic directors and one athletic director), 98% of the *head* administrators were male. Vivian Acosta & Linda Carpenter, *Administrative Structure and Gender of Personnel in Intercollegiate Athletics for Women* (Brooklyn College, June 1980), cited in Lopiano, Affidavit, *supra* note 2, at 131 n.389.

31. Of the 19.5% of women's athletics programs headed by female athletic directors, 4.1% were at all-female institutions. Acosta & Carpenter, *supra* note 30, cited in Lopiano, Affidavit, *supra* note 2, at 119 n.346. AIAW legal counsel Margot Polivy, a leading authority on Title IX, commented that

[t]his loss of control does not reflect a shift to 'co-educational' athletic governance, since it is unaccompanied by a concomitant decline in control by men over their programs. Rather it reflects a trend toward male control of both men's and women's athletics programs.

Hogan, *supra* note 23, at 79.

32. While the average number of women's athletic teams per institution increased from 5.6 to 6.5 between 1977-78 and 1979-80, the percentage of women's teams that had a female head coach *dropped* from 58.2% to 54.2%. During the academic year 1979-80, Acosta and Carpenter found that twelve of twenty-four women's sports studied had more male than female head coaches, up from eight in 1977-78. Acosta & Carpenter, *supra* note 30, cited in Lopiano, Affidavit, *supra* note 2, at 131 n.389.

33. Parkhouse & Holmen, *supra* note 30, at 12.

34. *Id.* at 13. Parkhouse & Holmen gathered the following data by surveying 400 directors of women's athletic programs.

Sex of Head Coach	1974	1976	1979	Five Year Increase
Female				
Number	1485	1442	1191	-294
% of Total	82%	75%	61%	-20%
Male				
Number	319	481	756	437
% of Total	18%	25%	39%	137%

174% between 1974 and 1979, the number of male assistant coaches for women's teams increased 368%.³⁵ The study concluded that

By sport, the data on male head coaches are:

Sport	1974	1979
	Head Coaches % Male	Head Coaches % Male
Basketball	14	36
Crew	93	40
Cross-Country	63	75
Fencing	58	67
Field Hockey	3	2
Golf	25	51
Gymnastics	19	39
Skiing	52	88
Softball	9	17
Swimming	32	50
Tennis	14	34
Track and Field	30	62
Volleyball	10	21

Id. at 13, 15.

Parkhouse and Holmen found in 1974 that of 1857 coaches of men's teams, only five were female. By 1979, six females coached men's teams (out of 1928 coaches of men's teams). *Id.* at 12.

35. *Id.* The study found the following data on assistant coaches:

Sex of Assistant Coach	1974	1976	1979	Five Year Increase
Female				
Number	194	325	532	338
% of Total	71%	60%	59%	174%
Male				
Number	78	217	365	287
% of Total	29%	40%	41%	368%

The data on male assistant coaches are, by sport:

Sport	1974 Assistant Coaches	1979 Assistant Coaches
	% Male	% Male
Basketball	29	34
Crew	0	55
Cross-Country	25	59
Fencing	0	75
Field Hockey	0	7
Golf	20	67
Gymnastics	47	56
Skiing	0	50
Softball	19	16
Swimming	55	61
Tennis	35	50
Track and Field	46	57
Volleyball	8	28

Id. at 13, 16.

[w]hereas female athletes were benefitting by receiving more coaching, female coaches were not filling these positions. The number of male coaches almost trebled in the five-year period in comparison to a 3% increase in their female counterparts. There was a significant trend toward the hiring of male coaches in individual and team sports at both the assistant and head coach levels. However, the most significant trend was the large reduction in the number of female head coaches during the five-year period. One of the most consistent findings of this survey was a trend toward hiring male head coaches. . . . These demographic data [support the notion] that men are being hired to coach female athletes and to supervise (as head coaches) women (as assistants) who coach them.³⁶

Ironically, "the explosion of women's intercollegiate sports has meant more careers and job opportunities for . . . males."³⁷

B. *The Demise of the AIAW*

The disastrous effects of mergers at the institutional level have been supplemented on the national level by the 1981 initiation of NCAA championships for women. Prior to 1981, the AIAW governed women's intercollegiate athletics and sponsored national championship events for female athletes.³⁸ Formed in the same year that Title IX was enacted, the AIAW voted at its first membership assembly to support the implementation and enforcement of Title IX in intercollegiate athletics.³⁹ AIAW membership grew from 278 to 973 institutional members by 1979-80.⁴⁰ During the academic year 1981-82, the AIAW sponsored 41 national championships for women in 19 different sports.⁴¹ AIAW voting representatives were predomi-

36. *Id.* at 17.

37. Mary Boutilier & Lucinda SanGiovanni, *Women, Sport and Public Policy* 17 (1980) (unpublished paper).

38. Lopiano, *Affidavit*, *supra* note 2, at 25. While the AIAW was organized in 1972, its organizational roots traced back to the 1920s. In 1923, the Committee on Women's Athletics (CWA) of the American Association for Health, Physical Education and Recreation (AAHPER) first adopted regulations for the conduct of women's intercollegiate athletics programs. The CWA became the National Section on Women's Athletics (NSWA) in 1932. The NSWA in turn became the Division for Girls and Women's Sport (DGWS) of the AAHPER in 1956. By 1956, over one-third of all colleges and universities had intercollegiate athletic teams for women. In 1966, the DGWS formed the Commission on Intercollegiate Athletics for Women (CIAW) to sponsor national championship events for women. Between 1966 and 1972, the DGWS-CIAW developed national championships for women in seven sports. In October 1971, the CIAW became the AIAW. *Id.* at 19-22.

39. *Id.* at 25.

40. *Id.* at 23.

41. *Id.* at 30. The AIAW also sponsored 450 state and regional championships

nantly women (70% in 1980-81), typically the women faculty members directly responsible for administering women's athletics at an institution.⁴²

The NCAA initiated national championships for women in 1981. For nine years, the NCAA both opposed the application of Title IX to intercollegiate athletics⁴³ and tried to take over

for female athletes that were qualifying events for the AIAW national championships. *Id.* at 29.

42. *Id.* at 25.

43. From the time the Title IX regulations were proposed in 1974 until the Department of Health, Education and Welfare (HEW) issued its final policy interpretation in 1979, the NCAA sought to dilute or eradicate Title IX compliance requirements for intercollegiate athletics. The AIAW, in contrast, was working for Title IX regulations strong enough to assure equal opportunity for women in athletics. The AIAW and NCAA views on Title IX clashed at every stage of HEW's development of Title IX compliance standards for intercollegiate athletics.

In 1974, the NCAA attempted both to influence the proposed Title IX athletics regulation and to exclude athletics from Title IX coverage. Displeased with the efforts of women's groups who supported the application of Title IX to athletics, the NCAA Joint Legislative Committee on Athletics and Education reported that

[t]he Association [NCAA] is working diligently toward changes in Title IX regulations as they pertain to women's sports on college campuses. Seemingly, a majority of senators and congressmen agree with the NCAA position that the basic law was not intended to give [HEW] control over intercollegiate athletic programs. Confusion appears to reign within HEW regarding interpretations of the legislation, and various women's activist groups have complicated the issues by disseminating false and misleading information.

1973-74 NCAA Annual Reports 83, *quoted in* Lopiano, Affidavit, *supra* note 2, at 61.

On May 20, 1974, Senator Tower introduced in Congress an amendment to Title IX that would have exempted revenue-producing sports from Title IX coverage. Male athletes on revenue-producing sports teams, such as men's football and basketball, receive significantly larger budgets and more benefits than athletes on other men's teams. An exemption for these teams would have left women's athletic equality measureable against only the reduced benefits received by male athletes on men's minor sport teams. The AIAW lobbied aggressively to defeat the Tower Amendment; the NCAA lobbied aggressively to enact it. The Tower Amendment was deleted in conference committee. Dr. Lopiano concluded,

[t]he opposing activities of AIAW and NCAA regarding the Tower Amendment brought to a head deep differences between them with regard to Title IX and the meaning of equal opportunity in intercollegiate athletics. . . . AIAW and NCAA were to continue as the major actors in the Title IX/athletics controversy. . . .

Lopiano, Affidavit, *supra* note 2, at 64.

As HEW's work on the proposed Title IX regulations progressed in 1974 and 1975, the NCAA Executive Director said that the Title IX regulations would mean the "possible doom of intercollegiate sports." Bart Barnes and Nancy Scannell, *No Sporting Chance: the Girls in the Locker Room*, The Washington Post (May 12, 1974), at A14. Gwen Gregory, author of the HEW regulations, reported that "the NCAA is determined to sabotage Title IX . . . [T]hey're throw-

the administration of women's intercollegiate athletics.⁴⁴ Dr.

ing in red herrings, asking us to be arbitrary." Bart Barnes and Nancy Scannell, *Ohio State Gears for Change, Penn State 'Scared to Death'*, *The Washington Post* (May 13, 1974) at A20.

On July 21, 1975, the final Title IX regulations became effective. The NCAA expressed its frustration in an editorial in *NCAA News*.

[T]he leadership of AIAW . . . worked hand-in-glove with the women lawyers of HEW in writing Title IX regulations which require equal recruiting and equal scholarships (with minimum or no regard for qualifications of the recipients).

. . . .
All of this in the interest of integration and equality? Don't believe it. Flushed with its heady victory at HEW, the AIAW . . . continues to urge its campus colleagues to insist upon segregation.

Editorial, NCAA News, July 15, 1975, at 2, *quoted in Lopiano, Affidavit, supra* note 2, at 80.

HEW began work on a policy interpretation for the Title IX regulations in 1978. The policy interpretation was needed to provide HEW with a framework for resolving the numerous Title IX athletics complaints HEW received after the Title IX compliance deadline passed on July 21, 1978. HEW appointed six HEW staff members, a women's athletic director and William Davis, President of the University of New Mexico, to a panel that would work to finalize the HEW Title IX policies for intercollegiate athletics. Davis reported to the NCAA Executive Director that he was pessimistic because the panel was enforcement-minded. 1977-1978 NCAA Reports 181-82, *cited in Lopiano, Affidavit, supra* note 2, at 112. When HEW's proposed policy interpretation was issued, the NCAA's Secretary-Treasurer assured NCAA members that the provisions of the proposed policy interpretation were not Davis' fault, but reflected "the entrenched thinking of HEW's cadre of young, female lawyers." 1979 NCAA Convention Proceedings 64, *quoted in Lopiano, Affidavit, supra* note 2, at 120.

When HEW issued its final policy interpretation of the Title IX athletics regulations in 1979, NCAA legal counsel told the NCAA membership that "the policy interpretation is not law and has no prescriptive effect whatsoever. I repeat, the interpretation is not a statement of Federal law and no institution is legally bound to follow it." 1980 NCAA Convention Proceedings 67, *quoted in Lopiano, Affidavit, supra* note 2, at 140.

44. In 1971, the NCAA first proposed to establish a Women's Division to govern women's intercollegiate athletics as an NCAA affiliate. The proposed Women's Division would have been subject to the NCAA constitution and would have had limited representation on the NCAA Council. Charles Neinas of the NCAA staff contacted the AIAW about a possible AIAW affiliate membership with the NCAA:

The long and short of it is—if the NCAA is going to preclude females from its NCAA events and generally discourage their participation on men [sic] varsity squads, then the NCAA must devise a means to provide comparable opportunities for women enrolled in its member institutions. We hope that your organization would be the vehicle to fill that need, but if you feel that you cannot make the adjustments necessary to accomplish that end, then I suppose that we will have to look to some other solution.

Letter to Lucille Magnusson, AIAW representative, from Charles Neinas, September 23, 1971, *quoted in Lopiano, Affidavit, supra* note 2, at 49. The AIAW objected to the NCAA proposal.

There is only one inference that can be made from this threat: the AIAW must become the female arm of the NCAA, or NCAA will set up a competing program to the AIAW in its member schools. . . . A group of professional women educators have designed an organi-

Donna Lopiano explains these actions:

zation and a program in accordance with their accepted philosophy and standards to meet the needs and interests of college women students. To have it now threatened by an organization designed for men and controlled by men would cause . . . a furor . . .

Letter from Rachel Bryant, consultant to the AIAW, to Walter Byers, October 8, 1971, *quoted in Lopiano, Affidavit, supra* note 2, at 50-51. The NCAA, noting that the women would prefer to administer their own programs, took no further action and instructed its Committee on Women's Athletics to continue study of the governance problem. *Lopiano, Affidavit, supra* note 2, at 51-52.

In 1973, AIAW members voted to meet with the NCAA to develop policies for governing intercollegiate athletics. The NCAA initially supported this idea. A few weeks later, however, the NCAA refused to meet with the AIAW. In the interim, NCAA representatives had met with HEW regarding the Title IX regulations HEW was developing. That meeting was apparently unsatisfactory to the NCAA and Carol Gordon, President of the AIAW, reported to the AIAW executive board that

NCAA is now no longer interested in meeting with us. They feel that nothing is to be gained and I think that now there is a quite different climate in the NCAA office than there was before. . . . [I]t may mean that they feel so threatened that they feel they are going to have to gain a more controlling position than had been the case even two weeks ago before they met what was to them a dead end in the HEW office. . . .

Carol Gordon, Memorandum to the AIAW Executive Board, February 22, 1974, at 1, *quoted in Lopiano, Affidavit, supra* note 2, at 57.

In 1974, the NCAA Long Range Planning Council recommended that NCAA "immediately pursue an aggressive course" toward initiating its own women's national championships and merging with AIAW. National Collegiate Athletic Association, Summary of NCAA Meetings Concerning Women's Athletics Matters 1963-1980, 9 (December 4, 1980) (unpublished manuscript), *quoted in Lopiano, Affidavit, supra* note 2, at 67. AIAW representatives met with the NCAA in October 1975 to discuss a single governance organization for women's and men's intercollegiate athletics. The AIAW suggested dissolving the AIAW and the NCAA and forming a new unified organization. The NCAA suggested that NCAA sponsor both women's and men's intercollegiate athletics. An AIAW representative stated that AIAW expected equal representation in a combined organization. An NCAA representative replied that the NCAA council would probably not accept equal representation. After this meeting, the NCAA representative recommended that NCAA create its own women's athletic competition. *Lopiano, Affidavit, supra* note 2, at 67-68.

At its 1975 annual convention, the NCAA Council proposed to its members that NCAA initiate women's national championship events. The AIAW urged the NCAA to drop the proposal, stating that "AIAW has no choice but to view [this] as an effort by NCAA to undermine the existing women's intercollegiate championship program." 1975 AIAW Executive Board and Delegate Assembly Minutes 10, *quoted in Lopiano, Affidavit, supra* note 2, at 73. The NCAA membership defeated the NCAA council proposal for women's championships. *Lopiano, Affidavit, supra* note 2, at 75.

Despite its membership's rejection of NCAA sponsorship of women's athletic championships, the NCAA developed a new plan for NCAA governance of women's athletics in 1975. The plan was very similar to the one defeated at the 1975 NCAA convention. The AIAW objected to the new plan.

We believe that to assure women's voice in decisions at this stage in women's intercollegiate sports development, it is necessary either to maintain a separate organization for the governance of women's athletics or to guarantee women's equal voice at all levels

[T]he NCAA pursued its two-pronged assault on women's intercollegiate athletics: to dilute or eradicate Title IX's coverage of intercollegiate athletics; and to expand into women's athletics. . . . [E]ither of these efforts would have been materially altered by the success of the other: the NCAA would have been far less interested in undermining Title IX had it controlled women's intercollegiate athletics and far less eager to control women's athletics had it successfully truncated Title IX coverage.⁴⁵

The first year the NCAA offered women's championships, the AIAW's membership declined twenty percent after a decade of consistent growth.⁴⁶ The AIAW disbanded one year later; most women's athletics programs are now governed by the NCAA. NCAA voting representatives are overwhelmingly male,⁴⁷ and women hold only 15-25% of the positions on NCAA committees.⁴⁸ Since 1982, female professionals in athletics have lost the AIAW—an organization that was strongly supportive of Ti-

of operation within any merged organization, which the NCAA Executive Council is apparently unwilling to do. The institution of a women's program by a male sports governing organization does nothing to assure women of real programmatic or administrative equality. Without these assurances, AIAW must strongly oppose the commencement of a women's program by the NCAA.

Leotus Morrison, Memorandum to AIAW Voting Representatives, April 29, 1975, quoted in Lopiano, Affidavit, *supra* note 2, at 79.

At its 1976 annual convention, the NCAA membership again rejected an NCAA Council proposal that NCAA offer women's national championships. Lopiano, Affidavit, *supra* note 2, at 96. Undeterred by its membership's prior two refusals to authorize an NCAA program for women, the NCAA again proposed initiating NCAA women's national championships at the 1978 annual convention. The NCAA membership defeated the proposal. *Id.* at 109. The 1979 NCAA convention also defeated a proposal to initiate an NCAA women's program, for the fourth time in five years. *Id.* at 120-121.

Finally, in 1980, the NCAA convention approved the initiation of women's NCAA national championships for two of the three NCAA competitive divisions. *Id.* at 145. In 1981, the NCAA convention considered a proposal to offer women's championships in the remaining competitive division. This proposal was defeated in a 124-124 tie, and again defeated by one vote, 127-128, on a recount. On a motion to reconsider, the proposal later passed, 137-117. *Id.* at 233.

45. Lopiano, Affidavit, *supra* note 2, at 102.

46. *Id.* at 265-66. The AIAW lost 48% of its Division I members. This was a substantial loss, since the income from Division I championship events and television coverage constituted 50% of the AIAW's annual income. *Id.*

47. Males were 95% of NCAA voting representatives in 1980-81. *Id.* at 25.

48. *Id.* at 172-73. The NCAA conducted two meetings with women's athletic directors in July 1980. At these meetings, Lopiano recalls, the women objected to their lack of representation in NCAA governance under the NCAA proposal for incorporating women into NCAA for two reasons.

First, the NCAA gave women only twenty percent representation on NCAA committees. The NCAA gave women no assured representation on sport committees, which govern rules and competition for each particular sport. While women would be an average of 22.8% of the members on most NCAA committees, NCAA afforded women representation of only 18% and 16.6% on its two

tle IX and one in which they were a voting majority. They now constitute a small minority of representatives in the NCAA—an organization historically opposed to Title IX.

Professional women in athletics have lost most of their power to fight for equal status and treatment for female intercollegiate athletes. Institutions have deprived female athletic administrators of the power to develop women's programs through the merger of formerly separate athletic departments. Departmental mergers have dramatically reduced the number of females who administer and coach women's athletic teams. These women have also lost the power to shape national policy for the governance of women's athletics, power that they had exercised through the AIAW until 1982. As the large majority of NCAA voting representatives and committee members, male athletic administrators now exercise that power. Because of these changes in the administration of women's intercollegiate athletics, strict enforcement of Title IX by the OCR is crucial.

Section Two will outline briefly the development of the athletics regulations under Title IX and describe the compli-

most powerful committees (NCAA Council and Executive Committee). *Id.* at 153, 162-64.

Second, the NCAA refused to change its "one institution-one vote" rule. Female administrators had proposed that institutions receive two votes, one for the women's program and one for the men's program. The NCAA rule "virtually insured that institutional delegates to the annual NCAA Convention would continue to be those faculty representatives and athletic directors primarily concerned with men's athletics." *Id.* at 153-54.

The AIAW's position on the NCAA plan was that

the fundamental issue at stake in the NCAA's unilateral decision to initiate women's championships is whether those directly involved in women's athletic programs have the right (as did those involved in men's athletics) to develop an intercollegiate athletic program and system of governance designed to meet the interests and abilities of women student-athletes, or whether a system designed to serve men's athletic programs should be forcibly imposed upon women. AIAW was created to meet, and is meeting, the needs of women's athletics. The NCAA action did not arise in response to demands from those involved in women's athletics; it was denounced and rejected by a virtually unanimous AIAW Delegate Assembly

The NCAA has neither sought nor been willing to work cooperatively with the elected leadership of women's collegiate athletics; they do not propose a merger of interests, they propose simply to absorb women's athletics into the existing men's athletic structure. . . .

AIAW Executive Committee, Memorandum to AIAW Voting Representatives, April 11, 1980, *quoted in* Lopiano, *Affidavit, supra* note 2, at 155-56.

As in the case of athletic department merger, the result of the NCAA governance plan was to radically increase the male athletic administrators' control over women's athletics with no concomitant increase in female athletic administrators' control over men's intercollegiate athletics.

ance standards the OCR applies in determining whether an institution violates Title IX in its intercollegiate athletic program. Section Three will examine the OCR's enforcement of Title IX in the seventy-two investigations of athletic programs that the OCR has completed since 1981.

II. Title IX—Compliance Standards and Enforcement Provisions

A. *Development of the Title IX Athletics Regulation and Policy Interpretation*

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex under any education program receiving federal financial assistance.⁴⁹ When the Department of Health, Education and Welfare (HEW) issued proposed athletics regulations for Title IX in 1974,⁵⁰ the NCAA tried to exempt revenue-producing sports from Title IX coverage.⁵¹ Congress rejected the proposed revenue-producing

49. 20 U.S.C. § 1681(a) (1982). Intercollegiate athletics were scarcely discussed in the debate over the act. In the Congressional debate, only Senator Bayh spoke about sports. He mentioned football, 117 Cong. Rec. 30,407 (1971), and privacy concerns in sport facilities, 118 Cong. Rec. 5807 (1972).

50. 39 Fed. Reg. 22,228, 22,230 (1974).

51. Lopiano, Affidavit, *supra* note 2, at 61-65. The NCAA argued:

It is essential that revenue-producing sports be protected to assure the funds necessary to offer non-revenue-producing sports programs to both men and women. . . . Draft regulations of HEW would severely damage intercollegiate athletic programs of the nation's colleges which are already sorely pressed with financial problems.

Id. at 63, quoting Memorandum from Alan Chapman to Chief Executive Officers, Faculty Athletic Representatives and Athletic Directors of NCAA Member Institutions (June 14, 1974).

Revenue-producing sports are sports that have gate receipts and television revenue that constitute a large portion of the particular sport's budget. Football and men's basketball are the primary revenue producers in men's intercollegiate athletics. These sports also usually require the largest budgets in a men's program. If football and men's basketball were excluded from Title IX coverage, as the NCAA proposed, the OCR would have only measured women's athletic budgets against minor men's sports budgets and benefits. Such an exemption would have substantially reduced the impact of Title IX.

The NCAA based its exemption argument on the myth that men's sports produce excess revenue. In an *NCAA News* discussion of Title IX, the NCAA said:

The money to pay for it? That will be the income generated by men's intercollegiate athletics, either from gate receipts or donated funds, or both. While decrying the undesirable aspects of income-oriented men's intercollegiate athletics, the women, backed by Federal decree, now demand their share of this tainted money—NOT their share of the net, but of the GROSS receipts—to finance the females in the style to which they feel they should become accustomed. . . .

Why not? If it doubles the cost, the women aren't concerned

sports exemption and made clear in 1974 that it intended all athletic programs to be subject to the Title IX regulations.⁵²

because they do not have to find the dollars to pay the bills. They plan to live it up on big brother's credit card.

Editorial, NCAA News, July 15, 1975, at 2, *quoted in* Lopiano, Affidavit, *supra* note 2, at 80.

Financial data on athletic programs demonstrates that men's sports do not generate enough income to support their own programs. Sixty-nine percent of all men's athletic programs produce deficits and 81% of football programs do not support themselves. Some institutions require their men's athletic programs to support themselves. Yet 37% of athletic programs at such institutions are not self-supporting. Donna Lopiano, *Solving the Financial Crisis in Intercollegiate Athletics*, 60 Educational Record 394 (1979) (based upon data gathered by the NCAA and the AIAW). During the years 1970-1977, Division I athletic programs without football and Division III programs with football increased expenditures with the inflation rate. Division I and II programs with football, however, increased expenses beyond the inflation rate. *Id.* at 401. Lopiano concluded that "football seems to contribute to, rather than alleviate, financial problems." *Id.* at 402.

Men's athletic administrators often claim that the financial needs of women's athletics are the cause of the financial crisis in men's athletics. The financial crisis would exist, however, "even if women's athletics were not a factor." *Id.* at 397. Fifty to ninety-five percent of funds for women's athletics come not from men's athletics, but from the institution. *Id.* The increase in men's athletics budgets since 1973 has been more than 50% greater than the total current women's athletics budget in NCAA Division I institutions. Candace Hogan, *Title IX Versus Football*, 5 Coaching: Women's Athletics 56, 57 (1979). "[S]chools are spending in five years twice as much to beef up their privileged men than they are spending on women to whom they have offered virtually nothing for the past 50 years." *Id.*

52. Senator Tower introduced an amendment to Title IX that would have excluded revenue-producing sports from coverage under the Act. 120 Cong. Rec. 15,322 (1974). A House-Senate Conference Committee deleted the Tower Amendment. Conf. Rep. No. 1026, 93rd Cong., 2d Sess., *reprinted in* 1974 U.S. Code Cong. & Ad. News 4206, 4271. An amendment by Senator Javits was adopted instead:

The Secretary shall prepare and publish, not later than thirty days after the enactment of this Act, proposed regulations implementing the provisions of Title IX of the Education Amendments of 1972 relating to the prohibition of sex discrimination in federally assisted education programs which shall include with respect to intercollegiate athletic activities reasonable provisions considering the nature of particular sports.

Act of Aug. 21, 1974, Pub. L. No. 93-380, § 844, 88 Stat. 612 (1974).

While the Javits Amendment expressed congressional intent that Title IX apply to intercollegiate athletics, controversy continues about whether Title IX can apply to intercollegiate athletics. Since athletics programs do not receive direct financial assistance, opponents of Title IX's application to athletics argue that athletics is not an "education program receiving federal financial assistance" within the reach of the statute. The institutions which sponsor athletic programs do, however, receive federal financial assistance. For opposing views on this issue, see Thomas Cox, *Intercollegiate Athletics and Title IX*, 46 Geo. Wash. L. Rev. 34 (1977) and Janet Kuhn, *Title IX: Employment and Athletics are Outside HEW's Jurisdiction*, 65 Georgetown L. J. 49 (1976). For a review of recent judicial decisions on this issue, see Kevin Nelson, *Title IX: Women's Collegiate Athletics in Limbo*, 40 Wash. & Lee L. Rev. 297 (1983).

HEW issued regulations pursuant to Title IX in 1975⁵³ and President Ford signed them on May 27, 1975.⁵⁴ The regulation sets forth ten factors for the OCR to use to determine whether an institution's athletic program complies with Title IX:⁵⁵

- 1) Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;
- 2) The provision of equipment and supplies;
- 3) Scheduling of games and practice time;
- 4) Travel and per diem allowance;
- 5) Opportunity to receive coaching and academic tutoring;
- 6) Assignment and compensation of coaches and tutors;
- 7) Provision of locker rooms, practice and competitive facilities;
- 8) Provision of medical and training facilities and services;
- 9) Provision of housing and dining facilities and services;
- 10) Publicity.⁵⁶

53. 34 C.F.R. § 106.41 (1983).

54. 43 Fed. Reg. 58070 (1978). Title IX provided that "no such regulation, or order shall become effective unless or until approved by the President." 20 U.S.C. § 1682 (1982).

55. Another part of the regulations dealt with the issue of separate sex athletic teams. The regulation provides that an institution may sponsor separate teams for women and men "where selection for such teams is based upon competitive skill or the activity involved is a contact sport." 34 C.F.R. § 106.41(b) (1983). If an institution provides one team in a particular sport for one sex and not for the other sex and "athletic opportunities for members of [the excluded sex] have previously been limited," members of the excluded sex may participate on that team if they meet the necessary performance standards to do so. Contact sports, which include football, boxing, wrestling, rugby, ice hockey and basketball, are not affected by this section.

This article does not deal with the issues of separate but equal athletic teams. It focuses instead upon Title IX's practical impact upon women's intercollegiate athletics and upon the OCR's efforts to enforce Title IX in athletics. The current nationwide practice is to have separate sex athletic teams, and the OCR completed its compliance reports in that context. This article is devoted to examining those reports.

Several articles deal with the issue of separate sex athletic teams. See Joan Kutner, *Sex Discrimination in Athletics*, 21 Vill. L. Rev. 876 (1976); Timothy McNamara, *Sex Discrimination in High School Athletics*, 47 U. M. K. C. L. Rev. 109 (1978); Mark Rettig, *Sex Discrimination in Intercollegiate Athletics*, 61 Ia. L. Rev. 420 (1975); Richard Rubin, *Sex Discrimination in Interscholastic High School Athletics*, 25 Syracuse L. Rev. 535 (1974); Kenneth Stroud, *Sex Discrimination in High School Athletics*, 6 Ind. L. Rev. 661 (1973); Note, *Implementing Title IX: The HEW Regulations*, 124 U. Pa. L. Rev. 806 (1976); Note, *Sex Discrimination and Intercollegiate Athletics: Putting Some Muscle on Title IX*, 88 Yale L. J. 1254 (1979); Note, *Sex Discrimination in High School Athletics: An Examination of Applicable Legal Doctrines*, 66 Minn. L. Rev. 1115 (1982); and Comment, *Sex Discrimination in Athletics: Conflicting Legislative and Judicial Approaches*, 29 Ala. L. Rev. 390 (1978).

56. 34 C.F.R. § 106.41(c) (1983).

The regulation also provides that an institution that awards athletic scholarships must provide "reasonable opportunities" for these scholarships to female and male athletes in proportion to the number of females and males that participate in the institution's intercollegiate athletic program.⁵⁷ HEW allowed secondary and post-secondary educational institutions three years to comply with the Title IX regulations.⁵⁸ The transition period expired on July 21, 1978.⁵⁹

By July 1978, HEW had received nearly one hundred complaints alleging Title IX violations at more than fifty colleges and universities.⁶⁰ HEW proposed a policy interpretation of the athletics regulation on December 11, 1978 to provide a framework for resolution of these complaints.⁶¹ After HEW allowed a period of public comment,⁶² it issued the final policy interpretation of the athletics regulations on December 11, 1979.⁶³

According to HEW's policy interpretation, the OCR is to assess compliance with Title IX in three areas: athletic scholarships, other program areas, and accommodation of athletic interests and abilities. When an institution awards athletic scholarships, Title IX requires the institution to provide aid "substantially proportional" to the number of female and male participants in its athletic program.⁶⁴ In addition, institutions

57. 34 C.F.R. § 106.37(c) (1983).

58. 34 C.F.R. § 106.41(d) (1983).

59. 43 Fed. Reg. 58,071 (1978). Several articles analyze the Title IX athletics regulations. See Mark Kadzielski, *Postsecondary Athletics in an Era of Equality: An Appraisal of the Effect of Title IX*, 5 J. C. & U. L. 123 (1978-79); Mark Kadzielski, *Title IX of the Education Amendments of 1972: Change or Continuity?*, 6 J. L. & Educ. 183 (1977); Note, *Implementing Title IX: The HEW Regulations*, 124 U. Pa. L. Rev. 806 (1976); and Note, *Sex Discrimination and Intercollegiate Athletics: Putting Some Muscle on Title IX*, 88 Yale L. J. 1254 (1979).

60. 44 Fed. Reg. 71,413 (1979).

61. *Id.* For comment upon the proposed policy interpretation, see John Gaal and Louis DiLorenzo, *The Legality and Requirements of HEW's Proposed "Policy Interpretation" of Title IX and Intercollegiate Athletics*, 6 J. C. & U. L. 161 (1980).

62. HEW received over seven hundred comments. 44 Fed. Reg. 71413 (1979).

63. *Id.* For comment upon the final policy interpretation, see John Gaal, Louis DiLorenzo & Thomas Evans, *HEW's Final "Policy Interpretation" of Title IX and Intercollegiate Athletics*, 6 J. C. & U. L. 345 (1980), and June Jensen, *Title IX and Intercollegiate Athletics: HEW Gets Serious About Equality in Sports?*, 15 New England L. Rev. 573 (1980).

64. 44 Fed. Reg. 71,414 (1979).

The Department will measure compliance with this standard by dividing the amounts of aid available for the members of each sex by the numbers of male or female participants in the athletic program and comparing the results. Institutions may be found in compliance if this comparison results in substantially equal

must give female and male athletes equivalent treatment, benefits, and opportunities in eleven enumerated program areas.⁶⁵ The policy interpretation defines "equivalency" as "equal or

amounts or if a resulting disparity can be explained by adjustments to take into account legitimate, nondiscriminatory factors.

Id. at 71,415. HEW's policy interpretation gives two examples of legitimate, non-discriminatory factors: 1) the costs of out-of-state tuition at public institutions unevenly distributed between women's and men's programs (if the uneven distribution is not the result of an institutional policy limiting offers of out-of-state scholarships to women or men) and 2) reasonable decisions to disburse athletic scholarship funds in order to facilitate program development that may cause a temporary violation of the required proportionality between men's and women's programs. *Id.*

65. *Id.* Nine of these eleven program areas are listed in the Title IX regulation: equipment and supplies, scheduling of games and practice times, travel and per diem allowance, coaching, tutoring, locker rooms and competitive facilities, medical and training services, housing and dining services, and publicity. See *supra* text accompanying note 56. HEW also included in the eleven program areas the institution's provision of support services to its women's and men's athletic programs (clerical help, office space, etc.) and the recruitment of student-athletes. *Id.* The Title IX regulation permits HEW to consider areas not specifically listed in the regulation. Before giving the list of factors to be used to evaluate an athletic program's compliance with Title IX, the regulation states that "in determining whether equal opportunities are available, the Director will consider, among other factors . . ." 34 C.F.R. § 106.41(c) (1983) (emphasis added).

HEW's policy interpretation lists several factors for the OCR to consider in evaluating an institution's Title IX compliance in each of these program areas:

Equipment and Supplies: 1) quality, 2) amount, 3) suitability, 4) maintenance, and 5) availability.

Scheduling of Games and Practice Times: 1) number of competitive events per sport, 2) number and length of practice sessions, 3) time of day competitive events are scheduled, 4) time of day practices are scheduled, 5) opportunities for pre- or post-season play.

Travel and Per Diem Allowance: 1) modes of transportation, 2) housing furnished during travel, 3) length of stay before and after competitive events, 4) per diem allowance, 5) dining arrangements.

Availability, Qualifications, and Compensation of Coaches: 1) availability of full-time coaches, 2) availability of part-time or assistant coaches, 3) availability of graduate assistants, 4) training and experience of coaches, 5) professional standing of coaches, 6) rate of compensation, 7) duration of contract, 8) conditions of contract renewal, 9) nature of duties performed, 10) working conditions, 11) other terms and conditions of employment.

Availability, Qualifications and Compensation of Academic Tutors: 1) availability, 2) procedures and criteria for obtaining tutoring services, 3) qualifications, 4) other training and experience, 5) hourly rate of pay, 6) pupil loads per tutoring session, 7) other terms and conditions of employment.

Provision of Locker Rooms, Practice and Competitive Facilities: 1) quality and availability of facilities, 2) exclusivity of use during games and practice times, 3) availability of locker rooms, 4) quality of locker rooms, 5) maintenance of facilities, 6) preparation of facilities for practice and competitive events.

Provision of Medical and Training Facilities: 1) availability of medical personnel and assistance, 2) health, accident and injury insurance, 3) availability

equal in effect."⁶⁶ HEW's policy interpretation does not require that institutions allocate identical benefits to female and male athletes if the overall difference in treatment of female and male athletes in the program is negligible.⁶⁷

The OCR must finally assess whether an institution is "equally effectively" accommodating the athletic interests and abilities of its female and male students.⁶⁸ There are three ways an institution can satisfy this requirement. First, an institution complies with Title IX if it offers each sex opportunities to participate in athletics that are proportional to that sex's enrollment at the institution.⁶⁹ Second, an institution complies if it can demonstrate a history and continuing practice of expanding its athletic program in a way responsive to the athletic interests of the "underrepresented" sex.⁷⁰ If an institution fails to comply with Title IX under the first two tests, the OCR will find that institution in compliance if it can demonstrate that it is currently accommodating the interests and abilities of the underrepresented sex in its athletic program.⁷¹

With the development of the policy interpretation, the

and quality of weight, conditioning and training facilities, 4) availability and qualifications of athletic trainers.

Provisions of Housing and Dining Facilities and Services: 1) housing provided, 2) special services such as maid service and parking.

Publicity: 1) availability and quality of sports information personnel, 2) access to other publicity resources, 3) quantity and quality of publications and promotional activities.

Recruitment of Athletes: 1) substantial equality of opportunity for coaches to recruit, 2) availability of financial resources to meet the recruitment needs of each program, 3) whether the differences in treatment of prospective student athletes disproportionately limits recruitment of students of either sex.

Provision of Support Services: 1) amount of administrative assistants, 2) amount of secretarial and clerical assistance.

44 Fed. Reg. 71,416, 71,417 (1979).

66. *Id.* at 71,415.

67. The policy interpretation requires HEW to examine whether disparities of a "substantial and unjustified nature" exist in the institution's treatment of female and male athletes in an institution's overall athletic program. Individual disparities may also violate Title IX if they are "substantial enough in and of themselves to deny equality of athletic opportunity." *Id.* at 71,417.

68. *Id.* at 71,414. The policy interpretation provides:

The Department will assess compliance with the interests and abilities section of the regulation by examining the following factors:
a) the determination of athletic interests and abilities of students;
b) the selection of sports offered, and c) the levels of competition available, including the opportunity for team competition.

Id. at 71,417.

69. *Id.* at 71,418.

70. *Id.*

71. *Id.* To determine the athletic interests of the underrepresented sex, an institution must use methods of assessment that take into account "the nationally increasing level of women's interests and abilities . . . and [that] are

OCR was finally ready to begin investigation and enforcement of Title IX in intercollegiate athletics, seven years after its enactment.

B. Enforcement Provisions of Title IX

HEW's policy interpretation provides two procedures that the OCR can use to enforce Title IX: compliance reviews and investigation of complaints about the athletic programs at individual institutions.⁷² In compliance reviews, the Department of Education⁷³ periodically selects institutions to investigate for compliance with the Title IX regulations.⁷⁴ The Department also investigates all written complaints alleging that an institution is violating Title IX.⁷⁵

The Department of Education has ninety days to investigate a complaint and ninety more days to negotiate a voluntary compliance agreement with an institution that is violating Title IX.⁷⁶ The institution and the Department agree upon steps the institution is to take in order to achieve compliance. In addition, the institution and the Department establish a timetable for the institution to reach both interim goals and final compliance.⁷⁷ Once the Department approves these compliance plans, it must periodically review the institution's implementation of the plan. The policy interpretation does not specify how often the Department will conduct these periodic reviews.⁷⁸

When the OCR finds that an institution is violating Title IX and the OCR and the institution cannot develop a satisfactory compliance plan, the formal administrative enforcement process begins.⁷⁹ The first step in this process is a hearing

responsive to the expressed interests of students capable of intercollegiate competition who are members of an underrepresented sex." *Id.* at 71,417.

72. *Id.* at 71,418.

73. Congress created the Department of Education as a separate executive department in 1979. Act of Oct. 17, 1979, Pub. L. No. 96-88, § 201, 93 Stat. 668, 671 (codified at 20 U.S.C. § 3411 (1982)). The Department adopted HEW's Title IX regulations and policy interpretation on May 9, 1980. 45 Fed. Reg. 30,955 (1980).

74. 44 Fed. Reg. 71,418 (1979).

75. *Id.* Any person or class of persons who believe that they have been discriminated against may file a written complaint with the Department of Education not later than 180 days after the date of the alleged discrimination. 34 C.F.R. § 100.7(b) (1983).

76. *Id.* Title IX requires that the Department attempt to secure voluntary compliance. 20 U.S.C. § 1682 (1982).

77. 44 Fed. Reg. 71,418 (1979).

78. *Id.*

79. *Id.* at 71,419. 34 C.F.R. § 106.71 adopts procedures for enforcement set forth at 34 C.F.R. § 100.6-100.11 (1983) and 34 C.F.R. Part 101 (1983). 34 C.F.R.

before an administrative law judge.⁸⁰ The administrative law judge makes an initial decision on the institution's compliance with Title IX. Both the Department of Education and the institution may appeal the initial decision to the reviewing authority in the Department.⁸¹ The institution may then request review by the Secretary of Education.⁸² The Secretary's review is discretionary.⁸³ If the Department decides to withdraw federal funding from the institution, the Secretary reports the action to the proper Senate and House committees thirty days before termination of funds.⁸⁴ An institution deprived of federal funds may seek judicial review of the Department's actions.⁸⁵

The OCR has not yet employed the formal administrative process in enforcing Title IX in intercollegiate athletics. All institutions that the OCR found in violation of Title IX in their intercollegiate athletics programs have formulated voluntary compliance plans acceptable to the OCR.

III. OCR Compliance Reviews of Individual Colleges and Universities

The Office for Civil Rights (OCR) of the Department of Education has been investigating athletic programs at individual institutions for Title IX compliance for nearly four years.⁸⁶ The OCR investigators meticulously catalogue and compare an institution's provisions for female and male athletes in each program area set forth in the Title IX regulations and policy interpretation.⁸⁷ The OCR evaluates an institution's athletic program in each program area; in general, institutions must meet Title IX standards in all areas in order to comply with Title

§ 100.8(a) provides that formal steps to suspend federal funding will be taken if informal means of obtaining compliance fail.

80. 34 C.F.R. § 100.9(b) (1983).

81. 34 C.F.R. § 100.10(a) (1983).

82. 34 C.F.R. § 100.10(e) (1983).

83. *Id.*

84. 20 U.S.C. § 1682 (1982).

