



SAVE TITLE IX CAMPUS CAMPAIGN TOOLKIT

Save Title IX Coalition ■ www.savetitleix.com

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W e l c o m e L e t t e r

DEAR TITLE IX CAMPUS ADVOCATES:

Thank you for participating in our Save Title IX Campaign. The Save Title IX Campaign was developed by the National Women's Law Center on behalf of the National Coalition for Women and Girls in Education (NCWGE), a nonprofit organization composed of about 50 diverse organizations dedicated to improving educational opportunities for girls and women.

With your help, we can expand our advocacy efforts and together ensure that women and men are being treated equally in school athletics and other education programs. Right now, there is a dangerous threat to Title IX that we need your help to defeat!

Last year, the U.S. Department of Education announced a "Clarification" to Title IX that weakens schools' obligation to provide women and girls with equal opportunities in sports. Under the new Clarification, schools can claim that they are providing enough opportunities for women to play sports based solely on an email survey asking women about their interests in particular sports, and they can treat a lack of response to such surveys as evidence of a lack of interest. This change threatens to reverse the tremendous progress that women and girls have made in sports since Title IX was enacted in 1972.

The Save Title IX Campaign is engaging individuals and groups on university and college campuses to speak out against the Clarification and make sure women have equal opportunities to play sports. In order to accomplish this goal, we have outlined key first steps to educate your campus about this new policy, gather information about the status of the Clarification on your campus, and report back the findings to inform our strategy to defeat this policy.

If you have any questions about the resources provided for this campaign, please feel free to contact me. As the campaign continues, we will supply other opportunities for involvement and circulate more resources to help save Title IX!

Thank you for all you do on behalf of Title IX. We really appreciate your efforts and know that with your help, we can win!

Sincerely,

Maya Hermann
National Women's Law Center
mhermann@nwlc.org



Action Steps

Step 1:

Learn about the Clarification.

- Read the Fact Sheet on the Title IX Clarification and check out the Resources for more information.

Step 2:

Gather information about Title IX compliance on your campus.

- Use the Title IX Campus Assessment sheet to find out whether your school is currently using the “Clarification” and let us know what you learn.
- Use the Sample Letter to send a letter to your college or university president.

Step 3:

Report back your findings.

- As you gather information on the Title IX Campus Assessment sheet, please send periodic updates to Maya Hermann, mhermann@nwlc.org.

Step 4:

Plan a campus or community event.

- Spread the word about Title IX and the Clarification by using the Event Ideas sheet to plan a campus or community event.



Fact Sheet

July 2006

TITLE IX AND SPORTS

Title IX is a federal law passed in 1972 that prohibits sex discrimination in any federally funded education program. It applies to all aspects of education, but is especially well known for its success in opening the door to athletics for women and girls. Because public elementary and secondary schools and most colleges and universities receive some sort of federal funding, their athletics programs are covered by Title IX.

Title IX requires schools to:

- Offer male and female students equal opportunities to play sports;
- Give male and female athletes their fair shares of athletic scholarship money; and
- Treat male and female athletes equally in all other respects, such as equipment, facilities, and coaching.

TITLE IX HAS OPENED THE DOOR FOR MILLIONS OF WOMEN AND GIRLS TO PARTICIPATE IN SPORTS

Fewer than 32,000 women participated in college sports prior to the enactment of Title IX, and today that number has expanded to more than 160,000 women. Female participation in high school athletics has increased from fewer than 300,000 to over 2.8 million.

These opportunities have provided huge benefits to a new generation of female athletes. Compared to their non-athletic peers, athletes are less likely to smoke or use drugs; have lower rates of sexual activity and teen pregnancy; have higher grades; and learn how to work with a team, perform under pressure, set goals, and take criticism.

Despite these important benefits, critics continue to attack Title IX and claim that women are inherently less interested in sports than are men. And women are still treated like second-class citizens on the playing field. For example, although women in Division I colleges are on average 54% of the students, they receive only 44% of the sports participation opportunities, 34% of athletic total expenses, and 33% of the money spent on recruitment. At the high school level, girls represent only 42% of varsity athletes.

THE CURRENT CRISIS

In March 2005, without any notice or public input, the Department of Education issued a Title IX “Clarification” that lowers the bar for what schools have to do to provide equal sports opportunities for women and girls. This new policy allows schools to show compliance with the law simply by sending an email survey to all female students and then claiming that a failure to respond indicates a lack of interest in playing sports. It eliminates schools’ obligations to look broadly and proactively at whether they are satisfying women’s interests and threatens to reverse the enormous progress women and girls have made in sports since the enactment of Title IX.

