

# **Title IX Literacy: What Coaches Don't Know and Need to Find Out**

**Ellen J. Staurowsky**

Drexel University

**Erianne A. Weight**

University of North Carolina–Chapel Hill

Celebrated by many and lamented by a vocal few, Title IX holds the distinction of being one of the few pieces of legislation passed by the United States Congress that has emerged as an iconic symbol unto itself. Despite broad familiarity with the term, it remains much less clear how many Americans have more than a superficial understanding of what the law requires. This study was pursued to determine the level of Title IX literacy among a constituency directly impacted by compliance or noncompliance with the legislation, that being college coaches. Results reveal that most college coaches do not have a basic knowledge of the application and extent of the law, have not been educated about Title IX through reliable educational mediums, and possess a desire to learn more and have candid and meaningful discussions about these issues. The lack of consistent and systematic education mechanisms may explain the tensions that arise so frequently around gender equity issues within college and university athletic departments.

Issues related to Title IX compliance and gender equity have received considerable attention within higher education during the nearly four decades since its passage in 1972 (Acosta & Carpenter, 2010; Buzuvis, 2010; Hogshead-Makar & Zimbalist, 2007). Born of sincere and abiding differences in worldview and perspective, voices for both Title IX advocacy and opposition have developed and maintained positions not easily reconciled, one to the other (Hogshead-Makar, 2010; Gavora, 2003; McErlain, 2010a; Ridpath, Yiamouyiannis, Lawrence, & Galles, 2008; Walton, 2003; 2010; Walton & Helstein, 2008). While much has changed in the gender balance within intercollegiate athletics programs over this span of time, with over 40% of college athletes now being females compared with two percent before the time of the legislation, broad national trends suggest that the vast majority of institutions of higher learning remain out of compliance (Acosta & Carpenter, 2010; Cheslock, 2007; Cheslock, 2008; Cohen, 2005; Monroe, 2007; Staurowsky, Lawrence, Paule, & Reese, 2007; Staurowsky & Moran, 2010).

---

Staurowsky is with the Department of Sport Management, Drexel University, Philadelphia, PA. Weight is with the Sport Administration Program, University of North Carolina, Chapel Hill, NC.

Notably, the enforcement mechanism established for Title IX is based on the premise that higher education decision makers will comply with the legislation on a volitional basis, compelled by the public interest represented at its core and expected as a matter of citizenship. One of the ways this was to be achieved was through the appointment of a Title IX compliance officer on every college and university campus receiving federal financial assistance (FFA) with the belief that schools would establish internal mechanisms to examine their policies, practices, and philosophies in light of Title IX standards (Matthews & McCune, 1975).

While this framework might have created Title IX literate educators and informed citizens, in hindsight, many institutions either ignored or were never aware of the need for a Title IX compliance officer. This has resulted in a lack of systematic and consistent processes for ensuring a baseline level of legislative understanding to routinely guide decision making and day to day contact. The impact of this void is reflected in the findings from a 2005 study by Zittleman in which "...fewer than 50 percent of educators understand what Title IX covers and...only a miniscule percent of students and parents are aware of their rights under Title IX" (as reported in Nash, Klein, & Bitters, 2007, p. 89). Similarly, findings from a phone survey of 1000 randomly selected adults in the United States conducted by the Mellman Group in 2007 revealed that while over 80% strongly supported Title IX, nearly 60% did not know what steps to take to enforce compliance.

Acknowledging the significant shortfalls that appear to exist among educators and the general public about the requirements of Title IX, this study was pursued to determine the level of Title IX literacy among a constituency directly impacted by compliance or noncompliance with the legislation, that being college coaches. To follow is a brief historical overview of Title IX, a review of the research questions for the study, method, data collection, findings, discussion, conclusions, implications, limitations and future research.

## Literature Review

### Title IX: A Cultural Icon

If we were to measure the potential impact of a piece of legislation, we might conclude that Title IX has had a profound effect on the nation's consciousness regarding sex stereotypes and how those have been used inappropriately to limit the experiences of female and male students in schools. Credited with opening up what had been nontraditional, previously male-dominated academic fields such as law and medicine to women, some have argued that Title IX may well be the most impactful piece of civil rights legislation ever adopted in the United States (Commission on Women in the Profession, 2006; Magrane, Lang, & Alexander, 2007; Wenniger, 2007).

Despite persistent depictions of Title IX as a tool that has the potential to destroy men's programs, a depiction that has endured from the time the legislation was proposed (McErlain, 2010; Walton, 2003; Walton & Helstein, 2008), Title IX appears to be supported by a strong majority of Americans. According to the Mellman Group (2007), U.S. adults favoring Title IX outnumber those who do not by a ratio of eight to two. Celebrated by many and lamented by a vocal few, Title

IX holds the distinction of being one of the few pieces of legislation passed by the United States Congress that has emerged as an iconic symbol unto itself.

In the age of text messaging, the Roman numeral gives way to the more familiar Title 9. Phonetic spellers are inclined to reference it as Title Nine while countless Americans<sup>1</sup> have drawn inspiration from it using their creative and expressive energies. A singing group in Ohio bears its name (Nordman, 2007), automobile license plates are adorned with it (Kane, 2002), women's sport clubs adopt the moniker as their own, and a successful women's sports apparel company uses it as the centerpiece of its brand (Team Title 9, 2010). After several decades, it now serves as a signifier for demographic groups including Title IX dads, moms, and babies—a whole generation has been defined by it (Bruening & Dixon, 2005; Chaudhry, 2008; Schmitt, 2009).

As a term with cultural power and meaning, this subset of the 1972 Educational Amendments stands alone to describe the *Title IX Blog* (Buzuvis & Newhall, 2010). Similarly, the law needs no embellishment, explanation, or introduction, as evidenced in the book by scholars Linda Carpenter and Vivian Acosta (2005) entitled *Title IX*. In turn, an instructional three disc DVD set containing 14 separate, 15–20 min chapters comprised of interviews with leading Title IX advocates and experts is marketed with the singular *Title IX* (Parks, 2009). In many ways, the term, while not without controversy, has become a form of cultural shorthand for equity in women's sport in education.

It is clear that the term has both currency and traction among the American populace. While Title IX flashes across our societal radar screens, lending itself to imaginative headlines, opinion pieces, editorials, and political cartoons, its history and basic requirements are not routinely taught in schools. In the absence of foundational instruction in the basics of Title IX, the country has a group of citizens vaguely aware of its presence and its potential but not necessarily informed of how it is enforced and how it is intended to work.

