INSTITUTIONAL
COMPLIANCE SOLUTIONS

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TITLE IX AND ATHLETICS COMPLIANCE

LIVE VIRTUAL TRAINING



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BEFORE WE GET STARTED...

- ✓ Not legal advice
- ✓ Materials
- ✓ Participation
- ✓ Repetition
- ✓ Breaks
- ✓ Posting link
- ✗ Recording
- ✗ Judgment

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ABOUT US

OUR MISSION

To provide the best Care and Support for our clients, Community Partners, employees, contractors, collaborators, vendors, and all others who encounter our company.

GOAL

To assist schools and districts in providing a safe and healthy learning and working environment for students, faculty and staff.

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Agenda & Goals

- Understanding Equity
- Expectations
- Action



Intro & Overview

Current Landscape

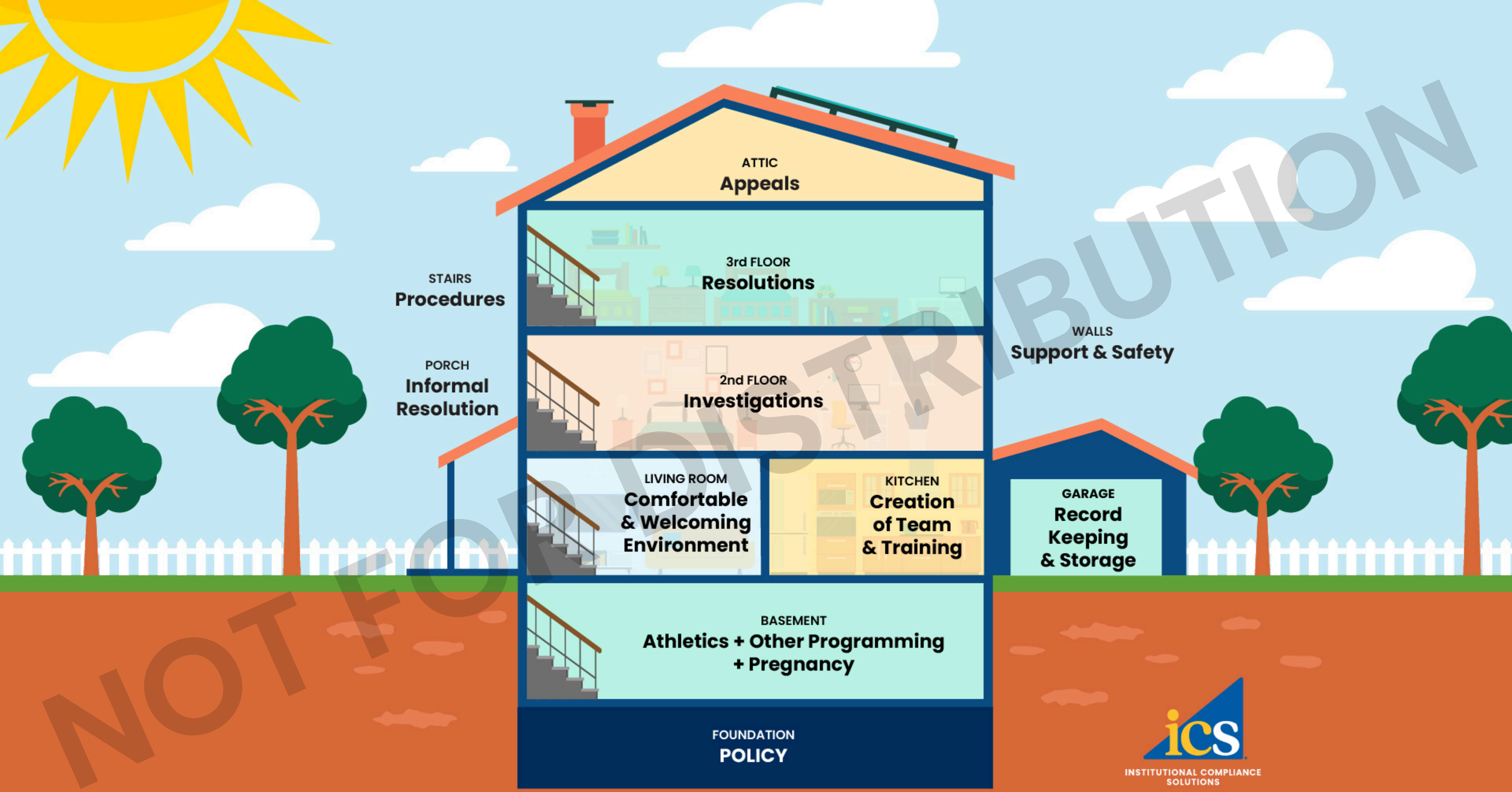
The Three Targets

NIL and Title IX

Action Steps if a Complaint is Received

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The Reasons Title IX Equity in Athletics Matters in 2026



- Persistent Gender Gaps in Participation and Enforcement Data
- New Litigation Linked to Compensation and Revenue Sharing (NIL)
- High Volume of Athletics-Related OCR Complaints
- Policy Shifts and Federal Guidance Uncertainty
- Expanded Legal Disputes Over Gender Identity & Participation
- Continued Concern About Scholarship and Financial Aid Equity
- Advocacy and Public Pressure

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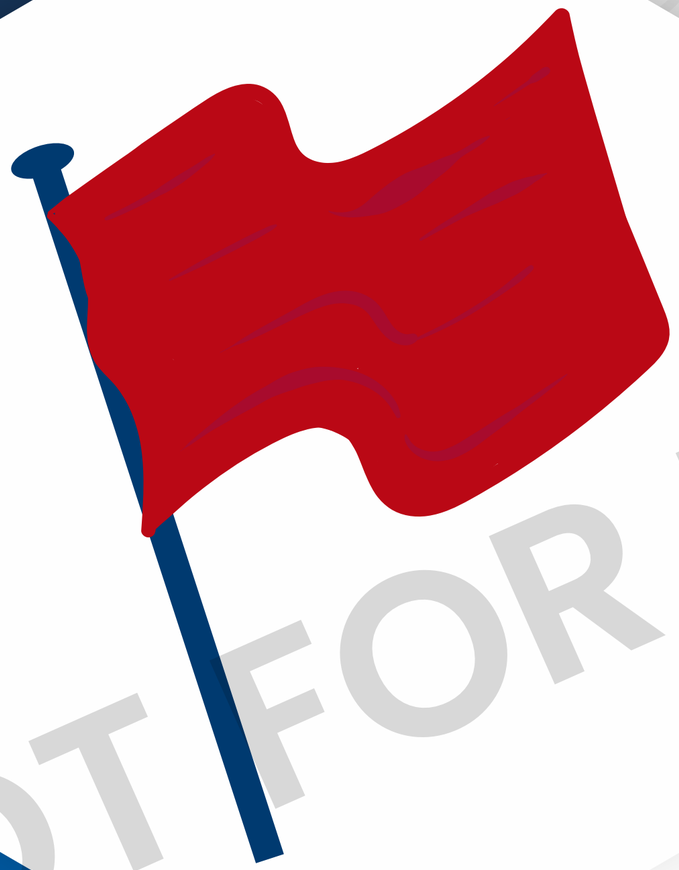
INTENT Vs IMPACT



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Common Red Flags



- Recent team cuts
- Large roster disparities
- Booster-funded inequities
- Disproportionate capital investment
- Large scholarship percentage gaps
- Public complaints or media attention

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3 Targets for Athletics Title IX Compliance



1 Participation + Interest + Ability (3 prongs)



2 Benefits + Opportunity + Treatment



3 Scholarships + Financial Aid
*If applicable

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Target 1

Participation, Interest, and Ability

- <u>3 Prongs</u>
  - Only need to meet 1 of the 3 prongs within Target 1.

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(Target 1)

Title IX Athletics 3 ProngTest

or

or

Prong 1
Substantial Proportionality

Prong 2
History of Expansion

Prong 3
Interests and Abilities

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SUBSTANTIAL PROPORTIONALITY

🎯 TARGET 1 PRONG 1



The Formula

- **Step 1- Calculate the percentage of female students**

# of female students/enrolled students = percentage of female students

- **Step 2- Calculate the percentage of female athletic opportunities**

# of female athletic opportunities/total number of athletic opportunities= percentage of femal athletic opportunties

- **Step 3 Compare**

Answer to 1. and 2. need to be VERY Close (less than 5%)

May be “duplicated” or “unduplicated” (discussed on next slide)

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DUPLICATED VS. UNDUPLICATED CALCUATION

🎯 TARGET 1 PRONG 1

Unduplicated Counting

Each student-athlete is counted only once, even if they participate in multiple sports.
This method measures how many individual students are participating in athletics.