TITLE IX REQUIRES SCHOOLS TO PROVIDE WOMEN WITH EQUAL SPORTS PARTICIPATION OPPORTUNITIES

Department of Education policies that have been on the books for decades provide three independent ways for schools to show that they are providing equal participation opportunities:

- Prong 1: The percentages of male and female athletes are about the same as the percentages of male and female students enrolled in the school (the “proportionality” prong); **or**
- Prong 2: The school has a history and continuing practice of expanding opportunities for the underrepresented sex—usually women; **or**
- Prong 3: The school is fully and effectively meeting the athletic interests and abilities of the underrepresented sex.

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Fact Sheet

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THE NEW CLARIFICATION WEAKENS THE LAW AND IS NOT FAIR

The Department's new Clarification allows schools not meeting prongs one or two to show compliance with Title IX by doing nothing more than sending an email survey to female students asking about their interest in additional sports opportunities. Schools are presumed to comply with the law if the survey does not show enough interest or response, unless female students can provide "direct and very persuasive evidence" to the contrary. This new policy weakens the law in several ways, as explained below.

The new Clarification allows schools to use surveys alone to show compliance with the law. Under prior law, schools had to consider many other factors besides surveys to show that they were providing enough opportunities for women, but the new policy allows schools to ignore these other important factors:

- requests by students to add a particular sport
- participation rates in club or intramural sports
- participation rates in sports in high schools, amateur athletic associations, and community sports leagues in areas from which schools draw their students
- interviews with students, coaches, and administrators.

Surveys usually show only that sports opportunities for women and girls have been limited in the past. As courts have consistently recognized, "Interest and ability rarely develop in a vacuum; they evolve as a function of opportunity and experience." So even if surveys reveal a lack of interest by women in particular sports, that is most likely because they have not had the chance to play those sports. To limit their future opportunities based on such surveys would be doubly unfair.

Allowing schools to rely on surveys ignores the reality of how teams are created. Schools typically create teams by encouraging or recruiting athletes to come to their campuses, and students interested in a sport not offered by a school are unlikely to attend that school. But the new Clarification ignores this reality by allowing schools to claim that they are providing enough opportunities for women based only on a survey of current students' interests.

The Clarification's "model survey" is flawed. Schools are allowed to interpret a lack of response as evidence of lack of interest. Given the notoriously low response rates to surveys in general, let alone to anything sent via email, allowing a lack of response to be interpreted as anything more is plainly unfair. But under the new Clarification, schools can avoid adding new opportunities for women even where interest does in fact exist on campus.

* * *

This is not the first time that the Bush Administration has tried to weaken Title IX. It attempted to do so through its 2002 Commission on Opportunity in Athletics and was stalled by a massive public defense of Title IX. Unable to achieve its goals in the light of day, the Administration has resorted to stealth tactics by adopting this new policy without public input. **The Department should withdraw this dangerous and illegal "Clarification" and honor its promise to keep Title IX strong.**



Resources

INSTRUCTIONS

If you need more information about the Clarification or other Title IX issues, please check out the resources below.

National Coalition for Women and Girls in Education	www.SaveTitleIX.com and www.ncwge.org
National Women’s Law Center	www.nwlc.org and www.TitleIX.info
American Association of University Women	www.aauw.org
National Organization for Women	www.now.org
Girls, Inc.	www.girlsinc.org
Women’s Sports Foundation	www.WomensSportsFoundation.org
Feminist Majority Foundation	www.feminist.org/education
National Association for Girls and Women in Sport	www.aahperd.org/nagws/
National Collegiate Athletic Association	www.ncaa.org

TITLE IX BOOKS & PAMPHLETS

Breaking Down Barriers: A Legal Guide to Title IX, by Ellen J. Vargyas
Source: National Women’s Law Center, www.nwlc.org

Educational Guide: Special Issues for Coaches of Women’s Sports
Source: Women’s Sports Foundation, www.womenssportsfoundation.org

Ensuring the Health of Active and Athletic Girls and Women
Source: National Association for Girls & Women in Sport (NAGWS)
ISBN: 0-88314-816-1

The Complete Athletics & Academic Mini-Guide to Playing Your Sport in College
Source: National Association for Girls & Women in Sport (NAGWS)

ASSESSMENT TOOLS

Check It Out: Is the Playing Field Level for Women and Girls at Your School? An Athletics Equity Checklist for Students, Athletes, Coaches, Parents, Administrators, and Advocates
Source: National Women’s Law Center, www.nwlc.org



Campus Assessment

INSTRUCTIONS

Please help us find out if your school is using or not using the Clarification by filling out the following information. You can do this informally by calling, emailing, or meeting with the school decision makers involved in Title IX compliance, which include Title IX Coordinators, Athletic Directors, Presidents, and the staff of the Women's Center.

Your name:

Your school or affiliation:

Address:

Phone:

Email:

SEND RESULTS TO:
 Save Title IX Campaign
 National Womens' Law Center
 11 Dupont Circle NW, Suite 800
 Washington, DC 20036
 (202) 588-5180 (tel)
 (202) 588-5185 (fax)
 mhermann@nwlc.org

Does your school have one or multiple Title IX Coordinator(s), Committee(s), or other position(s) devoted to addressing gender equity issues? If so, please identify the person, people or group and describe what they do. Please also identify if this information is available on your school's web site.

