

# **Title IX**

## **A QUICK OVERVIEW**

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**Presented by**  
**SPORTS MANAGEMENT RESOURCES**

- ☐ Don't take notes – will provide everyone with deck**
- ☐ Jot down questions for parking lot**
- ☐ Adding to/maintaining a parent FAQ**

# ASSESSMENT RULES

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- 1. Must compare ALL boys to ALL GIRLS – never one B sport to one G sport**
- 2. Always assess at end of a full academic year**
- 3. Always look at most recent complete year of data**
- 4. Never look at \$\$\$ to assess equity – Title IX uses QUALITATIVE assessment of treatment and benefits**

# ASSESSMENT RULES (cont.)

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5. Numerical PARTICIPATION counts are used to determine inequities
  - Never count sports or teams
  - Only count participants on each team
6. Determine EQUITY by comparing percent of ALL boys to percent of ALL girls receiving:
  - Participation opportunities
  - Level of competition opportunities
  - Treatment and benefits (14 areas and over 100 factors examined)

# ASSESSMENT RULES (cont.)

5. Whether a sport brings in \$\$\$ is irrelevant – school must spend its money or gifts-in-kind from all sources to provide equal treatment
  - Participation opportunities
  - Levels of competition (varsity, JV, etc.)
  - Treatment and benefits (facilities, uniforms, etc.)
6. Restricted gifts to boys OK – only if whatever benefit it provides is provided to an equal % of girls (from other sources or from the donor)

# ASSESSMENT RULES (cont.)

7. **Sport interests**
  - **girls play sports they are interested in and boys play sports they are interested in**
  - **no sports excluded from counting**
8. **Coach can't decide inequality is okay – AD is the REFEREE – all must abide**
9. **Outside booster clubs or groups of parents cannot be used to evade Title IX**
  - **Happens inadvertently – parent education really important**

# Participation Equity

## *Three Independent Tests - Use Any One*

**Option #1– Proportionality - % male and female athletes = % male and female students at high school**

	<u>Male</u>	<u>Female</u>	
<b>Total # Athletes (Varsity/JV/Fr)</b>	<b>340</b>	<b>272</b>	
<b><u>% Athletes</u></b>	<b><u>55.6%</u></b>	<b><u>44.4%</u></b>	
<b>Total # Students</b>	<b>734</b>	<b>751</b>	
<b><u>% Students</u></b>	<b><u>49.4%</u></b>	<b><u>50.6%</u></b>	
<b>OVERALL FEMALE PARTICIPATION GAP</b>			<b>76</b>

# Doing the Proportionality Math!

**STEP 1: Determine underrepresented sex?**

	<u>Male</u>	<u>Female</u>
<b>Total # Athletes (Varsity/JV/Fr)</b>	<b>340</b>	<b>272</b>
<b><u>% Athletes</u></b>	<b>55.6%</b>	<b>44.4%</b>
<b>Total # Students</b>	<b>734</b>	<b>751</b>
<b><u>% Students</u></b>	<b>49.4%</b>	<b>50.6%</b>

**Females underrepresented 44.4% athletes vs.  
-50.6% female students  
6.2% difference**

# Compute Female Participation Gap

**STEP 2: Keep overrepresented sex constant and compute total number of athletes that should exist if their participation was equal to their % in student body**

**Total Male Athletes (Varsity/JV/Fr)      340**

**% Male Students                              49.4%**

**.494 x X = 340                              X=total athletes**

**X= 340 divided by .494                  X = 688**

**STEP 3: Subtract current total male and total female athletes      688 – 612 (340M+272F) = 76**

**FEMALE PARTICIPATION GAP = 76 participants**

# Participation Tests (cont.)

**Option #2 - Demonstrate consistent expansion of opportunities for the underrepresented gender**

- ❖ **# of female participants consistently UP**
- ❖ **Added new girls' sports every 2-3 years**
- ❖ **If school dropped girls sport without replacing w/ sport serving an equal # of girls – disqualification from use of this option**
- ❖ **Periodic non-discriminatory assessments of student interest**
- ❖ **Written policy for adding/elevating sports**
- ❖ **Does program expansion plan exist?**

