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# Title IX Compliance: A Comparison of Coastal Carolina University to Other Regional Universities

B. Devon Howard  
*Coastal Carolina University*

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TITLE IX COMPLIANCE: A COMPARISON OF COASTAL CAROLINA  
UNIVERSITY TO OTHER REGIONAL UNIVERSITIES  
2010-2011

BY

BAILEY DEVON HOWARD

RECREATION & SPORT MANAGEMENT

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Philip Whalen  
Director, Honors Program

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Colleen McGlone  
Thesis Advisor  
Honors 499 Professor

## **Abstract**

Title IX of the Education Amendments of 1972 and its subsequent interpretations have created legal ground for gender equity in collegiate athletics departments. After 38 years of its existence, however, there are still fewer opportunities for women to be involved in athletics at the collegiate level at NCAA universities. While there are some general characteristics that appear to predispose universities to have lower compliance levels, little research has been done on institution-specific compliance. This study seeks to illustrate Title IX compliance levels of the Big South Conference and South Carolina Division I universities, using Coastal Carolina University as the focal university. Data will be gathered from the Equity in Athletics Disclosure Analysis cutting tool based on 20 different categories of information per participant institution, then compared within their general populations. Mean scores will be tallied for each general population and compared to each other. It is believed that the data will illustrate that Coastal Carolina University's compliance levels are similar to other regional universities.

## **Introduction**

A 2010 study on female participation in collegiate sport revealed that the number of women's teams offered at NCAA institutions was near its highest levels, with an average of 8.64 teams per school, and the number of intercollegiate athletic employees who were women was at its highest ever, with 12,702 women across all NCAA institutions (Acosta & Carpenter, 2010). Yet, there is still a large gap in gender equity as females do not see the same opportunities as their male counterparts.

Since the passage of Title IX in 1972, the opportunities for female undergraduates to play sports have grown in such a way that they represented nearly half of all athletes at the turn of the century (Anderson, Cheslock, & Ehrenberg, 2006). Opportunities for women to join in an administrative role, however, remain relatively low. At last count, only 34.9% of administrative jobs were held by females (Acosta & Carpenter, 2010). Because gender equity discrepancies still exist on the whole of the NCAA, more research must be done to determine where the problems are prevalent and to identify new solutions.

In order to do this, it is important to look at the individual institutions that make up the NCAA more closely. Previous studies have indicated that size of school, geographic location of school and the presence of a collegiate football program can all be indicators of lower levels of gender equity (Anderson, Cheslock, & Ehrenberg, 2006). As these indicators are often used to determine NCAA conference membership, it is easiest to use these pre-established groupings for researching and comparing individual NCAA universities.

The purpose of this research is to compare Coastal Carolina University athletics' compliance with Title IX with both members of the Big South Conference and Division-I universities located in South Carolina. Coastal Carolina University is used as the central

comparative school as it is the home university of this research, making it a familiar setting for comparison. It also serves to reason that the research results will be more effective for change if there is a more personal connection.

Using two general populations for comparison allows for a more complete picture to be drawn of Coastal Carolina University's Title IX compliance. Each of the two general populations, Big South Conference members and South Carolina Division I universities, offer commonalities between the school based on factors that have been found to be determinants of Title IX compliance levels. The Big South Conference offers common size of school and the presence of a collegiate football program, while South Carolina Division I universities offer common geographic location and the presence of a collegiate football program.

Because Title IX applies to all facets of collegiate sports programs, not just on-field participation opportunities, comparisons will be based on four primary sets of data:

- Overall compliance with the three-prong test
- Athletic participation rates of men versus women compared to the general student population
- Salaries of male coaches versus female coaches (includes both head coaches and assistant coaches)
- Expenses for male athletes versus female athletes (includes athletic student aid, recruiting, and game-day operating)

These comparisons will provide a more complete picture of Title IX compliance at each participant institution, which will then allow for a better comparison of overall Title IX for the participant institutions and the general populations studied.

## **Literature Review**

### *History of Title IX*

Title IX of the Education Amendments of 1972 states that

“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” (United States Department of Labor, 2010).

This statute is predominantly cited in regards to allowing equal opportunities for both genders to participate in athletics. This study focuses on the implications of Title IX on intercollegiate athletics, and seeks to improve the means of which a school is deemed compliant with Title IX.

The most common way to assess a university’s compliance with Title IX is utilize the three prong test as put forth by the Office of Civil Rights (OCR) in their 1979 Policy Interpretation. In order to be compliant with Title IX, the university must pass one part of the three-prong test: being proportional, having a history of progress, or be accommodating of student interests and abilities (OCR, 1979). The most common application for measuring a school’s compliance is the proportionality prong, as the other two are difficult to prove. The Office of Civil Rights issued further clarification of the three prong test in 2003, urging universities to use all three prongs in trying to comply with Title IX.

