



April 2009

## **Step by Step**

A Practical Guide to Assessing  
and Achieving Gender Equity in  
School Sports



## Authorship and Acknowledgments

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# Step by Step

## A Practical Guide to Assessing and Achieving Gender Equity in School Sports

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## Introduction

Title IX of the Education Amendments of 1972 is the federal law that prohibits sex discrimination in all aspects of education, including sports. Yet, more than 36 years after the passage of Title IX, we still struggle for equity. While tremendous growth has taken place for female athletes, in participation and scholarship opportunities, much more work is needed to achieve fairness. Though the numbers of girls and women who play sports has increased, women still do not have the same opportunities to participate in sports as boys and men.

To address these disparities, we have created this guide to help parents, students and coaches understand how to become your own advocates for change. Is your school treating its female athletes fairly? Not sure? We know that as you uncover inequities, you may want to correct them with the fierce determination of athletes striving for victory in sports.

To guide you on your path, we have developed this step-by-step playbook to move you through your gender equity event. We grouped the Steps into four quarters, just like a basketball game. That will give you a sense of how to progress and play the game. Just follow these easy, numbered steps to gender equity and make sure that your school is playing the Title IX gender equity game the right way.

We have also provided you, as an Appendix, with many samples (or templates) for steps along your way. So, we won't just suggest writing a letter, we'll provide an example that you can tweak to match your objectives. We might also offer a petition, a meeting agenda or a rough script to follow in a conference. If your program isn't up to par, these practical plans will help you reach the goal of gender equity.

It is time—long past time—to fully support Title IX. When we do and our female athletes win, we all win. **V is for Victory. So is IX.** In this case, winning is everything.

## First Quarter: Preparation

### Step 1: Grade Your School

Start at the beginning. You may have a perception of inequity, and you may be right. But you have to begin the process by sorting out what is actually going on. The Women's Sports Foundation Web site provides an online tool, our Grade Your School report card, that will help you do just that. You'll need to complete the entire form to see exactly how your school is measuring up to Title IX's legal requirements. Once you've filled in answers to all the questions, the site will give you a grade to help assess your school's compliance with the law.

Complete the Grade Your School report card at:  
[www.WomensSportsFoundation.org/GradeYourSchool](http://www.WomensSportsFoundation.org/GradeYourSchool)

### Step 2: Gather the Facts

With a preliminary list drawn from your report card grade, you've probably uncovered some patterns, maybe even some good ones, at your school. If however, your school scored poorly and you feel they are violating Title IX, you'll want to research and write down every valid instance of a disparity between the male and female sports programs. Be sure your list includes at least one specific example for each instance of non-compliance. To strengthen your position, take this list with you to any meetings you'll be attending and always include a copy with any correspondence. A good example is specific. For instance: "The girls' team wears six-year-old, discolored uniforms, while the boys' team just received brand new uniforms after only three years of use." It is not enough to mention that the girls have old uniforms. The more precise the finding, the more impact you will have with your audience.

Take a closer look at both the women's and men's athletic programs. There may be many sticky issues, but you're not yet certain if it's a legal problem. *Play Fair: A Title IX Playbook for Victory*, a Women's Sports Foundation publication, explains all about this federal requirement. Always keep a copy handy to help back up your campaign for gender equity with the plain facts. There are questions to ponder in the Appendix that will help you gather and analyze your facts, then chart your observations.

As you work your way through (and up) these steps, you will want to include the legal standards required for Title IX compliance. There's considerable language about language in this step. As you gather facts, you will want to mirror the law's legal standards. Try not to get bogged down, yet look closely at each aspect of Title IX compliance and include the specific language with your emerging pattern of facts. The Appendix will teach you what to look for in the sports programs at your school and provides a sample chart for documenting your observations (See Appendix: Step 2, p. 16-17). Find the legal standards for Title IX on page 45.

### Step 3: Rally a Strong Team

If your school isn't complying with Title IX, chances are you're not the only one feeling shortchanged. It's important to gather the support of parents or legal guardians, friends, teammates, teammates' parents and anyone else who is willing to get involved. Talk to this "support team" and show them what you've learned. Make sure they know what Title IX requires. Get as much assistance as possible—at every step of the way. Many of us are "wired" to try to accomplish tasks alone; however, we believe that the best way to get a big task accomplished is through teamwork. There is strength in numbers. Teamwork means tasks can be divided among individuals, which picks up the pace of your efforts. Also, good teamwork helps everyone to stay organized, build pressure and maintain morale. The Appendix provides suggestions for creating and managing your growing team of advocates (See Appendix: Step 3, p. 18).

### Step 4: Prepare Your Case

It may be hard to believe that your school administrators don't know what Title IX requires. Help educate them by carefully preparing your case. Have copies of all your resources and research ready to share at meetings. This should include Internet links and hard copies of materials, such as:

1. The Grade Your School report card (from you and others on your team)
2. The booklet *Play Fair: A Title IX Playbook for Victory*
3. High school calendars, budgets, newspapers, photographs and other documentation that reinforces your findings from the Grade Your School report card
4. The updated list of examples of non-compliance, added to the chart from Step Two. Jotting down a reference (from the *Play Fair: A Title IX Playbook for Victory* or other resources, such as online Web sites) will provide legal and visible support for your findings.
5. A petition demonstrates that you are not just a little cadre of characters promoting an unimportant issue. It validates the depth and breath of your efforts by including students, parents and educators who are on your side or at least demand a review of programmatic realities.

Speaking of strength in numbers, do rally other area people with a petition requesting review of and action on your concerns. To be effective, a petition must be brief and well-worded. Each petition should begin with a request, followed by well-researched reasons for making the request. It needs a description of relevant circumstances and links to supporting documentation or facts. Finally, a petition should contain substance that suggests the request is feasible. The Appendix includes petition methodology and a sample (See Appendix: Step 4, p. 19). Yours can be housed on a Web site for easy management.

## **Second Quarter: Meetings, Letters, E-mails, Phone Calls**

### **Step 5: Make a Paper Trail**

Create a paper trail as you keep a complete and thorough record of your efforts. Once you start asking for meetings with officials, be sure to write down the name and title of attendees. After each meeting, follow-up with minutes and thank-you notes or emails—even if you don't always feel valued. Each letter should repeat your concerns and restate anything that was decided, or promised to you, during your meeting. In your note, indicate which person made what agreement or decision so that actions steps (before your next meeting) will be accomplished. A tool for tracking your steps is included with the Appendix (See Appendix: Step 5, p. 20)

### **Step 6: Educate the Educators**

It's time to approach your school's decision-makers and show them how Title IX's policies are not being followed. Definitely prepare an opening statement—one that is succinct, firm and positive. We know that many of you are tech-savvy and could prepare your presentation with credible facts and fancy visual aides. Do what works for your group. If possible, include teammates, teachers, parents or other supporters in your meetings. Having a whole team (even in their uniforms) behind you will help convince administrators that it's important to abide by the law. Be polite and concentrate on the facts. Even though you might feel angry at some points—do not get angry with any school officials. You must always assume that everyone you meet with will want to do the right thing. We've used our team's experience to create a sample opening statement for you in the Appendix (See Appendix: Step 6, p. 21).

### **Step 7: Talk with the Athletic Director**

A school's athletic director is usually the most direct connection for implementing Title IX. Draft a letter requesting a meeting. Tell the AD about the research you've been doing, explain what you found and why you believe the school is not complying with Title IX. Make sure you include a copy of the Grade Your School report card and Play Fair: A Title IX Playbook for Victory. After the meeting, follow up with a thank-you letter to the athletic director that repeats your concerns. If you are unhappy with the outcome of the meeting, send a copy ("cc:") of your all correspondence to the school principal (or other chief administrator). The Appendix includes a template and letter of complaint to initiate a request for change in current Title IX practices (See Appendix: Step 7, p. 22-24).

### **Step 8: Meet the Principal or Higher Education Dean/Director**

If you are unsuccessful in your talk with the athletic director, work your way up the administrative ladder and schedule a meeting with the principal or appropriate college administrator. In K-12 schools, you will not find it too tough to track the right, or at least next, person en route. Many high schools and most colleges and universities have a Student Policy Manual or Handbook (or a division designed

version) that outlines an institution's obligations and students' rights. The content targets the people to see and the places to go regarding academics, student services, university policies and codes of conduct. Often (but not always) you will find explicit information about Title IX and/or athletics. In higher education, finding the appropriate dean or department director will be important, yet not always easy. At this step, you are intending to meet and discuss your concerns about Title IX and sports—not planning to file an official complaint or grievance.

During this next meeting, be sure to review the earlier discussion you had with the athletic director and say why you suspect it was unsuccessful. In fact, know that each time you meet another individual along your route, you will want (and need) to review the steps you have already traveled. Bring your paperwork along and be straightforward in talking about the issues of gender equality and fair play. We've provided a draft script of a 30-minute meeting with your school's principal or college dean in the Appendix (See Appendix: Step 8, p. 25-27).