## **Title IX 101: The Basics**

There is a striking simplicity to the 37 words that constitute the piece of legislation now commonly known as Title IX which was signed into law by President Richard M. Nixon on June 23, 1972. In relevant part, it reads:

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 (Title IX of the Education Amendments of 1972, 44 Fed. Reg. at 71413)

Enacted during a time of social upheaval, the United States was undergoing a transformation, confronting inconsistencies between stated democratic ideals of fairness and equity and the realities of exclusionary attitudes and practices that marginalized the aging; ethnic, racial, religious, and sexual minorities; people with disabilities; and women. The passage of Title IX reflected a growing awareness that outdated notions of female inferiority constrained possibilities for what girls would grow up to become, how women would live their lives, and how boys and girls, men and women would relate to one another (Blumenthal, 2006; Carpenter & Acosta, 2005; Durrant, 1992).

The imperative espoused by Title IX calls upon educators to thoughtfully and carefully chart a course for the students with whom they are entrusted to fully realize their promise and potential for the betterment of the human condition and to the credit of a nation that aspires to be a world leader. Former United States Senator and one of the drafters of Title IX, Birch Bayh spoke to this imperative in 2002, observing that efforts to create equal opportunity for girls and women in school settings should not be considered a radical idea in a nation that has prided itself on equal justice for over 200 years.

While the aspiration is clear, compliance is a process that engages all three branches of government—the legislative (where laws are proposed and passed), the executive (where the means of enforcement are developed in the form of regulations and policies), and the judiciary (where disputes are resolved and interpretations of laws are formed by the courts) (Carpenter & Acosta, 2005; Hogshead-Makar & Zimbalist, 2007). Thus, while some questions regarding how Title IX should be applied to college and university athletic programs remain to be played out, nevertheless, over the span of nearly 40 years, existing regulations, policy interpretations, and court rulings provide a substantive basis from which to proceed.

After much debate and review, Title IX regulations were approved by the U.S. Congress in 1975 and the *Intercollegiate Athletics Policy Interpretation* issued in December of 1978 with the *Title IX Athletics Investigators Manual* being adopted in 1990 (Bonnette, 2004; Carpenter & Acosta, 2005). In 1994, the Equity in Athletics Disclosure Act was enacted by Congress, mandating that colleges and universities annually report data on the resource allocations made to men's and women's athletic programs (National Women's Law Center & DLA Piper, 2007). Over the years, the federal office assigned to oversee enforcement, the U.S. Department of Education Office for Civil Rights (formerly the U.S. Department of Health, Education and Welfare) has issued letters of clarification to respond to areas of ambiguity (Ali, 2010; Cantu, 1996; Cantu, 1998; Monroe, 2007, 2008; Reynolds, 2003).

Anticipating that there would be a need for a knowledgeable person within each agency or institution to conduct compliance reviews, hear grievances, oversee corrective and remedial actions, and educate constituencies, the regulations contained a requirement that an employee with Title IX responsibilities be designated. Despite this requirement, some schools either ignored it or simply were not aware that this had to be done. For those schools who did appoint Title IX coordinators, the spirit with which they met the requirement left much to be desired. As Carpenter and Acosta (2005) note, "Other than posting a name and title on the back-corridor bulletin board, many schools did little to disseminate to the campus community information about the requirements of Title IX" (p. 8). Significantly, it was left in the hands of the designated coordinators to develop preventive activities "...such as the periodic assessment of the awareness of employees and students regarding Title IX requirements...and updating services to staff regarding compliance responsibilities" (Matthews & McCune, 1975, p. 51).

This proved to be a crucial dysfunctional link in the Title IX enforcement chain. While there was an expectation that education would be handled directly within each school, which would have then resulted in generations of students understanding the requirements of the law, compliance efforts have often been inconsistent and haphazard. The consequence of this failure is yet to be fully understood but forms, in part, the basis of this inquiry.

While requirements under Title IX go well beyond the scope of this article, there are several foundational aspects of Title IX compliance that are most germane to the daily workings of an intercollegiate athletics program. As a civil rights law, Title IX provides for two things. First, equal access to athletic programs, meaning that female athletes have an opportunity equal to that of male athletes to compete on a varsity team; and second, once access has been achieved, that female athletes will receive treatment that is equitable to male athletes (Bonnette, 2004).

Equal access is assessed through a consideration of how well an institution is accommodating the interests and abilities of athletes of the underrepresented sex, most often female athletes. The three part test is the measure of whether a school has provided equal athletic opportunity for male and female athletes. Schools need satisfy only one of the three parts of the test, which include proportionality, a history and continuing practice of program expansion, or accommodating interests and abilities. Thus, an institution may demonstrate:

- that intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments; or
- a history and continuing practice of program expansion responsive to the developing interests and abilities of the members of the underrepresented group of athletes; or
- the interests and abilities of the members of the underrepresented sex have been fully and effectively accommodated by the program already in place (Title IX Intercollegiate Athletics Policy Interpretation, 1979).

Intended to be flexible, the means by which institutional compliance can be achieved affords higher education administrators considerable latitude to develop plans that best reflect the missions of their respective institutions, the composition of their undergraduate full time enrollment, and their economic circumstances (Staurowsky et al., 2007). While Title IX's general requirement that schools treat men and women equally throughout their athletic programs, it does not require that male and female athletes be treated exactly the same in every instance (Cohen, 2005). Program components that substantially affect the quality of the experience for athletes, and are subjected to Title IX analysis, include athletic training facilities and services, equipment and supplies, housing and dining services, locker rooms and facilities, opportunities to receive coaching and academic assistance, publicity, scheduling of games and practices, and equivalent travel and per diem expenses (Staurowsky et al., 2007). Further, schools are expected to distribute athletic scholarship dollars equitably as well (Bonnette, 2004; Carpenter & Acosta, 2005; Cohen, 2005; National Women's Law Center & DLA Piper, 2007).

