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**Dr. Namarta Vadhera**

Assistant Professor,

Department of Sociology and

Social Anthropology Punjabi

University, Patiala, Punjab,

India

## Impact of title IX on women's participation in sports: A drastic revolution in the arena of sports

**Dr. Namarta Vadhera**

### Abstract

The passage of Title IX, the 1972 Education Amendments to the Civil Rights Act, was a great revolution in the field of sports and especially for women. Girls' sports participation rose dramatically both following the enactment of Title IX and subsequent to enhancements to its enforcement. While Title IX benefited girls by increasing the opportunity to play sports, these benefits were disproportionately reaped by those at the top of the income distribution. Before Title IX, women and girls were virtually excluded from most athletic opportunities in schools. Since the legislation passed, girls and women have been able to participate in athletics at much higher rates. Despite the substantial benefits of participation in sports and Title IX protections against sex discrimination in athletics, the playing field is still not level for girls. Girls are twice as likely to be inactive as boys, and female students have fewer opportunities to participate in both high school and college sports than their male counterparts. Greater enforcement of Title IX and diligent efforts to advance women and girls in sports are still necessary to achieve truly equal opportunity on the playing fields.

This law is a significant attempt by government to create equality among all and prohibits the discrimination of any person based on sex. Under Title IX: Males and females are expected to receive fair and equal treatment in all arenas of public schooling: recruitment, admissions, educational programs and activities, course offerings and access, counseling, financial aid, employment assistance, facilities and housing, health and insurance benefits, marital and parental status, scholarships, sexual harassment and athletics. This type of equal treatment will eliminate the chances of prejudice in any educational institution.

The main emphasis of Title IX is to make sure there is equal treatment in sports and school, regardless of sex, in a federally funded program. It was also used to provide protection to those who are being discriminated due to their gender. However, Title IX is most commonly associated with its impact on athletics and more specifically the impact it has had on women's participation in athletics at every age.

**Keywords:** Title IX, women, sports, participation, impact, discrimination, equality.

### Introduction

Women's opportunities for competitive physical activity were limited in America until Federal Legislation, commonly referred to as Title IX, and became law. It required American society to recognize a woman's right to participate in sports on a plane equal to that of men. Prior to 1870, activities for women were recreational rather than sport-specific in nature. They were noncompetitive, informal, rule-less; they emphasized physical activity rather than competition. In the late 1800's and early 1900's, women began to form clubs that were athletic in nature.

Before Title IX, women and girls were virtually excluded from most athletic opportunities in schools. Since the legislation passed, girls and women have been able to participate in athletics at much higher rates. Opportunities for girls to participate in high school athletics in particular have increased exponentially. Despite the substantial benefits of participation in sports and Title IX protections against sex discrimination in athletics, the playing field is still not level for girls. Girls are twice as likely to be inactive as boys, and female students have fewer opportunities to participate in both high school and college sports than their male counterparts. Greater enforcement of Title IX and diligent efforts to advance women and girls in sports are still necessary to achieve truly equal opportunity on the playing fields.

**Title IX is a short and simple federal law:** 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

### Correspondence

**Dr. Namarta Vadhera**

Assistant Professor,

Department of Sociology and

Social Anthropology Punjabi

University, Patiala, Punjab,

India

discrimination under any educational program or activity receiving Federal financial assistance.”

Forty years ago, Title IX, which bans sex discrimination in any federally funded education program, was signed into law. Many people think this groundbreaking law’s effects have been limited to equal access to athletics, but Title IX’s impact on the education system has been far and wide.

**1. Equal access to higher education:** Until the 1970s, some colleges and universities refused to admit women. Now, more women than men are enrolled in college, and more women are going into careers previously geared toward men in science and technology fields.

**2. Career education:** Before Title IX, many schools only allowed women to train for careers they found suitable for women – namely, housekeeping. Now, school administrators can’t legally dictate which students can take which classes based on gender.

**3. Protection for pregnant and parenting students:** Until Title IX, it was legal to expel pregnant students. Now, schools are allowed to create separate programs for student-parents, but the programs must be comparable to a normal school curriculum and enrollment must be voluntary.

