

GENDER EQUITY IN COLLEGE ATHLETICS: WOMEN COACHES AS A CASE STUDY

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As Title IX celebrates its 35th anniversary, many have noted the positive impact it has had on women sports. But there is also an unintended (and oft-neglected) byproduct: as opportunities for female students have increased, opportunities for female professionals have declined. This Article focuses on the barriers that still confront women in college athletics, particularly those who seek professional positions in coaching and administration. Part I presents a brief overview of Title IX, which makes clear its limitations in securing gender equity. Part II.A discusses the declining representation and lower success rate of women coaches, while Part II.B explores the areas of Title IX (and accompanying federal statutory provisions) that have sought to secure their equal treatment. Part III presents the findings of the empirical research conducted for this Article. We surveyed over 450 coaches of women collegiate teams to better understand their needs, priorities, and opinions on coaching and the role of Title IX. Part IV situates these findings in light of other research on barriers for women in male-dominated settings, including coaching, and concludes with potential policy prescriptions.

INTRODUCTION.....	2
I. HISTORICAL OVERVIEW: GENDER EQUITY AND TITLE IX.....	4
A. Title IX Mandates	6
B. The Impact of Title IX and Continuing Controversies.....	9
II. WOMEN COACHES IN COLLEGE ATHLETICS	13
A. The Representation and Success of Women Coaches	13
B. Legal Remedies for Gender Discrimination Against Women Coaches	16
III. FINDINGS FROM A NATIONAL SURVEY OF WOMEN COLLEGIATE COACHES	21
A. Survey Methodology	22
B. The Role of Title IX in Promoting Women’s Athletics and Women Coaches	24
C. The Keys to Coaching Success.....	28
D. The State of Coaches’ Athletic Programs.....	30
E. Gender Inequalities in Coaching and Administration	33
IV. GENDER EQUITY AND ATHLETIC OPPORTUNITY	40
A. Barriers to Women in Coaching and Athletic Administration	40
B. Problems in Title IX Enforcement.....	45
C. Strategies for Reform.....	47

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CONCLUSION.....	51
APPENDIX A: SURVEY.....	52
APPENDIX B: SAMPLE.....	57

INTRODUCTION

As Title IX celebrates its 35th anniversary, few would doubt its importance in changing the landscape of women’s athletics. Since its enactment, female participation in high school sports increased from 294,000 athletes in 1971 to 2.8 million in 2002.¹ During roughly the same period, female participation in intercollegiate sports soared from 16,000 in 1970 to over 180,000 in 2005.² The effects of increased opportunity are also reflected in America’s Olympic and world championship medals in both individual and team sports: basketball, gymnastics, ice hockey, soccer, softball, volleyball, and water polo, skiing, golf, speed skating, swimming, tennis, track and field, and wrestling—just to name a few.³ Not all of this progress is, of course, directly attributable to Title IX. Broader cultural changes in the status of women are at work, and are themselves responsible for the statute’s enactment and implementation. But few doubt the legislation’s powerful role in transforming the landscape of women’s athletics.

Yet despite this impressive legacy, considerable frustration persists in how the statute has, or has not been implemented. Some complain that the pace of change has been too slow and that substantial gender disparities persist in participation rates and expenditures. Others are unhappy that progress for women’s sports appears to have come at the expense of men’s. Too little attention has, however, focused on one of the most ironic byproducts of Title IX: as

¹ See Deborah Brake, *Revisiting Title IX’s Feminist Legacy: Moving Beyond the Three-Part Test*, 12 AM. U.J. GENDER SOC. POL’Y & L. 453, 458 (2004) (citing Women’s Sports Foundation 2004 data).

² LINDA JEAN CARPENTER & R. VIVIAN ACOSTA, WOMEN IN INTERCOLLEGIATE SPORT: A LONGITUDINAL, NATIONAL STUDY TWENTY NINE YEAR UPDATE 1977-2006 10 (2006), <http://webpages.charter.net/womeninsport>.

³ *Cohen v. Brown Univ.*, 101 F.3d 155, 188 (1st Cir. 1996), *cert. denied*, 520 U.S. 1186 (1997).

opportunities for female students have increased, opportunities for female professionals have declined. Only 42.4% of women's teams have a female head coach, compared to over 90% in 1972. The number of men's teams with a female head coach remains at fewer than 2%, a figure unchanged since the 1970s. That leaves less than a fifth (17.7%) of all college teams with a woman in charge.⁴ Furthermore, women coaches of women's teams win fewer championships than their male counterparts. For instance, six women's sports, including volleyball and swimming, have never had a team national champion with a female head coach; soccer has had only one.⁵ Women have also lost control of women's collegiate sports programs. Almost all are now merged with men's and less than a fifth of top administrative jobs go to women.⁶

This Article focuses on the barriers that still confront women in college athletics, particularly those who seek professional positions in coaching and administration. Part I presents a brief overview of Title IX, which makes clear its limitations in securing gender equity. Part II.A discusses the declining representation and lower success rate of women coaches, while Part II.B explores the areas of Title IX (and accompanying federal statutory provisions) that have sought to secure their equal treatment. Part III presents the findings of the empirical research conducted for this Article. We surveyed 462 coaches of women collegiate teams to better understand their needs, priorities, and opinions on coaching and the role of Title IX. Part IV situates these findings in light of other research on women on barriers for women in male-dominated settings, including coaching, and concludes with potential policy prescriptions.

⁴ CARPENTER & ACOSTA, *supra* note 2, at 20-23.

⁵ See Dena Evans, Op-Ed, *Coaching Gap Widens: A Generation After Title IX, Too Many Female Coaches Still Benched*, WOMEN'S SPORTS FOUNDATION, n.d., <http://www.womenssportsfoundation.org/cgi-bin/iowa/issues/coach/article.html?record=1119> (last visited Apr. 7, 2006). Coach Evans has been a tremendous help to this project—in framing the initial research question, beta-testing the survey instrument, and distributing the survey to fellow coaches of women's teams.

⁶ CARPENTER & ACOSTA, *supra* note at 2, 25. Before the merger women held almost all administrative positions in women's sports. See Brake, *supra* note 1, at 461; see also Welch Suggs, *Women's Athletic Departments Verge on Extinction*, CHRON. HIGHER EDUC., Nov. 9, 2004, at A33 (noting absence of women's programs).

I. HISTORICAL OVERVIEW: GENDER EQUITY AND TITLE IX

For most of this nation's history, athletic competition appeared inconsistent with the feminine ideal. Standards of dress, beauty, and behavior discouraged female sport. Until the late nineteenth century, most women's activities were largely confined to non-competitive and relatively sedate pastimes that could be pursued without acquiring an indelicate sweat, such as riding, archery, and croquet.⁷ Efforts by physicians, educators, and women's rights activists gradually expanded the options available, but met with limited acceptance. "Unsexed Amazons" on the playing fields were widely viewed as unattractive and some physicians worried that they would damage women's delicate nerves and physiques, or drain the "vital forces" necessary for reproduction.⁸

Partly in response to such concerns, sporting activities for women developed along less competitive lines than activities for men. Poise and grace, not "biceps like a Blacksmith," were common goals.⁹ Early twentieth century leaders of physical education for women explicitly rejected what they perceived as an excessively competitive and commercial male model of sports. Rather, they stressed widespread participation and sportsmanship. In their view, an undue focus on winning would compromise ideals of fair play and unfairly favor the most gifted athletes at the expense of motivated but less talented players.¹⁰ Their objective rather was "a girl for every sport and a sport for every girl."¹¹

⁷ KATHLEEN MCCRONE, *SPORT AND THE PHYSICAL EMANCIPATION OF ENGLISH WOMEN, 1870-1914* 6-7 (1988).

⁸ *Id.* at 135, 179-80; HELEN LENSKEYJ, *OUT OF BOUNDS; WOMEN, SPORT, AND SEXUALITY* 38 (1986); WELCH SUGGS, *A PLACE ON THE TEAM: THE TRIUMPH AND TRAGEDY OF TITLE IX* 20 (2006).

⁹ MCCRONE, *supra* note 7, at 135, 195; Jennifer Hargraves, *Victorian Familialism and the Formative Years of Female Sport*, in *FROM "FAIR SEX" TO FEMINISM*, 130 (J.A. Managan & Roberta J. Park eds., 1987).

¹⁰ LENSKEYJ, *supra* note 8, at 100; Susan Birrell, *The Women Athlete's Common Experience: Known and Unknown*, 11 *J. SPORT & SOC. ISSUES* 82 (1987); SUGGS, *supra* note 8, at 23 -27.

¹¹ SUGGS, *supra* note 8, at 2.

By the late 1960s, this model was provoking widespread dissatisfaction, particularly among supporters of the newly emerging women's movement. Interscholastic programs for female athletes were rare, and many physical education programs included activities that required few skills (ring toss and hula hooping) or that piggy-backed on male competitions (cheerleading and pep club).¹² An estimated 50,000 scholarships were available for men, compared with about 50 for women, and female teams often had to rely on bake sales or private donations.¹³ At the same time, consensus was growing about the value of athletics for girls' development; those who played sports have had higher self-esteem, less risk of depression, a lower likelihood of engaging in high-risk behaviors, and better school performance than girls who did not participate.¹⁴

These gender disparities came under increasing scrutiny after Congress enacted Title IX of the Educational Amendments of 1972, which banned sex discrimination in "any education program or activity receiving Federal financial assistance."¹⁵ The Act was modeled after the civil

¹² DEBORAH L. RHODE, JUSTICE AND GENDER 301 (1989); MARY A. BOUTILIER & LUCINDA SAN GIOVANNI, THE SPORTING WOMAN 45 (1982).

¹³ *Title IX's Next Hurdle*, WALL ST. J., July 6, 2005, at B1, B2. For an overview of the background of Title IX, see KAREN BLUMENTHAL, LET ME PLAY: THE STORY OF TITLE IX : THE LAW THAT CHANGED THE FUTURE OF GIRLS IN AMERICA (2005); LINDA JEAN CARPENTER & R. VIVIAN ACOSTA, TITLE IX (2005); JESSICA GAVORA, TILTING THE PLAYING FIELD: SCHOOLS, SPORTS, SEX, AND TITLE IX (2002).

¹⁴ WOMEN'S SPORTS FOUNDATION BENEFITS – WHY SPORTS PARTICIPATION FOR GIRLS AND WOMEN, THE FOUNDATION POSITION (2000), <http://www.womenssportsfoundation.org/cgi-bin/Iowa/issues/body/article.html>; Brake, *supra* note 1, at 459; Mary Jo Kane, *Leadership, Sport, and Gender*, in WOMEN IN POWER: LEADERSHIP REDEFINED (Jill Kerr Conway, Sue J. Freeman, Susan S. Bourque & Christine M. Shelton, eds. , 2001).

¹⁵ Pub. L. No. 92-318, 86 Stat. 235 (codified as amended at 20 U.S.C. §§ 1651-1688); 20 U.S.C. § 1681(a) (2006) ("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 . . ."); *see also id.* § 1681(c) ("For purposes of this chapter an educational institution means any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education, except that in the case of an educational institution composed of more than one school, college, or department which are administratively separate units, such term means each such school, college, or department.").

Title IX provides certain key exemptions from its antidiscrimination provisions. For example, it excludes from coverage any institution "that traditionally and continually from its establishments has had a policy of admitting only students of one sex," *see* 20 U.S.C. § 1681(a)(5) (2006); schools whose primary purpose is to train students for the military services, *see id.* § 1681(a)(4); and single-sex groups such as the Boy Scouts and Girl Scouts, YWCAs and YMCAs, sororities and fraternities, mother-daughter or father-son activities, and scholarships for beauty contest

rights legislation of the 1960s and responded to Congressional findings of widespread discrimination against women in educational institutions.¹⁶ Consequently, Title IX followed its predecessors in form and function. Its main objectives, according to subsequent Supreme Court interpretations, were “to avoid the use of federal resources to support discriminatory practices,” and “to provide individual citizens effective protection against those practices.”¹⁷ To that end, all educational programs receiving federal financial assistance were to comply with Title IX’s antidiscrimination mandates.¹⁸

A. Title IX Mandates

The hearings leading to Title IX mentioned athletics only in passing, and the statute’s application to such programs was initially unclear.¹⁹ In 1974, Congress amended Title IX to make explicit its coverage of athletics and directed the Secretary of Health, Education, and Welfare (HEW) to develop implementing regulations.²⁰ In 1975, the Office of Civil Rights (OCR) of HEW promulgated regulations for college athletics.²¹ They provided:

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated

winners, *see id.* § 1681(a)(6)-(9). The implementing regulations expand these exemptions by excluding, for example, participation in contact sports, so that Title IX does not give a cause of action for exclusion of women from a team established for men. *See* 34 C.F.R. §106.41(b) (2006).

¹⁶ For discussion of Title IX’s legislative history, see SUGGS, *supra* note 8, at 38-42; Matthew L. Daniel, *Title IX and Gender Equity in College Athletics: How Honesty Might Avert a Crisis*, 1995 ANN. SURV. AM. L. 255, 262-69). Title IX is similar to other federal statutes that ban discrimination in federally funded programs. *See e.g.*, Christopher J. Walker, Note, *Adequate Access or Equal Treatment: Looking Beyond the IDEA to Section 504 in a Post-Schaffer Public School*, 58 STAN. L. REV. 1563, 1588-98 (2006) (discussing Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based solely on disability in federally funded programs).

¹⁷ *Cannon v. Univ. of Chi.*, 441 U.S. 677, 704 (1979).

¹⁸ 20 U.S.C. § 1682 (2006).

¹⁹ SUGGS, *supra* note 8, at 40-41; *Title IX’s Next Hurdle*, *supra* note 13, at B3.

²⁰ Education Amendments of 1974, Pub. L. No. 93-380, § 844, 88 Stat. 612 (1974).