# Participation Tests (cont.)

**Option #3 - Demonstrate having fully met the interests and abilities of the underrepresented gender**

- ❖ **No unmet interest (cannot have dropped a girls' sport)**
- ❖ **Periodic non-discriminatory assessments of student interest**
- ❖ **Interest in sport but no other girls' teams within normal competition area**
- ❖ **Obligated to get league to add**
- ❖ **Added sport and promoted it but insufficient girls to field a team**

# Competition Test

Is there equal opportunity within each competition level:  
**VARSITY – JUNIOR VARSITY – FROSH ?**

**MUST FIX THE TOTAL ATHLETE PROPORTION & COMPETITION LEVEL EQUITY**

		<u>Male</u>		<u>Female</u>
<b>TOTAL ATHLETES</b>	<b>340</b>	<b>55.6%</b>	<b>272</b>	<b>44.4%</b>
<b>Fix</b>				<b>11.2%- 76 athletes</b>
<b>VARSITY</b>	<b>170</b>	<b>50%</b>	<b>160</b>	<b>59%</b>
<b>Difference</b>				<b>9%- 25 athletes</b>
<b>JUNIOR VARSITY</b>	<b>140</b>	<b>41%</b>	<b>99</b>	<b>36%</b>
<b>Difference</b>				<b>5%- 14 athletes</b>
<b>FROSH</b>	<b>30</b>	<b>9%</b>	<b>13</b>	<b>5%</b>
<b>Difference</b>				<b>4%- 11 athletes</b>

# 3. Treatment and Benefits

- Equipment and supplies
- Practice and competition apparel and uniforms
- Scheduling of games and practice times
- Modes of transportation, provision of meals/hotels
- Access to/quality of tutoring and academic support services
- Access to/quality of coaches
- Locker rooms
- Practice and competitive facilities
- Medical and training facilities and services
- Pre- and Post-game meals, drinks,
- Publicity and promotion
- Awards and Recognition
- Recruitment
- Administrative and support services for coaches/office space

# Ex.: Locker Rooms

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- ❖ **Quality and size**
  - ❖ **Size and numbers of lockers, showers, restrooms, white boards, etc.**
- ❖ **Location in relation to practice/competition facilities**
- ❖ **Use privileges (share?, inseason, etc.)**
- ❖ **Condition and maintenance**

# Qualitative Assessment Methodology

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## BENEFIT/TREATMENT AREAS:

### STEP ONE:

- Create a definition of SUPERIOR, ADEQUATE and INADEQUATE for each locker room factor
- Definition must be sufficiently broad to allow all sports to be easily rated – using the exact same definition

# Example: Quality of Locker Rooms

- **SUPERIOR** = sufficient size to accommodate team, sufficient # and size of lockers, rest rooms, showers, benches, white board, team signage
- **ADEQUATE** = changing area with lockers -no rest rooms OR no showers OR few amenities (i.e., benches, white boards, etc.)
- **INADEQUATE**= no locker room OR changing area w/ no lockers OR all elements in disrepair – usability in question

# Assessment Methodology

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## LOCKER ROOMS:

### STEP TWO:

- List all teams
- List # of participants on each team within each level of competition
- Assign a rating to each team (for each element)

# Quality of Varsity Locker Room

SPORT	# ATHLETES	RATING
Football - Boys	98	Superior
Tennis - Girls	15	Inadequate
Basketball - Boys	39	Superior
Basketball - Girls	29	Superior
Soccer - Boys	37	Superior
Soccer - Girls	31	Inadequate
Baseball - Boys	25	Inadequate
Softball - Girls	25	Inadequate
Wrestling - Boys	33	Adequate
Wrestling - Girls	17	Inadequate
Cross Country - Boys	15	Inadequate
Cross Country - Girls	20	Inadequate
Golf - Boys	11	Inadequate
Swimming - Boys	17	Superior
Swimming - Girls	20	Superior
Track and Field - Boys	39	Inadequate
Track and Field - Girls	72	Inadequate
Volleyball- Girls	37	Adequate

# Assessment Methodology

## BENEFIT/TREATMENT AREAS:

### STEP THREE:

- Add up the # males and # females receiving the benefit in each rating category – # of participants/not teams
- Calculate the % of all boys and % of all girls receiving the benefit for each rating