### **Step 9: Contact the Title IX Compliance Coordinator**

If both your athletic director and your principal or college president are unresponsive, you can file a grievance or complaint. To do that, you should contact the school's Title IX compliance coordinator. (The law requires that every school have one.) One way to discover their name and contact information is to call the school administration. Ask for the Title IX Compliance Coordinator and don't be surprised if you have trouble getting a name. Many sites tag this job title onto someone with numerous roles—from bus safety to student services.

Once in contact, your first task will be to thoroughly describe (with documentation) every step you have taken thus far. That's why your paper trail and action planning minutes (See Appendix: Step Five) are so valuable. You have created a team of advocates, done your research, prepared your case, circulated a petition, met with the athletic director and principal, and remain confident that winning is everything. You are now ready (and able) to initiate a complaint or file a grievance.

Request the procedure for filing an official Title IX complaint. Depending on the coordinator's prescribed role and relationship to the institution, the Title IX person may be energized and supportive of your efforts, or defensive and overwhelmed. Their positive feedback might allow you to partner and re-walk through many of the previous steps, but with another layer of authority. Or, their neutrality could mean that they will just fill their obligation to inform you of the complaint and filing process. If things get a little technical at this point, the Women's Sports Foundation will help you proceed through the steps. We've provided some dialogue in the Appendix that might help you during a phone call with your school's Title IX Coordinator (See Appendix: Step 9, p. 28).

Your school is not the only institution required to identify a Title IX coordinator. The school district office would typically appoint an employee in the human resources

or diversity office area, to be the District Title IX Coordinator. As a liaison between the school site and the state level Title IX Coordinator (described in Step 14), the district's coordinator is generally available for training and technical assistance. Including your district's Title IX Coordinator will be beneficial to your advocacy efforts, especially as you begin the third quarter of the "game."

## Third Quarter: When the Going Gets Tough, Go Public

### Step 10: Write to Your Chief Administrator and Board

When the going gets tough, go public! To make the right things happen you may need to go over the heads of your school administrators. Consult with your support team, including parents, teachers and coaches. You will benefit from their help and advice.

Moving your concerns to a higher level means contacting the district superintendent and everyone who sits on your local school board. In post-secondary institutions, it's time to communicate with the president and the college's board of trustees. The chief executive and board members' contact information is routinely available through a district or college website. If not, the Office of the Superintendent or President can provide them at your request.

It's best to create a letter—not e-mail—listing your concerns to the administration and board. Include details about past meetings and how each school official has responded. Finish your letter by asking the administration and overseers to investigate the situation you've described. Offer to meet with the chief executive officer and board members to state your case. In addition to your signature, have as many athletes and parents as possible sign your letter. (This would be a good place to include your petition from Appendix: Step Four, along with the other Women's Sports Foundation resources.) You should also send separate copies of the letter to individual board members. And don't forget to ask the Women's Sports Foundation to write a letter of support as well. A template with a sample letter is available in the Appendix (See Appendix: Step 10, p. 29-31).

### Step 11: Tell Your Local Media

See how the key administrator and board chair respond, or don't respond, to your letter. Sometimes you'll find that nothing happens. If so, gather your teammates [the Advocates for Change] and talk over the possibility of "going public" with your efforts. Remember that taking this step will put you all in the spotlight, so make sure to prepare your supporters for this new level of commitment.

Some advocates may feel hesitant, fearing retaliation, but retribution is illegal. This is why keeping a record is very important. It will allow you to show if you were at risk for working to fix a problem. No matter what, you should feel safe when going public as long as your observations and facts are accurate.

Put together a list of your local newspapers, radio and television stations. Get the names of key editors and senior management. For newspapers, you'll want to seek out the editor-in-chief, the sports editor and the publisher. For radio and television, official titles can vary. Most likely you'll want to contact the news editor, the most senior producer at the station who is responsible for newscast programming, the head of the sports department and the station's general manager. Send them all copies of the same letter.

The Internet has become a very powerful tool, so use it to your advantage. It may be beneficial to talk about your Title IX concerns in appropriate chat rooms or forums, start your own blog or send out e-mail blasts. You can also send comments or e-mails to different online sportswriters to try to get them interested in your story. A sample letter to the media is in the Appendix (See Appendix: Step 11, p. 32-33).

### **Step 12: Write to Your Legislators**

Everything we've suggested to this point could be considered a logical step... stating your case to people in order to persuade them to do the right thing. Yet we know, even these good-faith efforts might not work. Another way to "go public" is by asking your local, state and federal elected officials for assistance. Responding to voters—parents, legal guardians or even you, if you are of voting age—is important to office-holders. Write a formal message to your policymakers, sign it and also have your parents or guardians add their signatures. If you're using e-mail, it's important to send a copy of via regular mail to encourage a response. The Appendix has both a template and sample letter to a mayor, assisting you to generate your own letter to an elected official. Check out the Web link in the Appendix to find out your policymaker's contact information (See Appendix: Step 12, p. 34-35)

## Fourth Quarter: Playing Hardball—Complaints and Lawsuits

### Step 13: Keep on Going

We have arrived at the final plateau of our journey, and you have come too far to give up now. You have reached one of those places where you need to know what crucial steps are ahead before you proceed. Your three choices are to contact your state's Title IX Coordinator, file a complaint with the Office for Civil Rights or file a lawsuit, each of which could produce a meaningful result. Part of our mission is to help you think through the pros and cons of these actions as well as suggest the "How to..." steps to move forward. Remember, it's important to stand up for your rights or the rights of your daughter, sister, relative or friend. A matrix will allow you to compare and contrast the available options, and a sample is provided as an Appendix (See Appendix: Step 13, p. 36).

### Step 14: Contact Your State Title IX Coordinator

Step back to Step Nine, and you'll recall we invited you to meet your high school's Title IX Coordinator. Then we asked you to reach out to your District's Title IX Coordinator. Both have an oversight and technical assistance role in your quest. State Education Agencies (SEAs) are required to designate at least one Title IX Coordinator. This coordinator may investigate gender equity or Title IX complaints within the school system. To issue a complaint, citizens typically call, detailing a school's non-compliance with Title IX and the efforts to address the concerns. The Title IX Coordinator may act as a conduit to refer you to the right person or procedure. They will probably ask you to put your issues in writing. Aren't you glad you've documented and saved your work? The coordinator might contact your system's Title IX officer providing notification and can help apply pressure to remedy the situation.

It is important to understand, however, that in some states, coordinators are charged only with internal agency Title IX issues and have no responsibilities for or even contact with their local school systems, community colleges or post-secondary institutions. The Title IX law and regulations do not actually charge state-level educators with handling compliance. An Office for Civil Rights (OCR) complaint (as well as most lawsuits) moves through the actual school system, not through the state education agency.

To date, every SEA has a designee, even if in name only. This happened after women's and girls' advocacy groups contacted every single state education agency and checked their Web sites. Until then (2007), 22 states didn't even identify a Title IX Coordinator. So, that's what persistence at the national level can guarantee. You've now got to reinforce that persistence by calling your SEA, finding that individual and sharing your story. His or her response, at least contacting your school site Title IX officer, could fortify your cause. An opening statement in the Appendix could guide your conversation (See Appendix: Step 14, p. 37).

Additionally, information regarding state Title IX laws can be found on the Women's Sports Foundation Web site.

### **Step 15: The Title IX Complaint**

The Federal Office for Civil Rights (OCR) is the branch of the U.S. Department of Education, which is responsible for enforcing Title IX. Making a formal complaint to the OCR is not a lawsuit but rather an administrative complaint. An administrative complaint can be filed by anyone; it could come from a parent, an athlete, an entire team or even be initiated by a total stranger. You do not need a lawyer to file a complaint.

#### **Filing the Complaint:**

The best and easiest way to file a complaint with OCR is to use its electronic complaint form at [www.ed.gov/about/offices/list/ocr/complaintintro.html](http://www.ed.gov/about/offices/list/ocr/complaintintro.html).

You may also file a complaint by writing a complaint letter and mailing it to the OCR office in your area. If you choose to file using a letter rather than an OCR complaint form, be sure to include a) the name and address of the person filing the complainant, b) the signature of the person filing the complaint, c) a description of the person or group injured, d) the name of the institution, e) a detailed description of the alleged discrimination, and f) information about when the discrimination occurred or whether it's ongoing.

While a complaint form requires the name and address of the complainant, the OCR will ensure your confidentiality upon request. On the OCR complaint form, there is a place to request confidentiality. If you file using a letter, be sure to specifically make the request. If possible, TYPE the complaint. Schools are allowed to review the complaint, so if you are worried about the confidentiality of the complaint, we advise you not to handwrite it.