85. 20 U.S.C. § 1683 (1982).

86. For the date the OCR initiated its Title IX investigation of each institution's athletic program, see Appendix B.

87. For a list of program areas covered by the Title IX athletics regulation and policy interpretation, see *supra* note 65. The OCR presents the results of each investigation in a document called a "statement of findings." The statement of findings presents a separate factual finding and compliance conclusion for each athletic program area. It ends with a summary of the violations that the OCR found, a description of the institution's voluntary compliance plan designed to correct those violations, and an overall compliance conclusion. See, e.g., Statement of Findings—University of Iowa (March 31, 1982).

IX.⁸⁸ Reports are divided into three major parts: athletic scholarships, other program areas, and effective accommodation of student athletic interests and abilities. The OCR divides the reports in this manner because the policy interpretation sets forth different compliance tests for each of these three areas.⁸⁹

This section examines the OCR findings for seventy-two colleges and universities in nine of the ten OCR regions in the country.⁹⁰ Eventually, the OCR found all seventy-two institutions in compliance with Title IX.⁹¹ The OCR characterized fifty-three institutions as in compliance, however, only because

88. The OCR found that eight institutions were violating Title IX in only one of the thirteen athletic program areas. At the end of its statement of findings for each of these institutions, the OCR considered whether the single violation, in and of itself, was sufficient to deny female athletes equality in the institution's athletic program. The OCR found four institutions in compliance with Title IX despite a violation in one program area (Bentley College, the University of Rochester, Pensacola Junior College, and North Georgia College). Because the OCR found these four institutions in compliance in their overall athletic programs, it did not require them to develop compliance plans to cure their single violations. The OCR found the other four institutions in violation of Title IX, and required them to formulate compliance plans to rectify the lone Title IX violation in their athletic programs (St. Francis College, Texas Christian University, University of Missouri at Kansas City, and Colorado Northwestern Community College). All institutions which violated Title IX requirements in more than one program area had to formulate compliance plans. See Appendix C.

89. See *supra* text accompanying notes 64-71. "Other program areas" includes eleven of the thirteen areas the OCR investigates: provision of equipment and supplies; scheduling of games and practice times; travel and per diem allowance; availability, assignment, and compensation of coaches; availability, assignment, and compensation of tutors; provision of locker rooms, practice and competitive facilities; provision of medical and training services; provision of housing and dining services; provision of publicity; recruitment of student athletes; and provision of support services. The remaining two areas investigated, athletic scholarships and effective accommodation of student athletic interests and abilities, each have their own, distinct standards for compliance.

90. This article is based upon all statements of findings the OCR regional offices had completed as of September 15, 1983 in regions I through VII and region IX. Region VIII findings are complete as of December 1, 1982. Region X had not completed a single investigation as of September 15, 1983. The Region X OCR office had open intercollegiate athletics cases against six institutions, and was negotiating with five institutions to develop voluntary compliance plans at that time. Letter to the author from Larry P. Ormo, Director, Post-secondary Education Division, Office for Civil Rights, Region X, United States Department of Education (Sept. 15, 1983). Appendix A lists the states covered by each regional office of the OCR.

91. An institution is in compliance with Title IX if the OCR either finds no disparate treatment of female and male athletes, or if an institution submits a compliance plan that will correct cited disparities. See, e.g., Statement of Findings—Yale University 30 (April 19, 1982) (the OCR found that the university complied in all areas) and Letter of Findings—Western Michigan University 4 (August 20, 1982) (the OCR found that the university's compliance plan would remedy the disparities OCR cited).

the institutions agreed to implement plans to correct violations in their athletic programs.⁹² This section examines and evaluates the OCR findings and the compliance plans that the OCR accepted, suggesting ways the OCR can and should improve its enforcement of Title IX in intercollegiate athletics.

A. Athletic Financial Assistance

An institution must provide female athletes with athletic scholarship funds that are substantially proportional to their participation rate in the institution's athletic program in order to comply with Title IX.⁹³ To determine compliance, the OCR compares the percentage of athletes who are female at an institution to the percentage of total athletic scholarship money awarded to female athletes at that institution. If these two figures are substantially equivalent, the OCR finds the institution in compliance in the awarding of athletic financial assistance. For example, at Canisius College in the academic year 1980-81, female athletes were 23% of the athletic participants and were awarded 24% of the institution's athletic financial assistance. The OCR found Canisius College in compliance with Title IX in its award of athletic scholarships.⁹⁴ The University of Georgia, however, awarded only 18% of its athletic scholarship budget to female athletes in 1980-81, while female athletes were 30% of the participants in the university's athletic program. The OCR found that the University did not award athletic scholarships substantially proportional to the participation rate of its female athletes, and therefore violated Title IX in this area.⁹⁵ When an institution asserted that it provided no athletic financial assistance to students, the OCR investigated that claim to see if the institution was circumventing Title IX by not labeling athletic aid as such. In each case, the OCR confirmed that the institution awarded athletes financial

92. See Appendix C. Twenty-one percent of the institutions the OCR investigated were not violating Title IX in any area. Each institution, on the average, violated 3.55 of the thirteen areas investigated. In each institution the OCR found to be violating Title IX, the average number of areas violated was 4.75. The OCR found that one-third or more of the investigated institutions had violated Title IX in six areas: 33% violated Title IX in the awarding of athletic scholarships, 43% violated Title IX in the availability of coaching, 42% in the provision of locker room, practice and competitive facilities, 36% in the provision of publicity, 51% in the recruitment of student-athletes, and 37% in the effective accommodation of student athletic interests and abilities. *Id.*

93. This is the compliance test set forth in the Title IX athletics policy interpretation. See *supra* note 64 and accompanying text.

94. See Appendix E.

95. *Id.*

aid on the same basis as other students.⁹⁶

1. The OCR Findings

The OCR found that thirty-nine percent of the institutions investigated that award athletic scholarships were in violation of Title IX.⁹⁷ No institution that awarded female athletes a percentage of athletic scholarship funds greater than the participation rate of female athletes in its athletic program was found to violate Title IX.⁹⁸ Generally, the OCR did not permit variations from proportionality⁹⁹ over four percent that favored male athletes.¹⁰⁰

Although the fact that an institution awards its male athletes three or four percent more of the athletic scholarship budget than their percentage participation rate may appear insubstantial, such a variance results in several male athletes receiving scholarship funds female athletes should have received under the plain language of the Title IX policy interpretation. The impact of a small variance on individual athletes depends

96. In order to verify that the institution did not award athletic financial assistance, the OCR analyzed the distribution of financial aid at the institution to determine if the institution was channeling need-based aid to athletes of one sex. Thus, the OCR compared the percentage of male and female students receiving financial aid with the percentage of male and female athletes receiving financial aid to determine if athletes were receiving more financial aid than other students. The OCR also interviewed athletes and coaches to confirm that the institution was not awarding athletic financial assistance. *See, e.g.*, Statement of Findings—St. Olaf College 1-4 (March 17, 1982).

97. Of the seventy-two institutions the OCR investigated, eleven did not award athletic financial assistance. The OCR found twenty-four violations among the sixty-one institutions that award athletic scholarships. *See* Appendices C and E.

98. *See* Appendix E: Athletic Scholarships—Graphical Summary of OCR Findings.

99. The term "proportional," as used in this part of the article, means that the percentage of athletic scholarship budget allotted to female athletes equals the percentage of total athletes who are female. "Disproportional" means that these two figures are not equal.

100. The OCR found two institutions in compliance even though the institutions awarded over four percent more athletic scholarship aid to male athletes than their participation rate: the University of Missouri at Kansas City (UMKC), with a 6.5% variance, and Pensacola Junior College, with a 7% variance. *See* Appendix E. The OCR concluded in both cases that the disparities were not statistically significant. Statement of Findings—University of Missouri-Kansas City 3 (March 31, 1982); Letter of Findings—Pensacola Junior College 3 (May 5, 1981). At UMKC, however, 32 male athletes received athletic scholarships worth \$32,500; 31 female athletes received \$24,000. Statement of Findings—University of Missouri-Kansas City 3 (March 31, 1982). Although there is only one more male athlete than there are female athletes at this university, male athletes receive 15% more of the athletic scholarship budget than female athletes. To the 31 female athletes at UMKC, the \$8500 disparity is a significant difference.

upon the size of the institution's scholarship budget. The larger the athletic scholarship budget at an institution, the more a small percentage variance disadvantages female athletes. For example, male athletes received, in addition to their proper proportion of athletic scholarship funds, \$30,503 at Boston College (a 3% variance), \$17,615 at Howard University (a 3% variance), \$20,257 at Western Michigan University (a 4% variance), \$50,612 at Rice University (a 4% variance), and \$32,220 at Arizona State University (a 3% variance).¹⁰¹ Based upon the average athletic scholarship award per female athlete at three institutions, these funds would have provided athletic scholarships for nine females at Howard University, fourteen females at Rice University, and sixteen females at Arizona State University.¹⁰² Thus, while a small variance appears insubstantial when presented in percentage form, such a variance can deny a significant number of female athletes athletic scholarships at institutions with large athletic scholarship budgets.¹⁰³ The OCR, however, declared these five institutions in compliance in the awarding of athletic scholarships.¹⁰⁴

Not only is the OCR's allowance of these variations inequitable in and of itself, but it could also create an institutional pattern of budgeting male athletes scholarship money that exceeds the male participation rate by three or four percent. Twenty-five complying institutions allocate athletic scholarship funds between male and female athletes disproportionately, but within four percent of proportionality.¹⁰⁵ Of these twenty-five institutions, sixteen provide disproportionately more athletic scholarship funds to male athletes, while nine provide dis-

101. See Appendix E. These figures were derived from Appendix E by multiplying the total scholarship budget at these institutions for the year the OCR investigated by the difference between the percentage of female athletes and the percentage of the athletic scholarship budget awarded to female athletes at the institution.

102. See *supra* text accompanying note 101, and Appendix E. These figures were derived by dividing the figure computed for each institution in note 101 by the average size of athletic scholarship awarded to female athletes at these institutions.

103. Nine additional athletic scholarships at Howard University would provide all members of the women's swimming team (8) or three-fifths of the women's basketball team (15), with athletic scholarships. Fourteen additional athletic scholarships at Rice University would provide athletic scholarships for the entire women's basketball team (14). Finally, at Arizona State University, sixteen additional athletic scholarships would provide scholarships for all female softball players (15). See Appendix D.

104. See Appendix E.

105. See Appendix E: Athletic Scholarships—Graphical Summary of OCR Findings.

proportionately more athletic scholarship funds to female athletes.¹⁰⁶ Male athletes benefit from these small disproportionalities in athletic scholarship aid two thirds of the time; women benefit only half as often as men. Universities seeking minimal Title IX compliance may simply target their athletic scholarship budgets to favor male athletes by a disproportionality of up to four percent, rather than budgeting these funds in proportional amounts. Incentive to budget in this manner would be particularly strong at institutions with large athletic scholarship budgets, because four percent of a large budget would provide several additional athletic scholarships for male athletes above their proportional share, without, apparently, violating Title IX.

With a few exceptions, the OCR did not permit large disproportionalities favoring male athletes in an institution's awarding of athletic financial assistance. The OCR failed, however, to investigate beyond small percentage differences to determine the number of female athletes to whom institutions deny scholarship funds because of the extra money allocated to male athletes. To determine the extent of the disparity, the OCR should divide the amount of money allocated to male athletes above their proportional share by the average athletic scholarship award for female athletes at the institution. If the institution's funding disparity denies female athletes several scholarship awards that would be awarded to female athletes if the athletic scholarship budget were divided exactly proportional to women's participation rate, the OCR should declare the institution in violation of Title IX for two reasons. First, the athletic scholarship budget is not divided proportionally at such institutions. Second, the amount of scholarship funds denied female athletes because of the disparity is significantly large when viewed in terms of average scholarship awards for female athletes at the institution. Thus, the institution is not providing scholarships "substantially proportional" to the participation rate of its female athletes.

While the OCR almost uniformly found institutions in violation of Title IX when the percentage of athletic scholarship awards to male athletes exceeded the male participation rate by over four percent, the OCR declared no institution in violation of Title IX for budgeting athletic financial assistance to female athletes in a proportion greater than their participation

106. *Id.*

rate.¹⁰⁷ Of seventeen institutions that awarded greater than proportional athletic financial aid to female athletes, the OCR accepted a disproportionality that favored female athletes over four percent at eight institutions.¹⁰⁸ At three of these eight institutions, the OCR recognized the development of the women's program as a legitimate, non-discriminatory factor that justified the disparity.¹⁰⁹ The OCR's recognition furthers Title IX's remedial purpose. Obviously, an institution's efforts to develop women's athletic programs helps to eliminate discrimination against women in education. Fairfield University, for example, designed its scholarship program to attract more female athletes and thus equalize its proportion of female and male athletes. As a result, Fairfield University allocated proportionally more athletic scholarship money to female athletes than to male athletes. The OCR found Fairfield University in compliance with Title IX.¹¹⁰

Fairfield University's rationale would allow greater than proportional athletic financial assistance to female athletes at the vast majority of institutions. At almost all institutions the OCR investigated, the percentage of female athletes is substantially lower than the percentage of enrolled female students.¹¹¹

107. *Id.*

108. *Id.*

109. The three institutions are: Fairfield University, with a 16% variance, Northwest Missouri State University, with a 6% variance, and Colorado Northwestern Community College, with a 12.5% variance. Statement of Findings—Fairfield University 3, 4 (June 30, 1983); Statement of Findings—Northwest Missouri State University (March 31, 1982) (unpaginated); Statement of Findings—Colorado Northwestern Community College (March 31, 1982) (unpaginated). The OCR concluded that athletic financial assistance was simply substantially proportional at the University of Bridgeport, which had a 6% variance, and proportionally equal at Central Michigan University, where a 5% variance existed. Statement of Findings—University of Bridgeport 6 (1981); Statement of Findings—Central Michigan University 6 (March 30, 1982). The OCR found that the disparities in athletic scholarship awards at Bentley College, which had an 8.5% variance, and Spring Hill College, which had a 6% variance, were not statistically significant. Statement of Findings—Bentley College 4 (March 31, 1982); Letter of Finding—Spring Hill College 3 (June 15, 1983). Longwood College, formerly a women's college, had a 9% variance. The OCR found that the college's plans for developing its men's program would result in a proportionate distribution of athletic scholarships between the sexes in the near future. Statement of Findings—Longwood College 8-10 (February 18, 1982). *See generally* Appendix E.

110. Statement of Findings—Fairfield University 3-4 (June 30, 1983).

111. *See generally* Appendix O, where the OCR compared the percentage of females enrolled at each institution with the percentage of female athletic participants. The percentage of female athletes was found substantially proportional to the percentage of female students at only nine of the sixty-eight institutions investigated that are listed in Appendix O. The percentage of female athletes exceeded the percentage of enrolled female students at only

One way an institution can attempt to increase the participation rate of female athletes is to provide them with more athletic scholarship funds than their proportional share. The additional funds would subsidize the education of a greater number of female athletes, increasing the female athletic participation rate at the institution. Eventually, as the number of female athletes at the institution increases, the disproportionality in athletic scholarship funds awarded to female athletes would decrease or disappear. Thus, a disproportionately large award of athletic financial assistance to female athletes at an institution would permanently raise the participation rate of female athletes at that institution, behavior encouraged by the Title IX policy interpretation,¹¹² while only temporarily violating the Title IX requirement of proportional distribution of athletic scholarship funds to female and male athletes. The OCR has permitted disproportionately large athletic financial assistance to female athletes at several institutions when those institutions attempt to develop historically inadequate women's programs. Such attempts are valid remedial actions.¹¹³

In summary, the OCR's enforcement of Title IX in the awarding of athletic scholarships has been good. Virtually all institutions that awarded male athletes a percentage of total athletic scholarship funds that exceeded the participation rate of males by over four percent were found to violate Title IX.¹¹⁴ No institutions that awarded a greater percentage of athletic scholarship funds to female athletes than their participation rate were found to violate Title IX. Thus, the OCR permits institutions to increase their number of female athletes through increased athletic financial assistance when the institution is attempting to remedy the historically low participation rate of women in athletics. This is a legitimate, non-discriminatory reason for an institution's disproportionately large award of athletic scholarships to female athletes, and the OCR is correct to recognize it as such. One exception to sound enforcement in

three institutions: Thames Valley State Technical College, the University of Missouri at Kansas City, and Colorado Northwestern Community College. *Id.*

112. The area called effective accommodation of student athletic interests and abilities in the Title IX policy interpretation is designed to increase the participation rate of female athletes to correspond to the female enrollment rates at an institution. This area is discussed in Section III. C., *infra*.

113. This rationale would not allow disproportional athletic financial assistance to male athletes. At the vast majority of institutions, the participation rate of male athletes is far higher than the enrollment rate of male students. See Appendix O.

114. For a discussion of the two exceptions to this OCR enforcement pattern, see *supra* note 100.

this area of Title IX compliance remains: the OCR must analyze more carefully the effect on female athletes of a small percentage disparity in athletic scholarship awards favoring male athletes at institutions with large athletic scholarship budgets. Where a small percentage disparity deprives female athletes of athletic scholarship funds that would finance several athletic scholarships, the OCR should find that disparity to violate Title IX.

2. Compliance Plans

Institutions in violation of Title IX in their awarding of athletic scholarships have generally responded with strong compliance plans to equalize their distribution of athletic scholarship funds. Most institutions pledged to achieve proportionality in athletic scholarship awards within one or two years of the OCR investigation.¹¹⁵ The OCR verified that the University of Houston was providing proportional athletic scholarship funds to female and male athletes one year after it investigated the university's program.¹¹⁶ Institutions agreed to substantially increase athletic scholarship funds for women. Georgia Institute of Technology, for example, agreed to increase the women's athletic scholarship budget by \$96,500 within two years.¹¹⁷ The University of Minnesota agreed to increase female athletes' scholarship funds by \$130,000 within one year.¹¹⁸ The University of Michigan agreed to increase athletic scholarship funds for female athletes by \$80,000 over a two-year period.¹¹⁹ Thus, most compliance plans accepted by the OCR pledged immediate and substantial increases in athletic scholarship funds for female athletes, and were designed to achieve the proportionality which Title IX requires within one or two academic years.

Without explanation, however, the OCR has also accepted compliance plans from institutions which will not equalize athletic scholarship funds for women until four years after the OCR investigation. Neither the University of Nevada at Reno nor Kearney State College will fully comply with Title IX until

115. Of the twenty-four institutions that formulated compliance plans for the awarding of athletic scholarships, fourteen would have executed their compliance plans within two years after the OCR issued its findings. See Appendices B & E.

116. See Appendix E.

117. *Id.*

118. *Id.*

119. *Id.*

1985-86.¹²⁰ Texas Christian University and Kearney State College planned to increase female athletes' percentage of the athletic scholarship by 1.5% annually for four years.¹²¹ The majority of violating institutions were able to achieve proportionality twice as fast, many correcting larger disparities in the process.¹²² A four year wait at these four institutions delays equivalent treatment for female athletes unnecessarily, and inexcusably. The Title IX regulations first required proportional provision of athletic financial assistance in 1975.¹²³ Institutions were legally obligated to comply with Title IX in 1978.¹²⁴ The OCR found Title IX violations in the academic year 1980-81 or 1981-82 budgets at these four institutions.¹²⁵ The OCR then allowed these institutions until the academic year 1985-86 to provide proportional athletic scholarship funds to female students. Female athletes at these institutions, their claims vindicated, thus suffer discrimination for several more years before they actually receive athletic financial aid similar to the aid male athletes have always received. The OCR should not have permitted such tardy compliance at a few universities when nearly all universities could rectify disproportionate treatment in less time.

B. Other Program Areas

The difference in the Title IX compliance standard for athletic scholarships and the compliance standard for *other program areas*¹²⁶ explains the difference in the effectiveness of

120. *Id.*

121. *Id.* Other institutions whose compliance plans would take three or more years to execute are Utah State University, the University of Montana, and California Polytechnic State University. *Id.*

122. Texas Christian University and Kearney State College, for example, planned to erase disparities of five percent over four years, while the University of Georgia, which had a 12% variance, and Georgia Institute of Technology, which had an 11% variance, pledged to eliminate their disparities in two years. See Appendix E.

123. See *supra* text accompanying note 57.

124. See *supra* text accompanying note 59.

125. See Appendix E.

126. *Other program areas* is the term used in the Title IX athletics policy interpretation to cover eleven of the thirteen athletic program areas that the OCR investigates. These eleven areas are grouped together in the policy interpretation because they are all subject to the "equal or equal in effect" compliance standard. For an explanation of the "equal or equal in effect" test, see *supra* notes 65-67 and accompanying text and see *infra* text accompanying notes 129-31. The eleven *other program areas* are: equipment and supplies; scheduling of games and practice times; travel and per diem allowance; availability and compensation of coaches; availability and compensation of tutors; provision of locker room, practice and competitive facilities; provision of medical and train-

OCR enforcement in each area. The proportional expenditure test for athletic scholarships is a mathematically precise test: the OCR has allowed relatively little deviation from proportionality.¹²⁷ *Other program areas* are subject to the "equal or equal in effect" test.¹²⁸ Because this compliance test is less precise, the OCR has often allowed larger disparities in *other program areas* than it has allowed for athletic scholarships.

The "equal or equal in effect" test requires the OCR to identify each benefit an institution provides for its male or female athletes, and then to determine if athletes of one sex receive the same benefits that athletes of the other sex receive. For example, in the travel and per diem program area, the OCR investigates whether an institution provides equivalent benefits to male and female athletes when they travel to compete at another institution. The OCR found, for example, that St. Olaf College provided both male and female athletes with eight dollars per day for meals, that both male and female athletes slept three or four to a motel room while traveling, and that most athletes traveled to away events using a similar mode of transportation (vans and cars).¹²⁹ Therefore, the OCR found that St. Olaf College was providing male and female athletes equivalent treatment in the area of travel and per diem allowance.¹³⁰ The OCR found, however, that while Thames Valley State Technical College provided male athletes with meals during travel to away events, female athletes had to pay for their own meals. Also, the men's basketball and baseball teams traveled by bus to away events while the women's basketball team traveled by car. The OCR found that Thames Valley State Technical Col-

ing facilities and services; provision of housing and dining facilities and services; provision of publicity; recruitment of student-athletes; and provision of support services. For a list of what the OCR investigates under each of these areas, see *supra* note 65.

127. *But see supra* the concerns described in Section III. A.

128. The policy interpretation describes this compliance test:

The Department will assess compliance . . . by comparing the availability, quality and kinds of benefits, opportunities and treatment afforded members of both sexes. Institutions will be in compliance if the compared program components are equivalent, that is, equal or equal in effect. Under this standard, identical benefits, opportunities, or treatment are not required, provided the overall effect of any differences is negligible.

44 Fed. Reg. 71,415 (1979).

129. The OCR noted that the men's football team always rode a bus to competitive events and that the women's track team occasionally rode a bus to competitive events. All other athletic teams at St. Olaf College traveled by van or car to competitive events. See Appendix H.

130. *Id.*

lege was violating Title IX in the travel and per diem area.¹³¹ The OCR determined an institution's Title IX compliance in each of the eleven *other program areas* by using similar comparisons.

1. The OCR Findings

The OCR made detailed findings at each institution it investigated in *other program areas*. The OCR found large and numerous disparities in institutions' provision of benefits for male and female athletes.¹³² The OCR's findings illustrate the inequalities female athletes continue to face in intercollegiate athletics. Coaches of women's teams are usually employed part-time, while coaches of men's teams are usually full-time employees of the institution.¹³³ Institutions usually provide women's teams with fewer assistant coaches than men's teams.¹³⁴ Coaches of women's teams often receive employment contracts which run for only nine or ten months, while coaches of men's teams usually receive twelve month contracts.¹³⁵ Coaches of women's teams have smaller recruiting budgets¹³⁶ and go on fewer recruiting trips than coaches of men's teams.¹³⁷ Institutions feature women's teams in fewer publica-

131. *Id.*

132. The OCR found 207 Title IX violations in the eleven *other program areas* among the 67 institutions it investigated. This is an average of 3.1 violations per institution in *other program areas*. See Appendix C.

133. For example, at the University of Florida, the OCR found that two coaches of women's teams and fourteen coaches of men's teams were full-time employees of the university. The OCR found that one coach of women's teams and twenty coaches of men's teams were full-time employees at the University of Michigan. At the University of Houston, two coaches of women's teams and sixteen coaches of men's teams are full-time employees. See generally, Appendix I.

134. At Syracuse University, for example, the OCR found that women's teams had five assistant coaches while men's teams had nineteen. The University of Iowa's men's teams had twenty assistant coaches while the women's teams had only one. See generally, *id.*

135. The University of Northern Iowa employed ten coaches of men's teams and only one coach of a women's team (who also coached a men's team) on twelve month employment contracts. At Arizona State University, twenty-one coaches of men's teams and four coaches of women's teams were on twelve month employment contracts, while six coaches of women's teams and two coaches of men's teams were on nine month employment contracts. See generally, *id.*

136. Coaches of men's teams, for example, spent \$405,187 recruiting student-athletes at the University of Florida; the coaches of women's teams spent only \$9,328. The University of Minnesota spent \$309,100 to recruit male athletes and only \$15,800 to recruit female athletes. See generally Appendix N.

137. At Michigan State University, coaches of men's teams went on 594 recruiting trips while coaches of women's teams went on 24. At the University of Nevada at Las Vegas, the coaches of men's teams went on 95 recruiting trips; the

tions than men's teams.¹³⁸ Publicity staff devote little time to publicizing women's athletics.¹³⁹ Female athletes are flown to competitive events far less frequently than male athletes.¹⁴⁰ While male athletes sleep two per motel room on away trips, female athletes usually sleep three or four per room.¹⁴¹ Women's teams rarely have the use of exclusive locker rooms.¹⁴² Finally, female athletes receive less attention from physicians and athletic trainers than male athletes.¹⁴³ The OCR findings document in great detail the extent of discrimination female athletes still suffer twelve years after passage of Title IX.¹⁴⁴

coaches of women's teams went on no recruiting trips. Arizona State University did not subsidize any recruiting trips for coaches of women's teams, but some coaches of women's teams went recruiting at their own personal expense. *See generally, id.*

138. At Arizona State University, the Sports Information Office published printed color media guides for men's football (104 pages), basketball (80 pages) and baseball (60 pages). All other men's teams and all women's teams were limited to four or eight page black and white media booklets. Statement of Findings—Arizona State University 18 (March 4, 1983). The University of Illinois at Urbana printed media guides for only four of seven women's teams but for all ten men's teams. Also, while all ten men's teams had programs printed for their home events, only women's basketball had a program available for spectators at their home events. *See generally* Appendix M.

139. At Utah State University and the University of Montana, sports information personnel spent no time publicizing women's athletics. The University of Nevada at Reno Sports Information Director spent 95% of his time publicizing men's athletics. *See generally, id.*

140. At the University of Akron, two men's teams flew to events over three hundred miles away; no women's teams traveled by air. The University of Nevada at Las Vegas flew its men's teams to places it sent the women's teams in vans or cars. Statement of Findings—University of Nevada-Las Vegas 8 (Feb. 26, 1982) (practice since discontinued). *See generally* Appendix H.

141. Five University of Kansas men's teams and one women's team slept two athletes to a motel room; six women's teams and no men's teams slept four to a motel room. At the University of Iowa, male athletes slept two to a motel room while traveling; female athletes slept three or four per room. *See generally id.*

142. Six men's teams and no women's teams had exclusive use of a locker room at Boston College. At Cornell University, eleven men's teams and only two women's teams had exclusive use of a locker room during their competitive seasons. *See generally* Appendix J.

143. A physician attends the competitive events of four men's teams and no women's teams at Cornell University. At Utah State University, a full-time certified athletic trainer serves the men's teams; the women's teams are served by a part-time student. *See generally* Appendix K. Athletic trainers are personnel who specialize in the prevention and rehabilitation of athletic injuries.

144. Appendices E to O illustrate the great variety of disparities which face female athletes nationwide. Other OCR findings demonstrate the variety of forms that discrimination against female athletes takes. For example, the University of Kansas paid the accident insurance deductible for injured male athletes but did not pay the deductible for injured female athletes. *See* Appendix K. Female athletes at the University of Kansas told OCR investigators that academic tutors gave preferential treatment to men's football and basketball players; they spent an inadequate amount of time with female athletes and at times gave female athletes the wrong answers! Statement of Findings—Univer-

While the OCR declared most institutions in violation of Title IX for these types of disparities, the OCR has not found institutions in violation of Title IX in many other situations where an institution's disparate treatment disadvantaged female athletes. For example, the OCR did not find the University of Georgia in violation of Title IX, even though coaches of men's teams received a \$257,200 recruitment budget while the coaches of women's teams received \$20,500 to recruit.¹⁴⁵ The University of Illinois-Urbana did not violate Title IX even though fifteen coaches of men's teams and only three coaches of women's teams had twelve month employment contracts.¹⁴⁶ The Bentley College Sports Information Director informed the OCR that he spent little time covering women's athletics because the media lacked interest in women's athletics.¹⁴⁷ As a result, all coaches of women's teams had to do their own publicity while the Sports Information Director provided publicity for half of the men's teams. The OCR found Bentley College in compliance with Title IX in provision of publicity.¹⁴⁸ Several institutions did not violate Title IX, even though they placed either no limits or higher limits on per diem allowances for men's football and basketball.¹⁴⁹ The OCR declared several in-

sity of Kansas 21 (March 31, 1982). University of Northern Iowa female athletes had no access to conditioning facilities because the key to the room was kept in the men's coaches' dressing room. See Appendix K.

145. See Appendix N.

146. See Appendix I. The University of Georgia employed fifteen full-time coaches for men's teams and only one full-time coach for women's teams without violating Title IX. The OCR found that Michigan State University employed eleven coaches of men's teams and no coaches of women's teams on twelve month employment contracts, without violating Title IX. *Id.* For further examples of disparity in the provision of coaching that the OCR did not find to violate Title IX, see the OCR's findings for the University of Florida, the University of Houston, and Kansas State University.

147. See Appendix M. Part of the function of a Sports Information Director, of course, is to create interest in an institution's athletic program.

148. *Id.* The OCR also declared the University of Akron in compliance with Title IX in provision of publicity. Yet, Akron's sports information personnel covered the away events for two men's and no women's teams and promoted three men's teams and only one women's team. One full-time sports information director provided publicity for only men's sports, while an athletic department administrative assistant provided publicity for women's sports in addition to other administrative duties. See *id.* For further examples of disparity in the provision of publicity that the OCR did not find to violate Title IX, see the OCR findings for the University of Georgia, the University of Michigan, and the University of Northern Arizona.

149. See Appendix H. For further examples of disparity in the travel and per diem area that the OCR did not find to violate Title IX, see the OCR's findings for Syracuse University, the University of Illinois at Urbana, the University of Minnesota, Utah State University, the University of Texas at Arlington, Central Michigan University, and the University of Akron.

stitutions in compliance when all women's teams slept four athletes to a motel room while some men's teams slept two athletes per room.¹⁵⁰ Finally, several institutions did not violate Title IX, even though they provided some men's teams with pre-game meals or enriched training table diets without providing comparable nutritional service to women's teams.¹⁵¹

The OCR's failure to find Title IX violations based on these inequalities insures that these institutions will continue to discriminate against female athletes in these particular program areas. Had the OCR found a violation of Title IX based upon these inequalities, these institutions would have had to formulate a compliance plan to erase their disparate treatment of female athletes. Because the OCR did not find these institutions in violation of Title IX in these program areas, the disparities clearly reflected in the OCR's own findings may never be corrected. In contrast with the OCR's enforcement of Title IX in an institution's awarding of athletic scholarships, the OCR's enforcement of Title IX in *other program areas* has been much more inconsistent.¹⁵²

Female athletes are particularly disadvantaged where the OCR overlooks several disparities at one institution. The

150. For example, the OCR found that Ohio University housed men's football and basketball athletes two per motel room on away trips. All female athletes and the remaining male athletes were housed four per motel room. See Appendix H. For further examples of disparities in provision of sleeping quarters while teams are traveling that the OCR did not find to violate Title IX, see the OCR findings for the University of Texas at Arlington, Kansas State University, Northwest Missouri State University, the University of Iowa, Kearney State College, and Utah State University.

151. For example, Boston College provided three men's teams and no women's teams with pre-game meals. The University of Georgia had a special training table diet for eight of nine men's teams, but not for any women's teams. See Appendix L. For further examples of disparity in the provision of meals that the OCR did not find to violate Title IX, see the OCR's findings for the University of Kentucky, the University of Houston and Kansas State University.

152. For example, the OCR found Southern Illinois University at Carbondale in compliance in provision of equipment and supplies. The University provided 70% of male athletes and only 9% of female athletes with practice uniforms; four men's teams and no women's teams received laundry service for their uniforms. See Appendix F. For further examples of disparity in the provision of equipment that the OCR did not find to violate Title IX, see the OCR findings for Boston College, Michigan State University and the University of Michigan.

Further examples of disparate treatment of male and female athletes that the OCR did not find to violate Title IX are in the provision of medical and training services. See Appendix K and the OCR findings for Wagner College, the University of Illinois at Urbana, Central Michigan University, Michigan State University, Western Michigan University, Ohio University, Cornell University, Hofstra University, Howard University, the University of Georgia, the University of Florida, and the University of Kentucky.

OCR's procedure for determining if violations of Title IX exist allows small variances in several program areas to remain unremedied. The OCR made separate findings at an institution in each specific program area. It then made a compliance determination for each area. In some instances, the OCR decided that the disparities it had found were not substantial enough to constitute a violation,¹⁵³ even where the OCR noted disparities in several areas.¹⁵⁴ The OCR findings suggest that the OCR never investigated the cumulative effect of several disparities across program areas. Though a small disparity in a single program area might not violate Title IX, even small disparities in several areas deny female athletes equal treatment in the institution's overall athletic program.

The OCR findings for Boston College illustrate this problem. Boston College provides eight men's teams but only four women's teams with practice uniforms.¹⁵⁵ The college launders the practice uniforms of six men's teams and three women's teams. The OCR noted this disparity, but found no Title IX violation in the equipment and supplies area.¹⁵⁶ When investigating medical services, the OCR found that the college had a physician in attendance at the home events of men's basketball and ice hockey, and at all football games, both home and away. A physician did not attend the events of any women's team. Additionally, the men's football team was given priority use of weight training facilities four hours per day, three days per week.¹⁵⁷ Furthermore, Boston College had certified athletic trainers attend the practices of two men's teams, the home competitive events of nine men's but only six women's teams, and the away competitive events of four men's and only two women's teams. Student athletic trainers attended the away

153. Wherever the notation "X*" appears in the compliance column of Appendices E to O, the OCR made this type of finding.

154. The OCR noted disparities, but found the institution in compliance in several program areas at the University of Minnesota (5 areas: equipment and supplies; travel and per diem; tutoring; housing and dining; and publicity), the University of Michigan (3 areas: scheduling of games and practice times; locker rooms, practices and competitive facilities; and accommodation of student interests and abilities), Ohio University (3 areas: travel and per diem; locker room, practice, and competitive facilities; and accommodation of student interests and abilities), and Boston College (3 areas: equipment and supplies; medical and training services; and housing and dining services). Letter of Finding—University of Minnesota 4 (Dec. 23, 1982), Letter of Finding—University of Michigan 4 (Aug. 25, 1982), Letter of Finding—Ohio University 3 (Aug. 29, 1983), Statement of Findings—Boston College 8, 33, 35 (July 8, 1983).

155. See Appendix F.

156. *Id.*

157. See Appendix K.

events of an additional four men's but only two women's teams. Despite these numerous disparities, the OCR found Boston College in compliance with Title IX in provision of medical and athletic training services.¹⁵⁸ Finally, the OCR found that Boston College reserved fifty dormitory spaces for freshman male athletes. No spaces were reserved for female athletes, who told the OCR they had difficulty obtaining housing. The college also provided three men's teams (football, basketball and ice hockey), but no women's teams, with high protein pre-game meals. Again, the OCR noted these disparities, but found Boston College in compliance with Title IX in the area of housing and dining services.¹⁵⁹

The OCR did not find these various disparities sufficient, individually, to violate particular program areas of Title IX. Yet a strong argument exists that these individual disparities result in unequal treatment of female athletes in Boston College's athletic program. The OCR usually finds a Title IX violation where disparities are concentrated in one program area. The OCR's findings for Boston College in the program area of publicity illustrate this practice. The sports information personnel spent far less time publicizing women's athletics than they spent publicizing men's athletics.¹⁶⁰ Sports information personnel traveled with only men's football and basketball to cover away events.¹⁶¹ The college hosted press luncheons only for men's football, basketball and ice hockey.¹⁶² Finally, the college published publicity materials for fewer women's teams than men's teams.¹⁶³ Because of these numerous disparities, the OCR found Boston College in violation of Title IX in provision of publicity. Boston College thus had to act to correct the disparities in publicity which the OCR cited.¹⁶⁴

158. *Id.*

159. *See* Appendix L.

160. Of the three Boston College sports information and promotions people, one spends about half of his time publicizing women's athletics. *See* Appendix M.

161. *Id.*

162. *Id.*

163. The college published media guides for three women's and six men's teams, posters for no women's and four men's teams, and programs for three women's and five men's teams. *Id.*

164. Boston College added a full-time sports promotion coordinator to promote women's athletics, increased the quantity of publicity materials printed for women's athletics, and increased its promotional and fund-raising activities for women's athletics. Having confirmed these improvements in provision of publicity in a second investigation of Boston College's athletic program, the OCR declared the college in compliance. Statement of Findings—Boston College 36-39 (July 8, 1983).

Thus, at Boston College, two disparities in each of three program areas did not violate Title IX because the OCR judged that they were not significant enough in any one area to violate Title IX. The OCR properly found, however, that multiple disparities in publicity for female and male athletes at Boston College violated Title IX. Since single disparities in several program areas result in as much unequal treatment for female athletes as multiple disparities in one area, the OCR should find the former a violation of Title IX as well as the latter.

2. Critique of the OCR's Methods of Determining Compliance in *Other Program Areas*

The Title IX compliance test for *other program areas* requires that the OCR catalogue the benefits an institution provides its male and female athletes and then compare the benefits provided athletes of each sex to determine if athletes of each sex receive equivalent benefits. The most common method of comparison the OCR uses is a simple count of how many *teams* of each sex receive particular benefits. The OCR uses this comparison method almost exclusively in comparing the publicity,¹⁶⁵ equipment,¹⁶⁶ travel and per diem,¹⁶⁷ locker rooms,¹⁶⁸ medical and athletic training services,¹⁶⁹ and housing and dining¹⁷⁰ services an institution provides to male and female athletes. Findings based upon this comparison method, however, fail to account for the difference in the *number* of female and male athletes who receive similar benefits.

In most men's athletic programs, institutions provide men's football and basketball players with benefits not provided for any other athletes.¹⁷¹ Since a typical football team has eighty to one hundred twenty athletes, benefits granted football players can benefit up to one third of all male athletes at an institution.¹⁷² Provision of pre-game meals, for example,

165. See Appendix M.

166. See Appendix F.

167. See Appendix H.

168. See Appendix J.

169. See Appendix K.

170. See Appendix L.

171. See generally Appendices F, H, J, K, L, and M.

172. The percentage of male athletes who play football varied between twenty-one and sixty-eight percent at the institutions the OCR investigated. This percentage at selected institutions is as follows:

Boston College	23%
Wagner College	47%
Cornell University	33%
University of Georgia	49%

to two men's teams and two women's teams would comply with Title IX if the OCR compares only the number of teams of each sex that receive this benefit. Assuming that the pre-game meals are provided to men's football and basketball and women's basketball and volleyball, 130 male athletes and 30 female athletes at a typical institution would receive this benefit.¹⁷³ If an institution has 250 male athletes and 120 female athletes, over half of the male athletes and only one fourth of the female athletes would receive pre-game meals. Thus, analysis of the percentage of athletes of each sex receiving a particular benefit could reveal disparate treatment where a count of number of teams of each sex receiving the benefit would not.

The OCR's findings at Oklahoma State University illustrate this problem. The OCR found Oklahoma State University in compliance with Title IX in its provision of travel and per diem allowance to male and female athletes. The OCR found that Oklahoma State University provided female and male athletes with equal per diem dining allowances of fifteen dollars per day while traveling to competitive events. The institution also provided similar modes of transportation for its male and female athletes. Finally, the institution provided men's football and basketball and women's basketball and golf with sufficient funds to house two athletes per motel room while traveling. The other athletic teams slept three or four athletes per motel room.¹⁷⁴ Analysis of percentage of athletes affected by the benefit of less crowded sleeping conditions, however, reveals a disparity where treatment appears equivalent by a count of number of teams receiving this benefit. Based on the number of participants on each team that sleeps two athletes per motel

University of Florida	51%
University of Kentucky	37%
Central Michigan University	31%
Michigan State University	22%
Ohio University	23%
Texas A & I University	62%
Sul Ross State University	68%
North Texas State University	47%
Kansas State University	54%
University of Iowa	33%
Utah State University	46%
California Polytechnic State University	21%

These figures were derived from Appendix D.

173. Women's basketball teams and volleyball teams typically have twelve to fifteen athletes. Men's basketball teams typically have twelve to twenty athletes. Men's football teams typically have 80 to 120 athletes. See Appendix D.

174. See Appendix H.

room, 25 female athletes and 150 male athletes receive this benefit. Thus, 28% of female athletes and 55% of male athletes at Oklahoma State University receive this benefit.¹⁷⁵ The OCR should have declared this institution in violation of Title IX in its provision of travel and per diem allowance.

