

<http://www.kcstar.com/ncaa/part5.html>

• [Part 1](#) | [Part 2](#) | [Part 3](#) | [Part 4](#) | [Part 5](#) | [Part 6](#) | [Databases](#) | [Quizzes](#)



- [Sports](#)
- [Business](#)
- [FYI](#)
- [Local](#)
- [Showtime](#)

Part 5

NCAA certification program does little to improve gender equity

By *KAREN DILLON - Staff Writer*

Date: 10/09/97 00:30

BATON ROUGE, La. -- The NCAA says it deplors the unequal treatment women athletes receive at most of its colleges and that it has a program to correct that.

The program is called certification. Witness it in action:

Southern University provided men athletes a dozen showers with tiled walls. Women athletes got two portable shower stalls with torn curtains and plastic pipes running across the floor. The showers didn't even work -- hadn't for a couple of years. That wasn't unusual at Southern, where women got only a quarter of the athletic operating expenses.

The NCAA certified Southern anyway, meaning the university met NCAA standards for gender equity.

The NCAA also looked at Louisiana State University, where just a month before a judge had ruled that the university did not meet the federal law for equal treatment of women.

Certified, the NCAA said.

At the University of Kentucky, the proportion of women athletes has fallen in the last two years even though the proportion of

Rich Sugg/The Star
Softball players at Kansas State, including Toni Parks of Council Grove, Kan., were forced to form a club-level team.

women in the student body increased.

Certified.

The NCAA's record is consistent: Almost none of its campuses complies with federal law, yet the NCAA has never failed to certify a school.

It is no longer news that women have far fewer athletic opportunities than do men, even though this year marks the 25th anniversary of Title IX, the federal law mandating equal treatment.

What isn't widely known is the NCAA's role in preserving the status quo.

To be sure, the NCAA has no legal obligation to enforce Title IX. That responsibility falls to the federal government, which claims it doesn't have the staff to do the job.

The NCAA, however, has publicly accepted a moral duty to help women athletes. In fact, it has added a principle to its constitution saying each campus is responsible to comply with federal law.

"Shouldn't we be providing the same opportunities for female athletes that we have been providing for male athletes?" NCAA Executive Director Cedric Dempsey asked this spring at an NCAA seminar on Title IX.

In 1993, the NCAA began a program that required each Division I college to show progress in gender equity in order to win certification. A college must be certified to compete in the NCAA.

The program is a failure, an investigation by *The Kansas City Star* shows. The NCAA certifies campuses that provide women with fewer teams and far less money than men and that offer no proof they plan significant change.

The NCAA will not comment on specific campus certification plans, but Dempsey said the association's gender equity goals are deliberately broad to allow colleges independence in meeting them. It is also possible that the NCAA worked out "strategies for improvement" with individual colleges, but those are not public, he said.

"Anyone who suggests that the NCAA is ignoring the issues related to gender equity is not paying attention to facts," Dempsey

said.

Critics point out, however, that the NCAA has fought Title IX since its inception.

In the two years after the law passed in 1972, the NCAA spent more than \$300,000 on a lobbying effort against it. It succeeded to some extent in shaping the regulations but not in killing Title IX.

In 1976 the NCAA went to federal court in Kansas City, Kan., requesting a permanent injunction against enforcement of the law. Two years later Judge Earl E. O'Connor dismissed the case and said the NCAA was only trying to protect its share of college money.

Since then, NCAA colleges have continued to argue that Title IX will destroy football if they comply with the law. A football squad is so big -- 85 or more players -- that it throws off the balance of men and women athletes, leaving a school with a difficult choice: spend a lot of money it doesn't have to add women athletes or cut some men's sports.

Damaging football is foolish, powerhouse schools argue, because football pays for itself and sometimes even pays for other sports, including women's, which almost never make money.

The arguments are not airtight. For one thing, less than 40 percent of the 230 Division I colleges that play football make money on the sport. For another, football may not be the obstacle to reaching Title IX. In the nearly 100 Division I schools that don't even play football, women are still only 44 percent of the athletes, according to a computer analysis by *The Kansas City Star*.

