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Title X Equity in Men's and Women's Hockey January 1994

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**Title X Equity in
Men's and Women's Hockey
January 1994**

University of Minnesota 1994

INTRODUCTION

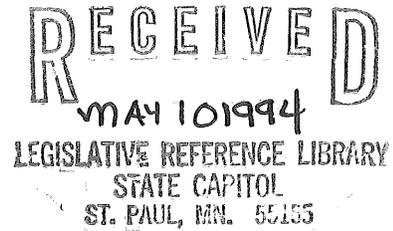
The University of Minnesota submits this report in response to an act adopted by the 1993 Minnesota State Legislature, stating that

Each campus with a men's varsity level hockey team and a women's club level hockey team shall analyze the campus responsibility for Title IX equity as it applies to this disparity and shall report its plan to ensure equity to the education committees by January 15, 1994. See 1993 Session Laws of Minnesota, Chapter 1Sp2, Article 1, Section 9, Subdivision 5.

To best information, the Twin Cities campus of the University of Minnesota and St. Cloud State University are the only higher educational institutions in Minnesota that sponsor both men's varsity and women's club hockey teams. This report is limited to the Twin Cities campus, hereafter referred to as "the University," and is organized around the following three questions:

- **What is the University's "responsibility for Title IX equity as it applies to th[e] disparity" of offering a men's varsity level hockey team and a women's club level hockey team?**
- **What is the University's "plan to ensure equity" in intercollegiate athletics?**
- **What additional factors warrant consideration in offering a women's varsity hockey program?**

The analysis supporting the University's conclusions is contained in the subsequent sections. Simply stated, these conclusions are: 1) the University has examined the differences between the men's and women's hockey programs and does not believe those differences violate Title IX; 2) the University has adopted and is implementing a plan to ensure gender equity in its intercollegiate athletics' programs; and 3) the University does not intend, at this time, to establish a women's varsity hockey program, but will continue to consider the possible addition of women's hockey as well as other sports as it monitors its gender equity plan.



ANALYSIS

WHAT IS THE UNIVERSITY'S RESPONSIBILITY FOR TITLE IX EQUITY AS IT APPLIES TO THE DISPARITY OF OFFERING A MEN'S VARSITY LEVEL HOCKEY TEAM AND A WOMEN'S CLUB LEVEL TEAM?

The first question involves a summary of Title IX legislation and judicial interpretations.

Title IX provides that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. . . ." Aided by the regulations, courts have interpreted Title IX to require three things of an institution that receives federal funds and that offers athletics' programs: 1) that the athletic scholarships awarded to men and women must be substantially proportionate; 2) that the overall opportunities for men and women must be equal or equal in effect, as measured by the benefits and treatments given in the programs; and 3) that the athletic interests and abilities of male and female athletes must be effectively accommodated.

Compliance with Title IX is generally tested by examining an institution's entire athletic program as opposed to just looking at individual sports. Moreover, Title IX does not require institutions to sponsor identical sports for men and women. Stated differently, the fact that the University of Minnesota offers a men's varsity hockey program does not obligate it under Title IX to sponsor a women's varsity hockey team.

WHAT IS THE UNIVERSITY'S PLAN TO ENSURE EQUITY IN INTERCOLLEGIATE ATHLETICS?

The second question requires an overview of the University's intercollegiate athletics' programs and a summary of related gender equity initiatives

The Department of Women's Intercollegiate Athletics (WICA) was established in 1975. It is a separate entity, independent of the men's department, and is one of five such women's programs in the United States. It sponsors ten sports and includes approximately 188 student-athletes. Its 1993-94 budget is \$4.95 million, of which \$2.7 million is provided through a State Special appropriation. It is among the nation's leaders in support for women's athletics.

The Department of Men's Intercollegiate Athletics (MICA) was created in 1922. It includes eleven sports and approximately 351 student-athletes. Its current budget is \$12.86 million, the majority of which is generated through the three so-called "revenue" sports of football, basketball, and hockey. The program is self-supporting and receives no state funding.

Both athletic departments offer Division I programs and are subject to the rules and policies of the National Collegiate Athletic Association (NCAA) and the Big Ten Conference (or in the case of men's hockey, to the Western Collegiate Hockey Association). Departmental oversight is delegated to the athletic directors and to the University's Assembly Committee on Intercollegiate Athletics (ACIA). Ultimate responsibility for intercollegiate athletics resides with the President and the Board of Regents.

The responsibility for ensuring compliance with Title IX is an institutional obligation that is addressed in a number of ways. In recent years, significant efforts have been made to increase WICA resources. These resources have been used to increase the participation numbers as well as improve the quality of the athletic experience for women. Examples of these measures include:

	1993-94	1992-93	1991-92
•WICA Budget Increases	11.8%	12.7%	12%
•Central Allocations	\$770,000	\$760,000	\$424,000
•NCAA Allocations	\$265,000	\$265,000	\$265,000
•NCAA/Big Ten Radio/TV Allocations	\$353,000	\$353,000	N/A
•Retrenchment Exemption	N/A	N/A	\$53,000
•Addition of Soccer Program	\$250,000	\$30,000	N/A
•New or Renovated Facilities			
Gymnastics	\$50,000		
Sports Pavilion	\$10,000,000		
Soccer Field	\$50,000		
Academic Counseling	\$25,000		

These actions have led to improvements across the Women's Department, especially in such areas as student services, team maintenance, equipment and supplies, recruiting, public relations, facilities, and coaching and staff personnel.