The disparity in percentage of male and female athletes who receive a particular benefit becomes even larger if fewer women's teams than men's teams receive the benefit. For example, the University of Kentucky provides men's football and men's and women's basketball with many benefits and services not provided to other teams. These three teams are the only athletic teams the University of Kentucky flies to competitive events; provides certified athletic trainers at practices, home, and away events; provides publicity in the form of media guides, schedule cards and game programs; and provides with pre-game meals.¹⁷⁶ Forty-one percent of the University of Kentucky's male athletes receive these benefits while only fourteen percent of the university's female athletes receive them.¹⁷⁷ The difference in the number of teams of each sex provided these benefits is only one team, but twenty-seven percent more male athletes receive the benefits than do female athletes. Thus, the OCR's use of a simple comparison of how many men's and women's teams receive a benefit masks disparate treatment of female and male athletes particularly when one or two more men's teams than women's teams receive a benefit.

The computation of percentage of male and female athletes affected by an institution's provision of coaching would also have improved OCR enforcement of Title IX. In its investigations of availability of coaching, the OCR computed the average number of female and male athletes per full-time equivalent (FTE) coach¹⁷⁸ to determine if an institution provided comparable coaching services to female and male athletes. Generally, the OCR found institutions in compliance

175. These figures are based upon the OCR's finding of how many athletes played on each Oklahoma State University team in 1981-82. See Appendix D.

176. See Appendices H, K, L, and M.

177. These figures are based on the number of participants on these sports teams in 1981-82. See Appendix D.

178. In determining how many female or male athletes are served by one full-time equivalent coach, the OCR first adds up the FTE of all coaches for each program. A full-time coach is one FTE, a three-fourths time coach is .75 FTE, and a half-time coach is .5 FTE. The OCR then divides the number of female or male athletes by the total FTE figure for coaches in each program. Thus, if there are sixty female athletes at an institution and they are coached by four FTE coaches, one FTE serves fifteen female athletes.

with Title IX if this figure was similar for female and male athletes.¹⁷⁹ The OCR calculated that the University of Georgia provided one FTE coach per 17 female athletes and one FTE coach per 13.5 male athletes. The University of Georgia complied with Title IX in provision of coaching.¹⁸⁰ Only one coach of a women's team was a full-time coach, however, while fifteen coaches of men's teams were full-time coaches.¹⁸¹ Analysis of the percentage of athletes who receive the benefit of full-time coaching reveals startling disparities. Eleven percent of the female athletes and eighty-four percent of the male athletes at the University of Georgia have the benefit of full-time head coaches.¹⁸² Fifty-four percent of male athletes and no female athletes have the benefit of full-time assistant coaches.¹⁸³ Thus, the OCR's reliance upon the FTE figure obscures inequalities in the provision of coaching that analysis of percentage of athletes affected reveals.

The OCR occasionally compared the percentage of athletes of each sex that receive a benefit to determine whether an institution complied with Title IX.¹⁸⁴ Standard use of this method, however, would uncover more disparate treatment than either a simple count of the number of teams receiving a benefit or the OCR's use of the FTE computation to determine compliance in the coaching area. The Title IX compliance standard is "equal or equal in effect" for *other program areas*. The percentage of male and female athletes who receive a particular benefit in an athletic program is a precise measure of whether an institution's treatment of female and male athletes is truly "equal in effect" because it accounts for the disparity in the number of male and female athletes on the athletic teams that receive a particular benefit. The OCR should use this

179. See Appendix I.

180. *Id.*

181. *Id.*

182. Six men's teams (baseball, basketball, football, gymnastics, swimming and tennis) and one women's team (basketball) had full-time head coaches. Statement of Findings—University of Georgia 16 (April 5, 1982). Percentage figures were derived from the data in Appendix D by adding up the number of participants of each sex who have full-time head coaches and dividing that figure by the total number of athletes of that sex at the institution.

183. Men's basketball and football athletes were coached by full-time assistant coaches. *Id.*

184. The OCR regional offices in region V and region VII utilized this method of comparison more often than the other OCR regional offices. See, e.g., Appendices F, L, I, H, and K. These appendices illustrate, however, that no OCR office consistently used this method of comparison.

method of comparison as the standard method for assessing an institution's Title IX compliance in *other program areas*.

In summary, the OCR's enforcement of Title IX in *other program areas* is much more inconsistent than the OCR's enforcement of Title IX in athletic scholarships.¹⁸⁵ Besides correcting the simple inconsistencies in its findings of Title IX violations, the OCR should take two other actions to achieve better Title IX enforcement in *other program areas*. First, if the OCR notes disparate treatment of female and male athletes in a program area, it sometimes concludes that the disparity is not sufficient to violate Title IX. The OCR should, however, find such an institution in violation of Title IX if it makes this type of finding in several program areas. Small disparities in several program areas provide as much unequal treatment of female athletes as several small disparities in one program area. Second, the OCR should rely less on a simple comparison of the number of female and male teams that receive a benefit in an institution's athletic program. Instead, the OCR should compute the percentage of athletes of each sex that receive each benefit. This method of comparison identifies any large differences in the number of participants who receive the benefit, while a simple count of the women's and men's teams receiving the benefit does not.

3. Compliance Plans

As a result of the OCR findings in *other program areas*, many institutions have agreed to make substantial improvements in their women's athletic programs. The University of Iowa, for example, offered all coaches of women's teams twelve month contracts and agreed to hire six full-time assistant coaches for its women's program.¹⁸⁶ The University of Minnesota agreed to add \$32,000 to the women's 1983-84 recruitment budget.¹⁸⁷ Utah State University agreed to hire a full-time Sports Information Director to publicize its women's program.¹⁸⁸ Other institutions plan to purchase more equipment for women's teams,¹⁸⁹ to increase the number of competitive

185. For discussion of the OCR's enforcement of Title IX in provision of athletic scholarships, see *supra* Section III.A.

186. See Appendix I. Similarly, the University of Iowa also agreed to increase the head coaches of women's teams from one-half to two-thirds time employees. All coaches of women's teams were given twelve month employment contracts in 1982-83. *Id.*

187. See Appendix N.

188. See Appendix M.

189. See Appendix F, noting the compliance plans for the College of Santa Fe,

athletic events for women's teams,¹⁹⁰ to renovate and expand women's locker rooms,¹⁹¹ and to provide additional athletic training services for women's teams.¹⁹² Fifty-three institutions have formulated plans to upgrade their women's athletics programs in response to the violations that the OCR has found.

A significant number of compliance plans, however, have serious deficiencies. First, many compliance plans do not correct all cited disparities. For example, the OCR found Howard University in violation of Title IX in the provision of coaching. The OCR noted that eight coaches of men's teams and no coaches of women's teams were full-time coaches. The OCR found a Title IX violation specifically because male athletes had more *full-time* coaches than female athletes did. Howard University's compliance plan was to hire one new *part-time* coach for women's teams. The OCR accepted this compliance plan.¹⁹³ The University of Bridgeport violated Title IX in provision of publicity because its Sports Information Director (SID) spent ninety percent of his time publicizing men's athletics. The university's compliance plan was to hire a part-time student to publicize women's athletics, and to increase publications for women's teams. Thus, male athletes, 53% of the athletes at the University of Bridgeport, have a full-time SID to publicize their athletics, while a part-time student does publicity for female athletes, 47% of Bridgeport's athletes. The OCR accepted this compliance plan.¹⁹⁴ Many of the compliance plans which the OCR accepted failed to remedy fully the disparities that the OCR had found to violate Title IX.¹⁹⁵ While

the University of Iowa, the University of Northern Iowa, Missouri Western State College, Utah State University, the University of Montana, and Colorado School of Mines.

190. See Appendix G, noting the compliance plans for Thames Valley State Technical College, Edison Community College, Voorhees College, Southern Illinois University at Carbondale, Ohio University, Kansas State University, and Colorado Northwestern Community College.

191. See Appendix J, noting the compliance plans for the University of Bridgeport, the University of Akron, Michigan State University, Western Michigan University, the University of Kansas, the University of Iowa, Kearney State College, the University of Montana, and California Polytechnic State University.

192. See Appendix K, noting the compliance plans for the University of Kansas and California Polytechnic State University.

193. See Appendix I.

194. See Appendix M. The percentage of athletes that are male and female at the University of Bridgeport is recorded in Appendix O.

195. For further examples of this type of compliance plan, compare the OCR findings and compliance plans for the following institutions. In Appendix N, note the compliance plan for the University of Houston. The OCR found the University of Houston in violation of Title IX, noting that the institution spent

these compliance plans do represent progress for female athletes, progress is not the Title IX standard. Title IX mandates that an institution treat female and male athletes equivalently; the OCR should accept nothing less.

The second type of deficient compliance plan that the OCR accepted was compliance plans that involved only vague institutional pledges of future equitable treatment for female athletes. The OCR found Oklahoma State University in violation of Title IX in the provision of publicity. The university printed color media guides for all men's teams and photocopied black and white media guides for all women's teams. Programs for men's home competitive events were professionally printed while women's programs were photocopied. Oklahoma State University's compliance plan stated that publicity disparities would be addressed on a "functional basis:" coaches' publicity needs would be assessed and "channeled for support to the appropriate area."¹⁹⁶ The OCR accepted this compliance plan. The University of Kansas violated Title IX in the provision of coaching. The university's compliance plan was either to add coaches of women's teams or drop coaches of men's teams until the university achieved "comparable" coaching for male and fe-

only five percent of its recruiting budget recruiting female athletes while female athletes were 22% of the institution's athletes. The compliance plan, however, did not pledge to allot recruitment funds proportionally; it gave the female athletes only 15% of the recruitment budget. See Appendix N.

In the area of housing and dining, the OCR found that Michigan State University housed men's football and basketball players two per dormitory room, while other male athletes and all female athletes were housed three per dormitory room. The university provided regular, highly nutritious training table meals to 23% of its male athletes and only 10% of its female athletes. Pre-game meals were served to 35% of male athletes and no female athletes. The OCR accepted Michigan State University's compliance plan, which pledged to house all athletes two per dormitory room. For further examples in the housing and dining area, see Appendix L, comparing the OCR findings and compliance plans of Missouri Western State College (plan did not address disparity in pre-game meals), Arizona State University (plan did not address disparity in provision of training tables), Utah State University (although two women's teams will now receive pre-game meals, 57% of male athletes and only 31% of female athletes will receive this benefit) (figures computed using Appendix D), and the University of Montana (two women's and two men's teams will receive pre-game meals, but 47% of the male athletes and only 18% of the female athletes will receive pre-game meals under this plan) (figures computed using Appendix D). See Appendix L.

The compliance plan for Kearney State College pledged to make practice uniforms available to all female athletes and to improve storage area for equipment used by women's teams. This plan did not, however, correct the disparity in towel service, which Kearney State College provided to six men's teams and only two women's teams. See Appendix F.

196. See Appendix M.

male athletes.¹⁹⁷ The OCR accepted this compliance plan, without ascertaining how many coaches would be added or dropped, whether these coaches would be part-time or full-time, when the change in coaching would occur, or what the University of Kansas means by "comparable." Such compliance plans provide no basis upon which the OCR can determine whether the compliance plan will cure an institution's Title IX violations.¹⁹⁸

Vague compliance plans were particularly common in the area of recruiting. The University of Michigan, for example, violated Title IX in recruiting because it spent \$105,200 recruiting male athletes and only \$4,550 recruiting female athletes in the 1981-82 academic year. The university's compliance plan, accepted by the OCR, agreed to "enhance" the women's recruiting budget.¹⁹⁹ Howard University violated Title IX because it spent \$19,500 in 1980-81 recruiting male athletes but spent no money recruiting female athletes. Howard University agreed to "provide money" for the recruitment of female athletes.²⁰⁰ The OCR accepted this compliance plan. Faced with similarly staggering recruitment budget disparities that violated Title IX, other institutions agreed to "equitably distribute" recruiting funds,²⁰¹ "adequately fund" recruitment of female athletes,²⁰² "adjust" differences in budget allocation,²⁰³ "reassess" recruiting budgets,²⁰⁴ and increase the women's recruiting budget to

197. See Appendix L.

198. To comply with Title IX in the equipment and supplies area, Utah State University agreed to provide "sufficient money" for the purchase of uniforms and shoes for female athletes. The compliance plan does not specify which women's teams will receive this equipment or if all women's teams will receive this equipment, nor does it specify how much money will be budgeted for these purchases. See Appendix F.

The OCR noted that the practice times Oklahoma State University schedules for women's teams are so early in the afternoon that they interfere with the academic classes of female athletes. The university's compliance plan was to "contact" academic administrators about rescheduling classes that conflict with women's basketball practice. See Appendix G.

As a final example, Cornell University violated Title IX in the housing and dining area because it spent \$39,800 annually to provide pre-game meals and training tables to two men's and no women's teams. The OCR accepted a compliance plan under which the university agreed to discontinue pre-game meals and "evaluate" training tables, annually reviewing the list of teams using them. See Appendix L.

199. See Appendix N.

200. *Id.*

201. *Id.*, the University of Akron compliance plan.

202. *Id.*, the Ohio University compliance plan.

203. *Id.*, the Utah State University compliance plan.

204. *Id.*, the University of Montana compliance plan.

"conduct an effective recruiting campaign."²⁰⁵ The OCR accepted all of these compliance plans. By contrast, the University of Minnesota budget for recruiting female athletes increased to \$48,000 in 1982-83 and to \$84,000 in 1983-84.²⁰⁶ California Polytechnic State University agreed to double its women's recruitment budget in one year to \$4,900 while leaving the men's recruitment budget the same (\$8,600).²⁰⁷ These two universities pledged definite, concrete actions to remedy their Title IX violations and the OCR accepted their compliance plans. Yet if an institution did not agree to specific remedial actions, the OCR also accepted its compliance plan. The finding of a Title IX violation obligates the OCR to ensure that an institution corrects that violation. Because vague compliance plans outline no specific improvements, they provide the OCR with no assurance about when and how an institution will achieve Title IX compliance. The OCR should reject such vague compliance plans.

The final type of inadequate compliance plan that the OCR accepted was the "plan to make a plan." To remedy a Title IX violation in its provision of coaching, the University of Nevada at Reno agreed to review the coaching area itself and correct disparities *if it* found any disparities.²⁰⁸ The OCR accepted this compliance plan. Missouri Western State College also violated Title IX in provision of coaching. The OCR noted both that female athletes had fewer assistant coaches than male athletes and that coaches of women's teams had more non-coaching duties that interfered with their coaching than coaches of men's teams. The college responded to the former disparity by agreeing to add two assistant coaches for women's teams. The college responded to the latter disparity by agreeing to study the allocation of non-coaching duties to its coaches and reassigning these duties *if it* found disparities.²⁰⁹ The OCR accepted the compliance plan. Such compliance "plans to make a plan" are totally unacceptable.²¹⁰ The OCR already

205. *Id.*, the Western Michigan University compliance plan.

206. *Id.*, the University of Minnesota compliance plan.

207. *Id.*, the California Polytechnic State University compliance plan.

208. See Appendix I.

209. *Id.*

210. Apparently, if these institutions find that they did not violate Title IX in the area they investigate for themselves, they plan no remedial action. Further examples of this type of compliance plan are Central Missouri State University's response to its violation in the equipment and supplies area, and the response of Michigan State University and Wagner College to violations in recruiting. See Appendices F and N. The OCR concludes that these compliance plans will "correct disparities in a reasonable time," (OCR's standard

found that the institution violated Title IX. The only appropriate institutional response is to remedy the violation.

In summary, the OCR's enforcement of Title IX in *other program areas* was less effective than OCR enforcement of Title IX in athletic scholarships. While the majority of compliance plans in *other program areas* would remedy the Title IX violations that the OCR found, a large number of compliance plans would not. The OCR accepted several plans that remedied some, but not all, disparities in a program area. The OCR accepted several vague compliance plans that outlined no definite, specific steps an institution would take to remedy its Title IX violation. Finally, the OCR accepted as compliance plans a few institutional decisions to investigate a program area to determine whether the institution agreed with the OCR's finding of a Title IX violation. To enforce the purpose of Title IX, the OCR must adhere to the Title IX policy interpretation's requirement that compliance plans set forth the specific manner in which the institution will correct the Title IX violation.²¹¹ The OCR must also insist that a compliance plan correct the entire violation, not just part of it. When the OCR accepts compliance plans that will not accomplish this, the OCR permits the continued inequitable treatment of female athletes at some institutions.

C. Accommodation of Student Interests and Abilities

If women are to receive more opportunities to participate in athletics, the most important provision of Title IX is the requirement that institutions effectively accommodate student interests and abilities in their athletic programs.²¹² The OCR findings illustrate that the percentage of female athletes is less than the percentage of female students at most institutions.²¹³ Nationwide, in 1980, only 30% of intercollegiate athletes were

words of acceptance of a compliance plan) without ascertaining what these institutions plan to do or when they plan to do it.

211. The Title IX athletics policy interpretation states that:

To be acceptable, a plan must describe the manner in which institutional resources will be used to correct the violation. It also must state acceptable timetables for reaching interim goals and final compliance.

44 Fed. Reg. 71,418 (1979).

212. To determine whether equal opportunity is available, the Title IX athletics regulations require the OCR to consider whether "the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes." 34 C.F.R. § 106.41(c)(1) (1983).

213. See Appendix O, where the enrollment percentage of female students is compared with their participation rate in athletics at each institution. See also

women.²¹⁴ While the other Title IX regulations mandate equitable treatment for women who are currently athletes, only the interests and abilities regulation provides the crucial requirement that more women get the chance to participate.²¹⁵

1. The OCR Findings

In order to comply with Title IX in the effective accommodation of student interests and abilities, an institution must meet one of three compliance tests.

a. Proportionality Test

The OCR first determines whether "intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments" at an institution.²¹⁶ At the College of Santa Fe, for example, the OCR determined that sixty percent of the enrolled students were female and fifty-eight of the institution's athletes were female. The College of Santa Fe complied with Title IX in effective accommodation of student interests under the proportionality test.²¹⁷ The OCR found that fifty-seven percent of the students enrolled at Texas Christian University were female. Female athletes, however, were only twenty-seven percent of the university's intercollegiate athletes. Texas Christian University did not comply with Title IX

Appendix D, which lists the number of female and male athletes at each institution.

214. *How Has Athletics Changed?*, *supra* note 3, at 21.

215. In all other areas of the Title IX athletics policy interpretation, equality for Title IX purposes requires that female athletes receive benefits comparable to the benefits an institution provides for its male athletes. If 20% of the athletes at an institution are female, for example, Title IX requires that they receive 20% of the total athletic scholarship budget at that institution. *See supra* section III. A. An institution in violation of Title IX in its distribution of athletic financial assistance would have two alternatives available to reach compliance with the Title IX proportionality requirement for athletic scholarships. First, the institution could increase athletic scholarship funds for female athletes so that female athletes receive a percentage of the total athletic scholarship budget equal to their participation rate. Second, the institution could discontinue some women's athletic teams to reduce the percentage of female participants in its athletic program until that percentage is equivalent to the percentage of athletic scholarship funds allotted to female athletes. The effective accommodation regulation, however, prohibits an institution from choosing the second alternative. A reduction in the number of participation opportunities for female athletes, absent a reduction in female interest in athletics at an institution, would place the institution in violation of Title IX for not effectively accommodating the athletic interests of its female students.

216. 44 Fed. Reg. 71,418 (1979).

217. *See* Appendix O.

in effective accommodation of student interests under the proportionality test.²¹⁸ Of sixty-two institutions investigated for effective accommodation of student interests, the OCR found only nine in compliance with Title IX under this test.²¹⁹ The OCR found no institution in compliance where the percentage of female students differed more than five percent from the percentage of female athletes.²²⁰ Thus, the OCR rigorously applies this compliance test.

b. Continuing Expansion Test

If an institution's athletic program does not provide participation opportunities for each sex proportional to their respective enrollment percentages, then the OCR determines whether the institution satisfies the second compliance test for this area. Under the second test, an institution must show that it has a "history and continuing practice of program expansion which is demonstrably responsive" to the interests of the sex which has been and currently is underrepresented in the institution's athletic program.²²¹ For example, the OCR found St. Olaf College in compliance with Title IX under this test because the college had steadily expanded its program for female athletes. St. Olaf College began its women's athletics program in 1973, offering five teams to women for the first time. The college then added one women's team in 1974, two in 1976, one in 1978, and one in 1981. The OCR found this to be a history and continuing practice of program expansion responsive to the interests of St. Olaf College's female athletes.²²² The OCR's findings at Michigan State University provide a typical example of failure to comply under this test. Michigan State University added all ten of its women's teams to its program in 1972, and had not changed its offering of teams to female athletes since that time.²²³ The University of Illinois-Urbana, however, offered six athletic teams for women in 1973, added another women's team

218. *Id.*

219. Those institutions were the University of Bridgeport, Yale University, Thames Valley State Technical College, the University of Rochester, North Georgia College, Southern Illinois University at Carbondale, College of Santa Fe, University of Missouri at Kansas City, and Colorado Northwestern Community College. See Appendix O. Since only nine institutions met this test, inequality of athletic participation opportunities is clearly the most prevalent Title IX problem in intercollegiate athletics.

220. See Appendix O.

221. 44 Fed. Reg. 71,418 (1979).

222. See Appendix O.

223. *Id.*

in 1974, and added its last women's team in 1977. The OCR found that this university had also failed to show a continuing practice of expansion of its women's program.²²⁴ Thus, even if an institution has engaged in some expansion of its women's program since it first offered athletic teams for females, the OCR will not find the institution in compliance with Title IX if no expansion has occurred for several years.

There are two problems with the OCR's application of the continuing expansion test. First, the OCR has been inconsistent about how recently an institution must have added a women's team for the OCR to characterize the institution's program expansion as "continuing." The OCR issued nearly all of its statements of finding in 1982.²²⁵ The OCR found no institution in compliance under the continuing expansion test that had last added a women's team in 1977 or earlier.²²⁶ Of four institutions that had last expanded their women's program in 1978, however, the OCR found three in compliance and one not in compliance under the continuing expansion test.²²⁷ The OCR found ten institutions that had last added a women's team in 1979, three years before the OCR investigation. Three of these institutions complied under the continuing expansion test; seven did not.²²⁸ Thus, the OCR provides no clear guideline for institutions about how recently they had to have expanded their women's programs in order to comply with this Title IX standard.

The second problem with the OCR's application of the continuing expansion test is the OCR's sometimes bizarre interpretation of the term "expansion." Two institutions that the OCR found in compliance under this standard had last changed their sports offerings to women by eliminating a women's team.²²⁹ The OCR found these institutions in compliance with

224. *Id.* OCR completed its findings for the University of Illinois-Urbana in 1982, so the university had not added a women's team for five years.

225. See Appendix B.

226. See Appendix O. Note, for example, the OCR findings for North Texas State University and the University of Montana.

227. *Id.* The OCR found that the following institutions were in compliance: the University of Nevada at Reno, California Polytechnic State University, and American River College; the University of Michigan was not in compliance. *Id.*

228. *Id.* Wagner College, State University of New York at Albany, and the University of Georgia were in compliance. The OCR found that Edison Community College, Voorhees College, Ohio University, Texas Christian University, Utah State University, the University of Nevada-Las Vegas, and Arizona State University did not comply.

229. *Id.* The institutions were State University of New York at Albany and the University of Northern Iowa.

Title IX for a continuing expansion of their women's programs when these institutions had recently reduced participation opportunities for female athletes. The OCR also found two institutions in compliance that had added a women's team after having eliminated a women's team the year before.²³⁰ These institutions have maintained their women's programs at the current level of participation, not expanded them. The OCR did find thirteen institutions not in compliance under the continuing expansion test because they had recently eliminated as many or more women's teams than they had added to their programs.²³¹ An OCR finding that any institution with such a history complies under the "continuing expansion" test contradicts the plain requirements of this compliance standard.

The purpose of the continuing expansion test is to find institutions in compliance if they demonstrate a commitment to expansion of participation opportunities for female athletes by a steady and continuing addition of women's athletic teams. The assumption of the test is that institutions that have continually expanded their women's programs in the past will do so in the future. Thus, the OCR must require very recent program expansion coupled with a longer history of steady expansion as evidence that more expansion will occur.

To properly apply this test, the OCR should do two things. First, the OCR should not find an institution in compliance under this test if the institution has recently eliminated women's teams. Such an action is clear evidence that the institution intends no future expansion of the women's program. The elimination of a women's team also interrupts the steady and continuing expansion required by the test. Second, the OCR should require that an institution's latest addition of a women's team be within three years of OCR's investigation. If the institution has not added a women's team for three years, and has no immediate plans to add one, the OCR should not presume that there will be continual expansion of the women's program.

c. Current Accommodation of Interests Test

If an institution cannot demonstrate a history and continuing expansion of athletic opportunity for female athletes, the OCR will still find the institution in compliance with Title IX if the institution demonstrates that its present program fully ac-

230. *Id.* These institutions were Wagner College and State University of New York at Buffalo.

231. *Id.*

commodates the athletic interests of its female students.²³² The OCR considers a variety of factors when determining whether an institution complies with Title IX under this test. The OCR investigates the participation of an institution's female students in intramural sports²³³ and club teams.²³⁴ The OCR determines whether female high school students in the institution's state participate heavily in any sports not offered for women at the institution.²³⁵ If the institution has surveyed its students' athletic interests, the OCR examines the survey results to see whether strong student interest exists for a sport not currently offered in the institution's athletic program.²³⁶ Finally, the OCR determines whether any club teams have petitioned for intercollegiate status and whether the university has elevated those teams to its intercollegiate athletic program.²³⁷ In general, if the OCR finds substantial female student interest in a sport not offered in an institution's athletic program, the OCR will find the institution in violation of Title IX.²³⁸

The OCR was more consistent in applying the current accommodation test than it was in applying the continuing expansion test. Longwood College complied because it had surveyed student interests and added a women's softball team and a men's tennis team to its program in response to the sur-

232. 44 Fed. Reg. 71,418 (1979).

233. Intramural sports are activities in which students form teams to compete against other student teams from their own university.

234. Club teams are teams which compete against club teams from other universities. Institutions do not provide club teams with coaches, however, and provide minimal or no administrative or financial assistance to a club team.

235. These data provide the OCR with an indication of the interest and abilities of the institution's incoming female students, as well as the potential for the institution to recruit female athletes for particular sports which an institution could possibly add.

236. A survey of interests may show no substantial student interest in sports not already offered in the institution's intercollegiate athletic program. A survey may also show that students are more interested in a sport not offered than in one the institution currently includes in its athletic program.

237. Generally, the strongest indication of student interest in adding another intercollegiate sport occurs when a club team competes for several years with a consistently high level of student participation. Such a club team often formally petitions the institution for recognition and support as a varsity intercollegiate athletic team.

238. The OCR will not, however, find an institution in violation of Title IX if there is no available intercollegiate athletic competition in that sport. For example, the OCR found that war ball was the only active club sport at the University of Nevada-Las Vegas that was not already offered on the intercollegiate level. Since there is no intercollegiate competition available in war ball, the OCR found the university in compliance with Title IX for effectively accommodating the interests of its students. Statement of Findings—University of Nevada-Las Vegas 24, 26 (Feb. 26, 1982).

vey results. The University of Montana, however, was in violation of Title IX. Its survey showed significant student interest in sports not offered in the athletic program, but the university did not plan to add any athletic teams despite the survey results.²³⁹ Where the OCR found no female intramural or club sport participation in sports not currently offered in an institution's intercollegiate athletic program, the OCR declared the institution in compliance with Title IX.²⁴⁰ The OCR found a violation of Title IX at institutions where female interest in an intramural or club sport was high, where intercollegiate competition was available in that sport in the institution's normal competitive area, but where the institution did not offer the intercollegiate sport for women.²⁴¹ Finally, where a women's club team had petitioned for varsity status and the institution had denied the petition, the OCR found a Title IX violation.²⁴² Thus, if the OCR found that women at an institution had displayed substantial interest in athletic participation in a sport not offered in the institution's athletic program, the OCR consistently found the institution in violation of Title IX for failing to effectively accommodate the interests of its female students.

d. Summary of the OCR Findings

In determining whether institutions complied with Title IX in the effective accommodation of student interests and abilities, the OCR applied two of the three compliance standards consistently and effectively. The OCR declared institutions in compliance under the proportionality test only if the percentage of female athletes was within five percent of the percentage of females enrolled at the institution. The OCR also applied the current accommodation test diligently in finding Title IX violations. The OCR looked carefully for any manifestation of strong student interest in sports not already offered in an institution's intercollegiate athletic program. Where the OCR found strong student interest in sports not currently offered by the institution in which intercollegiate competition was available for

239. See Appendix O.

240. *Id.* The OCR found this situation at Central Michigan University, the University of Michigan, the University of Minnesota, and Ohio University.

241. *Id.* See the OCR findings for Marian College, Howard University, Edison Community College, the University of Florida, the University of Kentucky, Voorhees College, Texas A & I University, Texas Christian University, and North Texas State University.

242. *Id.* See the OCR finding for Edison Community College.

women, the OCR declared the institution in violation of Title IX.

In its application of the continuing expansion test, however, the OCR was very inconsistent. First, the OCR declared a few institutions in compliance that had recently eliminated women's teams. Second, the OCR provided no consistent guidance for institutions about how recently they had to have expanded their women's program in order to comply with Title IX under the continuing expansion test. The OCR should find an institution in compliance with Title IX under the continuing expansion test only if an institution has expanded its women's program by adding a women's athletic team within three years of the OCR investigation. The OCR should not find an institution in compliance with Title IX for continuing expansion of its women's athletic program if it has recently eliminated as many or more women's teams than it has most recently added.

2. Compliance Plans

The striking characteristic of the compliance plans in the effective accommodation of student interests is that few violating institutions agreed to add intercollegiate athletic teams for women. Of twenty-four institutions the OCR found to violate Title IX in this area, only seven agreed to add a women's team to their intercollegiate athletic program.²⁴³ This result is astonishing because the OCR's finding that an institution is not complying in the effective accommodation of student interests means that the OCR found evidence of female students' interest in sports not offered by the institution *and* that there existed intercollegiate competition for women in those sports in the institution's normal competitive region.²⁴⁴ The OCR also found that these institutions failed the proportionality test; women are underrepresented in the athletics program relative to their enrollment at these institutions.²⁴⁵ The solution to such a Title IX violation is to add a women's intercollegiate athletic

243. Institutions that agreed to add one women's intercollegiate athletic team were Howard University, Edison Community College, the University of Florida, the University of Kentucky, Voorhees College, and Colorado School of Mines. The University of Akron agreed to add two women's teams to its athletic program. The University of Nevada—Las Vegas decided to reintroduce two women's teams it had eliminated. See Appendix O.

244. See *supra* text accompanying notes 232-42, discussing the requirements of the current accommodation test.

245. All institutions that violated Title IX in effective accommodation of student interests also failed the proportionality test. See *supra* text accompanying notes 216-220 and Appendix O.

team, thereby both increasing the participation rate of female athletes at the institution and responding to the manifest athletic interests of female students at the institution. However, the OCR required only seven of twenty-four violating institutions to do this. Despite numerous Title IX violations in this area, women at only a few institutions will receive increased opportunity to participate in intercollegiate athletics.²⁴⁶

The most common compliance plan the OCR accepted in the area of effective accommodation of student interests was an agreement to survey student athletic interests and develop a plan in response to those survey results. Nine institutions agreed to do a survey and report the survey results to the OCR.²⁴⁷ This type of compliance plan should be acceptable where the OCR found that the institution had not recently assessed student athletic interests, and thus could not demonstrate that it was accommodating student interests as required in the current accommodation test.²⁴⁸ In such a case, a survey would then be useful to identify which sports to add for women to best accommodate their interests. Four of the institutions that agreed to do a survey did so after this sort of OCR finding.²⁴⁹

The other five institutions that agreed to do a survey did so in response to the OCR findings of high female interest in specific sports not currently offered to women at the institutions.²⁵⁰ Because the OCR findings already showed the institu-

246. This area was one of the most frequently violated areas. See *supra* note 92. Thirty-seven percent of institutions investigated in this area violated Title IX. See Appendix C.

247. These institutions are Marian College, Voorhees College, the University of Texas at Arlington, Texas A&I University, the University of Houston, Texas Christian University, the University of Kansas, Missouri Western State College, and Utah State University. See Appendix O.

248. When institutions could not present the OCR with data on the athletic interests of their female students, the OCR had no basis from which to conclude whether the institution was violating Title IX. A survey provides this missing information. Once a survey is completed, the OCR can determine if an institution needs to add women's teams and which teams it should add.

249. The University of Houston, the University of Kansas, and Utah State University had never assessed student athletic interests before the OCR investigation; Missouri Western State College had not assessed student interests since 1975. See Appendix O.

250. They were Marian College (the OCR noted three sports with high female interest), Voorhees College (the OCR found that women were interested in tennis and volleyball), the University of Texas at Arlington (the OCR found that female students' participation in gymnastics exceeded their participation on five women's teams already offered as intercollegiate sports for women), Texas A&I University (the OCR noted that women participated intramurally in five sports not offered to them on the intercollegiate level and in which intercol-

tions one or more sports that should potentially be added, a survey is of limited utility and delays the addition of women's athletic teams to the institution's program.²⁵¹ At these institutions, a more appropriate compliance plan would be the addition of one or more women's teams. At the very least, these institutions should have been required to commit themselves to add one women's team, using the survey results only to decide in what sport the team would compete.²⁵²

The third major type of compliance plan in the effective accommodation of student interests area is an agreement by the institution to ease requirements for the elevation of a club team to intercollegiate status.²⁵³ These compliance plans are inadequate because the institutions have not pledged any affirmative efforts to develop women's athletic teams. Institutions that simply ease requirements for club teams to gain varsity status need do nothing to increase participation opportunities for women until women form their own club team and qualify for varsity status.²⁵⁴ These compliance plans require the female athletes, not the violating institution, to act to rectify past discrimination. The OCR should have required institutions offering this type of compliance plan to actively foster club teams for women and develop them to the point of intercollegiate competition.²⁵⁵

legiate competition for women with other institutions was available), and Texas Christian University (the OCR found high female interest in and competition with other institutions available in softball and volleyball). See Appendix O.

251. Most institutions doing a survey as part of their compliance plan agreed to do the survey in 1982, the year the OCR issued its findings for most institutions. Utah State University, however, agreed to do a survey by 1985, three years after the OCR investigation. Since the survey is the basis for any further plans to add women's teams, the OCR has allowed Utah State University to delay the beginning of this planning for up to three years. See Appendix O. Whenever a survey is done it delays for at least one academic year the addition of a women's team. Even this delay is unnecessary because the OCR's findings usually identify current female interest in one or more sports. The survey is thus not necessary to determine which sports to add for women.

252. In the compliance plans, the institutions agree to do a survey and report the results to OCR. These plans do not commit the institutions to add any athletic teams for women. See Appendix O.

253. The University of Akron, the University of Illinois at Urbana, Michigan State University, and Western Michigan University agreed to do this. *Id.*

254. Western Michigan University, for example, will merely publish the requirements for becoming an intercollegiate team in its student handbook. *Id.*

255. The Colorado School of Mines, for example, started and financially supported a club softball team for women. The institution had a schedule for developing this club into an intercollegiate team if it could generate sufficient female participation. See Appendix O. Institutional effort to encourage female participation would achieve more rapid expansion of the women's athletic pro-

Finally, the OCR allowed some institutions to refuse to add women's teams because of budgetary constraints. The University of Kansas, for example, agreed to add teams for women if the budget permitted.²⁵⁶ Utah State University said that it could not add a women's team due to budgetary constraints.²⁵⁷ Western Michigan University pledged that if it eliminated athletic teams, it would try not to reduce female athletic participation.²⁵⁸ The OCR accepted these compliance plans. Thus, institutions may use budgetary constraints to justify continuing inequality even though they did not provide equivalent athletic opportunity for women when budgetary restraints were less severe. Apparently, a budget should be equitably distributed in good fiscal times, but in bad fiscal times may be allocated in a discriminatory manner without violating Title IX.

In the accommodation of interests and abilities area, the OCR accepted compliance plans which pledge no expansion of women's athletic participation and no active efforts to promote expansion of women's athletic participation at an institution. Given the nature of these plans, it is difficult to see how an institution that does not want to expand athletic opportunities for women will feel pressure from the OCR to do so. If institutions will not agree to the immediate addition of a women's athletic team, the OCR should require that one be added after a survey of student athletic interests. If an institution agrees to ease the requirements for a club team to gain varsity status, the OCR should also require that institution to act affirmatively to form and encourage women's club sports teams. The compliance plans the OCR has accepted in effective accommodation of student interests do not insure that more women will have the opportunity to be athletes.

Conclusion

This article has examined the OCR's application of the Title IX policy interpretation to seventy-two intercollegiate athletic programs. This article has also suggested methods the OCR should use to improve its enforcement of Title IX in intercollegiate athletics. The OCR's Title IX enforcement efforts have produced progress toward equitable treatment for female

gram than waiting for the women themselves to build their team to varsity status.

256. See Appendix O.

257. *Id.*

258. *Id.*

athletes. Many inequities, however, were not found to violate Title IX. In the athletic scholarship area, this article has suggested that the OCR look beyond small percentage disparities and compute the number of women actually denied athletic scholarships by disparities that appear small in percentage form. If several female athletes are being denied athletic scholarships, then the OCR should find a Title IX violation.

In other program areas, the OCR should compute the percentage of female and male athletes an institution provides or denies particular benefits. Because of the size of football teams, the OCR's determination of Title IX compliance by simple count of the women's and men's teams receiving a certain benefit tends to mask inequities in the number of female and male athletes who receive a benefit. The OCR should also carefully examine the disparities it notes in several program areas at an institution which do not of themselves violate a single program area but which may, in cumulative effect, deny female athletes equivalent treatment in an institution's overall program.

While the majority of institutional compliance plans agreed to remedy the inequities the OCR found, a large number of compliance plans had serious deficiencies. The OCR accepted compliance plans that did not correct all of the disparities the OCR found. The OCR accepted vague compliance plans that provide the OCR with no information about how or when disparities will be erased. Finally, the OCR allowed institutions to re-evaluate their Title IX compliance after the OCR had found a violation; these institutions pledged only to correct disparities *if they* agreed with the OCR's finding. The OCR, in effect, is letting the Title IX violator define Title IX equality.

The OCR has been more effective in improving institutions' treatment of female athletes than in enforcing the Title IX regulation providing for growth of women's athletic opportunities. The OCR's reticence to require affirmative efforts to provide more athletic teams for women by universities which are not providing sufficient competitive opportunities for female students contrasts sharply with the affirmative efforts most universities agreed to in compliance plans to remedy other Title IX violations. If institutions can undertake affirmative efforts to equalize benefits in athletic scholarships and other program areas, the OCR should also require them to increase participation opportunities for females in response to violations in the accommodation of interests area.

The OCR findings document in vivid and exhaustive detail the extent of inequitable treatment female intercollegiate athletes still face over a decade after the enactment of Title IX. The OCR's Title IX enforcement effort has definitely reduced these inequities. If the OCR's current pattern of enforcement continues, however, male athletes will continue to receive more athletic opportunities than women, and male athletes will continue to receive more benefits and services than female athletes.²⁵⁹

259. Shortly before this issue went to press, the Supreme Court decided *Grove City College v. Bell*, 52 U.S.L.W. 4283 (1984). The Court ruled that Title IX's prohibition against gender discrimination in education applies only to specific programs within the educational institution which receive federal financial assistance, rather than to the educational institution as a whole. *Id.* at 4287-88. Even though federal funds granted to specific programs within an institution, in effect, benefit an institution's general operating budget, that general benefit will not trigger Title IX coverage of the entire institution. *Id.* at 4288. Prior to *Grove City*, Title IX had been applied to any institution which received, directly or indirectly, the benefits of federal financial assistance. After *Grove City*, it would seem, Title IX only prohibits discrimination in the specific educational programs receiving direct federal assistance.

The Court's interpretation of Title IX in *Grove City* creates a barrier to sex discrimination claims in athletics under Title IX. A plaintiff or complainant must now prove that an *athletic program*, rather than an educational institution as a whole, receives federal financial assistance, to be protected from discrimination under Title IX. Since no existing federal programs directly aid intercollegiate athletic programs, plaintiffs will have considerable difficulty complying with this new jurisdictional requirement.

Currently, however, there is a strong congressional effort to overrule *Grove City's* interpretation of Title IX's scope and reestablish broad applicability for Title IX's antidiscrimination provision. On February 28, 1984, the day *Grove City* was decided, a bill to reverse the Court's interpretation of Title IX was introduced in the Senate. S. 2363, 98th Cong., 2d Sess. (1984) (On March 12, 1984, a second bill to reestablish Title IX's broad scope was introduced into the Senate, S. 2412, 98th Cong., 2d Sess. [1984]). On March 1, 1984, a similar bill was introduced in the House of Representatives. H.R. 5011, 98th Cong., 2d Sess. (1984). The Senate bill has 62 sponsors; the House bill more than 200. *Minneapolis Star and Tribune*, May 25, 1984, at 14A, col. 1. These bills would again extend Title IX's coverage to institutions that directly or indirectly benefit from federal financial assistance, and would authorize federal agencies to terminate or deny all federal financial assistance to any educational institution which discriminates on the basis of sex within any of its programs.

