

Athletic opportunities are educational opportunities: Enforce Title IX to help girls and women thrive

In a single sentence, Title IX precipitated a sea change for girls' and women's sports participation nationwide. But change has been slow to come, and more progress is long overdue.

Background: Title IX and athletics

Title IX was opposed on many fronts throughout the 1970s, including by the NCAA, college sports' powerful governing body, which pressed Congress for an outright exemption to Title IX for revenue-producing sports, i.e., football and men's basketball. That exemption would have seriously undermined the impact of Title IX at the collegiate level.

In 1979, after years of fits and starts, the Department of Education's Office for Civil Rights (OCR) issued [an intercollegiate athletics policy](#) that provided detailed guidance on how to comply with the law.

Very briefly, OCR outlined a three-pronged approach for assessing whether an institution is providing equal sports participation opportunities. This approach still applies today:

1. **Proportionality.** The number of male to female participation opportunities is substantially proportionate to their representation in the institution's overall student body, *or*
2. **Expansion.** The institution demonstrates a continuing history of working to expand women's athletics programs and participation opportunities, *or*
3. **Accommodating interests.** The institution fully meets the interests and abilities of the underrepresented gender (i.e., female). Note that subsequent OCR guidance has made clear that surveys of just currently enrolled female students are not sufficient for assessing interest; nor can colleges or universities that recruit nationally assess the viability of a new women's athletics team based simply on how prevalent it is at secondary schools in its own geographical area or even its larger region.

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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.

—Title IX of the Education
Amendments of 1972

Beyond this first, three-pronged test, OCR guidance specifies numerous additional factors to review—such as operating and recruiting budgets, the quality of facilities, and coaches’ qualifications—to assess whether equal treatment and benefits are being provided to both sexes.

Why are sports participation opportunities for girls and women worth fighting for?

The impact of sports participation on girls’ and women’s lives is lifelong and life changing. The Women’s Sports Foundation (WSF) 2020 *Chasing Equity* report documents multiple benefits of sports participation for girls and women across three broad categories:

| Physical benefits | Social/emotional benefits | Academic/leadership benefits |
|---|---|---|
| <ul style="list-style-type: none">• Lower risk of obesity• Lower blood pressure• Higher levels of cardio-respiratory fitness• Reduced risk of cardiovascular disease• Reduced risk of breast cancer | <ul style="list-style-type: none">• Improved psychological well-being• Greater life satisfaction• Stronger sense of belonging• Improved self-esteem• Reduced symptoms of depression, anxiety and stress | <ul style="list-style-type: none">• Improved academic achievement• Higher high school graduation rates• Higher college attendance rates and retention• Greater involvement in extracurricular activities• Opportunities for leadership and learning |

Who benefits from sports participation now?

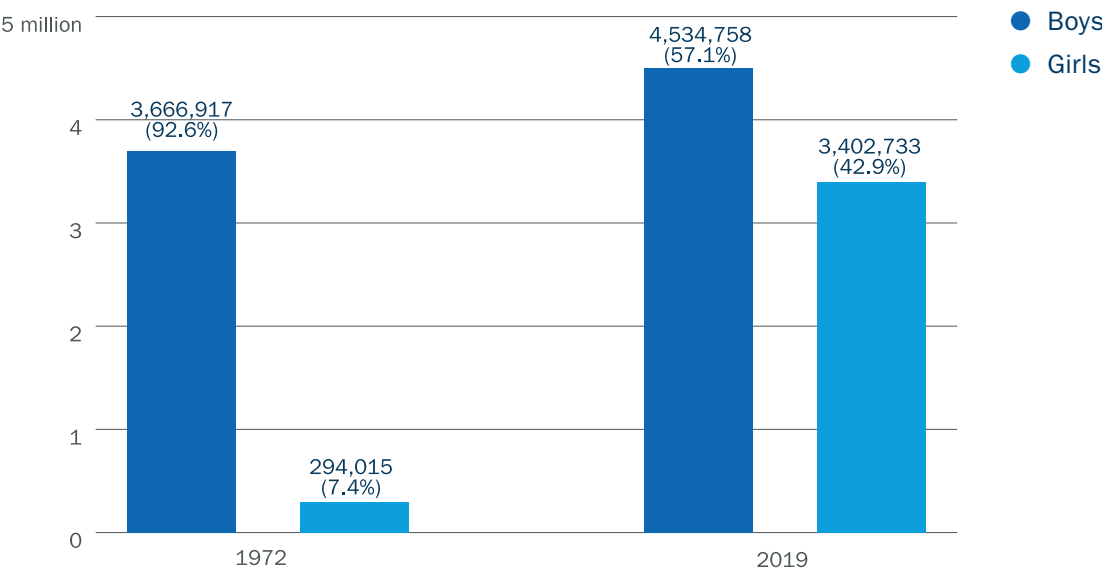
Title IX is powerful legislation and has led to significant increases in girls’ and women’s sports participation. But the data reveal there’s still a long way to go to achieve gender equity.

