

Title xi college essay



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Twenty-five years have passed, but the celebration is no victory party. For all the progress women have made, they are still far behind the men on the playing field. A vast number of colleges and universities are still not in compliance with Title IX, which prohibits sex discrimination at any educational institution that receives Federal funds. Title IX applies to all educational programs, although it has become the standard-bearer for women's athletics.

The following words lie at the heart of what is perhaps the most controversial and most important rules in all college athletics- Title IX states, " 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 educational program or activity receiving Federal financial assistance," was signed into law as part of the Education Amendments of 1972. Since most schools and universities receive some financial assistance through title or chapter funds, research grants, or Pell grant financial aid programs, they must comply with the mandates of the law. After more than 25 years, one would assume that all educational institutions would have had sufficient time to address inequities of opportunity and treatment within their athletic programs. However, with an estimated 93% of colleges still out of compliance in at least one of the three components mandated by the law, it is obvious that there remains a long road ahead before equity is achieved. So what exactly are these components (W. I. N. N., 66).

Title IX is composed of three separate components: I-Accommodation of Interests and Abilities; II-Athletic Financial Assistance: Scholarships; and m- Other Program Areas: Treatment. Currently, Component II pertains to higher

education, but with various governmental bodies considering tuition credits, it could apply to secondary schools as well. The three components are evaluated separately, with an independent decision reached for each one. Thus, even though a school might be in compliance with two of the three, it still is considered to be out of compliance. The Components are explained:

Component I. Most lawsuits result from challenges to Component I, whereby an educational institution must meet the requirements in one of three different tests. Prong one, the proportionality test, indicates that athletic participation rates must be within five percent of the enrollment for that sex. Since most schools and universities do not meet that standard, they could satisfy Prong two, provided they can show a history and continued practiced of program for the underrepresented sex by adding teams within the past three years. Failing to meet one of the first two prongs, an institution may demonstrate compliance by showing that it fully and effectively has accommodated the interests of the underrepresented sex. This would require that every team be offered for which there is sufficient interest and ability, as long as there exists a reasonable expectation of competition within the institution's typical competitive region. Surveying students and the availability of feeder programs seen in community-based recreational leagues, intramural sports, and elective physical education offerings are used to assess interest. Male's and female's abilities are accommodated equitably when the percentage of appropriate level contests does not differ by more than five percent.

Component II. Athletic scholarship dollars need to be proportional in relationship to the percentage of male and female athletes. Furthermore, no significant difference should exist in the amount of the average scholarship when comparing male and female athletes.

Component III. The third component, Other Programs Areas, dubbed the “laundry list,” is comprised of 11 separate treatment aspects. While parallel teams are compared (SB-vs-BB, etc.), the compliance decision is based upon a comparison of the entire women’s program with the total men’s program. This permits flexibility, allowing schools to “showcase” different sports for men and women or offer superior treatment in one area for, say, a male sport, offset by a reduction in quality in a different sport for men. Examples of the 11 program area: A) Equipment and Supplies; B) Game and Practice Schedules; C) Publicity; D) Facilities; E) Coaching; F) Travel and Per Diem, etc. (Lichtman, 63)

A number of arguments have been made against equality of men’s and women’s sports.

1) Equity will ruin men’s sports. The law’s purpose is to afford equivalent opportunities and treatment for both sexes. Yet, a decision to eliminate sports for males does not enhance opportunities for females. Granted, achieving equity will require that additional resources and money be shifted to women’s sports. However, with more prudent budgetary controls, greater fiscal responsibility, and a coordinated effort to raise additional funds through effective marketing, programs can continue to flourish without the need to drop some men’s sports. To accomplish this, policies should be