- Example-
  - A student participates in:
  - Soccer
  - Track
- Under unduplicated counting, that athlete counts as: 1 athlete

Duplicated Counting

Each participation opportunity (each roster spot) is counted separately.
If a student participates in two sports, they count twice- measures participation opportunities.

- Example-
  - A student participates in:
  - Soccer
  - Track
- Under unduplicated counting, that athlete counts as: 2 participation opportunities

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SUBSTANTIAL PROPORTIONALITY UNDUPLICATED HYPO

🎯 TARGET 1 PRONG 1

Unduplicated Measurement: Doesn't take into account if athletes participate in more than one sport

Step 1- # of female students/enrolled students = percentage of enrolled female students

Step 2- # of female athletes/total number of athletes

Step 3- Answer to 1. and 2. need to be VERY Close (less than 5%)

Example:

School has the following:

- **1000 students (500 female students, 500 male students)**
- **300 total athletes (120 female, 180 male)**

Step 1- 500 female students/1000 total students = 50% enrolled female students

Step 2- 120 female athletes/300 total athletes= 40%

Step 3- 50%-40%= Difference of 10%

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SUBSTANTIAL PROPORTIONALITY DUPLICATED HYPO

TARGET 1 PRONG 1

Duplicated Measurement: Takes into account when athletes participate in more than one sport

Step 1- # of female students/enrolled students = percentage of enrolled female students

Step 2- # of female roster spots/total number of roster spots

Step 3- Calcuate- Answer to 1. and 2. need to be VERY Close (less than 5%)

Example:

School has the following:

- **1000 students (500 female students, 500 male students)**
- **400 total filled roster spots (150 female, 250 male)**

Step 1- 500 female students/1000total students = 50% enrolled female students

Step 2- 150 female roster spots/400 total athletes= 37.5%

Step 3- 50%-37.5% = Difference of 12.5%

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Substantial Proportionality Test — Calculator (Duplicated & Unduplicated)

Institutional Compliance Solutions

Inputs (edit yellow cells)	
Women students (enrollment)	0
Total students (enrollment)	0
Women enrollment % (auto)	
Threshold (percent points)	5.000%

"VERY Close (less than 5%)".

Duplicated measurement (roster spots) — uses: women roster spots / total roster spots	
Women roster spots	0
Total roster spots	0

Unduplicated measurement (headcount) — uses: women athletes / total athletes	
Women athletes (unduplicated)	0
Total athletes (unduplicated)	0

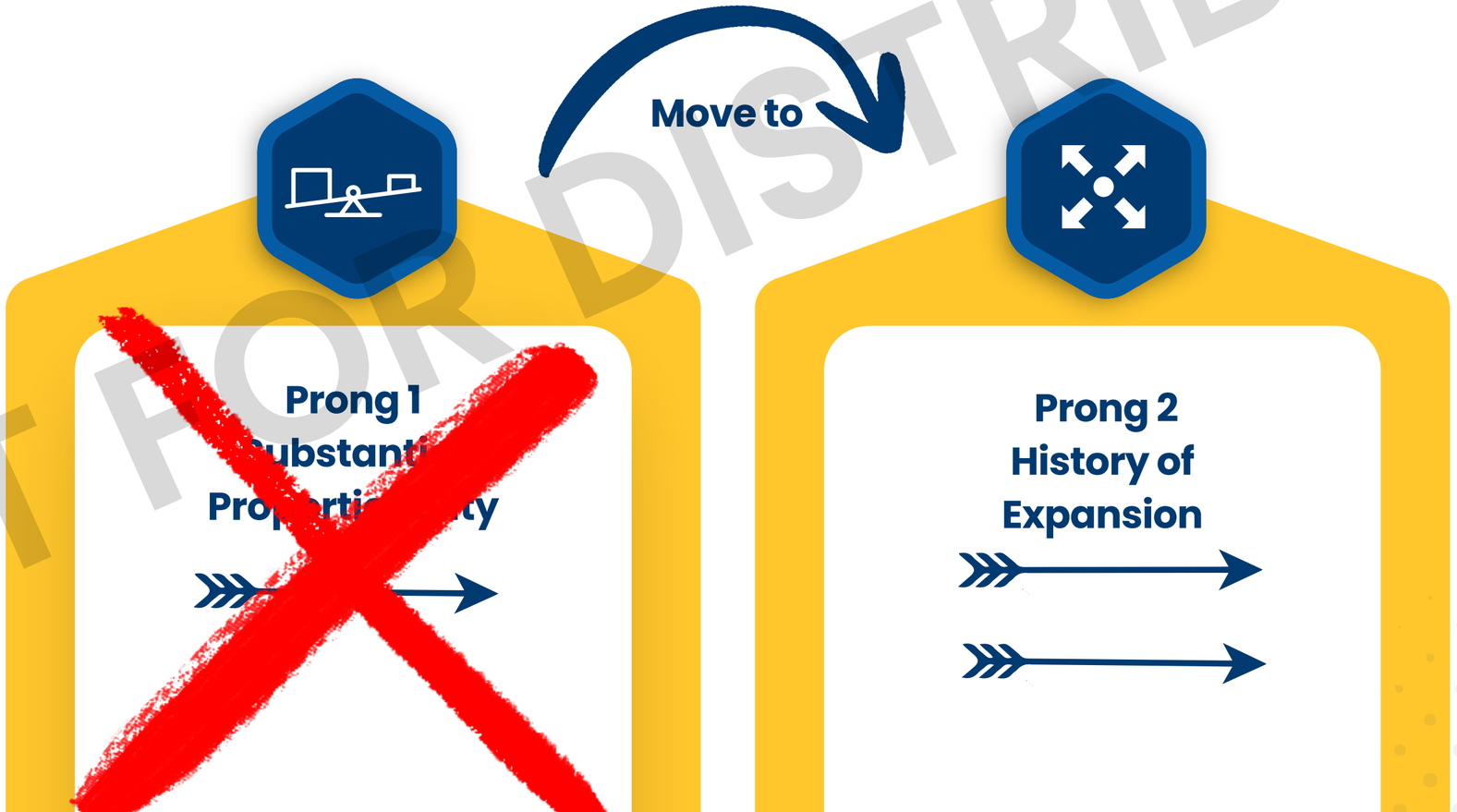
Results	
Duplicated: Women athletics %	
Duplicated: Gap (Enrollment% − Athletics%)	0.000%
Duplicated: Inside threshold?	YES
Duplicated: Min women spots for threshold (total fixed)	0
Duplicated: Net women spots needed (vs current)	0
Unduplicated: Women athletics %	
Unduplicated: Gap (Enrollment% − Athletics%)	0.000%
Unduplicated: Inside threshold?	YES
Unduplicated: Min women athletes for threshold (total fixed)	0
Unduplicated: Net women athletes needed (vs current)	0

Reference (exact match to enrollment %)	
Target women spots (duplicated) = enrollment% × total spots	0
Target women athletes (unduplicated) = enrollment% × total athletes	0

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IF INSTITUTION OR DISTRICT FAILS TEST UNDER PRONG 1, MOVE TO PRONG 2



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HISTORY OF EXPANSION

TARGET 1 PRONG 2



- History or ongoing pattern of adding participation opportunities for females
- Generally look at last 3-5 years
- UNAVAILABLE if in the process of eliminating or downsizing sports for females

CHALLENGE

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HISTORY OF EXPANSION HYPO

TARGET 1 PRONG 2



Institution: ICS University

START **with Target 1 Prong 1**

Enrollment: 11,000 undergraduate students

- 60% women
- 40% men

Varsity Athletics Participation: 520 total varsity athletes

- 285 men (54.8%)
- 235 women (45.2%)

There is a **14.8 percentage point gap** between women's enrollment (60%) and women's athletic participation (45.2%).

ICS University does not meet substantial proportionality (Prong 1).