²¹ Title IX Federal Regulations, Office of Civil Rights, U.S. Department of Education, 34 C.F.R. §§ 106.1-.71 (2006); *see also id.* § 106.1 (stating that Title IX and its implementing regulations are “designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial assistance.”).

against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide any such athletics separately on such basis.²²

In determining whether institutions are in compliance with the mandate to “provide equal athletic opportunity for members of both sexes,” the following factors are relevant:

- (1) Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;
- (2) The provision of equipment and supplies;
- (3) Scheduling of games and practice time;
- (4) Travel and per diem allowance;
- (5) Opportunity to receive coaching and academic tutoring;
- (6) Assignment and compensation of coaches and tutors;
- (7) Provision of locker rooms, practice and competitive facilities;
- (8) Provision of medical and training facilities and services;
- (9) Provision of housing and dining facilities and services;
- (10) Publicity.²³

In 1979, HEW issued a Policy Interpretation to clarify the application of Title IX regulations to college athletics, to encourage self-policing, and to offer a more detailed measure of equal athletic opportunity.²⁴ Among its provisions were further guidelines for facilities, coaching, and recruitment. However, its most important contribution was a three-part test for determining compliance:

1. Whether intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments; or
2. Where the members of one sex have been and are underrepresented among intercollegiate athletes, whether the institution can show a history and continuing practice of program

²² *Id.* § 106.41(a).

²³ *Id.* § 106.41(c).

²⁴ Title IX of the Education Amendments of 1972; A Policy Interpretation: Title IX and Intercollegiate Athletics, 44 Fed. Reg. 71,413 (Dec. 11, 1979).

expansion which is demonstrably responsive to the developing interests and abilities of that sex; or

3. Where the members of one sex are underrepresented among intercollegiate athletes, and the institution cannot show a continuing practice of program expansion such as that cited above, whether it can be demonstrated that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.²⁵

This test establishes three “independent avenues for measuring compliance with the requirement to provide individuals of each sex with nondiscriminatory opportunities to participate in intercollegiate athletics.”²⁶ An institution must only meet one of them.

The statute got off to a slow start even after OCR’s 1979 Policy Interpretation.²⁷ In 1984, the Supreme Court limited the Title IX’s scope to the specific school program receiving federal funds.²⁸ Three years later, with the enactment of the Civil Rights Restoration Act of 1987, Congress (re-)extended Title IX to all programs of an institution receiving federal funds for any program or activity.²⁹ If a college athletic program violated Title IX, the entire university could lose federal funding. The Supreme Court in 1992 further extended Title IX by establishing that individuals could sue for money damages under Title IX—at least for intentional discrimination.³⁰

For the last three decades, it has been clear that the legislative goal is to “provide equal athletic opportunity for members of both sexes.”³¹ What has not been clear is how exactly equality should be measured, and how realistically to hold schools accountable for falling short.

²⁵ *Id.* at 71,418.

²⁶ Office of Civil Rights, U.S. Dep’t of Educ., Clarification of Intercollegiate Athletics Policy Guidance: The Three Part Test (Jan. 16, 1996), <http://www.ed.gov/about/offices/list/ocr/docs/clarific.html#two>.

²⁷ For a comprehensive summary of Title IX legislative and judicial history, see SUGGS, *supra* note 8, at 32-96; Diane Heckman, *Scoreboard: A Concise Chronological Twenty-Five Year History of Title IX Involving Interscholastic and Intercollegiate Athletics*, 7 SETON HALL J. SPORT L. 391 (1997).

²⁸ *Grove City Coll. v. Bell*, 465 U.S. 555 (1984).

²⁹ Pub. L. No. 100-259, 102 Stat. 28 (1988) (codified as amended at 20 U.S.C. §§ 1687-1688).

³⁰ *Franklin v. Gwinnett County Pub. Schs.*, 503 U.S. 60 (1992).

³¹ 34 C.F.R. § 106.41(c) (2006).

B. The Impact of Title IX and Continuing Controversies

Since enactment of Title IX, the athletic landscape has been transformed. The numbers cited in the Introduction speak for themselves. Female participation in both high school and college sports has soared, and the number of women's collegiate athletics teams has also increased from an average of 2.5 to 8.45.³² As noted earlier, Title IX is not solely responsible for this progress. A Department of Education report marking the 30th anniversary of the statute also underscored the importance of “changes in the view of what roles girls and women should play in society.”³³ Title IX both reflected and reinforced these new assumptions about gender. Causation undoubtedly runs in both directions; the statute and increase in female athletic participation are both a cause and an effect of more progressive understandings of women's rights and capabilities.

Yet despite enormous progress, significant gender disparities remain, and the pace of change has slowed. Only small advances have occurred since the early 1990s as measured by the number of sports available to female students, the number of females participating in athletics, and the percentage of scholarship expenditures for women's sports.³⁴ Title IX has not remotely

³² For high school, see COMM'N ON OPPORTUNITY IN ATHLETICS, U.S. DEP'T OF EDUC., “OPEN TO ALL”: TITLE IX AT THIRTY 2 (2003) (citing NAT'L FED'N OF STATE HIGH SCH. ASS'NS, NFHS PARTICIPATION SURVEY 1999-2000) [hereinafter ED TITLE IX AT THIRTY], <http://www.ed.gov/about/bdscomm/list/athletics/title9report.pdf>. *But cf.* NAT'L WOMEN'S LAW CTR. & HARVARD PREVENTION RES. CTR. ON NUTRITION & PHYSICAL ACTIVITY, KEEPING SCORE: GIRLS' PARTICIPATION IN HIGH SCHOOL ATHLETICS IN MASSACHUSETTS 1-2, 11 (2004) (finding that girls participate much less in physical activity in high schools—i.e., 36% of girls versus 55% of boys participated in high school sports in Boston in 2001—and that this disparity is caused, in part, by persistent discrimination in Massachusetts high school athletics programs), <http://www.nwlc.org/pdf/KeepingScoreGirlsHSAthleticsInMA2004.pdf>. For college, see CARPENTER & ACOSTA, *supra* note 2, at 10 (comparing 1970 to 2005). For women's teams, see *id.* at 3-10 and U.S. GEN. ACCOUNTING OFFICE, INTERCOLLEGIATE ATHLETICS: FOUR-YEAR COLLEGES' EXPERIENCES ADDING AND DISCONTINUING TEAMS, GAO-01-297, 11 (2001), <http://www.gao.gov/new.items/d01297.pdf>

³³ ED TITLE IX AT THIRTY, *supra* note 32, at 2.

³⁴ NAT'L COLLEGIATE ATHLETICS ASS'N, 2002-03 NCAA GENDER-EQUITY REPORT (2003) (finding that, as compared to 2001-2002 data, in most measured categories women's athletics did not make any gains on their male counterparts and in most of the categories where a gain was noticed, it was relatively minor), http://www.ncaa.org/library/research/2002-03_gender_equity_report.pdf; *see also* OFFICE OF CIVIL RIGHTS, U.S. DEP'T OF EDUC., TITLE

equalized the overall allocation of financial resources between men and women sports. Women teams account for just 37% of athletic program operating expenses.³⁵ Although financial resources allocated for women's sports have increased significantly since the enactment of Title IX, so have resources allocated to men's sports, and they have outpaced expenditures for women. Men's teams have one and a half times as many coaches, and they earn more than twice what women's coaches do.³⁶ Although women constitute 55% of college undergraduates, they account for only 41% of female athletes.³⁷ Women are also underrepresented in coaching and top level administrative positions, as well as leadership positions in the NCAA.³⁸ As noted earlier, women account for only 44% of head coaches in women's sports and two% in men's. Women hold 41% of all athletic administrative positions but only 19% of head administrative jobs.³⁹ In Division I schools, only 8% of athletic directors are female.⁴⁰

Most experts believe that the vast majority of schools are not in compliance with Title IX.⁴¹ Fewer than a fifth of schools have gaps between the proportion of women students and

IX: 25 YEARS OF PROGRESS (1997) (same), <http://www.ed.gov/pubs/TitleIX/index.html>; U.S. GEN. ACCOUNTING OFFICE, INTERCOLLEGIATE ATHLETICS: STATUS OF EFFORTS TO PROMOTE GENDER EQUITY, HEHS-97-10, at 13 (1996) [hereinafter GAO 1996 REPORT], <http://frwebgate.access.gpo.gov/cgi-bin/useftp.cgi?IPaddress=162.140.64.21&filename=he97010.pdf&directory=/diskb/wais/data/gao>; see also *id.* app. III (listing and summarizing the results of the eight major studies).

³⁵ *Women in Sport*, CHRON. HIGHER EDUC., July 28, 2006, at A27; see also Deborah Brake, *The Struggle for Sex Equality in Sport and the Theory Behind Title IX*, 34 U. MICH. J.L. REF. 13, 76 (2001) (finding that nearly twice as much is paid to recruit male athletes than to recruit female athletes). See generally Chronicle of Higher Education Website (providing updated figures on gender equity in sports), <http://chronicle.com/stats/genderequity>.

³⁶ *Women in Sport*, *supra* note 35, at A27. Some evidence suggests that if football, basketball, and ice hockey are excluded, salaries for male and female head coaches would be nearly equal. ROBERT DRAGO ET AL., FINAL REPORT FOR CAGE: THE COACHING AND GENDER EQUITY REPORT 11 (Aug. 15, 2005), <http://lsir.la.psu.edu/work/fam/CAGEhtm>.

³⁷ Welch Suggs, *Gender Quotas? Not in College Sports*, CHRON. HIGHER EDUC., July 1, 2005.

³⁸ Brad Wolverton, *Job Prospects in College Athletics Drop for Female and Minority Applicants, Report Says*, CHRON. HIGHER EDUC., Oct 20, 2005,

³⁹ ACOSTA & CARPENTER, *supra* note 2, at 12, 25.

⁴⁰ Welch Suggs, *Faces in a Mostly White Male Crowd*, CHRON. HIGHER EDUC., Apr. 8, 2005, at A34; see also DRAGO ET AL., *supra* note 36; RICHARD J. LAIPCHECK, 2004 RACE AND GENDER SCORE CARD (2005).

⁴¹ Jerome Solomon, *Title IX, 30 Years Later: Sexes Still Unequal in Athletics: Title IX Changed the Playing Field but Its Still Not Level*, HOUS. CHRON., June 23, 2002, at A1 (citing college administrator's estimate that only

women athletes under 20.⁴² How many of those schools could satisfy one of the other prongs of Title IX regulations is by no means clear, and efforts to monitor compliance have been hindered by widespread errors in the gender equity reports filed by colleges and universities.⁴³ However, the Office of Civil Rights has not investigated those errors and has never found an educational institution in violation of Title IX; rather, it has preferred to negotiate settlements of the clearly documented violations.⁴⁴

That policy reflects multiple factors, including not only resource limitations but also concerns about the impact of more vigorous enforcement on male athletics, and the resulting political backlash.⁴⁵ For instance, thirteen of the twenty-six men's intercollegiate sports experienced a decline in the number of teams from 1981 to 1999.⁴⁶ How many of those cuts reflected concerns about gender equity and how many were attributable to shifts in student interest and revenue considerations is open to dispute, but the cuts led to widespread protests, a wave of largely unsuccessful litigation, and pressure to reconsider Title IX interpretations.⁴⁷ In

20 percent of programs were in compliance); *see also* U.S. GEN. ACCOUNTING OFFICE, GENDER ISSUES: WOMEN'S PARTICIPATION IN THE SCIENCES HAS INCREASED, BUT AGENCIES NEED TO DO MORE TO ENSURE COMPLIANCE WITH TITLE IX, GAO-04-639 13 (2004) (noting that women's programs remain behind men's programs as measured by the percentage of female head coaches, comparable salaries for coaches, and ratio of student athletes to undergraduate enrollment and noting need for greater enforcement), <http://www.gao.gov/new.items/d04639.pdf>.

⁴² Deborah J. Anderson et al., *Gender Equity in Intercollegiate Athletics: Determinants of Title IX Compliance* (July 2004), at tbl.2, available at www.ilr.cornell.edu/cheri/WP/cheri_wp45.pdf.

⁴³ Paula Wasley, *Education Dept. Ignores Rife Errors in Gender – Equity Data From College Sports Programs*, USA TODAY REPORTS, CHRONICLE HIGHER EDUC., Oct. 20, 2005. In one of the most celebrated efforts, the National Women's Law Center filed complaints with OCR against twenty-five colleges and universities for sex discrimination in the awarding of athletic scholarships. Eight institutions were subsequently found in compliance, and the other seventeen agreed to increase scholarship aid to female athletes. *See Brake, supra* note 35, at 75-76.

⁴⁴ Title IX Facts Everyone Should Know, <http://www.womenssportsfoundation.org/cgi-bin/iowa/issues/geena/record.html?record=862>.

⁴⁵ For sample of positive and negative critiques of Title IX, *see* SPORTING EQUALITY: TITLE IX THIRTY YEARS LATER (Rita J. Simon ed., 2006)

⁴⁶ *See* Jay Larson, Note, *All Sports Are Not Created Equal: College Football and a Proposal To Amend the Title IX Proportionality Prong*, 88 MINN. L. REV. 1598, 1598 (2004). Wrestling experienced the biggest decline—losing 171 intercollegiate teams and 2648 student-athletes. *Id.* at 1598 n.5. For a discussion of various reform measures to combat this problem, *see infra* note 50.

⁴⁷ *See* SUGGS, *supra* note 8, at 153-74.

the wake of such concerns, in 2002 the Department of Education established the Secretary's Commission on Opportunity in Athletics. After a year of public hearings, the Commission issued a report that reflected continued controversy over how to assess Title IX compliance. Most of the dispute centered on how to assess proportionality and how to determine whether schools were adequately accommodating female students' interest. Ultimately, the Department elected not to make any significant changes in Title IX policy, although it did reaffirm its commitment to strong and consistent regional enforcement, and emphasized that elimination of men's teams was a "disfavored practice."⁴⁸

In 2005, controversy resurfaced following the Department's issuance of a policy clarification concerning how the OCR would assess whether an institution was effectively meeting the interests of women students under the third prong of Title IX regulations. In effect, the new clarification shifted the burden to OCR or complainants to prove noncompliance, by documenting sufficient unmet interest and ability to sustain a new women's varsity team and a reasonable expectation of intercollegiate competitive opportunities for the team within the school's region. The clarification also made clear that schools could assess women's interests through periodic electronic surveys, and it provided a model on its website.⁴⁹ Issues surrounding the assessment of student interest, particularly the adequacy of survey techniques, remain controversial.

