



Demand IX Group Advocacy Letter

There's a certain wince the general public feels when the words "Title IX" are uttered. Believe us, we – women – have felt it too. Whether the first thought is sexual assault, educational quotas, or financial allocation to collegiate sports teams, that first thought is typically negative. Note, the complete 37-word legislation that is Title IX does not include these topics – at all. In fact, in its entirety, Title IX 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."** What most will find interesting is that the words "women" or "female" are not included in the legislation – at all. Similarly, the word "sport" is not included in the phrase – at all. And likewise, the words "sexual assault" or "sexual harassment" are not included in it either. At its fundamental core, Title IX protects the inclusion, the resources, and the treatment of *any* sex within all federally-funded activities and institutions. And so, we beg of you to understand that Title IX is not just about sexual misconduct; it is not just about allocations to women; it is not just about collegiate athletics; it is about the equal treatment and access to any and all federally assisted programs for any and all sexes. That should be the end of the story...yet here we are.

Between 1972 – the year Title IX was passed – and 1975, schools were not held accountable to Title IX and even when federal regulations clarifying the new law were issued a few years later, there was still little to no change. Though Title IX is much more than sexual harassment and athletics, exploring disparate treatment through the lens of these topics makes clear the work that lies ahead. While there have been several historic events that have contributed to an increase in student athletes speaking out on modern day Title IX protocol, the exposure of Larry Nassar's sexual assault within USA Gymnastics and Michigan State University Athletics was a significant one. A study conducted by Lauren's Kids, an organization that educates people on sexual abuse prevention, states that 25% of current or former student-athletes reported being sexually assaulted or harassed by someone in a position of power. Creating an environment on a college campus and in college athletic departments where athletes can feel comfortable will improve both their mental and physical performance. With a lack of safety, these athletes are not being set up for success. Title IX requires that all students are given equal and fair opportunities to participate in sports, but with statistics like these on the rise, will students even want to make sports a part of their collegiate experience? Despite this legislation being passed 50 years ago, there are still large disparities that have prevented women's athletics from growing as quickly as their male counterparts. At the collegiate level, women account for nearly 60% of college students nationwide, they have just 43% of college sports opportunities. This has a significant economic impact, with women missing out on \$252 million of athletic scholarships, according to NBC Sports. This leaves many women asking themselves an important, weighty question: **"What has Title IX really done?"**

In one sentence: Title IX changed (and continues to change) the game for female athletes. It provides women with the opportunity to compete on big stages and express



themselves in ways they once could not. Although tremendous strides have been made, the full effects of Title IX have not yet come to fruition. Our charge lies there - in what Title IX can do for this and future generations. In collegiate athletics, there are still clear disparities between male and female teams. Whether it is funding, viewership, or access to certain resources, there are obvious differences. Unfortunately, these inequalities are often overlooked by those in power. Common excuses include that “the men bring in more funding” or “more people want to watch the men.” We, female student-athletes and scholars, have accepted these inherently false arguments for far too long. It is time for change. Female athletes put in the same amount of time and effort, and deserve the same rewards. The irony is that Title IX supports this, yet female athletes are consistently denied the benefits that come with being a male collegiate athlete. We as student-athletes and leaders are using our voices to ensure equity in our collegiate athletic programs. So, what do we ask for our future? Simply that everyone does their part.

With this open letter, we, as an intercampus coalition, call on all campus constituents to rededicate themselves to the mission of Title IX. We have made strides these last 50 years, but Title IX’s relevance is only as strong as the next generation’s commitment to it. In the words of the iconic Maya Angelou: “Develop enough courage so that you can stand up for yourself and then stand up for somebody else.” We call on those involved with higher education to have the courage to stand up and fight for Title IX.

We call on our Congressional representatives to take action in promoting diversity, equity, inclusion, and accessibility (DEIA) on college campuses through the enforcement of Title IX. Educational institutions are required to provide equal opportunities and treatment to all students, regardless of their gender identity, and this includes ensuring access to educational resources and support services related to DEIA. This means that schools must ensure that all students have access to educational resources and support services.

We as students want to feel safe on campus so that we are open to the various opportunities presented to us. Part of feeling safe includes living without the fear of sexual harassment and abuse. Schools must have policies and procedures in place for addressing complaints of sexual misconduct, and they must take steps to prevent and respond to incidents of sexual violence. Unfortunately, sexual harassment and assault are still prevalent on college campuses. According to a 2019 report from the Association of American Universities, 13% of undergraduate women reported experiencing sexual assault or misconduct by force or incapacitation since entering college, and 26% reported experiencing sexual harassment. Title IX regulations address this very issue.

In 2020, the Supreme Court ruled in *Bostock v. Clayton County* that Title VII of the Civil Rights Act of 1964 protects LGBTQ+ employees from discrimination based on sexual orientation or gender identity. While Title IX specifically addresses education and not employment, this ruling has implications for how Title IX is interpreted and enforced with regard to LGBTQ+ students. In addition to sexual misconduct and LGBTQ+ rights, Title IX also applies to issues



such as equal access to academic resources, gender-based stereotypes, and pregnancy discrimination.

We must ensure that Title IX remains a tool for promoting DEIA on college campuses and preventing discrimination based on all classifications from gender to race. Therefore, we urge congressmen and representatives to help us students by using your platform to continue supporting, protecting, and enforcing policies that uphold the principles of Title IX and promote equal opportunities and treatment for all students.

