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TITLE IX:
WOMEN IN INTERCOLLEGIATE ATHLETICS

by

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B.A., Kean College of New Jersey, 1975

A MASTER'S REPORT

submitted in partial fulfillment of the
requirements for the degree

MASTER OF ARTS

Department of Sociology, Anthropology, and Social Work

Kansas State University

Manhattan, Kansas

1978

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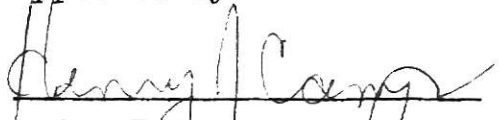

Major Professor

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PART I

INTRODUCTION

(Currently, the role of women in all areas of our society is undergoing critical scrutiny. The explosion of female participation in athletics is one aspect of this upheaval. This is due in part to women demanding more opportunities to participate and because some individuals are changing their perception of women athletes. There has been an increase at all levels of the school/college community for girls and women in sport. Media coverage of women's intercollegiate and professional sports is becoming more extensive, professional athletic opportunities for women are on the rise, spectator interest in women's athletics has increased, and institutions either desire or are forced to comply with the mandates of Title IX of the Educational Amendments of 1972 (President's Commission on Olympic Sport, 1977)).

Life for a woman athlete is being viewed by more and more people as difficult. Even though improvements are being made and the inequities in athletic programs are being reduced, opportunities still fall short of what female athletes and the popular sports press perceive to be needed and wanted for women who participate in these programs or would like the chance to participate. Margaret C. Dunkle (1974a: 99), writing in Women's Athletics: Coping with Controversy, stated that "perhaps all women athletes should be mountain climbers because the plight

of women's sports programs is clearly an uphill struggle." Women are now aware that women's sports receive less funds, facilities and recognition than men's sports. The President's Commission on Olympic Sport (1977) states that most women and girls, including the professional who finds it difficult to earn a living in the sports field; the co-ed swimmer who doesn't have access to a coach or can't use her school's facility; and the eleven-year-old baseball player who must participate on a boys' team in order to play at all--are still justified in believing that the American system of athletics is less than completely fair and equitable.

A classic observation from Sports Illustrated in 1973 notes the widely-held notion that sports are good for people because they contribute significantly to the development of better citizens, build healthier and more vigorous bodies and minds and promote a better society. However, when it comes to practicing what is preached, females--more than half the population --often find that that philosophy does not apply to them. According to Sports Illustrated writers Gilbert and Williamson (1973a: 90), "sports may be good for people, but they are considered a lot gooder for male people than for female people."

At the root of the problem according to the popular press, is the attitude that sports are more important for men than women, an attitude both sexes hold. According to Dunkle, writing in Women's Athletics: Coping with Controversy in 1974, women aren't encouraged in sport because the traits associated

with athletic excellence--self-confidence swiftness, strength, leadership, aggressiveness, and achievement--do not fit societal expectations for the female role. Women concerned with sports are now responding with other feminists to perceived societal stereotypes, and the implications of them for female athletic achievement. The famous Horner study of fear of success is often cited, as in this Sports Illustrated story.

A bright woman is caught in a double bind,
 writes Dr. Matina Horner, president of Radcliffe.
 In testing and in other achievement-oriented
 situations she worries not only about failure,
 but about success. If she fails, she is not
 living up to her own standards of performance;
 if she succeeds, she is not living up to
 societal expectations about the female role
 (Gilbert and Williamson, 1973b: 47).

Athletics is an issue of sensitivity for many people in that it both reflects and perpetuates the ideas people often have about what is right for men to do and what is right for women to do (Project on the Status and Education of Women, 1974). Sex-role stereotyping occurs at all levels of activity, and sports seems to many to be the place where the dichotomy is most apparent. Boring (a), a feminist sports activist writing in a pamphlet published by the Women's Educational and Defense Fund, feels the reason the reaction to improving sports opportunities for girls has been so emotional is the imbedded notion of "male" and "female" activities. She cites the notion that boys are supposed to be aggressive and strong, both emotionally and physically, while women are supposed to be passive and weak, both emotionally and physically. Boring is

of the opinion that this may be the root of many negative responses to women athletes.

This attitude is supported by numerous arguments which, according to Weber, writing in womenSports in 1974, have allowed men to run women athletes around in circles for years. She cites that many arguments have been developed to maintain the status quo. Women are poorer athletes and don't deserve athletic equality. They don't have spectators so there's no reason to give them publicity or let them run expensive programs which will just lose money. Athletics are physically bad for them--it may masculinize their appearance and affect their sexual behavior. The response to these arguments has been strong, as indicated by this Sports Illustrated statement:

Recent studies indicate such assumptions are incorrect and self-serving nonsense. It simply happens to be in the best interest of the male athletic establishment to maintain the existing situation. Anything beyond token equality in athletics represents a formidable threat to male pride and power (Gilbert and Williamson, 1977c p. 60).

Today, according to the popular press, most female athletes are aware that these traditional attitudes are nonsense, but many still feel a need to defend their positions. This is in contrast to the past, when sex-based assignments of athletic roles were passively accepted. Young female athletes seem to be more aware of the channeling mechanisms employed, and their awareness is reaching national attention through such magazines as womenSports, cited below. "It starts in the third grade,"

said Joyce Wilson, a high school gymnast, "when the boys' and girls' phys ed classes are split up. That's when the boys take basketball and the girls take jump rope. . . . It's not really the girls' fault if they're not interested in sports. It's the teachers' and the parents' attitude toward the students that's the problem" (Weber, 1974: 38).

Gilbert and Williamson (1973c), writing in Sports Illustrated, are of the opinion that many of the women who still dominate the profession are afraid of what competition will do to the girls and what it will do to them. They blame the women themselves for the situation. They claim women have had an easy job for many years. Girls are brought into a gym class, they spend fifteen minutes putting on their suits, fifteen minutes doing some ladylike exercises or volleyball, and the last fifteen minutes taking a shower. They give out marks on the basis of how often a girl remembers to bring her gym suit and how well she takes a shower. While many women physical education teachers may disagree with this assessment of their job, it is clear the popular press feels strongly that the whole system must change for women to achieve sports equality.

In Weber's (1974) opinion, expressed in womenSports, something that has been even more damaging to the position of women in athletics has been the attitude of some female athletic directors themselves. After witnessing the rapid development, and, in their opinion, the deterioration of men's athletics, they prefer to keep their teams at a more recreational level. They

are afraid that high pressure competition, which has led to the buying and selling of male athletes, would also corrupt the women's programs.

This introduction has presented the growing popular press attitude toward women's athletics. Popular sources are increasingly defining women's athletics as a problem area. Media coverage has brought national attention to inequalities facing women athletes. However, I must emphasize that these are popular sources representing a segment of opinion and should be regarded as such.

Problem Statement

Title IX, along with a group of federal laws that prohibit sex discrimination, has been very influential in meeting the demands of women for a more important role in sports. As a result of these laws things are definitely improving for women in educational institutions. They now have the same protection against discrimination because of their sex as minority group members do because of their race (Dunkle, 1974a).

Many of these laws are ten years old, but it is Title IX of the Education Amendments Act of 1972 that has the broadest implications for the treatment of women in athletic and sports programs and gave the revolution in women's sports its biggest thrust. This report will discuss the implications of Title IX for women in sport, placing a specific emphasis on women's intercollegiate athletics. In reviewing the literature on Title IX and women's intercollegiate athletics I found very

little empirical research on the subject. The majority of my information comes from popular rather than scientific sources simply because this is all that is available. I read thirty-two articles which were published in Change, The Chronicle of Higher Education, Image, Independent School Bulletin, Journal of Health, Physical Education and Recreation, Journal of Law and Education, Phi Delta Kappan, Sports Illustrated, Teachers College Record, and womenSports. I also gathered information from two government documents and seven pamphlets published by such organizations as the Project on Equal Education Rights, the Project on the Status and Education of Women, Association of American Colleges, and the Women's Educational and League Defense Fund. Since none of my information comes from scientific sources nor is it based on empirical data, I must caution against accepting everything as fact.

In addition, this report examines issues related to equality for women in sport and discusses social variables affecting Title IX. A review of the two major organizations regulating intercollegiate competition, the AIAW and the NCAA, will be presented. Their histories, policies and struggle for control of women's intercollegiate athletics are explored. Of particular interest are the implications of Title IX on these organizations. This report will also focus on an issue of concern to all women athletes, as well as the AIAW and NCAA: whether women will develop their own athletic programs or follow male models. The many problems confronting women

in athletics are summarized. And finally, conclusions are drawn and future research is suggested.

Prior to these discussions I would like to present:

1. definitions of basic concepts, 2. a brief overview of the history of women's intercollegiate sports, and 3. a summary of the major laws prohibiting sex discrimination.

A. Prejudice and Discrimination

This report is concerned with discrimination against women; more specifically, women athletes. However, in an attempt to define the terms "prejudice" and "discrimination" I found that within the sociological literature these definitions, in most cases, are limited to racial groups. Since I was unable to find an adequate definition of sexual discrimination I have decided to use the definitions presented in Simpson and Yinger's work entitled Racial and Cultural Minorities: An Analysis of Prejudice and Discrimination. Although Simpson and Yinger also discuss these terms within the context of racial groups, some of it can be applied to sexual discrimination. I will also present some indicators of sexual discrimination in order to give the reader a better understanding of the term.

Simpson and Yinger (1965: 10) define prejudice as

an emotional, rigid attitude (a predisposition to respond to a certain stimulus in a certain way) toward a group of people. They may be a group only in the mind of the prejudiced person; that is, he categorizes them together, although they may have little similarity or interaction. Prejudices are thus attitudes, but not all attitudes are prejudices. They both contain the

element of prejudgement, but prejudiced attitudes have an effective emotional quality not all attitudes possess.