Notable for its absence during these debates is any serious effort to address the decline of women coaches. That is true of the literature generally. Although there have been ample proposals for reform of Title IX, almost none have focused on the barriers for women in

⁴⁸ *Id.* at 173.

⁴⁹ The policy is on the U.S. Department of Education Website at <http://www.ed.gov/about/offices/list/ocr/docs/title9guidanceadditional.html>. For criticism by women's groups see Welch Suggs, *New Policy Clarifies Title IX Rules for Colleges: Women's Group Objects*, CHRON. HIGHER EDUC., Apr. 1, 2005, A47.

coaching and their implications for athletic leadership.⁵⁰ The lack of any consensus that this loss of professional opportunities for female athletics is a serious problem—itsself one of the obstacles to gender equity in collegiate sports.

II. WOMEN COACHES IN COLLEGE ATHLETICS

A. The Representation and Success of Women Coaches

As noted earlier, the increase in resources for women athletes has brought a dramatic increase in men's interest in coaching them, and a corresponding decrease in coaching opportunities for women. Female head coaches lead only 42% of women's teams, as opposed to over 90% in 1972 when Title IX was first enacted.⁵¹ Most of the decline occurred in the 1970s, but the trend persists: 2006 registered the lowest ever proportion of female coaches for women's teams. This decline does not appear attributable to an absence of women's interest in coaching positions because the number of female assistant coaches has remained constant.⁵² As one commentator puts it, women are entering the ranks, but the "professional finish line . . .

⁵⁰ One exception is ROBERT DRAGO ET AL., FINAL REPORT FOR CAGE: THE COACHING AND GENDER EQUITY PROJECT (2005), <http://sir.la.psu.edu/work/fam/CAGE.htm>. Commentators have proposed a broad range of reform measures for Title IX. For instance, some have focused on mitigating Title IX's negative effects on men's teams and on revenue-generating sports. *See, e.g.*, Daniel, *supra* note 16 (proposing a "business/entertainment" exception to Title IX); Larson, *supra* note 46 (calling for a partial exemption of football from the proportionality requirement); Christopher Paul Reuscher, Note, *Giving the Bat Back to Casey: Suggestions to Reform Title IX's Inequitable Application to Intercollegiate Athletics*, 35 AKRON L. REV. 117, 151 (2001) (suggesting that an institution could treat differently sports that operate as "businesses"). *But see* Daniel R. Marburger & Nancy Hogshead-Makar, *Is Title IX Really To Blame for the Decline in Intercollegiate Men's Nonrevenue Sports?*, 14 MARQ. SPORTS L. REV. 65, 80 (2003); J. Brad Reich, *All the Athletes Are Equal, but Some Are More Equal than Others: An Objective Evaluation of Title IX's Past, Present, and Recommendations for Its Future*, 108 PENN. ST. L. REV. 525, 551, 553 (2003); John C. Weistart, *Can Gender Equity Find a Place in Commercialized College Sports*, 3 DUKE J. GENDER L. & POL'Y 191, 207-208 (1996) (arguing that if scholarships, administration, support services, and other overhead items were properly allocated among the individual sports, there are only a small number of schools in which the expensive sports are not subsidized).

Some reforms even focus on shifting the focus away from intercollegiate athletics. *See, e.g.*, Brian Snow & William E. Thro, *Still On the Sidelines: Developing the Non-Discrimination Paradigm Under Title IX*, 3 DUKE J. GENDER L. & POL'Y 1, 44 (1996) (greater emphasis should be placed on the vast majority of college students who do not play intercollegiate athletics).

⁵¹ CARPENTER & ACOSTA, *supra* note 2, at 20-23.

⁵² *Id.* at 26-30.

continues to elude them.”⁵³ The situation is bleaker still for women seeking head coach positions of men’s teams: the number in that role has remained at 2% since the 1970s.⁵⁴ The result is that only 17.7% of all teams have a female head coach.⁵⁵

Women are underrepresented not only in head coaching positions, but in those that produce the most competitive successes in women’s sports. Table 1 details the success rate of women coaches.⁵⁶

Table 1. Sport-by-Sport Breakdown of Women Coaches of Women's Collegiate Teams

Sport	% Head Coaches Women		% in Tourney	% Winners
	1995-96	2003-04	2003-04	thru 2005
Basketball	63.7	67.6	72	79
Bowling	n/a	55	38	0
Cross Country	20.4	21.2	18	12
Fencing	25	5.9	9	0
Field Hockey	89.1	96.5	94	100
Golf	57	51	79	48
Gymnastics	38.8	44.8	67	63
Ice Hockey	n/a	42.9	50	100
Lacrosse	87.5	88.5	88	88
Rifle	5.3	21.1	22	47
Rowing	n/a	45.3	50	50
Skiing	26.7	20	18	0
Soccer	36.7	34.7	32	4
Softball	68.5	69	59	64
Swimming	21.1	16.8	14	0
Tennis	38.4	33.6	36	12
Track, Indoor	19.3	24.7	20	33
Track, Outdoor	17.7	23.9	19	21
Volleyball	61.7	0.54	39	0
Water Polo	n/a	35	0	0
Total:	42.3	39.9	41.2	37.3

⁵³ Evans, *supra* note 5.

⁵⁴ *Id.*

⁵⁵ CARPENTER & ACOSTA, *supra* note 2, at 20-23.

⁵⁶ Table 1 is based on Coach Evans’s data, which are on file with the authors.

The first two columns compare 1995-1996 figures with 2003-2004 figures for the percentage of women head coaches for women's teams. The third column demonstrates the percentage of women coaches who successfully coached their teams into the NCAA tournament during the 2003-2004 season, while the final column portrays the percentage of women coaches of national championship teams during the past twenty-five years. These sport-by-sport statistics, although useful to a point, fail to capture some complexities in women's sports, because some sports have been dominated predominantly by female head coaches, while in others they are almost nonexistent. These statistics are by no means complete, but they are illustrative. The lack of women coaches—and their accompanying lack of relative success in comparison to their male counterparts—raise several grounds for concern.

The first involves the possible violation of meritocratic principles and unfairness to women who aspire to such professional positions. What little empirical evidence is available finds that women coaches are more qualified than their male counterparts in terms of training, experience, and achievement.⁵⁷ As subsequent discussion suggests, women's underrepresentation may be more attributable to unconscious biases, exclusionary recruiting networks, and inflexible working structures than objective qualifications. Their poorer success rates may also partly reflect lack of mentoring and institutional support. A related concern is the impact that this underrepresentation has on female athletes. Many young women benefit from the distinctive experiences, coaching style, and role models supplied by female coaches. As Dena Evans, former head coach of Stanford's cross-country team, notes, many women, particularly those in Division I, "will spend more time with the coaches in their sport than they will with any

⁵⁷ Kane, *supra* note 14, at 121-22; see also C.A. Hasbrook et al., *Sex Bias and the Validity of Believed Differences between Male and Female Interscholastic Athletic Coaches*, 63 RES. Q. EXERCISE & SPORT 259 (1990).

professor.”⁵⁸ The lack of female coaches sends a disturbing message to female athletes about their likely professional and leadership opportunities. Finally, the underrepresentation of women in leadership positions may work against alternative conceptions of sporting excellence that focus less on revenues, and more on participation and the benefits that it can foster.

B. Legal Remedies for Gender Discrimination Against Women Coaches

A survey of reported Title VII and Title IX cases over the last eight years reveals few successful claims by women coaches. Most of the lawsuits have involved compensation, and are described more fully below. In none of the remaining handful of cases have plaintiffs prevailed after trial. Several claims have concerned retaliation for raising concerns about an institutions’ compliance with Title IX. In *Jackson v. Birmingham Board of Education*, for instance, a divided Supreme Court held that a public high school girls’ basketball coach could bring a private lawsuit under Title IX for his termination, which was allegedly based on complaints that his team was forced to work with inferior equipment and practice facilities in violation of the statute.⁵⁹ Several similar cases involving college programs reached mixed results, but coaches’ allegations of retaliation usually raised factual disputes sufficient to survive summary judgment motions.⁶⁰

Only two other recent cases alleged adverse employment actions apart from retaliation or compensation. One involved factual claims of unfair treatment sufficient to withstand a motion to dismiss the complaint.⁶¹ The other illustrates the difficulty of proving employment discrimination under circumstances prevailing in most college athletics programs. In *Murphy v.*

⁵⁸ Evans, *supra* note 5.

⁵⁹ 544 U.S. 167 (2005).

⁶⁰ *Atkinson v. Lafayette Coll.*, 460 F.3d 447 (3d Cir. 2006); *Burch v. Regents of Univ. of Cal.*, 433 F. Supp. 1110 (E.D. Cal. 2006); *Brusseau v. Iona Coll.*, W.L. 1933733 (S.D.N.Y. 2002). *But see* *Lamb-Bauman v. Del. State Univ.*, 39 Fed. App’x 748 (3d Cir. 2002) (dismissing a Title VII claim as factually unsupported and a Title IX claim as barred by the statute of limitations).

⁶¹ *Brusseau*, W.L. 1933733.

University of Connecticut, a divided appellate panel sustained the defendant's summary judgment motion based on uncorroborated testimony by a male head coach that his female assistant coach failed to meet performance expectations, including 24/7 availability.⁶² To reach this result, the majority discounted evidence that many might reasonably view as creating a triable issue of sex discrimination, such as corroborated testimony about the head coach's disparagement of female employees.⁶³

The remaining reported cases brought by coaches involve salary discrimination claims under Title IX, the Federal Equal Pay Act, and Title VII.⁶⁴ Attention to this issue has grown dramatically in recent years, because coaches of women's teams receive only about half the salaries of coaches of men's teams, and almost never receive the monetary recognition that is common among successful male coaches.⁶⁵ In 1997, the U.S. Equal Employment Opportunity Commission (EEOC) released the Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions, which clarified how Title IX, the Equal Pay Act, and Title VII apply to sex-based differences in the compensation of coaches.⁶⁶ As the EEOC explained, these laws "require that an employer pay similar salaries to employees who

⁶² 72 F. App'x 288, 295 (6th Cir, 2003).

⁶³ *Id.* at 301 (Clay, J., dissenting).

⁶⁴ For a general review, see Terry W. Dodds, Comment, *Equal Pay in College Coaching: A Summary of Recent Decisions*, 24 S. ILL. U. L.J. 319 (2000); Andrea M. Giampetro-Meyer, *Recognizing and Remedying Individual and Institutional Gender-Based Wage Discrimination in Sport*, 37 AM. BUS. L.J. 343 (2000).

⁶⁵ SUGGS, *supra* note 8, at 191. For concerns about the disparity, see e.g., WOMEN'S SPORTS FOUNDATION, CREATING GENDER NEUTRAL COACHES' EMPLOYMENT AND COMPENSATION SYSTEMS: A RESOURCE MANUAL (1995), http://www.ncaa.org/gender_equity/resource_materials/Employment/CoachesCompensation-wsf.pdf; Valerie M. Bonnette, Summary of EEOC Coaches' Salaries Policy, Good Sports, Inc., Jan. 8, 1998, http://www.ncaa.org/gender_equity/resource_materials/Employment/SumEEOC. Only in 2006 did the first woman coach in collegiate athletics receive a salary package of more than a million dollars per year. See *Summitt Earns Record Salary*, N.Y. TIMES, May 23, 2006, http://www.nytimes.com/2006/05/23/sports/ncaabasketball/23sports_briefs-brief-001.ready.html.

⁶⁶ Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions, EEOC Notice No. 915.002 (Oct. 29, 1997), <http://www.eeoc.gov/policy/docs/coaches.html>.

perform similar jobs.”⁶⁷ Relevant factors include a coach’s experience, duties, and working conditions, the rate of compensation (per sport, per season), and a comparison of salaries for men’s and women’s sports.⁶⁸ As the following examples suggest, the number and subjectivity of many factors relevant to compensation make Title IX pay discrimination cases challenging for women coaches.

In the leading case on point, *Stanley v. University of Southern California*, the Ninth Circuit affirmed a lower court decision rejecting women’s basketball coach Marianne Stanley’s claim that she was entitled to receive the same pay as the men’s basketball coach.⁶⁹ Under Title IX and the Equal Pay Act, she argued that both head coaching positions required equal skill, effort, and responsibility, and they were performed under similar working conditions. At the point of the suit, she had been named PAC 10 Coach of the Year, and her team had a more successful NCAA record than the men’s team. However, the lower court and the three-judge appellate panel found a qualitative difference in experience, responsibilities, and market value that justified a difference in pay. Stanley had seventeen years of coaching experience, while her male counterpart had thirty-one. While Stanley was head coach, the USC women’s basketball program generated just under \$60,000, while the men’s program produced over \$4.5 million. Although Stanley made herself available for public appearances, she was not subject to the same contractual requirements as the male coach concerning media interviews and speaking

⁶⁷ Press Release, U.S. Equal Employment Opportunity Comm’n, EEOC Issues Guidance on Application of Anti-Discrimination Laws to Coaches’ Pay at Educational Institutions (Oct. 31, 1997), <http://www.eeoc.gov/press/10-31-97.html>.

⁶⁸ See KATHRYN M. REITH, WOMEN’S SPORTS FOUNDATION, PLAYING FAIR: A WOMEN’S SPORTS FOUNDATION GUIDE TO TITLE IX IN HIGH SCHOOL AND COLLEGE SPORTS 26-27 (4th ed. 2000), http://www.womenssportsfoundation.org/binary-data/WSF_ARTICLE/pdf_file/195.pdf.