## **Title IX & the Role of Coaches in Compliance**

We know that some coaches have been strong advocates on behalf of their athletes and in service to their institutions by seeking equal access for female athletes and equitable treatment under the law (Brake, 2005; Jayne, 2010; Kessler, 1997; Pemberton, 2002). As a sobering reality of Title IX history, those working in the profession have known for over 40 years that coaches who have advocated for

equal treatment of female athletes have been vulnerable to institutional retaliation, with some ultimately paying the price with their jobs and livelihoods (Staurowsky, 2005). It was not until the groundbreaking case of *Jackson v. Birmingham* (2005) that the U.S. Supreme Court determined that coaches who do their jobs effectively and seek appropriate resources and staffing for their programs are protected against retaliation by their employers. In the aftermath of *Jackson v. Birmingham*, numerous lawsuits on behalf of persecuted female coaches and administrators have been litigated, with multimillion dollar settlements being awarded in some instances (Buzuvis, 2010).

What these cases demonstrate is that some portion of college coaches working with female athletes understand Title IX and have been actively engaged in the process of encouraging institutions to comply with it. Other court cases, such as the recent *Biediger v. Quinnipiac* (Underhill, 2010), clearly demonstrate that female coaches serve as a conduit through which female athletes learn about Title IX and apprehend their rights. While this evidence tells us something about what coaches know and what they don't know about Title IX, there is very little empirical data to inform our understanding of how much education coaches have about Title IX, how accurate their understandings are of Title IX, and how willing coaches are to actively confront inequities in their athletics departments. Given the lack of a systematic mechanism within institutions of higher learning and athletics departments to consistently educate staff and students about Title IX, there is every indication that not all coaches have a working knowledge or base level of Title IX literacy.

Anecdotally, there is evidence to show that some college coaches are not aware of Title IX. In a book documenting her legal battle with Linfield University (OR) after broaching the necessity of complying with Title IX, former coach and now higher education administrator Cynthia Pembroke wrote, "Despite the fact that I'd participated as an athlete during Title IX's early years, and coached and administered women in sport throughout the 1980s, it would be the summer of 1992 before I gained my first awareness of Title IX. In fact, not only was I unaware, but my behavior even suggested an active state of denial" (Pemberton, 2002, p. 16). "I'd been a female athlete, and later a college coach, riding the wave of Title IX, and I didn't even know it existed" (Pemberton, p. 10). Similarly, in the fall of 2007, the National Association of Collegiate Women Athletics Administrators (NACWAA) invited Dr. Bernice (Bunny) Sandler to speak to college athletics administrators about her role in the passage of Title IX and the sex discrimination affecting the lives of girls and women in schools that prompted the effort. Commenting on the reactions inspired by Dr. Sandler, organizer of the session, former NCAA senior vice president and now consultant Judy Sweet remarked, "Younger women were wide-eyed with a 'I don't believe it' look on their faces. Older ones recalled 'I've read about it' while veterans said, 'I remember it'" (Wenniger, p. 36). For all of the attention paid to Title IX compliance and gender equity, there is almost no information available assessing the degree to which individuals working in college and university athletics departments have been formally educated about Title IX and its enforcement scheme. In one of the only studies to examine the issue of attitudes and perceptions of male and female sport leaders toward Title IX and the specific democratic value of equality that serves as its foundation, Force (1987) found that male and female sport leaders held similar beliefs on equality in the abstract but varied in their perception of how the value of equality was applied in athletic

departments. Presciently, Force concluded that this incongruence, "...suggests not only that Title IX will continue to be controversial, but also that additional, concerted efforts must be undertaken if the value of equality is to be realized" (p. 93).

A decade after that study, Sanger and Mathes (1997) reported a similar disconnect between NCAA Division III athletics directors and faculty representatives compared with head women's basketball coaches. In one of the only studies of college women athletes' knowledge and perceptions of Title IX (Jacob & Mathes, 1996), female athletes coached by women were significantly more knowledgeable about Title IX. Female athletes reported that women head coaches were more likely than male coaches to discuss equity issues with them. That said, as Acosta and Carpenter (2010) have been reporting for over three decades, less than half of all women's college teams are coached by women as women comprise 20.9% of the entire coaching workforce at the college level.

## **Research Questions**

Using the Jacob and Mathes (1996) study as a starting point, this study explores what college coaches know about Title IX and the source of that knowledge. Our approach to this research was guided by the idea that if the process of disseminating information about Title IX to the overall citizenry was inadequate, and the informal method of passing on information about Title IX from female coaches to female athletes has been diminished or suppressed, how might this potentially affect the gatekeeping function expected to occur on individual campuses. More specifically, our inquiry rested on two major questions: 1) where do college coaches get their information about Title IX; and 2) what do college coaches know about basic Title IX requirements.

## **Method**

### **Instrument**

In an effort to address the research questions identified, an instrument was developed entitled the Title IX Literacy Project: How Much Do Coaches Know? The survey consisted of 29 questions covering four major areas. Those were:

1. Demographic Information—designed to gather coaches' information about their sex, age, and number of years coaching.
2. Title IX Literacy –designed to assess basic understandings about Title IX rules and regulations. Question content in this area covered the three part test, whether the enforcement scheme for Title IX constituted a quota system, whether booster money was covered under Title IX, and whether the institution had a designated Title IX coordinator.
3. Sources of Title IX Information—designed to address where coaches got their information about Title IX and whether they review the federally mandated Equity in Athletics Disclosure Report that each institution must file annually.
4. Perceptions of Title IX Compliance on Campus—designed to address coach perceptions of their own institution's compliance with Title IX and whether coaches experience pressure to remain silent about Title IX issues.

Throughout the survey, respondents were invited to elaborate on their responses in open-ended comment sections. This yielded a wealth of narrative information which supported and provided insights into the quantitative data gathered.

In the early stages of survey development, a panel of five coaches and researchers were asked to review the instrument and provide feedback on the face validity of the questions and the flow of the survey. Adjustments were made to the wording of some questions as a result of that feedback.

## Data Collection and Analysis

To garner widespread response from coaches in a variety of institutional affiliations and sports, initially coaches associations were approached to help disseminate the online survey to their constituents. The U.S. Track and Field and Cross Country Coaches Association and the National Field Hockey Coaches Association agreed to do this, however the majority of coaches associations declined the invitation. Because of this, a random sample of 100 institutions from Divisions I-Football Bowl Subdivision (FBS), I-Football Championship Subdivision (FCS), I, II, and III were selected and available coach e-mail addresses were obtained via official institutional department websites. The survey was disseminated electronically to roughly 4,500 coaches, and responses were obtained from 1098 for a response rate of 24.4%.