Prejudice is an attitude; discrimination, an act.

According to Simpson and Yinger (1968: 13), "discrimination is the overt expression of prejudice; it is the categorical treatment of a member of a group because he is a member of that group, and supposedly, therefore, of a particular type."

Robin Williams Jr., as cited by Simpson and Yinger (1969: 13), points out that discrimination also involves some violations of an important institutional standard in a society:

Thus, except for the probable deviations around such social norms, it is expected in our society that occupational opportunity will be available on the basis of merit or ability, that all citizens are entitled to specified legal rights, that economic transactions will be carried out according to the rules of the market. Discrimination may be said to exist to the degree that individuals of a given group who are otherwise formally qualified are not treated in conformity with these nominally universal institutionalized codes.

Sexual discrimination against women may take the form of being barred from certain activities or, if admitted, being treated unequally. In the economic sphere women usually work under the supervision of men, and are treated unequally with regard to pay, promotion, and responsibility. Many women coaches and women athletic directors experience this type of discrimination. Women also find inequality in educational opportunities. Professional schools often apply quotas and in co-educational schools women's participation in campus activities, such as athletics, is often limited. These are just a few indicators of sexual discrimination.

B. Sport

"Sport," "athletics," "game," "play," "recreation," and "contest" are highly ambiguous terms having different meanings for various people. These terms have in common the idea of being cut off from daily life and this leads some to use one term for all of them (Weiss, 1969).

Individuals use the term sport in a wide variety of ways. Such activities as baseball, basketball, football, track and tennis are generally classified as sports. Often activities such as camping, hunting and fishing are also considered sports. An individual's definition of sport may range anywhere from a pleasurable game of checkers to a highly competitive game of football. It is evident that the meaning of sport varies considerably among individuals.

There have been many attempts at differentiating and defining the above terms.¹ However, for the purpose of this report I have decided to use Edwards' definitions. He presents a systematic conceptualization between play and sport. He makes use of a continuum dealing with concepts presented in the

¹Loy and Kenyon define sport as an institutionalized game. In their perspective sports are considered as specialized types of games. They define a game as "any form of playful competition whose outcome is determined by physical skill or chance employed singly or in combination" (Loy and Kenyon, 1970: 62). Luschen treats sport as a competitive, institutionalized type of physical activity located on a continuum between play and work. Luschen claims that sport is "a rational, playful activity in interaction, which is extrinsically rewarded." Luschen further argues that "the more it is rewarded, the more it tends to be work; the less the more it tends to be play" (Luschen, 1967: 127).

following order: play, recreation, contest, game, and sport.²
 His use of a continuum will allow me to consistently apply the definitions throughout this report. Below are some of the occurrences that take place as one moves from play toward sport.

Activity becomes less subject to individual prerogative, with spontaneity severely diminished.

Formal rules and structural role and position relationships and responsibilities within the activity assume predominance.

Separation from the rigors and pressures of daily life become less prevalent.

Individual liability and responsibility for the equality and character of his behavior during the course of the activity is heightened.

The relevance of the outcome of the activity and the individual's role in it extends to groups and collectivities that do not participate directly in the act.

Goals become diverse, complex, and more related to values emanating from outside of the context of the activity.

The activity consumes a greater proportion of the individual's time and attention due to the need for preparation and the degree of seriousness involved in the act.

The emphasis upon physical and mental extension beyond the limits of refreshment or interest in the act assures increasing dominance (Edwards, 1973: 59).

²Edwards defines play, recreation, contest and game as follows: "Play is a voluntary and distinct activity carried out within arbitrary boundaries in space and time, separate from daily roles, concerns, and influences and having no seriousness, purpose, meaning, or goals for the actor beyond those emerging within the boundaries and context of the play act itself. Recreation is an activity which is for the most part

Edwards (1973) defines sport as activities having formally recorded histories and traditions, stressing physical exertion through competition within limits set in explicit and formal rules governing role and position relationships, and carried out by actors who represent or who are part of formally organized associations having the goal of achieving valued tangibles or intangibles through defeating opposing groups.

In this report the boundaries of sport will be limited to competitive activities as defined by Edwards. Edwards claims that the concept "sport," as he defines it, refers to an athletic activity.³ I accept Edwards' use of terms, inasmuch as this report is concerned with a group of extremely dedicated, competitive, female athletes. These are athletes who are fully aware of their male counterpart, their histories and traditions, the rules that govern them, and the organizations they represent.

voluntarily engaged in by the actor, different in character from those activities exerting mental and physical pressures upon him in his daily life, and having the effect of refreshing him in mind and/or body. A contest is an individually focused activity emphasizing self-discovery through competitive struggle within the context of informal or formal rules and having no consequences beyond those affecting the individual and emerging within the contest activity. A game is an activity manifest in physical and/or mental effort, governed by formal or informal rules, and having as participants opposing actors who are part of or who represent collectivities that want to achieve a specific goal that has values beyond the context of the game situation, that is, prestige, recognition, influence, and so forth" (Edwards 1973: 49-55).

³Throughout the remainder of this report the term sport will be used synonymously with athletics. In addition, those who participate in athletics will be termed athletes.

History of Women's Intercollegiate Sports

Between 1833 and 1890, "sport," or what Edwards would define as recreation, played a special role in the founding of women's colleges.⁴ There was great resistance to the idea of higher education for women. Two major obstacles were: women were mentally inferior to men, and they were physically unable to stand the rigors of college level study and daily classes. This Victorian image of women as physically weak led most early educators to down play physical activity for women. It was the women's colleges--Vassar, Wellesly, Goucher--which first encouraged women to engage in vigorous exercise, apparently on the theory that women could do their best mental work only if it were balanced by physical activity. Also the founders of these colleges felt that it was necessary to disprove claims that women did not have the physical ability or stamina needed for a college education (Spears, 1974).

During this period three important developments occurred. First, the early founders of colleges recognized "sport" or recreation as a means of attaining physical vigor which was essential for the success of women's colleges. Second, some colleges, for example Vassar, taught recreation and incorporated it into their physical education curriculum. Lastly, the students

⁴Although the term "sport" is used here I feel that what actually is being described is recreation as defined by Edwards. Throughout the remainder of this section the term "sport" will be placed in quotes to indicate that the term is not being used as Edwards defined it.

at the private coed institutions, the universities, and the normal schools enjoyed "sport" as casual recreation (Spears, 1974).

By the 1900's, "sport" was adopted into physical education programs.⁵ The period from 1891 to 1900 was a time of growth. There was an increase in facilities and staff which made the emphasis on "sport" possible. "Sport" programs increased in size and scope. Team contests were invented and imported. Dress reform made vigorous "sport" possible. "Sport" instruction became an accepted responsibility of the department of physical education. An important development was the irreversible trend toward sports and away from gymnastics (Spears, 1974).⁶

During the period 1901 to 1910, "sport" was finally accepted. "Sports" were offered as courses and listed in college catalogues. Efforts were made to organize and regulate "sport." Lastly, values of "sport" other than health were recognized (Spears, 1974).

It seemed that during the 1920's women were getting a good chance at moving toward "sport" participation, as recreation became a regular part of the curriculum in women's colleges. The early part of the century saw widespread participation by girls in competitive "sports," moving from the recreation to the contest stage. Basketball, baseball and track and field

⁵In my opinion, from 1900-1910 physical activities remained at the contest stage of Edward's continuum. Although there was a period around the turn of the century when some women's athletic competition resembled the athletic activities of men, or the sports end of Edwards' continuum.

⁶This trend began a movement away from individual activities or contest, such as gymnastics, toward more organized team activities.

were popular pastimes for girls.⁷ However, this was a false start. "Prudes (who objected to the display of flesh) and proto-feminists (who thought women were being exploited for curiosity value) campaigned against women's intercollegiate athletics" (Weber, 1974: 36). Thus physical activity for women was kept in the play and recreation stage.

In 1923, Mrs. Herbert Hoover formed a national committee interested in "sports" for women. The committee found the practice of girls wearing athletic costumes before crowds that included men disgraceful. They adopted a platform for the formation of sane and wholesome athletics for girls and women. "State after state followed the advice and either abolished all girls' sports or made them so genteel as to be almost unrecognizable as athletic contests " (Gilbert and Williamson, 1973a: 95). Women's teams had been reduced to clubs and only played clubs of other schools on rare occasions. Recreation won out again over contests.

Until a decade ago the Division for Girls and Women's Sports (D.G.W.S.), a National Educational Association affiliate made up of female physical educators, advised against interscholastic sports. Their policy statement in 1958 was:

D.G.W.S. believes participation in sports competition is the privilege of all, regardless of skills. . . . Limiting participation in competitive sports to the highly skilled deprives others of the many different kinds of desirable experiences which are inherent in well conducted sports programs (Gerber et al, 1974: 74).

⁷I think at this stage these activities were games which eventually evolved into sports.

However, after decades of thinking in these terms, women leaders came to understand that high level competition brings something to the lesser skilled women. In 1971 the D.G.W.S. Executive Council passed a resolution:

The Division for Girls' and Women's Sports subscribes to the belief that teams for girls and women should be provided for all girls and women who desire competitive athletic experience

(Gerber et al, 1974: 76).

It has taken a long time for women's athletics to adjust to this policy change. However, some women are demanding that women move into active sports participation, rather than simply recreation. What is giving clout to their demands is a group of federal laws that prohibit sex discrimination.