⁶⁹ 178 F.3d 1069 (9th Cir. 1999).

engagements.⁷⁰ In the view of the dissenting judge, however, the majority's focus on the difference between the coaches' qualifications glossed over the "many ways in which gender discrimination insidiously affected the university's treatment of the women's basketball program," including its "halfhearted promotion" of the team.⁷¹

A federal district court reached a similar decision in *Pitts v. Oklahoma State University*.⁷² In *Pitts*, the women's golf coach sued the university under Title VII, Title IX, and the Equal Pay Act because her \$40,704 salary was significantly lower than the men coach's \$66,000 salary. The jury found that salary differences were justifiable given differences in the teams' accomplishments and disparate fundraising capabilities, as well as the marketability of the coach.⁷³

Title IX and Equal Pay Act claims are even harder to make when female coaches need to compare their compensation to male coaches in *other* sports. For instance, in *Deli v. University of Minnesota*, a federal district court denied a former women's gymnastics coach's claim that the university had engaged in gender discrimination by paying her a lower salary than that paid to

⁷⁰ Stanley subsequently became head women's coach at the University of California at Berkeley, where her base salary equaled that of the men's head coach. KATHARINE T. BARTLETT & DEBORAH L. RHODE, *GENDER AND LAW: THEORY, DOCTRINE, AND COMMENTARY* 54 (2004).

⁷¹ *Stanley*, 178 F.3d at 1080 (Pregerson, J., dissenting) ("By focusing on the differences between Stanley's and Raveling's qualifications, the majority skips over the many ways in which gender discrimination insidiously affected the University's treatment of the women's basketball program and Stanley as its Head Coach. The University's halfhearted promotion of the women's basketball program, its intensive marketing of the men's basketball program, and the formidable obstacles Stanley faced as a woman athlete in a male-dominated profession contributed to this disparate treatment.").

⁷² Civil No. 93-1341-A (W.D. Okla. Apr. 21, 1994). Similar decisions have been reached by courts in other jurisdictions. *See, e.g., Tyler v. Howard Univ.*, Civ. No. 91-CA11239 (D.C. Sup. Ct. June 24, 1993) (finding that the head coach of the men's team had substantially more experience, skill, and knowledge of basketball and was under more pressure to generate revenue and to win).

⁷³ In ten years at Oklahoma State, the men's coach had won six national championships, raised more than \$8 million, and led efforts to build a golf course. During the same time period, Pitts had won eleven conference championships, but not any national championships, and had raised only \$15,000.

the coaches of the men's football, basketball, and ice hockey teams.⁷⁴ The court found that the men's coaches supervised more employees, had greater responsibility for media and public relations, drew larger crowds, managed more players, and generated greater revenue than the women's gymnastics coach (and team). The court also rejected the plaintiff's Title IX claim because she had not demonstrated that her athletes received a lesser quality of coaching as a result of her lower salary.⁷⁵

However, where job responsibilities are equivalent and the primary justification for a salary disparity is the profitability of the sport or prevailing wage rates for the sport, EEOC Guidelines and judicial decisions suggest that plaintiffs can establish an equal pay violation.⁷⁶ Under the EEOC Guidelines, to justify differential salaries based on differential revenues, the institution must demonstrate that the revenue discrepancy in no way relates to (1) institutional discrimination in opportunity, or (2) societal discrimination.⁷⁷ In effect, the school must show that the female coach received the same opportunities as the male to be a revenue producer, and that the differences in revenue did not relate to lower interest in female sports or fewer resources for female athletic programs. The Guidelines also make clear that that "[s]ex discrimination in the marketplace which results in lower pay for jobs done by women will not support the marketplace value defense."⁷⁸

⁷⁴ 863 F. Supp. 958 (D. Minn. 1994), *overruled in part in* Egerdahl v. Hibbling Community Coll., 72 F.3d 615 (8th Cir. 1995) (concerning the court's statute-of-limitations analysis).

⁷⁵ See OFFICE FOR CIVIL RIGHTS, U.S. DEP'T OF EDUC., TITLE IX ATHLETICS INVESTIGATOR'S MANUAL 58 (1989) (stating that if availability and assignment of coaches is equivalent in the women and men's programs, it is difficult for the OCR to assert that lower pay negatively affects the athletes; *see also* Brake, *supra* note 35, at 463 (noting the need to establish a lower quality of coaching to obtain Title IX relief).

⁷⁶ Mehus v. Emporia State Univ., 326 F. Supp. 2d 1213 (D. Kan. 2004).

⁷⁷ EEOC Guidelines, *supra* note 66.

⁷⁸ *Id.*

Although pay discrimination cases are difficult to win, the prospect of litigation does give women coaches additional negotiation leverage. And in many cases, when claims survive summary judgment, the result is a settlement that redresses some of the compensation disparity.⁷⁹ OCR enforcement actions are also common, and the sparse data available suggest that women's success rates are better in such informal tribunals.⁸⁰ In short, legal remedies can be effective in remedying pay disparities, but they are often difficult and expensive to secure, particularly given the evidentiary burden of proving similarity in all relevant factors such as responsibilities, experience, success rates, or ability to raise funds.⁸¹ Moreover, as noted below, differential compensation is not the primary concern of coaches; other factors may be much more critical in securing equitable treatment and professional success.

III. FINDINGS FROM A NATIONAL SURVEY OF WOMEN COLLEGIATE COACHES

As noted earlier, little empirical research is available on the state of women coaches in collegiate athletics.⁸² This Article fills some of the gaps by providing a data set from perhaps the

⁷⁹ *Paddio v. Bd. of Trs. for State Colls. & Univs.*, 61 Fair Empl. Prac. Cas. (BNA) 86 (E.D. La.), *aff'd*, 12 F.3d 207 (5th Cir. 1993), *cert. denied*, 511 U.S. 1085 (1994) (finding valid claim for former head volleyball and softball coach); *Bowers v. Baylor Univ.*, 862 F. Supp. 142 (W.D. Tex. 1994) (allowing suit by women's basketball coach); *Lowrey v. Texas A&M Univ. Sys.*, 11 F. Supp. 2d 895 (S.D. Tex. 1998) (allowing claim by women's basketball coach). For some of the leading settlements, see NAT'L COLLEGIATE ATHLETICS ASS'N, *ACHIEVING GENDER EQUITY: A BASIC GUIDE TO TITLE IX AND GENDER EQUITY IN ATHLETICS FOR COLLEGES AND UNIVERSITIES* (2000) [hereinafter *NCAA, ACHIEVING GENDER EQUITY*], http://www.ncaa.org/library/general/achieving_gender_equity.

⁸⁰ *See, e.g.*, Letter of Finding, Office for Civil Rights, Kansas City Regional Office, 2-3 (Nov. 16, 1988) (Ref: 07-88-1051) (finding a Title IX violation due to the overall disparity in coaching salaries and because the boys' basketball coach was automatically given the athletic director position); Letter of Finding, Office for Civil Rights, Denver Regional Office, 24-25 (Apr. 12, 1989) (Ref: 08-89-6001) (finding the gender differences in "Priority I" coaches—with respect to pay and assignments—to be in violation of Title IX). *See also* REITH, *supra* note 68 (summarizing OCR enforcement actions concerning Title IX). The OCR has also published an investigator's manual to provide further guidance on Title IX claims. *See* OFFICE FOR CIVIL RIGHTS, U.S. DEP'T OF EDUC., *TITLE IX ATHLETICS INVESTIGATOR'S MANUAL* 58 (1989) (stating that if availability and assignment of coaches is equivalent in the women and men's programs, it is difficult for the OCR to assert that lower pay negatively affects the athletes).

⁸¹ Part of the difficulty with such comparisons is that the courts seldom adjust for the differences in public relations resources available to the men's and female teams that contribute to differences in market revenues.

⁸² Indeed, even surveys by women's coaches associations are rare. A comprehensive literature review found only one. *See* CAROLYN LEHR, *WOMEN'S BASKETBALL COACHES ASS'N, BASKETBALL COACHES SURVEY REPORT*

most important source: the coaches themselves. Although the results are far from conclusive, they do highlight some of the challenges still facing women seeking professional careers in college athletics, and together with other research reviewed in Part IV, suggest some avenues for change.

A. Survey Methodology

An electronic survey reprinted in Appendix A was mailed to coaches of women's collegiate teams in March and April 2006.⁸³ We targeted coaches of women's teams via email correspondence, website postings, and listserv distributions.⁸⁴ Although the surveys were anonymous, participants had an option of including their email address in order to receive the results of the survey. Participants were also provided our contact information if they had further questions or comments.⁸⁵

Hundreds of surveys were sent via email to coaches of women's collegiate teams with the request that they forward the survey link on to their colleagues. Of the 701 surveys submitted, 239 surveys had to be discarded due to incomplete responses. Of those 462 remaining

(2000) (documenting disparity between men and women coaches of college basketball teams based on panel survey data from 1994, 1997, and 1999), http://www.ncaa.org/gender_equity/resource_materials/Employment/WBCA_CoachCompStudy.pdf.

⁸³ An electronic version of the survey was created and carried out utilizing an online survey instrument from www.surveymonkey.com. The complete results are on file with the authors.

⁸⁴ Because the URL link to the online survey was distributed via email, website postings, and listserv mailings and because respondents were encouraged to forward the survey link to other coaches of women's teams, an accurate response rate is not quantifiable here.

⁸⁵ We took several steps to reduce the subjective nature of the survey instrument. First, we utilized an online application that would not allow participants to return to prior questions to change answers. *See* THOMAS MANGIONE, *MAIL SURVEYS: IMPROVING THE QUALITY* (1995). Furthermore, the survey was anonymous, so that there would be no pressure to submit a less-than-accurate answer. *See generally* FLOYD FOWLER, *IMPROVING SURVEY QUESTIONS: DESIGN AND EVALUATION* (3d ed. 2002); LAWRENCE M. FRIEDMAN & STEVEN MACAULAY, *LAW AND BEHAVIORAL SCIENCES* (2d ed. 1997); *SURVEY RESEARCH METHODS: A READER* (Eleanor Singer & Stanley Presser eds., 1989).

participants who completed the survey, a quarter were male (24.3%), and three-quarters were female (75.7%).⁸⁶

Details on the sample appear in Appendix B. For present purposes, the most relevant characteristics are as follows. About three-quarters of the respondents were head coaches and six-tenths were in Division I schools. Over half the female coaches and a quarter of the male coaches were single. About 11% of the women and 4% of the men reported having domestic partners. Slightly over a quarter of the women and over half of the men had children. This profile is consistent with national data on coaches, which indicates that female coaches are significantly less likely than male coaches, or women in general, to be married or to have children.⁸⁷ As survey findings suggest, this gender difference may be partly attributable to the difficulties of reconciling coaching demands with family responsibilities, which still fall disproportionately on women. About 90% of the coaches who responded were white, a proportion again representative of coaches in the nation as a whole.⁸⁸

Almost half were thirty five or younger, and about the same percentage had graduate degrees and at least ten years of coaching experience. No significant gender differences in age, ethnicity, or qualifications emerged, except that women had significantly better athletic performance records in college. This last finding is consistent with the research noted earlier, finding that women coaches have higher qualifications than their male counterparts. And as

⁸⁶ Five other survey respondents completed the survey but chose not to disclose their gender.

⁸⁷ In the CAGE Final Report, based on a 2000 census of those who identified themselves as full-time coaches or scouts in higher education, 65.8% of men were married and 40% had children; none had gay living arrangements. Of women, 29.8% were married, 17.8% had children and 3.2% had lesbian living arrangements. DRAGO ET AL., *supra* note 36, at 44.

⁸⁸ In the CAGE census data, 90.8% of the full-time female coaches, and 84.4% of the full-time male coaches, were white. *Id.* at 45.

subsequent discussion suggests, such gender differences may also suggest that women need higher credentials in order to advance within the coaching profession.

Also, respondents came from sixteen different sports and relatively high performing programs. About eight-tenths of the men and two-thirds of the women reported coaching at least “above average” teams. This finding is consistent with other research summarized in Part II indicating that women coaches are less likely to be in positions yielding greatest competitive success.

B. The Role of Title IX in Promoting Women’s Athletics and Women Coaches

Coaches were first asked to evaluate the impact of Title IX on various aspects of gender equity in collegiate athletics. Virtually all (96%) reported that Title IX has had a “strong” or “very strong” effect on the “number of female athletes and athletic teams on college campuses.” Another four-fifths (81%) of coaches found a similar “strong” or “very strong” effect on the “general interest in, and significance of, women’s athletic teams on college campuses.” Four-fifths also reported a strong or very strong positive effect on the fair allocation of resources between men’s and women’s teams—though one in five coaches (21%) found that Title IX has had no effect or a negative effect on resource allocation.

Assessments of Title IX’s impact on coaching and leadership opportunities are somewhat more qualified. About three-quarters felt that Title IX had a positive effect on “the resources college coaches of women’s teams have to be successful.” Two-thirds thought that the statute had positively affected leadership opportunities, and three-fifths believed that it had had similar impact on “the number and likelihood of women coaching at the collegiate level.” However, as Table 2 indicates, assessments of the value of Title IX for women coaches were more mixed.

Table 2: Role of Title IX in Promoting Women Collegiate Athletics (in order of strongest effect)

Question: In your opinion, what effect has Title IX had on the following?

	Very Strong Negative Effect	Some Negative Effect	No Effect	Strong Positive Effect	Very Strong Positive Effect	Response Average
WOMEN IN SPORTS: the number of female athletes and athletics teams on college campuses	0% (1)	2% (7)	2% (11)	47% (216)	49% (226)	4.43
INTEREST IN WOMEN'S TEAMS: general interest in, and significance of, women's athletics teams on college campuses	0% (1)	3% (12)	16% (73)	55% (252)	26% (121)	4.05
ALLOCATION OF RESOURCES: the fair allocation of resources between men's and women's teams based on interest and ability	2% (8)	5% (25)	14% (62)	59% (270)	20% (94)	3.91
COACHING RESOURCES: the resources college coaches of women's teams have to be successful	1% (3)	3% (14)	22% (103)	57% (260)	17% (78)	3.86
LEADERSHIP: the representation of women in leadership positions in college athletics (head coaches, athletic directors, and so forth)	2% (10)	9% (40)	22% (103)	51% (236)	15% (70)	3.69
FEMALE COACHES: the number and likelihood of women coaching at the collegiate level	3% (15)	12% (56)	28% (126)	43% (198)	14% (63)	3.52

Gender differences in these results were minimal except with respect to the effect of Title IX on women coaches. Two-thirds of male respondents (66%) believed that Title IX had a positive effect on women coaches, while only about half (54%) of female respondents agreed. Only 6% of men indicated that Title IX had a negative effect on women coaches, and another 27% reported no effect. By contrast, 18% of women coaches believed it had a negative effect, and 28% felt it had no effect. Other differences based on gender were insignificant. Head coaches also offered less positive assessments than assistant coaches: almost half (46%) reported no effect (30%) or a negative effect (16%), while only a third (33%) of assistant coaches saw no effect (18%) or a negative effect (15%).