# Quality of Varsity Locker Room

## Assessment Results

Total Males	340	
Total Females	272	
<b>Male athletes benefitting from:</b>	<b>Number</b>	<b>Percent</b>
Superior	233	<b>69%</b>
Adequate	48	<b>14%</b>
Inadequate	59	<b>17%</b>
<b>Female athletes benefitting from:</b>		
Superior	138	<b>51%</b>
Adequate	0	<b>0%</b>
Inadequate	134	<b>49%</b>

**STEP FOUR: Where inequities exist, correct the deficiency**

# Acceptable Variance

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**When is a percentage difference close enough?**

**A: When the “remedy” of moving the smallest team up a rating (e.g., from adequate to adequate) would result in flipping the inequity to the opposite sex**

# Assess Every Factor Under Each Treatment/Benefit Area

## BENEFIT/TREATMENT AREAS:

- You can see all of the 2022-23 tables of data upon which the equity plan is based...
- Updated tables prepared at the end of each year...
- Each year -- can revise definitions or look at additional factors in the following year
- Here's what these tables look like

SPORT (list cross country, indoor and outdoor track separately)	Number of Athletes	QUALITY AND SIZE OF LOCKER ROOMS	LOCATION OF LOCKER ROOMS	USE PRIVILEGES	CONDITION AND MAINTENANCE
		(Rating Scale: Superior = restrooms, showers, individual lockers, white boards, etc.; Adequate = changing area and lockers only; Inadequate; no locker room)	in relation to the location of practice and competition facilities (Rating Scale: Superior = adjacent to practice, competitive facility; Adequate = short walk, reasonable; Inadequate = very distant or no locker room)	(Rating Scale: Superior = restricted use for sport team only; Adequate = shared with general students or other teams; Inadequate = no locker rooms provided)	(Rating Scale: Superior = daily maintenance, clean; Adequate = regular maintenance but not as clean or well maintained as necessary; Inadequate = not clean, irregular maintenance schedule, significant concerns or no locker room)
Badminton	13	Adequate	Superior	Adequate	Adequate
Baseball	11	Inadequate	Inadequate	Inadequate	Inadequate
Basketball	12	Adequate	Superior	Adequate	Inadequate
Cross-Country	10	Adequate	Superior	Adequate	Adequate
Football	22	Adequate	Superior	Superior	Adequate
Golf	11	Inadequate	Inadequate	Inadequate	Inadequate
Lacrosse	15	Adequate	Superior	Adequate	Adequate
Soccer	20	Adequate	Superior	Adequate	Adequate
Swimming	24	Inadequate	Inadequate	Inadequate	Inadequate
Tennis	17	Inadequate	Inadequate	Inadequate	Inadequate
Track and Field	18	Adequate	Superior	Adequate	Adequate
Volleyball	15	Adequate	Superior	Adequate	Adequate
Waterpolo	10	Inadequate	Inadequate	Inadequate	Inadequate
<b>Cheer (non CIF-not included in Team totals)</b>					
<b>Total Male Athletes</b>	<b>200</b>				
<b>Girl's Varsity Sports</b>					
Badminton	21	Adequate	Superior	Adequate	Adequate
Basketball	10	Adequate	Superior	Adequate	Adequate
Beach Volleyball	9	Adequate	Adequate	Adequate	Adequate
Cross-Country	10	Adequate	Superior	Adequate	Adequate
Football	0	Adequate	Superior	Adequate	Adequate
Golf	9	Inadequate	Inadequate	Inadequate	Inadequate
Lacrosse	18	Adequate	Superior	Adequate	Adequate
Soccer	20	Adequate	Superior	Adequate	Adequate
Softball	14	Adequate	Superior	Adequate	Adequate
Swimming	34	Inadequate	Inadequate	Inadequate	Inadequate
Tennis	15	Inadequate	Inadequate	Inadequate	Inadequate
Track and Field	11	Adequate	Superior	Adequate	Adequate
Volleyball	14	Adequate	Superior	Adequate	Adequate
Waterpolo	16	Inadequate	Inadequate	Inadequate	Inadequate
<b>Cheer (non CIF-not included)</b>	<b>6</b>				
<b>Total Female Athletes</b>	<b>201</b>				
	<b>% male athletes benefitting from:</b>				
Superior		0%	64%	11%	0%
Adequate		64%	0%	53%	58%
Inadequate		37%	37%	37%	43%
	<b>% female athletes benefitting from:</b>				
Superior		0%	59%	0%	0%
Adequate		63%	4%	63%	63%
Inadequate		37%	37%	37%	37%