These laws have been a major step for women in sports. For years not many individuals were interested in hearing about the inequalities in women's athletics. Besides the athletes, relatively few found it important that the University of Washington had no women's intercollegiate teams; that Minnesota high schools had no women's interscholastic teams; that female athletes have to run candy sales, cooking contests and raffles to raise money to purchase the uniforms and pay travel expenses, that male contestants were flown to the Olympics long before the female athletes so that the men could have the benefits of increased training time (Weber, 1974); that the amount of media coverage given to women's athletics was meager and the quality atrocious. Very few were concerned that in 1972 on

the Ladies' Professional Golf Tour Kathy Whitworth was the leading money-winner collecting \$65,063 in 29 tournaments. In the same year Jack Nicklaus was the biggest moneymaker among the men pros, winning \$320,542 in 19 tournaments (Gilbert and Williamson, 1973a). The social and economic concomitants of sports: financing, publicity, structures facilitating participation, and rewards were clearly biased toward men.

However, with the help of the women's movement these inequalities became obvious. A few women began to do something about them. It seemed unjust to many that the same type of activity was viewed as recreation for women, but sports for men. The definitions of discrimination presented above were clearly evident in the different designations given to women's activities solely on the basis of sex. Phylis Graber, a high school tennis player, in 1969 challenged the New York State ruling that prohibited girls from competing on boys' teams. As a result New York launched its successful experiment in coed teams. The same year (1972) that twelve-year-old Maria Pepi filed suit for the right to compete on her Little League team in Hoboken, New Jersey; the Indiana Supreme Court ruled that the Indiana State High School Association not keep girls from competing with boys in interscholastic non-contact sports; coeds in Florida filed suit against the AIAW in protest of its ban on scholarships for women; and Barbara Dunn was boxing commissioner of Connecticut. In addition, congress passed Title IX of the Educational Amendments Act of 1972 (Weber, 1972). Collectivities not participating

directly in the activities became concerned about the outcome --one of the dimensions Edwards named as important in moving toward becoming a sport.

When the 1973 to 1974 school year ended, girls were competing on boys' teams in high schools in more than a dozen states and in junior colleges and colleges nationwide. Scholarships were offered to women in more than fifty colleges. And the Little League, after a series of court cases, officially welcomed little girls (Weber, 1974).

Given the mood of the times, the re-examination of the female role and the courts' willingness to back demands for improved athletic opportunities for girls, it seems as if many policies of the past are likely to change. If activities for males are to remain sports, activities for females will move in that direction as well.

Major Laws Prohibiting Sex Discrimination

In the movement from recreation to sport, women's groups have been organized and brought to bear a series of laws, legal precedents and constitutional interpretations. Women in colleges and universities were not covered by the major anti-discrimination laws of the 1960's. The fact is evident when one examines the remarkable achievements of the 92nd Congress during 1971 to 1972. This Congress (1) amended the Equal Pay Act of 1963 to cover executive, administrative and professional employment, (2) extended Title VII of the Civil Rights Act of 1964 to include all educational institutions, (3) amended the

Public Health Service Act to cover administration to all health professional training programs, (4) enacted Title IX of the Education Amendments Act of 1972 to cover all phases of student treatment, and lastly (5) added sex discrimination to the jurisdiction of the United States Commission on Civil Rights.

Sex discrimination, once only a moral or philosophical issue, is now a legal principle as well. These laws are not just employment laws; they are civil rights laws which cover discrimination against women in a number of areas, including educational institutions, and also including athletics (Wang and Watson, 1976).

Sex discrimination can take a number of forms, as suggested in the above definition of discrimination. A woman might well have a legitimate complaint against her employer if she were given fewer benefits, paid less, or promoted more slowly than equally qualified men who perform the same work. Similarly, a school might be breaking the law if it offered its female students less of an opportunity (including athletic opportunity) than it offered its male students (Weber, 1974).

It should be pointed out that legal remedies against sex discrimination were available to women before Title IX. But it was not until the enactment of Title IX and the increasing influence of the women's movement occurred that women began to take real advantage of their legal rights, particularly in the area of athletics.

At this point it is appropriate to examine the following laws: A. the Equal Protection Clause of the Fourteenth

Amendment to the Constitution, effective in July, 1868⁸;
 B. Executive Order 11246 as Amended by the Executive Order 11375, effective in October 1968; C. Title VII of the Civil Rights Act of 1964, effective in July, 1965 for non-professional and professional workers in private sector and March, 1972 for employees of state and local governments and educational institutions; D. the Equal Pay Act of 1963, effective in June, 1964 for non-professional employees, July, 1972 for executive, administrative, professional and outside sales employees, and May, 1974 for most federal, state and local government employees; E. Title VII and Title VIII of the Public Health Service Act, effective in November, 1971; F. the Equal Rights Amendment which has not yet been ratified; and G. Title IX of the Education Amendments of 1972, effective in July, 1973 for admissions provisions and July 1972 for all other provisions.

A. Equal Protection Clause of the Fourteenth Amendment to the Constitution

The Equal Protection Clause states that "No State shall . . . deny to any person within its jurisdiction the equal protection of the law." It requires equal treatment of all individuals in public schools, state colleges, and state and local governments. Also, a number of individuals and organizations which at first appear to be private are covered (Weber, 1974).

B. Executive Order 11246 as Amended by Executive Order 11375

Executive Order 11375 forbids federal contractors from

⁸This is the date the law became effective and not the date the law was signed.

discriminating against employees on the basis of sex, race, color, religion or national origin. It applies to all institutions which hold federal contracts but only covers students that are employed by the institutions. The Executive Order is a series of rules and regulations that all federal contractors agree to follow when they accept a contract; it is not law. Its main provision is that contractors with fifty employees and a contract of \$50,000 must have a written plan for affirmative action or lose their contract. Revised Order No. 4 details how goals and inevitables of affirmative action programs are to be worked out. This plan must include an analysis of all conditions of employment: demotion or transfer, lay-off or termination, rates of pay or other forms of compensation, recruitment or recruitment advertising, upgrading, job classification, training, etc. The Department of Labor's Office of Federal Contract Compliance has overall responsibility for policy matters under the Executive Order. However, the Department of Health, Education and Welfare does the actual review and enforcement in universities and colleges (Dunkle, 1974a; Sandler, 1973a).

The issues of goals and timetables are very controversial. Goals are legal targets contractors try to achieve for inclusion of people previously excluded. Quota systems violate the Constitution by keeping people out. If an employer fails to meet the goals he must prove he has made an effort to hire, recruit, and promote women by presenting documented records of that effort. If he is able to do so, nothing will happen. There is no

requirement to force employers to hire lesser qualified women or minorities. The best qualified person is hired. An employer must demonstrate good faith in recruiting women and minorities and must apply the same standards to everyone (Dunkle, 1974a; Sandler, 1973a).

C. Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964 was amended in March of 1972 by the Equal Employment Opportunity Act. It forbids discrimination in employment on the basis of sex, race, color, religion or national origin. It applies to all institutions with fifteen or more employees, public or private, whether or not they receive any federal funds. This includes elementary and secondary schools. The Equal Employment Opportunity Commission (EEOC), appointed by the President, enforces Title VII. Title VII is similar to the Executive Order, in that individual charges, as well as charges of a pattern of discrimination, can be filed. However, Title VII does not require affirmative action, as does the Executive Order. It merely requires employers not to discriminate in employment. After charges have been filed a conciliation agreement or court order may require affirmative action. Investigation under Title VII will generally be conducted after charges have been filed, which is unlike the Executive Order. If conciliation fails, the EEOC can take an employer to court which strengthens the EEOC's position and speeds up the conciliation process (Wang and Watson, 1976; Sandler, 1973a).

The guidelines issued by EEOC on April 5, 1972 on sex discrimination include discrimination in fringe benefits, hiring, salaries, training, upgrading and any other condition of employment. It specifically forbids discrimination against women in advertising of vacancies, disabilities caused by pregnancy, pre-employment requirements, recruiting and all fringe benefits. In addition, Title VII has an exemption called a "bona fide occupational qualification," which allows an employer to legally limit particular jobs to one sex (Wang and Watson, 1976; Sandler, 1973a).

D. Equal Pay Act of 1963

The Equal Pay Act of 1963 as amended by the Education Amendments of 1972 prohibits employers from discriminating in salaries and fringe benefits on the basis of sex. It also extends coverage to executive, administrative and professional employees. The Act was the first sex discrimination legislation enacted and has been one of the best legal remedies for women who are paid less or receive fewer benefits than a man who does substantially the same work (Dunkle, 1974b).

The Executive Order and Title VII also forbid unequal pay on the basis of sex. However, the Equal Pay Act is uniquely important because its procedures differ markedly from the Executive Order and Title VII. This act is enforced by the Wage and Hour Division of the Employment Standards Administration of the Department of Labor, and unlike Title VII, reviews can be conducted without prior complaint (Wang and Watson, 1976).

There are three major advantages of the Act. Firstly, the procedure is very informal. Under Title VII, a notarized complaint is required for investigation, but under the Equal Pay Act a complaint can be made to the Wage and Hour Division by telephone or letter or in person to the office. Since the procedure is so informal it may motivate more individuals who are being discriminated against to come forward. Secondly, the complainant's name is not revealed to the employer, which is not the case under Title VII and the Executive Order. An employer may not even know that his establishment has been reported. A review is conducted if a complaint is filed. However, even if a complaint is not reported a review may be conducted. The Division conducts thousands of routine investigations each year. An investigation generally begins ninety days after one files. Lastly, after a review is conducted and a violation is found, the employer may be asked to settle on the spot (Sandler, 1973a).

E. Title VII and Title VIII of the Public Health Service Act

This law became effective on November 18, 1971, and was the first federal law prohibiting sex discrimination against students. Title VII and VIII of the Public Health Service Act were amended to prohibit federally funded health training programs from discriminating on the basis of sex in admissions, in participation in any research or training program, against employees who work directly with applicants to or students in the program, in providing financial aid or any other benefit (Dunkle and Sandler, 1974).