**4. Equal access to academia:** Before Title IX, women probably would’ve had to work at a women’s-only college, for less pay, and she might not have ever gotten tenure.

**5. Changing gender stereotypes in the classroom:** It was once widely accepted that boys were good at math and science, while girls were good at domestic activities. Textbooks showed girls as nurturing wives and mothers, while boys were shown as powerful and aggressive. Due to contribution of Title IX, gender stereotypes are now challenged in classrooms and in learning materials including textbooks.

**6. Fighting sexual harassment:** Under Title IX, schools have a legal obligation to prevent and address any reported sexual harassment. Administrators used to be able to dismiss claims of sexual harassment as trivial or simply as “boys being boys.”

**7. Access to athletics:** This is the most widely known impact of Title IX. According to the National Organization for Women (NOW), before Title IX, one in 27 girls played varsity high school sports. By 2001, one in every 2.5 girls played, meaning a total of 2.8 million girls played varsity sports.

**8. Athletic scholarships for women:** Before Title IX, athletic scholarships for women were virtually nonexistent because so few women were involved with sports. According to National Organization for Women (NOW), in 2003, there was more than \$1 million in scholarships for women at Division I schools.

**9. Increased self-confidence in girls:** According to the Women’s Sports Foundation, women who are active in sports have more self-confidence and are more outgoing than women who do not participate. These women never would’ve experienced these benefits if they weren’t allowed to participate in sports.

Passed in 1972, this policy meant that schools and colleges receiving federal funding could not legally give preference to men. Instead, they had to allocate their resources to men and women in proportion to their interest and enrollment. The intention of the policy was to change the norms that gave preference to men in all sorts of fields, from medical schools to sports teams.

Accordingly, even grudging and partial compliance with the requirements of Title IX dramatically increased the opportunity for women to play sports. In the next 35 years, women’s participation in high school and college sports would increase by 904% and 456% respectively (source). Today, 42% of high school athletes and 45% of college athletes are women (source).

High School Participation			
Year	1971-1972	2005-2006	Percent Increase
Female	294,015	2,953,355	904%
Male	3,666,917	4,206,549	15%
—National Federation of State High School Associations, 2006			
Collegiate Participation			
Year	1971-1972	2004-2005	Percent Increase
Female	29,977	166,728	456%
Male	170,384	222,838	31%
—NCAA Sports Sponsorship and Participation Report, 1981-82—2004-05			

Title IX is often mistakenly accused of forcing schools to cut funding for men’s athletics. In fact, funding for men’s athletics, as well as the number of men who play sports in school, has increased since Title IX. The chart above also shows that men’s participation has increased by 15% in high

school and 31% in college. Still, there is great resistance to the Amendment, with a particular emphasis on sports. Many schools are only marginally compliant, and then only because (tireless) Title IX Officers keep pressure on institutions to follow the law.

### The Evolution of Title IX

The new wave of feminism within the larger social reforms sought by the Civil Rights movement moved women closer to legislative action for greater equal treatment in athletics. The concept that federal legislation was to eliminate sexual discrimination was the main focus of women's groups in the late 1960s and early 1970s. At their first national conference in 1967, the National Organization for Women (NOW) adopted a platform that read in part "...the right of women to be educated to their full potential equally with men be secured by Federal and State legislation" (Boles, 1989) [4].

Title IX of the Education Amendments of 1972 was paid little attention in the early legislative efforts to codify these rights. It was only after Title IX was passed, when the question surrounding implementation arose, that opposition to Title IX took place (Gelb & Palley, 1987). After the passage of Title IX, Congress built in a six-year period for secondary and post-secondary schools to achieve compliance. The date for compliance by colleges and universities was 1978. Interpretation and enforcement were vested in the Department of Health, Education, and Welfare (Carpenter, 1993) [5].

The critical element lacking after the passage of Title IX was the implementation legislation that would specify how it was to be applied and to whom. Passage of the implementation legislation was not easy; many self-interest groups sought to erode the legislation. In 1974, approximately sixty women's and feminist groups formed a coalition called the Education Task Force (which would later become the National Coalition for Women and Girls in Education) (Gelb & Palley). It was largely as a result of their persistent and dedicated efforts through lobbying that Title IX was successful.