### *Title IX Today*

There have been over 190 legal suits brought to court that involve athletics and possible Title IX violations since the inception of the statute in 1972, with nearly half of those cases being filed since the year 2000 (Anderson & Osborne, 2008). Of these recent cases, 57% have involved claims of violation at the college level. This increase in litigation has helped raise

female participation opportunities to nearly record levels (Carpenter & Acosta, 2010). As more people become familiar with the legalities of Title IX, more lawsuits are being filed against university athletic departments for not complying with the statute. Universities are increasing participation opportunities for women in an attempt to come into compliance prior to facing a complaint from the Office of Civil Rights or a lawsuit.

Title IX compliance is not relegated to gender equity for athletes. The second most popular claim for lawsuits with a possible Title IX violation fall is against employment discrimination (Anderson & Osborne, 2008) which generally involves coaching positions. There has been no increase in the number of female coaches at the head of most women's sports (Lapchick, 2010; Carpenter & Acosta, 2010). There is some discussion that this is because of the low number of females in the upper level athletic positions such as athletic directors, associate athletic directors, and assistant athletic directors (Schneider, Stier, Henry, & Wilding, 2010). Senior Women's Advisors (SWAS) are 98.3% female in Division I athletic departments (Lapchick, 2010), yet they feel as if they cannot move up in rank because they are suppressed by the "old boys' club" (Schneider, Stier, Henry, & Wilding, 2010). The barriers women face as coaches and administrators bears closer examination, particularly at the Division I level, something which this study aims to do.

### *Related Research*

Recent studies have shown that there are several factors that can be seen as determinants of how compliant or noncompliant a university will be in complying with one part of the three-prong test. In a 2006 study based on the proportionality prong, it was found that universities located in the south tend to have higher levels of being disproportionate (Anderson, Cheslock, &

Ehrenberg, 2006). Private institutions, schools with lower tuition/fee costs, universities with higher numbers of female undergraduates, and football programs tend to be indicative of larger proportionality gaps as well (Anderson, Cheslock, & Ehrenberg, 2006). Several of these factors can be seen as characteristics of various Division I universities in South Carolina, as well as members of the Big South conference. There is currently little research to compare these factors on a regional level, which will give a better picture as to how influential various determinants can be when one determinant is held constant.

There has been some research done based on compliance levels by conference membership. Kennedy (2006, 2007) evaluated all 31 conferences that are able to participate in the NCAA Division I basketball tournament to see which conferences exhibit the highest levels of compliance and which conferences exhibit the lowest levels of compliance. His research was based on the Kennedy Index, which grades universities on allocated scholarship funds, coaching salaries, operating expenses, recruitment budgets, and participation rates. The 2006 study, based on just 10 conferences, found that the Atlantic Coast Conference and the Southeastern Conference ranked eighth and ninth respectively (Kennedy, 2006). When the study was expanded, six of twelve Division I universities in South Carolina were found to belong to the “Bottom Ten of the March Madness conferences” (Kennedy, 2007; National Collegiate Athletic Association, 2006). One South Carolina Division I university belonged to a conference in the top ten in compliance levels, while the remaining universities belonged to conferences in the middle. The Big South conference was found to be neither the best in Title IX compliance nor worst in Title IX compliance, yet member universities only average six women’s teams (Kennedy, 2007). More research needs to be conducted into the compliance levels of the member institutions of the Big South conference to determine why they seem to be moderately

compliant with Title IX regulations, yet field so few opportunities for female athletic participation.

While regional factors can affect the Title IX compliance levels of universities, sports media coverage provides visible indicators as to whether or not universities are dedicated to improving gender equality (Cooper, 2008; Huffman, Tuggle, & Rosengard, 2004). Research has shown that coverage by college broadcasting and college newspapers continues to be dominated by male sports, but the coverage that is given to women's sports is the same quality as the men's (Huffman, Tuggle, & Rosengard, 2004). Electronic media coverage on university athletic departments' websites, however, favors women's sports teams over comparative men's teams (Cooper, 2008) when football is not considered in the study. Since football has been found to be a determining factor in lower compliance levels (Anderson, Cheslock, & Ehrenberg, 2006), it will be important for further research into the impact of football media coverage on gender equity in intercollegiate athletics.

#### *Purpose Statement/Hypothesis*

The purpose of this research is to examine the Title IX compliance of the Coastal Carolina University athletics department, a Division I member institution of the National Collegiate Athletic Association (NCAA) in South Carolina and a member institution of the Big South conference. Coastal Carolina University athletics' compliance with Title IX will then be compared to the compliance of the other member universities of the Big South conference and the other Division I NCAA institutions of South Carolina. The primary comparisons will be on coaching salaries, athletic participation, expenses, and compliance with the three-prong test. It is

believed that Coastal Carolina University athletics will be similar in the level of compliance to other regional universities.