F. Equal Rights Amendment

The Equal Rights Amendment states that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." It would require that all public schools, state colleges, and local, state and federal governments eliminate laws or regulations or official practices which exclude women or limit their numbers. In effect, it would require the courts to judge sex discrimination by the strict standards they have used to judge racial discrimination. By 1977, thirty-five states had ratified with only three more states needed by 1979 for the ERA to become the 27th Amendment of the U.S. Constitution (Wang and Watson, 1976; Weber, 1974).

G. Title IX

Title IX of the Education Amendments Act of 1972 is a law which affects virtually every educational institution in the country. The law covers all types of discrimination by schools against students. The basic provision of Title IX is reflected in a key section which reads:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any educational program or activity receiving federal financial assistance (U.S. Department of Health, Education, and Welfare, 1975a: 24128).

The goal of Title IX is the elimination of sexual discrimination in educational programs and activities. This type of discrimination has long been a part of our educational history.

Alexis de Tocqueville, a French political philosopher and historian, wrote in the nineteenth century that, "A democratic education is indispensable to protect women from the dangers with which democratic institutions and manners surround them" (Graham, 1975: 4).

In 1961 a President's Commission on the Status of Women declared that discrimination against women in education remained a basic fact of life. When President Johnson, in September of 1965, issued Executive Order 11246 forbidding all federal contractors from discriminating in employment because of race, religion, color, or national origin, activist critics regarded it noteworthy primarily for its silence about the rights of women. However, in October of 1967 a breakthrough in sex discrimination occurred with the issuance by President Johnson of Executive Order 11375, which amended the previous nondiscrimination order to prohibit discrimination because of sex (Graham, 1975).

The passage of the Civil Rights Act of 1964 brought new hopes for groups seeking relief from discrimination. With the Civil Rights Act prohibiting discrimination by race, sex now provided the new rallying point to fight discrimination. However, there were frequent set-backs in developing legislation prohibiting this form. "Legislation and courts at all levels, reflecting views held in many parts of American society, perceived sex discrimination as less onerous or less invidious than discrimination based upon race, color, or national origin" (Graham, 1975: 5).

Title IX was written eight years after the passage of the Civil Rights Act of 1964. Title IX is different in that it is limited to educational programs and activities. It was originally introduced in 1971 as an amendment to the Civil Rights Act. Following Congressional debate and changes, Title IX was enacted by Congress on June 23, 1972. The regulation implementing Title IX became effective July 21, 1975 (Graham, 1975).

Prior to the enactment of Title IX, charges of discrimination in sport programs could be brought only under the Equal Protection Clause of the Fourteenth Amendment to the Constitution. The Equal Protection Clause required equal treatment of all individuals in public institutions. Perhaps the most common challenge under the Fourteenth Amendment has been by women who were prohibited from participation on male teams by the policies or practices of an athletic conference or association (Graham, 1975).

Title IX applies to every educational institution (preschools, elementary and secondary schools, vocational schools, colleges and universities), whether public or private, which receives federal money by way of a grant, loan, or contract. Congress has specifically exempted all military schools and religious schools from Title IX's provisions. Admission exemptions are allowed for private undergraduate colleges but they are not exempt from the prohibitions forbidding other kinds of discrimination against students because of sex (Wang and Watson, 1976; Dunkle, 1975).

Although Title IX has been labeled "that sports law" it also has implementation for a variety of areas other than

sport: the awarding of fellowships and financial aid, admissions, curriculum, textbooks, equal job opportunities for male and female students, equalization of student rules and regulations, women's studies programs, and so on (Dunkle, 1974a; Dunkle, 1975).

Title IX provides students with a powerful legal tool to protest sex discrimination. Title IX is enforced by the Office for Civil Rights of the Department of Health, Education and Welfare (DHEW). Individuals and organizations can challenge any practice in a federal program or activity by writing the Secretary of HEW. If the government finds discrimination in violation of Title IX it empowers HEW to delay money, take back money previously awarded to the institution, debar institutions from eligibility for future contracts or grants, and to bring suit against institutions which discriminate against students or employees on the basis of sex (Dunkle, 1974a; Project on the Status and Education of Women, 1974).

Although Title IX has implementations for a variety of issues, the concern of this report is the impact Title IX will have on athletic programs in colleges and universities. The rules governing athletics have proven the most controversial item of the regulations.

The Title IX Regulation, 86.3, required that by July 21, 1976, every educational institution or agency receiving federal funds must have completed a self-evaluation of its compliance with Title IX. Educational institutions were required to (1) carefully evaluate current policies and practices (including

those related to the operation of athletic programs) in terms of compliance with those provisions and (2) where such policies or practices are inconsistent with the regulation, conform current policies and practices to the requirements of the regulations (McCune and Matthews, 1976; U.S. Department of Health, Education, and Welfare, 1975b).

The following information is taken directly from a memorandum from the Department of Health, Education, and Welfare to chief state school officers, superintendents of local educational officers, superintendents of local educational agencies, and college and university presidents (1975b):

In order to comply with the various requirements of the regulation addressed to nondiscrimination in athletic programs, educational institutions operating athletic programs above the elementary level should

- 1) Compare the requirements of the regulation addressed to nondiscrimination in athletic programs and equal opportunity in the provision of athletic scholarships with current policies and practices.
- 2) Determine the interests of both sexes in the sports to be offered by the institution and, where the sport is a contact sport or where participants are selected on the basis of competition, also determine the relative abilities of members of each sex for each sport offered, in order to decide whether to have single sex teams or teams composed of both sexes. (Abilities might be determined through try-outs or by relying upon the knowledge of athletic training staff, administrators and athletic conference and league representatives.)
- 3) Develop a plan to accommodate effectively the interests and abilities of both sexes, which plan must be fully implemented as expeditiously as possible and in no event

later than July 21, 1978. Although the plan need not be submitted to the Office of Civil Rights, institutions should consider publicizing such plans so as to gain the assistance of students, faculty, etc., in complying with them.

An institution's evaluation of its athletic program must include every area of the program included in this overall assessment, whether they are contact or non-contact sports.

The adjustment period is not a waiting period. Institutions must begin now to take advantage and whatever steps are necessary to ensure full compliance as quickly as possible. Schools may design an approach for achieving full compliance tailored to their own circumstances; however, self-evaluation, as required by Section 86.3 (c) is a very important step for every institution to assure compliance with Title IX regulation, as well as with the athletics provisions. During the process of self-evaluation, institutions should examine all of the athletic opportunities for men and women and make a determination as to whether each has an equal opportunity to compete in athletics in a meaningful way. The equal opportunity emphasis in the regulation addresses to totality of the athletic program of the institution rather than each sport offered.

While the impact of expenditures for sex identifiable sports programs should be carefully considered in determining whether equal opportunity in athletics exists for both sexes, equal aggregate expenditures for male and female teams are not required. Rather, the pattern of expenditures should not result in a disparate effect on opportunity. Recipients must not discriminate on the basis of sex in the provision of necessary equipment, supplies, facilities, and publicity for sports programs. The fact that differences in expenditures may occur because of varying costs attributable to differences in equipment requirements and levels of spectator interest does not obviate in any way the responsibility of educational institutions to provide equal opportunity.

Within the regulation there are two major substantive provisions defining the basic responsibilities of educational institutions that receive federal money to prevent discrimination against members of both sexes interested in participating in the

athletics programs offered by these institutions (U.S. Department of Health, Education, and Welfare, 1975b). Following these guidelines would either move male sports to the realm of contest or recreation, or the activities of women would finally achieve all the qualities of sports.

Section 86.41 states that no person shall be discriminated against on the basis of sex in the operation of any interscholastic, intercollegiate, club or intramural program offered by an educational institution. Section 86.37 ensures that institutions which award athletic scholarships provide equal opportunity for both sexes. These sections apply to each segment of an athletic program in an educational institution which receives federal money. Thus, even when a particular segment of an athletic program is supported by funds from other sources (alumni donations, booster clubs, gate receipts, general revenues, student fees, and non-profit foundations) it doesn't remove it from the reach of the statute and hence of the regulation requirements (U.S. Department of Health, Education, and Welfare, 1975b).

The following is a summary of these sections adapted by the Project on Equal Education Rights:

Athletics: 86.41

General coverage. The regulation says that no person may be subjected to discrimination based on sex in any scholastic, intercollegiate, club or intramural athletics offered by a recipient of federal education aid.

Separate teams and contact sports. Separate teams for each sex are permissible in contact sports or where selection for teams is based on competitive skill. Contact sports include

boxing, wrestling, rugby, ice hockey, football, basketball, and any other sport "the purpose or major activity of which involves bodily contact."

In noncontact sports, whenever a school has a team in a given sport for one sex only, and athletic opportunities for the other sex have been limited, members of the other sex must be allowed to try out for the team.

Equal opportunity. A school must provide equal athletic opportunity for both sexes. In determining whether athletic opportunities are equal, HEW will consider whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes. The Department will also consider (among other factors): facilities, equipment, supplies, game and practice schedules, travel and per diem allowances, coaching (including assignment and compensation of coaches), academic tutoring, housing, dining facilities, and publicity.

Equal expenditures are not required, but HEW "may consider the failure to provide necessary funds for teams for one sex in assessing equality of opportunity for members of each sex."

Adjustment period. Elementary schools must comply fully with the section covering athletics "as expeditiously as possible" but no more than one year from the effective date of the regulation. Secondary and post-secondary institutions have three years from the regulation's effective date to comply fully.

Student Financial Aid: 86.37

The regulation covers all forms of financial aid to students. Generally, a recipient may not, on the basis of sex:

- provide different amounts or types of assistance, limit eligibility, apply different criteria, or otherwise discriminate;
- assist through solicitation, listing, approval, provision of facilities, or other services any agency, organization or person which offers sex-biased student aid;
- employ students in a way that discriminates against one sex, or provide services to any other organization which does so.