This article presents a study of a federal agency's successes and failures in enforcing an antidiscrimination law, and suggests methods to improve that agency's enforcement. The OCR's findings detail the extent of gender discrimination remaining in intercollegiate athletics. Of 72 athletic programs investigated by the OCR, 53, or 74%, were found in violation of Title IX. The OCR found an average of 3.55 violations per investigated institution. See Appendix C. The OCR could have—and should have—found even more Title IX violations. Unless overturned by Congress, *Grove City*, however, guarantees that there will be fewer investigations of athletic programs and that educational institutions will continue to discriminate against female athletes.

Appendix

These appendices display the OCR findings and institutional compliance plans for seventy-two institutions. Each appendix summarizes the OCR findings in a particular area of the Title IX athletics regulation. A description of each violating institution's compliance plan follows the graphical summary of the OCR findings for each area.

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Table of Abbreviations Common to Appendices F to O

AR:	Archery	RD:	Riding
BB:	Basketball	RF:	Rifle
BD:	Badminton	SAIL:	Sailing
BL:	Baseball	SB:	Softball
BW:	Bowling	SC:	Soccer
CR:	Crew	SKI:	Skiing
FB:	Football	SQ:	Squash
FH:	Field Hockey	SW:	Swimming
FT:	Full-time	TN:	Tennis
GF:	Golf	TR:	Track
GY:	Gymnastics	VB:	Volleyball
IH:	Ice Hockey	W:	Wrestling
LC:	Lacrosse	WP:	Water Polo
PT:	Part-time	XC:	Cross Country

Appendix A

Regional Offices of the Office for Civil Rights

- Region I-** Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut
United States Department of Education
Office for Civil Rights
140 Federal Street, 14th Floor
Boston, Massachusetts 02110
- Region II-** New York, New Jersey
United States Department of Education
Office for Civil Rights
Federal Building
26 Federal Plaza
New York, New York 10278
- Region III-** Pennsylvania, Delaware, Maryland, Virginia, West Virginia
United States Department of Education
Office for Civil Rights
3535 Market Street, P.O. Box 13716
Philadelphia, Pennsylvania 19101
- Region IV-** Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi
United States Department of Education
Office for Civil Rights
101 Marietta Tower
Atlanta, Georgia 30323
- Region V-** Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota
United States Department of Education
Office for Civil Rights
300 S. Wacker Drive - 8th Floor
Chicago, Illinois 60606
- Region VI-** Louisiana, Arkansas, Oklahoma, Texas, New Mexico
United States Department of Education
Office for Civil Rights
1200 Main Tower Building
Dallas, Texas 75202
- Region VII-** Iowa, Missouri, Kansas, Nebraska
United States Department of Education
Office for Civil Rights
324 East 11th Street
Kansas City, Missouri 64106

Region VIII- North Dakota, South Dakota, Montana, Wyoming,
Colorado, Utah
United States Department of Education
Office for Civil Rights
1961 Stout Street
Denver, Colorado 80294

Region IX- Arizona, Nevada, California, Hawaii
United States Department of Education
Office for Civil Rights
1275 Market Street - 14th Floor
San Francisco, California 94103

Region X- Idaho, Washington, Oregon, Alaska
United States Department of Education
Office for Civil Rights
M/S 106, 2901 Third Avenue
Seattle, Washington 98121

Appendix B Compliance Reports

Name of Institution	Location	Type of Investigation ¹	Date of Complaint(s) ²	Date of Initiation of Investigation ³	Date Findings Issued ⁴
Region I					
University of Bridgeport	Bridgeport, Connecticut	C & CR	12/77, 12/78, 6/79	8/80	81
Bentley College	Waltham, Massachusetts	C & CR	12/78	11/80	3/82
Yale University	New Haven, Connecticut	C & CR	3/81	3/81	4/82
University of Massachusetts	Boston, Massachusetts	C & CR		10/82	3/83
Fairfield University	Fairfield, Connecticut	CR		3/83	6/83
Boston College	Chestnut Hill, Massachusetts	C & CR	2/80	11/80	7/83
Thames Valley State Technical College	Norwich, Connecticut	C		6/83	9/83
Region II					
Canisius College	Buffalo, New York	C & CR	10/80	5/81	
Marian College	Indianapolis, Indiana ⁵	C & CR	12/78	3/81	82
Wagner College	Staten Island, New York	C & CR		6/81	3/82
Syracuse University	Syracuse, New York	C & CR	5/79	11/80	3/82
State University of New York-Buffalo	Buffalo, New York	C & CR	9/80	3/81	3/82
Niagara University	Niagara, New York	CR		10/80	3/82
State University of New York-Geneseo	Geneseo, New York	C & CR	2/80	4/81	5/82
Cornell University	Ithaca, New York	C & CR	3/78, 5/79	8/80	5/82
State University of New York-Albany	Albany, New York	C & CR	11/80	8/81	12/82
University of Rochester	Rochester, New York	C*	6/77	6/81	6/83
Hofstra University	Hempstead, New York	C & CR	5/80	5/81	6/82
Region III					
Longwood College	Farmville, Virginia	C & CR	4/81	5/81	2/82
Alderson-Broadus College	Phillippi, West Virginia	C	6/78, 4/80	3/81	2/82
St. Francis College	Loretto, Pennsylvania	C	4/81	5/81	4/82
Howard University	Washington, D.C.	C & CR	6/78	6/78 ⁶	6/82

Name of Institution	Location	Type of Investigation ¹	Date of Complaint(s) ²	Date of Initiation of Investigation ³	Date Findings Issued ⁴
Region IV					
Pensacola Junior College	Pensacola, Florida	C & CR	9/76	12/80	
University of Georgia	Athens, Georgia	C*		6/81	6/82
Edison Community College	Fort Myers, Florida	C & CR		10/81	6/82
University of Florida	Gainesville, Florida	C*		9/80	10/82
University of Kentucky	Lexington, Kentucky	C & CR		6/81	12/82
North Georgia College	Dahlonega, Georgia	C & CR		5/81	3/83
Voorhees College	Denmark, South Carolina	C & CR		2/82	6/83
Georgia Institute of Technology	Atlanta, Georgia	C & CR		8/79	6/83
Spring Hill College	Mobile, Alabama	C & CR		6/80	
Region V					
University of Akron	Akron, Ohio	C & CR	1/79, 1/80	8/80	4/81
St. Olaf College	Northfield, Minnesota	C & CR	5/74	11/81	3/82
University of Illinois at Urbana	Urbana, Illinois	C*	2/74	1/81	3/82
Central Michigan University	Mount Pleasant, Michigan	C & CR	12/73	9/80	3/82
Michigan State University	East Lansing, Michigan	C & CR	6/78, 1/79	1/81	4/82
Western Michigan University	Kalamazoo, Michigan	C & CR	72, 74	11/81	8/82
University of Michigan	Ann Arbor, Michigan	C*	8/73, 6/76, 4/77, 5/79, 4/82	8/80	8/82
University of Minnesota	Minneapolis, Minnesota	C & CR	5/74, 4/75	4/82	12/82
Southern Illinois University-Carbondale	Carbondale, Illinois	C*	5/79	6/82	6/83
Ohio University	Athens, Ohio	C & CR	7/79	11/82	8/83

Name of Institution	Location	Type of Investigation ¹	Date of Complaint(s) ²	Date of Initiation of Investigation ³	Date Findings Issued ⁴
Region VI					
University of Texas at Arlington	Arlington, Texas	C & CR	2/79	6/81	3/82
Texas A & I University	Kingsville, Texas	C*	5/76, 12/76	11/80	3/82
Southwest Texas State University	San Marcos, Texas	C & CR	8/73	9/80	3/82
Sul Ross State University	Alpino, Texas	C & CR	4/79	6/79	6/82
University of Houston	Houston, Texas	C & CR	7/77	7/81	11/82
College of Santa Fe	Santa Fe, New Mexico	C & CR	6/79	6/79	11/82
Texas Christian University	Ft. Worth, Texas	CR		3/83	7/83
Rice University	Houston, Texas	CR		3/83	6/83
Oklahoma State University	Stillwater, Oklahoma	CR		8/80	7/83
North Texas State University	Denton, Texas	C & CR	7/78, 11/78	6/81	8/83
Region VII					
Kansas State University	Manhattan, Kansas	C*	7/78	9/80	1/82
University of Kansas	Lawrence, Kansas	C*	7/78, 8/78	8/80	3/82
Central Missouri State University	Warrenburg, Missouri	C & CR	10/74, 10/75	3/81	3/82
Northwest Missouri State University	Maryville, Missouri	C & CR	8/80	12/80	3/82
University of Missouri-Kansas City	Kansas City, Missouri	C & CR	9/78	3/81	3/82
University of Iowa	Iowa City, Iowa	C & CR	10/74	3/81	3/82
University of Northern Iowa	Cedar Falls, Iowa	C & CR	4/81	5/81	6/82
Missouri Western State College	St. Joseph, Missouri	C & CR	12/80	6/81	3/83
Kearney State College	Kearney, Nebraska	C & CR	5/80	12/80	9/83
Region VIII					
Utah State University	Logan, Utah	C & CR	8/78, 10/78	3/81	3/82
Colorado Northwestern Community Coll.	Rangely, Colorado	C & CR	4/79	9/81	3/82
University of Montana	Missoula, Montana	C & CR	10/78	4/81	5/82
Colorado School of Mines	Golden, Colorado	C & CR	10/80	12/81	5/82

Name of Institution	Location	Type of Investigation ¹	Date of Complaint(s) ²	Date of Initiation of Investigation ³	Date Findings Issued ⁴
Region IX					
University of Hawaii at Manoa	Honolulu, Hawaii	C*	7/78	11/78	9/81
University of Nevada- Reno	Reno, Nevada	C*	5/80	12/80	1/82
University of Nevada- Las Vegas	Las Vegas, Nevada	CR		1/79	2/82
California Polytechnic State University	San Luis Obispo, California	C & CR	7/79	11/80	3/82
Northern Arizona University	Flagstaff, Arizona	C & CR	5/80	5/80	4/82
American River College	Sacramento, California	C & CR	1/81	8/81	5/82
Solano Community College	Suisun City, California	C & CR	7/78	8/78	6/82
Arizona State University	Tempe, Arizona	C & CR	6/78	11/80	3/83

Region X

No Reports

Notes

1. The OCR either periodically selects institutions for a Title IX compliance review (CR), or investigates institutions because it receives a complaint (C) alleging Title IX violations in their athletics program. 44 Fed. Reg. 71418 (1979). See *supra* text accompanying notes 72-78. The OCR did most investigations in response to complaints about specific program area violations, but usually expanded its investigation to include a review of the entire athletic program (indicated as C & CR). Where the OCR investigated an institution's entire athletic program in response to a complaint alleging sex discrimination in all areas of the institution's athletic program, this is indicated "C."
2. These are the dates the OCR received a complaint about each institution's athletic program.
3. These are the dates the OCR notified each institution by mail that the OCR would investigate its athletic program for Title IX compliance.
4. These are the dates the OCR issued its final findings of Title IX compliance for each institution.
5. This investigation was completed by the OCR's Region II office, even though this institution is not in Region II's geographical area.
6. The OCR delayed the investigation pending issuance of the Title IX athletics policy interpretation on December 11, 1979.

Appendix C
Violations Per Institution¹

Institution	Athletic Scholarships	Equipment and Supplies	Scheduling	Travel and Per Diem	Coaching	Tutoring	Locker Rooms and Facilities	Medical and Training	Housing and Dining	Publicity	Recruitment	Support Services	Accommodation/Competition	Overall Compliance ²	TOTAL VIOLATIONS
Region I															
U. Bridgeport		X			X X		X	X		X		X	X	X	7
Bentley C.															1
Yale U.														X	0
U. Mass.														X	0
Fairfield U.*														X	0
Boston C.		X	X											X	0
Thames Valley														X	0
Region II															4
Canisius C.***															0
Marian C.					X		X	X		X	X		X	X	3
Wagner C.															3
Syracuse U.	X				X		X	X		X	X		X		2
SUNY-Buffalo															2
Niagara U.	X							X							4
SUNY-Geneseo									X						0
Cornell U.				X X	X		X X X			X	X	X		X	5
SUNY-Albany							X							X	4
U. Rochester														X	1
Hofstra U.														X	0
Region III															
Longwood C.														X	0
Alderson-Broadbent C.*														X	0
St. Francis C.*	X												X	X	1
Howard U.					X						X		X	X	3

Institution	Athletic Scholarships	Equipment and Supplies	Scheduling	Travel and Per Diem	Coaching	Tutoring	Locker Rooms and Facilities	Medical and Training	Housing and Dining	Publicity	Recruitment	Support Services	Accommodation/Competition	Overall Compliance?	TOTAL VIOLATIONS
Region IV															
Pensacola J.C.***															1
U. Georgia	X							X				X		X	3
Edison Comm. C.			X												2
U. Florida									X		X		X		3
U. Kentucky					X		X						X		3
N. Georgia C.			X				X		X	X	X		X	X	1
Voorhees C.			X		X		X						X		4
Georgia Tech.***	X	X					X	X					X		8
Spring Hill C.***			X				X						X		3
Region V															
U. Akron	X		X		X		X	X			X		X	X	7
St. Olaf C.															0
U. Ill.-Urbana					X					X	X		X	X	3
Cent. Mich. U.					X		X		X	X	X		X	X	3
Michigan St. U.				X	X		X		X	X	X		X	X	5
West. Mich. U.				X	X				X	X	X		X	X	7
U. Michigan	X				X										4
U. Minnesota	X				X										3
S. Ill. U.-Carbon.	X		X		X				X						7
Ohio U.	X		X		X	X						X			4

Institution	Athletic Scholarships	Equipment and Supplies	Scheduling	Travel and Per Diem	Coaching	Tutoring	Locker Rooms and Facilities	Medical and Training	Housing and Dining	Publicity	Recruitment	Support Services	Accommodation/Competition	Overall Compliance ²	TOTAL VIOLATIONS
Region VI															
U. Texas-Arlington															3
Texas A&I U.					X		X	X	X		X		X		4
SW Texas St.**	X										X			X	2
Sul Ross St.											X		X		0
U. Houston	X							X			X				4
C. Santa Fe	X	X			X										4
Tx. Christian U.**	X		X												1
Rice U.*			X	X	X			X		X	X	X		X	0
Oklahoma St.		X					X								5
N. Texas St. U.															10
Region VII															
Kansas St. U.	X		X		X						X				3
U. Kansas	X	X	X	X	X	X	X	X	X	X	X	X	X		13
Cent. Mo. St.		X								X	X				4
NW Mo. St.									X	X	X				3
U. Mo.-Kansas City									X	X	X	X			1
U. Iowa	X	X			X		X	X		X	X	X	X		8
U. N. Iowa	X	X		X	X		X	X	X	X	X	X	X		10
Mo. W. St. C.		X			X		X	X	X		X	X	X		8
Kearney St. C.	X	X					X					X			5
Region VIII															
Utah St. U.	X	X	X		X		X	X	X	X	X	X	X		11
Col. NW Comm. C.			X												1
U. Montana	X	X	X	X			X		X	X	X	X	X		11
Col. Sch. Mines	X	X	X	X	X		X		X	X	X	X	X		4

Institution	Athletic Scholarships	Equipment and Supplies	Scheduling	Travel and Per Diem	Coaching	Tutoring	Locker Rooms and Facilities	Medical and Training	Housing and Dining	Publicity	Recruitment	Support Services	Accommodation/Competition	Overall Compliance ²	TOTAL VIOLATIONS
Region IX															11
U. Hawaii-Manoa***	X	X	X		X		X	X	X	X	X	X	X	X	3
U. Nevada-Reno	X				X					X					0
U. Nev.-Las Vegas		X		X			X	X		X	X				7
Cal. Polytechnic	X			X	X		X								4
N. Arizona U.	X														0
American River C.										X	X			X	0
Solano Comm. C.															0
Arizona St. U.					X				X	X	X				4
Total Violations	24	16	17	12	29	2	28	14	17	24	34	14	25		256
Institutions Investigated Per Area	72	67	67	67	67	67	67	67	67	67	67	67	68		
Percentage Not Complying	33%	24%	25%	18%	43%	3%	42%	21%	25%	36%	51%	21%	37%		

Violations Per Institution: 3.55
Violations Per Violating Institution: 4.75

Notes

* The OCR investigated only the awarding of athletic scholarships at these institutions.

** The OCR investigated only athletic scholarships and the accommodation of student athletic interests and abilities.

*** The author received from the OCR the letter of finding, which listed the program areas these institutions violated. A statement of finding, which details the basis for the OCR's conclusions, was not included. No data on these institutions is thus included in Appendices F to O. The letter of finding does, however, provide sufficient information to include these institutions in Appendix E.

1. This appendix displays the athletic program areas in which each institution was found to violate Title IX. X= violation. Appendix C is based on the OCR letter of finding for each institution, which lists all areas in which an institution violated Title IX. Appendices E to O are based on the OCR's statement of findings for each institution. The statement of findings presents in detail the OCR's factual findings for each athletic program area. Occasionally, the OCR's letter of finding and statement of findings differ about whether an institution violated individual areas of Title IX. Thus, Appendix C will differ occasionally from Appendices E to O about whether an institution violated Title IX in a specific program area. The appendices simply reflect inconsistencies in the OCR reports.

2. In this column, "X" indicates that the institution was declared in compliance with Title IX without having to formulate a compliance plan. The OCR found all institutions it investigated in compliance with Title IX; most, however, had to formulate a compliance plan to remedy the disparities in treatment of male and female athletes which the OCR discovered. For the detailed OCR findings in each program area at each institution, see Appendices E to O, *infra*. The appendices do not cover the areas of tutoring and support services. Almost all institutions provide the same tutoring to athletes that they provide to other students; a graph of the OCR findings would not have been instructive. The findings in the area of support services did not lend themselves to graphical depiction.

Appendix D
Sports Offered and Number of Participants^a

Institution	Year	Sports Offered ²				Total Athletes ³		Women										Men																
		Women		Men		Coed	Women	Men	Basketball	Field Hockey	Golf	Gymnastics	Lacrosse	Soccer	Softball	Swimming	Tennis	Track	Cross Country	Volleyball	Baseball	Basketball	Football	Golf	Gymnastics	Ice Hockey	Lacrosse	Soccer	Swimming	Tennis	Track	Cross Country	Wrestling	
U. Bridgeport Bentley C. Yale U. ⁴ U. Mass. Boston C. ⁵ Thames Valley	80-81	6	6		77	102	14	14	8			18	11				12	23	15	6				32		10							16	
	80-81	4	8		47	182	12	16				9	10					31	28	15	25				25		14	37	21					
	79-80	15	19				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
		5	9		53	139	14					14					7	11	15	14				25	28	18	7	7	7	18				
	80-81	11	14		214	426	13	28	23	26			25	13	25	11	17	24	26	96	20		46	36	23	19	9	60	15	19				
	82-83	1	2	1	14	28	9							5*				15	8								5*							
	80-81	2	4		15	59	X										X	X	X			X					X							
	81-82	4	7		56	213	13					15	11	17				35	12	100	8					8	30		20					
Syracuse U. ⁶ SUNY-Buffalo ⁷ Niagara U. ⁸ SUNY-Genesee Cornell U. ⁹ SUNY-Albany U. Rochester ¹⁰ Hofstra U. ¹¹	80-81	5	9		110	409	13	29					15	12				14	95	15	80	44	15			15	57	33						
	80-81	8	11		175	340	10	17				18	22	25	31		27	42	27	91	11	26	35	34	13	28	13	20						
	79-80	4	5	2	55	107	13	1*					17	10			13	27	13			11*			23	12	9							
	80-81	4	5		64	113	13				19	18					14	12					25	30	34	12								
	80-81	10	11		215	613	14	39	22	38		23	13				12	48	24	204	9		50	62	45	24	15					41		
	81-82	9	10		160	425	14		12	16	18	15	22	20	9		24	44	28	120				55	36	18	10	50	16	18				
	80-81	8	10	1	138	244	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X*		X	X	X	X	X	X	X	X	X		
	80-81	8	8		92	196	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Howard U. Longwood C. ¹²	80-81	3	7	1	61	210	15						8		15		23	17	80					27	12	9	26		16					
	80-81	8	6	1	141	106	14	28	7	12	29	17	14				12	22	27			14			21		7							

Institution	Year	Sports Offered ²				Total Athletes ³		Women											Men																		
		Women		Men		Coed		Total	Men	Basketball	Field Hockey	Gymnastics	Lacrosse	Soccer	Softball	Swimming	Tennis	Track	Cross Country	Volleyball	Baseball	Basketball	Football	Golf	Gymnastics	Ice Hockey	Lacrosse	Soccer	Swimming	Tennis	Track	Cross Country	Wrestling				
		80-81	81-82	80-81	81-82	80-81	81-82																											80-81	81-82	80-81	81-82
U. Georgia	80-81	8	9				137	306	15	14	14				18	16	37	11	12	29	16	150	10	16													
Edison Comm. C.	81-82	4	4				35	53		3				14	6			12	24	12	9																
U. Florida	81-82	8	8				105	279	14	9	8			14	19	8	20	13	30	14	143	15															
U. Kentucky ¹³	81-82	7	10	1			95	324	13	12	8					10	23	13	13	23	13	121	16														
N. Georgia C.	81-82	4	3				48	40	15					15	7			11	11																		
Voorhees C.	81-82	4	4				56	58	12					19		18	7		22	13																	
U. Akron ¹⁴	79-80	4	10	1			53	264	10	X				19	9			15	40	15	91	8															
St. Olaf C. ¹⁵	80-81	10	12				184	345	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
U. Illinois--Urbana ¹⁶	80-81	7	10				131	380	15	11	12				22	13	59	17	31	14	131	19	25														
Central Michigan U.	79-80	10	11				250	379	22	25	13	14		18	25	13	43	15	19	33	12	118	10	15													
Michigan St. U. ¹⁷	80-81	10	14				244	547	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Western Michigan U.	80-81	9	12				135	371	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
U. Michigan ¹⁸	79-80	11	11				153	400	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
U. Minnesota	81-82	10	11				185	354	11	14	11			31	31	10	52	11	38	27	106	9	15	41													
S. Ill. U.-Carbondale ¹⁹	81-82	10	11				169	289	16	28	9	9		21	21	11	43	11	30	14	96	9	12														
Ohio U. ²⁰	81-82	9	10	1			149	385	14	26				13	17	21	8	36	0	12	32	14	90	15													
U. Texas-Arlington ²¹	80-81	8	11					11						16	4	9	10	42	13	113	12																
Texas A&M U.	80-81	5	6				53	136	14						4	20	1	14	15	85	6																
Sul Ross St. U.	80-81	4	5				53	132	18						6	16	13	14	90	10																	
U. Houston	80-81	6	8				72	255	11						9	8	24	9	11	27	15	100	19														
C. Santa Fe	81-82	3	2				26	19	X						X		X	X	X	X																	
Texas Christian U. ²²	82-83	6	9				78	277	16	7				23	8	15			35	19	121	20															
Rice U.	82-83	6	8				79	219	14					25	10	11	9	10	23	17	106	11															
Oklahoma St. U.	81-82	6	7				88	271	13	12	12			17	11	23			37	13	137	12															
N. Texas St. U.	82-83	5	6				52	204	11	8					7	16	10		15	96	23																

Institution	Year	Sports Offered ²				Total Athletes ³		Women														Men													
		Women		Men		Coed	Women	Men	Basketball	Field Hockey	Golf	Gymnastics	Lacrosse	Soccer	Softball	Swimming	Tennis	Track	Cross Country	Volleyball	Baseball	Basketball	Football	Golf	Gymnastics	Ice Hockey	Lacrosse	Soccer	Swimming	Tennis	Track	Cross Country	Wrestling		
		7	7	7	7																														
Kansas St. U.	79-80	7	7	7	115	271	15	8	8					18	10	35	12	17	30	24	145	13									9	35	15		
Kansas U.	80-81	8	8	8	169	324	18	8						30	30	15	46	22	27	14	141	19								32	8	43			
Central Mo. St. U.	79-80	9	9	9	113	266	X	X	X				X	X	X	X	X	X	X	X	X	X	X						X	X	X	X	X		
Northwest Mo. St. U.	79-80	6	7	7	89	265	17						25	10	15	6	16	26	14	80										10	93	19	25		
U. Mo.-Kansas City	80-81	3	3	3	36	31	12								11			13	10			9									12				
U. Iowa	80-81	10	10	10	172	324	13	24	11	10				15	23	8	31	15	20	38	17	108	11	16					31	14	44	13	28		
U. Northern Iowa	80-81	10	10	10	144	307	18	20	7	7				18	11	9	29	13	12	26	15	91	32	12					10	10	56	20	35		
Mo. Western St. C.	80-81	4	5	5	66	212	18							22	7			19	42	25	119	18													
Kearney St. C.	80-81	7	8	8	129	333	15							22	16	9	43	14	41	34	146	8							13	72	19				
Utah St. U.	80-81	6	7	7	95	224	15		10					14			23	11	22	26	102	18							9	31	13	25			
Col. North Comm. C. ²³	80-81	3	4	4	43	69	13							14				16	35	13													16		
U. Montana	80-81	7	7	7	128	268	13		10						14	9	59	12	11	33	93	15							11	76	15	25			
Col. Sch. Mines ²⁴	80-81	2	9	2	39	288	X								X*			X	X	X	X	X	X				X	X	X	X	X	X	X		
U. Nevada-Reno ²⁵	80-81	6	9	9	90	233	17							15	18	11	15	14	29	12	74	12							13	38	17				
U. Nevada-L. Vegas	79-80	8	10	10	101	252	16	0						25	11	12	14	9	14	32	18	86	14					20	7	12	28	8	27		
Cal. Polytech. ²⁶	80-81	8	11	11	158	355	14		17					31	26	11	45	12	10	46	19	74						22	22	18	66	12	57		
N. Arizona U.	80-81	5	6	6			X							X	X	X	X	X	X	X	X	X	X						X	X	X	X	X		
American River C.	80-81	9	9	9	150	194	12	16	10					18	18	7	45	12	22	12	60	6							18	7	45	12	12		
Solano Comm. C.	81-82	5	4	3	56	127	8		6					9	5*	7	10*	2*	9	30	7	54	7						11*	13*	5*				
Arizona St. U. ²⁷	80-81	9	10	2			14	17	14					15	30	13	47	13	32	17	94	17	19						30	16	56	31			

Notes

The symbols used in this table indicate the following:

- Co-ed sport. Men and women practice together and are coached by the same individual, but generally compete against members of their own sex.

X: The institution offers the particular sport, but the OCR findings did not list the number of participants in that sport.

←X→ : total athletes on the track and cross country teams combined (the OCR provided only a combined figure).

1. This appendix shows the number of sports, number of participants, the particular teams, and number of participants on each team offered by each institution that the OCR investigated.

2. This column lists the number of sports offered to women and men at each institution, as well as the number of coed teams the institution offered to its students.

3. This column lists the total number of male and female athletes at each institution.

4. Yale University also offered intercollegiate teams for women in fencing, ice hockey, squash, and crew; men have teams in volleyball, fencing, squash, crew, and water polo.

5. Boston College also offers women's sailing (24 participants), women's skiing (9 participants), men's sailing (25 participants), and men's skiing (14 participants) teams.

6. Syracuse University offers intercollegiate teams in men's crew (56 participants) and women's crew (41 participants).

7. State University of New York-Buffalo also has a women's bowling team, with 25 participants.

8. Niagara University also sponsors a coed running team (5 female and 13 male participants).

9. Cornell University offers a sport called "150" football for men (91 participants), and ice hockey (19 participants), skiing (23 participants), and bowling (12 participants) for women.

10. The University of Rochester also offers squash for men.

11. Hofstra University has a fencing team for women.

12. Longwood College sponsors a coed riding team that has 8 female participants and 1 male participant.

13. The University of Kentucky offers a coed rifle team (8 male and 3 female participants) and a men's water polo team (20 participants).

14. The University of Akron sponsors an intercollegiate coed rifle team, with 8 male and 2 female participants.

15. St. Olaf College also offers men's and women's skiing teams.

16. The University of Illinois-Urbana has a men's fencing team with 23 participants.

17. Michigan State University also sponsors a men's fencing team.

18. The University of Michigan offers women's synchronized swimming, in addition to the sports indicated on the chart.

19. Southern Illinois University at Carbondale also offers men's water polo (20 participants).

20. Ohio University offers coed rifle, with 4 male and no female participants.

21. The University of Texas at Arlington also offers men's volleyball (14 participants), men's rifle (4 participants), men's fencing (14 participants), men's weightlifting (12 participants), women's fencing (7 participants), and women's rifle (1 participant).

22. Texas Christian University offers men's rifle (3 participants) and women's rifle (5 participants).

23. Colorado Northwestern Community College also offers a men's archery team, with 5 participants.

24. Colorado School of Mines offers men's and women's skiing teams.
25. The University of Nevada at Reno offers men's skiing (19 participants) and men's boxing teams (19 participants).
26. California Polytechnic State University also sponsors men's volleyball (12 participants) and men's water polo teams (20 participants).
27. Arizona State University also offers coed badminton (7 male and 7 female participants) and coed archery teams (11 female and 8 male participants).

Institution	Year	Total		Women			Men			% Diff. ⁵	Favors ⁶	No Aid ⁷	Comply ⁸
		Budget ¹	% Part. ²	% \$ ³	Ave. Awd. ⁴	% Part. ²	% \$ ³	Ave. Awd. ⁴	% Part. ²				
Hofstra U.	80-81		32	32		68	68		0	-	-		X
Region III													
Howard U.	79-80	470,378	21.3	17.7	1546	78.7	82.3	1935	3.6		M		
	80-81	587,192	22.5	19.5	1872	77.5	80.5	2252	3		M		X
Longwood C.	79-80	22,330	56	100		44	0		44		W		
	80-81	53,114	57	66		43	34		9		W		X
Alderson-Broadbudd C.	79-80	54,057	25.6	11.1	274	74.4	88.9	751	14.5		M		
	80-81	67,079	27.8	16.3	409	72.2	83.7	806	11.5		M		
	81-82	80,810	27.6	18.0	600	72.4	82	1041	9.6		M		
	82-83 ¹⁰	81,500	27	25.2		73	74.8		1.8		M		X
St. Francis C.	80-81	61,047	27	0		73	100		27		M		
Region IV													
Pensacola Jr. C.	80-81		42	35		58	65		7		M		X
U. Georgia	79-80	810,291	30	11	672	70	89	2500	19		M		
	80-81	1,005,557	30	18	1411	70	82	3061	12		M		
Edison Comm. C.	80-81	32,731	41	37	336	59	63	397	4		M		
	81-82	16,251	31	34	239	69	66	207	3		W		X
U. Florida	79-80	882,467	27	19	1299	73	81	2001	8		M		
	80-81	1,000,985	25	22	2205	75	78	2625	3		M		X
	81-82	1,029,799	27	22	2791	73	72	2641	1		W		X
U. Kentucky	80-81	878,425	22.8	28.5	2411	77.1	77.5	2457	.4		M		X
N. Georgia C.	80-81	14,333	42	48	167	58	52	177	6		W		X
Voorhees C.	81-82	24,107	51	50	297	49	50	298	1		M		X
Georgia Tech.	81-82	12,797	40	41	143	60	59	134	1		W		X
Spring Hill C.	81-82		15	4		85	96		11		M		
	81-82		28	34		72	66		6		W		X
Region V													
U. Akron	79-80	268,000	15	5	289	85	95	970	10		M		

Institution	Year	Total		Women				Men				No Aid ⁷	Comply ⁸
		Budget ¹	%	Part. ²	%	\$3	Ave. Awd. ⁴	%	Part. ²	%	\$3		
St. Olaf C.	80-81	595,586	25.3	18.5	866	74.7	81.5	1298	6.8	M	X	X	
U. Illinois-Urbana	80-81	683,094	25.6	24.2	1281	74.4	75.8	1381	1.4	M	X	X	
Central Michigan U.	79-80	438,536	39	28	553	61	72	908	9	M			
	80-81	532,284	35	30	834	65	70	1051	5	M			
	81-82	632,264	32	37	1317	68	63	1027	5	W	X	X	
Michigan State U.	79-80	879,034	31.3	21.5	825	68.7	78.5	1377	9.8	M			
	80-81	1,022,823	26.7	24.7	1405	73.3	75.3	1265	2	M	X	X	
Western Michigan U.	79-80	429,833	28.4	20.8	792	71.6	79.2	1197	7.6	M			
	80-81	494,077	26.7	22.6	1069	73.3	77.4	1332	4.1	M	X	X	
U. Michigan	79-80	1,114,063	27.3	12.2	962	72.7	87.8	2609	15.1	M			
	81-82	1,468,525	29.7	22.4	1388	70.3	77.6	2038	7.3	M			
U. Minnesota	81-82	1,048,943	35	27	1598	65	73	2326	8	M			
S. Ill. U.-Carbondale	80-81	702,924	38.3	22.7	841	61.7	77.3	1775	15.6	M			
	81-82	683,838	36	29.2	1313	64	70.8	1794	6.8	M			
Ohio U.	81-82	753,835	32.3	29.7	1500	67.7	70.3	1699	2.6	M	X*	X*	
Region VI													
U. Texas-Arlington	80-81	278,003	17.6	17		82.4	83		.6	M	X	X	
U. Texas A & I U.	80-81	113,971	26.4	23.6	570	73.6	76.4	647	2.8	M	X	X	
Sul Ross St. U.	80-81										X	X	
U. Houston	80-81	572,282	22	17.4	1387	78	82.6	1864	4.6	M			
	81-82	637,940	22.4	23.2		77.5	76.8		.8	W			
	81-82	39,800	54.8	42.2	730	45.2	57.8	1211	12.6	M			
C. Santa Fe	81-82	29	29	24		71	76		5	M			
Southwest Texas St. U.	80-81	1,206,993	22	16.6	2571	78	83.4	3633	5.4	M			
Texas Christian U.	82-83	1,265,288	26.5	22.5	3609	73.5	77.5	4476	4	M	X	X	
Rice U.	82-83	583,524	24.5	25.6	1866	75.5	74.4	1621	1.1	W	X	X	
Oklahoma St. U.	81-82	388,989	20.3	21.7		79.7	78.3	1494	1.4	W	X	X	
N. Texas St. U.	82-83												

Institution	Year	Total Budget ¹	Women				Men				No Aid ⁷	Comply ⁸
			% Part. ²	% \$ ³ Ave. Awd. ⁴	% Part. ²	% \$ ³ Ave. Awd. ⁴	% Diff. ⁵	Favors ⁶				
Region VII												
Kansas St. U.	79-80	368,572	29	17	603	71	83	1188	12	M		
U. Kansas	79-80	886,630	33.2	13.7	781	66.8	86.3	2436	19.5	M		
Central Missouri St. U.	79-80	206,604	28.3	26.3	480	71.7	73.7	722	2	M		X
Northwest Mo. St. U.	79-80	132,661	26	32	603	74	68	434	6	W		X*
U. Mo.-Kansas City	81-82	56,500	49	42.5	774	51	57.5	1016	6.5	M		X*
U. Iowa	79-80	664,731	36	21	831	64	79	1733	15	M		
	80-81	788,160	36	27	1276	64	73	1932	9	M		
U. Northern Iowa	80-81	260,362	30.4	20	395	69.6	80	690	10.4	M		
Missouri Western St. C.	80-81	152,786	20.2	24.6	896	79.8	75.4	666	4.4	W		X
Kearney State C.	81-82	116,666	28	23	201	72	77	264	5	M		
Region VIII												
Utah St. U.	80-81	544,732	29.6	22	1315	70.4	78	2017	7.6	M		
Col. Northwestern Comm. C.	80-81	88,785	22.9	35.4	928	77.1	64.6	868	12.5	W		X
U. Montana	80-81	395,749	30.8	24.8	954	69.2	75.2	1193	6	M		
Col. Sch. Mines	80-81	189,200	12	12	583	88	88	578	0	-		X
Region IX												
U. Hawaii-Manoa	79-80		29	18	1220	71	82	2313	11	M		
U. Nevada-Reno	80-81	285,320	27.9	13.1	415	72.1	86.9	1064	14.8	M		
U. Nevada-Las Vegas	79-80	504,805	28.6	18.5	926	71.4	81.5	1632	10.1	M		
	80-81	415,151	20.9	20	1219	79.1	80	1161	.9	M		X
California Polytech.	79-80	257,961	28	14.6	313	72	85.4	699	13.4	M		
	80-81	286,168	31	16.6	302	69	83.4	672	14.4	M		
N. Arizona U.	80-81	209,220	25.9	18.8		74.1	81.2		7.1	M		X
American River C.	80-81											X
Solano Comm. C.	81-82											X
Arizona St. U.	80-81	1,074,014	36	33	1970	64	67	2194	3	M		X

Notes

1. Total Budget: the total amount of money each institution awarded as athletic scholarships during the indicated year.
2. % Part.: the percentage of an institution's total athletic program participants who are women or men.
3. % \$: the percentage of the total athletic scholarship budget that was awarded to female or male athletes.
4. Avg. Awd.: the average award (in dollars) an institution awarded to participants of each sex.
5. % Diff.: the difference between % Part. and % \$.
6. This column states the gender of the athletes who receive more athletic scholarship money than their proportion of participants in the institution's athletic program (W: women, M: men).
7. "X" indicates that the institution does not award athletic scholarships.
8. "X" indicates that the OCR found the institution in compliance with Title IX in the awarding of athletic scholarships. X* means that the OCR found the institution in compliance with Title IX, but expressed reservations in doing so.
9. The OCR used the projected 1983-84 academic year budget to compute the % \$, and compared this figure with the 1982-83 academic year athletic participation rates for females and males to judge Boston College's compliance with Title IX.
10. These figures are based upon the projected athletic scholarship budget for Alderson-Broadbudd College in the 1982-83 academic year.

Compliance Plans

Syracuse University—The institution agreed to add four athletic scholarships for women in 1981-82. Two new women's intercollegiate athletic teams will also be formed in 1981-82. To develop those teams, two athletic scholarships will be added for women annually for four years. The result will be:

	Women		Men	
	% Part.	% \$	% Part.	% \$
1981-82	25	21	75	79
1982-83	25	22	75	78
1983-84	25	23	75	77

By 1982-83, athletic scholarship awards will be substantially proportional.

Niagara University—The OCR findings did not include a description of this institution's compliance plan.

St. Francis College—The college's women's athletic teams are in a competitive division that does not allow the awarding of athletic scholarships. The college will apply to change its women's basketball team to Division I status (which will permit athletic scholarships), and phase in athletic scholarships for women over a four year period. The OCR stated that the college had thirty days to send the OCR a timetable and plan for accomplishing this.

University of Georgia—The university will add \$40,000 to the women's athletic scholarship budget in 1983, and will adjust that budget in 1984 to assure the "maximum availability of money to women."

Georgia Institute of Technology—The institution agreed to add \$32,191 to the women's athletic scholarship budget in 1982-83, and to add \$64,310 in 1983-84. The institution will make further increases to eliminate any remaining disparities.

University of Akron—The university will add two women's athletic teams to its intercollegiate athletic program, phasing in the award of athletic scholarships to athletes of these teams over a four year period. The result of this increase in athletic scholarships will be:

	Women		Men	
	%	Part. \$	%	Part. \$
1980-81	15	10	85	90
1981-82	21	15	79	85
1982-83	21	18	79	82
1983-84	21	20	79	80

Absent the effect of the development of the two new women's teams, the OCR found that the athletic aid awards for women in 1981-82 would be 13% of the athletic scholarship budget, while female athletes would be 15% of the institution's athletes. The OCR found this to be "substantially proportional."

University of Michigan—The university agreed to increase the women's athletic scholarship budget by \$40,000 (4%) each year for two years. By 1984-85, "parity" will be reached. The OCR will receive annual reports from the university between 1982 and 1985.

University of Minnesota—The institution agreed to increase the women's athletic scholarship budget by \$130,000 in 1983-84. The institution will also begin a book loan program for female athletes in September, 1982, at a cost of \$8000. The OCR will receive reports from the institution between 1982 and 1984.

Southern Illinois University at Carbondale—The university will make the men's and women's athletic scholarship budgets proportional by 1984-85, an increase to the women's budget of \$60,000.

Ohio University—The university agreed to discontinue linen service for its male athletes and to provide book loans for its female athletes. The "Special Talent" program of scholarships, which had benefitted only male athletes, will be phased out.

College of Santa Fe—The institution agreed to award proportional athletic scholarship awards by 1982-83.

Southwest Texas State University—In 1982-83, the women's athletic financial assistance budget will be 34.6% of the total athletic scholarship budget at the institution. Since female athletes are 29% of the institution's athletes, this aid will be proportional.

Texas Christian University—The university agreed to increase the women's share of the athletic scholarship budget by 1.4% annually for

four years. Further adjustments will be made in the athletic scholarship budget if needed, so that the university will be providing proportional aid at the end of four years.

Kansas State University—The institution agreed to increase the women's athletic scholarship budget share by 2.9% in 1981-82 and by an additional 1.9% in 1982-83. By 1982-83, female athletes will receive 29.4% of the athletic scholarship budget. Women are 29% of the institution's athletes.

University of Kansas—The university will increase the women's athletic scholarship budget by \$48,265 and decrease the men's athletic scholarship budget by \$13,800 in 1982-83. In three years, the university will be awarding its female athletes the maximum athletic scholarship awards permitted by the NCAA.

University of Iowa—The university will award athletic scholarship aid in 1981-82 so that women receive 30% of the athletic scholarship budget. Women are 33% of the university's athletes. The release time for women's coaches to recruit will be increased as outlined in the university's compliance plan for the coaching area. The OCR had observed that women's coaches had not awarded their full athletic scholarship budget in prior years due to the lack of time to recruit.