High school participation

In 1972, when Title IX was passed, 93% of high school athletes were boys and just 7% were girls. By 2019 (the

most recent year reliable data are available due to the pandemic), that proportion had shifted dramatically to 57% boys and 43% girls. (See Figure 1.) Over that time, according to [NCAA analyses](#), girls’ participation numbers grew more than 11 times—but still have not reached the boys’ 1972 level: In 1972, 3,666,917 boys played high school sports, over a quarter-million more than the 3,402,733 girls who played nearly 50 years later, in 2019.

Figure 1. High school sports participation by gender



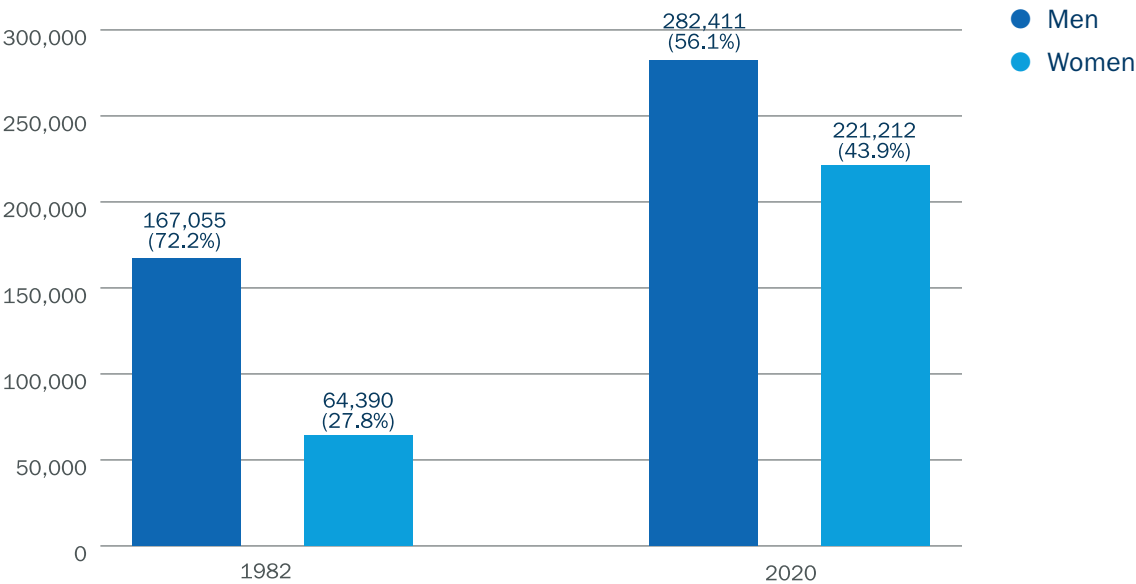
Source: [National Federation of State High School Associations](#)

The high school proportionality gap in 2019—that is, the difference between girls’ enrollment (48.5%) and their participation (42.9%) levels—was 5.6%. To remedy that gap *without diminishing opportunities for boys*, high schools would need to offer 867,864 more opportunities for girls to play varsity sports. In other words, nearly 900,000 high-school-age girls are missing out every year on the benefits of sports participation that Title IX entitles them to.

College participation

In 1982 (the year the NCAA began sponsoring women's sports and tracking data), NCAA college athletes were 72% men and 28% women. In 2020, they were 56% men and 44% women, as shown in Figure 2.

Figure 2. NCAA championship sports participation by gender



Source: [The State of Women in College Sports](#), NCAA, 2022.

The proportionality gap at the college level tells an even worse story than at the high school level given that many more women than men are enrolled in college. In 2020, women comprised 55% of the overall undergraduate enrollment across the nearly 1,100 NCAA member institutions—and yet were just 44% of all college athletes, creating a proportionality gap of 11%. To remedy this gap *without diminishing opportunities for men*, NCAA colleges and universities would need to offer 123,957 additional opportunities for women to play varsity sports.

Participation opportunities are educational opportunities

Girls and women who play sports graduate high school and attend college at higher rates than their peers who don't participate. At the collegiate level, athletes can be awarded scholarships for their skills—and Title IX mandates that athletic scholarships and other financial aid awarded to athletes be substantially proportionate to men's and women's participation rates.

In the 2019-20 academic year, however, male athletes received \$252 million more in athletic scholarships than did female athletes. According to the [WSF](#), if athletic scholarships had been awarded to female athletes in proportion to their enrollment, they would have received an additional \$750 million in athletics-related financial aid.

That missing three-quarters of a billion dollars in financial support each year is an enormous loss of educational opportunities for women. And women of color are at an even more significant disadvantage when it comes to reaping the benefits of sports participation: [NCAA demographic data](#) reveal that 30% of all NCAA college athletes are white women; just 14% are BIPOC.

The financial benefits alone of attending college and earning a bachelor's degree are substantial. According to the U.S. Census Bureau's [2020 Current Population Survey](#), median earnings for women between the ages of 25 and 34 with bachelor's degrees are twice the median for female high school graduates. That's true year-over-year and can mean the difference between long-term financial security or lifelong struggles.