Quantitative data were analyzed using descriptive techniques and Chi-Square analysis. Qualitative data were reviewed independently by each researcher and were organized into five coding categories with eighteen subcategories. Interrater reliability for these coding categories was 93.56%. Approval for the study was obtained from the Human Subjects Review Committee and appropriate precautions were taken to ensure respondent confidentiality. Data collection started in November of 2009 and ended in February of 2010.

## Summary of Findings

### Quantitative Data

Nearly 1100 ( $N = 1098$ ) college and university coaches representing 22 sports completed some or all of the survey. While 41% of responding coaches were female, just over 60% were male with less than one percent of coaches identified as other. The majority of coaches (61%) were head coaches with the remaining group primarily serving in the capacity of assistant coaches. The average age of the coaches in the sample was 39.54 years, with male coaches on average being older by nearly eight years compared with their female counterparts (41.76 years for males; 34.96 years for females). Sixty percent of the coaches responding held degrees at the master's level or above, 25% reported additional coursework beyond the bachelor's degree, and 17% reported holding the bachelor's degree only. Respondents averaged 13.81 years of coaching experience with male coaches more experienced with an average of 15.60 years of coaching experience and female coaches averaging 10.93 years of coaching experience. While we anticipated possible differences in levels and types of response between male and female respondents, between male coaches of female sports and male coaches of male sports, or between divisions, upon analysis we discovered that there were not significant differences with significant effect sizes



in many of the response categories. Thus, the majority of findings are reported for the entire sample, with several tables displaying significant ( $p < .01$ ) breakdowns between male and female coaches where noteworthy differences exist.

### **Title IX Basics—How Much Do Coaches Know?**

When asked if schools could comply with Title IX in one of three ways—through proportionality, a history and continuing practice of program expansion, or through accommodating the interests and abilities of athletes of the underrepresented sex—nearly 70% marked the correct answer as true, while nine percent marked false with an additional 20% of the sample indicating that they either weren't sure or didn't know. In response to the question, "Is the enforcement scheme for Title IX a quota system?", 33% of respondents checked the correct answer, which is false. Sixteen percent of the coaches indicated that the Title IX enforcement scheme is a quota system while 32.5% were unsure and 18.6% didn't know.

When coaches were asked about whether money generated from boosters was governed by Title IX, approximately a third of the coaches believed that booster money was not accounted for under Title IX (an incorrect answer) while another third of the sample either weren't sure (12%) or didn't know (19.4%). Only 38% of the coaches responding knew that booster money should be considered when determining whether a program is in compliance with Title IX (Table 1).

In response to the question, "Does your institution have a designated Title IX coordinator?", just over a third of the coaches indicated their institution did have a designated Title IX coordinator with 42.8% indicating that they were not sure (Table 2). Based on the Title IX basics test, the majority of respondents answered less than 50% of the questions correctly. Thus, if graded utilizing a traditional scale, most coaches would receive an F on basic Title IX literacy.

### **Sources of Title IX Information for Coaches**

When asked to identify the primary places where coaches get their information about Title IX from a list of 12 sources, with coaches having the option of checking all that apply, nearly 60% indicated mainstream news, 53.3% the *NCAA News*, 43.5% sport-specific coaching newsletters and publications, and 42% college courses. Male and female coaches differed in the outlets that they rely on for their Title IX information (see Table 3). While almost 40% of coaches mentioned that they had gotten Title IX information from coursework, 83.4% reported that they were never expressly taught about Title IX as part of their coach preparation.

### **Perceptions of Title IX Compliance on Campus**

In most of the questions about perceptions of Title IX on campus, differences existed between male and female coaches. Specific response variances are displayed in table three. Within the cumulative sample, twenty six percent of coaches indicated that their institution did not have a designated Title IX coordinator while 42.6% did not know. Further, while nearly 79% of the coaches responding believed their athletic departments to be in compliance, just under 50% report that their institution does not have a Gender Equity Committee. When asked if they believed that

**Table 1 Coach Responses to Basic Title IX Questions**

Question	Correct Response (%)			Incorrect Response (%)			Don't Know / Not Sure (%)		
	CUM	Male	Female	CUM	Male	Female	CUM	Male	Female
The Three Part Test	69.60	68.90	71.70	8.90	8.30	10.00	21.40	22.80	18.30
Title IX is a quota system	16.30	18.20	13.30	32.60	36.00	28.50	51.20	45.80	58.20
Booster money cannot be touched under Title IX	37.70	39.90	33.50	30.80	27.90	34.70	31.50	32.30	31.70
Proportionality in participation calculation	81.00	80.50	81.60	7.80	7.50	8.70	11.20	12.10	9.60
Scholarships should be proportionate	48.20	43.70	54.40	16.10	18.00	14.30	35.70	38.30	30.30

Note: "The Three Part Test" question stated: The Three part test allows schools to comply in one of three ways: by providing opportunities to female athletes and male athletes proportional to the student population overall or through a history and continuing practice of program expansion or through accommodating interests and abilities of athletes.

Note: The "Title IX is quota system" question stated: The enforcement scheme for Title IX is actually a quota system or a defacto quota system.

Note: The "Proportionality" question stated: Substantial proportionality is calculated by comparing the percent of females and males in the overall student population to the percent of females and males in the athlete population.

Note: The "Scholarships" question stated: To meet Title IX requirements in the scholarship area, the percent of scholarship assistance offered to female athletes should be within one percent of their representation within the athlete population (i.e., if 50% of athletes are female, 49-51% of scholarship assistance should be awarded to female athletes).

**Table 2 Does your institution have a designated Title IX coordinator?**

Answer Options	Response Percent
Yes	31.40%
No	25.80%
Not sure	42.80%

**Table 3 Coach Sources of Title IX Information**

Source	Cumulative	Male Coaches	Female Coaches
	%	%	%
College Sport Council	2.7	3.5	1.6
Conference Workshop	4.2	3.2	5.4
Coach Association Workshop	15.0	11.0	20.5
Coach Certification	16.3	14.5	16.7
Athletic Department Workshops	18.4	22.2	9.3
Women's Sport Foundation	20.7	12.5	34.9
NCAA Gender Equity Task Force	21.7	19.2	25.3
College Courses	42.0	36.9	53.8
Coaching News/Pubs	43.5	46.9	36.9
NCAA News	53.3	59.4	43.9
Mainstream News	59.0	67.2	49.7

Title IX compliance was their responsibility, 60.7% of coaches indicated that it was not while 39.3% believed that it was their responsibility—with women holding significant higher feelings of responsibility than their male coach counterparts.