Is your school planning to rely on the sports interest survey included in the Department of Education's March 2005 Title IX Clarification? Please offer any details and attach documentation of official policies (for example, a letter from the President's or Athletic Director's office).

Is your school planning to use any other tools besides the survey to determine whether to add sports opportunities for female students? Please offer any details.

Please provide the following info for each contact you made in the process of gathering the above information:

Name of Contact	Title	Form of Contact (letter, meeting, etc.)	Information Gathered

Other comments:



Sample Letter

July 2006

INSTRUCTIONS

Please send the following letter to the key decision makers. Be sure to personalize the letter to include why Title IX is important to you or your organization, and choose the appropriate concluding paragraph based on whether or not your school is planning to use the Clarification.

[date]

Dear [decision maker – President, etc.] _____,

As a [insert association – student, professor, alumni, parent of, etc.] of [insert name of school], I am concerned about a new Title IX policy that weakens schools' obligations to provide equal opportunities for women in sports. Specifically, I am referring to a March 2005 U.S. Department of Education "Clarification." Under this Clarification, schools can claim that they are providing sufficient opportunities for women to play sports based solely on email surveys asking them about their interests in particular sports, and they can treat a lack of response to such surveys as evidence of a lack of interest.

This policy is very dangerous because it undermines Title IX, the law that is responsible for the growth of women's sports, and threatens to turn back the clock on the amazing progress women have made since that law was passed. It is also unfair that women should bear the burden of showing that they are entitled to equal opportunities, especially since women are still not being treated equally in sports programs across the country.

[If your school is not using the Clarification, please insert the following paragraph.]

It has come to my attention that [insert name of school] is not planning to rely on the survey contained in the Department of Education's March 2005 Clarification. I applaud this decision and hope that you will continue to provide equal sports opportunities to our female and male students in the future.

[If your school is using the Clarification or plans to use the Clarification, please insert the following paragraph.]

It has come to my attention that [insert name of school] is planning to rely on the survey contained in the Department of Education's March 2005 Clarification. I urge you to reconsider this position and instead abide by the longstanding Department of Education policies that require schools to evaluate many factors besides surveys to determine whether women's interests and abilities are being fully accommodated. In addition, I ask that you please respond regarding your final decision on the use of the Clarification.

Thank you.

Sincerely,

[your name, your organization's name, or list of names]



Event Ideas

INSTRUCTIONS

As we are working to get the Clarification rescinded, it is important to educate the public about Title IX. Please use the event and activity ideas below, along with the organizing tips, to bring an event to your community.

EVENT AND ACTIVITY IDEAS

Guest Speaker—Invite a guest speaker to talk to your group and answer questions, then present timely action steps. For example, the Women’s Sports Foundation offers athletes as speakers for a fee. The National Women’s Law Center can also, on a case-by-case basis, provide speakers for a substantive briefing on Title IX.

Panel Discussion—Invite 3-5 speakers from campus or local community organizations to talk to your organization. A panel is a good option for a coalition event hosted with other groups concerned about Title IX.

Flyer Campaign—Take information about Title IX and women’s athletics and turn it into a public education flyer campaign. For example, you can conduct a Did You Know? campaign or focus on Myths and Facts. Please refer to the information available at www.savetitleix.com for ideas.

Movie + Discussion—Some examples of great movies that focus on women’s athletics include “Dare to Dream: The Story of the U.S. Women’s Soccer Team” and “A Hero for Daisy.” The website www.TitleIX.info also has a short 2:20 minute video entitled “Title IX: Don’t Let Our Daughters Grow Up Without It.” This informative, inspirational video was created to provide a short, easy-to-understand introduction to Title IX.

Ugly Stationery Party—Have your members gather their ugly stationery together for a night of letter writing. You can also use this time for members to write op-eds and letters to the editor.

Hold a Rally—To add some flair, make signs and other visible representations about Title IX. For example, invite teams to show up to the rally in uniform. Good rally locations include outside of the school President’s office or other high-visibility spots.

ORGANIZING TIPS

- ✓ Check school and community calendars to make sure your event does not conflict with others, and book the location far in advance.
- ✓ If the event is open to the public, contact community organizations and local advocacy groups and ask if they will send an announcement to their membership.
- ✓ Reserve special equipment such as a microphone, podium, TV, VCR / DVD player and laptop with LCD projector or internet connection in advance.
- ✓ Make sure that at every event you offer a takeaway—for example, an action step, a flyer for an upcoming event, and/or calendar of semester events.
- ✓ Ask for an RSVP on the flyer for your event.
- ✓ Confirm all speakers’ arrival times, travel logistics, etc.
- ✓ When in doubt, offer some food to boost participation.
- ✓ Don’t forget to invite local press! Events make a good opportunity to build relationships with reporters who write about issues you care about.