In April, 1992, the Board of Regents took additional steps to ensure gender equity and directed "the administration and the athletic directors (to) formulate goals and objectives for addressing the issues of gender equity, establish a timetable for implementation of those goals and objectives, and report back to the Board of Regents within six months." Consistent therewith, a plan was presented in October, 1992, and updated in February, 1993. It was endorsed by the Regents and is currently being implemented.

Attachments I and II outline the University's plan and include goals, timelines, and provide an overview of the context in which the University is pursuing its gender equity efforts. The initiative can be summarized as follows:

1) In 1992, the Big Ten Council of Presidents set a five-year goal of achieving a level of athletics' participation that is 60 percent male and 40

percent female. Each member institution is required to establish a strategy for reaching the goal and must submit annual progress updates.

2) The strategy adopted by the University of Minnesota is to increase the number of female athletes by approximately 43 and to reduce the number of male athletes by approximately 63. The expansion of the women's program includes a new soccer program (and opportunities for some 25 student-athletes) as well as an increase of 18 student-athletes in the other nine women's sports. The reduction in the men's program will be pursued through squad size caps and limitations of "walk-on" participants.

3) The addition of a women's varsity soccer program occurred in Fall, 1993. This represents a 15% increase in the number of participants in the women's athletic program, a 58% attainment of the five-year goal of increasing opportunities for women, and a change in the male/female ratio from 69:31 to 65:35.

4) The University will continue to review its gender equity strategy and progress. Of special importance are national reforms designed to promote women's programs and to limit the overall costs of intercollegiate athletics. To date such reforms, including those taken by the 1994 NCAA Convention, have fallen short of University expectations. The limited national progress will be taken into consideration in the University's assessment of its gender equity plan.

WHAT ADDITIONAL FACTORS WARRANT CONSIDERATION IN OFFERING A WOMEN'S VARSITY HOCKEY PROGRAM?

The third question involves an assessment of matters that must be considered in adding any varsity sport. The University, through its Assembly Committee on Intercollegiate Athletics, has established (and is in the process of revising) procedures for adding new sports. See Attachment III. Included is an examination of such factors as participation interest, availability/location of

potential competition, implications for existing programs, financial costs, and funding sources. In terms of women's hockey, available data are limited, but suggest the following:

1) While growing in popularity, women's hockey is still sponsored in a relatively small number—less than 100—of high schools across the U.S. In Minnesota, eight to twelve high schools initiated varsity women's hockey programs in 1993-94. The Minnesota High School League is likely to consider sanctioning the sport in the near future.

2) Approximately 50 colleges and universities (16 Division I) offer women's varsity or club hockey. The majority of these institutions are located in the Northeast. None of the members of the Big Ten Conference or the Western Collegiate Hockey Association sponsor women's varsity hockey programs. If a women's varsity program were established at the University of Minnesota, initial competition would likely include six club programs in the region along with a minimum of three trips to the Northeast. A competitive schedule of 19-27 games would be possible.

3) The women's club hockey program at the University of Minnesota includes up to 40 participants. The majority of those participants are full-time, undergraduate or graduate students.

4) At the 1994 NCAA Convention, women's hockey was designated as an "emerging sport," thereby qualifying it for purposes of NCAA revenue distribution (i.e., sports sponsorship and grants-in-aid.)

5) The 1993-94 budget of the University's men's hockey program is approximately \$930,000. The first-year costs of a women's varsity hockey program are estimated to be between \$331,000 and \$415,000 with a second year budget in the range of \$357,000 to \$387,000.

6) The men's hockey team is self-supporting, generating all of its revenues through ticket sales, television/radio incomes, and related activities. A source of funding would have to be identified to establish a women's hockey program. The options are limited.

CONCLUSION

Given the above, the University does not presently plan to establish a women's varsity hockey program. Its current intentions are to continue to pursue and monitor the gender equity plan that it adopted in 1992-93. As part of its ongoing review, consideration will be given to the addition of hockey and other women's sports as well as to alternative measures that are deemed necessary or appropriate.

**POLICY ON ADDING OR DELETING SPORTS
IN A DEPARTMENT OF INTERCOLLEGIATE ATHLETICS**

I. Introduction

Recognizing that the sport composition of the athletic departments need not remain forever unaltered, the Assembly Committee on Intercollegiate Athletics (ACIA) establishes this policy and set of procedures to add to or subtract from the varsity sports* which comprise a department.

II. Definition

A. A varsity sport is one in which the team members compete under the auspices of the rules and policies of ACIA as well as the National Collegiate Athletic Association (NCAA) and affiliated conference governing organizations.

B. Current rules of the NCAA impose on member institutions certain requirements which must be met before a sport can be legitimately considered to be varsity. The following excerpt from the 1979-80 NCAA Manual delineates those requirements.