The NCAA became concerned by what it perceived to be the potential weakening of its position as the dominant and controlling body of intercollegiate athletics. If Title IX was to apply to intercollegiate sports at all levels and women were to be elevated to a status equal to the men, its financial assets and political power were threatened. The first approach of the NCAA, when faced with the threat of equality in intercollegiate athletics, was to attempt to limit Title IX's application. The NCAA tried to offer its interpretation of Title IX (Acosta & Carpenter, 1985) [2]. It encouraged a narrow interpretation of the law, excluding athletic departments from the scope of Title IX. The NCAA argued that because athletic departments did not receive federal funds, they should be excluded from compliance. Nonetheless, when the NCAA sought to limit the application of Title IX, it began to address the issue of control of women's athletics in earnest.

The NCAA observed the growth of women's athletics and looked to the increased financial base and political power to be gained from exerting control over women's intercollegiate athletics. It set out to force the AIAW out of control (Hult, 1994) [21]. The strategy was to absorb the AIAW into its current structure while offering women's championships outside the AIAW to effectively link schools to the NCAA. Because there was no alternative mechanism for determining college-level champions, this strategy could have been successful (Stern, 1979) [37]. The NCAA decided to form its own NCAA Women's Committee and exclude the AIAW (Carpenter, 1993) [5]. The NCAA had never shown an interest in women's athletics before Title IX because there was nothing that required female participation at a national level. Thus, it chose not to pursue women's athletics. "The formation of this committee was politically significant because prior to this time the NCAA had demonstrated no interest whatever in taking responsibility for women's sports"

(Carpenter, 1993) [5].

At its 1973 convention, the NCAA waived the regulation barring women from men's events, thinking that the compromise of allowing a token female to compete in the NCAA championships would help avoid charges of sex discrimination and help avoid offending the AIAW while avoiding any real commitment to women's athletics (Festle, 1996) [16]. The NCAA continued to be concerned about the loss of power and control over intercollegiate athletics as it began to sense that the idea of equal opportunity for women in intercollegiate athletics was the direct aim of the Federal Government. The NCAA needed to implement an acceptable policy without delay (Festle).

The NCAA was a powerful adversary for the AIAW because of its wealth, political influence, and long history. The NCAA decided to introduce women's championships for intercollegiate sports by offering the institutions sponsoring women's sports a proposition that ultimately led to the demise of the AIAW. The NCAA offered to: (a) pay all expenses for teams competing in a national championship, (b) charge no additional membership fees for schools to add women's programs, (c) create financial aid, recruitment, and eligibility rules that were the same for women as for men, and finally, (d) guarantee women more television coverage. The NCAA had earmarked three million dollars to support women's championships. The AIAW could not compete with the NCAA inducements and the loss of membership, income, championship sponsorship, and media rights forced the AIAW to cease operations on June 30, 1982 (Festle, 1996) [16]. The AIAW sued the NCAA for allegedly violating the Sherman Anti-Trust Act, but was unsuccessful when the courts ruled that the market for women's athletics was open for competition, therefore no anti-trust laws had been violated (Schubert, Schubert, & Schubert-Madsen, 1991) [35].

Subsequent to Title IX, women and girls have become much more involved in sports. College women's athletic participation has increased from 15% in 1972 to 43% in 2001. High school girl's athletic participation increased from 295,000 in 1971 to 2.8 million in 2002-2003, an increase of over 840%. In 2004, the average number of teams offered for females per college/university was 8.32, up from 2.50 per school in 1972 (Carpenter & Acosta, 2005) [6]. In 1981-82, women's championships became a part of the NCAA program. Today, the NCAA sponsors forty women's championships, thirty-eight men's championships, and three combined championships in all three of its divisions (NCAA, 2005).

It can be seen that women's involvement in sport was slow to develop. Opportunities for participation and recognition were almost non-existent for centuries. It was not until the advent of the equal rights movements and Title IX that women truly found a place as participants in the world of sport and in the public arena.

### Early Women's Sports

Certainly, women engaged in sport three millennia ago. Homer, c 800 B.C., relates the story of Princess Nausicaa playing ball with her handmaidens next to a riverbank on the island of Scheria. "When she and her handmaids were satisfied with their delightful food, each set aside the veil she wore: the young girls now played ball; and as they tossed the ball..." (Homer, 98-102). Odysseus was awakened by the shouts of the girls engaged in their sport. Thousands of years later, the shouts of girls playing ball finally awoke the United States to the need for sport-specific opportunities for women.