University of Northern Iowa—The athletic scholarship budget will be allotted so that women athletes receive 30% of the funds in 1981-82 and 1982-83. Women will be 30% of the athletic participants in 1981-82, and 31% of the participants in 1982-83. The OCR warned the university to be sure that the money for scholarships was actually spent proportionally as well as budgeted that way.

Kearney State College—The college will increase the women's scholarship budget allotment by 1.5% annually to achieve proportionality by 1985-86.

Utah State University—The women's athletic scholarship budget will be increased by \$62,450 over three years while the men's budget remains at the current level. As a result, women athletes will receive 30% of the athletic scholarship budget, while they are 29.6% of the athletic participants.

University of Montana—The women's athletic scholarship budget will be increased by \$28,400 over three years. Women, 30.8% of the athletic participants, will then be receiving 30% of the athletic scholarship aid.

University of Hawaii at Manoa—The OCR accepted the university's compliance plan in its letter of finding for the Title IX investigation. A statement of finding, which would describe the details of the compliance plan, was not available from the Region IX OCR office.

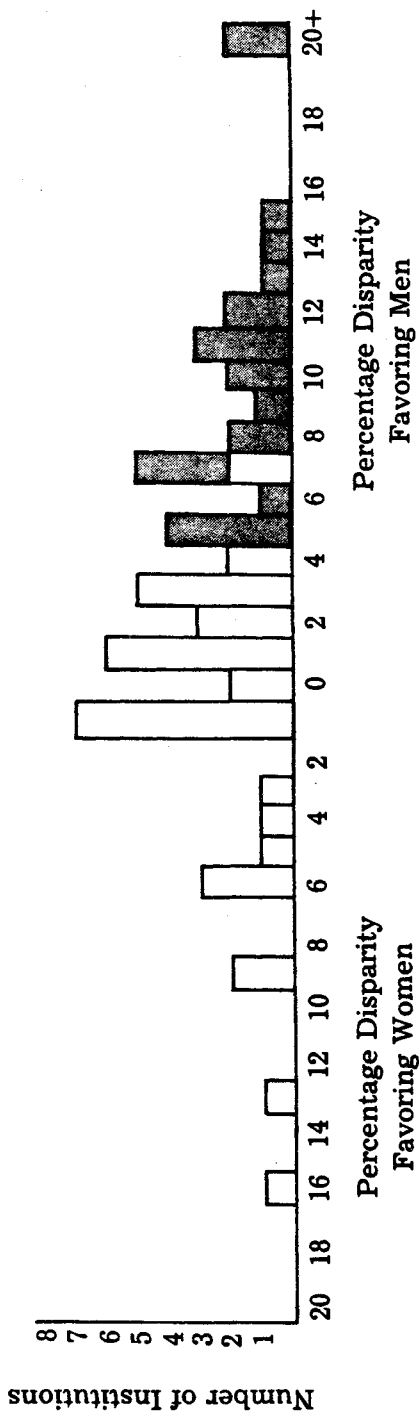
University of Nevada-Reno—The university will increase the women's athletic scholarship budget by \$8800 annually for five years (until 1985-86).

California Polytechnic State University—Two men's athletic teams will be eliminated, resulting in participation rates of 37% for women and 63% for men. As soon as the athletes from these eliminated teams graduate, and their athletic financial aid is terminated, athletic financial aid will be proportional to the participation rates of men and women.

Northern Arizona University—The university will add one women's team to its athletic program, making women 30% of the participants. In 1982-83, the women's athletic scholarship budget will be increased by \$15,000 to achieve proportionality.

Appendix E
Athletic Scholarships
Graphical Summary of the OCR Findings*

Comply: ☐ Violation: ☒



* This graph is based upon the OCR's findings for the most recent academic year shown in Appendix E for each institution.

Appendix F Provision of Equipment and Supplies

Institution	Year	Equipment Manager ¹	Practice Uniforms ²		Provide Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
Region I U. Bridgeport		1 for men	3	5			some	some				Women do not have sufficient storage room. Men have 2-3 times more space for their equipment.	44% of female athletes and 94% of male athletes receive practice uniforms.	
Bentley C.			BB	BB									Women's TN and men's CF have no uniforms. Equipment suitability and availability is excellent.	X
Yale U.							none	none					Equipment is "equivalent," "excellent."	X
U. Massachusetts												Men's storage area larger because men have more equipment.	If athletes of one sex provided their own equipment, so did athletes of the other sex.	X
Boston C.			4	8	7	9					Launder all game uniforms, and the practice uniforms for 6 men's and 3 women's teams.	Men's and women's CF, TN and SALL teams have no uniforms.	Men's and women's CF, TN have no uniforms.	X
Thames Valley	B-0										Men's BB.		Equipment budget was \$500 for men, \$120 for women.	
Region II Maran C.			BB, VB	BB							All teams.		Men's CF, TN have no uniforms.	X

Institution	Year	Equipment Manager ¹	Practice Uniforms ²		Provide Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
Wagner C.		1 for all athletes	4	6	SB, SB	FB, BS, BL	all	all but FB, GF			All practice gear washed daily.		Men's GF has no uniforms. BS, FB for men get three pairs of shoes free.	X
Syracuse U.													One paragraph report-concursory.	X
SUNY-Buffalo		1 for all athletes	8	11									Equipment is adequate. 34% of female athletes and 67% of male athletes receive practice uniforms.	X
Niagara U.			All but one	All but one			TN, SB	BL, TN, GF					Men's GF has no uniforms.	X
SUNY-Cortland													Uniforms are substantially equivalent.	X
Cornell U.											All uniforms.		University made major purchases for women in 1980 (prior to that time, women said their equipment was inadequate).	X
SUNY-Albany							all	all	VB, CY, TN	TR, TN, SC			Women had some trouble getting equipment (purchases for women were authorized shortly before the OCR investigation).	X
U. Rochester			All but GF	All but GF	All but GF, SW	All but GF, SW					All but TN, SW, GF		Women's FB, LC share uniforms, but compete in different seasons.	X
Yale U.							some	some			All uniforms.		Women's equipment window open restricted hours, so women cannot pick up their laundered uniforms conveniently.	

Institution	Year	Equipment Manager ¹	Practice Uniforms ²		Provide Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
St. Olaf C.	0-41		VB, SB, SW	SW	none	none			66%	37%			Two men's, two women's teams share equipment (17' of male athletes, 29' of female athletes). Men's teams spent 71% of equipment budget and are 67' of athletes.	X
U. Illinois-Urbana	0-41				all	all			GF, SW	GF, SW, FN, BL	All uniforms.		Men's fencing team maintains its own equipment. Equipment budget was 76' for men's teams, 24' for women's teams.	X
Central Michigan U.			all	all	all	all			GF, TN, SB	BL, GF, TN	All but women's GF, GF, SW and men's GF, SW		Teams that launder their own uniforms do so by choice.	X
Michigan St. U.	79-80						72%	54%			All but men's GF and women's TN and SB.		91' of equipment budget is spent on male athletes, who are 86' of athletes, 66' of male athletes and 37' of female athletes share equipment.	X
Western Michigan U.	0-41		All but GF, SW, TN, SB	All but SC, SW			GF, SB	GF, BL			Three men's teams (W, FN, BB) get slightly more convenient service.		76' of equipment budget is spent on men. Two women's teams pick up their equipment at a building different from where they practice and compete.	X
U. Michigan	1982		all	all	all	all							Women receive only 7' of the equipment budget, but the OCT found this to be equivalent.	X

Institution	Year	Equipment Manager ¹	Practice Uniforms ²		Provide Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
U. Minnesota		Available and their for all.							GP, SB	GP, BL			Problems in women's practice uniforms were caused by faulty ordering. This has been corrected.	X
S. D. U. Canbyville	81-82		SB	SB, PB, TB, SC, BL, TH			All but GP	All but BL, GP	GP, TB, SB	GP, BL		All women store their own uniforms, only 25% of men do.	9% of female athletes and 75% of male athletes receive practice uniforms.	X
Ohio U.			all	all	SB - 1 pairs	SB - 4 pairs			SB, TB, SW	BL, TB, SW	All uniforms			X
Region VI U. Texas-Arlington													One paragraph report - coeducational.	X
Texas A&M U.									TH	TH, GP			One paragraph report - coeducational.	X
Southern St. U.													One paragraph report - coeducational.	X
U. Houston										GP			Athletes and coaches rate of their equipment as excellent.	X
C. Santa Fe									all	all			Two women's teams share uniforms, while the two men's teams have their own. Women's TH has no uniforms.	

Institution	Year	Equipment Manager ¹	Practice Uniforms ²		Provide Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
Oklahoma S. U.			All but 2	All but 3	VB				GF	GF, BL	Available to all athletes during their sport seasons.		Women's gymnastics athletes are given 3 lockers.	X
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N. Texas St. U.	82-83	Men's TB, BB each have one.							all	GF, SC, TN, TR			5 of 6 basketballs used by women's basketball are defective. 5% of equipment budget spent on women (\$150 per female athlete and \$712 per male athlete).	
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Region VII Kansas St. U.									GF, TN	GF, TN			Complete and suitable equipment are provided for men's FB, BB, BL, TR and women's BB, SB, TR, VB.	X
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U. Kansas	80-81		BB	All but GF, SW	XC, TR, BB	All but GF	BB, SW, VB	All but GF	TN	GF	Men have 1 large laundry area, women 2 small areas.	Men have 2 large storage area, women 3 areas in scattered locations.	Two women's teams (TN and TR) have insufficient equipment. Men can videotape their games and practices, women cannot. Men have 2 day turnaround in buying equipment, women 4 days. A seamstress repairs men's uniforms, but not women's. TB-50. Equipment budget was \$114,000 for men, \$21,000 for women.	
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Central Missouri U.	80-81	For men only.											Women's basketball had no money to purchase new basketballs. Equipment budget for men was \$19,200 and women \$5,000.	

Institution	Year	Equipment Manager ¹	Practices Uniforms ²		Provides Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
North-west Missouri St. U.		One full-time for men, Workstudy students do this for women.										Men, women each have a large storage room. Women get their room after the OCH investigation.	Report concourse as to other areas - found equipment elsewhere.	X
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U. Missouri-Kansas City	80-81								BB, TH	TH, CF		Inadequate for both sexes	Men's and women's basketball get better equipment than other sports.	X
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U. Iowa		One for men, women's coaches do their own.	none	all	none	all					Men get better laundry service.	Men have large area, women's is inadequate.		
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U. Northern Iowa		One for men, women's coaches do their own.										Men have a large storage area, while women have several small areas in scattered locations.	Only three teams are fully equipped: men's FB, BB, W. These are men's teams than women's teams are provided with shoes, warm-ups and practice uniforms.	
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Missouri W. St. C.			VB, BB	FB, BL, BB	All but BB, TH	All but FB, BL			TH, SB	TH, CF, BL	All uniforms.	Women's softball equipment is borrowed from a local sporting goods store.		
<hr/>														
Kearney St. C.			SW, TR, XC	FB, BB, BL, W, TR, XC								Men have a large area, while women have several unlocked storage areas.	Six men's and two women's teams get towel service; this is financed from each team's budget and the women's teams cannot afford it.	

Institution	Year	Equipment Manager ¹	Practice Uniforms ²		Provide Shoes for Athletes ³		Warm-ups ⁴		Provide some of own equipment ⁵		Laundry Service ⁶	Equipment Storage ⁷	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
Region VII Utah St. U.		I full-time equipment manager for men. No service for women.	Half of XC, TR teams	all	BB	All but GF	all	FR, BR, TR, XC, W			All men's laundry done for them, no women's laundry done.		Men's uniforms laundered daily; men's travel bags are packed for them.	
Colorado Northwestern Comm. C.													Coaches maintain the equipment. Coaches and athletes said that the equipment is excellent.	X
U. Montana		I full-time for all athletes.	VR, BR, XC, TR	BR, FR, TR, XC, W	VR, BR, XC, TR	BR, FR, TR	BR, VR, XC, TR, GF	BR, TR, TR, W			Available for all athletes.		All men's teams and women's basketball are provided with socks. 7 men's and 5 women's teams receive travel bags. Only men's football and basketball receive all needed equipment for their sports.	
Colorado Sch. Mines		I full-time and I part-time serve all athletes.	XC, TR	XC, FR, BR, BL, W, SW, TR	SW, XC, BR, VR, TR	TR, SC, XC, BR, SW, W					Available for all athletes.	Two storage areas serve all athletes.	Women's volleyball has only one set of net standards; this hampers practice. There is a shortage of practice uniforms for women.	
Region IX U. Nevada-Reno													One paragraph report - conclusory	X
U. Nevada-Las Vegas			all	all	all	all			TR, GF	TR, GF	Available for all athletes.			X

Institution	Year	Equipment Manager ^d	Practice Uniforms ^a		Provide Shoes for Athletes ^a		Warm-ups ^a		Provide some of own equipment ^a		Laundry Service ^d	Equipment Storage ^e	Other Findings	Comply
			Women	Men	Women	Men	Women	Men	Women	Men				
Cal. Polytechnic		1 full-time, 1 part-time for all athletes	BB	FB, BB, W	BB	FB, BB, W	BB	FB, BB, W	BB	FB, BB, W	1 men's teams, 1 women's (BB) get this-women's BB uniforms are washed but not dried.		All men's and two women's teams receive towel service. Only men's FB and BB can videotape their practices and games.	
N. Arizona U.			all	all	all	all			TN	TN	Available for all athletes.		All teams have the necessary equipment.	X
American River C.		1 for men, 1 for women.									FB uniforms sent to cleaners, women's uniforms and men's basketball uniforms washed on campus.			X
Solano Comm. C.					none	none	TN, SB	TN, GT, BL			Available for all athletes.			X
Arizona State U.			all	all			VB, SB, AR, GT, BD	BL, AR, GT			Done for all but one men's and two women's teams.		Men's FB, BB get videotaped at the athletic center, women's BB must view their videotape across campus.	X

Notes

1. If the institution has an equipment manager (equipment managers maintain and distribute athletic equipment and uniforms), this category details how much service male and female athletes receive from the equipment manager.

2. This category lists either how many teams of each sex receive practice uniforms (numeral) or which teams of each sex receive practice uniforms (abbreviations).

3. This column tells which teams, or how many teams, are provided with free athletic shoes by the athletic department. Where more pairs of shoes were given to some teams than to others, the number of pairs provided is also indicated.

4. Warm-ups are sweat suits provided to athletes either for practices in cold weather or to wear to a competitive event over their uniforms. A numeral indicates how many teams of one sex receive warm-ups. Abbreviations indicate which teams of that sex receive warm-ups.

5. Whenever athletes on a team must provide some of their own playing equipment, this is noted here. Tennis athletes often provide their own rackets, golf athletes their own golf clubs, and baseball and softball players their own gloves. Abbreviations indicate which teams must provide some of their own equipment. Occasionally, the OCR expressed its findings as the percentage of male or female athletes who had to provide some of their own equipment.

6. Describes to what extent practice and competitive uniforms are laundered by the university.

7. Disparities which the OCR notes in the amount or location of men's and women's sports equipment storage facilities are noted here.

Compliance Plans

University of Bridgeport—Practice uniforms will be provided to all women's teams by the fall of 1981. By January 1982, storage space for women's equipment will be doubled by combining the former men's physical education storage area with the adjacent women's athletics storage area. The equipment manager, who formerly served only men's teams, left the university and will not be replaced.

Thames Valley State Technical College—The college agreed to raise the level of funding for the women's program to be proportional to the funding of the men's program by 1983-84. This overall plan should result in equal benefits for female athletes.

Hofstra University—The university will take steps to allow female athletes access to equipment after 4:30 p.m. and will see to it that their uniforms are returned promptly to them after laundering.

College of Santa Fe—The college will purchase uniforms for women's tennis and enough uniform shorts so women's basketball and volleyball will not need to share by the 1982-83 academic year.

North Texas State University—Because the OCR findings were issued on August 25, 1983, a compliance plan was not completed by the time this article was written.

University of Kansas—The compliance plan says that game uniforms,

practice uniforms, warm-ups, and shoes are now provided on a "comparable" basis. Men's and women's track now share equipment on an "equitable" basis. The women's tennis team will "have the opportunity" to acquire equipment on the same basis as men's tennis. Men's and women's teams now have the same turnaround time on equipment purchases. Audio-visual equipment is available to all teams on request of the coach. Female athletes will have access to the commercial laundry equipment in the athletic department. Women's equipment space will be comparable by the fall of 1982.

Central Missouri State University—The university will conduct a study of this area, and if disparities are found, will make a plan to correct them. The OCR will be notified of what the university will do within 60 days of April 15, 1982.

University of Iowa—In 1980-81, each female athlete received one pair of shoes and two practice uniforms. In 1981-82, women's basketball and tennis athletes each received two pair of shoes for practice; each female athlete received three practice uniforms and one sweat suit. In 1982-83, a new athletic arena will be completed, and the equipment manager will provide the same services to all athletes, and all athletes' uniforms will be laundered for them.

University of Northern Iowa—The university is spending \$6,224 in the fall of 1982 to purchase sweatsuits, shoes, uniforms, and travel bags for women. Also, an area is being built to house out-of-season athletic equipment so that the equipment room and managers will handle the women's equipment on the same basis as the men's equipment.

Missouri Western State College—In 1982-83, volleyball and softball uniforms were purchased; no women athletes share uniforms now. Three thousand more dollars will be added to the women's equipment budget in 1983-84. New softball equipment was purchased for 1983-84.

Kearney State College—The women's equipment storage space has been increased. All teams, both men's and women's, are furnished with practice uniforms.

Utah State University—Beginning in the fall of 1982, sufficient money will be added to the women's budget for purchase of game and practice uniforms and shoes, phased in over a three year period. More storage and laundry equipment will be provided for female athletes, and an equipment manager will serve the women's teams.

University of Montana—The university has purchased new uniforms for women's volleyball and basketball in 1981-82 and 1982-83. Leotards and warm-ups have been purchased for women's gymnastics. New travel bags for female athletes will be purchased in the next two years. Caps and goggles were purchased for women's swimmers. Warm-ups were purchased for both the women's and men's tennis teams.

Colorado School of Mines—A second set of volleyball standards will

be purchased in 1982-83. One hundred and fifty pairs of practice shorts for women will arrive at the school on February 25, 1982.

California Polytechnic State University—Budget allotments in this area will be equitable by 1983-84. The OCR will get a copy of university plans in this area by June 1982. Laundry service will be handled through the same desk for men and women.

Appendix G

Scheduling of Games and Practice Times

In this program area, the OCR investigates the following:

- a) whether the number of competitive events for men's and women's teams are equivalent;
- b) whether men's and women's teams are given equivalent opportunity to compete in pre- and post-season competitive events (pre-season tournaments and scrimmages, post-season play in national championship tournaments, etc.);
- c) whether the time of day practices and competitive events are scheduled disadvantages male or female athletes disparately (e.g., late practices can cause athletes to miss meals, or practices which are too early in the day can disadvantage athletes in their selection of academic courses);
- d) whether men's or women's teams receive priority use of university facilities for practice or competitive event scheduling;
- e) whether the number and amount of team practices are greater for men's teams or women's teams;
- f) whether there are differences in the length of season for men's and women's sports.

The OCR findings in this program area are difficult to present in a graphical format. It is, however, instructive to summarize the findings for the schools which violated this area, and the compliance plans to which those schools agreed to remedy their violations.

Thames Valley State Technical College—The OCR found that both men's and women's teams practiced five days per week, two to three hours per day. Although women's basketball practiced later than men's basketball (3:30-5:30 p.m.), female athletes preferred this schedule (4-6 p.m.) because it resulted in fewer conflicts with academic classes. The college provides "major" sports (men's basketball and baseball) with sufficient funds for a full schedule of competitive events, while "minor" sports (women's basketball and co-ed tennis) are provided with only enough money for a limited schedule. Both men's teams played in pre-season events; women's basketball did not, due to lack of funds. The number of competitive events scheduled for 1982-83 was as follows:

Men's Baseball	16
Men's Basketball	18
Women's Basketball	8
Co-ed Tennis	3

Plan: The college plans to raise the funding for women's sports to be proportional to the funding of men's sports in 1983-84. Additional

funds should enable the women's program to be equivalent in this area.

Edison Community College—The OCR found that men's teams had "considerably" more competitive events than did women's teams. In 1980-81, the number of events was

<u>Men</u>		<u>Women</u>	
Baseball	44	Golf	3
Basketball	31	Softball	22
Golf	11	Tennis	15
Tennis	16	Volleyball	20

The number of golf events for women was restricted because few area junior colleges field women's golf teams. The OCR noted also that men's teams play outside their division, while women's teams play almost exclusively within their division of junior colleges. The OCR found practice times for men and women equivalent in amount and time of day scheduled. One men's and one women's team played pre-season games; no team qualified for post-season competition in 1980-81.

Plan: The college agreed to increase the number of competitive events for women's teams to be equivalent to the number of competitive events for men's teams.

Voorhees College—The OCR found that men's and women's events in identical sports are scheduled for the same time of day, except that women's and men's basketball play their games as double-headers, with the women's game at 6 p.m. and the men's game at 8 p.m. The women's basketball coach and players expressed a preference for this arrangement to the OCR. All teams practice five days per week for two hours each day. In 1981-82, all but three men's and one women's team played in pre-season events, and all teams played in post-season competition. However, the OCR found that men's teams had substantially more competitive events than women's teams did in 1981-82, as shown below:

<u>Men</u>		<u>Women</u>	
Baseball	24	Basketball	24
Basketball	28	Cross-country	7
Cross-country	7	Softball	12
Track	7	Track	7

Plan: The college increased regular season softball events to 20 in 1982-83, and attempted to add more games without success. Also, scheduling policies are now identical for softball, baseball, and both basketball teams.

University of Akron—One team, women's tennis, had a low number of

competitive events, but the budgets for men's and women's tennis were substantially equal, so the OCR concluded that the different number of events was due to "decisions by the coaching staff." The OCR found that when men's and women's basketball play at home on the same day, the women play at 5:45 p.m. and the men play at 8 p.m., the best time slot for drawing spectators. This problem occurred in four of 11 women's basketball games. Eighty-four percent of female athletes practice in the evening, while all male athletes practice in the afternoon. This creates problems for women in scheduling their evening meal, and, because the University of Akron is a commuter school, caused the women to travel between home and campus twice daily.

Plan: The university is building a new athletic facility that will alleviate some of the athletic scheduling problems. Beginning in the fall of 1981, men will practice from 2-4 p.m. and women from 4-6 p.m.

Southern Illinois University at Carbondale—The OCR found that women's track and swimming had fewer events than the men's teams in these sports, and that the number of events was also generally lower than other area women's intercollegiate track and swimming teams. Men's swimming had 15 events while women's swimming had nine; men's track had 18 events while women's track had 11. These differences affected 31% of female athletes.

While both men's and women's teams had evening practices, 41% of female athletes had them, but only 15% of male athletes did. The women's basketball team, because it had practice from 5:30-7:30 p.m., usually missed the evening dormitory meal.

Four men's and seven women's teams engaged in pre-season competition, while all teams which qualified for post-season championships competed in them.

Plan: The re-opening of the renovated women's gymnasium has remedied the disadvantageous practice times for women. Also, the women's track and swimming teams had an increased number of competitive events in 1982-83.

Ohio University—The OCR found that men's and women's teams practice from five to seven days per week, two to three hours per day. Men's football and both cross-country teams return to campus prior to the start of the school year for practice. Women's field hockey and volleyball do not return early, and therefore start their competitive season one to two weeks later than their conference opponents in these sports.

Women's volleyball is pushed to an earlier practice time during the latter part of the fall season because both men's and women's basketball teams begin to practice. This interfered with the class schedules of female volleyball players. Women athletes on the softball team encountered problems getting to their dormitory dining hall in time for supper because they practiced from 5-7 p.m.

Athletes of four women's teams expressed a need for more com-

petitive events; no male athletes felt this way. All teams are allowed to compete in post-season events if they qualify, and three men's and two women's teams competed in pre-season events in 1981-82.

Plan: In 1983-84, all fall teams will return to campus one week early to begin practice. The women's volleyball schedule, 18 games in 1981-82, will be 24 games in 1982-83 and 30 games in 1983-84. Women's softball and tennis will go on spring trips in 1983-84, which will involve several competitive events. Women's volleyball will receive consistent 1:30-3:30 p.m. practice hours, while both basketball teams will alternate practice hours. A status report will be filed with the OCR at the end of the 1983-84 school year.

College of Santa Fe—All teams practice five days per week, for two hours per day, except women's basketball, which practices for one hour per day. All teams practice in the afternoon, with practice ending by 5 p.m., except women's basketball, which practices until 5:30 p.m. The women's basketball players receive a smaller selection of foods at supper because they arrive late at the dining hall. While men's and women's teams played a substantially equivalent number of competitive events, women's basketball competed at 5:30 p.m.; the men's basketball team played the later 7:30 p.m. game in the double-header format. The women basketball players preferred this schedule because it resulted in greater attendance at their games than if they played a single game at 7:30 p.m.

Plan: Beginning in 1982-83, women's basketball players will practice two hours daily, and practice at times comparable to the practice times of the other teams at the college.

Oklahoma State University—All teams practiced five days per week, two to three hours per day. The women's basketball practice time, 1:30-3:30 p.m., interfered with their classes. Late practice times for some women's teams either forced practice to be shortened so the athletes could eat before campus dining rooms closed, or caused the athletes to eat fast food at the campus canteen rather than more well-balanced dormitory meals. When the women's basketball team played doubleheaders with the men's team, the earlier women's game conflicted with the athletes' dining times. Four men's and two women's teams played pre-season events in 1979-80, and five men's and four women's teams qualified for and played in post-season events in 1979-80.

Plan: The university agreed to contact the academic administrators about the scheduling of classes that conflict with women's basketball practice. The cafeteria will provide late meals for female athletes. Beginning in 1983-84, the men's basketball games will be scheduled half an hour later so that the earlier women's game can begin half an hour later, a more advantageous time.

North Texas State University—Four of five women's sports had fewer competitive events scheduled in 1982-83 than the same sport for men. The other women's team, volleyball, played fewer games than is nor-

mal for that sport. Between 1981-82 and 1982-83, competitive events for men decreased from 123 to 119, while events for women decreased from 134 to 79. Male and female athletes practiced in the late afternoon five days a week, two to three hours a day. All athletes and teams who qualify for post-season competition are allowed to compete.

Plan: Because the OCR completed its findings August 25, 1983, the university's compliance plan was not available when this article was written.

Kansas State University—Two women's teams, golf and tennis, had very few competitive events in 1980-81. The golf team had three events in a nine-day competitive season; the tennis team had five events, two in one day. By contrast, men's golf had seven events in a 45-day competitive season, and men's tennis had 15 events. The OCR also found that all conference schools offer tennis for women, and seven of the eight conference schools have women's golf teams. Competition is also available for these women's teams from non-conference schools in the area.

All teams practice six or seven days a week for two to three hours per day. Practices occur in late afternoon, interfering little with academic courses and finishing in time for dinner. No teams play pre-season schedules, and all teams that qualify for post-season championship play may participate.

Plan: The women's golf team will play five to seven events in 1981-82, and its budget for 1982-83 will be increased to allow more events and earlier season play. In 1981-82, men's tennis will have 21 events and women's tennis 14 events. The athletes will play the same number of matches, however, because the men's scheduled events are dual matches with single institutions while women's events are weekend tournaments in which several institutions participate.

University of Kansas—All athletes are provided with a substantially equal number of competitive events. There are, however, inequities in the time competitive events are scheduled. In 1980-81, four of 23 women's basketball games were played in double-headers with men's basketball. The women's game would begin at 5:15 p.m., making it difficult for spectators to arrive before half-time. The women's basketball coach was asked to run the game clock during time-outs and shorten half-time to ensure a 7:30 p.m. starting time for the men's game; the coach refused to do this. The women's volleyball team had to delay the start of its matches until 7 p.m., when men's basketball practice ended in the gym. The start of volleyball matches was often delayed past 7 p.m.

Athletes of women's teams (basketball, track, tennis and softball) said that their late practice times cause them to miss meals (only men's track had this problem in the men's program), and have practices cut short by scheduled recreational use of the gym. Female athletes leaving practice late have been harassed and, once, accosted.

Men's basketball played a pre-season event against foreign

teams, while women's basketball was denied a similar opportunity. All athletes who qualified for post-season play were allowed to participate.

Plan: Double-header basketball games will now be played on Saturday, with the men's game at 2 p.m. and the women's game at 4 p.m. Late plates will be provided for all athletes who are late for dinner because of their practice schedule. A security phone will be installed by the door where female athletes leave the gym after practice. Also, all teams are discouraged from pre-season competition, but may do so if they want to finance it from their team budget.

Utah State University—In 1979-80, men's teams had 133 competitive events while women's teams had 93. In 1980-81, men still had 133 events, but women's teams had 107 events. Concerning the time competitive events are scheduled, however, men's teams that competed in the university's basketball arena played 55% of their events on Friday or Saturday night. These two nights are the best for drawing spectators. Women's basketball, volleyball and gymnastics, however, competed in the arena on Friday or Saturday night 25% of the time.

Generally, all teams practice two hours daily. During the winter, women's track and softball must practice in the fieldhouse at the same time; the teams' practice needs interfere with each others' practice. Men's track and tennis practice at the same time, also, but their practices do not interfere with each other. In general, women's teams practice from 3 p.m. on, so if conflicts are caused by evening competitive events or dining hall hours, women athletes must cut their practices short, not men.

No teams engage in pre-season competition, but all teams that qualify for post-season tournaments participate in them.

Plan: Men's and women's basketball will receive top priority for the best time slots for competitive events in the university arena. More double-headers will be scheduled so that both teams can play on the best nights of the week. The university will rotate preferred and non-preferred (late) practice time between men's and women's teams.

Colorado Northwestern Community College—All teams practice four or five days a week for one and one-half to two hours per day. The average number of competitive events for men's teams is 26. The average number of events for women's teams is 18, 18% less than the men. Men play 30 games in basketball while women play 20. Men play 36 baseball games while women play 20 softball games. The women's basketball team is also not equivalently afforded an opportunity to play its games during Friday and Saturday evenings, the best times for drawing spectators. Two men's and two women's teams have pre-season events, and all teams that qualify for post-season national competition are sent by the institution.

Plan: The college will schedule approximately half of the basketball double-headers in 1982-83 with the women's game after the men's game in the prime time slot. In 1982-83, four or five games will be ad-

ded to the softball schedule, and three or four women's basketball games will be added.

University of Montana—The number of competitive events for men and women are substantially equivalent. Men's teams played 54% of their events at the preferred Friday and Saturday times in the university arena. Women's teams played events at preferred times only 30% of the time.

Women's basketball always practices in the same facility at the same time as men's and women's track; men's basketball always has exclusive use of the gym. Women's gymnastics practices occur with recreational basketball in the same facility; the noise distracts the gymnasts and interferes with their concentration. Men's wrestling also shares practices with recreational activities. Women's swimming must practice very early in the morning or share the pool with recreational swimmers.

No teams compete in pre-season events and all teams that qualify participate in post-season play.

Plan: Beginning in 1982-83, men's and women's basketball schedules will be coordinated so that one team is home and one away at the same time. Thus, both basketball teams' home events will be during the best time slots. Regarding the sharing of practice times between women's basketball and both track teams, the university will do one of three things:

- 1) Both basketball teams will share practice time with the track teams.
- 2) The track teams will practice after 6 p.m.
- 3) The basketball teams or the track teams will practice in another campus facility.

The university said that morning practice hours are common for swimming teams, and considered the early practice hours a minimal inconvenience.

Colorado School of Mines—All teams practice five days per week for two to two and one-half hours per day, at times equally advantageous. In 1981-82, the average number of events per team was 13.5 for men's teams and 14 for women's teams. Two men's teams engaged in minimal pre-season play. Over a three year period, male athletes engaged in 22.4% of available post-season play, while none of 15 female athletes who qualified were sent.

Plan: The school will continue its policy of not allowing athletes to participate in post-season competition unless their expenses are reimbursed. However, the women's program is now in the NCAA, which does reimburse athletes for trips to post-season competition.

Appendix H

Travel and Per Diem¹

Institution	Per Diem (dollars) ²		Modes of Transport ³								Athletes Per Room ⁴								Length of Stay ⁵	Comply ⁶		
	Year	Women	Men	Exceptions	Air		Bus		Van		Car		Other Data		Two		Three				Four	
					Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men			Women	Men
Region I U. Bridgeport	10	10	10	Men's BB, SC arrange meals at motel.										X			Usually	All*		Teams have few overnight trips.	X	
Bentley C.						BB, FB	BB, BL, SC, IH	2	3		GF		Bus used for travel over 80 miles.		All	All				Usual	X	
Yale U.		28	28										X							Usual	X	
U. Massachusetts		11	11										X				All	All		Usual	X	
Boston C.		10	10	Men's FB, BB, IH ar- range meal at hotel.		FB, BB	2*	6*					*If over 15 per- sons, 1982 sup- plemental OCR finding mode of transport approved for women.	Most	Most	TN, TN*	TN*	Men's and Wo- men's shelling - 6 per room.	Usual	X		
Thames Valley	82-83	3.50/ meal	Women's BB given no money for meal.			BB, BL*		BB					*If travel over one hour, men budgeted \$1502. Women \$246 for trans- portation						No Overnight stays.			
Region II Marion C.		6	6								All								Two women's teams have over- night trips, no men's teams.	X		

Institution	Per Diem (dollars) ²		Modes of Transport ³										Athletes Per Room ⁴				Length of Stay ⁵	Comply ⁶		
	Year	Women	Men	Air		Bus		Van		Car		Other Data		Two		Three			Four	
				Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men			Women
Region IV U. Georgia			No set limit and no sub- lete complaints	All but GY	All but BL, GY GY, SW	BB, TR, GY, SW	FR, BL, TR, GY, SW	0	0									Athletes share rooms.	Usual. Men's and women's CP depart 1-3 days before event.	X
Kansas Comm. C.	80-81	12	Men's under 12. BL, TR, 12. GY, over 12. BB	GP ^a	BB	BB, BB	BL, BB	BL	GY	GY	GY	^a Once, but ath- letes paid 75% of cost.						Athletes sleep 2- 3 per room.	Usual. Men's and women's CP depart 1-3 days before event.	X
U. Florida	80-81		No set limit and no sub- lete complaints.				FB ^b					X ^c For short trips. All teams travel by air or van.						Athletes share rooms.	Usual. Men's and women's CP depart 1-3 days before event.	X
U. Kentucky		12	Women's BB-30 Men's FB, BB-no limit	BB	FB, BB	BB	FB, BB	Rest	Rest									Athletes share rooms.	Teams leave the evening before an event.	X
N. Georgia C.		10				BB	BB, SC, BB, TR, VR, SR, TN					X						Athletes share rooms.	Usual	X
Yonkers C.		6.50	6.50			SB	BB	BB	BB			TR, XC for both sexes travel by bus or van.				AI	AI		Usual. Men's and women's BB leave 1 day before an event.	X
Region V U. Alaska		11	Men's FB - 11-15	FB, BB ^m								^m Occasionally.						Athletes share rooms.		X ⁿ
S. Calif. C.		0	0			TR ⁿ	FB			BB, TR	BB, TR	ⁿ Occasionally. Rest travel by van.		FB ⁿ	AI ⁿ	AI ⁿ		ⁿ One overnight each two years.	Usual	X

Institution	Per Diem (dollars) ¹				Modes of Transport ²						Athletes Per Room ³						Length of Stay ⁴ Usual	Comply ⁵ X																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
	Year		Men	Exceptions	Air		Bus		Van		Car		Other Data						Two		Three		Four																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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U. Ill.-Urbana	12.50	12.50	Men's FB, BB coaches unaware of any limit.	Men's FB, BB											"Once On very long trips, 4 women's teams traveled by air while 6 men's teams traveled by ground. Men's teams receive 75% of the travel budget and are 65% of athletes."	Occasionally.	All	All	Usual																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				

Institution	Per Diem (dollars) ²		Modes of Transport ³						Athletes Per Room ⁴						Length of Stay ⁵	Comply ⁶	
	Year	Women	Men	Air		Bus		Car		Other Data		Two		Three			Four
				Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
Oklahoma St. U.	15	15				FB					Men and women travel by same mode when the distance is the same.	BB, GF	FB, BB	Rest*		Usual	X
N. Texas St. U.	6-15	10-10	Men's FB get \$3/day extra while travelling	BB, FB ^{4a}							4 ^a Twice. Women's basketball twice drove to places where men's basketball drew.	BB, GF		TN, TR, TR, SC, BB			
Region VII Kansas St. U.	10-12	10-12		BB ^{4a}	BB ^{4a}						4 ^a Twice.	BB ^{4a}		TR, TR, VB ^{4a}		Men's FB leaves for an event the night before it.	X
U. Kansas	7-10	11-15	Men's BL - 12-15. Men's FB, BB - no limit.	FB ^{4a}	BB, XC, FB, TR	BB, XC, FB, TR	BB, XC, FB, TR	BB, XC, FB, TR	BB, XC, FB, TR	4 ^a Three times. Women travel in a van where men fly. Some women pay their own way - insufficient budget for travel.		BB		Rest		4 Men's (FB, BB, GF, BL) and women's GF leave the day before their event.	
Cent. Missouri St.			No limit is set - all athletes said that their meals were satisfactory.	BB ^{4a}	BB, FB, BB, BL	BB, FB, BB, BL	BB, FB, BB, BL			4 ^a Once.		BB, TR ^{4a}		Rest		Men's FB leaves earlier for events than other teams.	X
Northwest Missouri St.			All teams eat at similar places.							If over 21 athletes travel, they travel by bus.		BB, XC, FB, TR		AP ^{4a} , TR, WB		Usual	X

Institution	Per Diem (dollars) ²		Modes of Transport ³										Athletes Per Room ⁴				Length of Stay ⁵	Comply ⁶		
	Year	Women	Men	Air		Bus		Van		Car		Other Data								
				Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men			
Arizona St. U.		10	10	BB, TR, XC	BB	BB	BB	GF, GF, VB, TR, BA, BD, AB	GF, GF, TR, SS, BD, AR, GY	BD, SS, SW									Athletes share room.	X

Athletes share room.

Notes

1. This area deals with what benefits male and female athletes receive in food, transportation, and lodging when they travel off-campus to compete at another university.

2. This indicates the daily dollar amount allotted per female and male athlete for meals while on an away trip. Any exceptions to the normal limits are also noted.

3. This category indicates how athletes are transported to away events. Numerals indicate the number of teams of a given sex that travel a particular way. Abbreviations indicate which teams travel in what manner. Percentage figures show to what percent of away events teams of a given sex travel using each form of transportation. Other relevant data are listed to the right. "X" means that the OCR found the mode of transport to be determined by the distance to the event and the size of the squad, rather than the sex of the participants.

4. This shows how many athletes sleep in one motel room when teams stay overnight on away trips. Numerals indicate the number of teams of one sex that stay with a certain number of athletes per room. Abbreviations indicate which teams are housed in what manner. Percentage figures indicate what percent of athletes of one sex stay with the indicated number of athletes per room. "***" indicates that athletes sleep 3-4 per room. """" indicates that athletes sleep 3-5 per room.

5. This category describes how soon before or how long after an event teams stay at the site of an event. "Usual" indicates that the university follows the usual practice of traveling to an event the day of the event and departing immediately after the event is completed.

6. X indicates that the institution complied with Title IX in this area. X* indicates that the OCR noted disparate treatment in this area, but did not consider that treatment disparate enough to find a violation.

Compliance Plans

Thames Valley State Technical College—The basis for the OCR's finding of a violation was disparate financial support; in 1983-84, the men's and women's budgets will be proportional to the participation rates.

Cornell University—Beginning in the fall of 1982, all traveling teams will be furnished a motel room for every two athletes.

State University of New York-Albany—Selection of the form of transportation will be based on gender-neutral factors such as squad size, distance traveled, and time of event. Length of stay before and after events will be based on the gender-neutral factors of distance to be traveled and time of event.

Western Michigan University—The women's budget will be increased in 1982-83 so that women's basketball, swimming, track, and softball will travel by bus to competition. More vans will be used for transportation to decrease the use of cars for travel to events. Travel budgets for female athletes for 1982-83 will be increased to provide an equal \$12 per diem for men and women athletes. All teams sleeping four to a room will sleep three to a room in 1983-84, and two to a room in 1984-85.

University of Michigan—The same set of criteria will be used for men's and women's teams in selecting forms of transport to events. At the end of 1982-83, the OCR will receive complete data on form of transportation used for each team, the team's destination, and length of stay there.

Southern Illinois University at Carbondale—Effective July 1, 1983, a new policy for air travel will remedy the disparity between men's and women's programs. Air travel will be based on distance to the away event and the number of classes athletes will miss if a plane is not used. The women's program may house athletes two, three, or four per room as desired by the coaches. Two athletes will sleep per room during post-season competition. Per diem allowance will be the same for male and female athletes (\$15 per day).

North Texas State University—Because the OCR findings were completed on August 25, 1983, a compliance plan was not yet available.

University of Kansas—Effective fall 1982, all non-revenue teams will travel exclusively by van if the trip is under 300 miles. If traveling over 300 miles, teams will travel by bus or fly. Revenue sports are football and men's and women's basketball. Comparable budgets will be provided for travel and housing, and the university will recommend that no more than four athletes stay in a room. Men's and women's teams will have the same opportunity (at the coaches' discretion) to arrive early for an event. Comparable budgets will be provided for food costs during travel.