O.I. 12. The constitution, bylaws and other legislation of this Association, unless otherwise specified therein shall apply to all sports recognized by the member institution as varsity intercollegiate sports and which involve all-male teams and mixed teams of males and females. To be so recognized, a sport must be one in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition, which officially has been accorded varsity status by the institution's chief executive officer or committee responsible for intercollegiate athletic policy, which is administered by the department of intercollegiate athletics, for which the eligibility of the student-athletes is reviewed and certified by a staff member designated by the institution's chief executive officer of committee responsible for intercollegiate athletic policy and in which qualified participants receive the institution's official varsity awards. (p.25) If those conditions are met, and the institution also forwards annually to the Big Ten Conference a list of names of individuals certified to be eligible for competition under its rules and those of the NCAA, then the students competing in the particular sport will be considered to be varsity athletes.

C. The following conditions must obtain if a sport is to be granted varsity status.

1. The sports must be one recognized in some fashion by the NCAA or Big Ten Conference.

*For the purposes of this policy, "varsity" is understood to refer to both full-fledged varsity status and varsity club status. See the "Policy on Varsity Club Status" for differentiation between the two and applicable governing University policy.

2. ACIA must officially declare the sport to be varsity, thereby rendering it subject to all rules, regulations, and policies adopted by the Committee and the appropriate athletic governing organizations of which the University is a member.
3. The sport will be administered by one of the departments of athletics.
4. The eligibility of all athlete competing in that sport will be certified by the department to the appropriate athletic governing organization in the manner prescribed by its rules.
5. The athletes who compete in the sport and who meet criteria set by ACIA will be eligible to receive the varsity "M" award.

III. Procedures for Adding Sports

- A. Initial inquiries about acquiring varsity status should be brought to the appropriate Director of Athletics and the Chair of ACIA.
 1. The Director will consult with his or her staff to determine whether or not the Department believes it feasible and appropriate for the sport to be added to the program.
 2. The Chair of ACIA will provide the representatives of the sport with the criteria to be used by the Committee in judging whether or not to act positively to the request. In addition, the representatives will be provided with a set of specific questions which will need to be addressed. (The criteria are attached to this policy as Appendix A; the questions as Appendix B.)
- B. A preliminary presentation to ACIA by the representatives of the sport should be scheduled as soon as convenient. The Committee reserves the right to set all terms and conditions of such a presentation.
 1. Representatives of the sport should be prepared to respond generally to the questions (although extensive research into cost, schedules, facilities, and the like need not have been done) and to discuss the extent to which their sport fulfills the criteria.
 2. The Director of Athletics will also then make a recommendation.
- C. ACIA will then vote on whether or not to recommend further research and discussion.
 1. If ACIA votes not to consider the matter further, that decision will be final.
 2. If ACIA votes positively on the request, Sections III(D)-(F) shall govern.
- D. When further consideration is to take place, detailed written responses to the questions shall be circulated to ACIA members. This document should then be prepared in consultation with the Director of Athletics.

- E. A final presentation shall be scheduled to discuss the request. A group consisting of the central administrator to whom athletics reports, the Chair of ACIA, the Director of Athletics, the Faculty Representative, and other individuals designated by the Chair of ACIA shall evaluate the presentation, with the option of excluding the representatives of the sport.
- F. The Chair of ACIA will report back to the full Committee on the nature of the discussion and the recommendation of the group. ACIA will then vote whether or not to give final approval to the request.
 - 1. If ACIA denies the request, that decision shall be final.
 - 2. If ACIA votes to approve the request, Section III(G) shall govern.
- G. A positive recommendation from ACIA to add a sport shall be forwarded to the Vice central administrative officer to whom athletics reports. The central administrative officer may approve or deny the request; that decision will be final. The central administrative officer to whom athletics reports will be responsible for notifying ACIA and representatives of the sport of the decision and the reasons for it.

IV. Withdrawal of Varsity Status from a Sport

There may be an occasion when, for a variety of reasons, it is determined that a sport should no longer retain varsity status. In those instances, the following procedures shall govern.

- A. A request that a sport be discontinued at the varsity level must come from either the Director of Athletics of the program in which the sport is offered or the central administrative officer. The request must be made to ACIA.
 - 1. The Director or the central administrative officer will present a written report to ACIA explaining the reasons for the request.
 - 2. Although not delimiting the reasons for which such a request might be made, it is assumed that at least one of the following three factors would play a part in it:
 - a.) Financial exigency; the Department is financially constrained and unable to support the sport(s);
 - b.) Withdrawal of recognition of the sport by an athletic governing organization; or
 - c.) Declining student interest in participating in the sport.
- B. Upon receipt of such a request, ACIA shall schedule a meeting with the Director, the central administrative officer to whom athletics reports, the coach (es), and athletes representing the sport to discuss the proposal. Reasonable notice shall be provided by the Athletic Director to the coach (es) and the athletes about a recommendation to drop a sport and about the ACIA meeting required by this section. The Office of the administrative officer to whom athletics reports shall have the responsibility for inserting a notice in the Minnesota Daily soliciting comment from interested members of the University community.