Prior to 1870, sports for women existed in the form of play activities that were recreational rather than competitive and, being informal and without rules, emphasized physical activity (Gerber, Felshin, Berlin, & Wyrick, 1974) <sup>[18]</sup>. A dominant belief in the 1800s was that each human had a fixed amount of energy. If this energy were used for physical and intellectual tasks at the same time, it could be hazardous (Park & Hult, 1993) <sup>[33]</sup>. Horseback riding for pleasure, showboating, and swimming became fashionable, but women were not encouraged to exert themselves. Such physical activity for a woman was thought to be especially hazardous because during menstruation she was “periodically weakened” (Clarke, 1874) <sup>[16]</sup>. In 1874, as women were beginning to gain access to higher education, Dr. Edward Clarke published *Sex in Education; or, A Fair Chance for Girls*, which sparked a tenacious and acrimonious debate about the capacity of women for physical activity. He stated that, “both muscular and brain labor must be reduced at the onset of menstruation”. Manipulating science to reinforce established dogma prevailed for many years in spite of repeated examples of women who were perfectly capable of performing physical feats and intellectual tasks. Many early opportunities for women to engage in physical activity were thwarted as a result of this dogma (Park & Hult).

As more women sought to become involved in physical activity, they became more competitive. In the late 1800s and early 1900s, women began to form informal athletic clubs. Tennis, croquet, bowling, and archery were popular in clubs from New York to New Orleans. Many men’s clubs allowed women to become associates and to participate in separate activities, though without according them full status. Parallel clubs in colleges began to appear during this time, but a major difference between the social metropolitan clubs and the college clubs was that the latter frequently sponsored coed competition as occasions for social gatherings (Gerber, *et al.*, 1974) <sup>[18]</sup>.

### College Sports for Women Prior to Title IX

Early college sports for women have been largely unrecognized by historians because competition was within college between students (intramural) rather than between the institutions (extramural). Competitions included intramural, club, and sorority matches, in addition to ‘play days’. These were special dates when women competed in sports and activities against students and teams from their schools. By 1936, 70% of colleges surveyed used this as a predominant form of sport participation for women (Hult, 1994) <sup>[21]</sup>.

Women’s physical educators were aware of the problems and criticism surrounding men’s intercollegiate athletics. They were determined to keep athletics in an educational environment for women. In the early 1900s, the Committee on Women’s Athletics (CWA) and the American Physical Education Association (APEA) endorsed programs of broad participation for women (Park & Hult, 1993) <sup>[33]</sup>. This occurred just as the Carnegie Foundation for the Advancement of Teaching produced its 1929 report, *American College Athletics*, reporting that amateurism was being eliminated or modified from athletics at the college level as colleges turned athletics into big business. The report argued that there should be a way to give “athletics back to the boys” (Thelin, 1994) <sup>[40]</sup>. These views were uppermost in the minds of many women’s physical educators as they met to organize a governing organization for women’s sports. In the 1920s, the Women’s Division-National Amateur Athletic Federation (NAAF) was formed to organize intercollegiate

competition among women (Park & Hult).

The first intercollegiate competition among women was a scheduled tennis tournament between Bryn Mawr and Vassar. It was cancelled because the Vassar faculty did not allow their women’s athletes to participate in competition between colleges (Hult, 1994) <sup>[21]</sup>. The honor of being the first teams to compete in women’s intercollegiate athletics belongs to the basketball teams of the University of California, Berkeley vs. Stanford and the University of Washington vs. Ellensburg Normal School; they played in 1896 (Gerber, *et al.*, 1974) <sup>[18]</sup>. Competitive events for college women increased in the early 1900s. The nature of varsity competition was in conflict with the philosophy of women’s physical educators in the 1920s and 1930s, so these events were still uncommon. This philosophical conflict contributed to a lack of support for women’s varsity athletics. The NAAF provided a forum for women’s physical educators and leaders of women’s sports to formalize their beliefs regarding competition for girls and women by issuing a policy statement of the organizations goals for women. The goals were established to “play for play’s sake,” limit awards and travel, protect the participant from exploitation, discourage “sensational” publicity, and place qualified women in immediate charge of athletics and other physical activities (Gerber, *et al.*, 1974) <sup>[18]</sup>. The motto was “every girl in a sport and a sport for every girl.” This position was interpreted by many as negative to competition and, as a consequence, virtually all forms of competitive sport for college women decreased in the early 1900s (Gerber, *et al.*, 1974) <sup>[18]</sup>.