Remember your paper trail (See Step Five): If you file your complaint by mail rather than electronically, be sure to send your letter "Registered Mail/Return Receipt Requested" so that you can document that it was received.

Regardless of how you choose to file your complaint, **it must be filed within 180 calendar days of the date the discrimination occurred**, unless the time for filing is extended by OCR for good cause. The OCR tends to be very strict about its filing deadline; however, there is a place on the OCR complaint form to specifically request an extension. These are reviewed on a case-by-case basis.

The OCR will not process a complaint that is already being addressed by another government agency or within a school's formal grievance procedure—if the OCR believes that the agency you filed with will handle things comparable to the OCR. Once the other complaint process is completed, you have 60 days to refile your complaint with the OCR. The OCR's first step will be to determine whether to defer to the result reached in the other process.

The investigator or attorney assigned to your complaint may wish to interview you to gather additional information or clarify your concerns. During the interview, provide as much specific information as possible to help demonstrate that there is a specific disparity between the boys' and girls' overall sports program in your school district.

Once you initiate an action with the OCR, it's useful to anticipate what steps lay ahead.

**Filing the Complaint:** A complaint letter must: a) be signed, b) contain the name and address of the complainant, c) describe the person or group injured, d) identify the institution, e) describe the alleged discrimination, and f) provide information about when discrimination occurred. Make sure to write down every single discriminatory problem you see at the school. You should never feel that something is too simple or obvious to write down. You must explain how overall the facilities for all of the women's programs are inferior to those for the men's programs.

**Investigation Process:** The OCR must resolve all complaints in a "timely manner." The OCR says that each case is dealt with on a case-by-case basis, but that on average these are the steps they will mount, as a result of your action.

1. A complaint must be filed within six months of the date of the last act of alleged discrimination.
2. Within seven days, the OCR will acknowledge receipt of the complaint.
3. Within about 30 days of receiving the complaint, a decision on an investigation is made.
4. Over the next month, data is gathered from the school.
5. About a month later, the OCR will set up school interviews and go onto campus for investigation.
6. Within six months, the OCR attempts to have all complaints resolved.

The Appendix has the specific items required to file a complaint with the Office for Civil Rights (See Appendix: Step 15, p. 38-44).

### **Step 16: A Title IX Lawsuit**

We suspect that no one likes going to court. However, because of your particular circumstances, you may decide to pursue this avenue. The step beyond filing an OCR complaint is a lawsuit. A lawsuit must be filed by a person or by several persons who are directly affected by the discrimination. You will need an attorney. If you need help finding a lawyer, the Women's Sports Foundation will work to help you identify one who will assist you at no or little cost for his or her time. For

a list of attorneys in your area, please e-mail the Women's Sports Foundation's Advocacy Department at [Advocacy@WomensSportsFoundation.org](mailto:Advocacy@WomensSportsFoundation.org) or call 800.227.3988. The Appendix provides additional thoughts on pursuing a Title IX case (See Appendix: Step 16, p. 45-49).

## Conclusion

You've been in training and probably feel that with each step, you've mastered a marathon by now. You could be tired, frustrated or in shape! And you may have shaped up your school as well. The issue of gender equity should not be a problem in today's society. Most adults and children presume that schools and publicly funded programs provide benefits and services for all students—equally. With the help of your team—students, parents, teachers, coaches and administrators, you may have broken down barriers. You may now know that **V is for Victory. So is IX.**

This step-by-step guide is but one tool that can help you assess and achieve gender equity. Thanks to a new, extensive grassroots Title IX Campaign, **V is for Victory. So is IX.**, there are many more resources, from viral videos to workshops with our Public Policy Officers available to you. And we want to know how you're doing, so count down to Title IX victory because winning is everything.

Learn more about the **V is for Victory. So is IX.** campaign at [www.vis4victory.org](http://www.vis4victory.org).

At any point in the process, contact the Women's Sports Foundation to discuss your situation and get our assistance. E-mail our Advocacy Department or call us toll-free at 800.227.3988.

## Appendix: Step 1 (Grade Your School)

Complete the Grade Your School report card at:  
[www.WomensSportsFoundation.org/GradeYourSchool](http://www.WomensSportsFoundation.org/GradeYourSchool)

## Appendix: Step 2 (Gather the Facts)

### Example: Questions to Ponder

Having studied your site and Graded Your School, you certainly have some questions about what is fair and what the standard for Title IX compliance must be. Here are some questions that will help you assemble observations or facts.

1. Do the boys have brand-new uniforms, after getting new uniforms two years prior, and the girls are still wearing the same old uniforms from four years ago?
2. Do the boys practice on the game court every day and the girls practice on the smaller court off to the side?
3. Do the boys have all brand-new equipment and the girls have to share or fix their own equipment?
4. Do the boys always play their games at 7:00 p.m., a prime time, and the girls always play at 5:00 p.m.?
5. Do the cheerleaders only seem to cheer at the boys' sporting events?
6. When it is time for an away game, does the boys' team get a big, comfortable bus, while the girls' team has to pile into minivans?
7. Does the men's team have weekly media guides at games and the women's team gets a yearly trading card with a schedule on the back?
8. When the girls' volleyball team needs a new head coach, does the school shift an assistant coach from a boys' volleyball team rather than search for highly qualified coach?

Your questions will now allow you to Gather the Facts and chart your observations.

Sample Site Observation/ Observer Date/Time	Details/Facts	Source/ Reference
Boys' Soccer Field  Erin B. 11th-grader  10/2 10:15 a.m.	Field was prepped and lined early on game days by maintenance staff; no classes or access to the space for anyone during the weeks of the boys' season; girls' soccer field was lined by coaches (10/1, 2:15 p.m.) and routinely used for physical education classes, club touch football and marching band rehearsals (week of 9/22-26).	<i>Play Fair: A Title IX Playbook for Victory</i> , (Facilities section)
Boys' Soccer Field and Big Gym  Julia L. (11th-grade student newspaper reporter)  Claire L. (12th-grade student newspaper reporter)  10/24 4:15 p.m.	Girls had a varsity and junior varsity volleyball game. There was no official opening to the game with announcer introducing athletes by name, playing "Star-Spangled Banner" tape and commenting on game/scores. The referees just pulled the captains together, talked and then started play. A student manager served as the time-keeper.  At almost the same time, the boys were introduced on the soccer field (surrounded by the cheerleaders); the pep band played the national anthem and a student PA announcer did running commentary on the game. An adult teacher served as time-keeper.	<i>Play Fair: A Title IX Playbook for Victory</i> , (Support Services)

## Appendix: Step 3 (Rally a Strong Team)

### Example: Gathering Supportive Advocates

1. Gather names of people that share your values, such as sports, gender equity and fairness.
2. Add people committed to equality including parents, former and current athletes, coaches and members of the administration.

Sample Name/Contact Information	Special Interests/Skills
Erica F. E-mail Preferred phone Address	Graphic designer, former HS basketball player, parent of 11th-grade daughter playing JV basketball, son on varsity boys' basketball team

3. Show your new “teammates” the Grade Your School report card, *Play Fair: A Title IX Playbook for Victory* and any other information you have gathered. Find out if anyone else has any information to share that would help. Add to the gather Your Facts chart from Step Two. Encourage people to go online and grade their schools as well.
4. Set up time for the group to organize, strategizing ways to get something done.
  - Provide snacks/lunch/dinner and have teammates talk over Title IX as you bounce ideas around. Food and the informality are good conversation starters.
  - Different people may have varied connections within or outside the school that may be helpful.
5. Being on a team also means you can divide duties, like playing different positions. Maybe someone has time during the day to get signatures for a petition, while someone else knows a lawyer that would provide advice.
6. Having a large, yet manageable size group matters. Your school administration may be more likely to fix the problem with pressure from lots of local people, anxious about media coverage or outsiders.

## Appendix: Step 4 (Prepare Your Case)

With a team, your case will have additional credibility if you have a petition that demonstrates your support for Title IX compliance. Don't clutter your petition with information or requests that have no essential connection to the main message. Read over your petition carefully, trying to make sure it is clear and concise. Make sure it:

1. Describes the situation,
2. Suggests what is needed, and
3. Explains why it is needed.

Here is an example of a student petition to administrators:

*Dear Athletic Director, Stepup High School:*

*On Friday, October 10th, 14 members of the Title IX Advocacy group made school-wide observations regarding gender inequities in sports. Our findings included the following realities, all advantaging boys and their athletic programs.*

- 1. [List very specific concerns] Parents of boys' and girls' varsity teams work at the snack booth for all football and basketball games, but the money they raise only supports boys' major sports.*
- 2. When a boy gets his first sports letter, he's able to buy a letter jacket (that's sized and styled for him). Even if a girl wanted a jacket, there's nothing available.*
- 3. We have these huge seasonal pep rallies for the boys' sports, but the girl athletes are not included at all.*
- 4. [List any additional concerns]...*

*The federal Title IX law guarantees that gender should not determine the quality or quantity of a student's athletic experience in our school.*

*We, the undersigned, recognize that our school has not been playing fair for girls' sports, and we call on the administration and the athletic department to remedy the situation. We request a full athletic assessment of our school's compliance with Title IX and a planned and speedy achievement of the law's requirements by July of this year.*

*Name Address/Contact information*

1. \_\_\_\_\_

2. \_\_\_\_\_

*To write and distribute a petition electronically, use [www.gopetition.com/howtowriteapetition.php](http://www.gopetition.com/howtowriteapetition.php).*

## Appendix: Step 5 (Make a Paper Trail)

We strongly suggest that you keep copies of everything. Be conscientious about creating a record of each attempt you've made to address gender discrimination. Maintain a separate set for every meeting or conversation (with dates and results). And don't forget to document phone calls by taking down notes. You may need to show this "history" later on. If you procrastinate, it will be very difficult, if not impossible, to accurately reconstruct everything that has happened.