In terms of leadership and career success, a striking [96% of women CEOs surveyed in 2017](#) said that they had played high school or college sports. In follow-up interviews, the CEOs often cited the lessons sports taught them about teamwork and dedication as contributing to their success.

Title IX's reach

This piece focuses on sports participation opportunities and athletics scholarships, but it's important to know that Title IX addresses all facets of schools' and colleges' athletics programs. Those include, to cite a few, the quality of facilities (playing fields, locker rooms, etc.), medical services, travel and accommodations, and coaching staffs' size and qualifications. Importantly, Title IX also serves as the legal basis for cases charging discrimination in other areas such as sexual assault, sexual harassment, and bias against LGBTQI+ students.

50 years later: What can be done to achieve Title IX's potential?

Fifty years after its adoption, violations of Title IX's mandates for athletics programs are widespread from kindergarten through college. What can be done?

Education. A 2022 [Ipsos/University of Maryland](#) survey of more than 1,000 parents and more than 500 children ages 12 to 17 found that more than half of the parents and nearly three-fourths of the children had not even heard of Title IX.

Organizations such as the [National Women's Law Center](#) (NWLC) and the [Women's Sports Foundation](#) are powerful advocates of women's rights and Title IX and produce solid research and resources. To help spread their good work, and others', a federal policy requiring posters that clearly and simply outline students' rights under Title IX be displayed in locker rooms, athletics facilities and other locations in educational institutions could go a long way toward sparking action. Such a policy has precedent in the required posting of labor laws in workplaces. Those posters inform workers in multiple languages of their rights such as the minimum wage and mandated breaks for nursing mothers. OCR's [Confronting Anti-LGBTQI+ Harassment in Schools](#) is an excellent example of a

display piece that speaks directly to students and their families.

Transparency. Among its many responsibilities, OCR administers the [Civil Rights Data Collection](#) (CRDC), a mandatory survey of elementary and secondary schools designed to enable OCR to collect and analyze data related to educational equity. The survey covers topics ranging from numbers of teachers and students and their demographics to disciplinary actions and academic offerings. The survey also asks for the numbers of single-sex athletics teams offered and participants by gender. Even that basic data, however, does not appear to be readily searchable in the CRDC database.

On the other hand, at the collegiate level, the [Equity in Athletics Disclosure Act](#) (EADA) has mandated highly detailed, annual reporting on multiple aspects of collegiate athletics programs since 1994. Moreover, the Department of Education's [Equity in Athletics Data Analysis Cutting Tool](#) makes that data readily available, comparable and transparent.

Transparency is critical to driving change. High schools should be required to report additional data—via the CRDC or another mechanism—related to boys' and girls' treatment and benefits per Title IX's athletics-related requirements. And that data should be readily accessible to the public.

Funding and enforcement. The Department of Education's Office for Civil Rights is responsible for enforcing and implementing Title IX. OCR's jurisdiction covers several additional laws in addition to Title IX addressing, for example, laws that prohibit race, disability and age discrimination. OCR's FY2021 [Report to the President and Secretary of Education](#) notes that while the volume of complaints received by OCR has grown exponentially—increasing from less than 3,000 in FY1981 to a projection of more than 28,000 in FY2022—OCR's staffing during that time frame was halved, from nearly 1,100 FTEs in FY1981 to an estimated 562 FTEs in FY2022.

Despite its yeoman's efforts, OCR's staff is clearly overmatched. In FY2021, for example, OCR was able to initiate just 17 proactive investigations, compared to resolving more than 8,000 complaints that year. Congress should show support for the enforcement of civil rights in our nation by increasing funding for staffing at OCR.

Culture. This one's a lot harder than educational posters! But to help girls and women achieve athletics equity, we all need to step up to it on several fronts. For example, male-dominated control of televised sports dictates what's available and promoted to the public. A [USC/Purdue University review](#) found that in 2019, televised sports news and highlight shows focused on men's sports 95% of the time—and that 80% of the time those programs made no mention of women's sports at all. Women's sports are undervalued even by those who stand to benefit from them: The NCAA has been bundling women's basketball with 28 other sports in its current ESPN deal, worth about \$34 million per year in total to the NCAA. Yet [independent expert analysis](#) in 2021 found that women's basketball alone actually is worth far more than that—estimated at somewhere between \$81 and \$112 million annually by 2025, when the current ESPN contract expires.

Myriad examples of cultural issues surrounding women in sports are too easy to find—such as [mandated bikini-bottom uniforms](#) for European women's beach volleyball

players—but suffice it to say that young girls and women need to see strong (and not sexualized) athletic role models, as do their parents and community, to create space for them to fully reap the benefits of sports participation. Without question, tremendous talent, excitement and interest in women's sports exists now and is ready to be tapped.

In closing

The 50th anniversary of Title IX has been an inspiring celebration, but it's been a wakeup call too. A recent *New York Times* article headlined [The Real Enforcers of Title IX: Angry Parents](#) notes persistent widespread athletics inequities in our nation's high schools and that Title IX's enforcement often depends on angry parents acting locally. To achieve the promise of Title IX and help girls and women thrive in a society that puts far too many other hurdles in their way, let's work to build a world where no one has to fight for girls and women to play.

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