In response to a question regarding how comfortable they feel raising Title IX issues in their department, 64% reported feeling very comfortable or comfortable while 29% were hesitant and 6.6% reported that bringing up Title IX issues was too risky (see Table 4). While 90% of the coaches who participated in the study believed their director of athletics to be supportive or very supportive of Title IX issues, nearly 10% reported that their athletics director was not supportive (see Table 5). The majority of coaches (76.8%) indicated that they did not experience pressure around Title IX concerns although 18% identified an administrator who pressured them (an athletics director, senior woman administrator, or other administrator). Over 5% of coaches reported that they received pressure about Title IX from other coaches. In response to the question, "Did you ever feel you might lose your job as a result of advocating for Title IX?", 88% indicated no while 12% said yes (see Table 6). In each of these questions, male coach respondents felt significantly more comfortable, more supported, and less fearful than the female coach respondents.

**Table 4 How comfortable do you feel raising issues related to Title IX compliance and gender equity concerns in your department?**

	CUM	Male	Female
	(%)	(%)	(%)
Very comfortable	22.6	26.3	16.5
Comfortable	41.8	41.4	37.8
Hesitant	29.1	26.1	37.5
Too risky to bring up concerns	6.5	6.2	8.1

**Table 5 How supportive is your director of athletics when it comes to Title IX and gender equity issues?**

	CUM	Male	Female
	(%)	(%)	(%)
Very supportive	46	51.2	31.2
Supportive	44.6	42.4	52
Unsupportive	7.4	5.2	12.8
Very unsupportive	2.1	1.3	4

**Table 6 Coach Feelings of Responsibility and Fear**

Question	CUM	Yes (%)		No (%)		
		Male	Female	CUM	Male	Female
Your responsibility to bring issues forward	60.8	54.2	69.1	39.2	45.8	30.9
Feel you could lose your job	12.1	9.3	18.6	87.9	90.7	81.4

Note: "Your responsibility" question stated: Do you consider it your responsibility to bring issues forward regarding Title IX compliance when they arise in your athletic department?

## Narrative Data

In an open ended question at the end of the survey, coaches were invited to elaborate on their "views regarding Title IX and gender equity in college and university athletic programs". One hundred and forty eight (148) coaches passionately responded to that invitation. These narrative responses were subjected to several rounds of close readings by the researchers and were organized into five coding categories with eighteen subcategories. The five coding categories included 1) coaches supportive of the law and its interpretation; 2) coaches nonsupportive of the interpretation/application of the law; 3) coaches who suggested modifications to the law and/or its application; 4) coaches who emphasized a need for additional education for coaches; and 5) other. To follow are selected statements from coaches that reflect the sentiments revealed in the narrative data.

### **Theme One—Coaches Supportive of the Law and Its Interpretation**

Of the 19.8% of coaches who wrote supportive comments about the law, 7.43% ( $n = 15$ ) believed that there was a clear need for more enforcement. As one coach wrote, *“I wish that someone could investigate as much as NCAA violations are looked into...it is awful how bad some schools are!”* (Respondent 71). Another coach commented, *“...we still have a ways to go...”* Evidencing frustration, another coach wrote, *“I continue to be appalled at the average person’s perception of Title IX and how it ‘has resulted in the dropping of men’s sports’...people are very ignorant. It is very very sad that equity has to be legislated...I wish the policing system was better”* (Respondent 76).

### **Theme Two—Coaches Non-Supportive of the Interpretation/ Application of the Law**

Not surprising, in contrast to the coaches who were supportive and frustrated that the law was not being enforced aggressively enough, there were others (36.63%) who voiced a different perspective. Echoing sentiments that often appear in the headlines and serve as talking points for groups such as the College Sports Council, 52 coaches (25.74%) expressed a concern that Title IX was being used to cut sports and hurt men’s sports. As one coach commented, *“Title IX is a good thing that has been turned the wrong way over the years...it is now being used to cut/ suppress men’s opportunities”* (Respondent 26). Referencing perceived reverse discrimination, another wrote, *“There are huge Title IX discriminations here on campus – discriminations of men...”* (Respondent 51).

While this group of coaches was concerned with the interpretation/application of the law, 11 coaches (5.45%) acknowledged that Title IX was used as a smoke-screen to achieve other agendas. One coach observed, *“Title IX is too often used as a weapon by athletic departments to support whatever views the department wants to portray...”* (Respondent 9). Still six other coaches (2.97%) mentioned that roster management and efforts to achieve proportionality were being driven by the fact that Title IX is enforced as a quota system. Representative of that perspective, one coach stated, *“Title IX still has a place in athletics but its interpretation in courts (frequently as a quota) has caused men to lose opportunities to compete and opportunities for women have not necessarily been added in the place of abandoned programs”* (Respondent 17)

### **Theme Three—Suggested Modifications to the Law and/or Its Application**

Twenty six coaches (12.87%) argued that football should be taken out of Title IX analysis, with one querying, *“...Why does Title IX regulation not take into account that big football and basketball bank roll most other sports in colleges across the US including many women’s sports?”* (Respondent 6) Not all coaches expressed their concerns about football in that way, however. As one coach noted, *“Football is too big for its britches and it keeps getting bigger...Football is the problem, not Title IX”* (Respondent 26). Rather than acknowledging that Title IX takes a comprehensive

view of opportunities within athletics departments, six coaches (2.97%) argued that equality should be more narrowly defined to measure equality between programs rather than throughout an entire athletic department. Indicative of this, one wrote, "...The inequity is not between genders, it is between sports" (Respondent 9) while another stated the case somewhat differently, "If equity is truly the objective, how can the NCAA justify apportioning such a grossly inequitable amount of scholarships toward women in the same sport as men?" (Respondent 16),

