

Ohio University Title IX Case Scenario

*Prepared by Athena Yiamouyiannis and Heather Lawrence
Ohio University Sport Management Program*

Title IX Information:

Title IX is a federal law that was passed in 1972 prohibiting gender discrimination in educational institutions receiving federal financial assistance. The law applies to all programs offered by educational institutions, including athletics. Thirty-five years have gone by since the law was passed and girls and women today enjoy greater participation opportunities than ever before in athletics.

The Office of Civil Rights is charged with the enforcement of Title IX and an institution found to be out of compliance could ultimately lose federal funding. The law requires that institutions meet each of the three components of Title IX in order to be in compliance with the law. The following is a summary of the three components of Title IX (AAHPERD, 2007; NAGWS, 2007):

Component One: Sport Participation Opportunities. The "Three Part Test" is applied in order to determine whether male and female students are being provided equitable opportunities to play sports. The high school or college must meet only one of the following three parts to demonstrate compliance with the sport participation component:

1. Part One. Student-athlete participation is reflective of the student body. For example if 50% of your students are boys and 50% of your students are girls, then you would meet this criteria if half of your athletes are boys and half are girls.
2. Part Two. Your high school or college has a history and continuing practice of program expansion for the underrepresented gender. You tend to meet this criteria if you've added a sport team for women in the last couple of years and plan to expand opportunities in the future.
3. Part Three. You have fully met the interests and abilities of the underrepresented gender.

Component Two: Athletic Scholarships. If athletics scholarships are being provided, they should be provided in direct proportion to the student-athlete percentage. For example if women comprise 45% of the student-athlete population, then women should be receiving 45% of the athletics scholarship dollars.

Component Three: General Benefits & Services. The overall benefits and services provided to male athletes should be similar in quality, quantity, and suitability to the overall benefits provided to female athletes. Title IX requirements provide a "laundry list" of 11 areas that must be examined in order to determine overall compliance within this component. Those areas are as follows:

- Equipment and Supplies
- Scheduling of Games and Practice Times
- Travel and Related Expenses
- Availability of Coaches and their Compensation
- Locker Rooms, Practice, and Competitive Facilities
- Medical and Training Services
- Publicity
- Support Services
- Recruitment of Student Athletes
- Housing and Dining Facilities and Services
- Availability of Tutors

Case Background:

Ohio University is a NCAA Division I-A program in the Mid-American Conference (MAC). At Ohio University there are 7,976 male undergraduate students and 8,670 female undergraduate students. In your athletics program, you have an unduplicated count (multi-sport athletes are only counted once) of 286 male student-athletes and 195 female student-athletes. The list of sports offered, year the team was established, number of student-athletes per team, and team operating budget is as follows (excludes scholarships, recruiting, and coaches salaries):

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| MEN'S TEAMS | # Student-Athletes | BUDGET | WOMEN'S TEAMS | # Student-Athletes | BUDGET |
|----------------------|---------------------------|--------------------|----------------------|---------------------------|------------------|
| Baseball | 35 | \$104,242 | | | |
| Basketball | 14 | \$321,498 | Basketball | 14 | \$174,485 |
| All Track & Field/CC | 130 | \$63,827 | All Track & Field/CC | 104 | \$58,919 |
| Football | 107 | \$1,082,469 | | | |
| | | | Field Hockey | 19 | \$98,584 |
| Golf | 11 | \$46,844 | Golf | 8 | \$45,541 |
| | | | Lacrosse | 28 | \$99,575 |
| | | | Soccer | 25 | \$83,687 |
| | | | Softball | 21 | \$109,035 |
| Swimming/Diving | 26 | \$60,452 | Swimming/Diving | 24 | \$55,802 |
| Wrestling | 36 | \$85,813 | | | |
| | | | Volleyball | 15 | \$133,670 |
| | | | | | |
| TOTAL | | \$1,765,145 | | | \$859,298 |

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You have been hired as the new athletics director at Ohio University and are not in compliance with Title IX because you are not providing equitable participation opportunities under any of the three prongs of component #1.

You are thinking about adding a women's sport team to comply with Title IX, but this year you already have a 4 million dollar deficit. In three years, it is projected that your deficit will increase to 10 million dollars.

Case Scenario:

You have been hired as the new athletics director at Ohio University and are not in compliance with Title IX because you are not providing equitable participation opportunities under any of the three prongs of component #1. You are thinking about adding a women's sport team to comply with Title IX, but you are already operating under a 4 million dollar operating budget which is projected to be a 10 million dollar deficit in three years.

Increasing student fees is not an option as they are already high and any new fee increases will go towards paying for the new 60 million dollar student union on campus. You have already implemented measures to cut costs, such as not fully funding athletics scholarships for men's swimming and diving and men's track and field. Additionally, traveling teams are not receiving the full meal money allowance and these students are sleeping four to a room (instead of two to a room, which is common for NCAA Division I-A). You ask the University for additional funds and are denied. The University President has insisted that you develop a plan to comply with Title IX and balance your budget.

Discussion Questions:

If you were the athletics director at Ohio University, how would you address this situation? Specifically, how would you answer the following questions?

1. What are the core issues?
2. What are the facts surrounding the situation?
3. What alternatives exist to address the core issues?
4. What are the pros and cons to the alternatives identified?
5. Who needs to be involved in the decision-making process?
6. How and when will you communicate your decision(s) to student-athletes, coaches, fans, and Ohio University students? Why is this important from a marketing perspective?
7. Based on the information provided above, what action would you take as athletics director to address the core issues?

Citations:

Title IX, Education Amendments of 1972. Retrieved March 5, 2007 from:
http://www.aahperd.org/nagws/titleix/pdf/Title_IX_Statute.pdf

NAGWS. (2007). Title IX – The law and its implications. Retrieved March 5, 2007 from:
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