The women’s suffrage movement in the late nineteenth and twentieth century resulted in the passage of the Nineteenth Amendment in 1920. The right to vote for women renewed emphasis on women’s freedoms. The first feminist movement resulted in modest gains for women in sports and intercollegiate competition, but these gains were negated by the depression in the 1930s. They would remain dormant for almost fifty years (Gelb & Palley, 1987). The depression left millions of Americans out of work, and the resulting campaign to keep women home and out of the work force left the women’s movement for broadened equal rights stagnating. The expectations of society were that a woman’s place was ‘in the home,’ which pushed aside the idea that there were psychological and physiological benefits to be gained from involvement in sport. This view remained largely unchanged until the events of the 1940s (Lucas & Smith, 1982) <sup>[25]</sup>.

World War II also saw the advent of the first woman’s professional athletic team. The All-American Girls Baseball League was started in 1943 as an attempt to replace Major League Baseball, which had been canceled due to the war. When World War II ended, organizations for women in sport began to increase as sport became more competitive and intercollegiate and interscholastic competition spread (Gerber, *et al.*, 1974) <sup>[18]</sup>.

In the 1950s and 1960s, the social conscience of America was changing. The push for Civil Rights, which culminated in the passage of the Civil Rights Act of 1964, helped increase the status of women and minorities. A wave of feminist activism was born (Gelb & Palley, 1996) <sup>[4]</sup>. Feminist activism propelled the movement for women’s rights forward. The United States became embroiled in the debate for an Equal Rights Amendment. This debate raised the consciousness of those involved in women’s sport. Collegiate women seeking greater athletic opportunities moved closer to their goals in 1957, when the long-entrenched official position statement of the Division for Girls and Women in Sport (DGWS) was



amended to state that intercollegiate programs “may” exist. In 1963, the DGWS view of women in sport evolved further to state that it was “desirable” that intercollegiate programs for women exist (Gerber, *et al.*, 1974) <sup>[18]</sup>.

In 1966, the DGWS appointed a Commission on Intercollegiate Sports for Women (CISW) to assist in conducting intercollegiate competitions. In 1967, it was renamed the Commission on Intercollegiate Athletics for Women (CIAW). The women’s movement in sport was rapidly moving toward a status more in line with men’s athletics. In 1969, a schedule of national championships for women’s sports was announced that included gymnastics and track and field. Swimming, badminton, and volleyball followed in 1970 and in 1972, basketball was added. Women wanted an institutional membership organization similar to the NCAA. The CIAW was replaced by the Association for Intercollegiate Athletics for Women (AIAW) in 1971. This set the stage for the struggle to control women’s athletics in the 1970s between the AIAW and the NCAA (Gerber, *et al.*, 1974) <sup>[18]</sup>.

The increasingly positive attitude toward women in sport carried over into the 1970s (Hult, 1994) <sup>[21]</sup>. The AIAW began the 1971-1972 academic years with 278 charter institutions. By 1981, their membership exceeded 800. Their mission was to “lead and conduct” programs at the collegiate level that were competitive for women (Hulstrand, 1993). The AIWA focused on the female student-athlete’s education, not on athletic performance, and thus rejected the ‘win or die’ attitude of the NCAA. Instead, the AIAW emphasized participation in sport as the most important aspect and de-emphasized winning (Sperber, 1990) <sup>[36]</sup>.