### **Theme Four—The Need for More Education**

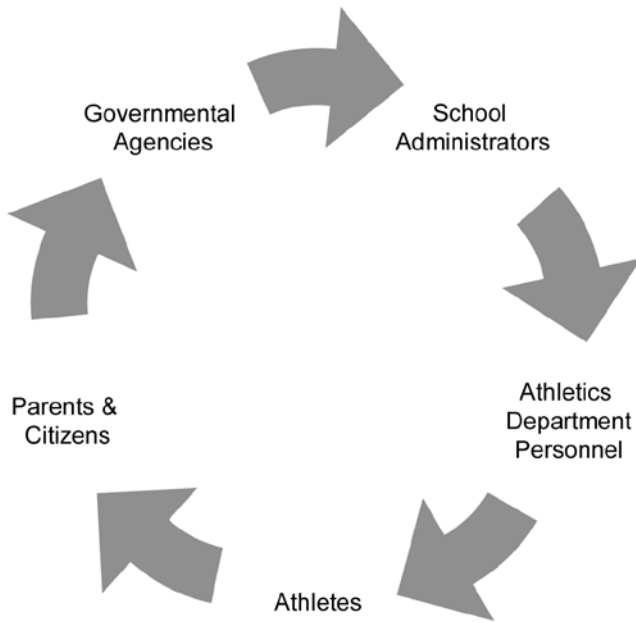
Coaches who seemed more supportive of Title IX pointed to the necessity for more education to correct or question the misguided application of the law (14.36%). As one coach commented, *"I'm sick of the lack of education that males have in terms of Title IX. They always blame female athletic programs for the termination of male programs. I wish it were required to orient athletic departments on the basics of Title IX"* (Respondent 80). About the lack of information available, another coach wrote, *"I would not even know how to get more info on Title IX, however I would be interested in learning more to help support the funding of my program."* (Respondent 96)

## **Conclusions & Implications**

Compliance can be achieved with less tension and more results if we begin to consciously and proactively educate constituent parties about what Title IX is and what it requires. In effect, what may be ailing athletic departments with regard to Title IX compliance may not warrant the calls for reform in interpretation and application advocated by vocal minorities. According to the results of the study, what appears to be impeding athletic department Title IX progress is the lack of education necessary for a grassroots, citizen model which Title IX was intended to create (see Figure 1). As such, there is a lack of Title IX buy in from the stakeholders who should be advocates of the spirit of Title IX. All coaches in an athletic department should be aware that booster money is considered under Title IX, they should know how the three part test works, and they should understand that Title IX is not a quota system. These beliefs should be held confidently not as a matter of impressionistic viewpoint but as an acknowledgment of law.

The fact that nearly 80% of respondents believed their athletic programs were in compliance while only 30% were aware that their institution had a Title IX coordinator, less than 20% received formal instruction in Title IX as part of their preparation to be coaches, and over 80% do not review their institution's annual EADA report raises a question as to how they knowledgeably reach the conclusion that their institutions are in compliance. On what basis would they be able to make such a determination? Perhaps the absence of a lawsuit? The word of an administrator? And given this informational vacuum, how are athletes being educated about Title IX?

After 40 years, it is not unreasonable to expect that athletic department personnel, including coaches of male or female athletes, would have a basic foundational understanding of this federal law. The lack of consistent and systematic education mechanisms may explain the tensions that arise so frequently around these issues



**Figure 1** — Recognizing the Dysfunction of the Title IX Education Scheme

within college and university athletic departments and why coaches, as evidenced in the response received in the narrative data, want to have candid and meaningful discussions on these issues.

While the degree of outright pressure experienced by coaches around Title IX issues appears rather small, the existence of this pressure may signal far more self-censoring, where coaches are taking themselves out of the conversation rather than risk career, reputation, and livelihood. Twelve percent of coaches who believe they could lose their jobs or may have lost their job because of Title IX advocacy on behalf of athletes translates into 132 coaches. That is a large group of coaches who may potentially be working in a hostile work environment. These data lend further credence and credibility to the lawsuits that have been filed by coaches alleging retaliation under Title IX. Further, it may provide insight as to why there are so few females in the coaching profession as nearly 20% (one in five) female respondents felt they could lose their job if they brought up issues concerning gender equity, and 70% felt that it was their responsibility to bring gender equity issues forward within their athletic department.

While Title IX has assumed cultural cache, to know that it exists does not, according to these data, mean that it is understood. Our findings recommend that educational programs be developed across the board to reach all campus constituencies in an effort to create buy in toward institutional compliance. There are resources available to assist in this process including the NCAA Gender Equity and Issues Forum and the *Title IX DVD*.

## Recommendations for Facilitating Title IX Literacy

For all of the progress that has been made in college and university athletic programs relative to offering more equitable opportunities for male and female athletes, the manner in which these opportunities develop often alienates constituencies in athletics programs. As part of professional development, coaches at National Collegiate Athletic Association (NCAA) institutions are required to learn the rules governing recruiting and pass an exam before they are permitted to recruit athletes (NCAA Staff, 2010–2011). Coaches are required and/or choose to participate in a wide range of educational seminars and workshops on topics ranging from cardiopulmonary resuscitation (CPR), diet and nutrition counseling, fundraising, individual sport skills, sexual harassment, stress management, and student life seminars. Since coaches and athletics administrators are already engaging in professional development activities, to routinely include Title IX education as part of that on a yearly basis seems warranted.

In theory, Title IX should be central in defining priorities within athletics departments, yet athletics departments largely operate on the same set of assumptions that were in place in the early 1970s. Generating income continues to be assigned almost exclusively to football and men's basketball. The college sport financial model, thought to be unsustainable in every decade since the NCAA formed in 1906, is still considered to be faulty, relying as it does on deficit spending (Knight Commission, 2010).

While coaches express frustration with the manner in which compliance is achieved, or simply the way that schools go about dealing with Title IX, the narrative data from this study is filled with the voices of coaches who perceive they are disenfranchised from the budgetary processes that go on in their athletics programs and excluded from decision making. Through a comprehensive and well grounded Title IX education program we theorize that the culture around not only Title IX but overall decision making within athletics programs could be improved through more disclosure about resource allocations. While rarely thought of in this way, Title IX could be the tool that helps athletics departments to adopt healthier organizational models that rely on transparency, accountability, defensibility, and vision.

## Limitations & Future Research

While this is the first study of its kind that we are aware of to undertake a national survey of college coaches and their Title IX literacy (the few previous studies examined coaches, administrators, and athletes from one institution only), the challenges associated with data collection did create limitations. It is difficult to know if there would have been greater response rates if we had been successful in persuading more coach associations to collaborate with us. The data trends, which indicate that there was greater participation among track and field, cross country, and field hockey coaches suggest that this may be so. That said, given the fact that coach associations rejected our request to collaborate, we would have had a much more limited sample, and far less representative one, if we had not taken the additional step of developing our own coach e-mail database.

Another limitation, however, was the use of an electronic data collection method. We do not know, for example how many solicitations were blocked or trapped due to spam filters or how many requests were successfully delivered but



deleted or ignored by recipients. In the future, perhaps data collection on site at coaches' association meetings might yield a higher rate of participation if this can be negotiated.