- C. Following the discussion, ACIA will vote on whether or not remove varsity status from the sport. The decision of the Committee shall be final. If ACIA votes to remove varsity status from a sport, the Athletic Department shall continue to provide the same level of financial aid to those athletes who had been receiving it until they graduate, leave school, or for a maximum of four years for each athlete, whichever occurs first.

Adopted by the Assembly Committee on Intercollegiate Athletics 03/25/80.

Approved by the Twin Cities Campus Assembly 06/05/80.

Approved by Vice President Nils Hasselmo 06/11/80.

Revisions approved by the Assembly Committee on Intercollegiate Athletics 11/18/82.

Revisions approved by the Twin Cities Campus Assembly 05/05/83.

APPENDIX A

CRITERIA FOR REQUESTING THE ADDITION OF SPORTS TO A DEPARTMENT OF INTERCOLLEGIATE ATHLETICS

I. Minimum Criteria

- A. That the sport be a recognized intercollege sport by the NCAA.
- B. That adequate and appropriate competition exists within a reasonable distance.
- C. That strong student interest in participation be demonstrated over a period of time (e.g., through club sports or intramural sports).
- D. That appropriate facilities be potentially available.

II. Supplementary Criteria: Preference will be accorded when

- A. Participation in the sport in Minnesota secondary schools is relatively high.
- B. Projected cost for the sport are relatively low.
- C. Potential spectator interest in the sports exists.
- D. The sport involves a substantial number of competitors at the varsity level.
- E. The sport is played at schools with whom University of Minnesota teams have traditionally competed.

GENDER EQUITY IN INTERCOLLEGIATE ATHLETICS
A PROGRESS REPORT
FEBRUARY 1993

In October 1992, the Board of Regents reviewed a plan for advancing gender equity in intercollegiate athletics on the Twin Cities campus. Among other things, the plan

- 1) Established a five-year goal of achieving a 60:40 male/female participation rate in the Gopher athletic programs;
- 2) Recommended a strategy of increasing the number of female athletes by approximately 43, and of reducing the number of male athletes by approximately 63; and
- 3) Outlined a series of planning assumptions and external factors that required continued consideration in implementing and financing the initiatives.

The Board asked that a progress report be provided after the NCAA had completed its January 1993, Convention. This summary responds to the Regents' request. Four general issues warrant mention.

I. NCAA Update

The first involves the NCAA's gender equity agenda. As was emphasized in October and reflected in the Regents' resolution, the University's strategy and timetable are unavoidably tied to national actions on such issues as squad size caps, scholarship limits, competition availability, coaching complements, cost containment measures, and similar competitive, financial, and equity factors. Last fall, it was expected that the 1993 NCAA Convention would address some of these matters and adopt reforms that would advance gender equity on a national as well as on a conference and institutional level.

Unfortunately, this did not prove to be the case. Instead, with two exceptions, the NCAA Executive Committee and Presidents' Council determined that gender equity and cost containment reforms should await the completion of two national task force studies and should serve as the central focus of the 1994 Convention. The Council and Executive Committee also requested the Big Ten to withdraw four equity and cost-related proposals that it had recommended for 1993 action. With considerable reluctance, the Conference agreed to do so because defeat of the proposals was virtually certain and would lessen the chances of future passage.

At this point, the Big Ten members are awaiting the reports of the NCAA Task Force on Gender Equity and the NCAA Committee on Financial

Considerations. The studies are due in the spring, and among the charges assigned to the groups are:

1. Examining the impact of current NCAA practices on gender equity;
2. Developing a set of improvements and benchmarks for measuring gender equity progress;
3. Reviewing the financial implications of gender equity;
4. Proposing methods to fund equitable programs; and
5. Developing a definition of gender equity.

(It should be noted that Chris Voelz serves on the Gender Equity Task Force and McKinley Boston on the Big Ten Cost Containment Committee.)

One of the most important reforms that the University and the Big Ten will seek to incorporate involves squad size limits on men's teams. As we discussed last October, to meet the 60:40 participation goal will require a reduction of 63 athletes in the Gopher men's program through either squad size caps or the elimination of some men's sports. While the latter option must be retained, it poses divisive consequences for morale, constituency support, and interdepartmental cooperation. Consequently, in terms of reducing the number of male athletes, the University will continue to pursue squad size reforms at the NCAA and Big Ten levels. Should such prove to be unsuccessful, then the University must decide whether to impose caps unilaterally or to drop certain men's sports. Both of the athletic directors and I believe that this decision should await completion of the 1994 NCAA Convention. At the same time, in the absence of national reform, we will implement a more specific timetable that I will outline later.

II. Expansion of the Women's Program

A second, and more important, component of the University's plan involves the expansion of participation opportunities for women. On this front, substantial progress has been made over the past four months. A women's varsity soccer program was approved in November and will begin competition in Fall, 1993. A national search for a new coach was also completed and resulted in the recent hiring of Ms. Susan Montagne. Likewise, the recruitment of players has begun and will eventually provide some 25 additional participation opportunities for female athletes. This would represent:

- 1) A 15 percent increase in the number of participants in the women's athletic program;

- 2) A 58 percent attainment (25 of 43) of the five-year goal of increasing opportunities for women; and
- 3) A change in the male/female participation rate from 69:31 to 66:34.