### The Effects of Title IX on Society

The issue of Title IX is one of the Educational Amendments of 1972 to the Civil Rights Act of 1964. This law is a significant attempt by the government to create equality among all and prohibits the discrimination of any person based on sex. Under Title IX: Males and females are expected to receive fair and equal treatment in all arenas of public schooling: recruitment, admissions, educational programs and activities, course offerings and access, counseling, financial aid, employment assistance, facilities and housing, health and insurance benefits, marital and parental status, scholarships, sexual harassment and athletics. This type of equal treatment will eliminate the chances of prejudice in any educational institution be it an elementary and secondary schools as well as colleges and universities.

Title IX is an issue that seems to benefit women far more than it does men. The Feminist Majority Foundation claims that “as a result of Title IX, women and girls have benefited from more participation opportunities and more equitable facilities” than ever before. Women today are entitled to just as many, if not more, athletic opportunities as men. Yet it still remains uncertain why women only account for 42.1% of athletes in NCAA institutions. The Feminist Majority foundation also adds that, “the progress women and girls have made under Title IX falls short of gender equality”. This just proves that while Title IX is beneficial for women in the athletic environment, it is still not enough. It is simply another small step towards gender equality in our world. Title IX was not intended to bring about inequality or push one gender ahead of the next. Rather, the intent was to bring about social equality within the federal system, and this goal is well on its way to being achieved.

On the other hand, many people see the implementation of Title IX is disadvantaging male athletes: “the National Collegiate Athletic Association (NCAA) and high school administrators complained that boys’ sports would suffer if girls’ sports had to be funded equally”. Some would say that funding for male sports is being taken away to aid in the financing of female sports that many women show little or not interest in at all anyways. The reality is that male sports do not have to suffer as a result of Title IX because it “is designed to create parity in athletic opportunity and quality of experience for men and women. It is a school’s choice to cut men’s programs in an effort to comply with the law or to meet budget constraints”. The goal is not to take anything away from one group or another; it is simply to create a sense of equality among young men and women athletes today.

Title IX appears to be a working force in the society today. It has given people of all race and gender the opportunity to prove themselves in the athletic world today regardless of the color of their skin or their sex. The women’s sports foundation states that “historically, both race and sex discrimination had shaped the patterns of institutional opportunity in sports and higher education”.

### Impact of Title IX on Sports Participation

During the 1971–1972 school years, immediately before the legislation passed, fewer than 300,000 girls participated in high school athletics. To put that number in perspective, just 7% of all high school athletes were girls. In 2010–2011, the number of female athletes had climbed by more than tenfold to nearly 3.2 million, or 41% of all high school athletes.

Title IX has also had a huge impact on women’s participation in college athletics. In 1971–1972, fewer than 30,000 women participated in college sports. In 2010–2011 that number exceeded 190,000-about 6 times the pre Title IX rate. In 1972, women received only 2% of schools’ athletic budgets, and athletic scholarships for women were nonexistent. In 2009–2010, women received 48% of the total athletic scholarship dollars at Division 1 schools, although they received only 40% of total money spent on athletics, despite making up 53% of the student body.

Despite huge gains over the past 40 years, much work still needs to be done. Although overall sports participation rates have grown for both males and females, girls’ and women’s participation still lags behind that of their male counterparts, and increases among females have remained stalled for the past five years. Given the proven health and social benefits of athletics, it is essential that woman and girls be given equal opportunities to participate.

### Effect on women's sports

The main objective of Title IX is to make sure there is equal treatment in sports and school, regardless of sex, in a federally funded program. It was also used to provide protection to those who are being discriminated due to their gender. However, Title IX is most commonly associated with its impact on athletics and more specifically the impact it has had on women's participation in athletics at every age. Today there are more females participating in athletics than ever before. As of the 2007–2008 school years, females made up 41% of the participants in college athletics. To see the growth of women's sports, consider the difference in participation before the passing of Title IX and today. In 1971–1972 there were 294,015 females participating in high school athletics and in 2007–2008 there were over three million females participating, meaning there has been a 940%

increase in female participation in high school athletics.

In 1971–1972 there were 29,972 females participating in college athletics and in 2007–2008 there were 166,728 females participating, a 456% increase in female participation in college athletics. In 1971, less than 300,000 females played in high school sports. After the enforcement of the law many females started to get involved in sports. By 1990, eighteen years later, 1.9 million female high school students were playing sports. Increased participation in sports has had a direct impact on other areas of women's lives; these effects can be seen in women's education and employment later on in life; a 2010 study found that the changes set in motion by Title IX explained about 20 percent of the increase in women's education and about 40 percent of the rise in employment for 25-to-34-year-old women. This is not to say that all women who are successful later on in life played sports, but it is saying that women who did participate in athletics received benefits in their education and employment later on in life.