So, we are offering a tracking tool, really just concepts of materials and methods for retaining a log of your efforts. Using the Action Planning Minutes Chart from your meetings, calls and other communications will help you to stay on track.

**Action Planning Minutes Chart**

Sample Contact Person/ Date/Day Agenda Item	Report Out	Next Steps?
Kayan B. 10/6  Uniform Disparities: Interviewed the Girls' Volleyball Captains from the past 3 years	Girls have complained about their uniforms for 4 years, describing them as dated and too sleazy/sexy. People in the gym make catcalls, even during practices, about their attire. (interview notes filed). Note legal standards for uniforms—part of Equipment and Supplies.	Contact (in the next 2 weeks) the v-ball coaches and AD to find out how uniforms are typically ordered for all teams. Try to identify if there is a cycle based on wear, gender, costs, sport hierarchy, booster clubs, etc.

Please be sure to use the content and text from the legal standards and language for Title IX in any letters or documents sent to school officials to explain why you feel the treatment of your program violates Title IX.

## Appendix: Step 6 (Educate the Educators)

### Example: Draft Opening Statement for the Advocate Group's First Meeting

*Welcome, Everyone.*

*We are gathered here today to bring attention to a serious situation. We have confidence that everyone knows the guidelines of Title IX. A school is obligated to ensure that it provides its male and female athletes with comparable benefits, resources and participation opportunities. [The example that follows focuses on treatment of athletes. If your group's concern is related to opportunities to participate or funding (you want a girls' varsity soccer team), please target that in your statement.] The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining-typically in high education] and support services.*

*As a group, we believe that our students should understand the value of equality and that this lesson should first be learned at home as well as realized in school. However, the students and athletes of [insert school name] do not experience a model of equality. Therefore, as the group Advocates for Change, we are willing to ensure that our school's student-athletes have fair treatment.*

*Everyone here should understand the inequities that currently exist between the boys' and girls' programs in our school. I am pretty sure everyone has their own story to share. We will provide sufficient time to share those throughout this process. Our individual stories represent problems strictly prohibited by Title IX.*

*Let's listen to just three today...*

- 1.
- 2.
- 3.

*The next phase of our plan focuses on meeting with the athletic director and principal [or college president]. Each of us has the potential to educate them on situations at our school. As a group, we need to sort through approaches for each meeting. In addition to raising awareness, we must call for action. We want to leave each meeting with the appropriate person agreeing to fulfill a request.*

## Appendix: Step 7 (Talk with the Athletic Director)

### Example: Initial Advocate's [Parent] Letter to the Athletic Director

This may be your first official letter, drawn from the work of your advocacy committee. It requires several general yet crucial components. First note a template, which will need your particular additions, in order to become a useful letter of advocacy. If you have collected signatures on a petition (Step Four), include that with your letter and the steps yet to come.

*[Your Address/Contact Information]*

*[Date]*

*To [Athletic Director]:*

*On [date], I [observed] a [circumstance out of compliance with Title IX]. I am disappointed because our [school site] has [not performed as it should, is wrong] because [state the problem as you understand it giving as much detail as possible].*

*A school is obligated to ensure that it provides its male and female athletes with comparable benefits, resources and participation opportunities. [The example that follows focuses on treatment of athletes. If your group's concern is related to opportunities to participate or funding (you want a girls' varsity soccer team) please target that in your statement.] The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining-typically in high education] and support services. [Add specific standard language from Step Two.]*

*To resolve the problem I would appreciate your [state the action you require]. Enclosed is [a copy/are copies] of the [documentation, supporting resources] that supports my concern.*

*I look forward to hearing from you and to a resolution of this problem. I will wait for [set a time limit] before seeking help from [the school's Principal or Title IX Coordinator]. Please contact me at the above locale, e-mail address or by phone [give e-mail address and/or phone numbers].*

*Sincerely,*

*[Name]*

*A Concerned Parent*

*cc. [send copies to other related parties]*

Now, let's see how a sample letter looks when the text is filled in with a story drawn from our files.

1150 17th St., NW  
Washington, DC 20036  
Cparent@emailaddress.net

October 25, 2008

Athletic Director  
Stepup High School

Dear A. Roadblock:

*As a parent and sports fan of Stepup High School, I have cheered for wonderful teams and athletes over the years. However, it pains me to see some inequalities and inconsistencies occurring in athletics. As you may already know, Title IX is the portion of the Education Amendments of 1972 that prohibits sex discrimination in educational institutions that receive any federal funds. In brief:*

*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.*

*As I'm sure you are aware, a school is obligated to ensure that it provides its male and female athletes with comparable benefits, resources and participation opportunities. The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) and support services.*

*Therefore, I want to present several disparities that I have witnessed. I have done an assessment of the school and its athletic opportunities for both men and women. After filling out an online assessment with the Women's Sports Foundation, our program's compliance with Title IX was graded a C-. I have seen the difference in equipment quality and quantity for the girls' teams, including overused tennis balls and cheap rubber versus leather balls for volleyball. Also the lack of adequate facilities for both tennis teams has resulted in the girls going off-site to public courts, while the boys stay here at school. I have noted that for the past four years, the girls' basketball team has played in the same old uniforms, but the boys' basketball team has new uniforms every other year. As someone who had a son playing varsity sports for three years, I have a unique vantage point for these comparisons.*

*These are just a few of the problems I have observed, and I chose to bring these issues to you so that we can rectify them quickly. I have included copies of "Play Fair: A Title IX Playbook for Victory," a Women's Sports Foundation publication*

*that explains all about Title IX, a federal requirement. I know that you have the responsibility to see that changes are made and you would want our student-athletes to experience the law's intent. I will call your office in the next five days to make an appointment so that we can determine together our next best steps.*

*Sincerely,*

*P. A. Rent  
Concerned Parent*

*cc: The Stepup HS Title IX Advocacy Group*

## Appendix: Step 8 (Meet with the Principal or Higher Education Dean/Director)

### Example: Draft Script for Meeting with the Principal or College Administrator

When you plan a meeting with a high-level school administrator, you need to prepare a tight outline (even with minute cues for a 30-minute session) to keep your group on task.

**[3-5 minutes] Introduction:** Thank you for taking time out of your busy schedule to speak with us. Let's briefly introduce ourselves by name first. [name and role of all attendees] I know we must improve the quality of our sports programs by improving their equality. We have confidence that you know Title IX's guidelines. We have provided several supplemental materials that have guided our efforts.

**[4-5 minutes] Student-Athlete:** I am a student-athlete and have played for three years on two teams. As a participant, I have seen gender differences in our treatment, including facilities and equipment. A school is obligated to ensure that it provides its male and female athletes with comparable benefits, resources and participation opportunities. [The example that follows focuses on treatment of athletes. If your group's concern is related to opportunities to participate or funding (you want a girls' varsity soccer team) please target that in your statement.] The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining—typically in high education] and support services.

**Specific examples:** *The girls' basketball team has all of its games at 4 p.m. and the boys' basketball team plays games at 7 p.m.; the booster club paid for a new baseball field while the softball field badly needs repairs; we have one coach for the boys' and girls' tennis teams, but he doesn't work with us hardly at all; when it rains, the boys get to use indoor facilities and our practices are just cancelled; the boys' teams have a huge, free fall banquet at homecoming and the girls don't have anything that's even similar; the male athletes get letter jackets paid for by somebody and we just get letters.*

**[4-5 minutes] Parent:** The examples presented represent a few of the problems prohibited by Title IX. Additionally, we did a Grade Your School report card online with the Women's Sports Foundation and it shows that [insert school name] is not in compliance "earning" a final grade of [insert grade]. Plus, I have received "Play Fair: A Title IX Playbook for Victory," that outlines the guidelines for Title IX, which I have included along with the graded report card for your review.

**[3-4 minutes] Team Captain:** A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. Under Title IX, budgets for boys' and girls' teams do not have to be equal, but the bottom line is that the benefits provided must be equal. The treatment categories include:

equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining-typically in high education] and support services.