III. Gender Equity Funding

A third issue that has required continued attention is the funding of the University's gender equity plan. On this front, a recent budget recommendation from Governor Carlson provides grounds for optimism. While the Governor's overall biennial budget package poses serious problems for the University, it does recognize the state's responsibility to assist in supporting gender equity in intercollegiate athletics. It is our understanding that under the Governor's recommendation, between \$350,000 and \$400,000 a year would be provided by allowing the University to retain the state sales tax proceeds that are currently generated through the sale of tickets to Gopher athletic events. The tax revenues from tickets to men's football, basketball, hockey, and other revenue-producing sports would no longer revert to the state's general fund, but would be dedicated to advancing the gender equity initiatives of the University. These funds would be in addition to the \$2.7 million that the women's program currently receives through its State Special appropriation.

The Governor's support is welcomed and, if our understanding is correct, warrants endorsement by the Board as well as by the Legislature. However, let me be clear: the proposal is not an acceptable substitute for either the Regents' biennial request or for adequate base funding of the larger University enterprise and its primary mission activities. True equity must provide opportunities not only for 500 Gopher athletes, but for 50,000 other University students.

Next Steps

Finally, let me summarize some of the next steps that will be taken in advancing our gender equity initiatives.

First, over the next year the University will continue to pursue its five-year gender equity goal and strategy. It will seek requisite reforms at both the NCAA and Big Ten Conference levels.

Second, should the 1994 NCAA Convention fail to adopt reforms that facilitate our timetable, the University will establish annual progression objectives for the men's and women's departments. While subject to change, these tentatively include:

	Female Participants	Male Participants
1993-94	+25	--
1994-95	+6	-21
1995-96	+6	-21
1996-97	+6	-21

Third, the University will submit to the Big Ten Conference in June 1993, its proposed gender equity strategy and timetable as outlined last October and here.

Fourth, subject to the Board's approval, the University will support the Governor's proposal to allow the University to retain sales tax proceeds on athletic tickets and to dedicate the revenues to gender equity initiatives.

Fifth, the athletic directors, administrators, and consultative groups will continue to monitor the implementation and funding of the gender equity initiatives. Progress updates will be provided to the Board as part of the annual reports of the athletic directors and at other times as requested or deemed necessary. A report will also be made following the 1994 NCAA Convention.

In summary, the University of Minnesota and the Big Ten Conference retain a national leadership role in advancing gender equity. Anyone who doubts that role need only examine the record or attend an NCAA Convention. While a number of significant challenges remain, progress has been made and will continue.

GENDER EQUITY IN INTERCOLLEGIATE ATHLETICS
A REPORT TO THE BOARD OF REGENTS
OF THE UNIVERSITY OF MINNESOTA
OCTOBER 1992

BACKGROUND

On April 10, 1992, the Board of Regents adopted the following resolution:

Resolved: that the administration and the athletic directors formulate goals and objectives for addressing the issue of gender equity, establish a timetable for implementation of those goals and objectives, and report back to the Board of Regents within six months.

This report is submitted in response to the Regents' action. It is based upon the preliminary review and recommendations of an advisory committee that included the Directors of Men's and Women's Athletics, the Big Ten Faculty Representatives, and the Chair of the Assembly Committee on Intercollegiate Athletics.¹ It further reflects administrative assessments of related fiscal needs and constraints. Periodic updates will be required and will be provided to the Board through annual reports of the Athletic Directors.

GENDER EQUITY CONTEXT

The "issue of gender equity" in intercollegiate athletics raises two fundamental questions: 1) How should gender equity be defined?; and 2) How should related initiatives be funded? Both questions require national, conference, and institutional responses that, to date, have resisted easy answers.

As recently stated by the Chair of the NCAA Committee on Women's Athletics, "There is not a commonly accepted idea of what gender equity is." Instead, the concept is interpreted differently within and across athletic departments, conferences, and organizations as well as among university administrators, faculties, and constituencies. To some, gender equity consists of selected comparisons of similar activities; to others, it constitutes the legal imperatives of Title IX of the 1972 Education Amendments; and to still others, it includes broader philosophical and moral considerations.²

¹Appreciation is extended to the members and staff of the Advisory Committee: McKinley Boston, Director of Men's Athletics; Chris Voelz, Director of Women's Athletics; Robert Stein, Dean of the Law School; Jo-Ida Hansen, Professor of Psychology; Theodore Labuza, Professor of Food Sciences and Nutrition; Jeffrey Schemmel, Athletic Compliance Officer; and Vickie Courtney, University Senate Staff.

²In September 1992, the National Association of Women's Athletic Administrators adopted the following definition:

Not unsurprisingly, the lack of a standard definition gives rise to differences over the funding of gender equity. At present, most Division I men's programs are expected to be self-supporting, relying upon so-called "revenue" sports (i.e., Gopher football, basketball, and hockey) to finance overall departmental activities. Likewise, most Division I women's programs (although not the University of Minnesota due to the Women's State Special) are funded largely through revenues generated by men's athletic events.