In 1971, fewer than 295,000 girls participated in high school varsity athletics, accounting for just 7 percent of all varsity athletes; in 2001, that number leaped to 2.8 million, or 41.5 percent of all varsity athletes, according to the National Coalition for Women and Girls in Education. In 1966, 16,000 females competed in intercollegiate athletics. By 2001, that number jumped to more than 150,000, accounting for 43 percent of all college athletes. In addition, a 2008 study of intercollegiate athletics showed that women's collegiate sports had grown to 9,101 teams, or 8.65 per school. The five most frequently offered college sports for women are, in order: (1) basketball, 98.8% of schools have a team, (2) volleyball, 95.7%, (3) soccer, 92.0%, (4) cross country, 90.8%, and (5) softball, 89.2%. Since 1972, women have also competed in the traditional male sports of wrestling, weightlifting, rugby, and boxing. An article in the *New York Times* found that there are lasting benefits for women from Title IX: participation in sports increased education as well as employment opportunities for girls. Furthermore, the athletic participation by girls and women spurred by Title IX was associated with lower obesity rates. No other public health program can claim similar success.

"However, as part of the backlash against the women's movement, opposition quickly organized against Title IX. Worried about how it would affect men's athletics, legislators and collegiate sports officials became concerned and looked for ways to limit its influence. One argument was that revenue-producing sports such as college football should be exempted from Title IX compliance. Another was that in order for schools and colleges to comply, they would have to cut men's sports such as wrestling. Others argued that federal legislation was not the way to achieve equality or even parity. Finally, conservative opponents of women's rights believed that feminists used Title IX as an all-purpose vehicle to advance their agenda in the schools. Since 1975, there have been twenty court challenges to Title IX in an attempt to whittle down greater gender equity in all fields of education—mirroring the ups and downs of the women's movement at large. According to the National Federation of State High School Associations, female students received 1.3 million fewer opportunities to participate in high school athletics than their male peers in the 2006–2007 school years. Yet as a result of Title IX, women have benefited from involvement in amateur and professional sports and, in turn, sports are more exciting with their participation."

## Implementation and Regulation

Title IX prohibits gender discrimination in schools that receive federal funds through grants, scholarships, or other support for students. The law states that federal funds can be withdrawn from a school engaging in intentional gender discrimination in the provision of curriculum, counseling, academic support, or general educational opportunities; this includes interscholastic or varsity sports. This law from the Education Act requires that both male and female athletes have equal facilities and equal benefits. The equal benefits are the necessities such as equal equipment, uniforms, supplies, training, practice, quality in coaches and opponents, awards, cheerleaders and bands at the game. In practice, the difficulty with Title IX is making sure schools are compliant with the law. In 1979, there was a policy interpretation that offered three ways in which schools could be compliant with Title IX; it became known as the "three-part test".

1. Providing athletic participation opportunities that are substantially proportionate to the student enrollment.
2. Demonstrating a continual expansion of athletic opportunities for the underrepresented sex (typically female).
3. Accommodating the interest and ability of the underrepresented sex.

Through implementation, Title IX provides equal opportunities for female students and athletes. However, Title IX did not fully define how governance will take place in regard to sports. Most sport teams or institutions, regardless of gender, are managed by male coaches and managers. This lack of women is because many institutions prefer a dominant male presence in order to preserve the traditional masculinity hegemony present in institutions and professional leagues, in relation to sports. The societal norm of masculinity in connection to sports has hindered the growth of leaders in sports. According to 2016 data, 33% of WNBA teams are led by women coaches or managers. The International Olympic Committee also consists of 20% female members. The data presented also showed that 15% of athletic directors in colleges nationwide were females, and that number is much less in the southern states. Although Title IX was a breakthrough for women regarding funding and sports itself, the main goal is far from achieved. The disparity of men and women sport is prevalent and a significant one at that. The more alarming instance is the lack of female leadership in the sports world. The disparity will persist if the gap within leadership is not first fixed.