There are exceptions for athletic scholarships and single-sex scholarships established by will or trust.

Athletic scholarships. An institution which awards athletic scholarships must provide "reasonable opportunities" for both sexes, in proportion to the number of students of each sex participating in inter-scholastic or inter-collegiate athletics. Separate athletic scholarships for each sex may be offered in connection with separate male/female teams to the extent consistent with both the section on scholarships and the section on athletics (86.41).

Scholarships for study abroad. The regulation exempts discriminatory student assistance for study abroad (such as Rhodes Scholarships), helps to administer the scholarship awards, makes available reasonable opportunities for similar studies for the other sex.

Single sex scholarships. An institution may administer or assist in the administration of scholarships and other forms of student financial aid whenever a will, trust, or bequest specifies that the aid can only go to one sex, as long as the overall effect of making sex-restricted awards is not discriminatory. To ensure this, institutions must:

- select financial aid recipients on the basis of nondiscriminatory criteria, not the availability of sex-restricted scholarships;
- allocate sex-restricted scholarships to students already selected in such a fashion; and
- ensure that no student is denied an award because of the lack of a sex-restricted scholarship.

Clearly, this begins to provide the financing, publicity, structures facilitating participation and rewards previously missing. Title IX is written in broad terms. However, writing a statute with a broad social purpose in general terms rather than in detailed listings of prohibition is not unusual (Graham, 1975). The Department of Health, Education, and Welfare (1975b) feels the regulation allows schools the flexibility they need to keep competitive sports alive and well.

PART II

WHAT CONSTITUTES EQUALITY FOR WOMEN IN SPORT

There are a number of difficult and complex educational and legal questions raised in the process of trying to distinguish what constitutes equality for women in sports. Many unanswered questions concern precisely what criteria and standards should be used to evaluate equal opportunity. An institution assessing whether it provides equal opportunity might examine its non-competitive programs, competitive (interscholastic or intercollegiate) programs, and (since physical education and athletic programs have traditionally been single-sex) employment patterns and administrative structures (Dunkle and Sandler, 1975).

According to Dunkle and Sandler (1975), in non-competitive and instructional programs, which are viewed as play and recreation in the Edwards' scheme, an institution might find bias in such areas as:

- Requirements for graduation
- Intramural programs
- Instructional opportunities and physical education classes
- Sex-based requirements for physical education majors

Discrimination in competitive programs, including contests and sports, might occur in:

- The female/male composition of the team (single-sex versus mixed or coeducational teams)
- The funding of programs (including the source of money, size of the budget and use of funds)
- The selection of sports and levels of competition
- The provision of facilities and equipment
- Awarding athletic scholarships

- The availability of medical and training services and facilities
- Scheduling games and practice times
- Media coverage
- Recruiting athletes
- The availability of funds for travel and per diem allowances

Some institutions have been reluctant to change rules and regulations mandated by athletic conference or association rules, even though they have a discriminatory impact. However, such regulations do not alter the obligations of an institution to provide equal opportunity to women and men under federal law (Project on the Status and Education of Women, 1974).

It doesn't matter legally whether or not an institution provides any given service or opportunity. Thus, movement toward equality could simply mean similar recreational or contest programs. What matters is that the services and opportunities it does provide do not discriminate on the basis of sex (Project on the Status and Education of Women, 1974):

Federal law does not presume to dictate what specific philosophy or practice an institution must follow concerning sport. This is an educational decision which belongs to those who formulate educational policy at an institution. Federal law does require, however, that once a philosophy or practice is determined it be applied equally regardless of sex and that it not have a disproportionate impact on one sex (Project on the Status and Education of Women, 1974: 3-4).

However, given the current character of men's athletics, the trend will be to have more and more women's programs move toward the sports end of the continuum.

PART III

SOCIAL VARIABLES AFFECTING TITLE IX

Bred by the women's movement, and fed by the torrents of social change in the 60's, the women's athletic rebellion now touches all phases of American life (womenSports, 1974: 33).

Numerous changes have occurred within society which have altered women's athletic activities, moving them toward becoming sports, as indicated by the creation, implementation and enforcement of Title IX of the Education Amendments Act of 1972. Many social variables are responsible for this outcome. In order to gain insight into the reasons for Title IX's inception these variables will be discussed.

One aspect of these changes has been an increasing interest in sports and a concern about health and physical fitness. Some women in their twenties who are now becoming physical education teachers and coaches have an interest in passing a competitive spirit on to their students. In addition, the Women's Olympic Committee is attempting to reach girls at a younger age, to give them the kind of training they would need to become top level competitors. As I stated earlier, the explosive participation of women in athletics is an important part of this cataclysm, partly because women are demanding more opportunities to participate and partly because some individuals are changing their perception of women's athletics (Gilbert and Williamson, 1973; Weber, 1974; President's Commission on Olympic Sport; 1977).

However, according to Weber (1974), the greatest impetus to the revolution in women's sports was the influence of the women's rights movement. It made both sexes aware of the huge inequalities in sport and other areas, and made it easier for women to demand access to the facilities, money and training available to the other sex.

Sports was not high on the lists of priorities when the women's movement shifted into high gear at the end of the 1960's and beginning of the 1970's. For many people who were interested in improving the status of females it probably wasn't apparent to many women involved in sport or physical education what the women's movement had to do with them (Boring a).

As Gilbert and Williamson (1973c: 65) note in Sports Illustrated, the women's movement slowly got into sports as they became conscious of the body. "It is a woman's right to control her body, be it wanting an abortion or wanting to strengthen it through sports."

Fields (1974) claims that many women feel that the new-found courage and self-esteem generated by the women's movement was almost as potent a force as Title IX in bringing attention to female athletes.

Celeste Ulrich, professor of health, physical education, and recreation at the University of North Carolina claims the feminist movement's research was really the turning point.

Women's athletes began saying, Hey don't forget sports. . . . Those of us who have been in physical education for twenty-five years or so remember

saying all along the way to male coaches, Don't make us beg, Be fair, she said (Fields, 1974: 7).

She notes that before the women's movement gained force and Title IX was passed there was a disturbance for more equality under the surface, but pressure and assertiveness for increasing budgets were only valued in male coaches and athletic directors, not the female ones (Fields, 1974).

Ulrich said that many women in college athletics accepted the idea that nice ladies don't rock the boat. They felt uncomfortable because of their association with a masculine area. Their own personal sex patterns were always under question so they decided not to rock the boat. However, according to Ulrich, the consciousness-raising of the past few years has changed things (Fields, 1974).

My colleagues in other fields now act like it is okay for a girl to want to be an athlete. People are seeing that women can do things that deal with strength and endurance (Fields, 1974: 7).

Thus the prejudicial attitudes are being changed along with the discriminatory structure.

In 1970 most women and men did not see sex discrimination as a problem on their campus. However, as a result of questioning and pressure from women, a few campuses initiated studies evaluating the status of women. Individual women began questioning their status more vocally and banding together to share complaints and press for changes. In 1970 only a few women taught the first courses in women's studies. Although campus administrators were preoccupied with student unrest, the first

demonstration by women concerning the firing of a woman professor received very little attention (Sandler, 1973b).

It was not until a small, unknown women's civil rights group, the Women's Equity Action League (WEAL), filed its first complaint of sex discrimination against the academic community in 1970 and discovered that the Executive Order applied to colleges and universities that women gained some protection under the law. At this time the academic community did not know that the Executive Order applied to them. It covered all federal contractors, but had been enforced primarily with regard to minority blue-collar construction workers, not with regard to discrimination in educational institutions (Sandler, 1973b).

Sandler (1973b), one of the founders of WEAL, suggests that the women's movement gave hope and courage to women on campus. It confirmed what they had suspected--sex discrimination was real. The activities of women's groups, coupled with those of individual women on campus, are responsible for the shift in Congress's attitude about sex discrimination. The pressure would ultimately change the nature of women's athletic participation, since the very discrimination being protested provided the advantages of recreation and contests, as well as the disadvantages of scarce resources.

PART IV

THE TWO MAJOR ORGANIZATIONS REGULATING
INTERCOLLEGIATE ATHLETICSThe Association for Intercollegiate Athletics for Women (AIAW)

The Association for Intercollegiate Athletics for Women is the first and only national group regulating intercollegiate competition for women. It was founded in 1971 primarily to establish intercollegiate athletic championships for women (Miller, 1975). Prior to this there seemed to be little need for an organization because there were so few intercollegiate women's programs (Gilbert and Williamson, 1973a).

The AIAW was formed by the National Association for Girls and Women in Sports; which is a part of the American Alliance for Health, Physical Education, and Recreation (AAHPER). In turn, the AAHPER is a national affiliate of the National Education Association (Miller, 1975). Its primary emphasis has been on recreation and contests, rather than sports.

A year after the AIAW was founded, Title IX of the Education Amendments Act was approved by Congress, placing the AIAW in a position of leadership. Since Title IX's approval the AIAW has been flooded with questions from interested women's physical education departments and their membership has greatly increased (Miller, 1975).

In its report on HEW's proposed regulations for Title IX, the AIAW advocated open competition between the sexes, and

separate teams for sports in which women might not yet be able to compete effectively (Miller, 1975). They also expressed their belief "that the primary justification for intercollegiate programs is their education, not their financial value" (U.S. House of Representatives, 1975: 522).

Women's athletic programs grew out of physical education programs and were funded through self-help techniques (eg., bake sales) and personal contributions of participants and coaches. The emphasis has been on the basic instruction and life time sports. In contrast, men's athletic programs developed for the most part outside the educational curriculum, were funded through direct grants and revenues, and emphasized competitive activities (Miller, 1975: 17).