**[5-6 minutes] Supporter:** What suggestion might you offer as a next step for us? [open conversation] Perhaps you would call an action meeting with your staff and discuss these matters. We will partner with you all to rectify the current concerns and introduce guidelines to make sure the problems do not reoccur. Keeping us involved will support transparency and model the community-school partnership that is so effective.

**[4-5 minutes] Closer:** I'll analyze briefly what has been presented today. [Review the opening comment, athlete's perspective, parent's input and supporter's viewpoints.] Now more importantly, let's restate what our plan is to move forward on Title IX compliance. Would each of you summarize what your next step will be? [Take notes so that you have confirmation and direction when you leave the meeting.]

Following the meeting, within 2-3 days, write a letter of thanks to the school administrator. It's important to review the meeting, including a restatement of what happened from the opening introduction and the student and parent revelations to what your group wants to occur to what the school officials promised to do in a step-by-step manner.

### **Example: Draft Thank-You Letter for Meeting with the Principal or College Administrator**

Note that the sample provides several key places to insert your own story and details.

*[Your Address/Contact Information]*

*[Date]*

To *[Administrator]*:

*On [date], the [Advocates for Change] met with you to review findings that show our school's non-compliance with Title IX. We are so grateful for your time, demonstrating your willingness to examine the law's policies and practices for our student-athletes.*

*The reasons for our meeting remain clear. We have several explicit gender disparities [insert your own examples] regarding facilities, uniforms and overall support (or non-supportive) services that consistently favor boys and their programs over the girls.*

*We agreed on the following course of action [describe your own results] driven by a newly established Task Force for Equity:*

*1) Meeting with AD and administrative staff to analyze data, with information to be submitted within 20 days.*

*2) Establish a time line of financial compliance for the current and next budget cycle.*

*3) Meet with the administrative team, coaches and support staff, within 30 days, to clarify campus compliance with Title IX and invite solutions for this year.*

*4) [Whatever else you need to describe.]*

*Incidentally, the new and gender-balanced publicity materials you shared provide concrete hope that our progress will continue. [Add any positive meeting outcomes.]*

*We remain appreciative of your agreement to develop a Task Force for Equity. On behalf of our committee, I look forward to hearing from you in the next week with the meeting date, place and the short range objectives. Please contact me [via e-mail address] or by phone [list numbers].*

*Sincerely,*

*[Name]*

*P. A. Rent*

*A Concerned Parent*

*cc: [The Stepup HS Title IX Advocacy Group and previous contacts]*

## Appendix: Step 9 (Contact the Title IX Compliance Coordinator)

### Example: Initial One-on-one Conference Opening with Title IX Compliance Coordinator

Once you get the chance to speak with the Title IX Compliance Coordinator, begin by reviewing all the steps you have covered. While this review may seem tedious to you, each new individual needs to know that they are not your first point of contact. They are part of a series of steps you have made, and will continue to make, on behalf of Title IX and fairness.

Please remember, that the example which follows is just that! You will need to communicate your concerns and highlight the specific inequities drawn from your school's situation.

"Hi, I am connecting with you because I have not received the proper guidance from others regarding Title IX issues at this university. I believe that we do not provide equitable facilities to the women's program when compared with the men's and that could be a Title IX violation.

I have witnessed the small, cramped, locker room that many of the women's teams must share, while both the men's football and basketball teams have a spacious, newly furnished and technology-filled locker room, including a refrigerator with cold beverages and a whirlpool. The men's teams also have a new workout facility with upscale equipment, while the women have to use an older facility with rusting apparatus. Additionally, some women's teams travel in vans (being told that "dollars are tight"), while the men's teams travel on charter buses and even fly to some away games.

I do not believe this treatment is fair and something needs to be done about it. Therefore, I am bringing this situation to light, hoping that when the school knows the program discrepancies, we can fix them. I would like to know the procedure for filing a Title IX grievance or complaint against the school. What are the next steps I must make and how will you assist me?"

## Appendix: Step 10 (Write to Your Chief Administrator and Board)

This may be yet another official letter, drawn from the work of your advocacy committee. Each version requires several general yet crucial components. First note the template, which will need your particular additions, in order to become a useful letter of advocacy.

*[Your Address/Contact Information]*

*[Date]*

To *[Superintendent/President and Board Members]:*

On *[date]*, I *[observed]* a *[circumstance out of compliance with Title IX]*. I am disappointed because our *[school site or district.]* has *[not performed as it should, is wrong]* because *[state the problem as you understand it giving as much detail as possible]*.

*A school is obligated to ensure that it provides its male and female athletes with comparable benefits, resources and participation opportunities. [The example that follows focuses on treatment of athletes. If your group's concern is related to opportunities to participate or funding (you want a girls' varsity soccer team) please target that in your statement.] The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining-typically in high education] and support services. [Add specific standard language of Title IX.]*

*To resolve the problem I would appreciate your [state the action you require]. Enclosed is a copy/are copies of the [documentation, supporting resources] that supports my concern.*

*I look forward to hearing from you and to a resolution of this problem. I will wait for [set a time limit] before seeking help from [an attorney; the state Title IX Coordinator; the Office for Civil Rights]. Please contact me at the above locale, e-mail address or by phone [give numbers].*

*Sincerely,*

*[Name]*

*A Concerned Citizen and Parent*

*cc: [send copies to other related parties]*

## Example: Formal Letter to the Chair, Board of Education

*[Your Address/Contact Information]*

*[Date]*

*Dear Board Chair Russ Traction,*

*I have been a proud parent of three students in our K-12 district, and I have watched and supported their achievements as both students and student-athletes. I am also an advocate for equality, and I am reaching out to correct local inequities, especially in athletics. I have been on a step-by-step journey to correct problems, but unfortunately I have met astonishing roadblocks. I have spoken with many individuals who have power to make changes. Regrettably, they have neither done so, nor do they seem to care. Therefore, I am writing you in an effort to guarantee change—understanding that equality must be evident across all of our campus programs and services.*

*A school is obligated to ensure that it provides its male and female athletes with comparable benefits, resources and participation opportunities. The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) and support services.*

*There are many differences in the athletic programs for our boys and girls. Issues include quality of equipment, lack of proper facilities, and coaching. As a parent, I come to many of the after-school and evening events and I am distressed by the condition of the girls' gear. The girls' basketball team competes in the old gymnasium with unacceptable locker rooms, a bad gym floor, four-year-old uniforms and barely enough basketballs for practice. The girls' lacrosse team has old lacrosse sticks and goggles, and the softball team is in desperate need of a new field. Also, one girls' team has had four reassigned, new coaches (all unsuccessful males) in six years, and the school has done nothing to recruit a competent coach.*

*These conditions represent just a few school problems involving equality between the boys' and the girls' programs. I have spoken with the athletic director [name and date] and the school principal [name and date] and neither have done anything to remedy the problem or even provide the due diligence these issues require.*

*I have included my notes from both meetings and several resources from the Women's Sports Foundation. Therefore, I am seeking a meeting with you as the School Board Chair, to personally relay my concerns and feel confident that my voice will be heard. Then we can put a strategy in place to fix the problems, being sure Title IX compliance is achieved. I will contact your office by phone this week, looking to establish a date for our initial meeting.*

*Sincerely,*

*P. A. Rent  
Concerned Parent*

*cc: The Stepup HS Title IX Advocacy Group, District Superintendent Dr. Rightmove*

## Appendix: Step 11 (Tell Your Local Media)

This example letter is a sample meant to describe and engage the local media in a Title IX pitch. While written to demonstrate a concern for a local college, it could be revised to accommodate the needs and interests of high school students.

*[Your Address/Contact Information]*

*[Date]*

*Dear [Media Target]*

*I have distressing news about our higher education system and its choice to avoid fixing a big problem. Our local college [school name] ignores its responsibility to provide a fair and equal experience for all its students. In this case, I am speaking about athletics and the requirements of Title IX. A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. [The example that follows focuses on treatment of athletes. If your group's concern is related to opportunities to participate or funding (you want a girls' varsity soccer team) please target that in your statement.] The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining-typically in high education] and support services.*

*The women's teams face inequalities in funding, facilities, equipment, and travel. And I am linked to the college as my daughter is enrolled and my taxes provide monetary support.*

*[College name] has done a great disservice to its female athletes. Walking through the women's team locker room, there was insufficient room to accomplish simple tasks (storing clothes and equipment, dressing and meeting). The women's basketball team has to play in an old, small, dusty gym where the men's team refused to play for years. The lacrosse and softball teams both need better fields because the routine maintenance has been dreadful. The women's lacrosse and field hockey teams play with dated (and probably unsafe) equipment. I've even noted duct tape wrapped around sticks. Conversely, the men's baseball team just opened its redesigned stadium and both the men's soccer and football teams wear new uniforms.*

*When I spoke with school administrators, the athletic director [name and date] and the dean (name and date) both explained that new men's equipment and facilities were covered by the Alumni Booster Clubs and that the school did not have the resources to provide comparable amenities for the women's programs. This type of treatment is a clear violation of Title IX. Neither administrator has taken our complaints seriously. Therefore, nothing is being done about this horrible situation.*

*While these inequities might be apparent in other communities, we are ready to take a stand and make changes here. I urge you to investigate with us because*

*the consequences for our women are unacceptable. On behalf of [Advocates for Change], please contact me to plan a site visit. We will set up meetings and interviews, allowing your reporters (and photographers) to see and hear the weight of our concerns.*

*Sincerely,*

*Red T. Go*

*Advocates for Change*

## Appendix: Step 12 (Write to Your Legislators)

This may be one more formal letter, drawn from the work of your advocacy committee. Each version requires several general yet crucial components. First note the template, which will need your particular additions, in order to become a useful letter of advocacy. Writing to an elected official is a big step, yet know that your response may vary widely depending upon the official's locus of control and the availability of support staff and resources.