## **Methodology**

### *Participants*

The first step to be completed in this research was to determine what university athletic departments to use for comparison against Coastal Carolina University. It was decided that two general groups of schools should be used—members of the Big South Conference and NCAA Division I (D-I) universities located in the state of South Carolina (SC).

There is some overlap, as several schools that are located in South Carolina and fall in the D-I category are also members of the Big South Conference. The information gathered on each of these schools will have to be processed twice, once in the Big South Conference division and once in the South Carolina D-I division, to maintain accurate results for comparison. Information for Coastal Carolina University will also be considered in both comparisons for accuracy purposes.

#### Both (Big South Conference and South Carolina D-I)

- Coastal Carolina University
- Charleston Southern University
- Presbyterian College
- Winthrop University

The Big South Conference was chosen as a general category for comparison because it is the NCAA mid-major conference that recognizes Coastal Carolina University as a member (Big South Sports, 2010). As such, there should be some distinct similarities between the member institutions, such as number of competing athletic teams, full-time enrollment, status as a

Division I university, and budget. The member universities used include the schools listed above and the following (Big South Sports, 2010):

Big South Conference (only)

- Gardner-Webb University
- High Point University
- Liberty University
- Radford University
- University of North Carolina Asheville
- Virginia Military Institute
- Stony Brook University

The second general category for comparison is NCAA Division I universities located in South Carolina. Such a category holds members of many different NCAA conferences, varying school enrollment sizes, private versus public universities, and budget sizes. The common factor between the 12 universities is geographic location, which has been found to be a determinant of proportionality (Anderson, Cheslock, & Ehrenberg, 2006). Along with Coastal Carolina University, Charleston Southern University, Presbyterian College, and Winthrop University, the following schools were included in this research category (National Collegiate Athletic Association, 2006):

South Carolina Division-I Universities (only)

- College of Charleston (South Carolina)
- The Citadel
- Clemson University
- Furman University
- University of South Carolina, Columbia
- South Carolina State University
- University of South Carolina Upstate
- Wofford College

*Data Collection*

After the schools for comparison to Coastal Carolina University are chosen, information will be gathered about Title IX compliance from the Equity in Athletics Data Analysis Cutting

Tool at [ope.ed.gov/athletics/](http://ope.ed.gov/athletics/). This website was chosen because it is based on data provided to the Office of Postsecondary Education to fulfill the requirements set forth by the Equity in Athletics Disclosure Act (Office of Postsecondary Education, 2010).

The EADA for each of the selected schools will be obtained for the 2009-2010 school year (Office of Postsecondary Education, 2010). The EADA will supply key information regarding participation opportunities, number of coaches, average coaches' salary, available athletic student aid, and expenses. Demographic information on each university will also be gathered as a part of the research, which can be taken from the reported information to the Office of Postsecondary Education, but is also supplied on the EADA.

### *Instrumentation*

The following form will be completed for each of the selected schools using the EADA:

<b>Category</b> <input type="checkbox"/> Big South	<input type="checkbox"/> South Carolina D-I	<input type="checkbox"/> Both
<b>School Name</b> _____		
<b>Sanctioning Body/Location</b> _____		
<b>School Population</b> _____		
<b>Number of Sports Teams:</b> <i>Male</i> _____	<i>Female</i> _____	<i>Total</i> _____
<b>Number of Participants:</b> <i>Male</i> _____	<i>Female</i> _____	<i>Total</i> _____
<b>Proportion:</b> <i>Student Body</i> _____	<i>Athletics</i> _____	
<b>Number of Head Coaches (All):</b> <i>Male</i> _____	<i>Female</i> _____	<i>Total</i> _____
<b>Number of Assistant Coaches (All):</b> <i>Male</i> _____	<i>Female</i> _____	<i>Total</i> _____
<b>Average Head Coaches' Salaries (All):</b> <i>Male</i> _____	<i>Female</i> _____	
<b>Average Assistant Coaches' Salaries (All):</b> <i>Male</i> _____	<i>Female</i> _____	
<b>Athletic Student Aid (\$):</b> <i>Male</i> _____	<i>Female</i> _____	<i>Total</i> _____
<b>Athletic Student Aid (%):</b> <i>Male</i> _____	<i>Female</i> _____	
<b>Recruiting Expenses:</b> <i>Male</i> _____	<i>Female</i> _____	<i>Total</i> _____

### *Data Analysis*

After the data is compiled, it will be sorted into the given divisions (Big South or South Carolina Division I) where the schools will be compared internally. The schools will be ranked within their given divisions based on the categories of information found with the instrumentation form. Once this is completed, the four category rankings for each school will be added together in order to give each school a composite score. The lower the composite score, the more equitable the school is in their athletics programs.