Coaches had an opportunity to explain their views in response to an open-ended question: “If you do not think that Title IX has had a favorable (or sufficiently favorable) effect, why not

and what reforms would be appropriate?” Of the 462 coaches surveyed, 169 responded. Many prefaced their concerns by acknowledging significant positive effects of Title IX. As one coach noted, “I would not have a job without it.” But considerable frustration surfaced with the way that the statute had, or had not, been enforced. One cluster of grievances involved the failure of Title IX to secure true equality for women. Other concerns involved the adverse affect on men.

According to many respondents, a central limitation of Title IX involved the absence of oversight of schools’ data reporting, and the lack of penalties for noncompliance:

There is not enough back bone to it.

There is no strong policing. Reporting is just a shell game from the Athletic Director’s perspective. There is never a check and balance on that reporting. There needs to be some kind of audit

There are no repercussions for schools that don’t comply

Check out the debacles on the high school and city recreation level It’s a nightmare.

A related frustration involved continued inequalities in salaries, program support, and leadership opportunities. As some coaches put it, athletics was still under the control of an “old boys network” and “they take care of each other.” The few women who were in high positions could not necessarily serve as effective Title IX advocates because their focus had to be on “making money, raising money, winning games.” Many respondents also noted a double-edged byproduct of the increased status, compensation, and “professionalism” of women’s sports: their increased attractiveness to male coaches. As more men came in, more women lost out. An equally unhappy consequence was the pressure to boost female participation rates beyond what resources permitted. As one coach put it, “we are required to carry more [athletes] without the necessary funds/staff to take care of more.” An example was a golf team that had to carry twelve members but only had travel support for five. Adding women just to improve an institution’s

“equity numbers” adversely affected “team chemistry,” and compromised talented athletes’ access to playing and coaching time.

By contrast, other respondents regretted that Title IX had “limited opportunities for men while increasing opportunities for women.” The main concern was the reduction in non-revenue male sports:

Men’s programs suffer because schools cannot find a female sport to balance [them] out. [What is unfortunate about Title IX is that] there are a lot more young men than women interested in playing sports and a lot more men than women talented enough to play sports at the college level. . . . Every year I have to turn talented men away because I have roster limits, [while] I scour the nation trying to find good female golfers. . . . [T]he reluctance to make meaningful reform to the quota system is destroying men’s teams. . . . As a woman, I am ashamed that my success has to come at the expense of male athletes that have trained hard through out their life only to find that their collegiate opportunities keep getting smaller.

A related concern was the impact of Title IX on male applicants for coaching positions:

Some schools fill positions with women who are not necessarily qualified but fill a quota because they are female and to me that’s an injustice to those of us that are good.

I have served on a search committee to find prospective Head coaches and some of the first comments out of the administration are that they do not want the typical “white male” filling the role.

I have seen and experienced much difficulty for qualified men candidates to get a job because of a desire to increase/maintain the number of female coaches within a department.

Other respondents, however, noted precisely the opposite form of favoritism: male athletic directors who hired male “friends or friends of friends,” or coaches with “less experience [who would] . . . teach the girls to play like a guy.” Several survey participants challenged the “misconception” that Title IX was to blame for the demise of male sports. From their vantage, the statute was a convenient “scapegoat,” an “excuse to drop programs instead of raising revenues” or “rein[ing] in college football.”

One striking aspect of these responses is the absence of reform strategies. Apart from general calls for more enforcement and less curtailment of male programs, survey participants

had little to say about how to avoid the problems they identified. None suggested how to address the decline in female coaches. To gain insight into that problem, the remainder of the survey focused on the keys to coaching success and ways to assist women gain equal opportunity in athletic leadership positions.

C. The Keys to Coaching Success

Coaches were asked to identify what they need to succeed at the collegiate level, and nine in ten coaches reported that the following were “very important” or “most important” to success: (1) institutional support (from college, athletics director) (92%); (2) financial resources for program operations (91%); and (3) resources for recruiting (90%). Another four-fifths (82%) found staffing resources to be “very important” or “most important,” while only half found the same for mentorship/professional development resources. Only one in three (32%) found childcare and flexibility for coaches’ family concerns to be “very important” or “most important,” although three in four (76%) coaches found this need to be at least “important.” Table 3 breaks down these findings in more detail. Fifty-one coaches also identified other important resources, primarily facilities, but also scholarships.

Again, some noteworthy gender differences emerged in the responses. Unsurprisingly, male and female coaches differed in the priority they attached to childcare and family concerns: close to half of both men and women (45%) considered these issues important, but less than a fifth (19%) of male coaches indicated that this was “very important” or “most important”—in comparison to over a third (36%) of women coaches. Women coaches also gave higher priority to mentoring and professional development; about three-fifths (58%) considered it “very important” or “most important,” while only a third of men put it in that category. Women were

also somewhat more likely to find staffing resources to be “very important” or “most important” (83%) than their male counterparts (77%).⁸⁹

Table 3: Resources Needed To Build Successful Program (listed in order of importance)
Question: Please indicate the importance of each of the following resources for a coach's success in collegiate athletics:

	Not Important	Not Very Important	Important	Very Important	Most Important	Response Average
Institutional Support (from College, Athletics Director)	0% (0)	1% (3)	8% (37)	40% (184)	52% (239)	4.42
Financial Resources for Program Operations	0% (0)	0% (2)	9% (40)	50% (232)	41% (189)	4.31
Resources for Recruiting	0% (0)	1% (5)	9% (42)	50% (232)	40% (184)	4.29
Staffing Resources (assistant coaches, administrative support)	0% (2)	2% (8)	16% (74)	55% (255)	27% (124)	4.06
Salary and Benefits for Coaches	1% (3)	2% (9)	29% (135)	57% (265)	11% (51)	3.76
Mentorship/Professional Development Resources	0% (1)	5% (25)	41% (192)	46% (212)	7% (33)	3.54
Childcare Needs/Flexibility for Coaches' Family Concerns	5% (25)	18% (85)	44% (205)	25% (117)	7% (31)	3.1

Coaches were again invited to expand on their views in response to an open-ended question: “Please comment on any of these above-listed resources or others that are not listed. What makes them so important to program success? Who is in the best position to provide the most important resources?” Of the 462 coaches surveyed, 232 responded. Money was the dominant and nearly universal concern. As one respondent put it, “Financial resources are the gateway to success in other areas.” They made possible adequate salaries, facilities, scholarships,

⁸⁹ By contrast, no noteworthy differences emerged with respect how head coaches and assistant coaches valued these resources—though head coaches were more likely to list other needed resources. The differences between Division I and non-Division I were similarly insignificant—again with the Division I coaches more likely to list other needed resources than their non-Division I counterparts.

staff, equipment, travel, recruiting, marketing, and other operational support. The following responses are typical:

Financial resources are by FAR, the most important item in any college sport. Without equal across the board funding, a program cannot be expected to be highly competitive or of championship caliber.

It is difficult to win if the resources are not there . . . plain and simple.

Low funding means low performance.

Pardon . . . the way this sounds but money talks. If you do not have it they will not come.

There is, in short, no substitute for financial support in building effective athletic programs. The more time coaches have to spend raising funds, the less time they had for what they were being “paid to do and that is COACH THE GAME.” The minority of respondents who mentioned child care also felt strongly about its importance. In order to keep women with children “in the ranks,” some support was critical, especially during the peak season. Most survey participants viewed the athletic director as the key player in making sure resources were adequate, followed by the college president. The “Senior Woman Administrator” was almost never mentioned, even though the NCAA began to require members to create this position in 2001 partly to address such concerns.⁹⁰

D. The State of Coaches’ Athletic Programs

In addition to identifying what coaches need for successful programs, we also sought to understand the extent to which coaches have those resources. To that end, the survey asked “How far away is your program from the ideal situation?” with respect to eight important factors. Table 4 details coaches’ responses.

⁹⁰ See NAT’L COLLEGIATE ATHLETICS ASS’N, 2006-07 NCAA DIVISION I MANUAL, § 4.02.4 (provision adopted Nov. 1, 2001).

Table 4: State of Athletic Program (in order of accordance)

Question: Please indicate your level of accordance with the following statements:

	Strongly Disagree	Somewhat Disagree	Somewhat Agree	Strongly Agree	Response Average
My job provides enough flexibility to allow me to take care of my familial and other personal responsibilities.	3% (15)	14% (65)	44% (202)	39% (179)	3.18
My athletes have the resources they need to succeed.	5% (24)	16% (75)	53% (244)	26% (119)	2.99
I have had access to mentors and other professional development opportunities that have helped me succeed.	6% (28)	21% (96)	47% (218)	26% (119)	2.93
The school administration supports my program and understands my program's needs.	7% (33)	23% (108)	48% (222)	21% (97)	2.83
My institution allocates budgets and support fairly between men's and women's teams, given their respective interests and abilities.	12% (52)	26% (119)	37% (166)	25% (114)	2.76
I have the resources needed to recruit effectively.	15% (71)	26% (118)	39% (179)	20% (93)	2.64
My program receives the financial (and administrative) resources necessary to succeed.	16% (74)	28% (130)	40% (183)	16% (74)	2.56
I receive salary and benefits that meet my needs and fairly compensate me for my efforts/performance.	21% (96)	32% (150)	33% (151)	14% (65)	2.4

What is perhaps most surprising about these responses is that they reflect no significant gender differences.⁹¹ This is all the more striking because as Part III indicated, fewer women reported coaching high quality teams. It is also noteworthy that relatively little dissatisfaction surfaced about work family/conflicts; it may be that those who experience difficulty leave their positions.

Survey participants also had the chance to expand on their views in response to three open-ended questions:

⁹¹ Similarly, no significant differences emerged between head and assistant coaches or between Division I and non-Division I coaches

- If there is one thing you could change about your program (or personal situation affecting your program), what would that be? (382 responses)
- What do you feel is the most important ingredient for the successes you have had with your program? (396 responses)
- Please comment on any of the keys (or barriers) to success that you have experienced. We are particularly interested in identifying “best practices” and “common pitfalls” here, so any additional information would be greatly appreciated. (307 responses)

Predictably, what coaches wished to change most about their program involved money. Most financial concerns fell into two clusters: more competitive salaries for themselves and their assistants and additional resources for scholarships, recruiting, facilities, and staff positions. In addition to financial concerns, many coaches mentioned insufficient recognition, respect, and general appreciation for their team, their sport, and their hard work. The barriers to success took similar form. Inadequate budgets for scholarships, salaries, recruiting, and facilities were the dominant concern. The keys to progress followed obviously from that diagnosis: more support from their department and institution. A striking omission from the list was attention to factors that disproportionately affect women. Only two respondents put childcare benefits or more flexible schedules among their key concerns. And only a few mentioned inequalities in relation to men’s teams, such as access to facilities or budgets. One objected to the pressure to expand team membership beyond what was productive for competition prior to a Title IX compliance review. However, as subsequent discussion notes, many of these issues surfaced when respondents were asked to focus on women’s status, and their responses suggest that gender bias may help account for the insufficiency of support and respect that were key concerns.

In identifying the most important ingredient for success in their programs, coaches overwhelmingly cited personal qualities—their own and their players'. Hard work, dedication, perseverance, and commitment were key characteristics. Building a positive team dynamic and recruiting talented athletes were also crucial. A few respondents singled out an NCAA women coaches academy as particularly helpful in career development.⁹² Several also mentioned developing the ability to “do more with less.” Ironically, however, success along those lines could be double edged. As one coach explained, “if you win a lot with less” the department won't give you more.

E. Gender Inequalities in Coaching and Administration

Survey participants had three opportunities to address gender disparities in athletic leadership. One question asked about student athletes' gender preferences in coaching. Another open-ended question asked: “Why do you think that women are underrepresented at leadership levels in collegiate athletics (e.g., head coaches, athletic directors, etc.)?” Over three-quarters of the sample (353) responded. A related question asked “What more needs to be done to get more female coaches in college athletics?” Taken together, these responses offer an unusually rich account of women's professional status in college sports.

First, as Table 5 indicates, over 90% of coaches agreed that male athletes prefer male coaches, and almost two-thirds disagreed that they accept female coaches. By contrast, about two-thirds thought that female athletes prefer female coaches, but almost all believed that female athletes accept male coaches. Men and women coaches agreed to roughly the same degree on all of these responses.

⁹² See NCAA Women Coaches Academy Website, <http://www.coachesacademy.org/ncaa.php>.

Table 5: Perceptions of Athletes' Gender Preferences in Coaching

Question: Please indicate your level of accordance with the following statements:

	Strongly Disagree	Somewhat Disagree	Somewhat Agree	Strongly Agree	Response Average
Male athletes prefer male coaches.	2% (9)	6% (27)	28% (126)	65% (296)	3.55
Female athletes accept male coaches.	1% (3)	2% (10)	45% (207)	52% (237)	3.48
Female athletes prefer female coaches.	3% (14)	31% (143)	55% (253)	10% (47)	2.73
Male athletes accept female coaches.	20% (93)	43% (198)	31% (142)	5% (23)	2.21

Obviously, student preferences account for some of the gender inequality in coaching, but they cannot of themselves explain the decline in female coaches of female teams over the last two decades. In responding to the question about what accounts for women’s underrepresentation in athletic leadership, virtually no respondents blamed athletes. A significant minority thought that time was the major explanation:

Women have not been around long enough.

It takes a very long time to see big strides made in any area where you’re looking to turn around decades and even centuries of a prevailing mind set.