developed that drive the operations and maintenance budget of a sport. Adopting such an approach will save dollars and help stretch existing funds to cover other expenses. Moreover, it is to be hoped that instances where educational institutions use precious monetary resources defending themselves against legitimate Title IX lawsuits will become a thing of the past. Far more effective use would be to apply those funds to eliminate the conditions that precipitated the litigation. 2) Football should be eliminated from Title IX. Coaches quickly point out that football is unique and women's programs do not possess a parallel sport from participatory, costs, or income-producing standpoints. Supporters of Title IX point to the Javitts Amendment, which acknowledges that certain sports-for example, football-because of their very nature, require special considerations for equitable treatment. Furthermore, they often suggest that football pays for itself and supports the rest of the sports. Nevertheless, it has been suggested reducing the number of football scholarships would assist colleges in meeting the financial considerations when adding sports for women. Also, imagine if football were to become popular among women. Never, most people would say. Well, consider that water polo, pole vaulting, ice hockey, etc. not so long ago were activities in which only men competed. Progressive curricula often offer flag football for women, and its popularity has continued to spread to intramural offerings in college programs. Perhaps it will take another decade before enough interest is generated to have interscholastic and intercollegiate football competition for women, but, should that occur, would coaches also champion removing women's football from Title IX equation and would proportional funding be forthcoming? 3) Treating all money as source blind will affect fund raising adversely. The term "source blind" infers

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that it is immaterial which institutionally affiliated team or group secures or raises money. No matter the source, the dollars do not belong to that entity. Rather, all revenues should be put into a central account and distributed in an equitable manner outlined earlier. This system will provide assistance to “non-revenue-producing” sports, yet not create an entitlement atmosphere that would discourage generation of income from other sports (Lichtman 65-6).

Even though it seems that Title IX exist on the collegiate level, it also is apparent in other areas. Several teenage kids interviewed at two high schools in New York City never heard of Title IX. However, a few girls said it seemed that their schools did give more money and attention to their boys’ teams. “ It is

not really discrimination, but it is like there is favoritism,” said Deepa Darmishtan, 15, a student at Hillcrest High School (Jones, Spence 20).

According to the University of Iowa’s Gender Equity in Sports, “ Title IX governs the overall equity of treatment and opportunity in athletics while giving schools the flexibility to choose sports based on student body interest, geographic influence, a given school’s budget restraints, and gender ratio. In other words, it is not a matter of women being able to participate in wrestling or that exactly the same amount of money is spent per women’s and men’s basketball player. Instead, the focus is on the necessity for women to have equal opportunities as men on a whole, not on an individual basis” (Miningco. com).

The academic gains of Title IX have been noticeably apparent. According to the University of Iowa, women accounted for 9% of all medical degrees in 1972. That rose to 38% in 1994. The numbers are even more noticeable in law degrees, where women earned 43% of the degrees in 1994 as compared to just 7% in 1972. Also in 1994, 44% of all doctoral degrees to U. S. citizens went to women, up from 25% in 1977. But it is in sports where Title IX has become hotly contested. Has the bill been as successful on the field as it has been in the classroom? As a result of Title IX, women and girls have benefited from more participation opportunities and more equitable facilities. " Women who were under 10 when Title IX passed have much higher sports participation rates than women who grew up before Title IX, " claims the Feminist Majority Foundation. " Fifty-five percent of the ' post-Title IX' generation participated in high school sports, compared to 36% of the ' pre-Title IX' generation. " Because of Title IX, more women have received athletic scholarships and thus the opportunity for higher education than would have been possible otherwise. But the progress women and girls have made under Title IX falls far short of gender equity" (Miningco. com).

Many people continue to believe Title IX compliance is still elusive for many schools. The Office of Civil Rights (O. C. R.), in the Justice Department, examines complaints and determines if the school is in compliance with Title IX. If not, the Justice Department may well initiate its own legal action against the school. The potential loss of hundreds of millions of dollars has prompted university officials to view Title IX much more seriously. The requirements placed on schools by the O. C. R. and the ways school have cut men's athletics to create an artificial balance, can make life difficult for

administrators in athletic departments around the country. This continual erosion of men's athletics programs to create gender equity is an artificial way to implement a very important principle. If athletics are a worthy enterprise for a school, then people need to be creating opportunities for women, not eliminating men's opportunities (Collegeexpress. com).

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