→ **Move to Prong 2**

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HISTORY OF EXPANSION HYPO

🎯 TARGET 1 PRONG 2

10-Year Program Expansion Record

2015

- Added Women's Lacrosse (roster size: 32)
- Increased Women's Soccer roster cap from 24 → 30

2017

- Added Women's Golf (roster size: 10)

2019

- Elevated Women's Triathlon (Emerging Sport) to varsity status (roster: 18)

2021

- Added Women's Wrestling (roster size: 28)
- Increased Women's Track roster by 6

2023

- Added Women's STUNT (roster: 24)
- Increased Women's Volleyball scholarships from 12 → 14

2024

- Approved Women's Acrobatics & Tumbling (launching Fall 2026; projected roster 32)



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HISTORY OF EXPANSION HYPO

🎯TARGET 1 PRONG 2

Total Expansion Impact 2014-2024

New women's sports added

- 5

Women's roster spots added

- +150

Women's scholarships added

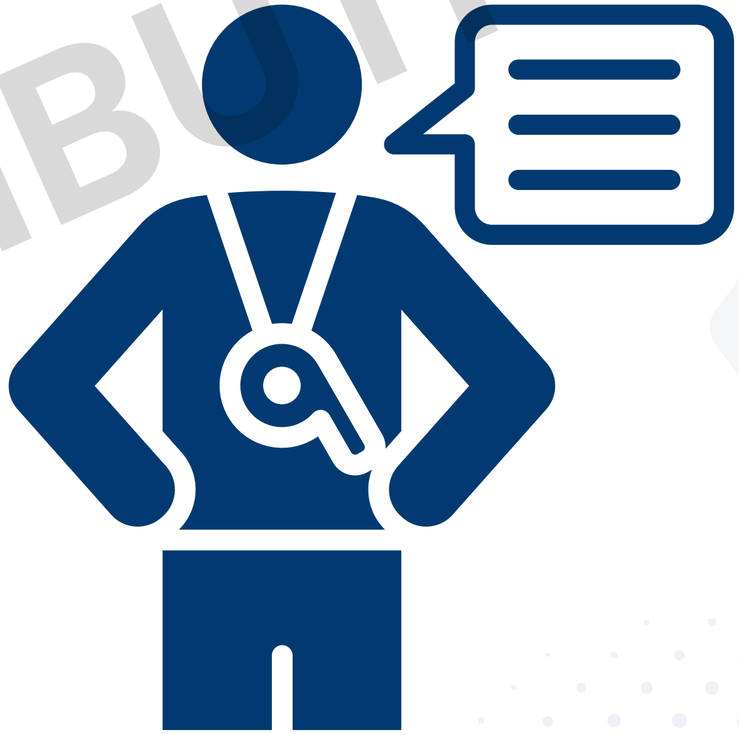
- +38

Capital investment in women's facilities

- $18M

Women's coaching staff added

- +9 full-time positions



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HISTORY OF EXPANSION HYPO

🎯 TARGET 1 PRONG 2

Documents to Support Actions Taken by ICS University



- Board minutes approving each addition
- Budget projections and funding approvals
- Feasibility studies
- Interest surveys conducted in 2014, 2018, and 2022
- Club sport participation records showing pipeline demand
- Strategic plan referencing women's athletics growth
- Facility master plan prioritizing women's competition spaces

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HISTORY OF EXPANSION HYPO

🎯 TARGET 1 PRONG 2

Questions For Compliance

1. **Has ICS University demonstrated a history of expanding opportunities for women?**

Yes.

- Added 5 new women's varsity programs in 9 years
- Created 150+ new roster spots
- Increased scholarship allocations
- Invested substantially in facilities

2. **Is the expansion "continuing"?**

Yes.

- The 2024 approval of Women's Acrobatics & Tumbling (launching 2026) demonstrates forward-looking expansion, not historical stagnation.
- Expansion occurred every 2–3 years.
- There is no evidence of pause or reversal.

3. **Is expansion responsive to developing interests?**

Yes.

- Institutional interest surveys
- Club sport growth data
- Conference sponsorship availability
- Emerging NCAA sport recognition

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HISTORY OF EXPANSION HYPO

TARGET 1 PRONG 2

What would make this hypo FAIL?

Women's Expansion

2014

- Added Women's Lacrosse (roster: 30)

2015

- Increased Women's Soccer roster by 3

2016–2025

- No new women's varsity sports added
- No net roster increases
- No scholarship increases
- No additional coaching hires

2023

- Announced feasibility study for Women's Wrestling (never implemented)

Simultaneous Men's Expansion

2018: Increased Football roster from 95 → 105
2020: Added Men's Wrestling (roster: 30)
2022: Increased Baseball roster by 8
2024: Expanded Men's Track scholarships

Men's participation grew by 42 roster spots in the same period.

Fail

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HISTORY OF EXPANSION
EMERGING ADDITIONS

TARGET 1 PRONG 2



Lacross



Flag Football



Sand/Beach Volleyball



Indoor Track or Cross Country



Stunt



Field Hockey

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HISTORY OF EXPANSION STRATEGIC PATTERNS

🎯 TARGET 1 PRONG 2

Common strategic approaches include:

- Adding one large-roster sport (e.g., Rowing)
- Pairing one large and one moderate sport (e.g., Wrestling + Golf)
- Expanding existing women's roster caps before adding entirely new teams
- Elevating strong club programs to varsity status
- Targeting Emerging Sports to demonstrate responsiveness to developing interest

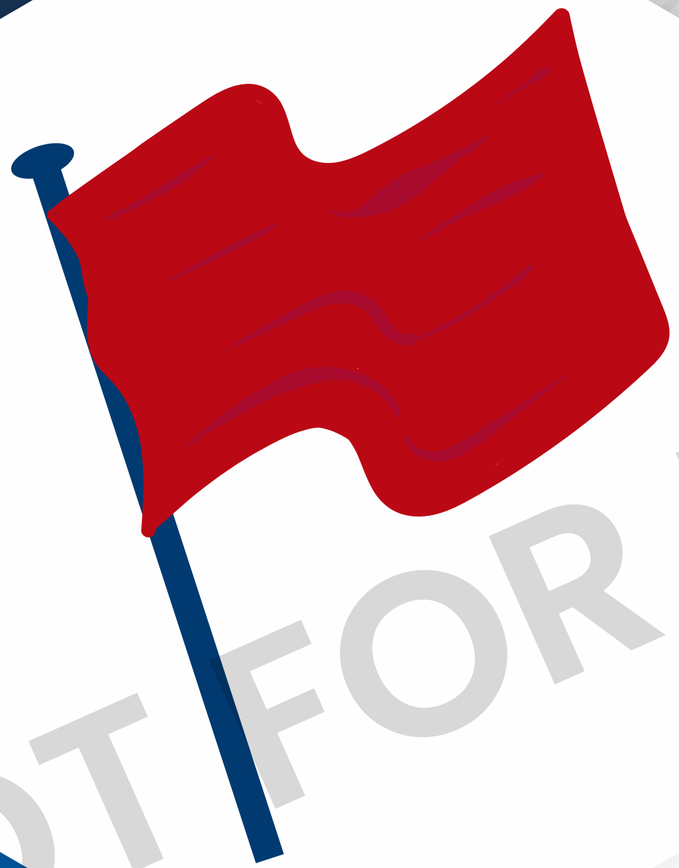


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Common Red Flags Related to Expansion

Target 1 Prong 2



- Risk increases when:
  - No women's teams added in 5+ years
  - Women's participation stagnant while enrollment grows
  - Men's roster growth exceeds women's growth
  - Adding of a men's team
  - Expansion occurred >5 years ago and none since

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IF INSTITUTION OR DISTRICT FAILS TEST UNDER PRONG 1 AND 2, MOVE TO PRONG 3



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INTERESTS & ABILITIES

TARGET 1, PRONG 3



- Is the school fully and effectively accommodating interests and abilities?
- Has school “maxed out” its offerings?
- Surveys & evaluations
- What is popular in rec league and youth sports?

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INTERESTS & ABILITIES

🎯 TARGET 1 PRONG 3

<u>Legal Standard Under Prong 3</u>

An institution or district must demonstrate:

1. There is no unmet interest among the underrepresented sex, OR
2. There is no sufficient ability to sustain a team, OR
3. There is no reasonable expectation of competition within the institution's normal competitive region



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SURVEY OBJECTIVES

INTERESTS & ABILITIES
TARGET 1 PRONG 3

Element	What must be demonstrated
Interest	Genuine, measurable interest from underrepresented sex
Ability	Sufficient skill base to sustain competitive team
Competition	Viable regional competition opportunities
Documentation	Objective, documented, good-faith evaluation
Responsiveness	Action taken when sufficient interest exists

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SURVEY DESIGN CONSIDERATIONS

INTERESTS & ABILITIES
TARGET 1 PRONG 3



1. **Who Receives the Survey**

- Entire undergraduate population (higher ed)
- Entire student body (K–12 district-wide where appropriate)
- Not just current athletes
- Not just club sport participants

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SURVEY DESIGN CONSIDERATIONS

INTERESTS & ABILITIES
TARGET 1 PRONG 3

2. **Response Rate**
- Aim for meaningful response rates (40-60%)
- Document total number of responses
- Analyze response breakdown by sex

*Low response rate weakens defensibility



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SURVEY DESIGN CONSIDERATIONS

INTERESTS & ABILITIES
TARGET 1 PRONG 3



3. **Sport Specific Interest Questions**

- Which sport(s) the student would participate in
- Whether they would “definitely,” “probably,” or “possibly” try out
- Whether they have prior experience
- Years of participation
- Level of competition reached (HS varsity, club, travel, state, national)