As a result, there are inevitable tensions among "revenue" and "non-revenue" sports, men's and women's programs, and conferences and institutions regarding the sharing of athletically-generated resources. Those tensions are exacerbated in an environment of escalating costs and constrained revenues, of unmet needs and increasing Title IX litigation. It is within such an environment that the issues of gender equity must be addressed.

BIG TEN CONFERENCE GENDER EQUITY GOAL

The absence of a national agreement on gender equity has prompted individual universities to operationalize the term and, in the case of the Big Ten Conference, to formulate a conference consensus. Thus, in 1991, the Big Ten adopted a guiding principle that stated, "All member universities shall assure the fair distribution of resources, access to facilities and treatment of student-athletes and personnel. The Big Ten Conference acknowledges a responsibility to assert the value of achieving equal participation by men and women in intercollegiate sports."

One year later, the Big Ten Council of Presidents adopted a conference-wide gender equity goal. That goal is to achieve, by June 1997, a level of athletics' participation that is 60 percent male and 40 percent female. By June 1993, each member school must submit to the conference an institutional plan for meeting the target. Thereafter, annual progress reports will be required.

GENDER EQUITY PRINCIPLES

The action by the Big Ten is one that the University of Minnesota endorses and that will guide its gender equity initiatives for the next five years. Consistent therewith, the University has developed a set of related gender equity principles that provide a framework for implementing specific actions. Those principles, while subject to changing conditions and finances, include the following:

Gender equity is an atmosphere and reality where fair distribution of overall athletic opportunities and resources proportionate to enrollment are available to women and men and where no student athlete, coach, or athletic administrator is discriminated against in any way in the athletic program on the basis of gender. That is to say, an athletics program is gender equitable when the men's sports program would be pleased to accept as its own the overall participation opportunities and resources currently allocated to the women's sports program and vice versa.

1. The University is committed to the principle of gender equity in intercollegiate athletics and to the 60:40 male/female participation goal adopted by the Big Ten Council of Presidents.
2. The meaning of "gender equity" resists a single definition, but at a minimum, includes the notion that women should be afforded opportunities, experiences, and support that are similar to those of men in pursuing athletic interests.
3. The pursuit of gender equity should be carried out consistent with the Mission Statement and Statement of Principles for Intercollegiate Athletics of the University of Minnesota.
4. The advancement of equitable opportunities for women should not be at the expense of decreasing the number of men's sports.
5. The pursuit of gender equity should not be at the expense of eroding the overall competitiveness of either the men's or the women's athletics programs.
6. The pursuit of gender equity should be consistent with the University's obligations as a member of the Big Ten Conference.
7. The development of a gender equity plan should include consideration of conference and national efforts to provide gender equity.
8. The development of strategies to fund gender equity should include consideration of the fiscal environment of the state, University, and athletics' programs as well as all cost containment and revenue enhancement possibilities.
9. The revenue enhancement strategies should concentrate upon ways of increasing private fundraising, overall support for the women's program, and income from the men's football, basketball, and hockey programs.
10. The funding of gender equity should not be at the expense of the University's academic programs.

GENDER EQUITY STRATEGIES

As previously indicated, under the Council of Presidents' resolution each member institution has the responsibility to determine strategies for achieving the 60:40 goal. With current Big Ten participation rates ranging from approximately 66:34 to 74:26, the requisite progress and strategies will vary from campus to campus. Theoretically, however, three broad options are available.

Strategy I

The first option is to increase the number of female athletes and hold the number of male athletes at the current level. At the University of Minnesota, this strategy would require the addition of 85 female participants.

	Men		Women	
1992 Current	373	(69%)	164	(31%)
	<u>+0</u>		<u>+85</u>	
1997 Target	373	(60%)	249	(40%)

This option would further entail the sponsorship of at least two new Gopher women's sports and additional annual resources of more than a million dollars.

Strategy II

A second option is to reduce the number of male athletes and hold the number of female athletes at the current level. At the University of Minnesota, this option would require the reduction of 109 male participants.

	Men		Women	
1992 Current	373	(69%)	164	(31%)
	<u>-109</u>		<u>-0</u>	
1997 Target	264	(60%)	164	(40%)

This option would likely result in elimination of at least three non-revenue men's sports and expenditure reductions of several hundred thousand dollars.

Strategy III

A third alternative would be to both increase the number of female athletes and reduce the number of male athletes. Under a Big Ten proposal (outlined below), the University of Minnesota could meet its 60:40 goal through the addition of 43 female participants and the reduction of 63 male participants.

	Men		Women	
1992 Current	373	(69%)	164	(31%)
	<u>-63</u>		<u>+43</u>	
1997 Target	310	(60%)	207	(40%)

This option would increase the number of sports and participation opportunities for women. It would not require the elimination of any men's sports but would foreclose "walk-on opportunities" for some Gopher male athletes. There would also be marginal, but undetermined, cost savings.

It is the present intention of the Administration and the Athletic Directors to pursue Strategy III. The strategy would be implemented over the next five years through the following actions:

Addition of Women's Soccer

The women's program will sponsor a varsity level soccer team. Funding has been provided to hire a coach in 1992-93 and competition could begin as early as 1993-94. The program will serve between 25 and 30 participants and when fully implemented will require an annual budget of at least \$400,000.