## Recent Legislative Action: Attacks and Advances

### Legal and other challenges

Even though much work remains to be done to achieve gender equity in athletics, Title IX opponents continue to try to undermine the law through media attacks, legal challenges, and appeals to Congress and the Executive Branch. The basic claim made by these opponents is that women and girls are inherently less interested in sports than are men and boys, and that providing females with equal opportunities therefore discriminates against males. The most recent attacks have targeted secondary school programs. In July 2011, the American Sports Council filed a lawsuit against the U.S. Department of Education, claiming that Title IX should not apply to secondary schools. This case, like other similar cases, 29 was dismissed. The court said that the group could not show that Title IX is the cause of their injuries because the law does not require schools to reduce opportunities. A Major Step Forward: On April 20, 2010, the Department of

Education issued a new policy document revoking the harmful 2005 Additional Clarification that weakened schools' obligations under Title IX to provide women and girls with equal athletic opportunities. The 2005 Clarification created a major compliance loophole by eliminating the requirement (under part three of the three-part test) for schools to look broadly and proactively at whether they are satisfying female students' interests in sports. Instead, the 2005 policy allowed schools to show that they were fully meeting their female students' interests in sports simply by sending an email survey to all female students and assuming that a failure to respond indicated a lack of interest. The 2010 Clarification reverses and replaces the 2005 document, stating that schools cannot rely solely on surveys to demonstrate that they are in compliance with part three. Instead, the Department made clear that schools must adhere to a longstanding policy requiring them to evaluate multiple indicators of interest to show that they are fully and effectively accommodating their female students' interests.

### Key Findings

1. Title IX has increased female participation in sports exponentially. In response to greater opportunities to play, the number of high school girls participating in sports has risen tenfold in the past 40 years, while six times as many women compete in college sports.
2. Huge gains in the number of female athletes demonstrate the key principle underlying the legislation: Women and girls have an equal interest in sports and deserve equal opportunities to participate.
3. Participation in sports confers both immediate and long-term benefits: Female athletes do better in school, are less likely to engage in risky behavior, and are healthier than girls and women who do not participate in sports.
4. Attacks on Title IX often spring from misconceptions about how the law works. Courts have consistently upheld the validity of the law.
5. Despite many gains over the past 40 years, barriers remain to participation in sports for girls and women. Greater enforcement of the law by the federal and state governments, self-policing of compliance by schools, and passage of the High School Athletics Transparency Bills will help bring about greater equity.

### Conclusions

Before Title IX, women and girls were virtually excluded from most athletic opportunities in schools. Since the legislation passed, girls and women have been able to participate in athletics at much higher rates. Opportunities for girls to participate in high school athletics in particular have increased exponentially.

**Title IX is a short and simple federal law:** "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."

This law is a significant attempt by the government to create equality among all and prohibits the discrimination of any person based on sex. Under Title IX: Males and females are expected to receive fair and equal treatment in all arenas of public schooling: recruitment, admissions, educational programs and activities, course offerings and access, counseling, financial aid, employment assistance, facilities and housing, health and insurance benefits, marital and

parental status, scholarships, sexual harassment and athletics. Title IX is an issue that seems to benefit women far more than it does men. The Feminist Majority Foundation claims that "as a result of Title IX, women and girls have benefited from more participation opportunities and more equitable facilities" than ever before. Women today are entitled to just as many, if not more, athletic opportunities as men.

Title IX appears to be one of the powerful agents in the society today. It has given people of all race and gender the opportunity to prove themselves in the athletic world today regardless of the color of their skin or their sex. The women's sports foundation states that "historically, both race and sex discrimination had shaped the patterns of institutional opportunity in sports and higher education". In a nutshell:

- Title IX has increased female participation in sports exponentially.
- Huge gains in the number of female athletes demonstrate the key principle underlying the legislation.
- Female athletes do better in school, are less likely to engage in risky behavior, and are healthier than girls and women who do not participate in sports.

Despite many gains over the past 40 years, barriers remain to participation in sports for girls and women. Greater enforcement of the law by the federal and state governments, self-policing of compliance by schools, and passage of the High School Athletics Transparency Bills will help bring about greater equity.

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