*Interest without ability is insufficient under Prong 3

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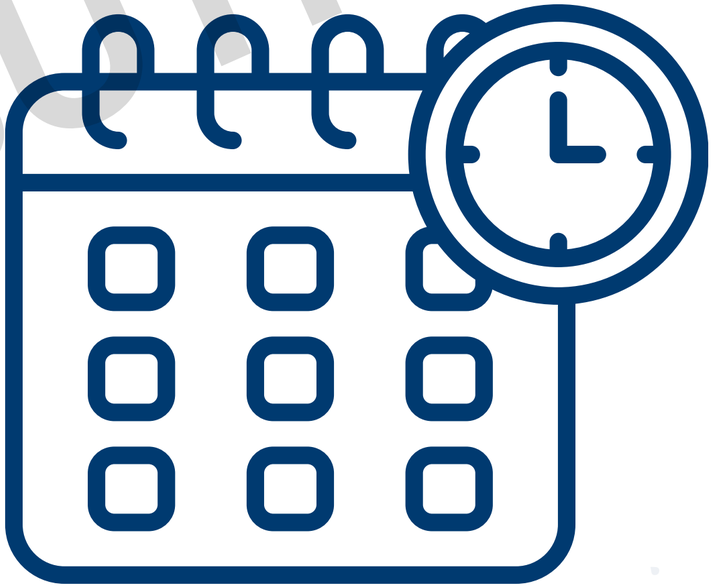
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SURVEY DESIGN CONSIDERATIONS

INTERESTS & ABILITIES
🎯 TARGET 1 PRONG 3

4. **Commitment Indicators**

- Willingness to practice daily
- Willingness to travel
- Ability to meet academic standards
- Willingness to participate in strength/conditioning



*Seeking realistic team commitment, not casual interest

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ABILITY ASSESSMENT CONSIDERATIONS

INTERESTS & ABILITIES
TARGET 1 PRONG 3

Schools should examine:

- Rec league participation history
- High school varsity participation history
- Club sport participation levels
- Regional/state competition levels
- Conference sponsorship of the sport



Ability can be demonstrated by:

- Existing club teams with strong participation
- State-sanctioned high school growth
- Regional NCAA sponsorship

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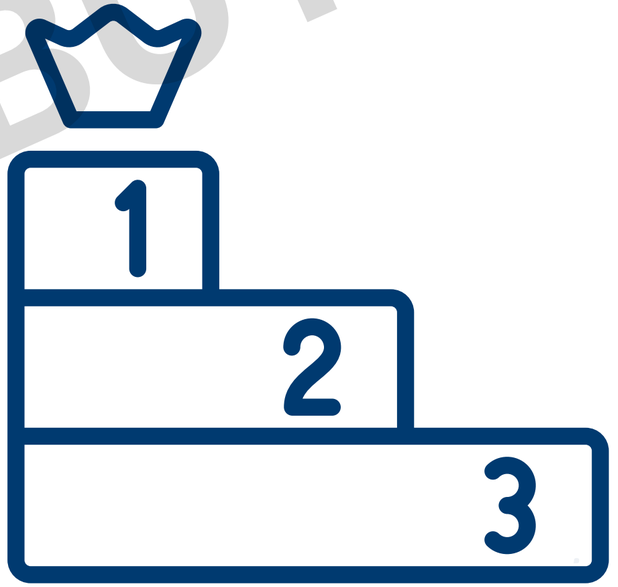
REASONABLE EXPECTATION OF COMPETITION

INTERESTS & ABILITIES
TARGET 1 PRONG 3

Even if interest and ability exist, the school must consider:

- Are there conference opponents?
- Are there regional competitors?
- Would the team have a viable competitive schedule?
- Would conference membership be available?

*Cannot rely on “no interest” if nearby schools sponsor the sport and participation pipelines exist.



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INTERESTS & ABILITIES HYPO

SUBSTANTIAL PROPORTIONALITY
TARGET 1 PRONG 1

10,000 students
38% men
62% women

→

500 athletes
290 men (58%)
210 women (42%)

→

20%
Participation Gap

→ Fail

HISTORY OF EXPANSION
TARGET 1 PRONG 2

No women's sports added or roster increases in the last 5 years

→

Men's roster increases in 3 sports for a total of 18 new athletes

→

No History of Expansion

→ Fail

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INTERESTS AND ABILITIES

TARGET 1 PRONG 3

Suvey not distributed to full student body

Survey Questions

- **"Would you be interested in a sport not currently offered?" (Yes/No only)**
- **No list of specific sports**
- **No follow-up on ability level**
- **No questions about years of experience**
- **No question about willingness to commit to varsity-level demands**

Ignored: Women's Wrestling Club

- **27 active participants**
- **4 high school state qualifiers**
- **Regional conference sponsors women's wrestling**
- **8 nearby schools sponsor the sport**

Ignored: State Data

- **1,200+ high school girls participating in wrestling**
- **Rapid annual growth**
- **State championship sanctioned**

***ICS did not analyze regional participation data.**

Prior Interest Requests

- **2021: Petition with 63 student signatures requesting varsity wrestling**
- **2022: Formal proposal submitted by club leadership**
- **2023: Alumni donor offered $750,000 toward start-up costs**

*No formal feasibility review conducted.



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INTERESTS AND ABILITIES HYPO

🎯 TARGET 1 PRONG 3

What would OCR say?

- ICS failed to demonstrate that it fully and effectively accommodates the interests and abilities of the underrepresented sex.
- The school relied on a flawed survey methodology, ignored objective evidence of sustained interest and ability, and failed to evaluate regional competition.
- Therefore, ICS does not satisfy Prong 3.

ICS Must:

- Add women’s wrestling, OR
- Demonstrate equivalent participation opportunities, OR
- Increase women’s roster opportunities elsewhere.

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INTERESTS & ABILITIES

TARGET 1, PRONG 3



Big Takeaways

Prong 3 fails when:

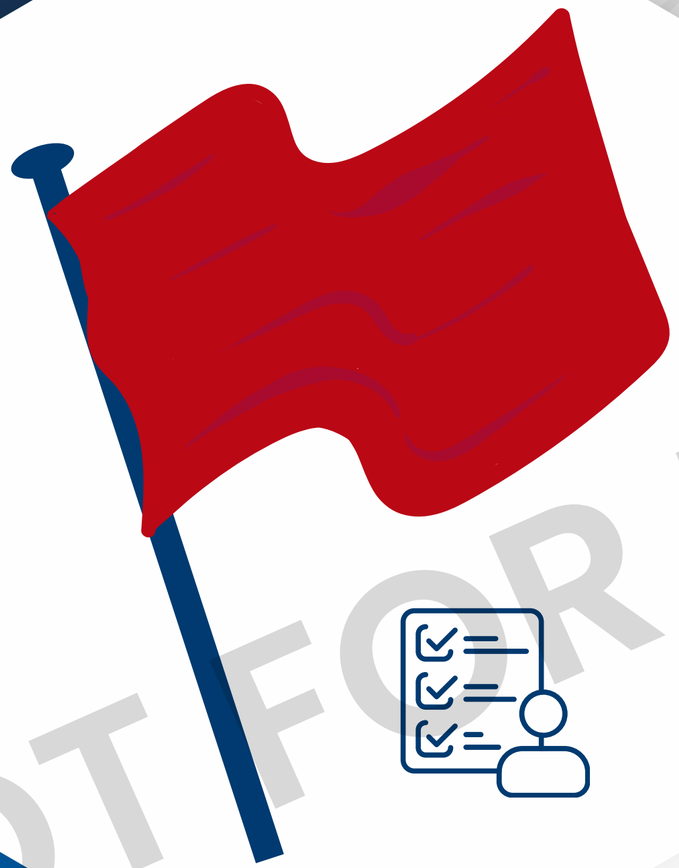
- Survey is used as a shield rather than a genuine inquiry
- Interest evidence outside the survey is ignored
- Ability is not assessed
- Regional competition is not evaluated
- Survey is narrow, outdated, or biased
- Documentation suggests outcome-driven approach
- A survey does not defeat demonstrated interest

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Common Red Flags Related to Surveys

Target 1 Prong 3



- Survey only current athletes
- Low response rate with no follow-up
- Ignoring strong interest from the underrepresented sex
- Conduct surveys once and never reassess
- Claiming lack of ability without reviewing community data
- Cutting a girls' team while relying on low survey response

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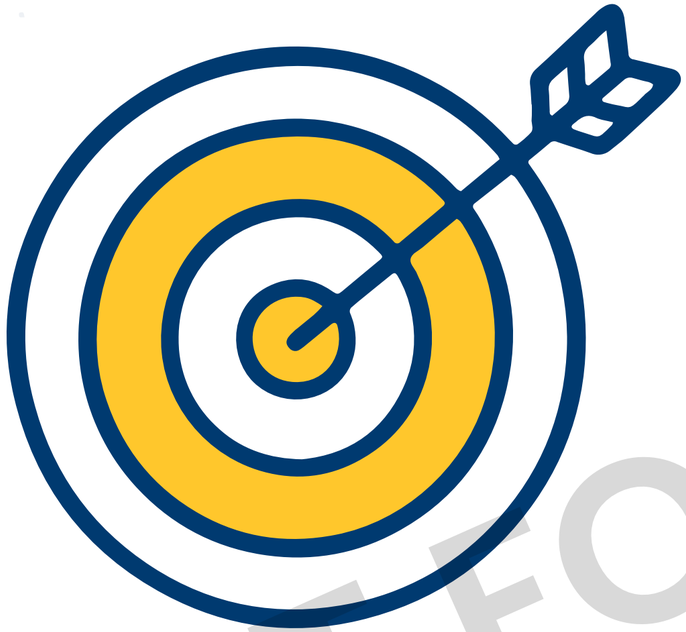
Target 2

Benefits, Opportunities, and Treatments

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Target 2 Focus



Benefit + Opportunity + Treatment

It's about the EXPERIENCE: How are athletes treated once they are on the team?