Expansion of Participants in Current Women's Sports

An expansion of team rosters in existing women's sports might accommodate between 13 and 18 additional participants. The expansion would be phased in and could begin as early as 1993-94. It would entail some marginal per participant costs.

Squad Size Caps for Men's Sports

A reduction in the number of men's participants would be achieved by placing "caps" on the size of existing sports. Because a unilateral imposition would be competitively disadvantageous, the Big Ten will propose national legislation limiting the size of men's squads. Should such limits not be adopted by the NCAA, then the Big Ten or its individual members will have to determine whether to impose them on a conference or institutional level.

Men's Sport	UM Current participants	Proposed legislation	UM financial aid participants	Big Ten average	NCAA average
Baseball	35	33	13	40.4	37.1
Basketball	16	14	14	16.1	15.4
Cross Country/Track	43	40	14	79.3	60.4
Football	120	105	73	122.5	117.0
Golf	19	12	4.3	17.8	13.7
Gymnastics	13	14	7	17.6	15.9
Hockey	43	26	19.9	30.4	29.1
Swimming/Diving	42	26	10.6	29.4	28.8
Tennis	12	10	5	11.5	11.6
Wrestling	30	28	10.6	36.1	31.3
Total	373	308	171.4	401.1	360.3

Consideration of Other Women's Sports

Alternatively, should the above actions prove insufficient to meet conference and institutional commitments, consideration will be given to the addition of other women's sports. Any decision will require further assessment of interests, costs, funding, competition availabilities, and related progress. A determination would be made by 1995-96.

GENDER EQUITY FUNDING

The above initiatives as well as continuing Title IX obligations will require an expanded fiscal commitment. Traditionally, that commitment has been reflected in the University's State Special for Women's Athletics which today provides \$2.7 million of the department's \$4.4 million budget. More recently, it has included additional efforts to identify the longer range (i.e., five year) needs of the women's program and to address them on an annual basis consistent with evolving resources and changes. Over the past two years, these efforts have involved a reallocation of central funds, NCAA revenues, and media income as well as the following measures:

	1992-93	1991-92
WICA Budget Increases	12.7 percent	12 percent
Central Allocations	\$675,000	\$424,000
NCAA Revenues	\$265,000	\$265,000
Radio/TV Revenues	\$353,000	N/A
Legislative Cut Exemption	N/A	\$ 53,000
Peik Hall Renovation	N/A	\$ 35,000
Restoration of State Special		
Women's Sports Pavilion Renovation		
Sponsorship of NCAA Legislation for Women's Programs		
Hosting of NCAA Women's Championships		
1992 Gymnastics		
1993 Swimming and Diving		
1995 Basketball		

Together, the state, institutional, and departmental efforts have placed the University of Minnesota's women's program among the national leaders in overall support. At the same time, the continued pursuit of gender equity and Title IX initiatives will take place in a more austere fiscal climate. Already, some universities have been forced to drop certain sports, others have eliminated entire programs, and still others have imposed cost containment measures.

Last June, for example, the Big Ten Council of Presidents charged the Directors of Athletics to maintain level expenditures (excepting grant-in-aids and debt reduction) in 1992-93 based on actual 1991-92 expenditures. The Presidents further imposed restrictions on the mode of team travel, the number of committees and meetings, the size of the football travel squad,

and the number of participants in the Rose Bowl and NCAA Convention delegations. Finally, the Council directed that proposals be presented by June 1993, for reducing the size of men's teams, restricting out-of-season training table meals, and eliminating special off-campus housing for home teams on the night before home games.

Such measures will most directly affect the men's program with a decrease in expenditures or rate of growth. To that extent, the differential spending between the men's and women's departments will be further reduced. Those steps alone, however, are unlikely to meet the University's gender equity and Title IX obligations. Instead, there are two ultimate choices: 1) reduce the breadth and expenditures of the men's program; or 2) identify and secure additional resources for the women's program. Both options would be difficult to implement, and as reviewed by the Advisory Committee would require consideration of the following possibilities:

Reduction in Expenditures:

1. Squad Caps on Men's Programs

As indicated previously, the imposition of restrictions on the size of men's teams will allow the University to meet the 60:40 conference goal. The reduction, however, would not generate significant fiscal savings as the majority of those affected would be "walk-ons" who represent marginal costs.

2. Tuition Waivers for Scholarship Athletes

Scholarships for tuition and fees represent one of the largest expenditures for athletic programs. In 1992-93, the budgeted costs are \$1.7M in the Gopher men's program and \$945,000 in the women's program. A policy of tuition/fee waivers would reduce the costs to the athletic departments. At the same time, the costs would have to be absorbed by the institution. A survey by the Advisory Committee of forty-two universities indicated that six provided such waivers and in very limited amounts.

3. Elimination of Selected Men's Sports

Under the University's gender equity principles, the elimination of men's non-revenue sports would be a last resort to meeting gender equity obligations. The measure would transfer, not reduce costs, and would be divisive in terms of interdepartmental cooperation, morale, and constituency support.

Increase in Revenues:

1. Increased Ticket Revenue

The largest source of income for Gopher athletics is the sale of men's football, basketball, and hockey tickets. The potential for increased revenues over the next five years varies in each of the sports.