The issue of competitive athletics has long been a subject of controversy between AIAW members. During its first few years of existence some AIAW members felt that the organization and women's sports in general should be more competitive. At the same time many members were in favor of banning athletic scholarships for women. At this point, the contradictions of wanting only part of what sports entailed was not evident. In 1973, Cathy Carn, a swimmer who had won two gold medals at the Munich Olympics, had to resign a four year grant awarded by the University of New Mexico because women holding an athletic scholarship were banned from competing in women's intercollegiate events (Gilbert and Williamson, 1973a). But times are changing, and the AIAW, caught between the young athletes (who wanted their share of the sports money) and the National Collegiate Athletic Association (which seemed increasingly ready to administer aid programs for women athletes) abandoned this strict

policy in the spring of 1973. The AIAW had its reasons for this ban. "We deplore the evils of pressure recruiting and performer exploitation which frequently accompany the administration of financial aid for athletics" (womenSports, 1974: 46).

Even though this disagreement on competitive athletics continues, all members of the AIAW agree that their primary concern is promoting all possible means for gaining access to equal opportunity for women athletic participants. They also believe that the provisions of Title IX provide the basis for making this access possible. They are attempting to develop programs within the Title IX regulations that are not a carbon copy of the men's (U.S. House of Representatives, 1975). I find this to be an inconsistency in their philosophy. If the AIAW truly believes in equal opportunity for women athletes they are going to have to provide women with the same level of competition as the men. The issue then develops regarding the extent to which the AIAW is going to provide open recruitment, financial aid, and big-time sports. An analysis of the various dimensions involved suggests it may be difficult to have one without the other.

The National Collegiate Athletic Association (NCAA)

The National Collegiate Athletic Association, founded in 1906, is the primary organization controlling men's intercollegiate competition at the major college level. Originally the NCAA was founded to protect intercollegiate sports from over-commercialism or, in other words, to retain the educational

aspects of athletics in the educational setting. It is ironic that the major argument preventing women from fully participating in intercollegiate athletics is primarily a commercial one. The NCAA claims that they're already having enough trouble making ends meet, without having to include women. When the Title IX regulations were just mere informal proposals, it was evident that the NCAA was opposed to federal regulations designed to curb discrimination against women. According to information distributed by WEAL, NCAA's primary concern is protecting their budget from the encroachment of women (Boring b).

The NCAA claims that, like the AIAW, they also believe that the purpose of their program is educational. However, the NCAA has argued, somewhat contradictorily, that due to the financial aspects of college sports intercollegiate athletics should be exempt from Title IX, or that a portion of the men's intercollegiate program not be covered because it is revenue producing. Their argument is twofold: (1) intercollegiate athletics don't receive direct federal financial assistance, and (2) the present economic crisis makes it impossible to implement the regulations set forth by HEW without interfering with the financial success of the men's intercollegiate programs of individual member schools, and jeopardizing men's intercollegiate athletics. However, if the major objective of competitive sports is making profits, then it doesn't belong in the educational setting and should be eliminated from higher education and exempted from Title IX. But if the goals of the NCAA's program are educational, as stated, there

is no reason why any portion of that program should be exempt from Title IX on the grounds of financial difficulty (U.S. House of Representatives, 1975).

The NCAA claims Title IX has produced a crisis in intercollegiate athletics. They rallied their member institutions to support large-scale lobbying to have athletics eliminated entirely from Title IX. When this failed they got behind the amendment sponsored by Senator John Tower, a Republican from Texas, and attempted to persuade the Department of Health, Education, and Welfare to exempt revenue-producing sports from Title IX. In June 1974, the Tower Amendment was defeated in conference. The regulations were officially released for comment shortly after that, with no major concessions to the male athletic groups (Weber, 1974).

Even though the regulation implementing Title IX became effective July 21, 1975, the NCAA did not give up. In February, 1976, the NCAA filed in U.S. District Court, claiming that the Title IX regulation is illegal as it applies to intercollegiate athletics. The complaint asks the court to "enter a declaratory judgement that the regulations are unlawful and invalidly issued" as they apply to intercollegiate athletics and athletic scholarships, and to enjoin HEW from "enforcing or seeking to enforce the Title IX regulation as it applies to athletics" (Project on the Status and Education of Women, 1976).

The association's lawsuit contains many of the same issues that the organization put before Congress in the summer

of 1975 when it failed to convince lawmakers to exclude athletics from the guidelines:

- That athletics do not receive direct financial help from the federal government and thus should not be covered by the law.
- That the Department of Health, Education, and Welfare unlawfully interpreted the law to include programs that benefit from federal aid, while the law itself only mentions programs that receive aid.
- That by requiring athletic scholarships to be distributed in proportion to the numbers of men and women participating in inter-collegiate sports, the regulation would force the use of arbitrary standards, without regard to the relative academic and athletic skills of male and female candidates.
- That the standards set out in the regulations for determining whether a particular institution provides equal opportunity "are so vague and indefinite as to permit virtually unfettered and unimpeded discretion" to the DHEW (Chronicle of Higher Education, 1976a: 1).

During the Congressional hearings in the summer of 1975, Bernice Sandler, director of the Project on the Status and Education of Women and an opponent of the NCAA, argued that "Congress did not intend to initiate a federal policy of giving federal assistance to an institution which discriminates in some areas although not in others. It is clear that the federal support for various programs often enables institutions to support numerous other school activities, such as athletic programs and extracurricular activities" (Chronicle of Higher Education, 1976a: 1).

The Association for Intercollegiate Athletics (AIAW) moved to intervene in the NCAA's suit. They claim that exempting athletics from Title IX would threaten women's opportunities in intercollegiate and intramural athletics and equal opportunities in other aspects of education. They are intervening to protect member institutions and the athletic programs from the requested invalidations of the Title IX regulations. The AIAW said the NCAA complaints merely seek to "create an elaborate legal construct designed to obscure the fact that it seeks this court's intervention to achieve a result it has already sought without success from HEW, the President of the United States, and the Congress: defeat for the effort to provide equal athletic opportunity for women" (Chronicle of Higher Education, 1976b: 2).

The NCAA's lawsuit claims that in addition to legal issues Title IX requires the NCAA to:

- . . . make substantial changes in the organization, operation, and budgeting of their individual intercollegiate athletic programs, that they engage in time-consuming programs of self-evaluation, and that they otherwise conduct their intercollegiate athletic programs in accordance with the arbitrary and exacting requirements of the regulations
(Chronicle of Higher Education, 1976a: 1).

The ramifications of the NCAA suit against HEW go beyond either intercollegiate athletics or sex discrimination. The outcome of the suit has implications for all civil laws that are tied to federal funds. According to a February 13, 1976 NCAA memorandum to NCAA institutions:

It is thus obvious that the outcome of the NCAA suit will have a major impact, not only on the definition of the power of DHEW to regulate intercollegiate athletics, but also on its power to regulate institutional programs whether or not they are the beneficiaries of federal financial assistance (Project on the Status and Education of Women, 1976: 15).

In January 1978 a federal judge dismissed the NCAA lawsuit against HEW. U.S. District Court Judge Earl E. O'Connor of Kansas City, Kansas said:

. . . the NCAA had failed to prove that it, its member institutions, or their intercollegiate athletic programs would be injured by HEW's Title IX regulations. Calling it the most over-briefed presentation in the court's recent experience, Judge O'Connor said the NCAA challenge was premature since no college had faced a challenge to provide equal facilities (Roark, 1978: 1).

The Title IX regulations went into effect in 1975; however, colleges and universities have until July 21, 1978 to bring their programs into compliance with the law (Roark, 1978).

Lawyers, women's coaches and the AIAW called the decision a major victory in women's efforts to gain equal treatment with men in college sports. The president of the AIAW, Judith Holland, said, "Now we don't have to fight to retain the law. We can push for full implementation" (Roark, 1978: 1).

A Struggle for Power

According to Hogan (1974), writing in womenSports, the NCAA, after banning women for nearly seventy years and spending close to \$300,000 to lobby against Title IX, is suddenly doing

things like setting up women's divisions, hosting conferences on women in athletics and sponsoring women's athletic events. I have to agree with Hogan's (1974) suggestion that what the NCAA wants is the control of women's intercollegiate athletics. They are well aware that outstanding women athletes are manipulable, profitable and saleable--the end result of sports, as opposed to recreation. The organizations that control them enjoy the profits from TV rights, as well as the power and prestige of governing national and international competition. Hogan (1974) further argues that by stalling Title IX, the NCAA has effectively prevented the AIAW from strengthening their organization and has provided the NCAA with more time to figure out a way to take over intercollegiate athletics for women. I tend to disagree with Hogan's (1974) statement based on the developments that took place at the AIAW's national meeting in 1975, 1976, 1977, and 1978.⁹

The AIAW boosted its confidence in 1975 when it successfully resisted an attempt by the NCAA to usurp its function and role. In 1974 the NCAA and AIAW were supposedly negotiating an alliance. However, the AIAW claims that the NCAA in 1975 tried to move ahead alone at the NCAA annual convention in Washington, D.C. (Miller, 1975). At this time the NCAA's committee on women's sports said:

The only satisfactory approach--considering the demands of court decisions--to the necessary

⁹For further details on the 1977 and 1978 national meetings see pages 54 to 58.

institutional control of all its intercollegiate athletic programs is to place men's and women's programs under the same administration, the same legislative body, and the same eligibility rules (Chronicle of Higher Education, 1975: 13).

In addition, the NCAA committee also introduced a proposal for a pilot program of national championships for women (Chronicle of Higher Education, 1975).