Comparing:

- Overall equivalence
- Impact on athlete experience
- Pattern of disparities
- Whether disparities are systemic
- Whether disparities are justified by legitimate factors

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Target 2

Benefits, Opportunities, & Treatment

- Equipment & supplies
- Game & practice times
- Travel & per diem
- Coaching & coaches compensation
- Academic tutoring
- Locker rooms
- Practice facilities

- Competitive facilities
- Medical & training facilities
- Housing and/or dining services
- Publicity
- Supportive services
- Recruitment (if applicable)
- Other

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Target 2 Focus

It's more than "who got more money?"

The real question: **Do male and female student-athletes have equivalent access to quality, quantity, safety, performance technology, and maintenance support necessary to compete at the same level?**

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Target 2 Equipment

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Target 2

Equipment and Supplies

01

Quality

- Comparable in brand, condition, and performance level
- Outdated compared to the other sex
- Noticable difference in customization or sport-specific upgrades

02

Quanity

- Number of balls, bats, sticks, racquets etc.
- Adequate practice gear for full roster
- Access to backup equipment
- Required sharing of equipment

03

Suitability for the Sport

- Appropriate for the competitive level
- Sport-specific
- Sized appropriately
- Designed for safety

04

Replacement & Upgrade Cycles

- Replacement schedules
- Record of when purchases occurred
- Documented plans for future upgrades

05

Maintenace and Condition

- Repair schedules
- Regular maintenance schedules (and who does them)
- Cleaning and laundry services
- Storage Conditions

06

Practice and Competition Gear

- Game uniforms
- Practice uniforms
- Training gear
- Warm-ups and travel apparel

07

Budget Allocation

- Per-athlete spending
- Disparites in allocation
- Whether high-revenue sports skew comparisions unfairly

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EQUIPMENT HYPO

TARGET 2



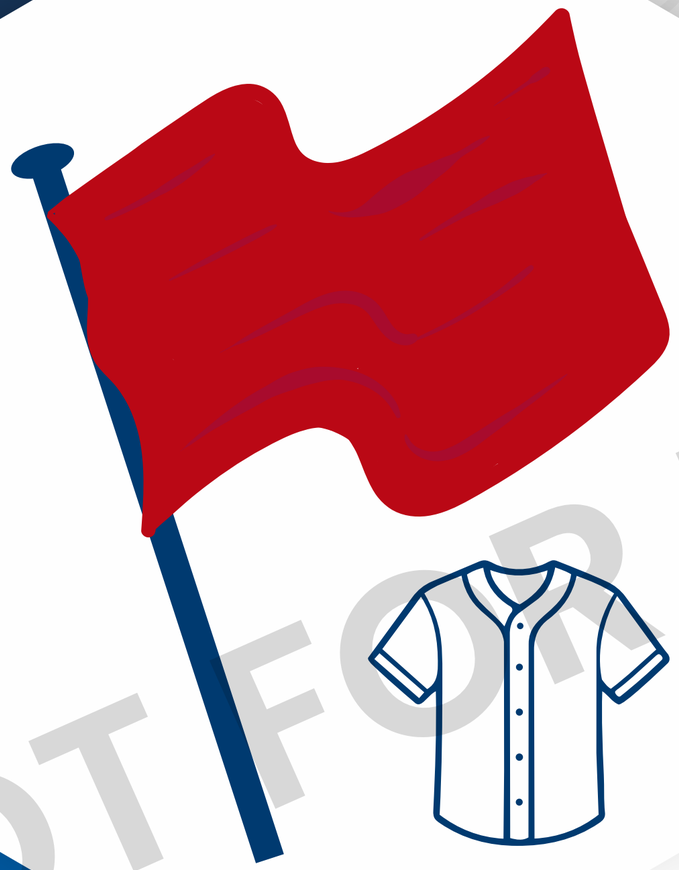
Football	Flag Football
• Two full game uniform sets per athlete • Custom-fitted jerseys • Alternate uniforms for special games • Team-issued warmups and travel apparel • New uniforms purchased every two years • 30+ footballs for practice • Blocking sleds • Tackling dummies • Agility equipment • Quarterback training nets • Equipment manager • Helmets replaced every 3–4 years • Shoulder pads for each athlete • Integrated mouthguards • Optional padded practice gear	• One basic jersey issued per athlete • Generic sizes (no fitting process) • Athletes required to purchase own shorts • No warmups provided • Uniforms expected to last 5+ seasons • 6 footballs for entire team • No blocking or training equipment • No agility training tools • Equipment stored in shared PE closet • No protective gear issued • Athletes encouraged to purchase personal mouthguards • No padded practice equipment

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Common Red Flags Related to Equipment

Target 2



- Inferior uniform quality
- Unequal replacement cycles
- Insufficient practice equipment
- Storage and access
- Safety equipment
- Technology gaps
- “Purchase your own”
- Lack of policies

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Target 2

Facilities

01 Quality & Condition

- Playing surface
- Lighting
- Maintenance frequency
- Cleanliness
- Climate control
- Who cleans/maintains
- Repair turnaround time

02 Availability & Access

- “Prime time” practice and game times
- Access to backup facilities
- Shared facility prioritization
- Off season training access
- Access to weight room

03 Spectator & Other Amenities

- Seating
- Press boxes
- Scoreboards
- Sound systems
- Restroom access

04 Venue Quality

- Location
- Concessions
- Press Accommodations
- Upkeep
- Accessibility

05 Locker Rooms

- Size and square footage
- Quality of lockers
- ventilation and climate control
- Showers and restrooms
- Meeting rooms
- Player lounges
- Training tables

06 Hosting & Postseason Special Events

- Hosting opportunities
- Access to championship venues
- Support for facility prep of special events

07 Capital Investment History

- Facility upgrade timelines
- Donor-Booster funded projects
- Renovation spending
- Capital investment planning

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FACILITIES HYPO

TARGET 2



Baseball

- $6M renovation (2022)
- Artificial turf
- Stadium seating (1,500 capacity)
- Press box & media suite
- LED lighting for night games
- Scoreboard with video replay
- Indoor batting cages attached
- Concessions and restrooms
- Individual wooden lockers
- Lounge area
- Team meeting room
- Flat-screen TVs
- Nutrition station
- Dedicated athletic trainer space

Softball

- No renovation since 2008
- Natural grass with drainage issues
- Portable bleachers (250 capacity)
- No press box
- No lighting for night games
- No permanent restroom facilities
- Outdoor batting cage located 500 yards away
- Metal lockers
- No meeting room
- Shared athletic trainer area

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FACILITIES ACCESS HYPO

TARGET 2



Men's Basketball

- Exclusive access to the main arena court for all practices
- Reserved practice times 2:30–5:30 PM daily
- Dedicated secondary practice gym
- Year-round skill sessions permitted
- Majority of home games scheduled Friday/Saturday evenings
- Prime broadcast windows
- Featured doubleheaders where men play second