Additional revenues in basketball are unlikely given the renovation and reduction of seating in Williams Arena and the costs of the project. On the other hand, the hockey program will have expanded seating capacity in its new ice arena, but any new income is targeted for construction of the new facility. The best potential for additional ticket sales and revenues is offered by the football program. Efforts to realize such potential are and will remain a primary emphasis.

2. Private Fundraising

Historically, the University of Minnesota has been a Big Ten leader in overall private fundraising, but among the lowest in gifts to intercollegiate athletics. The past year, however, evidenced a significant increase in athletic contributions to the men's and the women's programs with the initiation of the Athletics Facilities Project. While a similar drive for support of gender equity initiatives is feasible, such would likely have to await completion of the current facilities' campaign.

3. Legislative State Special

Clearly, there is a state obligation to assist in the funding of gender equity initiatives. Far less clear is whether that responsibility might be more fully actualized under current economic conditions. Any request for additional gender equity funds will have to be considered within the overall priorities of the University's legislative request and as determined by the Regents

4. Student Fee Surcharge

In a survey conducted by the Advisory Committee, approximately half of forty-two Division I universities currently impose a student fee that supports intercollegiate athletics. Consideration of a similar fee for gender equity initiatives at the University of Minnesota would require consultation with the student body, identification of related services (i.e., elimination/reduction in ticket costs), and examination within the context of the overall student fee structure.

CONCLUSION

The University of Minnesota is committed to meeting its gender equity and Title IX responsibilities. Over the next five years, that commitment will be pursued consistent with its gender equity principles on a national, conference, and institutional level. In addition to meeting Title IX obligations, the University's goal will be to attain, by June 1997 or sooner, the 60:40 participation standard set by the Big Ten Conference.

In terms of participation, the pursuit will require an increase in the proportion of female athletes, a decrease in the number of male athletes, and a monitoring of undergraduate enrollments, athletic interests, and

programmatic opportunities. In terms of funding, the pursuit will dictate the expansion of self-supporting efforts, the containment of programmatic costs, and the identification of resources to address any discriminatory differences.

Finally, periodic reviews of the University's gender equity plans and principles will be undertaken to ensure continued progress and to reflect changing conditions. Those adjustments will be shared with the Regents in the annual reports of the Athletic Directors and in the monthly reports of the President.

The following new section was adopted 6/8/92, effective 7/1/92

RULE D. GENDER EQUITY ACTION POLICY

Policy

The Big Ten Conference believes that a Conference Gender Equity Action Policy is required to address the historical imbalance in the level of male and female student-athlete participation in intercollegiate athletics. In that regard, The Conference members commit to a 60%/40% male/female participation level by June 30, 1997. This Gender Equity Action Policy, approved by the Council of Presidents/Chancellors, is designed to implement this commitment through the member institutions by encouraging initiative, creativity, and leadership in the pursuit of the specified participation levels.

Progress Review

The specific programs and procedures designed to achieve the levels are to be determined by each of the member institutions which will develop and submit a written plan setting forth the actions to be undertaken pursuant to the Policy. Such plan shall be submitted to the Council of Presidents/Chancellors no later than June 30, 1993. Any amendments to this plan will be submitted to the Council of Presidents/Chancellors promptly.

Beginning in June, 1994, each member institution will present an annual report to the Council of Presidents/Chancellors. The report will include a description of the actions taken by the member institution during the course of the preceding academic year in connection with this Policy and a report on the specific level of male-female student-athlete participation as of the date of the report.

Participation Levels

Each institution is to attain a male-female participation level of 60%/40% prior to the end of the five-year period ending on June 30, 1997 through the implementation of positively directed, good faith efforts to promote female student-athletics. The Conference recognizes that the current levels of male-female student-athlete participation and the overall athletic programs differ at each of the member institutions. However, the Conference believes that the specified levels are attainable for all member institutions. The focus of the Gender Equity Action Policy is on the reasonable, good faith efforts adopted and implemented by the member institutions which are designed to set in motion the systems, programs, and procedures that will be effective in correcting the traditional imbalance in female athletics participation.

Procedures for Implementation

As indicated above, this Policy seeks to encourage the initiative, creativity, and flexibility of its member institutions in striving to achieve the specified levels. Without limiting in any way other actions that may be taken to comply with this Policy, the following actions may be appropriate:

Rules of Organization and Procedure, Rule D

- Increased funding of female student-athlete programs (including, specifically, increased female student-athlete scholarships);
- Increased availability of programs to women;
- Encouragement of increased participation by women;
- Increased dissemination of information to female student-athletes (either attending the member institution or in the high schools) concerning programs available to women;
- Enhancement of public perception of female student-athlete programs;
- Reallocation of resources within the intercollegiate athletics program;
- Cap on squad sizes of men's sports.

Assuring Compliance with the Policy

The Conference and the Council of Presidents/Chancellors are committed to this Policy. Any member institution that refuses to implement good faith measures under this Policy or fails to make progress in the pursuit of those measures shall be subject to such sanctions as the Council of Presidents/Chancellors determine from time to time to be appropriate.