Women’s sports are just gaining real national recognition. Men and male sports have received this recognition for over a hundred years.

Most of those responding assumed that time was the answer as well as the explanation for women’s unequal status. The large increase in women’s participation “will eventually filter into the leadership levels but it takes time.” “Simply put, [women] started way behind but they are now catching up.” Other survey participants, however, noted a countervailing trend. “As a result of Title IX, salaries for women’s teams have increased, therefore men are now becoming interested in those positions.” Although athletic directors and team members were happy to have men as coaches in women’s sports, “a woman will never be hired to coach a men’s team.” It was simply “not going to happen. [Women’s] playing field is narrow.” The result is that women face

more competition for coaching positions, and they are locked out of the high revenue sports that are gateways to leadership in most athletic departments. Because the teams that have the largest support groups (alumni, parents, etc.) appear to be mostly male sports—they are still the “money makers for the schools—they get more respect and appear to have more influence on who runs the show—men.”

A relatively small minority of respondents felt that women were simply not as interested as men in the opportunities that were available, or were not as “aggressive,” “competitive” or “self-confident” in pursuing them. Some believed that “women will not apply for a job unless they feel highly qualified.” A few thought that women often lacked adequate judgment or experience for leadership positions and several pointed to examples of female coaches who were “underqualified” or had been “promoted too soon” and couldn’t succeed. But the vast majority of respondents felt that the root of the problem was not women’s lack of interest or ability, but family responsibilities and gender bias that made current leadership opportunities seem undesirable, unrealistic, or otherwise unattainable.

Many coaches stressed the inherent difficulty of balancing the time and travel demands of coaching with family obligations:

The lack of flexibility and time requirements.

Coaching is not family friendly.

Women want to do it all but find they cannot.

Job not flexible for working moms.

Family responsibilities make it hard for females to have 24/7 job schedules (which any coaching or administrative job is).

Other respondents thought that the problem was not just the structure of the job but the lack of support for working mothers:

Without flexibility within the workplace or administrative support it's just not an appealing career.

Very few women have the support they need on the home front to stay in these demanding positions.

Male spouses are often not supportive of the time demands that coaching requires of their spouses.

Without help at home it gets tricky. Most women don't get that support.

Unlike fathers, who are expected "to work long hours and are normally not the primary care giver to children," mothers are expected to put family first. One respondent summarized widespread views: "After all is said and done, many female coaches choose family over career when there are issues at home." At many institutions, inadequate salaries contribute to that choice: the pay isn't enough to compensate for the long hours and childcare costs.

Yet the most frequent explanation that survey participants offered for women's underrepresentation was neither time nor families, but gender bias. Over fifty respondents used some variant of the phrase "old boys club" to describe a cluster of problems, and many others captured the same concerns in less colloquial terms. As coaches often noted, men dominate athletic leadership, and "men hire men." They prefer to "hire people they know or people who are similar to them." Informal networks add to men's advantages. "Guys look out for each other and help their friends into better positions." By contrast, women "haven't established the good old girls network enough." There aren't enough women in leadership positions to help all those who need it. Several respondents also pointed out that most university presidents and major athletic donors are men, and they too generally preferred men as athletic directors. Female candidates were frequently channeled into Senior Woman Administrator positions. Survey participants who commented on those positions generally viewed them as "tokenism" or "just for show" and lacking in real influence.

Respondents offered different explanations for these dynamics. Some attributed the problem to men's discomfort with women "in power positions": "Male coaches don't want to be told what to do by a woman." Others thought that men were "afraid of no longer having a 'boy's club' work environment." That discomfort created comparable problems for women. They ended up in what was "not a friendly or enjoyable atmosphere to work in," which often led to career changes. Male resistance also constrained the efforts of the small number of women who managed to occupy positions of power. As one respondent noted, "It is difficult to break into the higher levels and . . . [those] who do may not want to jeopardize their position by rocking the boat."

Other respondents saw the main problem as adverse stereotypes about competence and commitment. Some felt women weren't "respected" or had to be "twice as hardworking" and "twice as successful" as male counterparts to earn that respect. Men were assumed to have greater expertise; women had to "do more to get the same recognition," and their performance was more often "under a microscope." In athletics, like other leadership contexts, women suffered from the double bind of being too assertive or not assertive enough: "They get characterized as too tough or too soft, and get passed over." An equally common assumption was that women wouldn't be as "capable working the 'old boy' network of alumni donors." Others stressed how difficult it was "to rise above the stereotypes and stigma if you are a mother [T]hey will look at you as not competent to do the job." Women who might become mothers also suffered from that stigma, because those doing the hiring "don't want to go through the search process multiple times in a few years" to replace coaches who leave for family reasons.

Bias against lesbians was more pronounced, and could also affect "strong confident competitive women" who were suspected to be lesbians:

The glass ceiling of homophobia is very real.

I am not afraid to talk about the pink elephant in the room. There are very few places to work that support this. Female coaches and administrators are forced to stay in the closet just to keep their jobs. There is no freedom for [people] to be who they really are.

Many respondents linked these patterns with broader cultural forces. As they noted, “women are underrepresented at all leadership levels from politics to college athletics.” It did not, however, follow that athletic departments were powerless to address the issue. A number faulted the profession in general or their own institutions in particular for failing to mentor women. As one put it, “there is plenty of focus on development of female players but not much in terms of developing female coaches.” Female athletes and young assistant coaches “are not seeing enough encouragement to continue.”

Responses to the question about what more could be done to attract women coaches suggested a variety of ways to address these problems. As Table 6 indicates, men and women generally agreed on the need for more mentoring/professional development (66.5% women, 56.5% men, and 64.3% total). However, on other issues, significant gender differences emerged. Only a third (31.5%) of male coaches thought that more institutional support was necessary, and only a quarter identified a need for more female-friendly environments (23.9%) or more flexible coaching commitments (26.1%). By contrast, a majority of female coaches cited institutional support (59.8%) and more female-friendly environments (57.4%) as necessary, and about 40% thought more flexible coaching commitments would help.

Table 6: Resources Women Coaches Need To Succeed

Resource	% of Total by Gender		
	Male	Female	Total
Development of Prospective	56.5%	66.5%	64.3%
Institutional Support of Prospective Female Coaches	31.5%	59.8%	53.8%
More Female-Friendly Environments in Athletics Departments	23.9%	57.4%	50.5%
More Flexible Coaching Commitments	26.1%	40.8%	37.6%
Other	26.1%	19.3%	20.9%

Eighty-nine coaches mentioned other factors. The most common suggestion was to provide higher or more equitable salaries. Many respondents stressed the need to make hiring women a priority, to expand searches, and to encourage more women to go into coaching. Others felt that the problem was that there weren't enough women who were interested or committed. Those who were should "stop whining about not having enough opportunities and work their hardest with the opportunities that [they] have." To deal with work/family conflicts, several respondents proposed more childcare services. One offered a cheaper solution: "Find coaches who don't want children because when you get right down to it the mother is more likely to want to be home once she has children."

Some respondents felt that "nothing could be done" or that time would take care of the problem. Others thought broader shifts in cultural attitudes would be necessary to even the playing field:

More respect for women in positions of authority.

A continued change in societal views of a woman's role in the family structure. Radical decrease in cultural misogyny.

Addressing homophobia issues.

A number of respondents, however, objected to the question. As one put it, “Why is that you have to have more women coaches? If a man can do that same job more effectively then he should get it. I am totally against any bias.” Others similarly stressed that “the best person should get the job” and noted that a “female coach isn’t always right for the job, just because she is a woman.”

In short, there remains considerable dissatisfaction about the enforcement of Title IX and its effect on both female and male athletes. There is comparable frustration with the barriers confronting women in coaching and athletic administration. Taken together with other research, these survey findings highlight the obstacles to equity that persist, and suggest some plausible directions for reform.

IV. GENDER EQUITY AND ATHLETIC OPPORTUNITY

A. Barriers to Women in Coaching and Athletic Administration

Many themes of this survey take on additional significance when viewed in context of other data on women’s opportunities for leadership in general and athletic positions in particular. As noted earlier, recent empirical research on coaching and athletic administration is sparse. Much of what is available involves small interview samples or broad demographic findings.⁹³ However, a rich literature exists on women in upper-level management and professional settings, which bears on women seeking positions in male-dominated athletic departments. Our survey,

⁹³ The most comprehensive study involved focus groups with about 40 coaches and 40 student athletes, and an analysis of U.S. Census data to estimate characteristics of male and female college coaches, such as work hours, marital status, sexual orientation, and dependent children. DRAGO ET AL., *supra* note 36. A study of the relationship between Title IX compliance and coaching turnover rates relied on 273 questionnaires. Michael Sagas & Paul Batista, *The Importance of Title IX Compliance on the Job Satisfaction and Occupational Turnover Intent of Intercollegiate Coaches*, 16 APPLIED RES. IN COACHING & ATHLETICS ANN. 15 (2001). Other surveys rely on still smaller data sets. See Sue Inglis, Karen E. Danylchuk, & Donna L. Pastore, *Multiple Realities of Women’s Work Experiences in Coaching and Athletic Management*, 9 WOMEN IN SPORT & PHYSICAL ACTIVITY J. 1 (2000) (relying on interviews with eleven women).

together with these bodies of research, suggests barriers along three dimensions: adverse stereotypes; in-group favoritism in hiring, mentoring, and support networks; and work/family conflicts. Our more general findings about problems in Title IX enforcement are also relevant to the status of women professionals as well as athletes.

The first barrier involves the mismatch between stereotypes associated with women and those associated with leadership. Men continue to be rated higher than women on most of the qualities associated with leadership.⁹⁴ People more readily credit men with leadership ability and more readily accept men as leaders.⁹⁵ What is assertive in a man seems abrasive in a woman, and female leaders risk seeming too feminine or not feminine enough.⁹⁶ An overview of more than a hundred studies confirms that women are rated lower as leaders when they adopt authoritative, seemingly masculine styles, particularly when the evaluators are men, or when the role is one typically occupied by men.⁹⁷ In effect, women face tradeoffs that men do not.

These stereotypes are very much in play in athletic settings. Some coaches in our survey, like those in other studies, attributed women's underrepresentation in head coaching and upper level administration to their lack of assertiveness, competitiveness, and drive to obtain such

⁹⁴ Peter Glick, Susan Fisk et al., *Ambivalent Sexism*, in *ADVANCES IN EXPERIMENTAL SOCIAL PSYCHOLOGY* 115-118 (Mark P. Zanna ed., 1999); *CATALYST, WOMEN TAKE CARE, MEN TAKE CHARGE: STEREOTYPING OF BUSINESS LEADERS* (2005); Linda L. Carli & Alice H. Eagly, *Overcoming Resistance to Women Leaders: The Importance of Leadership Styles*, in *WOMEN AND LEADERSHIP: THE STATE OF PLAY AND STRATEGIES FOR CHANGE* (Barbara Kellerman & Deborah L. Rhode eds., forthcoming 2007).

⁹⁵ Carli & Eagly, *supra* note 94; Laurie A. Rudman & Stephen E. Kilianski, *Implicit and Explicit Attitudes Toward Female Authority*, 26 *PERSONALITY & SOCIAL PSYCHOLOGY BULL.* 1315 (2000).

⁹⁶ LINDA BABCOCK & SARA LASCHEVER, *WOMEN DON'T ASK: NEGOTIATION AND THE GENDER DIVIDE* 87-88 (2003); Alice Eagly & Steven Karau, *Role Congruity Theory of Prejudice Toward Female Leaders*, 109 *PSYCHOLOGY REV.* 574 (2002).

⁹⁷ JEANETTE N. CLEVELAND ET AL., *WOMEN AND MEN IN ORGANIZATIONS: SEX AND GENDER ISSUES AT WORK* 106, 107 (2000); D. Anthony Butterfield & James P. Grinnell, *Reviewing Gender Leadership, and Managerial Behavior: Do the Decades of Research Tell Us Anything?*, in *HANDBOOK OF GENDER AND WORK* 223, 235 (Gary N. Powell ed., 1998); Alice H. Eagly et al., *Gender and The Evaluation of Leaders*, 111 *PSYCHOLOGICAL BULL.* 17 (1992).

positions.⁹⁸ Both coaches and student athletes also report that women have more difficulty than men in commanding respect.⁹⁹ One reason athletes prefer male coaches is that they appear more authoritative and less emotional than their female counterparts.¹⁰⁰ Yet women's attempts to act authoritatively can be off-putting, especially to men, and may evoke homophobic biases.¹⁰¹ The adverse stereotypes associated with lesbians are a widely reported problem in athletics, and undoubtedly help account for women's attrition and underrepresentation in key positions.¹⁰²

A related bias involves in-group favoritism. Extensive research documents the preferences that individuals feel for members of their own groups. Loyalty, cooperation, favorable evaluations, and the allocation of rewards and opportunities all increase in likelihood for in-group members.¹⁰³ A key example is the presumption of competence that dominant groups accord to their members but not to outsiders. Even in experimental situations where male and female performance is objectively equal, women are held to higher standards, and their competence is rated lower.¹⁰⁴ In-group favoritism is also apparent in the informal networks of mentoring, contacts, and support that are critical for advancement. People generally feel most comfortable with those who are like them in important respects, including gender. Women in

⁹⁸ Kane, *supra* note 14, at 125.

⁹⁹ DRAGO ET AL., *supra* note 36, at 29-31.

¹⁰⁰ *Id.* at 29-31.

¹⁰¹ For homophobic biases, see *id.* at 5; Kane, *supra* note 14, at 125-35.

¹⁰² DRAGO ET AL., *supra* note 36, at 5, 60; Kane, *supra* note 14, at 135-37.

¹⁰³ Marilyn B. Brewer & Rupert J. Brown, *Intergroup Relations*, in THE HANDBOOK OF SOCIAL PSYCHOLOGY 554-594 (Daniel T. Gilbert et al. eds., 1998); Susan T. Fiske, *Stereotyping, Prejudice and Discrimination*, in THE HANDBOOK OF SOCIAL PSYCHOLOGY, *supra*, at 357-414; Laura M. Graves, *Gender Bias in Interviewers' Evaluations of Applicants*, in HANDBOOK OF GENDER AND WORK 145, 154-55 (Gary Powell ed., 1999); Barbara Reskin, *Rethinking Employment Discrimination and its Remedies*, in THE NEW ECONOMIC SOCIOLOGY: DEVELOPMENTS IN AN EMERGING FIELD 218-44 (Mauro Guillen et al. eds., 2000).