An article in Chronicle of Higher Education (1975) claims that the AIAW membership was angered when they got word of this at their convention in Houston; since their association already sponsors national women's championships in nearly a dozen sports and follows its own rules. The Chronicle of Higher Education (1975) reported that the angered AIAW delegates immediately telephoned their university presidents and protested. The NCAA membership overwhelmingly rejected the proposal and sent its women's committee back into negotiations with the AIAW. At this convention the NCAA adopted a resolution instructing the NCAA council to prepare a report on several issues involved in the administration of women's intercollegiate athletics at the national level. After receiving this report a joint committee of both the NCAA and the AIAW made recommendations for the development of women's sports, including national championships, for consideration by the Council at the NCAA convention in 1976 (National Collegiate Athletic Association, 1976).

After these joint meetings the NCAA proposed three resolutions which they presented at their 1976 convention. The women's group favored two of these resolutions--one establishing a

standing committee on women's intercollegiate athletics to continue the discussions with the AIAW, the other pledging the NCAA to postpone the establishment of any championship meets or tournaments for women prior to the 1977-78 academic year. The proposal that the AIAW strongly objected to would extend NCAA rules and regulations--on amateurism, recruiting, scholarships, and scores of other issues--to female as well as male athletes and coaches. The NCAA lawyers argued that failure to adopt such a resolution would make the organization legally vulnerable to the argument that it discriminates against women. However, the resolution was tabled by the NCAA council (Chronicle of Higher Education, 1976c).

The AIAW prefers different rules and organizations for men and women.

If there would be any joining with the NCAA in the administration of women's athletics, it would have to be on a 50-50 basis with respect to voting, most committee memberships and administrative functions (National Collegiate Athletic Association, 1976c).

This is something the NCAA is not willing to do.

Equal Programs or Carbon Copies

Title IX represents a major breakthrough for women in education and certainly benefits women in sport. However, as Ley (1974) suggests, it fails to answer many of the questions being asked by professional physical educators and coaches. The regulation lacks sufficient definition to allow the various

educational institutions to determine whether they are demonstrating adequate compliance with the Title IX regulation (Ley, 1974).

Of growing concern and alarm is the issue of what forms and models women's athletic programs will follow. Ley (1974: 129) notes that an unhappy aspect of Title IX from the women's point of view "is the impression one gets that what men are doing is the standard of excellence against which to judge women's programs." Ley (1974) further notes that Title IX has the potential for worsening things if women are forced into a male dominated model.¹⁰ I have to agree that the area of athletic competition has been male dominated. It is also an area that has many complicated problems. But, is the problem male domination or the structural necessities of a full-blown sports program?

As Craiglow (1974) suggests, the male model has been burdened with conflict and corruption. Craiglow (1974) further argues that if women follow this model we will most likely see the development of a highly competitive women's athletics, caught up in the same dangers (commercialism, professionalism, recruiting wars, salary disputes, gambling, and so on) that men's athletic programs have been plagued with. I believe women would certainly be justified in wanting to steer clear of these dangers. However, I am convinced they would only be fooling themselves if they attempted to develop anything but a competitive program. As Edwards'

¹⁰ According to a memorandum for chief state school officers, local school superintendents and college and university presidents in September, 1975, Title IX does not require educational institutions to duplicate their men's programs. "The thrust of the effort should be on the contribution of each of the categories to the overall goal of equal opportunity in athletics rather than on the details related to each of the categories" (U.S. Department of Health, Education, and Welfare, 1975b: 8).

definition of sport has already indicated, women athletes are just as competitive as their male counterpart. According to Ley (1974), in men's intercollegiate athletics winning is everything. "Americans do not simply value competition, they value success in competition" (Ley, 1974: 131). I don't think concern over the "winning is everything" syndrome is unwarranted, especially when it comes to a point where it takes priority over moral principles. However, one must realize that winning is just as important to female athletes as it is to male athletes. And when collectivities are involved, as they are for sports, as opposed to contests, winning becomes even more important as the only understandable measure of athletic worth.

Ley (1974) further argues that women's programs provide athletic programs with a second chance. It is a chance to avoid the mistakes men have encountered in their programs. Women need to develop a plan that will prevent the afflictions and conflicts men have acknowledged in their model. In essence, she calls for a movement back to contests and even recreation.

This plan should invite the men to reexamine and redirect their programs to become more consistent with the goals of education and focus on the quality of the experience for the participant. Athletic encounters should be emphasized for the joy of effort, the pursuit of excellence, and a high level of achievement within a framework in which gate receipts, crowd appeal, and the scoreboard are not the criteria of success or the measure of individual achievement. If competitive athletics for boys or girls is going to meet the acid test of an educationally sound experience, we must develop a game plan which does not duplicate the behavioral attitudes and actions of the past; we must present new programs and redirect the focus.

Together we can steer a course of action which may be able to avoid the pitfalls which have plagued the boys' model. It would be foolhardy to have observed all these conflicts and afflictions and then take steps to duplicate the problems just for the sake of equality (McKnight and Hult, 1974: 45).

Hult (1976) feels that until the NCAA and the AIAW begin to make compromises in the best interest of all female student athletes, the autonomy and governance of women's athletics should be placed in the hands of women. I think it's wishful thinking to consider that the NCAA and AIAW will start making compromises. After all, we're not talking about a few minor differences, we're talking about a major organizational struggle for power over women's intercollegiate athletics. Hult (1976) further suggests that as long as the rules are determined by men, women will not have equality in funds and programs, but, more important to women's rights, they will be denied the right to determine their own destiny. As this paper has already stated, in January 1976 the NCAA attempted to extend its authority to women's intercollegiate athletics.

The NCAA claims that they will eventually become active in women's sports and that women's athletics will inevitably come to reflect the male competitive spirit. On the other hand, AIAW officials feel that they can develop a rewarding alternative to the male athletic model. They are attempting to develop programs within the Title IX regulations that are not a carbon copy of the men's.

We believe we can strike a balance, lacking in men's athletics, between increased emphasis on competition and wide participation (Miller, 1975: 15).

Once again I must point out the inconsistency in AIAW's thinking. In my opinion it is very unlikely that AIAW member institutions can provide wide participation in athletics for their students and at the same time maintain the competitive spirit in athletics. In addition, the AIAW has to deal with Title IX which requires them to provide women with the same opportunities as the men. As I've already mentioned, if the AIAW is truly interested in providing women with equal opportunities in athletics they are going to have to provide them with the same level of competition as the men. In light of this, the NCAA might not be far off in their claim that women's athletics will inevitably come to reflect the male competitive mode.

The issue of whether or not women's sports will follow the footsteps of big-time men's programs was dealt with at the AIAW's annual convention in 1977. The key proposals were: to allow coaches to be paid to recruit female athletes, and to base athletic scholarship partly on financial need (Fields, 1976).

Despite the growing evidence of dissatisfaction with AIAW's recruiting rules and the growing number of athletic scholarships for women, the AIAW continued its previous policy by voting against allowing the coaches of women's teams to be paid or given release time to recruit. They also decided to continue their policy of prohibition against paying the expenses

of bringing prospective student athletes to the campus for visits. In addition, the association voted to limit "financial aid based on athletic ability . . . to a value equivalent to tuition and fees at each AIAW institution" (Fields, 1977: 9).

At their January 1978 convention the AIAW continued to plan an independent course in the development of women's inter-collegiate athletic competition. In the past AIAW members indicated that they wanted to avoid the abuses the men's organization had made in developing high pressure recruitment, costly programs, winning seasons, and the enforcement of complex rules. However, at this year's assembly it was apparent that the delegates had learned the value of the political and lobbying tactics long-used by male-dominated organizations (Fields, 1978b).

In the most controversial and lobbied decision at the assembly, the association rejected plans for restructuring its competitive divisions that would have made the organization's rules similar to those of men's organizations. The plan would have required institutions to schedule a certain percentage of their women's contests against institutions in the same division, and all of their women's teams would have had to compete in the same division (Fields, 1978b). The assembly finally adopted a plan that, beginning in academic 1979-80, would allow institutions to decide whether to compete in AIAW Divisions I, II, or III on the basis of the amount of financial aid awarded to female athletes. Institutions could select their divisions on a sport-by-sport basis (Fields, 1978a).

In Division I championships institutions would be able

to award up to the maximum amount of financial aid permitted by AIAW rules in the sports entered. In Division II institutions entering teams in its championships would be allowed to award no more than 25 per cent of the maximum amount of aid that AIAW rules allow for the sport in question. Division III would be limited to institutions awarding no athletic scholarships to women (Fields 1978: 6).

The assembly also voted:

- To allow women's athletic scholarships to cover room and board as well as tuition and fees. (This vote reversed last year's decision to limit women's scholarships--beginning this August--to tuition and fees.)
- To allow athletic departments to pay for academic tutoring services for female athletes.
- To liberalize its rules to allow institutions to hold both individual and group auditions of athletes.
- To allow prospective students-athletes to participate with or against an intercollegiate team, or members of it, during auditions.
- To allow coaches, for the first time, to be reimbursed by their institutions for trips to high schools and junior college contests to assess talented female athletes. (This reversed a long-standing policy--upheld after intense debate in 1977--against paying for such expenses).
- To prohibit coaches from speaking to the athletes or their families at the contest in order to avoid turning such scouting trips into recruiting trips.
- To strenuously oppose a proposal on the agenda of the NCAA that would allow its Division II to start a program of championships in women's sports. (This proposal was never passed by the NCAA council)

(Fields, 1978a; 1978b).

In my opinion the 1978 AIAW meeting saw less controversy than at last year's meeting. One issue in particular--that of full-ride scholarships for female athletes--proceeded more smoothly than at the previous meeting. Many delegates said that in voting to limit financial aid to just tuition and fees at the 1977 meeting they hoped that the NCAA would take a serious look at its financial situation and impose more financial limits in the area of financial grants (Fields, 1978b). However, when the NCAA defeated proposals that would have limited grants to athletes with proven financial need, many delegates apparently decided before the meeting that they didn't want to make their women athletes second-class citizens. According to one delegate, "If our men get full grants, my women should get them, too" (Fields, 1978a: 14).