More needs to be done to better understand the depth of what coaches know about Title IX. Further, there is merit in thinking about extending this work to examine Title IX literacy among other constituencies, including athletics administrators, college athletes, faculty athletics representatives, and campus Title IX coordinators. An understanding of literacy throughout constituent groups will help to further refine an educational process that is necessary to enact change.

## Note

1. For the purposes of this manuscript, the term "Americans" refers to the population who are considered United States citizens.

## References

- Acosta, V., & Carpenter, L. (2010). Women in intercollegiate sport: A longitudinal national study: Thirty three year update (1977-2010). Retrieved August 2, 2010 from <http://www.acostacarpenter.org>
- Ali, R. (2010, April 20). Intercollegiate athletics policy clarification: The three-part test – Part three. Washington, DC: U. S. Department of Education Office for Civil Rights. Retrieved August 2, 2010 from <http://www2.ed.gov/print/about/offices/list/ocr/letters/colleague-20100420.html>
- Blumenthal, K. (2006). *Let me play: The story of Title IX - the law that changed the future of girls in America*. New York: Antheneum Books.
- Bonnette, V.M. (2004). *Title IX and intercollegiate athletics: How it all works – in plain English*. Self-published.
- Brake, D. (2005). Retaliation. *Minnesota Law Review*, 18, 76–77.
- Bruening, J., & Dixon, M. (2005, November). Title IX moms, gender, work, and parenting in college athletics. Presentation at the North American Society for Sport Sociology (NASSS) Conference, Winston/Salem, North Carolina. Retrieved August 2, 2010 from <http://www.nasss.org/2005/2005prog.pdf>
- Buzuvis, E. (2010). Sideline: Title IX retaliation cases and women's leadership in college athletics. *Duke Journal of Gender Law & Policy*, 17(1), 1–45.
- Buzuvis, E., & Newhall, K. (2010). *Title IX Blog*. Retrieved August 2, 2010 from <http://title-ix.blogspot.com/>
- Cantu, N. (1996). Clarification of intercollegiate athletics policy guidance: The three-part test. Washington, DC: U.S. Department of Education Office for Civil Rights. Retrieved August 2, 2010 from <http://www2.ed.gov/about/offices/list/ocr/docs/clarific.html>
- Cantu, N. (1998). Clarification regarding discrimination in the awarding of athletic scholarships in intercollegiate athletic programs. Washington, DC: U. S. Department of Education Office for Civil Rights. Retrieved August 2, 2010 from <http://www2.ed.gov/about/offices/list/ocr/docs/bowlgrn.html>
- Carpenter, L.J., & Acosta, R.V. (2005). *Title IX*. Champaign, IL: Human Kinetics Publishers.
- Chaudry, N. (2008, April 3). Title IX babies. *Womensstake.org*. Retrieved August 2, 2010 from <http://www.womenstake.org/2008/04/title-ix-babies.html>
- Cheslock, J. (2007). *Who's playing college sports?* Eisenhower Park, NY: Women's Sports Foundation. Retrieved August 2, 2010 from <http://www.womenssportsfoundation.org>

- Cheslock, J. (2008). *Who's playing college sports? Money, race, and gender*. East Meadow, NY: Women's Sports Foundation. Retrieved August 2, 2010 from <http://www.womenssportsfoundation.org>
- Cohen, D. (2005). Gender equity in intercollegiate athletics: Where does Pennsylvania stand? Philadelphia, PA: Women's Law Project. Retrieved August 6, 2010 from <http://www.womenslawproject.org/reports/GenderEquitySum.pdf>.
- Commission on Women in the Profession. (2006). A current glance at women in the law 2006. Washington, DC: American Bar Association. Retrieved on August 17, 2007 from <http://www.abanet.org/women/CurrentGlanceStatistics2006.pdf>
- Durrant, S. (1992, March). Title IX - Its power and limitations. *JOPERD*, p. 60-64.
- Force, G.T. (1987). Implementation of Title IX: Perspectives of Pennsylvania sport leaders. *COMMONWEALTH. Journal of Political Science*, 1(4), 80-95.
- Gavora, J. (2003). *Tilting the playing field: Schools, sports, sex, and Title IX*. New York: Encounter Books.
- Hogshead-Makar, N. (2010, August 9). Title IX remains viable and necessary. *ESPN.com*. Retrieved August 9, 2010 from <http://sports.espn.go.com/espn/commentary/news/story?page=hogshead-makar/100809>
- Hogshead-Makar, N., & Zimbalist, A. (2007). (Eds.), *Equal play: Title IX and social change*. Philadelphia, PA: Temple University Press.
- Intercollegiate, A.P.I. (1979). Intercollegiate athletics: Sex discrimination. *Federal Register*, 44(239), 71413-71423.
- Jacob, M., & Mathes, S. (1996). College women athletes' knowledge and perceptions of Title IX. *Journal of Legal Aspects of Sport*, 6 (1), 34-42.
- Jackson v. Birmingham Board of Education, 544 U.S. 167 (2005).
- Jayne, G. (2010, July 15). Ex-coach wins lawsuit against Clark College. *The Columbian*. Retrieved August 2, 2010 from <http://www.columbian.com/news/2010/jul/15/ex-coach-wins-lawsuit-against-clark-college/>
- Kane, M.J. (2002). Letter from the director. *Tucker Center News*. Minneapolis, MN: The University of Minnesota Tucker Center for Research on Girls and Women in Sport. Retrieved August 2, 2010 from <http://www.cehd.umn.edu/tuckercenter/newsletter/media/TCN2002Fall.pdf>
- Kessler, L. (1997). *Full court press: A season in the life of a winning basketball team and the women who made it happen*. New York, NY: Penquin Books.
- Knight Commission. (2010, June). *Restoring the balance: Dollars, values, and the future of college sports*. Washington, DC: Knight Commission on Intercollegiate Athletics. Retrieved August 2, 2010 at [http://www.knightcommission.org/images/restoringbalance/KCIA\\_Report\\_F.pdf](http://www.knightcommission.org/images/restoringbalance/KCIA_Report_F.pdf)
- Magrane, D., Lang, J., & Alexander, H. (2007). Women in U.S. academic medicine statistics and medical school benchmarking 2005-2006. Washington, DC: Association of American Medical Colleges. Retrieved August 17, 2007 from <http://www.aamc.org/members/wim/>
- Matthews, M., & McCune, S. (1975). *Title IX grievance procedures: An introductory manual*. Washington, DC: Office of Education (Department of Health, Education, & Welfare). Retrieved August 1, 2010 at <http://www.eric.ed.gov/PDFS/ED135296.pdf>
- McErlain, E. (2010a, April 20). Obama administration rolls back Title IX reforms. Press release. Washington, DC: College Sports Council. Retrieved August 1, 2010 from [http://collegesportscouncil.org/newsroom/display\\_releases.cfm?id=30](http://collegesportscouncil.org/newsroom/display_releases.cfm?id=30)
- McErlain, E. (2010, June 10). Growth of male teams stifled by Title IX's gender quota. Press release. Washington, DC: College Sports Council. Retrieved August 2, 2010 from [http://collegesportscouncil.org/newsroom/display\\_releases.cfm?id=31](http://collegesportscouncil.org/newsroom/display_releases.cfm?id=31)
- Monroe, S. (2007, June 22). 35<sup>th</sup> anniversary of Title IX. Washington, DC: U. S. Department of Education Office for Civil Rights. Retrieved August 2, 2010 from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-20070622.html>