Checkout our Web link to find your policymaker's contact information.

[http://wsf.convio.net/site/PageServer?pagename=adv\\_advocate](http://wsf.convio.net/site/PageServer?pagename=adv_advocate)

*[Your Address/Contact Information]*

*[Date]*

*Dear (State Legislator/Mayor),*

*On [date], I [observed] a [circumstance out of compliance with Title IX]. I am disappointed because our [college site.] has [not performed as it should, is wrong] because [state the problem as you understand it giving as much detail as possible].*

*A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. [The example that follows focuses on treatment of athletes. If your group's concern is related to opportunities to participate or funding (you want a girls' varsity soccer team) please target that in your statement.] The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) [tutoring, recruitment, housing/dining-typically in high education] and support services.*

*To resolve the problem, I would appreciate your [state the action you require]. Enclosed [is a copy/are copies] of the [documentation, supporting resources] that supports my concern.*

*I look forward to hearing from you as well as a resolution to this problem. I will wait for [set a time limit] before seeking help from [an attorney; the State Title IX Coordinator; the Office for Civil Rights]. Please contact me at the above locale, e-mail address or by phone [give numbers].*

*Sincerely,*

*[Name]*

*A Concerned College Student, Athlete and Community Activist*

*cc. [send copies to other related parties]*

## Example: Letter to the City Mayor

*[Your Address/Contact Information]*

*[Date]*

*Dear Mayor Matters,*

*Thank you for being an elected official who focuses on issues plaguing students in today's schools and colleges. My concern, the gender disparities for athletes at Nofair University stems from a lack of compliance with Title IX. A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. The treatment categories include: equipment, facilities, publicity, scheduling, coaching, travel and daily allowance, training (medical) and support services.*

*I have spoken with many people in varied job roles about these issues, but their lack of corrective actions obligates me to request your assistance. As I have explained to our athletic directors and administrators, the unequal treatment of female athletes at Nofair U. is unlawful. The problems, including poor equipment, unsatisfactory facilities, limited funding and insufficient coaching, are all violations of Title IX. The men's programs do not face any of these limitations. Some women's teams even raise money to cover travel and food, while the men's program receives full funding for all they do.*

*As citizens, we expect our students to learn many different lessons in higher education, including the valuable lifetime lessons athletes experience through sports. However, allowing programs to discriminate by treating women unfairly sends a terrible message and should be quickly corrected. While some officials might avoid working on this problem, I know that with your help we can accomplish the needed changes. I will contact your office in the next week to find the name of a legislative aide who will monitor and track your response to my request.*

*Sincerely,*

*Needa Chance*

*A Concerned College Student, Athlete and Community Activist, Nofair University*

## Appendix: Step 13 (Keep on Going)

You have come to a serious plateau in your step-by-step process. Any step you take will require some planning, noted by both pros and cons. And, one option does not delimit the need or possibility of going the other or both ways. You and your committee (we hope you still have the team on your side) will need to see which route you want to go. Will you begin by contacting your state's Title IX Coordinator? Will you file a Title IX complaint with the Office for Civil Rights? Or, will you initiate a Title IX lawsuit? Read through Steps 14-16 and use this chart below to capture your research.

Option	Benefits	Consequences
Contact the State Title IX Coordinator	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>
Filing a Title IX Complaint with the Office for Civil Rights	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>
Initiating a Title IX Lawsuit	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>

As you examine the advantages and disadvantages of these steps, are you best able to see which route is best for your concerns?

## Appendix: Step 14 (Contact Your State Title IX Coordinator)

When you speak with your state's Title IX Coordinator, begin by reviewing all the steps you have covered. While this review may be tiresome, every individual needs to know that this is not the first time you are reaching out. Each person is a step in the progress you have made, and will continue to make, on behalf of Title IX and fairness. Find your state's Title IX Coordinator at: <http://www.womenssportsfoundation.org/Content/Articles/Issues/Title-IX/T/Title-IX-Coordinators-in-State-Education-Agencies.aspx>

“Hi, I am connecting with you because I have not received the proper guidance from others regarding Title IX issues at this university. I believe that we do not provide [and this is where you define and describe the problem on your campus] adequate funding and equitable facilities to the women's program when compared with the men's and that could be a Title IX violation.

I have witnessed the small, cramped locker room that many of the women's teams must share, while both the men's football and basketball teams have a spacious, newly furnished and technology-filled locker room, including a refrigerator with cold beverages and a Whirlpool. The men's teams also have a new workout facility with upscale equipment, while the women have to use an older facility with rusting apparatus. Additionally, some women's teams travel in vans (being told that “dollars are tight”), while the men's teams travel on charter buses and even fly to some away games.

I do not believe this treatment is fair and believe something needs to be done about it. Therefore, I am bringing this situation to light, hoping that when the school knows the program discrepancies, we can fix them. How might you typically be available to assist me? What leverage might you have that could most easily and effectively make the difference? What are the next steps I could make and how will you assist me?”

## Appendix: Step 15 (The Title IX Complaint)

### Example: Crafting an OCR Complaint

The best and easiest way to file a complaint with the OCR is to use its electronic complaint form at: [www.ed.gov/about/offices/list/ocr/complaintintro.html](http://www.ed.gov/about/offices/list/ocr/complaintintro.html).

You will need to include the information below with your submission.

U.S. Department of Education  
Office for Civil Rights  
(Region)  
(Address)

List of OCR Regional Offices: <http://www.womenssportsfoundation.org/Content/Articles/Issues/Title-IX/R/Regional-Offices-for-Civil-Rights-OCR.aspx>

#### A. Complainant's Information

1. Advocates for Change  
(Address)  
(Phone Number(s))  
(E-mail)

#### B. Filing on Behalf of Another

1. Names of Person(s) Discriminated Against:  
Attached is a list of persons who have been discriminated against in athletics at (school). (It is requested that this list remain confidential because of fear of retaliation).
2. Person(s) discriminated against: female athletes, female coaches

#### C. Institution

1. (School Name)  
(Address)
2. Complainant is filing on behalf of student, (others if necessary)

#### D. Bases and allegations

1. Reason for Discrimination: Sex
2. The alleged discriminatory conduct includes the following:  
[The list of examples we have provided is both long and deep. They are provided only to help you word the content of your complaint. Below is a sample of how you might describe discrimination based on the denial of equal competitive opportunities (also referred to as "Interests and Abilities"). Funding and Scholarships plus Treatment also follow and are backed with examples.]

#### I. Competitive Opportunities/Meeting Students' Interests and Abilities

Example 1: Our school's student body is presently 50% female and 50% male, but

the athletic participation rates for female students in sports is only 33% (344) compared to 67% (719) for male students. There are female students who are interested in participating in sports, but their interests are not being met. The school has not added sport opportunities for girls in the last eight years. The school has cut sport opportunities for girls, by eliminating JV volleyball two years ago.

## II. Funding and Scholarships

Example 1: Our university is not at all transparent about scholarships. I found out that the football team is carrying more than 48 players on a full load of financial aid, and that covers classes, room and board. There is no one else on any team (male or female) that receives a full scholarship like this. Some of us have a waiver, which carries our tuition during the season we play. We think, however, something else might be going on. Two other male teams (basketball and baseball) have their waivers covering both semesters—the one when the team plays in the division and the other semester when they call it “fall ball” or “spring training.” We heard this from several male athletes, who presumed we had the same financial aid system in the women’s program. Overall, there are only single-semester tuition breaks for females on our campus, and many males (probably more than 30) who get both semesters, each year, on scholarship. And we can’t be sure because no one will give us any information.