Women would be about half the athletes if the NCAA met "proportionality," the main test for determining compliance with Title IX. Under proportionality, women athletes should roughly mirror enrollment. In other words, if 50 percent of students are women, about 50 percent of athletes should be women.

But in the 305 big schools that play in the NCAA's Division I, women make up 52 percent of enrollment but account for only 37 percent of all athletes, 38 percent of student aid given to athletes and 25 percent of athletic operating expenses.

Smaller schools have bigger gaps. Although 55 percent of the students enrolled in Division II colleges in 1995-96 were women,

only 36 percent of athletic scholarships went to women, according to *The Star's* analysis. Divisions II and III have no formal certification process.

Behind all those numbers are struggling women athletes like Amy Fickel and her Bowling Green State University ice hockey teammates. After playing a game in Michigan at 11:30 p.m. -- the only time they could get a rink -- the women drove four hours back to Ohio because they couldn't afford to stay overnight.

Bowling Green gives \$750 a year to the team, which plays at the club level, below varsity. The men have two teams -- club and varsity -- and even the club team got \$2,100 last year.

Thad Long, club sports director, said some women's teams receive less money because they lack experience, including the ice hockey team. "They have picked one of the most expensive sports," he said.

But the disparity isn't surprising -- although 58 percent of Bowling Green students are women, women varsity athletes get only 21 percent of operating money.

"In their hearts, the NCAA doesn't believe in treating women fairly," said Marianne Stanley, who coached Old Dominion University women to three national basketball championships.

Stanley later left the University of Southern California after demanding pay equal to George Raveling, then the men's basketball coach. A USC spokesman denied she was fired. Stanley remained out of work for two years and now coaches at California-Berkeley.

"What we have here is athletic apartheid," Stanley said.

Plans inconsequential

The NCAA started the certification program after feeling pressure from women sports advocates who were fed up with slow progress.

The association took some other initiatives, such as adopting a gender equity mission statement, conducting two studies that were highly critical of athletic programs and easing requirements to help increase the number of women athletes. The staff began a program to educate colleges about women's issues and student

welfare. But certification became women's best hope for NCAA help.

"It seems to me we've been very proactive in supporting Title IX," Dempsey said.

The certification program requires every Division I college to do a self-study explaining how it plans to expand women's sports and improve gender equity. The NCAA reviews the plan and, if it is acceptable, certifies that the college meets association standards.

"The certification process has been very helpful," said Samuel Smith, chairman of the NCAA Executive Committee and president of Washington State University.

But *The Star's* investigation shows:

- Many of the plans colleges filed will never bring them into compliance with Title IX.
- The NCAA always certifies those plans.
- Once certified, some colleges often don't even bother to follow their own frail plans.
- Even if it wanted to catch those problems, the NCAA couldn't because it's so far behind in certifying colleges.

By August, almost 200 of the 305 Division I colleges should have been certified, according to the NCAA's schedule. But four years after starting the certification process, only 142 schools have finished it, putting the NCAA about a year behind schedule. The certification committee will add three members soon to speed the process, said Wally Renfro, an NCAA spokesman.

It hardly matters. Certification has done little to advance women's sports even among schools that have completed it.

Take the University of Kentucky, where the proportion of athletes who are women dipped from 32 percent in 1994-95 to 31.3 percent in 1996-97. A spokesman said Kentucky added a women's softball team last year but also bulked up its men's basketball, football and baseball squads.

In May the NCAA approved Kentucky's plan, even though it provided no road map for reaching equity.

Last year the NCAA also certified Kansas State University, where women made up 29 percent of the athletes compared with 46

percent of enrollment, even though the college's plan offered no schedule for reaching equity. The college still has no schedule, officials said.

K-State also is one of two Big 12 schools that don't have varsity softball teams. Terra Simonson coached a club-level team last spring that played fraternities to raise entry fees for real tournaments. "I pushed and pushed" for funding, Simonson said.

Athletic Director Max Urich said K-State elevated rowing, which allows more participants, to varsity instead of softball, and doesn't have enough money for more women's teams.

At least K-State offered the NCAA a written certification plan.