There are several other reasons why there was less controversy on the floor this year. First, many members were impressed by the increased political sophistication demonstrated at the assembly. The delegates gave high marks to the AIAW's president, Judith R. Holland, who did an expert job at carrying out the business at hand. The assembly was also impressed by the amount of homework done on complicated issues by most delegates. One delegate commented, "people have learned to state their points at the microphone and learned to ask questions about parliamentary procedures so they could use it for their own purposes" (Fields, 1978b: 5).

Based on the actions taken by the 1978 AIAW delegation it appears that the member institutions are becoming more unified and are developing a liberal philosophy which may intensify competition for female athletes.

PART V

THE PROBLEMS FACING WOMEN ATHLETICS

Throughout this report I have mentioned numerous issues confronting women in the movement from play and recreation to contests and sports. I would now like to summarize these issues to give one a better understanding of the problems facing women in sports.

The issues have been clouded and filled with misconceptions of what women athletes want and need to carry on their objectives and goals. According to Gilbert and Williamson (1973b), womenSports (1974), and the President's Commission on Olympic Sport (1977), old medical myths persist; athletics are physically bad for women, menstruation makes it impossible for women to compete regularly, frequent participation in sports will harm a woman's reproductive organs, women shouldn't play contact sports because they risk breast cancer from trauma to the breast, competition may masculinize their appearance and affect their sexual behavior. Other myths persevere: women just aren't interested in sports, women do not play sports well enough to deserve athletic equality, "we" (men's programs) don't have enough money to fund women's athletic programs.

Gilbert and Williamson (1973b), womenSports (1974), and the President's Commission on Olympic Sport (1977) also point out that the right of a female to participate is severely restricted no matter what her talent, education, race, age, residence or riches. Women must contend with limited funds, facilities,

equipment, coaching, training, recruiting, rewards, and honors. There are many places where women's athletics receive no support and media coverage is meager. Women continue to be excluded from deciding what direction their programs will follow. Any one of these barriers can effectively prohibit optimum development of women in sports.

The President's Commission on Olympic Sport (1977) suggests that an area in which women's programs suffer great inequities is funding. The financial assistance allotted to women is grossly inferior to that granted men. There is also a lack of equality for women athletes when it comes to facilities and equipment. Either women's facilities are completely lacking or there is severely restricted access to those shared with men's programs. Further, women lack significant organizational influence.. They have a small part in the organizations which implement programs and formulate athletic policy. Women are also hindered by a lack of well-structured programs and services. The types of activities, number of participation opportunities and the levels of competition offered are extremely inadequate. Women in this country continue to be plagued with discrimination, particularly in the areas mentioned above.

In the opinion of Gilbert and Williamson (1973a) and the President's Commission on Olympic Sport (1977), females are restricted from sharing athletic resources and opportunities by tradition, regulation, law, or the hostility of males. Females who choose to participate in sports are apt to be subjected to

psychological and social pressures which will question her sanity, morals and womanhood.

PART VI

CONCLUSIONS AND IMPLICATIONS FOR FUTURE RESEARCH

Summary of Findings

The movement from recreation to sport for women has involved more than just the attitudes of female athletes. Because of the distribution of resources involved, as well as the direct challenge to established sexual prejudices, it has entered the arena of public debate. The most controversial issue of Title IX of the Education Amendments of 1972 continues to be equal opportunity in athletics. The Department of Health, Education and Welfare has given colleges and universities until July 21, 1978 to provide equal opportunity in their women's and men's athletic programs. However, many institutions will not be able to make this deadline. Apparently there has been no systematic collection of data, by either HEW or men's and women's athletic organizations, on what colleges have done for or are planning to do to bring their athletic programs into compliance with federal laws (Fields, 1977b).

Even with the three year adjustment period HEW set in the summer of 1972 when it published guidelines for Title IX, it is evident that both the colleges and their women's athletic programs still face major problems in providing equal athletic opportunity--particularly in terms of financial assistance, access to facilities and equipment, organizational influence and authority, and opportunities for recreational and competitive programs.

However, as a result of actions taken by individual women, women's groups and the AIAW some of these problems are being alleviated. In my opinion the women's movement provided hope and courage to those individuals who were interested in taking action toward improving the opportunities available to female athletes, even though they may not have realised the ultimate implications of such equality. I agree with Fields (1974) that the courage and self-esteem generated by the women's movement was almost as potent a force as Title IX in bringing attention to female athletes. It seems to me that the future direction of women's athletics will be influenced by those individuals and organizations who encouraged the promotion of non-discriminatory standards in sports.

Implications for Future Research

A content analysis of the literature reveals that there is a great need for empirical research on women's athletics. In this section several areas of investigation for future research are suggested.

One area of investigation, which has been thoroughly examined for males, concerns the consequences of interscholastic athletics on the educational pursuits of students. This is a relationship we need to examine for female student-athletes in order to determine whether interscholastic sports have a positive or negative effect on students' academic pursuits. The movement from recreation to sports seems to bring with it an emphasis on athlete, rather than on student.

Studies designed to examine the relationship between interscholastic athletics and the educational pursuits of female students might compare the academic achievement of athletes with that of female students not engaged in interscholastic sports. Statistical controls, such as students' grade point averages, parents' socioeconomic status, and parents' encouragement, may further clarify this relationship. Future studies may also assess this relationship by sampling rural and urban athletes, as well as black and white athletes. Additionally, subsequent studies might examine the type of sport and number of sports in which the female student-athlete participates. These studies should be careful to assess the degree to which the women's program has entered the sports end of the activity continuum.

Another area of investigation involves the collection of data on what colleges and universities have done for or are planning to do to bring their athletic programs into compliance with federal laws. The enactment of Title IX has stimulated changes in funding for women's and men's athletic programs. Prior to the actual Title IX compliance date (July 21, 1978), the NCAA complained that these regulations would interfere with the financial success of men's intercollegiate athletics. What kind of an effect have the Title IX regulations had on men's athletic programs? In addition, where do the funds come from for men's and women's athletic programs? And, will these regulations lead to changes in funding priorities? Does discrimination and

prejudice take new forms under new laws aimed at their eradication? A survey conducted at several institutions or a case study may aid other colleges and universities in bringing their athletic programs into compliance with Title IX.

A final suggestion for future research involves a comparison of attitudes between the NCAA and AIAW member institutions. Is there still a basic orientation toward recreation in the AIAW, compared to sports for the NCAA? Do the various representatives realize the congruence of the various dimensions and the implications of the shift from one to the other? The issue of competitive athletics has long been a subject of controversy between AIAW members. AIAW members want part of what sports entails (funding, facilities, recruiting, training, coaching, rewards, etc.) but don't want to get caught up in the same dangers (commercialism, professionalism, recruiting wars, salary disputes, gambling, and so on) that the men's athletic programs have been plagued with. To determine how the AIAW membership is dealing with this conflict one might examine the existing models of intercollegiate athletics to assess the degree to which the women's program has entered the sports end of the continuum. It might also be interesting to compare the attitudes of AIAW and NCAA representatives within the same institution. A comparison of this type may reveal some interesting conflicts as well as some unexpected similarities between both organizations. One would predict a congruence in their positions over time, as the sports mode becomes the dominant one for women as well as for men.

This report has examined the implications of Title IX on women in intercollegiate athletics. A review of the literature found very little empirical research on the subject. It is the hope of this author that the issues raised in this report will encourage others to begin to systematically investigate this area.

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TITLE IX
WOMEN IN INTERCOLLEGIATE ATHLETICS

by

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AN ABSTRACT OF A MASTER'S REPORT

submitted in partial fulfillment of the
requirements for the degree

MASTER OF ARTS

Department of Sociology, Anthropology and Social Work

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Manhattan, Kansas

1978

This report discusses the implications of Title IX of the 1972 Education Amendments for women in sports, placing a specific emphasis on women's intercollegiate athletics. A content analysis of the literature on Title IX and women's intercollegiate athletics showed that there were few empirical studies on the subject. Consequently, the information contained within this report comes from popular rather than scientific sources and is not based on empirical data. In addition, this report examines issues related to equality for women in sport and discusses social variables affecting Title IX. A review of the two major organizations regulating intercollegiate competition, the AIAW and the NCAA, are presented. Their histories, policies and struggle for control of women's intercollegiate athletics are explored. Of particular interest are the implications of Title IX on these organizations. Furthermore, this report focuses on an issue of major concern for women athletes, as well as the AIAW and NCAA: whether women will develop their own athletic programs or follow male models. The many problems confronting women in athletics are summarized. In the final section it is concluded that equal opportunity in athletics continues to be the most controversial issue of Title IX of the Education Amendments of 1972. Even though the Department of Health, Education and Welfare has given colleges and universities until July 21, 1978 to provide equal opportunity in their women's and men's athletic programs, many institutions will not be able to make this deadline. Consequently, both the

colleges and their women's athletic programs still face major problems in providing equal athletic opportunity--particularly in terms of financial assistance, access to facilities and equipment, organizational influence and authority, and opportunities for recreational and competitive programs. However, as a result of actions taken by individual women, women's groups and the AIAW some of these problems are being alleviated. The contribution of the women's movement in bringing attention to women's athletics is noted. And finally, implications for future research are suggested. One area of investigation concerns the consequences of interscholastic athletics on the educational pursuits of female students. Another area of investigation involves the collection of data on what colleges and universities have done for or are planning to do to bring their athletic programs into compliance with Title IX. A final suggestion involves a comparison of attitudes between AIAW and NCAA member institutions.