- Monroe, S. (2008, September). Clarification letter – how to determine which activities can be counted for the purpose of Title IX compliance. Washington, DC: U.S. Department of Education Office for Civil Rights. Retrieved August 2, 2010 from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-20080917.pdf>
- Nash, M.A., Klein, S.S., & Bitters, B. (2007). The role of government in advancing gender equity in education. In S. Klein (Ed.), *Handbook for achieving gender equity through education* (pp. 63–101). Mahway, NJ: Lawrence Erlbaum Associates.
- National Women's Law Center. (2007, June). Barriers to fair play. Retrieved on September 1, 2007 from <http://www.nwlc.org>
- National Women's Law Center and DLA Piper. (2007). *Breaking down barriers: A legal guide to Title IX and athletic opportunities*. Retrieved on September 1, 2007 from <http://www.nwlc.org>.
- Staff, N.C.A.A. (2010-2011). NCAA Division I coaches certification program. Retrieved August 2, 2010 at <https://www.msu.edu/~msuncaa/2010-2011%20Coaches%20Certification%20Exam%20Recruiting%20Test%20Outline.pdf>
- Nordman, A. (2007). The remainder feist. *The Awakening: The Student Journal of the Women's Studies Program*. Athens, OH: Ohio University. Retrieved August 2, 2010 from <http://www.ohio.edu/womenstudies/awaken/vol24is3.pdf>
- Parks, J. (Producer). (2009). *Title IX: Implications for women in sport and education*. Reston, VA: National Association for Girls and Women in Sport. Retrieved August 2, 2010 from <http://www.aahperd.org/nagws/programs/titleix/>
- Pemberton, C.L.A. (2002). *More than a game: One woman's fight for gender equity in sport*. Boston, MA: Northeastern University Press.
- Reynolds, G. (2003). Further clarification of intercollegiate athletics policy guidance regarding Title IX compliance. Washington, DC: United States Department of Education Office for Civil Rights. Retrieved August 2, 2010 from <http://www2.ed.gov/about/offices/list/ocr/title9guidanceFinal.html>
- Ridpath, D., Yiamouyiannis, A., Lawrence, H., & Galles, K. (2008). Changing sides: The failure of the wrestling community's challenges to Title IX and new strategies for saving NCAA sport teams. *Journal of Intercollegiate Sports*, 1(2), 255–283.
- Sanger, K., & Mathes, S. (1997). Athletic directors, faculty athletic representatives, and women's basketball coaches perceptions of Title IX compliance at NCAA Division III institutions. *Journal of Legal Aspects of Sport*, 7(1), 12–23.
- Schmitt, M. (2009, November 5). Title IX, with all its limitations, was a nudge that set off a chain of social transformations. *The American Prospect*. Retrieved August 2, 2010 from [http://www.prospect.org/cs/articles?article=title\\_ix\\_dad](http://www.prospect.org/cs/articles?article=title_ix_dad)
- Staurowsky, E.J. (2003). Title IX and college sport: The long painful path to compliance and reform. *Marquette Sports Law Review*, 14(3), 95.
- Staurowsky, E.J. (2005). Title IX's chilly frontier: Coach advocates and those who would retaliate against them. Unpublished paper presented at the Women and Sport: Before, During, and After Title IX Conference. Bowling Green, Ohio: Bowling Green State University.
- Staurowsky, E. J. with Lawrence, H., Paule, A., & Reese, J. (2007). Travelers on the Title IX compliance highway: How are Ohio's colleges and universities faring. *Women in Sport and Physical Activity Journal*, 16, 46–83.
- Staurowsky, E. J. (2010, July). Reflections on *Biediger v. Quinnipiac*. *Sports Litigation Alert*, n.p.
- Staurowsky, E.J., & Moran, P. (2010). New signs, same view – two more years traveling on the Title IX compliance highway. Unpublished paper presented at the College Sport Research Institute Scholarly Conference on College Sport at the University of North Carolina-Chapel Hill.
- Team T9. (2010). Title Nine (a clothing and apparel company). Retrieved at <http://www.titlenine.com/category/who+are+we+do>

- The Mellman Group. (2007, June 14). Memorandum written to "Interested Parties" regarding survey of attitudes towards Title IX. Retrieved on September 1, 2007 at <http://www.nwlc.org/details.cfmPid=3062&section=athletics>.
- Title IX Intercollegiate Athletics Policy Interpretation. (1979). *Federal Register*, 44(239). Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681 – 1688
- Underhill, S. (2010, July 21). *Biediger et al. v. Quinnipiac University*. Retrieved July 22, 2010 at <http://courtweb.pamd.uscourts.gov/courtwebsearch/ctxc/KX330R32.pdf>
- Walton, T. (2003). Title IX: Forced to wrestle up the backside. *Women in Sport and Physical Activity Journal*, 12(2), 5–26.
- Walton, T. (2010). Reaganism and the dismantling of Civil Rights: Title IX in the 1980s. *Women in Sport and Physical Activity Journal*, 19(1), 14–25.
- Walton, T., & Helstein, M.T. (2008). Triumph of backlash: Wrestling community and the "problem" of Title IX. *Sociology of Sport Journal*, 25(3), 369–386.
- Wenniger, M.A. (2007). The real story behind the passage of Title IX 35 years ago. *Women in Higher Education*, 16(12), 36–37.