We call on the NCAA to set a new standard for what gender equity looks like in our schools and in college athletics. Title IX is meant to empower students, but it requires policies and practices to be put in place to ensure equity and safety. Such policies should focus on routinely evaluating an institution's Title IX compliance including opportunities and fair treatment for female athletes. The Women's Sports Foundation recommends that the NCAA make Title IX compliance a requirement for membership. By setting firm Title IX requirements, the NCAA can show its commitment to gender equality and set an example on the national stage. The opportunities guaranteed by Title IX requirements need to extend beyond female athletes to athletic support staff as well. According to the Tucker Center's Women in College Coaching Report Card, only 43.4% of NCAA Division I women's teams had a female head coach during the 2021-22 school year. By making a commitment to including women in athletic leadership roles, female student athletes can experience a more inclusive environment with access to inspiration and mentors of their own sex. If you can see it, you can be it and female athletes need to be able to see themselves in their coaches and support staff. Female leaders have an untapped potential to bring unique perspectives to the sports industry, but their voices will not be heard without an explicit commitment to seeking out these voices (hiring and promoting them as well).

We call on school administrators, boards of trustees and faculty to improve equity in traditionally unequal educational spaces. Schools can and should make an effort to increase the number of women that participate in male-dominated disciplines by directly encouraging involvement in educational activities. To achieve this, administrators can deliberately ask underrepresented and marginalized students to participate in academic events. For example, the Sport Analytics program administrators at Syracuse University made an effort to include women in one of program's premier educational opportunities: traveling to Arizona to participate in the SABR Analytics Conference's Diamond Dollars Case Competition, where students from different schools around the country solve a problem that would arise if they worked in baseball and present their solution. As sports, including baseball, are very traditionally male-dominated, the staff at Syracuse made a conscious effort to include a woman on each of the teams that they sent in 2023. In order to achieve this, they talked to all of the women in the program and personally invited them to participate and be part of a team. While not every team ended up including a woman (3 teams out of 4 had a woman participate), Syracuse sent the most women to the competition. In comparison, most other schools had no women, and a few schools had one female participant. By making a conscious effort to promote opportunities for women in a



male-dominated space, they were able to uphold the ideals outlined in Title IX. We call on other schools to follow the example of Syracuse. Administrators must remember that Title IX is not only about sports, but encompasses all educational programs and activities that receive federal funding - including educational opportunities.

We call on student athletes to become more familiar with Title IX compliance, further educating themselves and other individuals to be able to identify present or arising issues on their own campuses. We answered this call by signing up for WomenX's Demand IX Fellowship. One large aspect of Title IX focuses on equal opportunities for men and women provided to student-athletes through educational institutions. Overtime, Title IX has developed somewhat of a negative stigma, based on misconceptions and misunderstandings of our compliance with the law. The majority of individuals ideally believe that their institutions are compliant and do not need much or any adjustments but according to NBC Sports, 86% of NCAA-affiliated institutions do not offer proportional opportunities in regards to their enrollment. Many times, numerous institutions choose to ignore some areas of non-compliance to avoid undergoing the trouble of changing their previous ways. We call on individuals to identify issues that may be getting skimmed over and bring those to the attention of a larger, louder audience that can call out the impacted areas to get them on the right track.

One large misconception is that Title IX requires colleges to cut men's teams in order to satisfy the requirements needed for female opportunities. This concept is false because the ultimate goal of Title IX is not to take away opportunities from males, but to increase the participation of women in sports to successfully establish proportionality, eliminating any sex-based discriminatory gaps. If an institution decides to remove a male sport from its program, that is a decision made by the individual university in order to restructure its athletic program. Title IX does not mandate how a university should build its athletic programs, it just ensures that the participation, funding, facilities and equipment between men and women are delivered equally. According to the U.S. Department of Education, a three-part test is conducted to determine if institutions are providing nondiscriminatory opportunities for both men and women. This examination includes substantial proportionality, expansion and continuing practice, as well as fully and effectively accommodating interests and abilities of the underrepresented sex. Title IX does not expect a specific standard across all universities because all situations differ, so they established a developmental approach allowing universities to positively present their growth towards compliance. Rather than take actions to comply with Title IX that pit constituents against each other, school administrators should invest in ways to find solutions that provide mutual benefits and create a campus culture of unity and empowerment.

We call on parents to continue expanding the opportunities Title IX provided you. Title IX gave you opportunities that you may not have realized, and we are benefiting from the paths you paved for us. However, we are not there yet and we need your help to continue that path forward. Money talks on campus and in our country. If parents can come together and create a women's fund supporting women's initiatives on campus, then our administration will listen. No



longer do we want to be the majority on campus, but the minority in funding scholarship opportunities. We want to see professors who look like us and classmates who we can relate to, particularly in traditionally male dominated majors like engineering, computer science, sports management and business. Parents, encourage your children to follow their passions regardless of whether they fit gender norms. Fight for your children and for their rights.

We are Demand IX, an intercampus Fellowship of students who believe in the power of Title IX to give *everyone* equal access to education and athletic opportunities regardless of gender. Gender equity has come a long way since the passing of Title IX, but we still have a long way to go to reach equality. Everyone has a role to play and we call on each and every person involved in higher education to do their part. From law-makers to student-athletes, anyone can make a difference. We call on society to recognize the value that women bring to all pursuits. To make the changes we want to see, we call on congress, we call on the NCAA, we call on school administrators, we call on student-athletes, we call on parents and we call on YOU.

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