University of Northern Iowa—The mode of transportation on any given trip will be up to the discretion of each coach. The university will monitor the forms of transportation used to ensure equitable treatment of male and female athletes. The number of athletes who stay in a room is up to each coach's discretion; \$22 per day is available per athlete for meals and housing on road trips.

University of Montana—In 1981-82, men's basketball drove by bus on a few trips previously taken by airplane. Travel budgets will be determined based upon the institution's emphasis on a sport. Men's basketball and football, and women's basketball and volleyball will compete in the largest geographical area and receive "adequate" per diem allowance and "appropriate" mode of transport. All other sports will travel in a smaller geographical area and will receive a travel budget within which each coach must schedule. Coaches will be encouraged to house two athletes per motel room. The women's travel budget will be increased by \$16,500 over three years.

California Polytechnic State University—Beginning in 1982-83, all teams will have the same per diem rate. Also, budgets will be sufficient for coaches to decide whether to travel to an event the day before competition.

Appendix I Availability and Compensation of Coaches

Institution	Year	Athletes		Head Coaches		Assistant Coaches		All Coaches		All Coaches		Length of Contract ²						Participation Rate ⁴		Compensation ³		Other Findings	Comply ⁵
		Per FTE ¹		Full Time ²		Part Time ²		Full Time ²		Part Time ²		Full Time ²		Part Time ²		Full Time ²		Part Time ²		Men	Women		
		Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women				
Region I																							
U. Bridgeport	80-81			2 ^a	2 ^a	4	1	0	1 ^a	3	1	2	4	1	3		63	57	23.6	60.3	*PT physical education faculty with release time to coach. 94% of men, 28% of women have faculty member coaches.		
Bentley C.	80-81			1 ^b	2 ^b	3	3	0	2 ^b	1	5					all	all	21	79	21	79	*PT physical education faculty with release time to coach.	X ^c
Yale U.	80-81			14 ^c	15 ^c	1	1	4 ^c	11 ^c	7	6	10	28	8	9		40	60	35	64	*FT coaches have other duties besides coaching. 17% more male than female athletes have PT assistant coaches (OCR said this was because of FB's large public following and was therefore acceptable).		
U. Massachusetts	82-83					5	9			3	7						28	72			On-campus coaches coach 28% of all male athletes and 28% of all female athletes. 41% of male athletes and 28% of female athletes participated on teams with only one coach. Coaches' pay reflects their experience.	X	

Institution	Year	Athletes Per FTG ¹		Head Coaches Part Time ²		Assistant Coaches Part Time ²		All Coaches Part Time ²		Length of Contract ³						Participation Rate ⁴		Compensation ⁵		Other Findings	Comply ⁶
		Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women		
Beacon C.	80-81	20.7	20.7	3.5	4.5	2.5	3	1	11	3.5	4.5					33 ^d	67 ^d	12.5 ^d	87.1 ^d	1980-81 figures. The college added four of the full time coaches of women's teams since OCR's initial investigation.	X
Thames Valley	80-81							all	all			33	67	14.1	85.9					Two men's teams had assistant coaches, the only women's team did not.	
Reggio II Marian C.	80-81												all	all	20	80	22	68		No assistant coaches; all head coaches are on the faculty.	X
Wagner C.	81-82	8	10.7			4	7			3	7				21	79	21	79		All coaches have administrative duties. Men receive 1/3 of the coaches, women 2/3.	X
Syracuse U.	80-81	20	15	2	6	3	3	0	12	5	7				22	78	14	86		There are 20 male athletes and 92 female athletes per full-time equivalent assistant coach.	
SUNY-Buffalo	80-81							12	26			34	66	36	64					71% of male athletes and 28% of female athletes have on-campus coaches.	X

Institution	Year	Athletes Per FTE ¹		Head Coaches		Assistant Coaches		All Coaches		Length of Contract ²						Participation				Compensation ³		Other Findings	Comply ⁴
		Men	Women	Full Time ²	Part Time ²	Full Time ²	Part Time ²	All Coaches		Ten Months		Nine Months		Rate ⁴		Men	Women	Men	Women				
								Full Time ²	Part Time ²	Men	Women	Men	Women	Men	Women					Men	Women		
Niagara U.	79-80			4*	5*	0	1	1	1							35.2	64.0	31	68		Two PT coaches also coach coed teams. Men's BB has a PT assistant coach because they compete in Division I, since the women do not, they have no such coach.	X	
SUNY Geneseo	80-81	60.1	55.2	3*	3*	1	0	0	1	3						36	64	34	68		Also teach physical education.	X	
Cornell U.	80-81	37	29	1	9	2	3	0	9	5	17					26	74	36	86		PT coaches are on 11 month contracts, PT are on 4 month contracts. If men's coaches and 2 women's coaches are on contracts where over 70% of their duties are coaching.		
SUNY-Albany	81-82	6.1	9.6	6	6	2*	3*		5	6						27	70	62	58		Excludes 5 JV coaches for men, 1 for women.	X	
U. Rochester	80-81			3	6	2	1	0	2	3	3					35	64	27	64			X	
Holston	81-82	44 ⁶	40 ⁶						1	5	8	9				22	68	26	88		Recomputed. In 1982-83, the university added IPT, IPT for women, and IPT for men.	X*	
Region III Howard U.	80-81			0	3	3	4	0	6	1	0	0	9			22.5	77.5	8.5	91.5		Men have more PT coaches available.		
Longwood C.	80-81					8	7		1	1						57	60	60	40			X	

Institution	Year	Athletes Per FTE ¹	Head Coaches				Assistant Coaches				All Coaches				Length of Contract ²						Participation Rate ⁴				Other Findings	Comply ⁴
			Men		Women		Men		Women		Men		Women		Men		Women		Men		Women					
			Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³	Part Time ³	Full Time ³				
Region IV																										
U. Georgia	81-82	17	13.5								1	15	6	8				30	70	13	87 ¹			Discrepancy due to prominence of FB coaches.	X	
Edison Comm. C.	81-82																	41	59	45	55			25% release time from other duties to coach. *2% release time from other duties to coach.	X	
U. Florida	80-81	13.5	14.2								2	14	4	7				25	75	19	81				X	
U. Kentucky	81-82										2	14	7	12				17	83	15	85			68% of male athletes and 27% of female athletes have a FT coach. One women's team and 6 men's teams have a FT coach.		
N. Georgia C.	81-82																	55	45	20	61 ¹			Men's BB coach is also FT administrator, and his whole salary was counted here.	X	
Voorhees C.	81-82																	47	53	34	68			No release time from other duties to coach. *Given release time to coach.		
Region V																										
U. Alton	79-80																	17	83	10 ¹	90 ¹			*1980-81 Figures. 18% of female athletes and 68% of male athletes have FT head coaches. 38% of male athletes and no female athletes have FT assistant coaches.		

Institution	Year	Athletes		Head Coaches		Assistant Coaches		Assistant Coaches		All Coaches		All Coaches		Length of Contract ²		Part Time ³		Part Time ³		Part Time ³		Rate ⁴		Compensation ⁵		Other Findings	Comply ⁶
		Per FT ¹	Per FT ¹	Full Time ²	Part Time ²	Full Time ²	Part Time ²	Full Time ²	Part Time ²	Full Time ²	Part Time ²	Full Time ²	Part Time ²	Twelve Months	Ten Months	Nine Months	Men	Women	Men	Women	Men	Women	Men	Women			
		Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women				
S. Cal. C.	61-62																								One women's coach and three men's coaches are not faculty members.	X	
U. Ill.-Urbana	60-61	20	22	4	5	3	3	1	10	3	2			3	15	0	7								4 men's and 4 women's teams have assistant coaches.	X*	
Cent. Michigan U.	79-80	7P	37P											0	0	all	13								9/191-82 Figure. Men have 10 head and 11 assistant coaches. Women have 9 head and no assistant coaches. 6 men's teams and no women's teams have assistant coaches.		
Mich. St. U.	80-81	23.0	22.7	4	5	0	0	4	12	3	6			0	11	0	6	1	0	31	69	21	79		57% of male athletes and 39% of female athletes have PT head coaches. 46% of male athletes and 40% of female athletes have PT assistant coaches. Nine men's coaches have PT, 12 month contracts, no women's coaches.	X*	
West. Mich. U.	80-81			4	5	4	6	0	9	6	10			0	13	7	4	7	13	27	73	21	79		41% of male athletes and no female athletes have PT assistant coaches. 39% of male athletes and 69% of female athletes have a PT assistant coach.		

Institution	Year	Athletes Per FTI ¹ Men Women	Head Coaches				Assistant Coaches				All Coaches				Length of Contract ³												Participation				Compensation ³ Men Women	Other Findings	Comply ⁴
			Full Time ²		Part Time ²		Full Time ²		Part Time ²		Full Time ²		Part Time ²		Twelve Months		Ten Months		Nine Months		Rate ⁵		Men		Women								
			Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women									
U. Michigan	81-82 22.7	16.7																	7	23							13	67			20 men's coaches and one women's coach are on FT, 12 month contract.		
U. Minnesota	81-82 17	10	7	3	2	7 ⁶	0	10	0	3									8	16	0	2	10	5	34	66	31	69			*There are over 8 full time coaches.	X	
S. Ill. U.-Carbondale	81-82 20.3	19.5	4	4	5	5	1	0	3	1									9	17			4	1	37	63	31	69			FT, 12 month contract coaches serve 40% of male athletes and 30% female athletes. 30% of male athletes have over 1 FT, 12 mo. contract assistant coach serving their teams.		
Ohio U.	81-82 40.9	26.3																															
Region VI U. Texas-Arlington	80-81 18.6	25.2	0	2	7	0	0	0	0	2																	17.5	62.5	20.6	70.4	*All 6 are .80 full time coaches. OCR called them part-time.	X	
Texas A&M U.	80-81 26.5	37.2																	28	72	19.5	80.5									*Each coach two teams. *Three are also assistant FB coaches. All coaches are FT University employees.	X*	
Sul Ross St. U.	80-81																		29	71											Coaches are compensated according to their faculty rank. All coaches except the FB coach coach two teams. The women's coach coaches three teams because she wishes to do so.	X	

Institution	Year	Athletes Per FTE ¹	Head Coaches		Assistant Coaches		All Coaches		Length of Contract ²						Participation Rate ⁴				Other Findings	Comply ⁶				
			Full Time ²		Part Time ²		Full Time ²		Ten Months		Nine Months		Rate ⁴		Rate ⁴									
			Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women								
U. Houston	80-81	18.6	12.9	1	4	5	4	1	12	3	4			22	70	22	70			X				
C. Santa Fe	81-82			1	1	2	1		0	1				58	62	38	62		Women's BB coach is not on-campus during the day; less available to the athletes					
Oklahoma St. U.	81-82	14	14.3	6 ³				2	12	0	2			2	10	4	1	0	1	25	75	17	65	Two women's coaches are on 11 month contracts. *One women's coach and six men's coaches are 1.0 FTE Equivalent.
N. Texas St. U.	83-84	14	17	2	2	3	4	0	6	1	1			2	14	1	1	2	2	20.3	78.7	15.3	84.3	Men's coaches have far more experience than women's coaches.
Region VII Kansas St. U.	79-80	21.3	18.8											4	13	4	4		30	70	20	88	OCR found no evidence that the compensation difference affected coaching quality.	
U. Kansas	84-85	27	17	3	5	5	3	2	11	0	5			2	17	4	0	3	7	34	66	20.3	78.7	70% of men's coaches and 29% of women's coaches have 12 month contracts.
Cent. Mo. St. U.	79-80	20	40	1	2	7	7	1	0	2	4								28	72	18	82	OCR found no evidence that the compensation difference affected coaching quality.	

Institution	Athletes Per FTE ¹		Head Coaches		Assistant Coaches		All Coaches		Length of Contract ²						Participation				Other Findings	Comply ⁶				
									All Coaches		Part Time ³		Twelve Months		Ten Months		Nine Months				Rate ⁴		Compensation ⁵	
Year	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women					
Northwest Mo. St. U.	70-80	40	62	6	7	1	4								25	75	29	71	Three women's coaches have other duties besides coaching; only one men's coach does.	X				
U. Missouri-Kan. City	80-81			3	3	1	1	2	1						53	47	27	77*	*Also includes salary paid to men's coaches for administrative duties.	X				
U. Iowa	80-81	42	15	0	4	9	5	0	13	1	7			all	36	64	22	78						
U. N. Iowa	81-82	43	28							1**	10	most							**Also coaches a men's team. Coaches average .6 FTE in men's program, 28 FTE in women's program.					
Mo. W. St. C.	80-81	26	49	4	5		3	6		2	5	2	4		24	76	23	77	Three women's assistant coaches have 5 month contracts and one men's assistant coach has a 2 month contract. Men's coaches have fewer non-coaching duties than do women's coaches.					
Kearney St. C.	80-81	84	108	6	7		0	3							27	73	14	86	OCR found no evidence that the compensation difference affected the quality of coaching.	X*				

Institution	Year	Athletes Per PTS ¹		Head Coaches		Assistant Coaches		All Coaches		All Coaches Part Time ²	Length of Contract ³						Participation Rate ⁴				Compensation ⁵		Other Findings	Comply ⁶	
		Men	Women	Full Time ¹	Part Time ²	Men	Women	Full Time ³	Part Time ⁴		Men	Women	Men	Women	Men	Women	Men	Women	Men	Women					
Region VIII																									
Utah St. U.	80-81	182	133	3	3	2	3	1	9	2	2			0	13			7	0	23	67	24	76	Two women's coaches and four men's coaches had teaching responsibilities.	
Region IX																									
Col. NW Comm. C.	80-81					1*	3							1	1	1	1							*Coaches three sports.	X
U. Montana	80-81	272	183	3	4	3	2	0	7	0	3			4	7	3	2	4	22	68	24.7	73.3			
Col. Sch. Mines	81-82																		12	68	14	86	16 coaches for men, 2 for women. Assistant coaches are provided for teams with over 20 participants. No women's team has over 13 participants.	X	
Region IX																									
U. Nevada-Reno	80-81	27	3*	4	5	0	3	1					none	2	2	0	28	72	13	67			*One assistant coaches another team. No other duties. 49% of male athletes and no female athletes have PT assistant coaches.		
Region IX																									
U. Nevada-L. Vegas	1982-82	15	4	5	0	3	2	11	0	2			all					21	79	20	80				
Cal. Polytechnic	80-81	103.8	98.7			8	10		1	7								31.5	68.5	27	73			X	
N. Arizona U.	81-82			4	4	1	2	0	7	0	3							26	74	25	73	Women have 19% of the coaches.			
American River C.	80-81			6	8	1	1	2	4	3	4							44	56	43	57	All PT coaches teach physical education.	X		
Region IX																									
Sacramento Comm. C.		6	11															31	69	36	64			X	
Arizona St. U.	80-81	26.7	14.8	5**	9	4	1	0	13	1	0			4	21	6	2	36	64	22	78	**All are PTs.			

Notes

1. These figures indicate how many athletes of each sex are served by each full-time equivalent (FTE) coach in that sex's athletic program. Total FTE for each program is determined by adding the FTE of each coach (the FTE for a half-time coach is .5, and for a full-time coach is 1.0, etc.). The number of athletes of each sex is then divided by the total FTE of coaches of teams for that sex to arrive at the "athletes per FTE" figure.

2. These categories list how many full or part-time head and/or assistant coaches serve the male and female athletes at an institution.

3. This category shows how many of the men's and women's coaches have an employment contract of a particular length. Contract length is the number of months the coach is paid to be available to coach and recruit athletes.

4. These figures indicate what percentage of each university's total athletes are male and female.

5. This is the percentage of total compensation given to all coaches at a university which is paid to the coaches of men's and women's teams.

6. X indicates that the OCR found the institution in compliance with Title IX in this area. X* indicates that the OCR noted a disparity, but did not consider it significant enough to find a Title IX violation.

Compliance Plans

University of Bridgeport—For the 1981-82 year, one full-time coach for women will be added and one men's head coach will become part-time. A full-time assistant coach for the men's program has left the university and will be replaced by two part-time assistant coaches for the men's program (thus, no teams will have full-time assistant coaches).

Bentley College—No compliance plan was required because this was the only area that the college violated, and the OCR found that the violation was not substantial enough in and of itself to deny female athletes equality.

Thames Valley State Technical College—The women's program will receive a budget proportional to women's participation rate in 1983-84, which will enable them to have equivalent athletic program benefits.

Syracuse University—In 1981-82, two additional full-time assistant coaches will be hired for women's athletics. One full-time head coach will also be hired for the new women's track team.

Cornell University—The university has increased release time for women's coaches, resulting in one FTE per 35 male athletes and one FTE per 33.8 female athletes. Compensation of women's coaches is 22% of the money spent on compensation of all coaches; female athletes are 24% of the participants.

Howard University—A new part-time coach will be hired for the women's program.

University of Kentucky—In August 1982, a full-time women's coach was hired. One full-time men's coach will be eliminated by 1983-84.

Voorhees College—A staff person was hired in September 1982 with two-thirds release time to coach two women's sports. Coaches' pay is

now equivalent between coaches of men's and coaches of women's teams.

University of Akron—One new full-time coach will be hired to coach women's basketball and one other sport. The release time of the softball coach will be increased. The next full-time person hired in the physical education department will be hired to assist coach a women's team in addition to her or his other duties, and the next full-time assistant coach will be hired to coach a women's team.

Central Michigan University—Release time for women's coaches will be increased so that there is one full-time equivalent coach for 36.6 male and for 36.6 female athletes. Three graduate student assistant coaches will be added for the women's teams.

Western Michigan University—Two full-time assistant coaches will be hired to the women's program in 1982-83, and two more in 1983-84. The head coach for women's basketball will be on a full-time, twelve month employment contract in 1983-84. As new coaches are hired, they will be hired on twelve month contracts.

University of Michigan—Release time of women's coaches will be increased by making five head coaches full-time (on nine month contracts), and one assistant coach full-time; two head coaches will not be full-time but will have additional release time, as will six assistant coaches. Most coaches will still be on nine month employment contracts.

Southern Illinois University at Carbondale—The assistant women's basketball coach will be given a twelve month employment contract in 1983-84. The women's softball coach will go from 50% to 100% coaching in 1983-84. The women's assistant volleyball coach will have a twelve month contract in 1984.

Ohio University—Three full-time coaches will be hired to replace three part-time coaches, and one part-time coach will be added to the women's program in 1983-84. There will be equivalent FTE per athlete within two years for male and female athletes. The OCR will monitor the situation in 1983-84 and 1984-85.

College of Santa Fe—In 1982-83, coaching will be provided proportional to female and male athlete participation rates.

Oklahoma State University—All women's coaches will be offered twelve month contracts (i.e., offered two months more employment at their current rate of pay).

North Texas State University—Since the OCR findings were issued on August 25, 1983, no compliance plan was available when this article was written.

University of Kansas—Coaches will either be added to the women's program or men's coaches will be dropped each year until comparability is achieved.

University of Iowa—In 1981-82, women's coaches will have increased release time to coach (from .50 FTE to .66 FTE). In 1982-83, all women's coaches will be given twelve month contracts. Six full-time assistant coaches will be hired for women's athletics by 1983-84.

University of Northern Iowa—The release time of three women's coaches will be increased, and four assistant coaches will be added to the women's program. "Parity" will be achieved by 1984-85.

Missouri Western State College—In 1983-84, the women's basketball coach will receive a twelve month employment contract. An assistant women's basketball coach will be added in 1984-85 (nine month contract). In 1985-86, an assistant volleyball coach will be added (nine month contract). In spring 1983, the non-coaching duties of all coaches will be studied. If disparities are found, these duties will be reassigned.

Utah State University—In three years, the discrepancy in length of contract between men's and women's coaches will be removed. The university also asserted that, not counting football (because it is a "unique" sport), the full-time equivalency is equal for men's and women's sports. The OCR did not allow the exclusion of football.

University of Montana—In 1981-82, the release time of two women's coaches will be increased. Another 1.42 full-time equivalent personnel will be added to the women's program over three years.

University of Nevada at Reno—The university will review this program area in 1982 and correct disparities if they are found. The OCR will review the university's findings.

University of Nevada at Las Vegas—By 1984, there will be one full-time equivalent coach per 16 male athletes and one per 12 female athletes. Three FTE coaches will be added to the women's program and two FTE coaches will be dropped from the men's program to accomplish this result.

Northern Arizona University—In the men's program, one full-time football coaching position will be eliminated, and five assistant coaches will have reduced release time from teaching duties for coaching (a total of one FTE). One full-time coach and three more graduate student assistant coaches will be added to the women's program. The university might add one or two more full-time coaches for women.

Arizona State University—One full-time and one half-time assistant coach will be hired for the women's program. Another women's coach will move from part-time to full-time. Three full-time assistants will be eliminated from the men's program. [This was accomplished in fiscal year 1983; according to the OCR, substantial proportionality now exists in this area.]

Appendix J
Locker Rooms, Practice, and Competitive Facilities¹

Institution	Number of Locker Rooms ²				Exclusive Use of Locker Rooms ³				Athletes Help Prepare Facilities ⁴				Teams Having Exclusive Use of Facilities ⁵				Other Findings Regarding Facilities	Comply ⁶		
	Year		All Season		All Year		Women		Men		Women		Men		Women				Men	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men				
Region I U. Bridgeport	1	3					BB, VB, W, SC, TN, BL, ^a GT, SA, PH		Women share a locker room with other female students. Men have a locker room for visiting teams, and the men's locker rooms are larger than the women's.			All but VR, GT, ^a		all but VR, GT, ^a	all	all	Men's BB facilities preparation is done for them. 92% of female athletes. 91% of male athletes.			
Bradley C.	1	3							Women's showers are located too low.			all	all	all	all	all		X		
Yale U.							CR, GT, PH	CR, PH				all	all	all	all	all		X		
U. Massachusetts							VR, SB	BL				all	all	all	all	all		X		
Boston C.	3	6	0	0	0	4	All but XC, SC, SW, ¹ FR, BB, BL, XC, IH, SC.	All but FR, BB, BL, XC, IH, SC, SW, ¹	Women's locker room has half-size lockers and not enough lockers. OCE's second investigation in 1984-85 showed that full lockers had been added for women, and the size of their locker rooms had been increased. Also, all women's teams and all but 2 men's teams had exclusive use of a locker room.			all	all	all	94	100% of female athletes. 62% of male athletes. In 1983-84, the college began to prepare all facilities for the athletes. XC, SAU, SDU teams for both sexes share facilities with the general public.		X		

^aExcept for short periods of overlap between sport seasons.

Women's locker room has half-size lockers and not enough lockers. OCR's second investigation in 1984-85 showed that full lockers had been added for women, and the size of their locker rooms had been increased. Also, all women's teams and all but 3 men's teams had exclusive use of a locker room.

90% of female athletes. 92% of male athletes. In 1984-85, the college began to prepare all facilities for the athletes. XC, SAIL, SO teams for both sexes share facilities with the general public.

Institution	Number of Locker Rooms ²		Exclusive Use of Locker Rooms ³				Athletes Help Prepare Facilities ⁴				Terms Having Exclusive Use of Facilities ⁵				Other Findings Regarding Facilities	Comply ⁶
			All Season		All Year		Practice		Competitive							
	Year	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women		
Thames Valley	1	1														X
Locker rooms are of similar size and quality.																
Region D																
Mariana C.	1	1							none	none						X
Wagner C.	2	4			1 for SB, BB, I for TR, BL	1 for PB, BB, I for TR, BL			all ^b	all ^b	all ^b	all ^b	all ^b	all ^b	Men's and women's XC, TN often practice and compete together. Women's SB has no field; they play on the BL outfield or on a campus lawn.	X
Syracuse U.									Men's PB, BB have 2 locker rooms per team. Some locker rooms (both men's and women's) are poor quality.	all	all	all	all	all	Equally affects male and female athletes.	X
SUNY Buffalo	1	1							Men have larger, more exclusive locker areas.	all	all	all	all	all	Equally affects male and female athletes. Women's PB, SB field are poor quality. A new athletic facility under construction will have better locker rooms and fields for women athletes.	X*

Institution	Number of Locker Rooms ²				Exclusive Use of Locker Rooms ³				Teams Having Exclusive Use of Facilities ⁴				Other Findings Regarding Facilities	Comply ⁵
	Year	Women		Men	All Season		All Year	Other Findings Regarding Locker Rooms	Athletes Help Prepare Facilities ⁶		Practice			
		Women	Men		Women	Men			Women	Men	Women	Men		
Niagara U.		3	3					Two men's locker rooms are larger than the women's locker rooms.	none	none	all but SC	all	Women's BB practiced in late afternoon, men's BB in early afternoon. Both men and women had practice interrupted by the other men's teams.	X
SUNY Geneseo		1	1								all but BB, SW	all but BB, SW		X
Cornell U.					2	11		6 women's teams share 1 locker room, 4 women's teams share another, and 4 men's teams share a locker room. All athletes have their own locker.	none	none			^a Equality affects male and female athletes.	
SUNY Albany		2	7					Women have small locker rooms. Men have 1 large locker room, 4 team locker rooms, and 2 visitor's locker rooms.			all	all	Women's SB needs a fence around their field; men's BL has 2 fenced fields.	
U. Rochester		3 ^b	3					^b Includes a locker room under construction.					Due to a new athletics building, women have equally good facilities and practice times.	X
Hobart U.	81-82	1	4		FB, BL, LC			The university recently renovated the women's locker area and is building a team meeting room and a separate area for female athletes.	"	"	all	all	^c Equality affects male and female athletes.	X

Institution	Number of Locker Rooms ²		Exclusive Use of Locker Rooms ²				Athletes Help Prepare Facilities ⁴				Teams Having Exclusive Use of Facilities ³				Other Findings Regarding Facilities	Comply ⁶	
			All Season				Practice				Competitive						
	Year	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men				
Region III																	
Longwood C.		2		2											All locker rooms are shared with the student body. All athletes may have a locker.	Men and women share the use of an old and a new athletes building equally.	X
Howard U.																	
		1		2 ^a				BL, TN	all	all	all	all	all	all			X
Region IV																	
U. Georgia		5		6	BR, TR, TN	BR, FB, SW, TN		none	all but GF	all but GF	all	all	all	all			X
Edison Comm. C.																	
		1		1			VB, SB	BL	all	all but BL	all but BL	all but BL	all but BL	all but BL			X
U. Florida																	
					all but BR, GF ^a	all		none	all	all	all	all	all	all			X
U. Kentucky																	
		4		6	BR, VB	TR, BL, W, RB, FB		all but GF, TN	all but GF, TN	all but GF, TN	all but GF	all but GF	all but GF	all but GF	GY room is too small; VB floor is uneven.		

Institution	Year	Exclusive Use of Locker Rooms ³				Other Findings Regarding Locker Rooms	Athletes Help Prepare Facilities ⁴		Teams Having Exclusive Use of Facilities ⁵				Other Findings Regarding Facilities	Comply ⁶	
		All Season		All Year			Women	Men	Practice		Women	Men			
		Women	Men	Women	Men				Women	Men					
U. Michigan	81-82					Women's locker rooms were smaller and rarely carpeted (as the men's were).	CY			all but VB, TR, TN, CY	all but TR, TN	all but CY, VB		In 1982, the condition of the FR, SB fields improved (cars were no longer allowed to park on them for FB games).	X*
U. Minnesota		4	5			Men's BL and women's SB, SW locker rooms have an insufficient number of lockers. All locker rooms are similar quality.	VB, TN, SW, FH		TN, SW	all but TR, XC, GF, SB*	all but TR, XC, GF, BL*			*During winter season. Athletes said that indoor facilities were inadequate.	X
S. Ill. U.-Carbondale						*2% of male athletes. Men's FB, BB have exclusive locker rooms for visiting teams. 87% of male athletes and 69% of female athletes received lockers. A new locker facility for female athletes is under construction.	SW, CY, TR		SW, CY, TR, BL	all but SW, TR	all but SW, TR	all			X
Ohio U.		4	9			Men's BB locker room is higher quality than other locker rooms.	BB, BL, W, FB, XC		TR, XC	all	all	all	all		X*
Region VI U. Texas-Arlington						Women have fewer lockers than men, but have enough for all athletes.	SB, TN, VB		BL, TN, VB	all but TR, TN	all but TR, TN, FR, RP				X

Institution	Number of Locker Rooms ²				Exclusive Use of Locker Rooms ³				Athletes Help Prepare Facilities ⁴	Teams Having Exclusive Use of Facilities ⁵				Other Findings Regarding Facilities	Comply ⁶				
	Year		All Season		All Year					Practice						Competitive			
	Women	Men	Women	Men	Women	Men	Women	Men		Women	Men	Women	Men						
N. Texas St. U.									Other Findings Regarding Locker Rooms	Women	Men	Women	Men	Women	Men	Women's BB, VB compete in a poor facility (bad floor, faulty heating), men's BB in a good facility.			
									2 men's (TR, BB) and 3 women's (TN, TR, VB) teams have excellent locker facilities. 1 women's and 2 men's teams have poor locker facilities.	VB		all but BB	all	all	all				
Region VII Kansas St. U.	1	3			FR, BB				Quality of locker areas is equivalent.	BL		all but XC, TR, TN, GF	all	all	all	X			
U. Kansas	3	10							== VB has two exclusive locker rooms. Each male athlete has his own locker, athletes from 4 women's teams (XC, TR, SB, VB) share lockers. SB locker room is 2 miles from SB field. Men's FR, BB locker rooms have shower, sauna, and carrying areas.	BB, TR, SB, SW, TN, VB	BL					Women athletes generally have lower priority in facility use than male athletes.			
Cent. Mo. St. U.									All athletes receive their own lockers. Locker rooms are equivalent.	SB, FR ¹⁰	BL	all but XC, TR, TN, SW	all	all	all	Men's TN and women's TN, VB have bad facilities. Since the OCR investigation, women's BB, VB practice in better facilities.	X		
WV Mo. St.	1	1							Each athlete has his/her own locker.	BL									

Institution	Year	Number of Locker Rooms ²		Exclusive Use of Locker Rooms ³				Athletes Help Prepare Facilities ⁴		Teams Having Exclusive Use of Facilities ⁵				Other Findings Regarding Facilities	Comply ⁶
				All Year				Practice		Competitive					
		Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
U. Mo.-Kansas City		1	1					none	none	all	all	all	all		X
U. Iowa							FB	SB, FB ⁷	none	all but SW, TR, XC	all but SW, TR, XC	all but SW, TR, XC	all but SW, TR, XC	**For indoor practice only.	
U. N. Iowa														When men's BB practice starts, women's VB and BB have to share one gymnasium. The women's FB field is not mowed and the grass is too tall for play.	
Mo. W. S. C.		1	3			FB, BB		VB, SB, BB, TN	BB, BL	all	all	all	all		
Kearney S. C.		1	1					TB, SW, BB ⁸		all but VB, BB, TN	all but W, BB, TN	all	all	**Athletes said they did this; college said it did.	
Region VIII Utah S. U.							BB, FB, W ⁹	VB, SB, GT, XC, TR	W, XC, TR						
														**FB and BB each have two exclusive locker rooms. In three buildings, men have exclusive locker space and women have no locker space at all. Two women's teams have no lockers.	

Notes

1. In this area, the OCR investigates the quality and amount of locker room space provided athletes of each sex, and the quality of athletes' practice and competitive facilities. The OCR also investigates to what extent athletes of each sex are given exclusive use of facilities or locker rooms.

2. This is the number of locker rooms used by athletes of each sex.

3. This indicates how many teams of each sex (numeral) or which teams of each sex (abbreviation) have exclusive use of a locker room during their competitive season or during the entire school year.

4. If athletes from certain sports teams perform some maintenance or preparation of their practice or competitive facilities, that is noted here.

5. This column lists the teams which have exclusive use of their practice and/or competitive facilities during the time period in which they are scheduled to use the facility.

6. X indicates that the OCR found an institution in compliance with Title IX in this area. X* indicates that the OCR noted some disparate treatment in this area, but nevertheless found an institution in compliance with Title IX.

Compliance Plans

University of Bridgeport—The university will have male physical education students use one of the former male athletes' locker rooms, so that female athletes will have two locker rooms to use (each shared with female physical education students). The male athletes will still have three locker rooms (not shared with physical education students). Further locker room space will be created for women by moving some training equipment out of their locker room. This renovation will be complete by January 1982.

Wagner College—A woman's locker room is on top of the priority list for construction in the summer of 1982. The university plans to build a women's softball field. Until it is completed, the women's softball team will practice on the football field in the spring.

Cornell University—The university hired a consultant to see how to increase exclusive use of locker rooms by female athletes. The OCR also noted that Cornell has "already taken some measures" (unspecified in the report) to correct the disparity.

State University of New York—Albany—The university stated that it would not be possible to increase the number of women's locker rooms in the current building without major structural changes in the building. The university's request for fencing and dugouts for the softball field was not acted upon by the state legislature. The remainder of the university's response was not included in the author's copy of the compliance plan (page five of the university's response was omitted).

University of Kentucky—By 1983-84, the women's track and cross-country teams will be provided with a locker room. The women's gymnastics team will be relocated to a facility with appropriate space for

the sport. Prior to this move, the athletes had to begin some of their runs toward gymnastics apparatus from the hallway outside the practice area. The university contended that there is no other place for the volleyball team to practice. In its determination of overall compliance, the OCR did not consider the volleyball problem substantial enough in and of itself to deny female athletes equality.

North Georgia College—The OCR concluded that since the college violated only part of this one area (locker room provision), the disparity was not substantial enough in and of itself to deny equality to female athletes, and thus required no compliance plan from the college.

University of Akron—The legislature has appropriated money for a new athletic facility, which will provide equivalent locker room and facility space for women's athletics. One of the current men's locker rooms will be converted to a locker room for women's athletics exclusively. Until completion of the new athletic facility, practice facilities will be allotted to men's teams from 2-4 p.m., and women's teams from 4-6 p.m. During the overlap between competitive seasons, the facilities will be available for practice from 6-8 p.m. as well.

Michigan State University—Major renovations begun in 1979 for women's locker rooms were continued in 1981 by remodeling the women's volleyball and basketball locker rooms. A fence was repaired and a backstop was added for the softball field in 1982. The gymnasium floor used by women's basketball has not buckled since it was last repaired. Preparation of facilities is now done by university personnel; athletes still help prepare facilities only in gymnastics.

Western Michigan University—The university will provide the OCR with a renovation plan by the fall of 1983; completion of new locker rooms for female athletes will occur by 1984-85. By the fall of 1982, a plan for changed locker room assignments will be submitted to the OCR; the plan will provide locker room assignments for female athletes, that more nearly approximate those for males, for the 1982-83 school year.

Texas A&I University—Since the OCR investigation, an exclusive locker room for women's athletics has been constructed, and is used by women's volleyball, basketball and track. Each of these three teams has priority use of the locker room when their sport is in season, but there are enough lockers to accommodate overlap between seasons.

North Texas State University—The OCR completed its findings on August 25, 1983; the compliance plan was not available when this article was written.

University of Kansas—The university has built an additional locker room for female athletes, and assured the OCR that each athlete will have her own locker. A softball field will be built within three years. Women were using a city softball field two miles from campus. Plans for this will be provided to the OCR in three months. Until the new

softball field is completed, the university will provide transportation for female athletes to the current softball field. Adequate lighting will also be provided for the women's softball indoor practice area. Female athletes will be assisted in facilities preparation to the same extent male athletes are.

Central Missouri State University—The softball and field hockey fields have been renovated and the field hockey field has been resodded. The university has hired a facilities director to be in charge of maintenance of all athletic facilities to assure proper maintenance of facilities in the future.

University of Iowa—The university is building a new athletic arena that will house five women's teams. Locker facilities for women at two other university buildings will be renovated. All female athletes will have a name plaque on their lockers, and their locker rooms will all be carpeted. A new field hockey pitch and softball diamond are also under construction near the arena.

University of Northern Iowa—When basketball and volleyball seasons overlap, women's basketball and volleyball will get one fourth of the gymnasium area (equal to two basketball courts each) in which to practice. The field hockey field will be adequately prepared for competitive events, and field hockey games played in the university's domed stadium will no longer be interrupted by other activities.

Missouri Western State College—Female basketball players will receive lockers in the women's physical education locker room until the volleyball season ends. That way, female athletes will not need to share lockers during the seasonal overlap.

Kearney State College—The showers, sinks, and toilets in the women's locker room were repaired; benches were also added. Full length lockers will be installed in the women's locker room by the fall of 1983 in sufficient numbers so that all female athletes will have one. The university's response to the OCR finding that some athletes prepare their own facilities was that this preparation is the responsibility of college employees.

Utah State University—Locker rooms will be provided in two of the buildings where women practice and compete. Formerly, men had locker rooms and women did not, in these buildings. Because the university built a new softball field and placed markings on the volleyball court, female athletes now do no more preparation of facilities than male athletes.

University of Montana—By July 1982, the women's locker rooms will be refurbished (paint, carpet, etc.). Also, a new person is maintaining the pool and it is in good enough shape to host home events again.

Colorado School of Mines—Thirty-six additional lockers will be installed for female athletes during 1982-83.

California Polytechnic State University—The softball field now has benches and a batting cage. The university will post signs and act as necessary to ensure that the women's softball team has exclusive use of the field during its scheduled practices. The university will modify locker room space to give the women's athletic program a proportional amount of locker room area. Women's teams will receive exclusive use of a team meeting room. The university will take appropriate actions as necessary to ensure "that facilities preparation is done in a nondiscriminatory manner." The university has requested a capital outlay in 1982-83 to regrade the softball/soccer field in order to improve drainage. If this is not funded in 1982-83, the university will re-submit the project for funding in 1983-84.

Institution	Physician ^a				Teams With				Trainer at				Trainer at				Trainer at				Trainer at				Access to Conditioning Equipment ^d	Insurance ^e	Other Findings	Compl ^f
	Home		Away		No Trainer ^b		Practice ²		Home Events ²		Away Events ²		Men		Men		Men		Men		Men							
	Year	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women						
Mich. St. U.		FB		FB											21%	60%							2 CT, 8 SD for men, 1 CT, 8 SD for women.	S	1 yr. of male athletes have scheduled times to lift weights; the rest of the male athletes and all female athletes must drop in to lift weights.	X*		
West Mich. U.		S						FB, TR, VB, SB, BB	SC, TR, BL, BR, IB, FB	all	all											3 good, 1 for FB	S	4 good ^j	One full room of equipment is moved to the stadium for use by FB in the fall.	X*		
U. Michigan	81-82	0	3		6	7	5	6															1 for IB, 1 for FB, 3 good	S	4 CT, 9 SD for men, 2 CT, 14 SD for women.	Men's conditioning rooms have more kinds of equipment. OCR's 1982 investigation revealed that the women's facilities have been upgraded.	X	
U. Minnesota		FB, BB, IB		VB, CY, BB, SB, PH	FB, IB, BB, W, CY, BL, PH	VB, CY, BB, SB, PH	VB, IB, BB, W, CY, BL, PH	BB, GY, BB, W, VB, PH, SB	BB, GY, IB														1 for men, 1 for women, 1 co-ed	S	3 PTC, 3 for women, 4 for men, 1 good		X	
S. Ill. U.-Carbondale		FB		FB		all but GY	FB, BB, GY, TR, BL	most events	FB, BB, BL ^m														2 PT, 1 SD for men, 1 for women, 1 PT, 2 SD for women.	S	1 yr. of male athletes. "1 yr. of male athletes. "Women have better equipment.	X*		

Institution	Physician ^d						Teams With		Trainer at		Trainer at		Trainer at		Training		Trainers		Access to		Other Findings	Comply ^e						
	Home		Away		No Trainer ^b		Practice ^c		Home Events ²		Men		Women		Men		Women		Equipment ^a				Insurance ^f					
	Year	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Coed ^g	S								
Ohio U.	BB	BB, W, FB (2)																3 CT, 41 SD	1 coed	CT: FB, students: all but TN, SW, GF	CT: FB, students: all the rest	I coed	I CT	I coed	Male athletes are covered to \$50,000; this was due to the high risk of FB, but all male athletes were in- sured to this amount.	"In winter, FB and men's BB have lots of hours in the conditioning room; 2 or 3 wo- men's teams have less favorable hours."	S	X*
Vegon VI U. Texas-Arlington										P	P	students: all	CT: FB students: all the rest	I coed	I CT	I coed	Male athletes are covered to \$50,000; this was due to the high risk of FB, but all male athletes were in- sured to this amount.											
Texas A&I U.		FB ^h								FB	students: all but TN	CT: FB students: all but GF, TN	I for FB, ⁱ I coed	I CT, 6 SD	I for FB, ^j for all the rest	S ^k	"volunteer." "open to all ath- letes." "FB deductible larger."									X		
Sul Ross St. U.											TR	TR	2 coed	Done by students.	I coed	S											X	
U. Houston		FB								BB, VB, TR	FB, BB, TR	I for men, I for men's and women's BB, I co- ed ^o	2 CT, 10 SD	2 coed, I for men, and I for women (poor quality).	S ^p	"female athletes have no access to rehabilitative facilities." "FB deductible larger."												
C. Santa Fe													I coed	none	I coed	S											X	

Institution	Physician ²				Teams With				Trainer at Practice ³				Trainer at Home Events ³				Trainer at Away Events ³				Trainers Available ⁴	Access to Conditioning Equipment ⁵	Insurance ⁷	Other Findings	Comply ⁸
	Physician ²				Teams With				Trainer at Practice ³				Trainer at Home Events ³				Trainer at Away Events ³								
	Home	Away	No Trainer ³		Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women							
RTV Mo. St. U.	FB																			1 coed, 1 for women (poor quality).	1 coed, 1 for women**	S	*Flexible attitude toward women who try to utilize this facility. **Equipped with only a universal weight machine, no free weights.	X	
U. Mc-Keanes City																				1 coed	none	S	Women's assistant BB coach provides training services.	X	
U. Iowa	FB, W, BB																			4 FT, 25 SD for FB	1 for men's FB, BB, 1 for W, 1 for SW, 1 for men's GT, 1 for men's SW and 1 women's tennis.**	S	**97% of female athletes. **46% of male athletes. **Men have unlimited use of the facility; women less than 4 hours per week.	X	
U. N. Iowa	FB																			2 FT, 2 SD	1 large room (key to it is men's locker room), 2 small coed rooms.	S	**97% of female athletes. **46% of male athletes. **91% of female athletes. **46% of male athletes.	X	
Mo. W. St. C.	FB																			1 CT, 1 SD	1 coed	S		X	
Kearney St. C.	FB																			2 FT, 10 SD	1 coed	S		X	

Institution	Physician ²										Trainers Available ⁴	Training Rooms Available ⁴	Access to Conditioning Equipment ⁴	Insurance ⁷	Other Findings	Comply ⁸	
	Home					Away											
	Year	Men	Women	Men	Women	No Trainer ³	Trains With	Trainer at Practice ³	Trainer at Home Events ³	Trainer at Away Events ³							
	W, FB	W, FB	FB	SB	W?	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Cal Polytechnic												1 cond ⁴	1 PT ⁴	2 cond	S	"All athletes use on a drop in bass except FB and W (have scheduled lanes)." "Trains 4 men's teams. Students train 3 other men's teams and 4 women's teams."	X
W. Arizona U.												2 cond	not specified	1 cond	S		X
American River C.								all	all				1 CT, 14 SD	1 cond	S		X
Southern Oregon C.												1 cond	none	1 cond	S	"no volunteer."	X
Arizona St. U.												1 cond	4 PT, 12 SD	1 cond, 1 for FB	S		X

Notes

1. This area concerns the medical and athletic training services provided to male and female athletes. Athletic trainers provide first aid to injured athletes and work to rehabilitate injured athletes and restore athletes to competitive activity.