Subsequent to the individual schools have been compared within the Big South Conference division and within the South Carolina Division I division, it should be noted where Coastal Carolina University falls in each category used for comparison.

### **Results**

When examining the data collected for the Division I universities in South Carolina, it was found that the University of South Carolina—Upstate (USC-Up) holds the lowest composite ranking score at 11 points. In the four categories examined, USC-Up was first in equitable coaching opportunities and salaries as well as first in equitable recruiting expenses. The interesting point, however, is that USC-Up ranked in the lower 50<sup>th</sup> percentile in terms of proportionality.

Coastal Carolina is ranked 7<sup>th</sup> out of the 12 Division I universities in South Carolina with a composite ranking of 27 points. In terms of proportionality, student aid, and recruiting expenses, Coastal Carolina was consistently an average contender, but ranked in the lower 25<sup>th</sup> percentile in terms of equitable coaching opportunities. Figure 1 illustrates the complete composite ranking system for South Carolina Division I schools:

<b>Schools</b>	<b>Proportionality</b>	<b>Coaches</b>	<b>Student Aid</b>	<b>Recruiting Expenses</b>	<b>Composite</b>	<b>FB</b>
University of South Carolina--Upstate	7	1	2	1	11	N
Winthrop University	9	2	3	3	17	N
University of South Carolina	3	6	5	5	19	Y
South Carolina State	8	8	1	4	21	Y
College of Charleston	4	12	7	2	25	N
Clemson University	2	11	4	9	26	Y
Coastal Carolina University	5	9	6	7	27	Y
Furman University	11	4	9	6	30	Y
Presbyterian College	6	3	12	11	32	Y
The Citadel	1	10	11	12	34	Y
Wofford College	10	5	10	10	35	Y
Charleston Southern University	12	7	8	8	35	Y

*Figure 1*

The football category indicates whether or not each of the selected universities fields a varsity football program. With the exception of the College of Charleston (South Carolina Division I) and Stony Brook University (Big South Conference), the schools that do not have a football program have smaller composite scores than those universities that do have a football program. This supports earlier research that suggests the existence of a football program is an indicator of a school with gender equity problems.

Looking at the compiled results for member universities of the Big South Conference shows that Coastal Carolina is again rated average in terms of gender equity. With a composite total of 24 points, their total is twice that of the most equitable school in the Big South Conference, Radford University.

The least equitable school in both the Big South Conference and amongst Division I South Carolina schools is Charleston Southern University, with a total of 36 points when ranked

against the Big South and a total of 35 points when ranked against fellow South Carolina Division I universities. Figure 2 illustrates the total composite scores for the 11 member universities of the Big South Conference:

Schools	Proportionality	Coaches	Student Aid	Recruiting Expenses	Composite	FB
Radford University	1	7	1	3	12	N
Stony Brook University	2	6	4	4	16	Y
University of North Carolina--Asheville	4	2	9	1	16	N
Winthrop University	9	4	2	2	17	N
High Point University	6	3	3	8	20	N
Coastal Carolina University	5	9	5	5	24	Y
Gardner-Webb University	11	1	6	6	24	Y
Presbyterian College	7	5	8	10	30	Y
Virginia Military Institute	3	10	10	11	34	Y
Liberty University	8	11	7	9	35	Y
Charleston Southern University	10	8	11	7	36	Y

Figure 2

### Conclusion

The current problem in collegiate athletics is equitable opportunities for both males and females, both at an on-field participation level and an administrative level. The purpose of this research is to provide a look at regional Title IX compliance, using Coastal Carolina University as the central institution. Two general populations, the Big South Conference and NCAA Division I universities in South Carolina, are used for comparison. By taking a more overall look at equitable opportunities and comparing those findings in a regional fashion allows for more widespread equity increases. As the law stands now, very few factors are considered when labeling a school compliant or noncompliant according to the 3-prong test. By using a ranking

system and more quantitative categories, it is easier to show which schools are truly fostering an equitable athletic atmosphere and which schools need improvement. It also allows for improved overall gender equity at a state level, a conference level, and an institutional level

In the future, the results of this study should be used to alert the NCAA and the participant institutions of possible improvement areas for Title IX compliance. It should also inspire a more composite data collection system in all areas of Title IX compliance. If the data is used to its full advantage, opportunities for females in collegiate athletics should increase.

A limitation of this study is that the data collected was self-reported by the member institutions. There is very little opportunity to determine that the data is both valid and reliable. Another limitation is that the research was only conducted with 19 participant institutions that were a part of two small general populations. Future research studies should focus on other general populations (other states or other conferences) to create a more complete picture of gender equity in collegiate athletics amongst NCAA member institutions.

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