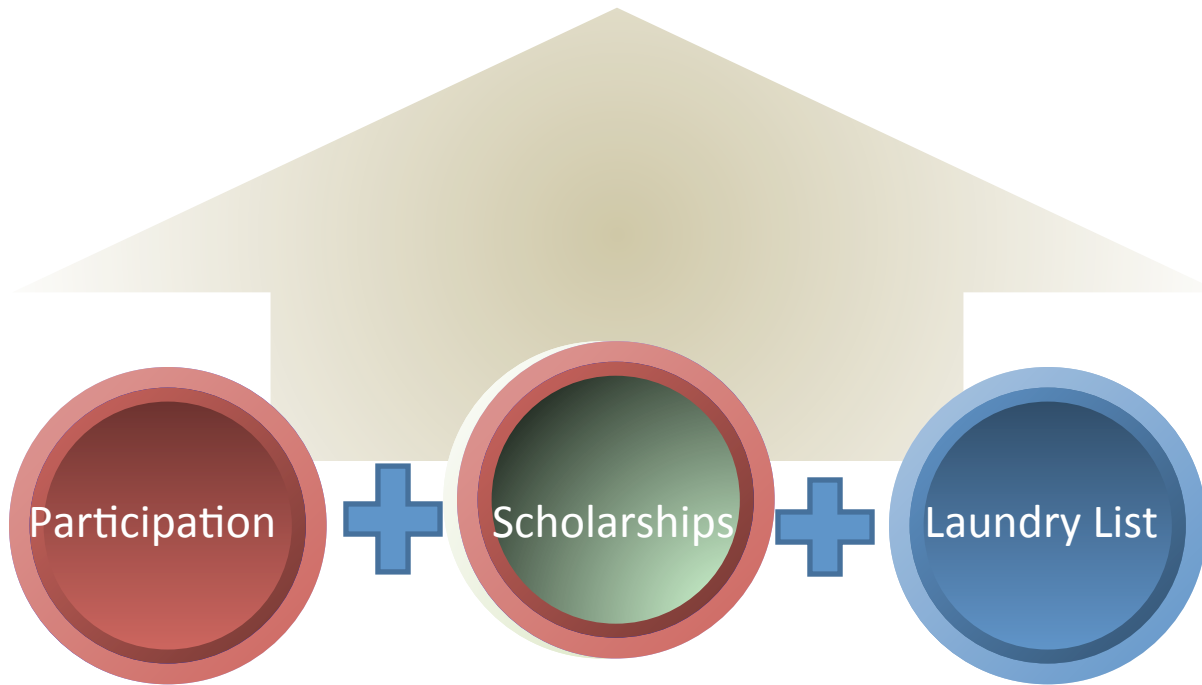


Overall Compliance in Athletics



Athletics Compliance Areas

Participation

- Substantial Proportionality OR
- History and Continuing Practice of Net Expansion for the Underrepresented Sex OR
- Effective Accommodation of Interest and Ability.

Financial Aid

- Athletic Scholarship Dollars Provided to Men and Women in relative proportion to actual participation.

The Laundry List

- Equipment and Supplies
- Scheduling
- Travel & Per Diem
- Tutors
- Coaches
- Facilities
- Medical & Training Services
- Housing
- Publicity
- Support Services
- Recruiting

Sports/Participant Analysis

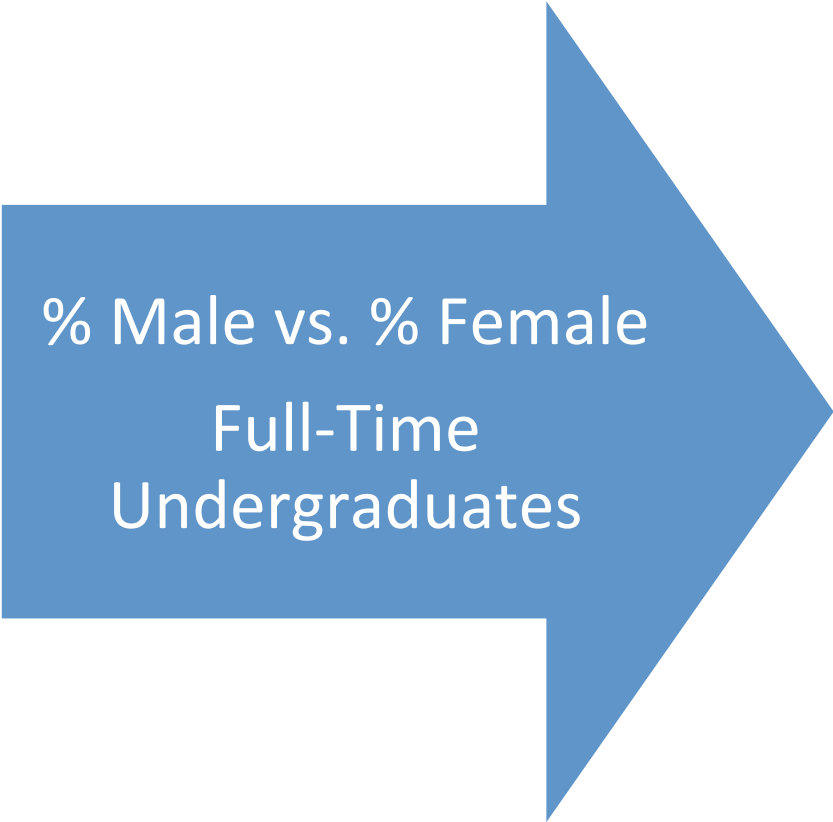
- How does Office for Civil Rights (OCR) define sport?
- Once sport defined, who is a participant?
 - Significance of EADA and NCAA reports
 - Significance of Web Based Rosters
 - History of Complaints by Organizations like NWLC
 - Quinnipiac Case (Roster Mgmt., NCAA Averages)
 - Davis Case