¹⁰⁴ Martha Foschi, *Double Standards in the Evaluation of Men and Women*, 59 SOC. PSYCHOLOGY 237 (1996); Jacqueline Landau, *The Relationship of Race and Gender to Managers' Rating Of Promotion Potential*, 16 J. ORG. BEH. 391 (1995). In experimental settings, resumes are rated more favorably when they carry male rather than female names. See BABCOCK & LESCHEVER, *supra* note 96, at 94; Rhea Steinpreis et al., *The Impact of Gender on the Review of the Curriculum Vitae of Job Applicants and Tenure Candidates: A National Empirical Study*, 4 SEX ROLES 509 (1999).

traditionally male-dominated settings often remain out of the loop of advice and professional development opportunities, and women of color are particularly likely to experience isolation and exclusion.¹⁰⁵

Virtually all surveys of female coaches report problems stemming from these forms of favoritism, a problem colloquially labeled as “the old boys’ network.” Many women feel they need to work twice as hard and be twice as successful to get the same recognition.¹⁰⁶ This perception is consistent with frequently held beliefs that women are underrepresented in head coaching positions because they lack the qualifications and that they are too often hired for reasons of affirmative action rather than merit.¹⁰⁷ Whether there is basis for these beliefs is open to question. As noted earlier, surveys find that female head coaches are more qualified than their male counterparts in terms of professional experience and training.¹⁰⁸ Although women also have poorer success records, it is unclear whether the cause is different levels of competence or different quality teams and institutional support. Given the subjectivity of hiring decisions, the influence of adverse stereotypes is difficult to expose.¹⁰⁹

¹⁰⁵ Deborah L. Rhode & Barbara Kellerman, *Women and Leadership: The State of Play*, in WOMEN AND LEADERSHIP, *supra* note 94; *see also* AM. BAR ASS’N COMM’ N ON WOMEN IN THE PROFESSION, VISIBLE INVISIBILITY: WOMEN OF COLOR IN LAW FIRMS (2006) (finding that 62% of women of color and 60% of white women felt excluded from informal networks); Christopher J. Walker, *Female Entrepreneurship and Business Consortiums: Prospective Solutions for Argentina’s Economic Challenges*, 16 J. INT’L & PUB. AFF. 94, 96-97 (2005) (finding similar trends for women entrepreneurs and business leaders). For surveys of upper-level American managers which find that almost half of women of color and close to a third of white women cite a lack of influential mentors as a major barrier to advancement, *see* CATALYST, WOMEN OF COLOR (2000) and CATALYST, WOMEN IN CORPORATE LEADERSHIP: PROGRESS AND PROSPECTS (1996). *See generally* IDA O. ABBOTT, NAT’L ASS’N FOR LAW PLACEMENT, THE LAWYERS’ GUIDE TO MENTORING (2000); Timothy O’Brien, *Up the Down Staircase*, N.Y. TIMES, Mar. 19, 2006, A4; Belle Rose Ragins, *Gender and Mentoring Relationships: A Review and Research Agenda for the Next Decade*, HANDBOOK OF GENDER AND WORK, *supra* note 97, at 347, 350-62.

¹⁰⁶ Inglis et al., *supra* note 93, at 8.

¹⁰⁷ Kane, *supra* note 14, at 121, 124.

¹⁰⁸ *Id.* at 121-22 (citing surveys).

¹⁰⁹ JAY J. COAKLEY, SPORT IN SOCIETY: ISSUES & CONTROVERSY 220 (7th ed. 2001).

In any event, women have reason to see favoritism running in the opposite direction. Their perception that men favor men in hiring is consistent with surveys finding that women's chances of obtaining a coaching position are lower under male than female directors.¹¹⁰ Women also have more difficulty advancing to positions of athletic director.¹¹¹ So too, women often experience difficulty gaining support and mentoring in male-dominated athletic settings, which can translate into burnout and early attrition.¹¹² Such problems may be compounded by backlash, stemming from the sense widely reported in our own and other surveys that Title IX has given women an unfair share of athletic resources.¹¹³ Women's frustration is likely to be particularly great where such attitudes translate into lack of compliance with Title IX mandates. Unsurprisingly, survey evidence suggests that coaches who perceive a lack of compliance are less likely to be satisfied with their position and to plan to stay in coaching.¹¹⁴

A final set of obstacles involves work/family conflicts. Part of the problem involves the persistent gender inequalities in family roles. Despite an increase in men's assumption of domestic responsibilities, women continue to shoulder a disproportionate burden in dual career couples.¹¹⁵ In one particularly illuminating study of high-achieving women, four out of ten felt that their husbands created more work than they contributed.¹¹⁶ Unequal domestic burdens pose particular problems for women in workplaces with highly demanding and inflexible schedules.

¹¹⁰ Kane, *supra* note 14, at 123; DRAGO ET AL., *supra* note 36, at 13.

¹¹¹ Warren A. Whisenant et al., *Success and Gender: Determining the Rate of Advancement for Intercollegiate Athletic Directors*, 47 SEX ROLES 485 (2002). Women also have had difficulty obtaining interscholastic athletic director positions at the high school level. Warren A. Whisenant, *How Women Have Fared as Interscholastic Athletic Administrators Since the Passage of Title IX*, 49 SEX ROLES 179 (2003).

¹¹² Kane, *supra* note 14, at 124; DRAGO ET AL., *supra* note 36, at 8, 14.

¹¹³ Kane, *supra* note 14, at 131.

¹¹⁴ Sagas & Batista, *supra* note 93, at 33, 37.

¹¹⁵ BUREAU OF LABOR STATISTICS, AMERICAN TIME USE SURVEY (2004) (n.p.); Donald G. McNeil, *Real Men Don't Clean Bathrooms*, N.Y. TIMES, Sept. 19, 2004, E3.

¹¹⁶ SYLVIA ANN HEWLETT, CTR. FOR WORK-LIFE POLICY, HIGH ACHIEVING WOMEN (2001); SYLVIA HEWLETT, CREATING A LIFE: PROFESSIONAL WOMEN AND THE QUEST FOR CHILDREN 143 (2002).

Inability to accommodate family responsibilities is a major reason why professional women step off the leadership track.¹¹⁷

It is also a primary explanation for women's underrepresentation in head coaching positions. Respondents in our survey, like those in other studies, noted the unrelenting and inconvenient schedules of athletic competition as a major obstacle for women with significant childrearing responsibilities. "Jobs that never end," expectations of "24/7" availability, and "family unfriendly" environments were typical observations.¹¹⁸ Such characterizations are consistent with census data indicating that the average workloads for male coaches are 2600 hours a year, and 2400 for female coaches, which are both well above the national average for full-time workers.¹¹⁹ At the same time, average hourly pay scales are well below the national average, which makes it difficult for many families to afford child care to cover extended schedules.¹²⁰

Not all of these problems are easily addressed, and some will require broader changes in cultural norms and institutional priorities. But as discussion below suggests, at least some are within reach of plausible reform strategies.

B. Problems in Title IX Enforcement

These barriers to women in collegiate coaching are further complicated by problems in Title IX enforcement. Many participants in our survey raised broader issues about statutory compliance that bear on gender equity for coaches in college athletics. Commonly cited

¹¹⁷ Sylvia A. Hewlett & Carolyn Buck Luce, *Off Ramps and On Ramps: Keeping Talented Women on the Road to Success*, HARV. BUS. REV., Mar. 2005, 43-45; Claudia Wallis, *The Case for Staying Home*, TIME, Mar. 22, 2004, at 52.

¹¹⁸ DRAGO ET AL., *supra* note 36, at 4-5, 18, 49.

¹¹⁹ *Id.* at 41.

¹²⁰ The average hourly earnings of full-time, full-year male coaches was \$16.22 compared with a national average of \$19.99 for male employees. The average hourly earnings for female coaches was \$12.88, compared with \$14.94 for female employees. *Id.* at 40.

problems ran in opposite directions. One involved inadequate enforcement: the lack of sanctions for noncompliance with Title IX, and the lack of independent checks on compliance data. The converse problem involved the negative byproducts of enforcement. The primary concern was the effect on male sports and talented male athletes who were deprived of competitive opportunities. But some women's teams suffered as well. The pressure to expand participation beyond the resources available often compromised morale and performance. Although the result might be to improve the school's perceived compliance with Title IX, it also subverts the purpose of the statute, which is to equalize opportunities for a successful athletic experience. At the root of this problem are financial constraints. Those same constraints were the source of most coaches' unhappiness with the state of their current programs. The vast majority of participants in our survey viewed additional resources as essential for success. Most who expressed a view on how to solve the problem felt that the appropriate response was to "equalize up"—to add resources for women's sports without taking away opportunities from men.

This is also the preferred response by many women's rights advocates and the Secretary's Commission on Opportunity in Athletics. Its report concluded, "Enforcement of Title IX needs to be strengthened toward the goal of ending discrimination against girls and women in athletics, and updated so that athletic opportunities for boys and men are preserved."¹²¹ As other commentators have noted, cutting male programs to finance female teams creates backlash against women and weakens support for Title VII enforcement.¹²² Yet how this result can be avoided under current budgetary constraints is a question on which few participants in our survey commented. The few who did suggested curtailing football expenditures, an approach commonly

¹²¹ COMM'N ON OPPORTUNITIES IN ATHLETICS, *supra* note 32, at 22.

¹²² Brake, *supra* note 1, at 467.

proposed by commentators.¹²³ The political feasibility of this response, like other reform strategies, deserves closer scrutiny.

The problems of women coaches are, in short, part of broader problems of statutory enforcement that are not readily resolved. But searching for strategies that will make modest headway in equalizing coaching opportunities is one way to address these broader problems. Making leadership opportunities more available to those who have bumped up against the limits of Title IX compliance may force renewed focus on compliance failures.

C. Strategies for Reform

The policy prescriptions that emerge from our survey and related research fall along a continuum. Some would require significant financial resources, which may be unrealistic given the tradeoffs involved. Others would require shifts in attitudes and priorities that will to some extent depend on broader changes in cultural values. However, some strategies involve relatively modest budgetary commitments and programmatic restructuring. And many serve both institutional and societal interests in evening the playing field for women and broadening the talent pool of coaches and athletic administrators.

Calls for heightened enforcement, sanctions, and oversight of compliance data face significant difficulties in the current political climate. Given the substantial other claims on government resources, the lack of strong public concern, and the likelihood of resistance by higher education constituencies, major changes in enforcement practices seem unlikely. However, continued pressure by athletic and women's rights organizations, together with

¹²³ John C. Weistart, *Can Gender Equity Find a Place in Commercialized College Sports?*, 3 DUKE J. GENDER L. & POL'Y 191, 225, 249-51 (1996); see also Sudha Setty, *Leveling the Playing Field: Reforming the Office of Civil Rights to Achieve Better Title IX Enforcement*, 32 COLUM. J. L. & SOC. PROBS. 331 (1999) (discussing treatment of football).

recently strengthened legal protections from retaliation for coaches who raise compliance issues, may make incremental progress possible.

Finding ways to increase financial resources for women's programs without curtailing men's poses comparable difficulties. The vast majority of higher education institutions confront escalating costs and flat or declining revenues.¹²⁴ Few of these institutions can realistically expect to find additional financial support for female sports through increased alumni contributions or revenue from men's athletic teams.¹²⁵ The only alternatives will be to use general funds or to reduce expenditures on male programs. Many college leaders are likely to view men's athletics as "just as good a source . . . [of increased budgets for women] as dollars that are spent on other important educational activities like need-based financial aid, reductions in class sizes, or expanded library and computing resources. . . . This is especially true if men have enjoyed more athletic opportunities in the past because of discrimination against female athletes."¹²⁶

One possible source of funds could come from curbing the arms race in football expenditures, which some experts believe already ill serves colleges' collective interest.¹²⁷ The difficulty lies in crafting responses that will not jeopardize any individual school's reputation and relations with alumni, students, state government funders, and the broader community. In the absence of any organizational or legislative initiatives that would cap certain expenditures for all institutions, most colleges may be reluctant to risk major curtailments. And in the 40% of NCAA schools that do not field football teams, other sources of funding for female sports will be

¹²⁴ See sources cited in DEBORAH L. RHODE, *IN PURSUIT OF KNOWLEDGE* (2006).

¹²⁵ John J. Cheslock & Deborah J. Anderson, *Lessons from Research on Title IX and Intercollegiate Athletics*, in *SPORTING EQUALITY*, *supra* note 45, at 137.

¹²⁶ *Id.* at 138.

¹²⁷ Brake, *supra* note 1; Weistart, *supra* note 123, at 249-51.

necessary.¹²⁸ These financial constraints will often prevent the kind of additional programmatic support that participants in our survey identified. However, institutions can at least focus on initiatives that will enhance opportunities for women coaches without requiring major shifts in resources.

One set of strategies should involve improved recruitment, hiring, promotion, and professional development processes. Greater exposure to coaching and administrative career paths should be available through special outreach programs, internships, and volunteer opportunities with younger athletes.¹²⁹ Employment-related decision-making should be formalized to reduce reliance on the “old boys’ network.” Standardizing job requirements and developing coaching certification systems could enhance both the fact and appearance of fairness.¹³⁰ Soccer, the only major sport with a clear certification process, is also the only one in which women’s representation in coaching has not declined.¹³¹ Institutions can also establish formal mentoring programs and provide financial support for attendance at career development programs for women in coaching and athletic administration.¹³²

A second cluster of strategies should focus on making athletic careers more responsive to family commitments. We do not lack for appropriate models across a wide range of professional, academic, and athletic contexts. Relevant initiatives include:

- Adequate family leaves;
- Part-time and reduced-hour arrangements;

¹²⁸ Cheslock & Anderson, *supra* note 125, at 138.