## III. Treatment

[The treatment categories below are all relevant as you describe gender disparities in the athletic program. See Step Two for the standards and language of Title IX. It is important when writing your complaint that you not only note the specific treatment or issue for your team, but describe how that creates an overall imbalance between the treatment of the male and female athletes. Keep in mind that the Title IX law is about impact on the total program. It is not enough that one girls’ team is treated worse than one boys’ team in the fall season. If in the winter season a girls’ team gets better benefits than the boys’ team, the inequity might balance out.

Here are some sample findings that with your elaboration, will demonstrate a pattern of inequity.

### a) Locker Rooms, Practice and Competitive Facilities

[Below are two examples of how you might describe discrimination in the area of facilities.]

**Example 1:** The boys’ golf team practices and plays at the nearby country club, but the girls’ golf team plays at the public golf course, which is not as nice and is a 30-minute drive from school. The other girls’ teams in our school use facilities that are either of the same or lesser quality than the boys’ teams. Overall, the facilities used by the girls’ sports program are not as nice, well-kept or convenient as those used by the boys.

**Example 2:** The girls' soccer players do not have access to the weight room. The girls' team is signed up to use the weight room every Monday and Wednesday at 4:30, following the football team. When the girls arrive for their scheduled weight training sessions, the football players won't leave. By the time the males leave, the females have less than 15 minutes before the custodial staff begins cleaning. This happens weekly, and many of the girls avoid showing up for their scheduled workouts. The athletic director told the soccer and football coaches to "work it out," but the football coach has refused to remedy the situation. The girls' soccer team is the only team in the school that does not get the time they have scheduled in the weight training room.

#### **b) Equipment and Supplies**

[Below is an example of how you might describe discrimination based on the denial of comparable equipment and supplies for girls' teams.]

**Example 1:** At the start of every season the boys' varsity basketball team receives new uniforms and gym bags, but the girls' varsity basketball team hasn't received new uniforms in three years. This disparity in equipment and supplies between the girls' and boys' basketball team creates an overall disparity in the sports program because there are no girls' teams that receive this type of benefit over a boys' team.

#### **c) Scheduling of Games and Practice Times**

[Below is an example of how you might describe discrimination in the area of scheduling of games and practice times.]

Example 1: The girls on the swim team have pool time at the local "Y" at 6:00 a.m. in the morning. The boys have the 4:00 p.m. spot. Since our high school starts early, it means we are scheduled for PE first period and "miss it" with swim practice counting as our gym time. It actually gives us shorter access to the instructional day, with fewer chances to select courses in the academics. The boys do not have any conflict with their day and certainly don't have to be in the pool first thing in the morning. We requested that the teams' alternate, going early one week and after school the next. The boys' coach just laughed, explaining that he taught a first-period class and that just wouldn't work for him. Then, we looked at the overall schedule of shared spaces in the field house and playing areas. The boys get the best times everywhere when there's an option. Even the wrestling team (all male this year) uses the big mat space in the small gym. That used to be for the girls' volleyball team. Now the girls practice behind the bleachers. Field hockey can't practice after rainy days, because their old, grassy field doesn't drain. The boys' soccer and football teams have new turf fields that are available for practice and play almost any time. When the field hockey team requested use of their fields for a few drills and training, the coaches said, "Sure, if we're done at 7:00 p.m." The overall result is that the schedule of practices favors male athletes at our school.

#### **d) Publicity**

[Below is an example of how you might describe discrimination in the area of scheduling of publicity.]

**Example 1:** The cheerleaders and the band attend all of the home and away games for the boys' basketball team but only home games for the girls' basketball team. While I don't have access to the cheerleading and band schedule, based on my observations, overall the cheerleaders at our school attend more boys' sporting events than girls' events.

#### **e) Coaching**

[Below are two examples of how you might describe discrimination in the area of coaching.]

**Example 1:** The boys' baseball coach has 15 years of experience playing and coaching baseball. The girls' softball coach has never played or coached softball and was formerly the boy's golf coach. In addition to softball, overall, the coaches for the girls' teams have less experience in their sports than the coaches for the boys' teams.

**Example 2:** The school has refused the coach's request to hire an extra assistant basketball coach for the girls' team but just hired a new assistant for the boys. The boys' basketball team has a coach to student ratio of 1:5, but the girls' program has a ratio of 1:12. Across the program, the girls' teams have a 1:10 coach to student ratio and the boys have a 1:7 coach to student ratio. Overall, girls' have fewer opportunities to receive coaching than boys.

#### **f) Travel and Daily Allowance**

[Below are two examples of how you might describe discrimination in the area of travel and daily allowance.]

**Example 1:** The girls' volleyball team has to raise its own money to pay for travel to the Winter Break Invitational Tournament, but all of the other boys' teams that take similar trips have sufficient money in their budget to pay for team travel.

**Example 2:** The school football team travels to away games in a charter bus, but all the other sports teams take school buses. This creates an overall program disparity because no girls' team gets the travel benefit that the boys' football team gets.

#### **g) Academic Tutoring**

[Below is an example of how you might describe discrimination in the area of academic tutoring.]

**Example 1:** The men who are on football scholarships this season are assigned an academic tutor for the semester. They also get credit for a class called writing, which is really just an extra, defined tutoring session in the computer lab. The

women playing soccer on scholarship were told by their coach to keep their grades up. If they needed any extra help, they were encouraged to head to the study center for tutoring. The end result is that males (in most sports) get serious support, overall, for help in the academic areas. Females? There's a presumption that they'll be fine and know how to ask for help if they're not doing well.

#### **h) Provision of Medical Training Facilities and Services**

[Below is an example of how you might describe discrimination in the area of medical training facilities and services.]

**Example 1:** The high school fall sports budget includes a trainer—to tape, prescribe stretch and strength training programs and to be available on game days. The position is for nine hours a week. The trainer spends five of the hours with the football team, before, during and after games. The other four hours, the trainer stays in the training room, mostly working with the boys who have access any time before practices. If I have a female soccer player who needs taping or other services, she ends up waiting by the door, hoping to catch the trainer when she exits. This same type of treatment of the female athletes occurs during the winter and spring seasons, meaning that overall, the female athletes do not have the same access to medical and training facilities as the boys do.

#### **i) Provision of Housing and Dining Facilities and Service**

[Below is an example of how you might describe discrimination in the area of housing and dining facilities and service.]

The men's basketball team members at our university is housed in a special dorm. It's more than the extra-long beds; it's the finest apartment-like facility on campus with a well-catered floor dining room that's just for them. They're near the gym. They have their laundry done (anything they drop off at their locker counts as their laundry). They may be presumed to be campus stars, but the life for a female basketball player is amazingly different—and our women have consistently been regional champs. They live in dorms all over campus, with no sense of community or camaraderie. They don't have team-based meals, so many of them are stuck paying for their meal cards, cooking for themselves or grabbing whatever snack (albeit unhealthy) they can. So the men, who are paying the same dorm and food costs, get the best accommodations and meals on campus, and everyone else (athletes and non-athletes alike) gets whatever works.

#### **j) Recruitment of Student-Athletes**

[Below is an example of how you might describe discrimination in the area of recruitment of student-athletes.]

The men's programs (major and minor sports) have six paid coaches who work off-season on full-time recruiting. Their goal is to bring in approximately 30 new athletes to the programs annually. They have a budget that includes rather

significant travel expenses for visits across the region. The women's teams (none of which are considered "major sports"), get a 1/3-time position per season for recruiting. The "recruiter" also does some generic college admissions work (for the other 2/3rds of her time), well outside the role of enlisting new athletes.

#### **k) Support Services**

[Below is an example of how you might describe discrimination in the area of support services.]

The men's and women's programs have coaches and even assistant coaches on a comparable basis. Overall, however, it's all the extra added staffing support that makes the AD's and men's sports coaches' jobs so much easier! There are two full-time administrative assistants for the AD. They are grad students, getting internship credit in sports management. One works almost solely on publicity for the men's football team, the other seems to be connected to alumni and development work with previous male athletes who are on the road to becoming big givers. The AD also has a staff that includes: technicians, videographers, statisticians, clerical personnel, a graphic designer and probably others salaried directly from the athletic budget. On an hour-by-hour analysis, these people serve the men's teams more than 78% of their time, yet the participation opportunities for athletes on campus accurately reflects a gender balance in enrollment. The end result is that while the men and women get to play, so much of the males' sport experience is enhanced by all the extras they receive.

#### **E. Internal Grievance**

The Advocates for Change have attempted to solve these equity concerns. [List all actions you have taken to date and how the school officials have responded. Refer to your notes and paper trail for more details to include here.] For example, beginning on (date), we have participated in a conversation with members of the Athletic Department, (list other people) regarding our gender equity concerns.

However, for all of our efforts, they did not respond to our concerns or claims. In our observations and tracking of e-mails, letters and phone calls, the recipients have delayed responses, provided little (if any) school-based data and appeared half-hearted in their intent. Colleagues in our group have stated:

"They seem like they're just trying to wear us down."