Participation: Three Part Test

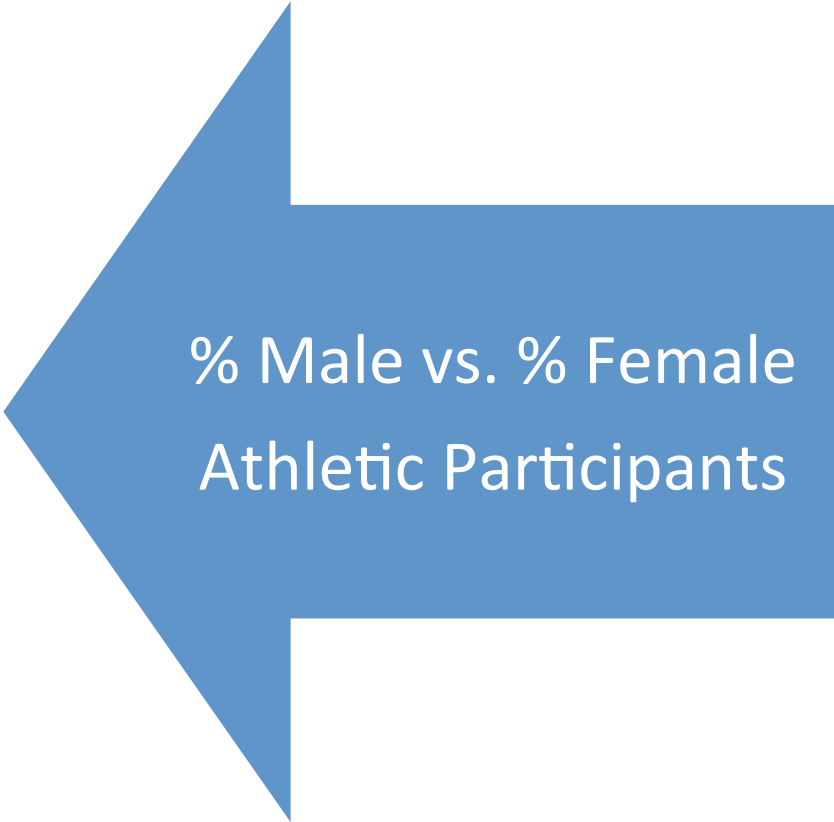
- Intercollegiate-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollment, or
- The institution can show a history and continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of the underrepresented gender, or
- It can be demonstrated that the interests and abilities of the members of the underrepresented gender have been fully and effectively accommodated by the present program.

1

Substantial Proportionality



% Male vs. % Female
Full-Time
Undergraduates



% Male vs. % Female
Athletic Participants

Participants are:

1. those individuals whose names appear on the NCAA official eligibility lists at the time of the first competition;
2. those individuals whose names are added to the NCAA official eligibility lists after the first competition during the season;
3. those individuals who practice and/or compete during the regular season;
4. those individuals who receive athletic financial assistance who are red-shirted for medical or other reasons but have eligibility remaining;
5. those individuals who have been dismissed from the team for disciplinary or other reasons but continue to receive athletic financial assistance and are eligible to compete under NCAA rules;
6. those individuals who enroll and/or practice during the nontraditional seasons only if they receive athletic financial assistance.

Participants are not:

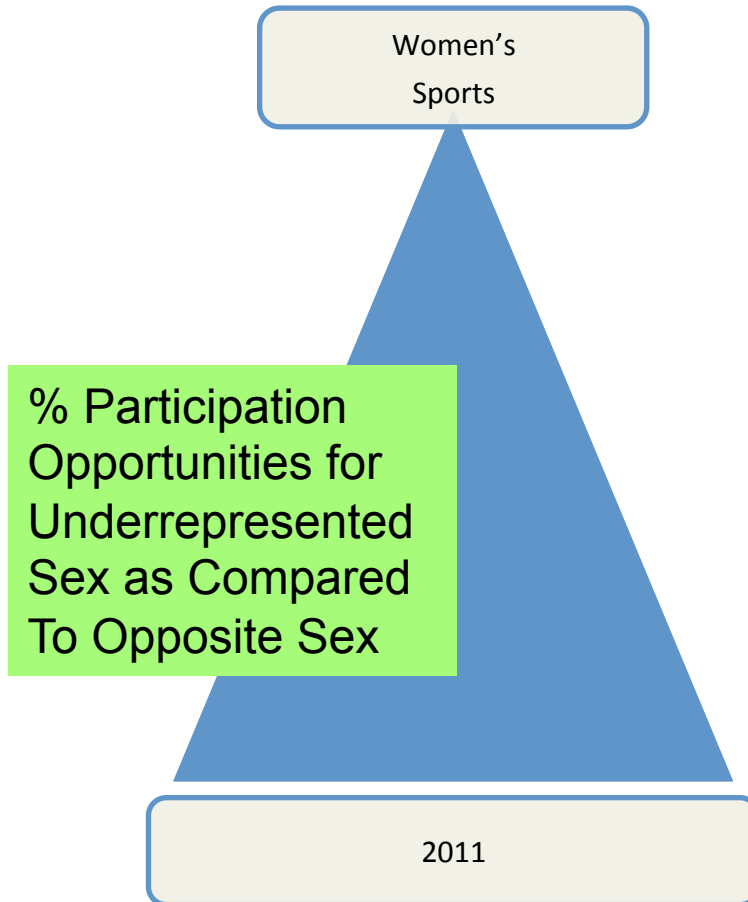
1. those who are fifth-year students whose eligibility has expired but still receive athletic financial assistance;
2. those who are medically exempt, i.e., who receive athletic financial assistance but cannot participate because of career-ending injuries;
3. those who enroll and/or practice during the nontraditional season unless they receive athletic financial assistance for the period;
4. those who try out and quit or are cut prior to the first contest of the regular season.

These definitions of participants are based on the Policy Interpretation of 1979 and subsequent OCR practices.

OCR Analysis

- Undergraduate Population
50% male
50% female
- Student-Athletes = 700 Total
400 males = 57%
300 females = 43%
- Disparity = 7%
- OCR Equation:
 $400 \text{ (current males SA)} / .50 \text{ (% males in FT undergraduate population)} = 800 \text{ (ideal total number of SAs if proportionate)}$
 $800 - 700 \text{ (current number of SAs)} = 100$
(hypothetical number of female SAs underrepresented)
- What is the average squad size of existing women's teams? If less than 100, than program is NOT substantially proportionate.

2



History and Continuing Practice of Program Expansion for Underrepresented Sex in Athletics

Include:
Timeline for all men's and women's varsity teams:
Year Added, Suspended, Discontinued, Reinstated.
Reason for change in status.

Prong 2 Discussions

- Many schools don't have full history of their program.
- Put together a timeline of all men's and women's sports:
 - When was the sport added?
 - Were any sports eliminated?
 - Were any sports suspended?
 - Net increase for underrepresented sex?
- If a sport for the underrepresented sex was cut in the past, can we still meet this prong?
- Lots of questions about timing
 - Past and Present
 - Perception: if you add any women's sport now, prong 2 is met . . . Not true
 - What's the plan going forward . . .
 - Davis Case . . .

3

Surveys and Other Indicia

OCR Review:

- Is there unmet interest in a particular sport?
- Is there sufficient ability to sustain a team in the sport?
- Is there a reasonable expectation of competition for the team?

Factors:

- Nondiscriminatory methods of assessment
- Assessments not used to eliminate viable teams
- Multiple indicators evaluated to assess interest
- Frequency of assessments
- Effective procedures for evaluating requests to add teams and assess participation.
- Survey
- Multiple factors evaluated to assess sufficient number of interested and able students to sustain a team.

- Schools generally not comfortable with these kinds of tests - Presidents, General Counsel and Boards want clarity.
- **Real interest vs. likely interest.**
- Concerned about substance of the result – that it will take away school’s ability to chart it’s own course
- What if the survey reveals a sport for which there is:
 - No facility
 - Tremendous Expense
 - Competition only against other club programs?

To Survey or Not to Survey...

- TEST = Actual Interest.
- Getting Institutional Buy-in
- Design and Roll Out – Who should be involved?
- Survey Plan
 - *Target population and sampling methods*
 - *Data collection*
 - *Distribution and follow-up methods*
 - *Additions to survey and survey design*
 - *Non-respondent analysis*
 - *Data analysis*

Clubs and Intramurals

- Have you have discussions with your club and intramural programs to determine if they have an interest in varsity status?
- Who speaks to clubs and how should you have those discussions?
- Issues associated with club and IM upgrades.

NCAA Emerging Sports for Women

Equestrian
(DI & II)

Rugby

Sand Volleyball
(DI & II)

RESULTS

- Interest?
- Ability?
- Competition?
- Timing

Practical Strategies

Prong 1

- provides the baseline
- provides most institutional control
- PROVIDED the school has:
 - Accurate Numbers
 - EADA/NCAA/Website

Not there?

- Prong 2
- Prong 3

Not there?