2. This category enumerates which teams have a physician present at their home and/or away competitive events.

3. These categories list which teams (abbreviations) or how many teams (numerals) have an athletic trainer present at practices, home competitive events, away competitive events, or receive no athletic training services at all. CT: certified athletic trainer, Student: student athletic trainer.

4. Training rooms contain storage areas for first aid supplies, treatment tables, whirlpool apparatus, and other rehabilitative devices. Athletes receive most of their care from an athletic trainer in the training room.

5. This category lists the number of athletic trainers employed by the university. FT: full-time, PT: part-time, SD: student trainer, C: certified trainer (certified by the athletic trainers' association). Full-time trainers are almost always certified, although the OCR did not always specifically indicate this.

6. Information in this category describes the number and availability of weight training facilities at each university.

7. S: male and female athletes receive the same insurance coverage. Where differences in insurance coverage of males and females exist, they are indicated here.

8. X: the OCR found the institution in compliance with Title IX in this area. X*: the OCR noted disparate treatment of male and female athletes in this area, but did not find a Title IX violation.

Compliance Plans

University of Bridgeport—The current conditioning room which serves male athletes will be enlarged and will serve both male and female athletes beginning in January 1982.

State University of New York—Buffalo—A large training facility has been planned that, when completed, will correct women athletes' lack of access to a training room.

Niagara University—The report furnished to the author by the OCR was missing several parts, including the compliance plan for this area.

University of Akron—By changing the assignment of locker rooms for male and female athletes, the university will give female athletes a locker room with access to the conditioning and weight room. This conditioning room will either be coed, or women will have equivalent opportunity to use it. The university has created a new major in athletic training, which should result in more student trainers serving male and female athletes. Athletic trainers will be provided to teams on "an equitable basis, cognizant of the varying degrees of risk of serious injury, the correlative varying degrees of training skill required and the relative availability of qualified trainers."

University of Texas at Arlington—The university will carry the same

insurance for both male and female athletes beginning on September 1, 1982.

University of Houston—The women's volleyball team now has its own weight training facility (beginning in March 1982). A plan has been developed for supervision of the weight room shared by women's basketball and the general student body. Alternatively, construction of a new weight facility, for the basketball and tennis teams of both sexes, is being considered. If this facility is constructed, it would be completed by September 1, 1982. Rehabilitation equipment has been installed in the men's and women's basketball training room. These athletes formerly had to go to other training rooms for treatment.

North Texas State University—No compliance plan is yet available; the OCR completed its findings on August 25, 1983.

University of Kansas—Women athletes now have a certified athletic trainer. The larger, well equipped weight training room is now open to female athletes, and the strength coach is available to female athletes to design a fitness program for them. The deductible on the athletes' insurance policy is now being paid for female athletes by the athletic department.

University of Iowa—A new plan for delivery of athletic training services has been designed. Four training facilities will provide training services as follows: one room for football, another room for the gymnastics and swimming teams of both sexes, and two rooms for all other teams. Weight training rooms will be used as follows: one for football; one for three men's and three women's teams; one for the general student body, with time slots for exclusive use by men's and women's swimming and gymnastics; and a new area under construction to serve two men's and five women's teams.

Utah State University—The weight training facility will be scheduled so that the women's dinner hour will not conflict with their scheduled weight room time, or a new facility will be made available to female athletes. Prior university policy provided that only the certified athletic trainer could refer an injury to the doctor or the hospital. Since no certified athletic trainers were provided for women's teams, this resulted in delayed referrals. Now, if the certified trainer is not present or immediately reachable, athletes can be sent to the doctor or hospital upon approval by the head coach or student athletic trainer present.

California Polytechnic State University—A new policy will be in effect in 1982-83 that three men's and three women's teams will be accompanied by an athletic trainer on away trips. The head athletic trainer works directly with the football team and oversees student athletic trainers, who handle all other sports. The quality of student trainers, according to university policy, is the same for men's and women's teams. During a subsequent OCR visit to campus, the OCR observed a sign on the door to the weight training room reserving it for the foot-

ball team eight hours per day. The university removed the sign immediately, and male and female athletes will have access to the room. Athletic teams will have priority access to the weight training room during their competitive season.

Appendix L
Provision of Housing and Dining Services¹

Institution	Year	Housing Same as Other	Housing Reserved ²	Training Table ⁴		Pre-game Meal ⁵		FB Housed Before a Home Game ⁶	Other Findings	Comply ⁷
		Students ²		Women	Men	Women	Men			
Region I										
U. Bridgeport		X					BB			X
Bentley C.		X								X
Yale U.		X				5*	7*		*Available to all teams; 50% of female athletes and 61% of male athletes receive them.	X
U. Massachusetts										
Boston C.		X	50 spaces reserved for male athletes, none for female athletes.				FB, BB, IH	X	9 men's and 6 women's teams receive late meals because practice times conflict with the evening meal.	X*
Thames Valley		X								X
Region II										
Marian C.		X								X
Wagner C.		X								X
Syracuse U.		b	^b This part of the report is missing.			BB	FB	X		X
SUNY-Buffalo		X					W			X
Niagara U.		X							Two teams receive special late meals: Men's BB gets steak. Women's BB gets spaghetti.	X
SUNY-Geneseo ^c										
			^c This section is missing from the report.							
Cornell U.		X			FB, IH ^d		FB, IH		^d Cost is \$39,000 per year. Male athletes receive meals when staying on-campus to compete during vacation periods; female athletes do not.	
SUNY-Albany		X				all*	all*		^e If competitive events conflict with meals.	X
U. Rochester		X								X
Hofstra U.		X					W			X
Region III										
Longwood C.		X							Three women's and two men's teams receive early evening meals before their practices.	X
Howard U.		X								X

Institution	Year	Housing Same as Other Students ²	Housing Reserved ³	Training Table ⁴		Pre-game Meal ⁵		FB Housed Before a Home Game ⁶	Other Findings	Comply ⁷
				Women	Men	Women	Men			
Region IV										
U. Georgia			Female athletes are housed in one hall, most male athletes are housed in another hall.		All but GF	0	FB, BB, TR		*OCH found regular dining hall food to be adequate for female athletes.	X
Edison Comm. C.		X								X
U. Florida			Male athletes have their own dormitory.	optional	all ⁸				*Who reside in the athletes' dorm.	
U. Kentucky			Reserve dormitory space for FB and men's BB athletes.			BB	BB, FB	X		X
N. Georgia C.		X								X
Voorhees C.		X								X
Region V										
U. Akron		X								X
St. Olaf C.		X								X
U. Ill.-Urbana			Male athletes have 30 housing spaces reserved, female athletes 25.	BB, GF	FB, BB		FB, BB	X*	*Also men's BB.	X
Cent. Mich. U.		X					FB, BB, W		*Optional for all teams.	X*
Mich. St. U.	73-80	X	All athletes are housed three per room except FB and men's BB. In 1973-74, 80% of male athletes and no female athletes were housed two per room.	BB ¹	BB, FB ²	0	FB, FB, BB ³		¹ 10% of female athletes. ² 25% of male athletes. ³ 75% of male athletes.	
West. Mich. U.		X	Spaces set aside in proportion to male and female participation rates.				FB	X		
U. Michigan	81-82		Spaces set aside in proportion to male and female participation rates.		FB, BB, IH, W		FB, BB, IH, W	X	In 1982, special dining will be provided upon the request of the coach.	X
U. Minnesota			Set aside space for all freshman athletes.		FB, W ⁴			X	⁴ Comparable to dorm meal. When on-campus prior to the start of the academic year, male athletes receive dormitory meals while most female athletes do not.	X*
S. Ill. U.-Carbondale			Set aside space for all freshman athletes.				FB, BB	X	Men's FB and BB are housed on-campus over vacation periods (30% of male athletes). No female athletes are so housed.	
Ohio U.		X								X

Institution	Year	Housing Same as Other Students ^a	Housing Reserved ^b	Training Table ^c		Pre-game Meal ^d		FB Housed Before a Home Game ^e	Other Findings	Comply ^f
				Women	Men	Women	Men			
Region VI										
U. Texas-Arlington			Thirty-two spaces for men, same housing as other student housing.							X
Texas A&M U.			Twenty-four male athletes have space in a low-quality dorm.							X*
Sul Ross St. U.		X								X
U. Houston		X			FB, BB ^g			X ^o	*45% of male athletes. *starters only- 22 men.	X
C. Santa Fe		X								X
Oklahoma St. U.			Male athletes have their own dormitory. Female athletes have space in a dorm of equal quality.					X	Male athletes receive 21 meals per week; female athletes receive 20. Male athletes' dining hall hours are flexible, while female athletes' dining hall hours are not. Women do not get late meals when they miss dining hours because of practice; men do.	
N. Texas St.						BB ^p	FB ^p		PH game conflicts with meal time.	X
Region VII										
Kansas St. U.		X	All athletes have spaces reserved for them.	^q	FB, BB				*Women's BB declined a training table.	X
U. Kansas			Male athletes receive 105 spaces in an expensive dormitory; female athletes get 45 spaces in a regular campus dormitory.	^r	105					
Cent. Mo. St.		X								X
NW Mo. St.		X							Over vacation periods, male athletes who stay on campus get meals or meal allowances, while female athletes who remain on campus do not.	
U. Mo.-Kansas City		X	Male athletes have 4 spaces reserved; female athletes have 3 spaces.							X
U. Iowa			All athletes have spaces reserved for them.	^s	FB, BB	PH, BB	FB, BB, W		*Decided not to have this.	X

Institution	Year	Housing Same as Other Students ²	Housing Reserved ³	Training Table ⁴		Pre-game Meal ⁵		FB Housed Before a Home Game ⁶	Other Findings	Comply ⁷
				Women	Men	Women	Men			
U. N. Iowa		X		•	1				"available" to them. Three men's and no women's teams receive housing during vacation periods. 46% of female athletes and 4% of male athletes have problems with obtaining late meals when practices conflict with dining.	
Mn. West. St. C.		X	Men's BB is housed for one week prior to school in campus housing.		FB ⁴		FB, BB		*Players pay more for this.	
Kearney St. C.		X	Set aside space for all freshman athletes.						Men's BB is provided with meals over vacation periods from athletic booster sources.	
Region VIII										
Utah St. U.			33% of male athletes and 12% of female athletes get campus housing paid for by the athletic department. 29% of male athletes have a private room, no female athletes. If athletes live off-campus, male athletes receive \$300 per month, female athletes \$150."				FB, BB		Male athletes receive 20 meals per week, female athletes 15. *This is because the women's budget is limited.	
Col. NW Comm. C.		X								X
U. Montana		X					FB, BB*		*62% of male athletes.	
Col. Sch. Mines		X	Freshman FB players are housed two days before school starts.							X
Region IX										
U. Nevada-Reno		X								X
U. Nevada-L. Vegas		X								X
Cal. Polytechnic			Men athletes receive 94-100 spaces in a poor quality dorm. Women athletes receive 33 spaces in regular dorms.				FB, W			X
N. Arizona U.		X								X
American River C.		X								X
Solano Comm. C.		X								X

Institution	Year	Housing Same as Other Students ²	Housing Reserved ³	Training Table ⁴		Pre-game Meal ⁵		FB Housed Before a Home Game ⁶	Other Findings	Comply ⁷
		Women		Men	Women	Men				
Arizona St. U.			Male athletes receive 110 housing spaces; female athletes re- ceive 70.		FB, BB		FB, W	X		

Notes

1. This area covers the housing and dining services provided male and female athletes on an institution's campus during the academic year.
2. X: athletes are housed in the same manner as other students at the university.
3. If housing slots are reserved for athletes, the number reserved for male and female athletes is indicated here.
4. A training table is the provision of enriched meals to athletes during their season of competition or during the entire academic year. The teams provided with training tables are indicated here.
5. This category indicates how many teams or which specific teams are provided with special dining prior to home competitive events.
6. X: the university houses the football team off campus in a motel the night before home football games.
7. X: the OCR found the institution in compliance with Title IX in this area. X*: the OCR noted a disparity, but nevertheless found the institution in compliance.

Compliance Plans

Cornell University—Beginning on July 1, 1982, there will be a standard daily meal allowance for all athletes who remain on campus during vacation periods. Pre-game meals will no longer be financed by the university. Training tables will be evaluated, and the list of teams using them will be "annually reviewed."

University of Florida—Female athletes will now receive an evening meal at one of the university's dining halls.

Michigan State University—Beginning in 1981-82, all athletes will be assigned two to a dormitory room. More female athletes than male athletes were late for dinner as a result of practice times when the OCR investigated the athletic program. Since the late practice slot is alternated between the men's and women's programs annually, male athletes missed more dinners than female athletes in 1980-81. All athletes now can receive late dinners when they miss dinner because of practice. The training table for football is prescribed by a physician due to the "nature" of that sport.

Western Michigan University—If off-campus housing is provided to the football team in 1982-83 for home events, the university will consider the criteria for using this housing (size of squad, squad control, etc.) and apply it to all athletic teams. Where male or female athletes must stay on campus during vacation periods, the university will allocate funds to provide equivalent housing and dining.

Southern Illinois University at Carbondale—In 1983-84, women's teams will receive a budget allocation for pre-game meals, which they will receive when their game times conflict with a meal. Also, beginning in April 1983, athletes who must remain on campus to train during vaca-

tions will be housed on campus or with teammates who live off campus.

Oklahoma State University—Twenty-one meals per week are now served to all athletes. Women athletes formerly received only twenty, while men received twenty-one. Women now receive late evening meals (to replace those they miss because of late practice times) on the same basis as male athletes. Women athletes can eat dinner from 4-11 p.m. at the campus snack bar.

University of Kansas—Beginning in the fall of 1982, and over a three year period thereafter, the number of housing opportunities reserved for female athletes will be increased to be comparable to those available to male athletes. Also, over this three year period, the availability of the training table will be increased for women to the point of comparability with male athletes.

Northwest Missouri State University—Effective in the fall of 1981, consistent expenditure guidelines will be followed for housing and dining for athletes who remain on campus during vacation periods.

University of Northern Iowa—Comparable housing and dining will be provided to all athletes who stay on campus during vacation periods. Students and/or coaches can arrange for late dinners for athletes when practice or competition interferes with the regular dormitory dinner time.

Missouri Western State College—Additional funds will be provided to women's teams in 1983-84 so that they can provide comparable housing and dining to female athletes who remain on campus to practice or compete during vacation periods.

Kearney State College—The college will ensure that all female athletes who remain on or return early to campus during vacation periods will be provided comparable meals.

Utah State University—Each coach will determine the monthly stipend for an athlete who lives off-campus, up to a maximum of \$195 per month. All athletes who return to campus before the start of school for practice will be provided housing without cost. Women formerly had to pay for housing; men did not. By eliminating disparities in financial aid funds for athletes, female athletes will have sufficient financial support to buy more expensive meal plans, as male athletes have been able to do. Starting in the fall of 1982, the university will phase in pre-game meals for two women's teams (30 athletes).

University of Montana—The women's basketball team received pre-game meals in 1981-82. The women's volleyball team will be budgeted for pre-game meals in 1982-83.

Arizona State University—Pre-game meals will be provided upon request to women's teams, and alternate dining will be available for fe-

male athletes when practice or competition conflicts with regular dormitory dining hours.

Appendix M Provision of Publicity

Institution	Personnel, Time Spent Year in Coverage ¹	Cover Away Events ²	Coaches do Own Publicity ³		Press Luncheons ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men				
Region I																				
U. Bridgeport	SID: 75-90% of time covering men.		all	none															Women get 2 types, men 6 types of pub- lications.	
Bentley C.	SID: little cover- age of women (no media inter- est)	Men's BB	all	half		3		all	3	2	2	all ^a	all ^a	2					"One team has its own schedule card. Men's BB has a bi- weekly magazine.	X ^a
Yale U.	SID: 75% on men, 25% on wo- men ASID: 100% men's non-reve- nue, women's sports.		some	some		FB, BB, DH ^a			X	X	X	X	X	X	X	X	X			X ^a
U. Massachusetts	1 PT SID, 1 PT SID.		All away	All away							1 ^a	3 ^a	1	2			X	X	More space for men's BB, IH, and women's BB in sports pamphlet.	X
Boston C.	SID: 90% on men's FB, IH, BB; 10% others. Promotions Director - 60% FB, IH, men's BB. Sports Pro- motion Coordinator - 50% on women.	Men's BB, FB				FB, BB, DH	3	6	all	all	0	4	11	14	3	5	all ^b	all ^b	"Two men's teams receive this weekly. Since OCR investi- gation, quantity and quality of publica- tions have improved for women.	X
Thames Valley	No staff cover sports.		all	all															No publications.	X

Institution	Personnel/ Time Spent Year in Coverage ¹	Cover Avery Events ²	Coaches do Own Publicity ³		Press Luncheon ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
Region II Marion C.	College publicity office spends one hour per week on sports.								VB, BB ⁶	BB, BL									Men's brochures higher quality and women's posters are not included in their brochure.	
Wagner C.	SD	PA, men's and women's BB.																	Publications are of equal quality and quantity.	X
Syracuse U.	SD, ASD spend 60-70% of time covering FB and men's BB.	Men's PA, BB	all ³	all but F ³	FB, BB				FB, BB				all	all			all	all ¹⁰	*Avery events only *Detailed press re- leases for men's FB and BB only. All sports receive 3 pub- lication types, men's FB and BB &	
SUNY-Buffalo	SD - 25 hours per week spent on men, 25 on women.		5-10% of events	5-10% of events					.	.									*1 published each season, covering all sports.	X*
Niagara U.	SD - covers 2 men's and 2 wo- men's teams. ASD - covers all other sports.														BB	BB				X
SUNY-Cortland									XC, TR	SC, LC, SB					SW	BB, BB			Part of the OCH re- port was missing.	X*

Institution	Personnel, Time Spent Year in Coverage ¹	Cover Away Events ²	Coaches de Om Publicity ³		Press Launches ⁴		Media Outlets ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings Comply ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	
Cornell U.	SD - covers men's FB, IH, BL ASD - covers men's FB, LC, GY. Students - cover women's sports.	FB			FB ¹²		IB, all	all	IB, all	all	all ¹³	all ¹⁴			all	all			*Includes other fall sports. Men's brochures have more information than women's.
SUNY-Albany	PT SD						all ¹⁵	all											X
U. Rochester							BB	FB, BB	BB	FB, BB					BB, FB, SC, VB	SC			Presently are up- grading the quality of women's publica- tions.
Indiana U.	SD - covers men 65%, women 35% of the time.																		X
Region III Longwood C.	SD	4 women's, 3 men's teams							BB, FB, SC, BB, GY, GY BL	BB, GY ¹⁶	BB, FB	all	all				all	all	*A fall and spring poster also covers all sports in those seasons.
Howard U.	SD - covers 5 men's and 1 wo- men's teams. ASD - covers 3 men's and 3 wo- men's teams.	Women's BB and Men's FB, BB					all ¹⁷	SC, FB ¹⁸	VB										*FB book has Q pages, SC N.

Institution	Personnel Year in Coverage ¹	Cover Events ²	Coaches de Om Publicity ³		Press Luncheon ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
Voorhes C.			all	all									BB	BB						X
Region V U. Akron	SID - covers 1 men's sports. Administrative Assistant - covers women's sports part-time.	Men's FB, BB																	Publications equal in quality and number. Special Events Director pro- motes men's FB, SC, BB and women's BB.	X
St. Olaf C.	College news service spends 20% of time on athletics.	Some FB events.			all ^a	all ^b	all ^a	all ^b			all ^a	all ^b	all ^a	all ^b			X	X	*Published seasonally, covering all sports in each season.	X
U. Ill.-Jrbass	2 FT cover men's sports, 1 FT cov- ers women's sports.				4	all			BB	10	X	X							Excluding money spent on FB event management, \$15% of publicity budget is spent on men's sports. Promotions focus on men's FB, BB.	X
Cent. Michigan U.		FB			FB, BB	FB, BB, BL	FB, BB, BL	BB	FB, BB, BL								all	all		
Mich. St. U.	81-82		BB	FB, BB, IH	all	all			BB, GT ^c	FB, BB, IH					some	some			*All other sports are combined on other schedule cards. Press releases on men's sports are more detailed than women's press re- leases.	

Institution	Personnel Year in Coverage ¹	Cover Event ²	Coaches do Own Publicity ³		Press Lunches ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Releases ¹⁰		Other Findings	Comply ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
West Mich. U.	80-81	SID - covers all men's teams but women's and 4 men's IH.	ASID - covers men's IH, all women's teams	some	some	all	all	all	all	all	all	all	all	all	all	all	all	all	"Men's FB, BB, IH rosters do not do any of their own publicity." "Men's FB, BB, IH are superior quality."	
U. Michigan	81-82	Men's FB, BB														all	all	X	"Better quality: men's FB, BB, IH and women's BB"	X
U. Minnesota		Men covered by 1 FT SID and 1 FT ASID; Women covered by 1 FT SID and 1 FT ASID.	Men's FB, BB, IH			all	all	all	FB, BB, BL	all	FB, BB, GY, IH, W	all	FB, BB, RL, GY, IH, W	6	7	all	all	all	Revealing brochure is published for men's FB, BB, IH.	X*
S. Ill. U. Carle-duke		Men covered by 1 FT SID and 1 FT ASID; Women covered by 1 FT SID and 1 FT ASID	Women's BB and 6 men's teams			BB, FB	BB, all	all		0	FB, BB, BL	all	3	SB, GY, TR	all	all	all	all	"FTS joined professionally: Publicity budget is proportional to participation rates of men and women. (IH newsletters 57, are on men and 37, on women. Of news stories, 73, are on men and 27, on women.)"	X*
Ohio ¹		SID - covers mostly men's FB and BB	Women's BB and Men's FB, BB			all	all	all		BB	FB, BB, BB	BB	FB, BB, BB	all	all	all	all	all	"Men's FB, BB, RL W and women's BB are better quality." "Men's FB and BB are better quality."	X
Region VI U. Texas-Arlington		SID	FB						VR, SB, BB	FB, TR, BL, BB			VB, SB, BB, TR, BL, TN	FB, BB, TR, VB, SB, BB, BL						X

Institution	Persons ¹ , Time Spent Year in Coverage ¹	Cover Avery Event ²	Coaches do Own Publicity ³	Press Luncheon ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
				Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
Texas A&I U.	News service at institution covers FB 70% of its time in the fall, and half men and half women in the spring.							all ⁶	all ⁶							X	X		X
Sul Ross St. U.	Covered by the University News Service.																		X
U. Houston	3 PT persons do sports coverage.	All but 3 men's, 3 women's teams.	most					all ⁶	all ⁶									Publications are su- perior quality.	X
C. Santa Fe	University News Service covers sports.		most					all ⁶	all ⁶									"Beginning in 1982- 83. "Only team with an audience.	X*
Oklahoma St. U.	SID, ASD do publicity for all teams.							all but TR, XC, TN	all but TR, XC, TN	all but TR, XC, TN	all but TR, XC, TN					mimeo	printed	"Comparable in Oct. July 1982 in- vestigation.	
M. Texas St. U.	SID - covers men's FB and BB more because there is more in- terest in them; coverage of the rest of the men's and women's teams is com- parable.	Men's FB, BB						all	all ⁶							X	X	"Men's FB, BB bet- ter quality than the others.	

Institution Region VII	Personnel, Time Spent Year in Coverage ¹	Cover Away Events ²	Coaches do Own Publicity ³	Press Luncheon ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
				Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
Kansas St. U.	1 SID, 1 PT ASD					all ¹²	all ¹²			4	4	5	6	4	4	X	X	"XJC, CP combined for men and women. Held media days for men's FB, BB and women's BB.	X
U. Kansas	79-80 SID covers FB and men's BB. ASD covers mostly FB and men's BB, and the other men's teams.	Men's FB, BB				all but FB	all ¹²							BB ¹³	FB, BB	X	X ¹⁴	"More detailed than the women's. "Only if playing a doubleheader event with the men's team.	
Cent. Mo. St. U.	1 SID	Men's BB, FB, BL				BB	FB, BL, BB	TT, SW	W, SW			BB, TR, SW	FB, BB, TR, BL, W, SW			X	X		
NTW Mo. St. U.	1 SID					all	all											Quality of publications is good. Radio and television cover men's FB and BB.	
U. Mo.-Kansas City	PT SID covers men's and women's BB more than other sports.	Men's BB				BB	BB	BB	BB	BB	BB	BB	BB	BB	BB	all	all	Purchased radio time to broadcast men's BB.	
U. Iowa	Men are covered by men's SID, ASD. Women are covered by a women's SID.	Men's BB, FB, W				FB, BB, W	all ¹²	P	BB, FB		all	all	all	all	all			"Women's media guides are xeroxed on university stationery, while men's are printed in color and have more information. "Published by season for all sports. Men's sports have a newsletter with circulation of 12,000.	

Institution	Personnel, Time Spent Year in Coverage ¹	Cover Events ²	Coaches do Own Publicity ³		Press Lunches ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
U. N. Iowa	SID covers men's FB, BB and wo- men's SB. ASD covers 4 men's and 1 wo- men's team. Assistant Athletic Director for Man- aging covers men's FB, W, BB	Men's BB, FB					all all but XC				3		all ^a	3 ^a			X	X	^a All others com- bined by season. Men's publications are better quality than women's. There is a booster club for men's sports.	
Mo. W. St. C.	SID covers home events of men's sports, but not women's sports.	Men's FB, BB			VB, BB	BB, FB	VB, BB	BB, FB					BB, SB, VB	BB, BL, FB			X	X	Women's publications are of- ten produced late. Men's FB and BB have booster clubs.	
Kearney St. C.	SID						4	3			6	7 ^b	all ^c	all ^c	3	3	X	X	Men's FB, BB are largest. ^c Combined by ses- son. All teams have recruiting brochures.	X
Region VIII Utah St. U.	SID, ASD - no coverage of wo- men's sports.	Men's FB, BB							FB, BB										Women's teams have no money to purchase publications.	
Cal. NW Comm. C.	PT SID spends 3- 5 hours per week on sports.								BB, BL						BB	BB, W				X

Institution	Personnel Time Spent Year in Coverage ¹	Cover Away Events ²	Coaches do Own Publicity ³		Press Lunches ⁴		Media Outlets ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings Compl ¹¹
			Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	
U. Montana	SD: covers men's teams al- most exclusively (60-70% men's FB, BB). A student covers women's sports and men's XC.	Men's FB, BB					BB	FB, BB											Women receive pub- lications comparable to the men's minor sports.
Col. Sch. Mines	FT SD spends 25% of time cov- ering athletics.						allied	allied											44 Combined by ses- sion in 20 page book- lets. Recruitment brochures are pub- lished if a coach re- quests it.
Region IX U. Nev.-Reno	SD covers men 85% of the time and women 5% of the time.	FB																	Men's revenue sports receive all types of publica- tions, women's rev- enue sports receive no publications. Television covers men's FB and BB and women's BB. SD covers home events for men's FB, BB and BL.
U. Nev.-L. Vegas	70-80 SD covers men's teams, ASD cov- ers women's teams.						BB, SW, TR, VB	BB, FB, SC, W, TR			BB, FB				BB	BB, FB, BL, SC, W	X	X	X

Institution	Year	Personnel Time Spent in Coverage ¹	Cover Away Event ²	Coaches do Own Publicity ³		Press Liaisons ⁴		Media Guides ⁵		Brochures ⁶		Posters ⁷		Schedule Cards ⁸		Programs ⁹		Press Releases ¹⁰		Other Findings	Comply ¹¹
				Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men		
Cal Polytechnic		PT SID covers men's team, PT ASD covers the women's team.	Men's FB, BB, BL									all [*]		all						Built of publicity is for men's FB, BB, BL, W. Men's TR, XC, VB provide spectators with brochures at home events.	
N. Arizona U.		SID covers men's sports. 2 ASD cover wo- men's sports and men's BL		away ^{**}	away ^{**}	BB, TR, VB	BB, TR, FB					BB, FB			BB	FB, BB				--Call in scores of away games. Women's publications not al- ways completed on time.	N
American River C.		All sports are covered by stu- dents.																			N
Salinas Comm. C.				all	all																N
Arizona St. U.		SID, 2 ASD	Men's FB, BB, BL	away ^{**}	all	all ^{**}	all ^{**}													*Coaches cover their team's away events. acquainted to 4 pages except men's FB, BB, BL and wo- men's BB.	

Notes

1. This category describes how many persons are employed by each institution to provide publicity for athletic teams. Usually, the OCR described each such person's responsibilities by determining the percentage of time spent on men's and women's athletics. Otherwise, the OCR listed the teams for which each sports information person did publicity. SID: sports information director, ASID: assistant sports information director, FT: full-time, PT: part-time.

2. This lists the teams with which a sports information person travels to personally cover away competitive events.

3. If coaches do all or part of the publicity for their team, the number of coaches who do so is indicated here.

4. This category describes the teams the sports information department promotes through hosting press luncheons for the media.

5. Media guides are booklets prepared to inform the sports media about certain athletic teams.

6. This category indicates which sports have brochures made about them. Brochures are often used for recruiting athletes. X: the OCR indicated that brochures are provided for men's and women's teams without specifying which teams or how many teams have brochures.

7. If teams are featured on posters, that is recorded here. X: the OCR indicated that posters are provided for men's and women's teams without specifying which teams or how many teams have posters.

8. Schedule cards are usually billfold-sized and list the date, time, and location of a team's competitive events. X: the OCR indicated that schedule cards are provided for men's and women's teams without specifying which teams or how many teams have schedule cards.

9. Programs list the rosters of both teams competing at an event and are distributed to the spectators. X: the OCR indicated that programs are provided for men's and women's teams without specifying which teams or how many teams have programs.

10. This indicates whether the institution provides press releases for its men's and women's teams. X: the OCR indicated that press releases are provided for men's and women's teams without specifying which teams or how many teams have press releases produced for them.

11. X: the OCR found the institution in compliance with Title IX in this area. X*: the OCR noted a disparity, but nevertheless found the institution in compliance in this area.

Compliance Plans

University of Bridgeport—Beginning in the fall of 1981, the sports information office will prepare brochures for men's and women's teams and press guides for three men's and three women's sports. Also, a student assistant will be assigned to work primarily with the women's program.

Marian College—In the fall of 1982, separate publications will be printed for the women's volleyball and basketball teams. They were previously combined in one publication, while the men's teams had their own brochures.

Syracuse University—Since the university violated two areas of Title IX, and corrected the coaching disparity, the OCR found that the publicity disparity was not substantial enough in and of itself to deny fe-

male athletes equality. Syracuse University thus was not required to formulate a compliance plan in this area.

Cornell University—Since the OCR investigation, the quality of individual team brochures for women's teams has been improved. A special newsletter, called *Cornell Women's Sports*, has been produced. The duties of sports information personnel will be reassigned in the fall of 1982 to increase the coverage of women's athletics.

University of Illinois-Urbana—The university has increased the quantity and quality of publications for women's athletics. Programs, posters, printed schedules, and other publications for women's basketball, volleyball, gymnastics and cross-country have been improved substantially. The 1982-83 budget allotment for women's publicity was proportional to the participation rate of female athletes in the program. \$24,000 was spent on publicity for women's sports in 1981-82, up from \$6000 in 1980-81.

Central Michigan University—Since the OCR investigation, game programs have been printed for women's basketball and volleyball. Women's gymnastics and softball have programs and recruiting brochures. Publicity staff cover both men's and women's away games. Television and radio coverage has been expanded for women's teams.

Michigan State University—The OCR reviewed publicity one year after the investigation and found the quality and quantity of news releases for men and women to be equivalent. Representatives of women's teams now participate in the weekly press luncheons. During the spring of 1982, the university will survey the media to see if more information on women's sports is needed.

Western Michigan University—A schedule of 1982-83 publications will be made to ensure timely publication of items. More money will be provided for increased event coverage, publicity, programs, and electronic media access for four women's teams. In 1983-84, brochures for women's basketball, volleyball, and softball will be improved. In 1983-84, the men's and women's gymnastics team brochures will be combined. The quality and quantity of brochures will be analyzed in 1982-83, and alternative methods of funding will be sought to increase the quality of the brochures in 1983-84.

Oklahoma State University—Publicity disparities will be addressed on a "functional basis." The coaches' needs will be assessed by the Coordinator of Women's Intercollegiate Athletics. These needs will be "channeled for support to the appropriate area." Publication specialists and promotions personnel will provide assistance "as needed."

North Texas State University—The OCR completed its findings on August 25, 1983; the compliance plan was not available when this article was written.

University of Kansas—The university has hired a person to work specifically with publicity for women's sports and cover their activities.

The same information for women and men is now being included in press releases about athletics. Media guides will be provided for men's and women's teams on a comparable basis, and a media guide for women's volleyball will be provided in the future. A program insert to cover the women's basketball team will go into the event program when the men's and women's basketball teams play doubleheaders.

Central Missouri State University—The university has hired a full-time sports information director to cover athletics in place of part-time coverage by the university news bureau. This person does not travel to events unless a team is competing in national championships. He provides "comparable publicity" for both athletic programs.

Northwest Missouri State University—During 1981-82, neither men's nor women's events were broadcast over television. By 1982-83, all doubleheader basketball games (men's and women's teams playing in the same evening) will be broadcast. Video tape equipment is housed in the women's athletic area, and is available for use by the women's program.

University of Missouri-Kansas City—The 1981-82 schedule cards now contain information on women's volleyball, in addition to information on the men's and women's basketball teams. The university is also attempting to attract advertising so that it can broadcast women's basketball games on the radio. The OCR suggested that if this attempt fails, the games could be broadcast over the university radio station, or radio time could be purchased.

University of Iowa—The men's and women's sports information offices will be merged, with one director for men's and one director for women's athletics. A director of athletic marketing and promotions was hired in 1981 to obtain television and radio coverage of men's minor sports and women's athletics. As the university put it, "the promotion of men's major sports requires minimal attention." One women's basketball game has been televised already. The 1982-83 women's sports publications budget was more than double the prior year's budget.

University of Northern Iowa—The promotions director will now also promote women's revenue producing sports. Travel to cover away events by the sports information staff will be comparable for men's and women's athletics. Comparable quality will be reached for women's sports publications.

Missouri Western State College—Publications will be of comparable quality and quantity, and will be produced on time for both programs. The sports information director will cover all football and men's and women's basketball games, and all home events for spring season sports. Staff have been added to the sports information office. During the winter, weekly press luncheons will promote men's and women's sports. Coaches will receive equal time to talk at these luncheons.

Utah State University—A full-time sports information person has been hired to publicize women's sports. Student assistants and secretarial support will be provided to this person within three years. An annual operating budget for publicity for women's athletics will be phased in over three years, reaching \$9250 by the end of that time.

University of Montana—A three-fourths time sports information assistant will be hired in 1982-83 to deal primarily with women's sports. In 1981-82, a booklet covering all university sports was published and pocket schedule cards were printed for all sports. In 1982-83, men's and women's sports will be promoted in a coordinated plan.

University of Nevada at Reno—A senior journalism student will intern in the sports information department, devoting sole attention to women's sports, beginning in 1981-82.

California Polytechnic State University—In the fall of 1981, a full-time sports information director was hired to replace two part-time people. He gives priority to the "income-producing" sports: men's football, basketball, and wrestling, and women's volleyball and basketball. He travels with three sports, or sends a student assistant along with the teams. The university sent the OCR samples of programs, media guides, posters, and schedule cards produced in 1981-82; the OCR found that publications for men's teams tended to have more pages, but that men's and women's publications were substantially equivalent.

Arizona State University—New, expanded brochures will be made for all teams; there is no longer a page limit on the size of brochures for women's sports. The sports information office will cover away events for men's and women's teams upon the request of the coach, if ground transportation is being used to get to the event. The professional staff of sports information personnel will cover home events for men's and women's sports in alternation.

Appendix N Recruitment of Student-Athletes

Institution	Recruitment Budget ¹				Recruiting		Scholarship		Other Findings	Comply ⁴
	Women		Men		Type ²		Campus Visits ³			
	Year	Dollars	%	Dollars	Women	Men	Women	Men		
Region I										
U. Bridgeport		200		400					Men's coaches have more time to recruit (men's teams have 3 FT coaches, women's 2 FT).	
Bentley C.		27		67					Recruiting is only done for men's and women's BB. The men's BB team needs a larger recruiting area to be competitive and thus a larger budget.	X
Yale U.									Not investigated.	-
U. Massachusetts									Coaches recruit by letter. State cars are available for coaches to travel to observe a prospective athlete.	X
Boston C.	79-80	0		71,300	13	62	0	75	There are fewer women's coaches than men's coaches for recruiting. By 1982-84, women's teams will receive \$16,000 to recruit.	X
Thames Valley									Coaches recruit by letter, no recruitment budget.	X
Region II										
Marian C.									Not investigated.	-
Wagner C.	81-82	1911	11	15,677	89				4 men's and 1 women's team need to recruit to stay competitive. Women's athletic director said that women's teams had the money they need to recruit.	
Syracuse U.									Not investigated.	-
SUNY-Buffalo	80-81	400		400						
Niagara U.	80-81	400	17.1	22,300	82.9				Men's program has more coaches to recruit than the women's program. Women's coaches recruit in a smaller geographic area than men's coaches.	
SUNY-Ceneseo	80-81	300		1200					Some women's coaches do only limited recruiting, but all coaches are free to recruit as much as they wish to.	X
Cornell U.									Not investigated.	-
SUNY-Albany	81-82	1700		3000					Women's coaches recruit less than men's coaches. All sports have a recruiting brochure.	
U. Rochester									Not investigated.	-
Holston U.									Not investigated.	-
Region III										
Longwood C.	80-81	978		400	16	24			The extra recruiting money for men is being used to develop the new men's athletic program. Coaches have discretion in what to spend on recruiting.	X
Howard U.	80-81	0		18,000					9 men's coaches are FT; no women's coaches are. Men's coaches thus have more time to recruit.	