¹²⁹ DRAGO ET AL., *supra* note 36, at 25.

¹³⁰ *Id.* 50-51.

¹³¹ *Id.* 28.

¹³² For discussion of mentoring programs, see Rhode & Kellerman, *supra* note 105. For discussion of coaching and administrative programs, such as the NCAA Women Coaches Academy, see DRAGO ET AL., *supra* note 36, at 52. Several respondents in our survey commented on the value of such programs.

- Additional childcare subsidies, referral networks, placement opportunities, back-up assistance, and stipends for special arrangements during travel; and
- Work schedules and meeting times that are as responsive as possible to coaches' family obligations.

It bears note that almost half the participants in our survey considered child care and flexibility in meeting family concerns to be “important,” and another third felt that they were “very” or “most important” in building a successful program. Experience in many workplace contexts suggests that family-friendly initiatives can be highly cost-effective in boosting recruitment, retention, and job satisfaction.¹³³

A final group of strategies should aim to build more inclusive athletic environments and to hold leadership accountable for the results. A wide array of research finds that a key factor in ensuring equal opportunities is a commitment to that objective, which is reflected in workplace priorities, policies, and reward structures.¹³⁴ Athletic department leaders need to acknowledge the importance of diversity and equity, to assess progress in achieving them, and to address obstacles that stand in the way. Institutions tend to get what they measure, and too few athletic departments are measuring gender equity for women coaches and athletic administrators. Decision makers need to know whether men and women are being recruited, hired, and promoted in equal numbers, whether they feel equally well supported in career development, whether they experience gender, race, or sexual orientation bias, and whether work/family initiatives are adequate.

¹³³ Deborah L. Rhode & Joan Williams, *Legal Perspectives on Employment Discrimination*, in *SEX DISCRIMINATION IN THE WORKPLACE: AN INTERDISCIPLINARY APPROACH* (Faye J. Crosby, Margaret S. Stockdale & Ann S. Rupp eds. 2007).

¹³⁴ CATALYST, *ADVANCING WOMEN IN BUSINESS* 6, 12-13 (2003); KAREN KLENKE, *WOMEN AND LEADERSHIP: A CONTEXTUAL PERSPECTIVE* 173 (1996); Rhode & Kellerman, *supra* note 105; Cecilia L. Ridgeway & Shelley J. Correll, *Limiting Inequality Through Interaction: The End(s) of Gender*, 29 *CONTEMP. SOCIOLOGY* 118 (2000).

CONCLUSION

This is neither a modest nor a complete agenda, but it is essential if we are serious about achieving gender equity in college athletics. Women are unlikely to develop their full potential as athletes unless they see career paths that can make use of their talents. Yet equalizing leadership opportunities in competitive athletics is only one step toward achieving the broader objectives of full participation, physical health, and psychological benefits that early leaders of female sports envisioned. Expanding leadership opportunities for women in intercollegiate athletics could provide opportunities to rethink its priorities. Title IX at midlife has achieved enormous progress, but its promise remains unmet. The challenge now is to ensure that athletes who have been the statute's beneficiaries find a way to pass on their skills and commitments to the generations that follow.

APPENDIX A: SURVEY

Part I. Introduction to Survey

Dear Coach,

I am a professor at Stanford Law School conducting research on Title IX, and I would be deeply grateful for your participation in this brief survey of coaches of women's collegiate athletics teams.

Much has been written about the impact of Title IX on women in sports, but very little attention has been paid to the role of Title IX in collegiate coaching and the perspectives that coaches of women's teams might have on Title IX's effectiveness and on the state of women's athletics more generally.

It is crucial to have more knowledge from those like yourself who have relevant experience. So, thank you for taking the time to participate in this study. I also thank Dena Evans, who coached in the Stanford cross country/track & field programs from 1999-2005, for her very helpful feedback on the survey.

If you have any questions about this study—or any additional comments—please email them to survey_walker@stanford.edu.

IMPORTANT: If you could forward this survey link to other coaches of women's teams at your university or other institutions, I would greatly appreciate your help.

Thanks again for your help,

Deborah L. Rhode
Ernest W. McFarland Professor of Law
Stanford Law School
<http://www.law.stanford.edu/faculty/rhode/>

Question #1: Are you a head or assistant coach of a women's collegiate athletic team?

- Yes, I am a head coach of a Division I women's team.
- Yes, I am an assistant coach of a Division I women's team.
- Yes, I am a head coach of a non-Division I women's team.
- Yes, I am an assistant coach of a non-Division I women's team.
- Other (please specify): _____

Part II. What do coaches need to succeed at the collegiate level?

The following questions concern what you believe coaches need to succeed in women's athletics at the collegiate level:

Question #2: Please indicate the importance level of each of the following resources for a coach's success in college athletics:

(Choose One: Not Important, Not Very Important, Important, Very Important, Most Important)

- Financial Resources for Program Operations
- Salary and Benefits for Coaches
- Mentorship/Professional Development Resources
- Institutional Support (from College, Athletics Director)
- Resources for Recruiting
- Childcare Needs/Flexibility for Coaches' Family Concerns
- Staffing Resources (assistant coaches, administrative support)

Question #3: Other (please specify): _____

Question #4: Please comment on any of these above-listed resources or others that are not listed. What makes them so important to program success? Who is in the best position to provide the most important resources?

Part III. How far away is your program from the ideal situation?

The following questions ask for a self-evaluation of where your program is in comparison to the ideal situation:

Question #5: Please indicate your level of accordence with the following statements:

(Choose One: Strongly Disagree, Somewhat Disagree, Somewhat Agree, Strongly Agree)

- I receive salary and benefits that meet my needs and fairly compensate me for my efforts/performance.
- My job provides enough flexibility to allow me to take care of my familial and other personal responsibilities.
- My institution allocates budgets and support fairly between men's and women's teams, given their respective interests and abilities.
- I have had access to mentors and other professional development opportunities that have helped me succeed.
- I have the resources needed to recruit effectively.
- My athletes have the resources they need to succeed.
- The school administration supports my program and understands my program's needs.
- My program receives the financial (and administrative) resources necessary to succeed.

Question #6: If there is one thing you could change about your program (or personal situation affecting your program), what would that be?

Question #7: What do you feel is the most important ingredient for the successes you have had with your program?

Question #8: Please comment on any of the keys (or barriers) to success that you have experienced. We are particularly interested in identifying "best practices" and "common pitfalls" here, so any additional information would be greatly appreciated.

Part IV. What is the role of Title IX in promoting women's collegiate athletics?

The following questions gauge the role and effectiveness of Title IX for women's athletics:

Question #9: In your opinion, what effect has Title IX had on the following?

(Choose One: Very Strong Negative Effect, Some Negative Effect, No Effect, Strong Positive Effect, Very Strong Positive Effect)

- **WOMEN IN SPORTS:** the number of female athletes and athletics teams on college campuses
- **INTEREST IN WOMEN'S TEAMS:** general interest in, and significance of, women's athletics teams on college campuses
- **ALLOCATION OF RESOURCES:** the fair allocation of resources between men's and women's teams based on interest and ability
- **COACHING RESOURCES:** the resources college coaches of women's teams have to be successful
- **FEMALE COACHES:** the number and likelihood of women coaching at the collegiate level
- **LEADERSHIP:** the representation of women in leadership positions in college athletics (head coaches, athletic directors, and so forth)

Question #10: If you do not think that Title IX has had a favorable (or sufficiently favorable) effect, why not and what reforms would be appropriate?

Question #11: What more needs to be done to get more female coaches in college athletics?

(Mark all that apply)

- Mentorship/Professional Development of Prospective Female Coaches
- More Flexible Coaching Commitments
- Institutional Support of Prospective Female Coaches
- More Female-Friendly Environments in Athletics Departments
- Other (please specify): _____

Question #12: Why do you think that women are underrepresented at leadership levels in collegiate athletics (e.g., head coaches, athletic directors, etc.)?

Question #13: Please indicate your level of accordance with the following statements:

(Choose One: Strongly Disagree, Somewhat Disagree, Somewhat Agree, Strongly Agree)

- Male athletes prefer male coaches.
- Male athletes accept female coaches.
- Female athletes prefer female coaches.
- Female athletes accept male coaches.

Part V. Demographics

In conclusion, please fill out these quick demographics questions.

Question #14: Gender: Male / Female

Question #15: Marital Status: Single / Married / Domestic Partnership

Question #16: Do you have children? Yes / No

Question #17: Ethnicity

- African American
- Asian American/Pacific Islander
- American Indian
- Hispanic
- Caucasian
- Other (please specify): _____

Question #18: Age

- Under 25
- 26-35
- 36-45
- 46-55
- Over 55

Question #19: What is your highest level of education?

- High School
- Associates Degree
- Undergraduate Education (not completed)
- Undergraduate Degree
- Graduate Studies (not completed)
- Graduate Degree
- Other (please specify): _____

Question #20: What sport do you currently coach?

Question #21: What category best describes your team's performance during the previous season?

- Starting from the Ground Up
- < .500 Winning Percentage
- Average (about .500) Team
- Above Average Competitor
- One of Top Teams in Conference
- One of Top Teams in Nation

Question #22: Did you play this sport at a collegiate level?

- Yes
- No
- Other (please specify): _____

Question #23: What category best describes your collegiate athletic career?

- Not Varsity Athlete
- "Reserve" (Varsity)

- “Starter” (Varsity)
- “All- Conference”
- “All-American”

Question #24: Years of Collegiate Coaching Experience

- 0-2
- 3-5
- 6-10
- 10+

Part VI. Thanks for Participating

Thanks for participating in this survey. Please direct any questions concerning this study to survey_walker@stanford.edu.

Question #25: If you would like to receive a summary of the results of this research, please enter your email address:

APPENDIX B: SAMPLE

All are coaches of women's collegiate teams: 45% coach at the Division I level, while 35% coach at a non-Division I school.¹³⁵ Similarly, 76% are head coaches, and 23% are assistant coaches. Table 6 breaks down the survey sample in more detail.

Table 6. Survey Sample Summary

	Male	Female	Not Disclosed	Total
Head Coach	92	253	3	348
Assistant Coach	18	85	1	104
Other	1	9	0	10
Division I	75	211	3	289
Non-Division I	35	127	1	163
Other	1	9	0	10
Total:	111	347	4	462

In terms of family relationships, furthermore, about half of the respondents are single (47.5%); most of the remainder are married (43.5%), and 9% are in domestic partnerships.¹³⁶ Slightly over a third have children (35.2%). Women coaches are less likely to be married or have children. Over half the women coaches (53.5%) are single, while only one in four (28.8%) men coaches are single. Of the women coaches, 35.8% are married and another 10.8% have domestic partners, while 67.6% of men coaches are married and 3.6% have domestic partners. Similarly, only about one in four female coaches (28.6%) have children, while over half male coaches (55.9%) have children.

In terms of other demographic characteristics, nine in ten coaches who responded are white; the remainder are African Americans (3.1%), Asian-American/Pacific Islanders (2%),

¹³⁵ Ten other coaches filled out the survey. These individuals are former coaches of collegiate teams that have moved into administrative positions within their schools.

¹³⁶ Seven respondents declined to indicate their marital/relationship status.

Hispanics/Latinos (2.2%), and American Indians (0.9%).¹³⁷ Almost half of the responding coaches are 35 or younger; slightly over a third (39%) are 26 to 35, and another 8% are under 25. Slightly under a third are 36 to 45 years old (30.2%), and most of the remainder are 46 to 55 years old (17.2%). Only 5% of the responding coaches are over 55. No noteworthy gender differences emerge with respect to ethnicity or age.

The coaches surveyed come from experienced educational and athletic backgrounds. Almost half have graduate degrees (46.9%),¹³⁸ while 85% played their respective sport at the collegiate level.¹³⁹ Years of coaching experience varied significantly, but almost half (44.4%) of the coaches reported over ten years of coaching experience—and nine out of ten coaches reported at least three years of coaching experience at the collegiate level.¹⁴⁰ These coaches also self-reported their highest level of performance while in college: slightly over a quarter (26.4%) were “all-American athletes,” slightly under a third (30.8%) were “all-conference,” and over a quarter (29.4%) were varsity “starters.” Another 6.6% were varsity “reserves”; only 6.8% were not varsity athletes. No noteworthy gender differences emerge in coaching experience or level of education, but there is a significant difference in college athletics experience. Over 90% of women coaches reported playing their respective sports in college, compared with two-thirds

¹³⁷ Six coaches classified themselves as “other,” while eleven coaches did not disclose their ethnicity.

¹³⁸ Of the remaining individuals, 87 had completed undergrad and had incomplete graduate studies (19.1%), while 140 had undergraduate degree with no graduate school experience (30.7%). Two had high school diplomas as their highest education level, one with an associate’s degree, six with an incomplete undergraduate education, and another six that marked “other.” Six respondents did not indicate educational background.

¹³⁹ Only 43 coaches had not played their sport in college (9.5%), while seven did not respond to this question.

¹⁴⁰ Of the remaining coaches, 23.2% (106 respondents) reported having coached from six to ten years, 22.3% (102) reported coaching from three to five years, and 10.1% (46) reported coaching less than three years. Five coaches did not respond to this question.

(66.7%) of men coaches.¹⁴¹ Similarly, only 35.3% of men coaches reported being either “all-conference” or “all-American” athletes in college—in comparison to 63.8% of women coaches.

The respondents came from varied sports, but most were in relatively high performing programs. Sixteen different sports were represented in the survey with only four sports—field hockey (15.6%), golf (16.0%), gymnastics (14.5%), and lacrosse (13.0%) constituting over 10% of the survey sample. When asked to evaluate the success rate or state of their programs, over two thirds (67.9%) responded that their program was at least “above average.” Over half (53%) coached one of the top teams either in their conference (27.7%) or in the nation (25.3%). Men coaches report to be coaching, on average, better teams: 80.1% of men report coaching at least “above average” teams, in comparison with 64.0% of women coaches.

¹⁴¹ This finding could be skewed if some respondents interpreted the question—“Did you play this sport [the one the respondent now coaches] at a collegiate level?”—as playing for a women’s team.