Women's Basketball

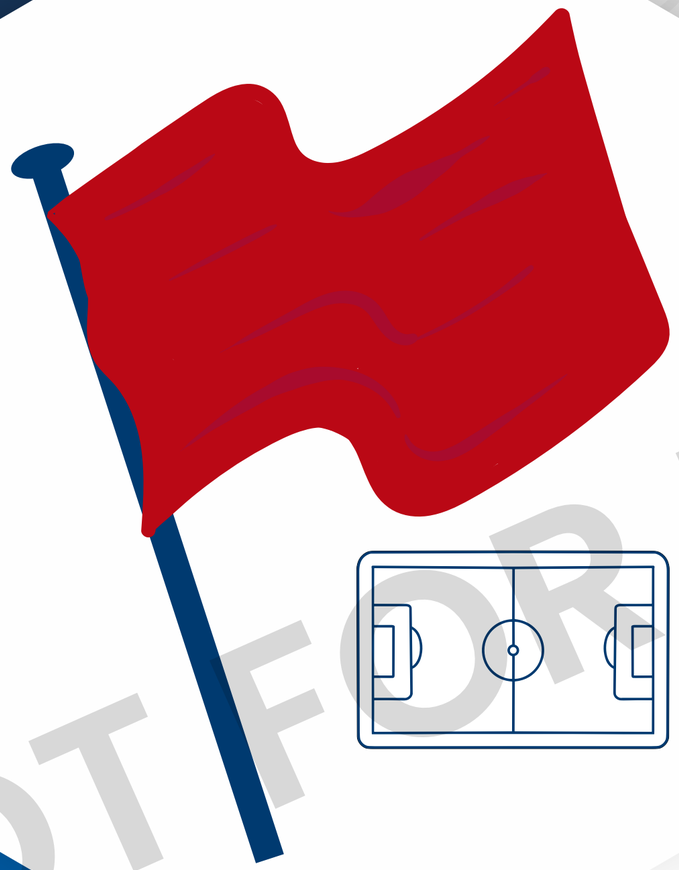
- Practices in auxiliary gym or later gym time in main court
- Rotates with volleyball and intramurals
- Practices 7:30–9:30 PM three days per week
- Arena access limited to pre-game shoot around
- Most home games scheduled weekday afternoons
- Limited weekend slots
- Frequently scheduled during academic hours
- Doubleheaders where women play first before men

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Common Red Flags Related to Facilities

Target 2



- Baseball vs. softball stadium disparities
- Football-only facility complexes
- Weight room inequities
- Locker room renovation gaps
- NIL-driven facility upgrades benefiting only men
- Indoor practice priority conflicts

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TRAVEL & PER DIEM

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Target 2

Travel

01 Mode of Travel

- Air vs. bus
- Charter vs. commercial or school bus
- Upgrades

02 Lodging & Accommodations

- Hotel Quality
  - Premium vs. budget
  - Proximity to venue
  - Amenities
- Room occupancy
- Safety

03 Per Diem & Meals

- Amounts and allowances
- Quality of team meals (catered vs. fast food etc.)
- Nutrition support

04 Staffing & Support

- Trainer access
- Strength and conditioning staff
- Equipment staff

05 Scheduling

- Departure and arrival times
- Recover time
- Post Season Travel treatment

06 Academic Impact

- Academic support during travel

07 Budget Allocation

- More than the dollar amount- looking at the impact.

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TRAVEL HYPO

TARGET 2



Men's Volleball

- Commercial flights for distances over 800 miles
- Standard bus travel for 300–800 miles
- Overnight bus travel for certain trips
- Standard business hotels
- Double occupancy rooms
- No dedicated meeting rooms
- Per diem used for meals off-site
- $45 per day meal allowance
- Overnight travel
- Early morning arrivals
- Significant missed class time

Women's Basketball

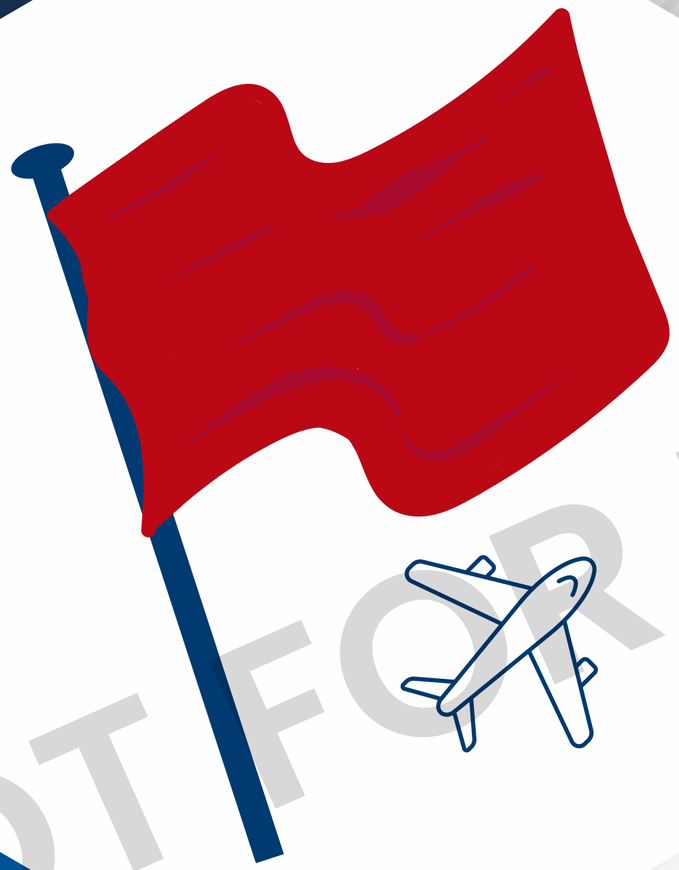
- Charter flights for conference travel exceeding 300 miles
- Charter bus for shorter trips
- Departures timed to avoid missed class
- 4-star hotels
- Individual rooms for upperclassmen
- Team meeting space included
- Catering options at hotel
- $75 per day meal allowance
- Depart after classes
- Return during daylight hours
- Fewer missed academic obligations

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Common Red Flags Related to Travel

Target 2



- Football charter flights vs. women’s commercial flights
- Hotel disparities
- Men’s postseason premium travel packages
- Three-per-room lodging for women
- Differential per diem allocations

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EQUITY WALK CHECK LIST

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Title IX Athletics Facilities Equity Walk Checklist

INSTITUTIONAL COMPLIANCE SOLUTIONS

Basic Information

Institution:	_____
Date:	_____
Facility Visited:	_____
Sport(s) Reviewed:	_____
Coordinator / Reviewer:	_____

Locker Rooms

- ☐ Comparable size per athlete
- ☐ Individual locker quality
- ☐ Ventilation & climate control
- ☐ Shower/restroom privacy
- ☐ Team meeting space
- ☐ Recruitment
- ☐ Laundry access
- ☐ Security & access control

Practice Facilities

- ☐ Dedicated or shared space
- ☐ Quality of playing surface
- ☐ Lighting levels
- ☐ Indoor backup access
- ☐ Equipment storage proximity
- ☐ Access to video technology

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Competition Facilities

- ☐ Seating capacity
- ☐ Press/media facilities
- ☐ Sound/PA systems
- ☐ Game-day locker room access
- ☐ Identify evidence to obtain
- ☐ Warm-up areas

Athletic Training Areas

- ☐ Proximity to teams
- ☐ Number of treatment tables
- ☐ Equipment availability
- ☐ Privacy in treatment areas
- ☐ Access hours

Strength & Conditioning

- ☐ Scheduling equity
- ☐ Number of racks/platforms
- ☐ Dedicated staff access
- ☐ Sport-specific programming

Amenities & Support Areas

- ☐ Team lounges
- ☐ Nutrition stations
- ☐ Recovery equipment
- ☐ Film rooms
- ☐ Recruiting presentation spaces

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Scheduling & Access Review

- ☐ Prime practice times equitable
- ☐ Game-day priority equitable
- ☐ Weight room scheduling logs reviewed
- ☐ Indoor facility priority reviewed Safety & Acc

Safety & Accessibility

- ☐ ADA accessibility
- ☐ Lighting in parking areas
- ☐ Security presence
- ☐ Cleanliness & maintenance
- ☐ Emergency access routes

Observations / Notes:

_____

_____

_____

_____

_____

_____

_____

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Target 2

Coaching



01 Availability

- Full or part time
- Times of day/evening availability

02 Assistant Coaches and Support

- Number of staff compared with number of athletes
- Recruiting support
- Graduate assistants
- Volunteer assistants
- Position coaches
- Strength and conditioning coaches

03 Offices

- Office Space
- Administrative support

04 Compensations

- Head coach salary gaps
- Assistant inequities
- Longevity pay
- Benefits
- Revenue based pay
- Bonus structure

05 Contract Terms

- Length of contracts
- Buyout provisions
- Renewal standards (multi year vs. single year)

06 Experience and Qualificaitons

- Comparable experience
- Hiring standards
- Professional development

07 Time Allocation and Duties

- Administrative tasks
- Other duties as assigned

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Board debates coach pay categories; tables change to committee amid Title IX and wage-and-hour concerns

July 17, 2025 | Hamilton County, School Districts, Tennessee

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This article was created by AI summarizing key points discussed. AI makes mistakes, so for full details and context, please refer to the **video of the full meeting**. Please report any errors so we can fix them. **Report an error »**



Plus: Ask questions about this article.

Board members raised concerns about what one trustee called an inequity between faculty and classified pay rates for coaching stipends and discussed legal exposure under Title IX and federal wage-and-hour rules. The board did not adopt an immediate policy change and instead directed staff to study the issue in committee.