Institution	Recruitment Budget ¹			Recruiting Trips ²		Subsidized Campus Visits ³		Other Findings	Comply ⁴
	Year	Dollars	%	Women	Men	Women	Men		
Region IV									
U. Georgia	81-82	20,500	257,200	85-86	464-474			Men's program has 19 coaches to recruit, women's program 8. The difference is the 9 who recruit for FB.	X
Region V									
Edison Comm. C.								There are no recruitment funds. Recruiting is done in the college's three county service area.	X
U. Florida	81-82	9,220	665,187	29 ^a	228 ^b	18 ^c	146 ^d	Men's program has 18 coaches, women's program 7 coaches to recruit. The difference is the 8 who recruit for FB.	X
U. Kentucky	81-82			29 ^a	228 ^b	18 ^c	146 ^d	*Not counting "numerous" BB trips. ^b Figures not available for FB. ^c \$25-30 were partially subsidized. ^d Approximately. (1 page of report was missing for this area.)	X
N. Georgia C.	81-82			10-15	50-60			Men's and women's BB are the only teams to recruit, other teams recruit via letters and phone calls.	X
Yorktech C.	81-82			4	6	0	0	The women's SB coach has no time released from his/her job to recruit. Recruiting is done mostly through letters and phone calls.	
Region V									
U. Akron	79-80	14,018	9	178,870	81	10	280 ^a	*710 by FB coaches. Men's program has more coaches to recruit than women's program.	
S. Ohio C.								Not investigated.	-
U. Ill.-Urbana	79-80	10,377	4.5	102,080	81.5	7.6%	82.6%	*Men's coaches took 141 (86%) of long distance trips, women's coaches took 6 (12%). Of trips in the institution's regional area, men's coaches took 294 women's coaches 46.	
								61% including BB.	
								Athletic Administrators and men's FB, BB coaches get free courtesy cars.	
Cent. Michigan U.	80-81	7,000	30,100	49 ^a	520 ^b	69 ^c	77 ^d	*1979-80 data. Men's teams have 11 assistant coaches to aid recruiting, women's teams have none. The university actively recruited 1222 male and 77 female athletes.	
Mich. St. U.	79-80	2,086	1.5	191,715	98.5	24	594	Men's teams have 17 FT and 19 PT coaches available to recruit, women's teams have 8 FT and 9 PT.	
West. Mich. U.	80-81	4,350	0.8	46,250	91.4	28 ^a	149 ^b	*Some women's coaches took trips at their own expense.	
								46% of male athletes and 20% of female athletes who visited the campus were subsidized.	
U. Michigan	81-82	4,550	102,320			31 ^a	156 ^b	*1979-80 figures. Men's coaches have more time to recruit (men's coaches are 223 FTE, women's 143 FTE).	
U. Minnesota	81-82	15,000	\$	380,100	85	82	402 ^c	*1980-81 data. Men's trips are 49% in national area, women's 75%. Regional trips were 87% of men's coaches' trips, 17% of women's coaches'. Men's trips to recruit were 6% local and women's were 79% local. Men's FB has a FT recruiting coordinator. 22 men's and 17 women's coaches are available to recruit.	
S. Ill. U. Carbondale	81-82	13,800	12.5	94,875	87.5	88	157	Men's program has 12 FT, 12 month coaches, women's has 4 (men's program has more time to recruit). Men have 4 women as FT assistants to recruit.	
Ohio U.	81-82	1,704	7.9	22,447	82.1	31	234	Men's program has 13 FT, 12 month coaches, women's none. 8 FT assistant coaches recruit for the men's program, none for the women's. The men's staff has more time to recruit. Of recruiting trips, 20% of the men's and 25% of the women's were national, 18% of men's and 6% of women's trips were regional, and 62% of men's and 77% of women's trips were local.	

Institution	Recruitment Budget ¹				Recruiting		Subsidized		Other Findings	Comply ²
	Year	Dollars	% Women	% Men	Trips ³		Campus Visits ⁴			
					Women	Men				
Region VI										
U. Texas-Arlington		17		92.3		27	108		Budget is not proportional to participation rates; personnel available to recruit is proportional between the programs.	
Texas A&M U.	80-81					10	70		Wants line is available to all coaches and booster club pays all recruiting expenses. There is no evidence that recruiting is disproportionately limited.	X
Sul Ross St. U.	81-82								Recruiting is done in college's immediate area, through phone calls and letters.	X
U. Houston	80-81	5		85					Budget is not proportional to participation rates.	
C. Santa Fe									Recruiting is done by phone and letters. No money is budgeted for recruitment.	X
Oklahoma St. U.	79-80	20,590	10	133,038	90				"No data available"	
									"This is FB and BB only. All men's head coaches and 11 of 12 assistant coaches are PT with 12 month contracts. Most women's coaches were PT with 10 month contracts. Women's coaches had less opportunity to recruit."	
N. Texas St. U.	80-81	3		97	12	589	0		"Only men's FB and BB provide these. Men's program has 16 coaches, women's 4 to recruit. In 1980-81, men's athletics received 99% of the recruiting budget. Women's coaches said they could not take any more recruiting trips than they did because of lack of funds."	
Region VII										
Kansas St. U.	79-80	3695		123,000					Men's teams have used subsidized campus visits to recruit, while women's teams have not (except for some partially subsidized BB campus visits).	
U. Kansas	79-80	4000		167,026			29 ⁴		"Not including FB, TR, XC. 4 of 8 men's and no women's teams had assistant coaches to aid recruiting. All men's teams and no women's teams had recruitment budgets. Women's coaches had to save in other expense areas to finance their recruiting activities."	
Cent. Mo. St.	79-80								Men's FB, BB and women's BB, VB recruit extensively. The university kept no record of recruiting expenditures.	
Northwest Mo. St.	79-80			22	140	114	131 ⁵		Recruiting trips for the men's program were in a larger geographical area than the women's program. Women's coaches did not have sufficient recruitment funds to travel more widely. 45% of female visitors and 66% of male visitors.	
U. Mo.-Kansas City	80-81	3250		4750	8 ⁶				"Approximately."	X
									"Not stated. Most recruiting is for men's and women's BB. Both teams recruit locally, with infrequent trips out of the Kansas City area."	
U. Iowa	79-80	11,020	18	63,393	42	36	524	57	Men's program had 34 coaches available to recruit athletes, women's program had 11.	
U. N. Iowa	79-80	440		28,861	6	113	0	144	Each men's sport that awards athletic scholarships had an assistant coach to help recruiting; women's head coaches had no assistant coaches to help recruiting.	
Mo. W. St. C.	80-81	1335		7083 ⁷					"An additional \$14,358 was given to the men's programs by booster clubs. The non-coaching duties of women's coaches hampered recruiting more than the non-coaching duties of the men's coaches."	
Kearney St. C.	79-80	35 ⁸		1918 ⁹	0	65			"1981-82 figures. Recruitment money is in a pool, for use by all coaches."	X
Region VIII										
Utah St. U.	80-81	2100	3	82,060	97	4 ¹⁰	148 ¹¹		"1979-80 figures. One women's coach recruited at his own expense. Men's coaches have more time to recruit."	

Institution	Recruitment Budget ¹				Recruiting		Subsidized		Other Findings	Comply ⁴	
	Year	Women		Men	Trips ²	Campus Visits ²					
		Dollars	%			Women	Men				
Cal. NW Coast C.	80-81				2	1			Recruiting is done mostly by phone and letter.	X	
U. Montana	80-81	680	5.7	68,096	94.3	22	107	9	91	9 FT. 7 PT coaches recruit for the men's program, 3 FT. 3 PT for the women's program.	
Cal. Sch. Mines	80-81	225	11	1,925	89 ³	7	72	none	none	"Men are 90% of the athletes.	X
Region IX											
U. Nevada-Reno	80-81	17,200	18.7	68,860	80.3	-	84		77	"No information. Men's teams have more FT coaches and more assistant coaches than women's teams to recruit. 1981-82 budget is 21.5% to women, who are 20% of the athletes.	X
U. Nevada-L. Vegas	79-80					0	35	0	35	After 1979-80, women's coaches were given 12 month contracts and told the OCR they had the same opportunity to recruit as the men's coaches.	X
Cal. Polytechnic	79-80	68		10,306		15	40	6 ³	112	723 visits were not subsidized. Out-of-state phone calls by women's coaches are limited, not men's. Women's coaches have limited clerical help to produce their recruiting letters.	
N. Arizona U.	80-81									Both programs recruit only in Arizona and California. Recruiting is financed as needed, spending is proportional to men's and women's participation.	X
American River C.										No recruitment budget, recruit in local high schools.	X
Solano Comm. C.										Each team has \$50 for recruiting, which is done in local high schools.	X
Arizona St. U.	79-80	11,723		228,465		9	106		106	6 men's teams' coaches took recruiting trips, while women's coaches did not (if they did, they paid for them themselves). 20 FT coaches recruit for the men's program (18 year-round), but only 5 FT coaches recruit for the women's program (2 year-round).	

Notes

1. Recruitment is the activity of attracting talented athletes to play in the university's athletic program and enroll as students at the university. The amount of money allocated to this activity for men's and women's athletics is indicated here. The OCR also evaluated this area by determining what percentage of money spent recruiting athletes is spent to recruit female and male athletes.

2. This column lists the number of trips coaches took to talk with or observe the performance of potential student-athletes.

3. This category lists how many visits to campus by prospective student-athletes were subsidized by the university.

4. X: the OCR found the institution in compliance with Title IX in this area. —: the OCR did not investigate this area.

Compliance Plans

University of Bridgeport—By solving the disparity of available full-time coaches in its coaching compliance plan, the disparity in coaches available to recruit has been eliminated. Beginning in the fall of 1981, men's and women's coaches will have substantially equivalent budgets for recruitment.

Wagner College—The athletic director assured the OCR that a plan will be devised to equalize recruitment for female athletes in 1982-83.

State University of New York—Buffalo—The university will seek equivalent funding for women's recruitment in 1982-83. The university will send the OCR a copy of this budget request.

Niagara University—The compliance plan was missing from the report that the OCR sent to the author.

State University of New York—Albany—The university will publish in the coaching circular the statement that coaches are expected to make concentrated efforts to recruit athletes. Since many coaches are tenured senior faculty members, their appointments did not specify these recruiting expectations. Therefore, the university cannot act if these coaches do not recruit extensively. In 1981-82, the special talent scholarship program, used to attract athletes to the university, will be allocated to 40 female and 41 male athletes.

Howard University—The addition of a new coach to the women's program will increase the availability of women's coaches to recruit athletes. The university will provide money for recruitment of female athletes. However, the compliance plan only agrees to provide procedures for familiarizing coaching personnel with department recruitment policies.

University of Florida—The university will allocate additional recruitment funds through the normal budget process. The recruiting budget for 1982-83 is \$23,000, considered adequate by the women's athletic di-

rector. Additional funds will be allocated for recruitment as the women's program moves into the NCAA.

Voorhees College—As part of its plan for compliance in the coaching area, the college agreed to hire a new basketball/softball coach for women. He has two-thirds release time for coaching.

University of Akron—The university will add a half-time administrator to the women's program to free up time for coaches to recruit, will add a full-time coach for the women's program, and will hire into the next open physical education position, a coach for women. The university will "equitably distribute" financial and other recruiting resources.

University of Illinois-Urbana—In 1979-80, 8.45 full time equivalent coaches served the women's program. In 1982-83, 13.35 full-time equivalent coaches will serve the women's program, thus increasing available personnel to recruit female athletes. The recruitment travel budget will be \$21,000 in 1981-82. At that time, 79% of the recruitment travel budget will be allocated to football and men's basketball, 11% to the nine other men's sports, and 10% (\$21,000) to all women's sports. Women's basketball has the third highest recruitment budget among university sports. Of five sports where there is both a women's and a men's team, the recruitment budgets are nearly identical. In 1981-82, 84% of the campus visits by prospective female athletes were subsidized.

Central Michigan University—The university elevated the softball coach to full-time status by increasing her duties to include being assistant volleyball coach. Another full-time assistant coaching position has been created. The recruitment budget will be increased.

Michigan State University—The university will provide the women's coaches with training in recruitment skills, will support women's recruitment efforts financially so that they receive "equivalent opportunity to recruit to the level of their competition," and will develop a recruitment plan for each women's sport. The university will evaluate this plan one year after its implementation and will forward that evaluation to the OCR by September 1983.

Western Michigan University—The university will increase the women's sports team budgets during 1982-83 to allow coaches to "conduct an effective recruiting campaign suitable for a Mid-America Conference institution." One new secretary will be hired by 1984-85 to assist the women's coaches in recruiting. The university will increase budgets by 1983-84 to allow for more funding of campus visits by prospective student-athletes. The athletic department will institute a program to teach the women's coaches how to recruit. The university's self-evaluation of this plan will be sent to the OCR by June 1983.

University of Michigan—Increases in the availability of coaching staff for women should benefit recruitment (see the compliance plan for the University of Michigan in coaching). The recruiting budget for wo-

men will be "enhanced." Publicity, recruiting contacts, and the hosting of high school tournaments will be used to recruit female athletes. The university noted the "substantial" increase in the women's recruitment budget in 1981-82 to \$4500. This was \$1000 more, or 29% more than the 1979-80 budget for this area.

University of Minnesota—The recruitment budget for women in 1982-83 will be \$48,000. In 1983-84, the budget will be \$84,000. Status reports will be filed with the OCR at the end of the 1982-83 and 1983-84 academic years.

Southern Illinois University at Carbondale—Two assistant coaches for women's teams were hired in 1981, and two more in 1982. The recruiting budget for women in 1983 will be \$35,000, and in 1984 it will be increased to \$42,500. In 1985, \$50,000 will be budgeted for the recruitment of female athletes; in 1986, the budget will be \$57,500.

Ohio University—The women's recruitment budget for 1983-84 will be \$7000. The addition of three full-time coaches, replacing three part-time coaches, will increase staff time for recruitment of female athletes. Women's recruitment needs will be "adequately funded." Status reports will be made to the OCR at the close of 1983-84 and 1984-85 academic years.

University of Texas at Arlington—The number of personnel, benefits, and opportunities will be "proportionally equal" for male and female athletes. The recommended recruitment expenditure per athlete will be equal for male and female athletes.

University of Houston—For the 1981-82 academic year, 11% of recruitment monies were spent on female athletes. In the 1982-83 academic year, 14.8% of the recruitment budget will be spent recruiting female athletes. Thus, \$23,520 will be spent recruiting female athletes and \$136,500 recruiting male athletes.

Oklahoma State University—All women's coaches have been offered twelve month contracts in place of their current ten month contracts. \$13,500 will be added to the women's recruitment budget in 1982-83.

North Texas State University—The OCR findings were completed on August 25, 1983; the university's response is not yet available.

Kansas State University—In 1982-83, \$18,500 will be budgeted for recruitment of female athletes, \$130,500 for men. In 1983-84, \$21,500 will be budgeted for recruitment of female athletes, \$140,500 for recruitment of male athletes. After 1983-84, the university expects another "substantial" increase in the recruitment budget for women's athletics.

University of Kansas—The university made a commitment that the policies and budget for recruitment "will not result in inequitable treatment" for male and female athletes.

Central Missouri State University—The university will keep records of

expenses for recruiting activities. The OCR will monitor the university periodically for compliance in recruiting. "Comparable" recruitment funding will be provided for the men's and women's programs, with emphasis on football and basketball for men and basketball and volleyball for women. Recruitment efforts for other sports will be limited to phone calls and letters.

Northwest Missouri State University—By 1982-83, both men's and women's programs will operate under the same recruitment rules. Prospective female athletes who visit the campus will be provided with meals.

University of Iowa—The availability of coaches to recruit will be increased as outlined in the university's compliance plan for coaching. The 1982-83 budget for recruiting for women's athletics will be \$55,870.

University of Northern Iowa—The budget for women's field hockey, which will be dropped as a sport, will be allocated to the recruitment of female athletes (\$10,000). Release time of coaches to recruit female athletes will be increased as outlined in the compliance plan for coaching. The university will insure that its policy will result in equitable treatment of male and female athletes.

Missouri Western State College—\$1300 will be added to the women's recruitment budget in 1983-84. The policy on subsidized campus visits is the same for men and women. The college will insure that male and female athletes are treated equitably in recruitment.

Utah State University—"Differences in budget allocation will be adjusted within the next three years to remove discriminating differences that exist."

University of Montana—"Future recruiting budgets for both men and women will have to be reassessed for comparability and economic feasibility."

California Polytechnic State University—Recruitment allocations in 1981-82 will be \$2525 for women's athletics and \$8625 for men's athletics. In 1982-83, men's athletics will receive \$8600; women's athletics will receive \$4900. Women will also receive the same subsidy for campus visits as men. Coaches of women's teams will have additional time to recruit. Recruitment publicity materials will be improved for men and women.

Arizona State University—Beginning in 1982-83, the recruitment budget for women's teams were increased. Budget requests for recruitment will be evaluated "without reference or regard for the gender of the team participants."

Appendix O
Effective Accommodation of Interests and Abilities¹

Institution	Proportionality Test ²						Year	Copy ¹³	Evidence of Current Accommodation of Interests ⁸	Plan to Add Men's ⁹	Institutional History of Adding Women's Teams ⁵	Number of Teams		Copy ⁶	Level of Competition ¹¹						Scope of Competition ¹²						Copy ¹³																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
	Women			Men								Division Level ¹⁰	Division I		Division II		Division III		Area	Regional		National																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
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Institution	Proportionality Test ²						Number of Teams	Institutional History of Adding Women's Teams ³	Plan to Add More ⁴	Evidence of Current Accommodation of Interest ⁵	Level of Competition ¹¹										Scope of Competition ¹²				Compl. ¹³	
	Women			Men							Division Level ¹⁰	Division I		Division II		Division III		Area	Regional		National					
	Year	Enroll.	Part.	Enroll.	Part.	Women						Men	Women	Men	Women	Men	Women		Men	Women	Men					
																						%	%	%		%
Boston C.	80-81	56	33	44	67	23	11	14	Before 1972: BB, 1972: SW, TN, VA, 1973: PA, CF, 1974: PA, 1977: LC, SALL, 1978: AC, TR, SKL, 1980: SC.	College ignored petitions by women's TR and SC to be varsity teams. After the OCR investigation, the college added women's SC.	X	II	1	38%	77%	30%	9%	25%	14%					Women play 65% or more of their events against opponents in a higher division. In 1982, women's teams will be Division I.	X	
Thames Valley	82-83	29	23	71	67	4	X																	Men, women play the same opponents.	X	
Region II Marion C.	80-81	64	28	36	74	26	2	4	1964: VB, BB	The institution did a survey in 1978 to see which 2 of several sports should be offered to women. OCR called this survey useless, and noted three other sports not offered to women in which there is club sport participation and in which state high schools compete.		III	III	34%	29%	87%	75%								X	
Wagner C.	81-82	53	21	47	79	22	4	7	1962: BB, TR, 1974: PA, 1975: SR, 1976: drop PA, 1978: TR		IV	IV	18%	70%	12%									*Athletes said that this matches their skill level. *TR is Div. III.	X	
Syracuse U.	79-80	40	23	60	77	17	6	9	1974: added all 8 teams. Since 1974 - dropped 5 men's teams.	Did an interest survey in 1978.		I	1	90%	100%	10%									Athletes indicated that this level of competition is satisfactory, as did the records of the university teams.	X

Institution	Proportionality Test ²										Evidence of Current Accommodation of Interest ³	Level of Competition ¹¹										Scope of Competition ¹²								Comments ¹³
	Women					Men						Division Level ¹⁰		Division I		Division II		Division III		Area		Regional		National						
	%	X	%	X	%	%	X	%	X	%		Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men			
	Year Enroll.	Part.	Enroll.	Part.	Part.	Year Enroll.	Part.	Enroll.	Part.	Part.		Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men			
SUNY- Buffalo	80-81	41	34	59	66	7					X																X	*BH is Div. I, HH is Div. II, 25% of men's events are played against opponents above the men's teams' divisional level.		
Niagara/																												This section was missing from the report.		
SUNY- Geneseo	80-81	66	40	33	60	26						III	III*	2%	6%	14%	84%										X	*HH is Div. II. Coaches and athletes said the level of competition is satisfactory.		
Cornell U.		43	26	57	74	17						I	I														X	Women play more events with opponents who are not Div. I teams than do the men. The athletes, and their coach, indicated that this competition is satisfactory.		
SUNY- Albany		50	27	50	73	23					X	III	III	6%	15%	10%	14%											X		

Institution	Year Enroll.	Proportionality Test ²						Number of Teams	Institutional History of Adding Women's Teams ³	Plan to Add More ⁴	Evidence of Current Accommodation of Interests ⁵	Level of Competition ¹¹								Scope of Competition ¹²				Comply ¹³
		Women		Men								Women	Men	Women	Men	Women	Men	Women	Men	Women	Men			
		%	%	%	%	%	%															%	%	
		Part	Enroll.	Part	Enroll.	Part	Enroll.															Part	Enroll.	
U. Rochester	81-82	41	36	59	64	5	X																X	
Holters U.		46	32	54	68	14		8	Before 1976, offered BB, SB, TN, VB, FH, 1976: XC, LC, FH, GY.	1982: XC	*OCR noted in its finding that Holters had added a PT women's coach and a PT women's athletic administrator since 1976.	I-III	I	27%	85%	48%	19%	25%	16%	28%	45%	37%	11%	X
Region III Longwood C.	80-81	75	57	25	43	18		6	1 All women's teams until 1975, then added men's.		After a 1976 interest survey, the college added women's SB and men's TN. All other interests were already being met.												Level of competition is not discussed in the OCR report.	
Howard U.	80-81	50	22	50	78	28		3	7 1976: BB, 1975: VB, TR.	None	No interest survey has been done since 1974. OCR found interest among women students in at least 4 sports not currently offered to women.	I ³	I ³	65%	79%								X	
Region IV U. Georgia	80-81	51	31	49	68	20		8	9 1975: BB, GF, GY, SW, TN, VB, 1976: XC, TR; dropped one men's team in 1979.	X ¹	*Women are 34% of intramural participants, which is close to their percentage of athletes. Club sports are used for the selection of new intercollegiate teams.	I	I	59% ^m	87%								X	
																							"VB plays below Div. I because it is in the developmental stage as a team.	

Institution	Year	Proportionality Test ⁸						Number of Teams	Institutional History of Adding Women's Teams ⁹	Plan to Add More ¹⁰	Evidence of Current Accommodation of Interests ¹¹	Level of Competition ¹²										Scope of Competition ¹³	Copy ¹⁴		
		Women			Men							Women Meet	Women	Men	Women	Men	Women	Men	Women	Men	Women			Men	
		%	Enroll.	Part.	%	Enroll.	Part.																		
		%	Enroll.	Part.	%	Enroll.	Part.																		
Edison Comm. C.	80-81	54	42	46	58	12	4	1976: TH; 1977: SB; 1978: GF; 1979: VB.	None	Students petitioned for women's BB to become a team in 1981. It is an intramural sport, and competition is available.													Men's and women's teams play the same opponents.	X	
U. Florida	80-81	43	28	57	74	17	8	1972: GF; 73: SW, TH, TR; 1974: BB, SB, VB, XC; 1975: dropped VB and men's W.		Intramural participation for women is equal to their participation rate in athletics. There is interest by women in SC, VB, and competition is available in VB.	I	I	all	all										X	
U. Kentucky	80-81	46	23	34	77	23	7	1974: BB, GF, GF, TH, TR; 1975: XC; 1977: VB added and PB dropped.		Women have club sports in SB, SC, SW. There is competition available in SB and SW. In 1981, SW's request to be an intercollegiate team was turned down.	I	I	all*	all*									"Very few events were played against opponents who were not Div. I."	X	
N. Georgia C.	81-82	55	35	45	45	—	X																	Men and women play the same opponents.	X
Voorhees C.	81-82	66	40	34	51	17	4	1969: BB; 1972: SB; 1979: XC, TH.		No survey of student interests has been done. Women have intramural competition in TH and VB, and competition is available in the area in these sports. Men's TH is offered despite little interest.														Men and women play the same opponents.	X

Institution	Proportionality Test ²						Number of Teams	Institutional History of Adding Women's Teams ³	Plan to Add More ⁴	Evidence of Current Accommodation of Interests ⁵	Level of Competition ¹¹						Scope of Competition ¹²				Comments ¹³			
	Women			Men							Women	Men	Division I	Division II	Division III	Area	Regional	National						
	Part		%	Part		%												Women	Men	Women		Men	Women	Men
	Year	Event		Part	Event																			
Region V U. Alton	79-80	50	50	17	50	68	23	4	10	1974: 2 teams, 1976: 3 teams.	None										25% of male athletes and 65% of female athletes do not have sufficiently advanced competitive opportunities.			
S. Calif. C.	80-81	53	25	47	65	18	10	12	1972: VB, BB, SB, SW, TR, 1974: TH, 1976: XC, GF, 1978: SCL, 1981: SC.	X											*Almost all events are with Div. III opponents.			
U. Ill.-Urbana	80-81	40	27	60	72	13	6	11	By 1972, offered BB, GF, SW, TR, VB, 1974: GF, 1977: XC.															
Cent. Michigan U.	79-80	44	37	56	63	7	10	11	By 1980, offered: FH, VB, BB, XC, TH, GF, SW, TR, GF. Have since added SB.												Women's BB wanted some better quality opponents.			

Institution	Year	Proportionality Test ²						Number of Teams	Institutional History of Adding Women's Teams ³	Plan to Add or Move ⁴	Evidence of Current Accommodation of Interest ⁵	Level of Competition ¹¹										Scope of Competition ¹²				Copy ¹³			
		Women			Men							Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Regional	National						
		%	Enroll.	Part.	%	Enroll.	Part.																	%	Enroll.		Part.		
																												Difference	
U. Minnesota	81-82	45	34	55	66	11	10	11	1975 offered all 10 teams.		OCR examined club and intramural teams, and state high school participation. No sport is popular that is not already offered on the intercollegiate level. The university does support "varsity clubs" for men and women.	X															Men and women play Div. I opponents in equal proportions.	X	
S. Ill. U. Carbondale	81-82	29	37	61	63	2	X																					Men and women play Div. I opponents in equal proportions.	X
Ohio U.	81-82	67	35	53	65	12	7	18	Expansion occurred between 1974 and 1978. It officially stopped in 1982.	None	There are no club or intramural teams that are popular and in which competition is available that are not already intercollegiate teams.	X																Men and women play Div. I opponents in equal proportions. Men's and women's SW teams want to go to a lower competitive level.	X

Institution	Year	Proportionality Test ²						Number of Teams	Institutional History of Adding Women's Teams ³	Plan to Add More?	Evidence of Current Accommodation of Interest ⁴	Level of Competition ¹¹						Scope of Competition ¹²						Comply ¹³		
		Women			Men							Division Level ¹⁰	Division I	Division II	Division III	Area	Regional	National								
		% Enroll	Part	Enroll/Part	% Enroll	Part	Enroll/Part											Women	Men							
																				Women	Men					
Region VI U. Texas- Arlington	80-81	41	18	59	82	23	0	11	Before 1971, offered 6 teams. 1976: dropped SW, 1980: TN, TN, SP.		The 1975 survey showed that 4 of the 5 top sports women are interested in are already intercollegiate teams. GT is not. There are more women in the gymnastics club than there are men on 5 men's intercollegiate teams. There is a greater percentage of women in intramural sports than the percentage of women in athletics.	P	I											GT is Div. II	X	
Texas A&I U.	80-81	46	28	52	72	28	5	6	1982: BR, VR, TN, BD; 1976: SB, TN, 1972: GT; 1974: dropped GT and SD, 1976: dropped SB; 1980: XC.	None	There are no women's club teams. Competition is available in 5 sports in which women participate on the intramural level. No interest survey has been done.	D	II												VB is NAIA Div. I. Men and women play the same opponents.	X
Sou. Ross St. U.	80-81	41	29	59	71	12	4	5	1976: BR, TN, GT, TN	None	The women's intramural participation is the same percentage as their intercollegiate participation. An interest survey is being done. There is high interest in women's SB and VB, but no available competition in the institution's preference.	X													Men and women play the same opponents.	X

Institution	Proportionality Test ²										Number of Teams	Institutional History of Adding Women's Teams ³	Plan to Add More ⁴	Evidence of Current Accommodation of Interest ⁵	Level of Competition ¹¹						Scope of Competition ¹²						Comply ¹³
	Women					Men									Division Level ¹⁰		Division I	Division II	Division III	Area	Regional	National					
	Year	Enroll.	Part.	Enroll.	Part.	Women	Men	Women	Men	Women					Men	Women						Men	Women	Men			
																									Comply ¹³		
U. Houston	80-81	45	22	55	78	21	6	8	Have expanded the program since 1972.	No indication student interests have been assessed.	1	1	86%	80%													X
C. Santa Fe	81-82	60	38	40	42	2	X																				X
Tn. Christian U.	81-82	57	27	43	23	30	7	9	Offered 8 teams in 1974; 1975: dropped TB, 1976: add TB, 1982: dropped GT.	There is intramural interest by women in SB, SC, and VB. VB and SB competition is available in the institution's conference.	1	1															X
Oklahoma St. U.	80-81	43	26	57	74	17	6	7	In 1975, offered 8 teams; 1976: dropped TB, 1978: dropped SW.	Intramural participation rates for women are the same as the intercollegiate participation rate for women.	X	1	86%	97%	12%	3%											X
N. Texas St. U.	80-81	51	24	46	78	21	5	8	Offered BB, SB, TB, VB before 1975; 1976: dropped SB, added GT; 1977: TB. There were 90 female athletes in 1975, 68 in 1980, and 52 in 1982.	In 1978, the university did an invalid interest survey, which assessed interest only in sports already offered, instead of interest in sports that could be added. A women's SB club still competes, even though SB was dropped as a team in 1978. A greater percentage of women compete in intramural sports than in intercollegiate sports.	1	1	64%	85%													Women's team's won/lost record indicates that their level of competition is appropriate. Women will soon compete in the same conference as the men.

Institution	Year	Proportionality Test ³						Number of Teams	Institutional History of Adding Women's Teams ⁵	Plan to Add More ⁶	Evidence of Current Accommodation of Interests ⁴	Level of Competition ¹¹								Scope of Competition ¹²						Comply ¹³
		Women			Men							Division Level ¹⁰	Division I	Division II	Division III	Area	Regional	National								
		%	Rank	Part.	%	Rank	Part.																			
		Women	Men	Women	Men	Women	Men												Women	Men	Women	Men	Women	Men		
Region VII Kansas St. U.		44	29	56	71	15	1	1972: BR, XC, CY, SA, SW, TN, TR, VB, 1974: dropped CY, SW, 1975: dropped CY, SW, 1976: dropped CY, SW, 1977: dropped CY, SW, 1978: dropped CY, SW, 1979: dropped CY, SW, 1980: junior varsity BB, 1982: SW.	X		I	I	2%	2%											X	
U. Kansas	80-81	46	35	54	65	11	0	Offered 10 teams before 1972. 1972: drop FH; 1973: drop GT.	None	Women's FH has continued as a club team, despite being dropped from the intercollegiate program.	I	I	8%	8%	21%	18%	50%	30%	27%						X	
Cent. Mo. St. U.	79-80	52	28	48	72	24		In 1970, 9 teams were offered. GT has been added and dropped since then.		There are no formal methods used to assess interests. Athletes and coaches said the sports offered were satisfactory.	X	I ^a												Women's BB is Div. I	X	
Northwest Mo. St. U.	78-79	50	33	50	73	25	5	Had 5 teams before 1973. 1973: VB, TN; dropped CY, AR.	None	A SW team is about to be added for men and women. Student interests are assessed by a survey of intramural participation and freshman applications annually.	X	I ^a												VB is Div. I. There is no difference in men's and women's competitive schedules.	X	
U. Mo.-K.C.	80-81	50	33	50	67	3	X																	All teams except women's VB are satisfied with their competitive schedules.	X	

¹⁰BB is Div. I
There is no
difference in men's
and women's
competitive
schedules.

All teams except
women's VB are
satisfied with their
competitive
schedules.

Institution	Proportionality Test ³										Number of Teams	Institutional History of Adding Women's Teams ⁴	Plan to Add More ⁵	Evidence of Current Accommodations of Interest ⁶	Level of Competition ¹¹										Scope of Competition ¹²				Comply ¹³													
	Women					Men									Division Level ¹⁰	Division I	Division II	Division III	Area	Regional	National																					
	Year	Enroll.	Part.	Enroll.	Part.	Women	Men	Women	Men	Women													Men	Women	Men	Women	Men															
																												%		%	%	%	%	%	%	%	%	%	%	%	%	%
																												%		%	%	%	%	%	%	%	%	%	%	%	%	%
U. Iowa	1984-1	29	28	50	64	14	10	All women's teams were added in 1972.	None	X	Teams are created from club sports - at present, there are no women's club teams.	Women	Men	80%	80%	Women	Men	Women	Men	Women	Men	X																				
U. N. Iowa	1984-1	51	22	60	68	25	10	In 1982, 3 sports were offered. 6 more were added by 1984, 1985. XC, 1981; dropped CY.	X	There are criteria for club sports to be intercollegiate teams. OCR noted the number and variety of women's sports offered.	Women	Men																														
Mo. W. S. C.	1984-1	49	24	51	78	25	4	1972: VB, BB, SB, 1976: TN		X	No interest survey has been done since 1975. There is no method for formally evaluating interests.											Men and women play the same opponents.	X																			
Kearney S. C.	1984-1	55	27	60	73	28	7	Offered 4 sports by 1972, 1973, TN, 1976: TN, XC		X	College had assessed student interests within the last 5 years. Also analyzed instrumental participation.											All teams said that their level of competition is good.	X																			
Regen VIII Univ. S. U.	1984-1	40	28	60	78	10	6	Offered 7 sports by 1972, 1973, dropped FB, TN, 1978: XC.			There has been no attempt to assess student interests.	Women	Men	"	"							"The substantial majority of events are played against Div. I opponents.	X																			
Cal. N.W. Comm. C.	1984-1	25	28	65	63	15	X															Men and women play the same opponents.	X																			

Institution	Proportionality Test ⁴						Number of Teams	Institutional History of Adding Women's Teams ⁵	Plan to Add More ⁶	Evidence of Current Accommodation of Interest ⁷	Level of Competition ¹¹						Scope of Competition ¹²						Copy			
	Women			Men							Division Level ¹⁰	Division I	Division II	Division III	Area	Regional	National									
	Year	Zero to Part	Enroll Part	%	%	%											Women	Men	Women	Men	Women	Men		Women	Men	
																										Men
U. Montana	1941	41	23	53	68	15	1	Offered 6 sports by 1971. 1971: SW, XC. Dropped 3 sports during the 1970's.	A survey was done in 1981 and showed that the university was not accommodating student athletic interests.	I ^a	75%	80%												X	*SW is Div. II.	
Col. Sch. Mines	1941	16	9	64	91	7	2	1976: VB, BB, 1977: coed SEA, 1980: coed SW.	The school is supporting a women's SB club and will make it an intercollegiate sport if interest stays high. Women's SC also is a club team.	II	80%	80%													X	
Region IX U. Nev.-Reno	1941	45	23	55	72	17	6	Women's teams were added 1971-73.	Women's TR is a club team and is eligible to participate for varsity status. It will be a team in three years.	II															Men and women play opponents in Div. I, II, and III in equal proportions.	X
U. Nev.-L.V.	1940	43	29	57	71	14	0	By 1974, offered 4 sports. Between 1977 and 1978, added 4 more.	In 1982, 3 women's teams were eliminated, without justification.	I	87%	77%														X
Cal. Polytechnic	1941	42	31	58	66	11	0	1981: VB, BB, 1980: TR, 1972: SB, 1977: CY, SW, 1978: XC.		II ^a	91%	67%	60%												*VB, XC are Div. I. *SW is Div. I.	X
N. Arizona U.	1941	40	26	51	74	22	6	Added 6 sports between 1979 and 1979; 1982: SW.		II ^a															**VB is Div. I.	X
American River C.	1941	53	44	67	56	9	9	1980: FH, SC, VB, BB, TR, SW, 1976: CY, TR, XC.																	Men and women play the same opponents.	X

*SW is Div. II

Men and women play opponents in Div. I, II, and III in equal proportions.

*VB, XC are Div. I. *WB is Div. I.

**VB is Div. I.

Men and women play the same opponents.

Institution	Year	Proportionality Test ²						Number of Teams		Institutional History of Adding Women's Teams ³	Plan to Add More ⁴	Evidence of Current Accommodation of Interests ⁵	Level of Competition ¹¹								Scope of Competition ¹²				Comply ¹³			
		Women		Men				Women	Men				Division I	Division II	Division III	Area	Regional	National										
		Enroll	Part	Enroll	Part		Women													Men	Women	Men	Women	Men				
					7	5																				7	5	
Solano Comm. C.		36	28	64	72	9	8	1972: VB, BB, SB, TH, 5 more were added by 1982.		X																	Men and women play the same opponents.	X
Arizona St. U.	80-81	47	38	53	64	9	10	1971: SB, 1972: VB, GX, 1972: BB, 1976: TH, 1979: XC.	The university offers all women's sports that are offered in its conference and in Arizona high schools. Women's club teams exist, but have not yet petitioned to be intercollegiate teams.		X		1		no												Almost all events are against Div. I opponents.	X

Notes

1. In this area, an institution must comply under one of three tests for effective accommodation of student athletic interests, and comply in the level of competition afforded its men's and women's intercollegiate teams, to be in compliance with Title IX. Thus, an institution is in compliance for effective accommodation of student athletic interests and abilities if it complies under one of the three compliance columns of this appendix (columns with footnotes 4, 7, and 9) and if it also complies under the compliance column for level of competition (the column with footnote 13).

2. For an institution to comply with Title IX under the proportionality test, the percentage of females and males who are athletes must be substantially equivalent to the percentage of female and male students enrolled at the institution. This column lists the percentages of enrolled female and male students and the percentages of female and male athletes.

3. This column indicates the difference between the percentage of female students and the percentage of female athletes at each institution.

4. X: The OCR found the institution in compliance with Title IX under the proportionality test.

5. This category lists the years in which each institution added women's teams to its intercollegiate program, and either the number of teams added or the sport of the team added in those years. When institutions dropped women's teams from the intercollegiate athletic program, that is also indicated here.

6. An institution's plans to add more teams to its women's athletic program are indicated here.

7. X: The OCR found the institution in compliance with Title IX for a history and continuing practice of expansion of its women's athletic program.

8. If an institution cannot comply under either the proportionality test or the continuing expansion test, the OCR determines whether student athletic interests are presently being accommodated in the institution's athletic program. The OCR findings are noted here.

9. X: The OCR found the institution in compliance with Title IX for currently accommodating the athletic interests of its students.

10. This column lists the competitive level of the men's and women's athletic programs at each institution. Division I institutions provide most of their athletes with full athletic scholarships to compete for the institution. Division II institutions provide most of their athletes with either full or partial athletic scholarship aid to compete for the institution. Division III institutions provide no athletic scholarships to their athletes.

11. These columns list the percentage of competitive events male and female athletes play against opponents of each divisional level.

12. These columns list the percentage of competitive events in which male and female athletes play opponents from the institution's immediate geographical area, region of the country, or whether teams play opponents from all over the country (national).

13. X: The OCR found that the institution provided equally advanced competitive opportunities to its men's and women's intercollegiate teams.

Compliance Plans

University of Bridgeport—University officials explained that the lower quality of competition scheduled for the women was a temporary condition caused by a change in division level of a number of the women's opponents. The OCR declared this an acceptable nondiscriminatory

reason for the disparity and found that the problem would be eliminated in a reasonable time.

University of Massachusetts—There was no compliance plan of record as of the date the OCR issued its findings.

Marian College—A valid student interest survey will be conducted in the fall of 1982. The OCR will receive a copy of the survey. The college will develop a plan for athletic program development based on the results of the survey.

Howard University—The university will conduct an interest survey in 1982, and will add a women's team by September 1983.

Edison Community College—The college agreed to add a women's basketball team in 1982-83.

University of Florida—The university will add a woman's volleyball team in 1983.

University of Kentucky—The university will add a women's team in 1983-84, either softball or swimming.

Voorhees College—The college has surveyed student interests and will make a long-range plan for its athletic program. Intercollegiate tennis tryouts will be held for men and women in 1983.

University of Akron—Two women's teams, track and cross-country, will be added in 1981-82. "Where circumstances warrant," the three-year period required for a club team to become a varsity team will be reduced to two years. Thus, where competition is available in the sport, the athletes are serious, and the athletes are "developed," a two-year period will be sufficient to create a varsity team. Also, reasonable efforts will be made to give club sports reasonable practice hours. By 1982-83, at least four women's teams will be in the Division I level of competition.

University of Illinois-Urbana—The requirements for elevating a club team to varsity status have been revised. Two students, a male and a female, have been added to the athletic board of control. If another sport is added to the intercollegiate program, "priority consideration" will be given to a women's sport.

Michigan State University—The university will have criteria in effect for club teams to become varsity teams by 1982-83. Student interests will be assessed in the process.

Western Michigan University—The athletic board will develop criteria for the addition of new intercollegiate teams; the criteria will be published in the student handbook in 1982-83. If teams are eliminated from the intercollegiate program, this will be done with an effort to maintain the participation ratio of the sexes in a way that approaches their enrollment ratio.

University of Michigan—The women's program will join the Big Ten

Conference, which will result in more regional area competition for women's teams.

University of Texas—Arlington—In November 1982, the university will survey student interests in athletics. The results will be acted upon if competition is available and there is enough interest and ability to sustain a team in the sport.

Texas A & I University—To assess student interest in various sports, the university will distribute a survey to students and will analyze intramural participation. The OCR will receive a copy of the results.

University of Houston—The university will survey student interests in athletics by December 1982. The survey will be used to develop criteria for the addition or deletion of intercollegiate teams.

Texas Christian University—The university will survey student athletic interests, and will use the survey to ensure accommodation of student interests. The OCR will get a copy of the survey results and any plans the university makes.

North Texas State University—The OCR findings were completed on August 25, 1983; a compliance plan was not yet completed by the time this article was written.

University of Kansas—The university will survey the interests of students to see if new sports teams should replace any sports teams currently offered. The number of sports can be expanded when and if the budget allows.

University of Northern Iowa—The women's program will move to the Division I competitive level in 1982-83.

Missouri Western State College—A survey of student interests was done in 1982-83, and will be used in future planning for the athletics program.

Utah State University—Due to budget constraints, another team cannot currently be added. If the NCAA rule now proposed is adopted, by 1985 there will have to be the same number of men's and women's sports at a school; if the rule is adopted, a sport would be added if necessary. Student interests will be assessed by 1985, and the university will study the feasibility of adding junior varsity sports for women.

University of Montana—A junior varsity women's basketball team was added in 1981-82. Before adding any new sports, a survey of student interests will be conducted. Expansion will be done in a way that reduces the disparity between participation opportunities for women and men.

Colorado School of Mines—The women's softball club will be elevated to varsity by 1983-84, or, at the latest, in 1984-85.

University of Nevada—Las Vegas—Two women's teams will be added, one each in 1982-83 and 1983-84.