"We'll graduate before anything good ever happens."

"Now that I know the Title IX law, what's going on is really unfair and illegal."

#### **F. Timeliness**

In light of the continuing nature of the violations alleged, timeliness is not at issue. (If there is a time constraint, let them know.)

**G. Other Agency or Court**

This complaint has not been filed with any other agency or court.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

## Appendix: Step 16 (A Title IX Lawsuit)

If you have come this far, we can only imagine how much you've learned and how committed you are to equity in sports. Please accept our congratulations; take a deep breath and gather your team for some solid analysis of your cause. As a nonprofit advocacy organization, the Women's Sports Foundation does not provide attorneys to manage your case. However, we do have access to lawyers and associations that may be able to assist you. You are not alone, your team is not alone, and there are many heroes who have already won settlements and set legal precedents—giving all girls and women a fair opportunity to participate in sports. Each case is different, yet today you have access to books and online resources that share a legal history of Title IX achievements. For suggestions of other legal and advocacy groups that might be helpful to your cause, click here: [www.WomensSportsFoundation.org/Content/Articles/Issues/Title-IX/L/Legal-Resources-and-Other-Organizations.aspx](http://www.WomensSportsFoundation.org/Content/Articles/Issues/Title-IX/L/Legal-Resources-and-Other-Organizations.aspx)

### Standard Language of Title IX

In order to comply with the athletic requirements of Title IX, educational institutions must meet the requirements of three areas:

#### I. Participation

The first compliance prong of Title IX deals with overall sport and athletic participation offerings available for men and women. A three-part test for participation opportunities determines if institutions provide female and male students with equal athletic opportunities. In order to comply, institutions must pass one of these three tests:

**1. Proportionality:** That's a big phrase and a chance for you to use a little math. The first test means to compare the ratio of female to male participants in the athletic program with the ratio of female to male full-time students (undergraduates for intercollegiate investigations). If the resulting ratios are equal, the school is most likely in compliance in this area of Title IX.

**2. History and Continuing Practice:** Has your school shown a history and continuing practice of program expansion for the underrepresented sex? The courts have been firm in noting that the word “continuing” is important when using the second test. Many schools added considerable numbers of women's teams in the 1970s but either kept the status quo or decreased opportunities during the 1980s. Those changes occurred quite long ago. So, let's stay focused on our current generation of young people and their athletic opportunities.

**3. Effectively Accommodating Interests and Abilities:** Are the interests and abilities of the underrepresented sex fully and effectively accommodated by the current program? In the third test, the key words are “fully and effectively.” Educational institutions that offer athletic programs are required to effectively accommodate the interests and abilities of their students. Under Title IX, these institutions must provide opportunities for individuals of each sex to participate in sports, as well as provide those individuals with competitive team schedules.

## II. Athletic Financial Assistance

The second major compliance prong of Title IX encompasses athletic financial assistance. The only monetary requirement of Title IX deals with the area of scholarships. Scholarships must be allocated in proportion to the number of female and male students participating in intercollegiate athletics. Funding for women's and men's programs does not have to be equal, but a significant disparity in funds does suggest that institutions could be found non-compliant in other program areas.

## III. Treatment

This third compliance prong of Title IX requires equivalence in other athletic benefits and opportunities and includes all other program areas not previously covered. Title IX does not require that each men's and women's team receive exactly the same services and supplies, but it looks at the entirety of the treatment the men's and women's programs receive as a whole. The equivalence of overall treatment is measured on the basis of 11 criteria. We have listed them here.

**Special Note:** For each of the treatment items described below (a-k), you will see what the law evaluates and the legal language that should be evident in your documentation and best drives the process towards meeting the standard of the law. While it may feel redundant, use it often and well to support your objectives.

**a) Locker Rooms, Practice and Competitive Facilities** looks at the quality, maintenance and availability of the facilities provided for practice and competitive events; the exclusivity of use of the facilities; the preparation of facilities for games and practices; and the availability, exclusivity and quality of locker and team rooms.

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Facilities are one benefit that must be equally provided to the men's and women's programs.

**b) Equipment and Supplies** is determined in examining the quality, amount, suitability, maintenance and replacement, and availability of equipment and supplies.

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Equipment is one benefit that must be equally provided to the men's and women's programs.

**c) Scheduling of Games and Practice Times** is based on the number of competitive events offered per sport, the number and length of practice opportunities, the

time of day for practice sessions, the number of pre-season and post-season competitive opportunities, and the time of day competitive events are scheduled.

Under Title IX, a school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Scheduling, including the scheduling of game and practice times, is one benefit that must be equally provided to the men's and women's programs. Specifically, men's and women's programs must have equal access to "prime-time" game and practice times. The nature of what constitutes "prime time" may be different depending on the sport, season and school, but a common example of a compliance issue would be if the men's basketball team played all of its games at 7 p.m. on a Friday nights while the women always played at 5:30 p.m.

**d) Publicity** encompasses the availability and quality of sports information personnel, access to other publicity resources for men's and women's programs, and quantity and quality of publications and other promotional devices featuring men's and women's programs.

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Publicity services are one benefit that must be equally provided to the men's and women's programs. Specifically, schools have an obligation to ensure that both its men's and women's programs have equal access to publicity resources and that the quantity and quality of publications and other promotional devices featuring men's and women's programs are equitable. Publicity resources include school support groups like cheerleaders, band, and dance teams.

**e) Coaching** examines the equivalence in the availability of qualified full-time and part-time coaches, assistant coaches and graduate assistants; assignment of coaches with comparable training, experience and other professional qualifications; and equitable compensation of coaches, including rate of compensation, duration of contract and conditions for contract renewal (taking into account experience, duties and working conditions).

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Coaching services are one benefit that must be equally provided to the men's and women's programs. Specifically, schools have an obligation to ensure that the quantity and quality of staffing for men's and women's programs is equitable.

**f) Travel and Daily Allowance** encompasses modes of transportation, housing furnished during travel, length of stay before and after competitive events, daily allowance provided to the teams, and dining arrangements for the teams.

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Travel and expenses are one benefit that must be equally provided to the men's and women's programs. Specifically, schools have an obligation to both its men's and women's programs to ensure the quantity and quality of travel and accommodation expenses for men's and women's programs are equitable. This includes the type of transportation used to transport teams, the quality of hotels and places of accommodation used, and the types of restaurants and services provided to teams when they travel.

**g) Academic Tutoring** includes the availability of tutoring for the men's and women's programs; qualifications, training and experience of tutors provided; employment conditions of the tutors for the men's and women's programs, including compensation, term and length of contracts; and the number of students tutored per session.

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Academic tutoring is one benefit that must be equally provided to the men's and women's programs.

**h) Provision of Medical Training Facilities and Services** includes the availability of medical personal and assistance, including health, accident and injury insurance coverage; availability and quality of weight training and conditioning facilities; and availability and qualifications of athletic trainers.

A school is obligated to ensure that the overall benefits and treatments of the female and male programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Medical training, facilities and services are benefits that must be equally provided to the men's and women's programs.

**i) Provision of Housing and Dining Facilities and Service** pertains to housing provided and special services, such as laundry facilities, parking spaces and housekeeping services.

A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits

provided must be equal. Provision of housing and dining facilities and service is one benefit that must be equally provided to the men's and women's programs.

**j) Recruitment of Student-Athletes** refers to whether coaches and athletic personnel serving female and male athletes are provided with substantially equal opportunities to recruit, whether the financial and other resources made available for recruitment meet the needs of the men's and women's programs, and whether the differences in benefits, opportunities and treatment of prospective men and women athletes affect their recruitment.

A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Recruitment of student-athletes is one benefit that must be equally provided to the men's and women's programs.

**k) Support Services** includes the amount of administrative, secretarial and clerical assistance provided to the men's and women's programs.

A school is obligated to ensure that the overall benefits and treatments of the male and female programs are comparable. Under Title IX, budgets for men's and women's teams do not have to be equal, but the bottom line is that the benefits provided must be equal. Support services must be equally provided to the men's and women's programs.



## About the Women's Sports Foundation

The Women's Sports Foundation—the leading authority on the participation of women and girls in sports—advocates for equality, educates the public, conducts research and offers grants to promote sports and physical activity for girls and women.

Founded by Billie Jean King in 1974, the Women's Sports Foundation builds on her legacy as a champion athlete, advocate of social justice and agent of change. We strive for gender equity and fight discrimination in all aspects of athletics.

Our work shapes public attitude about women's sports and athletes, builds capacities for organizations that get girls active, provides equal opportunities for girls and women, and supports physically and emotionally healthy lifestyles.

The Women's Sports Foundation is recognized worldwide for its leadership, vision, strength, expertise and influence.

For more information, please call the Women's Sports Foundation at 800.227.3988 or visit [www.WomensSportsFoundation.org](http://www.WomensSportsFoundation.org).



**Women's Sports Foundation**  
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