The University of Virginia was certified in July 1996 even though its plan acknowledges, "There is no formal document describing the Athletics Department plan for gender equity." The school finally drew up a plan this year.

About 40 other schools have been certified with conditions, often because they didn't bother to put their plans in writing. Once they submit written plans, all colleges are certified.

"A school has to be pretty incorrigible in order to not be certified," said David Knopp, NCAA director of compliance services. The NCAA may check plans more carefully in the next round of certification, Knopp said.

In the meantime, as weak as many plans are, some colleges don't bother to follow them.

Southwest Missouri State University projected three years ago it would add at least 90 women athletes by 1999-2000. Today, it still needs to add 85 women.

Bill Rowe, athletic director, said the university had forecast some large teams but not enough athletes signed up.

The Oklahoma State University plan promised to comply with Title IX by the 1998-1999 school year, in part by increasing the number of women track athletes to 68 this past year. But *The Star* found that the school counted indoor and outdoor track team members, even though they are the same athletes.

The school had only about 35 track participants, about the same

number as the year before. School officials blamed the error on a former coach and said they are now revising the plan.

Southern University's five-year plan was outmoded even before the NCAA certified it last year.

For example, the plan reported that women's basketball and volleyball teams use the same dressing and shower facilities -- even though women don't have lockers or showers. The basketball showers that didn't work were finally yanked out without working replacements.

"It is demeaning," said Shakeya McCoy, a basketball player and junior from Peoria, Ill.

Still, said Moses Dupre, academic compliance adviser, the NCAA suggested Southern not move too fast implementing teams and changes. "The certification team indicated to us we were a little bit too aggressive," Dupre said.

Knopp said he couldn't comment on remarks made during the certification process.

Turning to the courts

Blame NCAA politics for the flaws in certification.

Once the NCAA decided to begin certification, questions about Title IX loomed: Would schools have to submit a plan for complying with Title IX before they could be certified?

The major football schools, NCAA Council and Presidents Commission all lobbied against making Title IX the goal. The committee designing certification then decided:

- Instead of aiming at Title IX, the goal would be something more vague called "gender equity."
- Instead of reaching gender equity, schools would only have to plan how to improve in it.

Basically, many schools just didn't want to be forced to comply with Title IX, Knopp said. "I think that is why the (certification) program was developed with the most conservative approach," he said.

Backers of Title IX gave in, hoping just to get something on the

books. "You have to start somewhere," said Marcia Saneholtz, senior associate athletic director at Washington State University and a committee member.

Besides, the backers thought, other committees could then go on to write strong regulations putting teeth into certification. That never happened.

NCAA secrecy hides that weakness. Even though the NCAA touts certification, it will not release the school plans to the public. Some public schools released their plans themselves, although several private schools would not.

Proponents of certification maintain that it at least has made colleges aware of the law. Indeed, although proceeding slowly, schools are adding women's teams.

But the courtroom remains the only resort of many women athletes.

The federal Office of Civil Rights, responsible for enforcing Title IX, says it has too little time and money to track violations -- and in fact relies on the NCAA for help.

"It's really up to people like yourself, people in the NCAA who are setting some very good standards," Mary Frances O'Shea, Title IX national coordinator for the civil rights office, said this year at an NCAA seminar.

And, in fact, that's what the federal government thinks certification is doing. The U.S. General Accounting Office wrote in a recent report that the NCAA was helping its members reach gender equity.

Meeta Sharma, a GAO evaluator, said in an interview she thought the NCAA was requiring schools to comply with Title IX. "We thought the whole idea...was the plans would spell out how to achieve compliance with Title IX," she said.

But they don't, and athletes like Julie Grandson have only lawsuits as leverage.

Women soccer players had to buy their own soccer balls and shin pads when the University of Minnesota-Duluth started the varsity team in 1995, according to a suit filed by Grandson.

Women traveled in a decrepit minibus and slept three or four to a room. Men got pregame meals, women didn't. All the while the college was giving state money that had been designated for women to men's sports, according to the suit.

Grandson filed the lawsuit after being forced to quit soccer because the school reneged on scholarships. "I had a car payment, rent, insurance," she said. "There was no way I could do it."