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COACHING HYPO K-12

TARGET 2



Boys Basketball

- 1 Head Coach (full-time teacher, stipend $8,500)
- 2 Paid Assistant Coaches
- 1 Volunteer Skills Coach
- Off-season summer league coaching provided
- 15 years experience
- State championship history
- Attends annual coaching clinics (district-funded)
- Receives paid professional development
- Coaches present for all practices
- Skill-specific position coaching

Girls Basketball

- 1 Head Coach (stipend $6,000)
- 0 Paid Assistants
- No volunteer support
- No structured off-season program
- 2 years experience
- No district-funded clinic attendance
- No professional development support
- Occasional cancellation of practice due to coach teaching conflicts
- No position-specific instruction

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COACHING HYPO HE

TARGET 2



Men's Sports

- 38 total full-time assistant coaches
- 12 operations directors
- 9 recruiting coordinators
- 6 video/analytics staff
- Dedicated strength coaches assigned by sport
- 76% of total coaching payroll allocated to men's sports
- Funded attendance at national conventions
- Paid certification programs
- Annual clinic budgets
- Leadership training support

Women's Sports

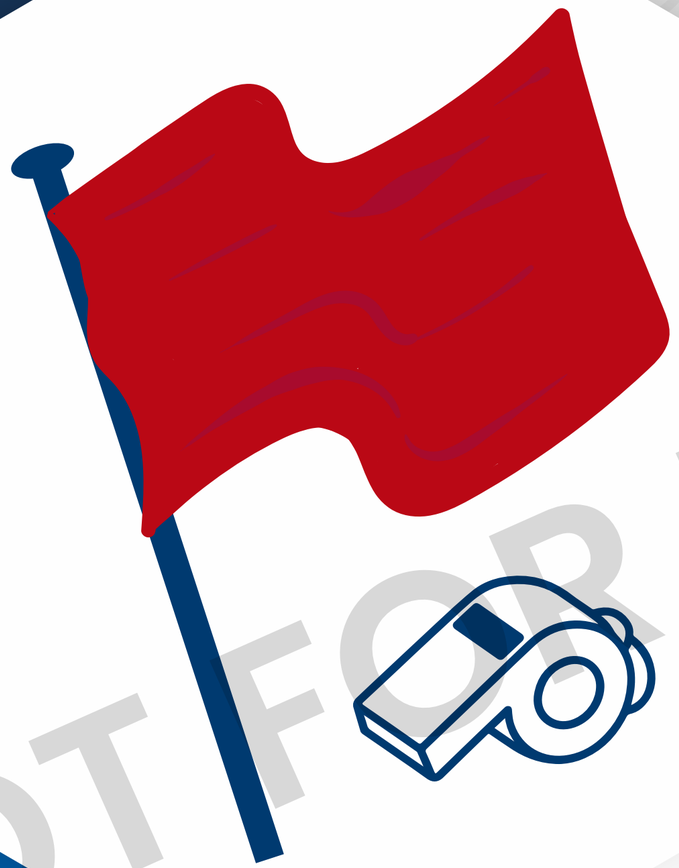
- 14 total full-time assistant coaches
- 2 shared operations staff
- No dedicated recruiting coordinators
- 1 shared video analyst
- 2 shared strength coaches covering all women's teams
- 24% of total coaching payroll allocated to women's sports
- Several women's head coaches earn less than assistant coaches in men's programs.
- Budget requests frequently denied
- Professional development funded only when "surplus available"
- No structured development program

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Common Red Flags Related to Coaches

Target 2



- Football staffing levels dramatically exceeding all others
- Assistant coach disparities between baseball and softball
- Women’s coaches earning significantly less without justification
- Graduate assistant inequities
- Women’s teams lacking recruiting resources

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Target 2 Publicity



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Target 2 Publicity

- **The BIG question-** Are men's and women's teams receiving equivalent publicity, promotional support, and media exposure?

- Publicity does not require identical coverage, but it does require equitable treatment and institutional support.

- **Addtional Questions:**
  - Whether publicity opportunities are comparable
  - Whether marketing resources are allocated equitably
  - Whether institutional practices favor one sex

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Target 2

Publicity



01 Media Coverage & Promotion

- Athletic website coverage
- Social media frequency and engagement
- Game previews and recaps
- Feature stories
- Press releases

02 Game Scheduling & Visibility

- Prime-time scheduling
- Doubleheader positioning
- Broadcast opportunities
- Streaming production quality

03 Marketing Resources

- Marketing staff assignments
- Graphic design support
- Game-day promotions
- In-game entertainment
- Office Space
- Administrative support
- Brand support

04 Printed & Digital Materials

- Media guides
- Game programs
- Posters and promotional materials
- Schedule cards/posters
- Facility displays

05 Announcers

- Play-by-play announcers
- Production crews
- Camera quality
- Streaming reliability

06 Social Media Strategy

- Number of posts per sport
- Highlight packages
- Video production
- Athlete spotlight campaigns

07 Promotional Events & Fan Engagement

- Pep rallies
- Recognition
- Alumni events
- Youth clinics
- Community engagement
- Student or club nights

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SOCIAL MEDIA HYPO

TARGET 2

General: One main athletics Instagram (400,000 followers)
One athletics X (Twitter) account
Team-specific accounts for major sports
Full-time creative services team (5 employees)
External marketing consultant for football and men's basketball



Men's Teams

Football, Basketball, Baseball, Soccer

- Daily posts (3–6 per day during season)
- Pre-game hype videos
- Post-game highlight reels
- Player spotlight campaigns
- Weekly feature series
- Story takeovers
- Real-time game updates
- Dedicated hashtag campaigns
- Regularly reposted on institutional page
- Instiitutional page promotes men's ticket sales
- Institutional page features countdown campaigns

Women's teams

Volleyball, Soccer, Softball, Track, Swimming

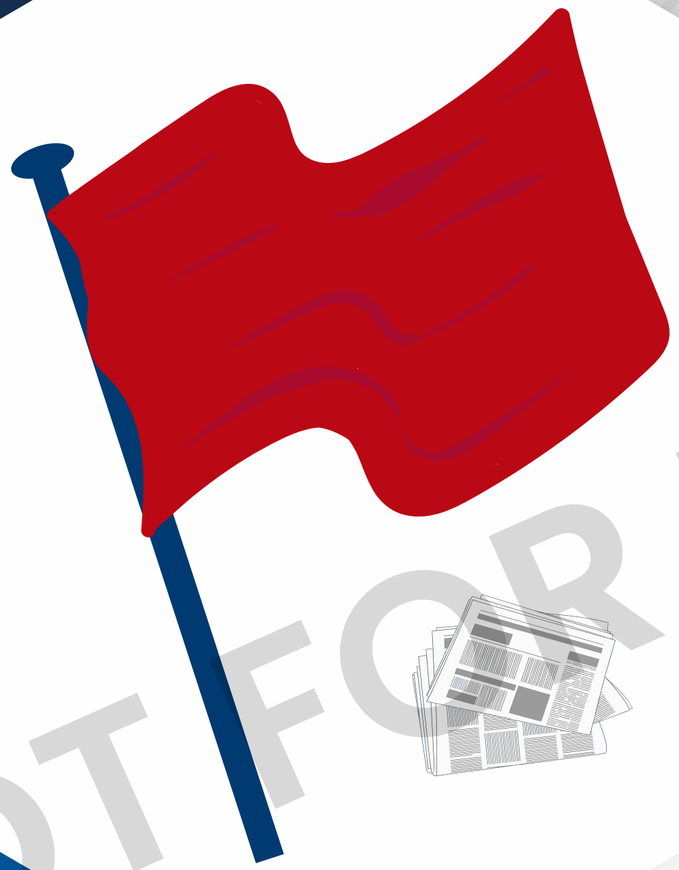
- 1–2 posts per week during season
- No pre-game graphics
- Occasional final score post
- No highlight videos
- No athlete feature series
- Minimal live updates
- Accounts inactive in offseason
- Minimal growth year-over-year
- Limited cross-promotion
- Low engagement

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Common Red Flags Related to Publicity

Target 2



- Staffing assignments favor men's programs.
- Posting frequency disparity is systemic.
- Women's programs lack consistent promotional support.
- NIL promotion benefits are concentrated in men's sports.
- Cross-platform institutional promotion favors men.
- No written policy ensures.

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Target 2
Booster Clubs



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Target 2 Booster Clubs

- If booster club benefits affect an athletics program, the institution remains responsible for ensuring equity.
- A school cannot avoid Title IX obligations by attributing disparities to boosters.
- Title IX applies to the institution receiving federal funds, not to the booster club directly.