University lawyers said in their response to the lawsuit that the issue was moot because the school reached an agreement this year with the Department of Education to comply with Title IX. Last month the chancellor announced women's ice hockey would be added in 1999.

Bob Corran, who became athletic director this summer, said women have received their soccer scholarships for the coming year. As for the misdirected state money, general counsel Mark Rotenberg said the university replenished the funds after complaints sparked an internal inquiry.

One recent court case vividly showed the weakness of NCAA certification.

The lawsuit against LSU grew out of a 1991 effort by Beth Pederson to upgrade women's soccer from a club sport to varsity. Pederson and her soccer teammates had to pay for most of their travel expenses and uniforms. They were trunk dwellers, often living out of the backseat of a car when attending out-of-town games.

After the lawsuit was filed, LSU began spending \$4 million on new facilities and adding women's teams. In January 1996, though, Judge Rebecca Doherty found LSU in violation of Title IX and said its plan for reaching compliance didn't go far enough.

Doherty, who pointed out that athletic participation at the time was 71 percent male, wrote: "LSU's approach suggests ignorance of the changed social fabric in this country."

Just a month later, the NCAA saw a very different picture.

The compliance committee certified LSU's gender equity plan, writing that it had "shown that it operates its athletics program in substantial conformity with operating principles adopted by the Division I membership."

The federal judge finally accepted a revised plan from LSU a year and a half later.

Women consistently win such lawsuits, but sometimes at the price of ostracism on campus. Men at the University of California-Fresno called women athletes "dykes" and "lesbians" after a lawsuit was filed several years ago.

"Why didn't the other coaches, the athletic department want to give everybody equal treatment?" Maureen Brady, a softball player, says today. "Why did we have to fight and make it a miserable place for everybody to be?"

A settlement in the case requires all colleges in the California state system to comply with Title IX by 1998-99.

Whose job is it?

Ultimately, NCAA officials defend their record by saying it's not their job to enforce federal law.

"We are not a government agency," said Patty Viverito, head of an NCAA committee on women's issues.

Title IX is a campus issue, said Dempsey, who was athletic director at the University of Arizona before joining the NCAA in 1993. "I think as an association our best effort has to be to provide the information to assist the campuses to find their own unique way to handle it," Dempsey said.

But critics say the NCAA must take action because it's the only powerful sentry in college sports.

"There is an NCAA unwillingness to really confront the problem, which leaves institutions believing they must solve it on their own campus," said Christine Grant, an athletic director at the University of Iowa.

"So we stand by ourselves wringing our hands."

Reformers hoped the NCAA restructuring that took effect in August would create change by putting college presidents in charge instead of athletic directors and other sports officials. But schools represented by members of the Executive Committee have the same gender equity figures as the NCAA average, *The Star's* analysis shows.

Only 38 percent of the athletes at Executive Committee schools are women, and they get only 32 percent of athletic operating expenses.

"Presidents ultimately are afraid of going up against a football coach or alums," said Donna Lopiano, executive director of the Women's Sports Foundation.

Donna Shalala, secretary of the U.S. Department of Health and Human Services, expressed disappointment over presidential reform this spring during the Women's Final Four, where she released a study saying women athletes lead healthier lives and often are leaders.

"As the presidents have taken more and more of a role in the NCAA, our expectation was we will do better on Title IX," said Shalala, a former chancellor of the University of Wisconsin and president of Hunter College who served on NCAA committees.

"That hasn't happened."

Few NCAA officials were in Cincinnati to hear Shalala. In fact, top NCAA officials were almost a no-show until the championship game.

So no NCAA officials were among the dozen people on the platform in Cincinnati when Corrine Carson, a Marymount University basketball player, was named player of the year for Division III.

Afterward, in a hallway, Carson recounted the biggest disappointment of her year: The difference in treatment between men's and women's teams.

Her 28-2 team went to a tournament in Georgia, traveling 11 hours by bus.

Marymount men, with a losing record, flew off to play basketball in the Bahamas.

Database editor Gregory S. Reeves contributed to this article.