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Booster Club Best Practices

Target 2

- Track booster contributions by sport and sex
- Review equity impact annually
- Require booster pre-approval for major expenditures
- Adopt written booster oversight policies
- Conduct Target 2 equity audits including booster-funded benefits
- Communicate Title IX obligations to booster leadership
- Develop balancing strategies when disparities arise
- Consider general booster fund rather than booster fund by sport

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BOOSTER CLUB

TARGET 2



Men's Soccer

- BOOSTER CLUB
  - Raises $1.5M annually
  - Funds capital projects
  - Pays coaching supplements
  - Funds international travel
  - Purchases advanced sports technology
  - The Athletic Department allows booster expenditures without equity review
- $1M stadium renovation (2023)
- 3,000-seat capacity
- LED lighting for national broadcasts
- Press box and hospitality suites
- Dedicated locker rooms
- Video board with replay capability
- On-site training room

Women's Basketball

- NO BOOSTER CLUB
- Uses parks and Rec field
- No bleachers
- No permanent lighting
- Shared locker room in adjacent building
- Portable restrooms during large events
- No video board or scoreboard at all

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Common Red Flags Related to Booster Clubs

Target 2



- “The boosters did it, not us.”
- Allowing unrestricted booster spending without equity review.
- No tracking of booster contributions by sex.
- No policy governing booster enhancements.
- Assuming donor intent overrides Title IX.

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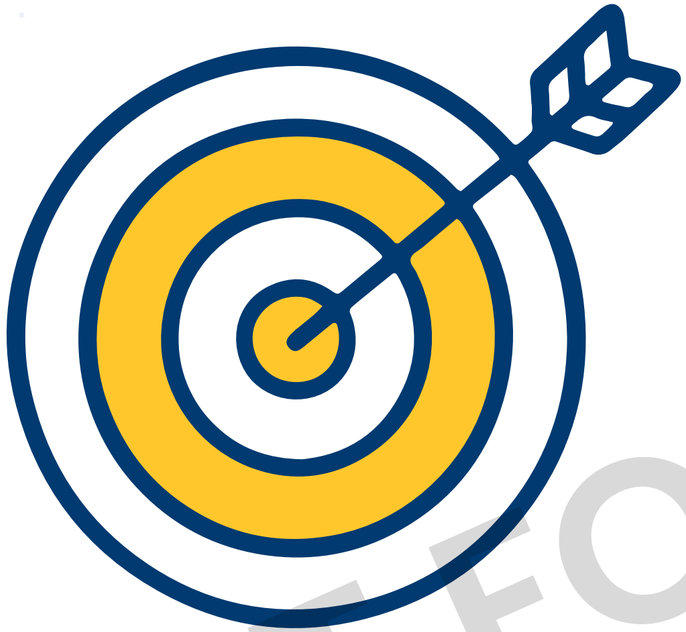
Target 3

Scholarships and Financial Aid

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Target 3 Focus



Scholarships and Financial Aid

The percentage of athletic scholarship dollars awarded to female athletes must be substantially proportionate to their percentage of participation opportunities. (1% rule)

Evaluation

- Percentage difference
- Whether disparity exceeds 1%
- Whether discrepancy is explainable
- Whether shortfall can be remedied

*Minor fluctuations may be tolerated if they are temporary and corrected.
Persistent gaps create violation risk.

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FINANCIAL AID AND SCHOLARSHIPS



- **Step 1: Determine participation percentage**
  - % of female athletes
  - % of male athletes
- **Step 2: Determine scholarship distribution**
  - % of total athletic scholarship dollars awarded to female athletes
  - % of total athletic scholarship dollars awarded to male athletes
- **Step 3: Compare**
  - Should be within 1%

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WHAT COUNTS AS FINANCIAL AID?

TARGET 3

Included

- Athletic grants-in-aid
- Tuition scholarships tied to athletics
- Room and board
- Stipends associated with athletics awards

Not included:

- Academic scholarships not tied to athletics
- Outside NIL deals
- Need-based aid unrelated to athletics



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Common Red Flags Related to Scholarships and Financial Aid

Target 3



- Large football roster size
- Partial scholarship sports
  - Baseball
  - Soccer
  - Track
- Failure to adjust after participation/roster changes
- Elimation of schoparship caps does NOT eliminate equity requirements

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House Settlement Agreement (June 2025)

Pre-Settlement

- Wild wild west
- New and unprepared
- Little to no regulation
- Only applied to current athletes
- No revenue sharing
- Only non institutional funds

Post Settlement

Past Damages

- $2.56 BILLION over 10 years to “harmed” athletes
- June 2016-September 2024

Current

- Revenue share (up to 22% of institutional athletic revenue)
- Roster limits
- Elimination of scholarship caps
- Regulation & registration of NIL $ outside of institution

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TRADITIONAL NIL & TITLE IX OVERLAP

Traditional NIL

Deals between athletes and outside entities such as:

- Businesses
- Sponsors
- Marketing companies
- Booster collectives
- Social media promotions

Examples:

- Endorsement contracts
- Social media promotions
- Apparel sponsorships
- Commercial advertisements



Title IX Considerations

Private NIL deals are typically not automatically subject to Title IX. Still must consider:

- Whether they facilitate or arrange deals
- Whether collectives are closely connected to the university
- Whether institutional resources promote deals for certain athletes
- NIL education programs, Branding workshops, Legal support for NIL contracts, Marketing assistance, Social media promotion, Access to NIL marketplaces

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PAST NIL PAYMENT (UNDER HOUSE SETTLEMENT) & TITLE IX OVERLAP

Past Payment

The House settlement compensates former college athletes for NIL opportunities they were prevented from pursuing.

- Compensate athletes who competed between 2016 and 2024
- The settlement does not provide equal payments to all athletes. Instead, payments will be determined using several factors:
  - Sport played
  - Years of participation
  - Media exposure
  - Estimated NIL market value

Title IX Challenges

Athletes challenged the back-pay structure

- Distribution favors men (men have larger share of the settlement fund)
- $1Billion shortfall for women
- NCAA argues that Title IX does not apply because the payments are antitrust damages and this is the economic reality
- Payments are stayed

The case could determine whether gender equity laws apply to athlete compensation systems tied to market value, making it one of the most significant upcoming legal battles in college athletics.

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REVENUE SHARING (POST HOUSE SETTLEMENT) TITLE IX OVERLAP

Revenue Sharing

- Division I schools are allowed to directly share athletics revenue with student-athletes. This change begins with the 2025–2026 academic year following court approval of the settlement.
- Schools can distribute up to 22% of certain athletics revenues each year.
  - For 2025–2026, the cap is estimated at about $20.5 million per school annually
- Payments are in addition to scholarships.
- Schools decide how to distribute.
- Amended roster limits.
- Eliminted scholarship limits.
- Opt in requirement.

Title IX Considerations

- **Legal question -** whether revenue-sharing payments will be treated as athletic financial aid.
  - If they are considered financial aid, schools must follow Title IX Target 3 scholarship and financial aid requirements.
- Roster limits - Revenue sharing could influence roster decisions.
- Support services.
- Coordination with collectives.
- Current pay structure:
  - 70–80% football
  - 10–20% men's basketball
  - Small percentages to other sports

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51

SCHOOLS OPTED IN

82% OF DIVISION 1 INSTITUTIONS 2025–2026
INCLUDING ALL POWER 4 SCHOOLS

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Marshall Univeristy



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MARSHALL UNIVERSITY ELIMINATED WOMEN'S SWIMMING AND DIVING BASED ON "FINANCIAL SUSTAINABILITY, FACILITY NEEDS, AND TITLE

University Argument

- **Financial Sustainability -** The university argued that maintaining a Division I swimming program required significant ongoing operational costs, including travel, recruiting, equipment, staffing, and scholarships.
- **Major Funding Required -** University officials stated that upgrading the facility to meet modern competitive and safety standards would require major capital investment—estimated in the millions of dollars.
- **Title IX Participation -** Women were underrepresented in athletic participation relative to enrollment.
  - The department needed sports that could support larger rosters.
  - The university claimed replacing swimming with women's STUNT, which can support up to 65 athletes, would significantly increase participation opportunities for women.
- **Strategic Program Restructuring -** University officials framed the decision as a structural change to ensure long-term sustainability of athletics rather than a critique of the swim team's performance.
  - Scholarships would be honored.
  - Athletes would receive transfer assistance.
  - Academic and mental health support would be provided.

Student- Athlete Argument

- **Gender Inequity -** Student-athletes argued the decision reflected broader inequities between men's and women's sports at the university.
  - Women's sports historically received less funding and institutional support.
  - The elimination of the team reflected a pattern of undervaluing women's athletics.
- **Questioning the finances -** Critics questioned whether financial concerns justified eliminating the program.
  - The athletics budget overall was substantial.
  - Major men's sports (such as football) received significantly larger funding allocations.
  - The university should explore alternative solutions before cutting a women's sport.
- **Title IX Compliance -** Student-athletes also suggested the decision could create or worsen Title IX compliance issues.
  - Eliminating an existing women's sport reduces opportunities for female athletes.
  - The university should ensure that any replacement sport truly provides equivalent opportunities.
- **Lack of Transparency and Timing**
  - The decision appeared sudden.
  - Communication with athletes was limited.
  - The announcement came shortly before a conference championship competition.

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