

# Title IX Compliance

Issue Brief No. 7-January 2006

**Synopsis:** Following a comprehensive, system-wide review of Title IX compliance, South Dakota's public universities are investing additional resources to ensure comparable participation opportunities for women and men in athletics programs. The South Dakota Board of Regents looked to internal reallocations at the universities, private scholarship donors, athletic revenues, and student activity fees. Funding has been identified for the compliance plans, except for a portion of one-time facility improvement costs. Total cost of those improvements is \$4,130,714. The Board of Regents' system will internally reallocate funds totaling \$3,389,111 and is requesting general funds to cover the balance of \$741,603.

## Title IX—It's the Law

Enacted as part of the Education Act Amendments of 1972, Title IX requires all educational institutions that receive federal money to assure male and female students have equal opportunities to participate in all institutional programs. Athletics programs have always presented unique challenges for Title IX compliance, given the need for specialized facilities, equipment supplies, and coaching and training staffs. Title IX compliance for the university athletics programs requires consideration of 13 separate aspects of program operation:

- Athletics scholarships
- Accommodation of interests and abilities
- Equipment and supplies
- Scheduling of games and practice times
- Travel and per diem allowance
- Tutors
- Coaches
- Locker rooms, practice and competitive facilities
- Medical and training facilities and services
- Housing and dining facilities and services
- Publicity
- Support services
- Recruitment of student athletes

## South Dakota—Compliance by FY07

South Dakota's public universities have undertaken a comprehensive, system-wide review of Title IX compliance. An outside consultant, Alden & Associates Inc. of Amherst, Mass., conducted a compliance review on behalf of the Board of Regents. The regents also asked Alden to help review proposals the institutions developed to resolve concerns, and to follow up on implementation of the institutional plans.

As a result of the compliance review, half of the South Dakota universities are adding new sports to their athletic offerings — softball and golf at Black Hills State University, soccer at Dakota State University, and equestrian at South Dakota State University.

At institutions where there are no plans to add sports, two strategies will be pursued to increase the percentage of women athletes participating in sports programs:

- Rosters will be managed for men's sports to avoid carrying excess players.
- More women will be encouraged to participate on existing sports teams.

## Title IX Costs

The universities have redirected \$823,067 of base funds to address Title IX compliance. Student fees have also been increased to generate \$790,627 annually. This represents an ongoing commitment to Title IX compliance of \$1.6 million annually, with no increase in state investment. Scholarship funding from the foundations will need to increase by \$426,926 each year to meet Title IX compliance.

The only request for added funding is \$741,603 of one-time funds.

Institution	Internal Reallocations	Student Fee Increases	Private Fundraising & Athletic Revenues	Total Cost	One-Time Facility Needs
BHSU	\$143,670	\$143,670	\$54,926	\$342,266	\$1,135,740
DSU	\$64,880	\$32,440	\$16,000	\$80,880	\$85,500
NSU	\$44,380	\$44,380	\$6,000	\$94,760	\$34,500
SDSM&T	\$40,500	\$40,500	\$0	\$81,000	\$20,000
SDSU	\$331,750	\$331,750	\$350,000	\$1,013,500	\$1,225,000
USD	\$197,887	\$197,887	\$0	\$395,774	\$731,000

The compliance review identified a number of inferior facilities that must be upgraded to ensure equal treatment. Facility needs also address the additional sports offerings.

Institution	Title IX Facility Needs	Identified Costs	Funding Identified	General Fund Request
BHSU	Locker Room Upgrades	\$923,714	\$727,169	\$196,545
	Office Space	\$96,000	\$96,000	
	Softball Fields	\$950,000	\$750,000	\$200,000
		\$1,969,714	\$1,573,169	\$396,545
DSU	Softball Dugouts Upgrade	\$2,000		\$2,000
	Portable Outfield Fence	\$3,500		\$3,500
	Soccer Field Upgrades	\$25,000		\$25,000
	Locker Room Space	\$55,000	\$52,902	\$2,098
		\$85,500	\$52,902	\$32,598
NSU	Soccer Field Upgrade	\$9,500	\$2,674	\$6,826
	Office Space	\$25,000	\$25,000	
		\$34,500	\$27,674	\$6,826
SDSM&T	Medical Training Facility Improvements	\$20,000	\$20,000	
		\$20,000	\$20,000	
SDSU	Renovate Locker Space	\$1,100,000	\$1,100,000	
	Softball Facilities	\$125,000	\$125,000	
		\$1,225,000	\$1,225,000	
USD	Renovate Showers and Locker Rooms	\$350,000	\$350,000	
	Improvements to Soccer Fields and Seating	\$60,000	\$60,000	
	Improvements to Softball Fields	\$11,000	\$11,000	
	Improvements to Indoor Tennis Facilities	\$375,000	\$69,366	\$305,634
		\$796,000	\$490,366	\$305,634
<b>Total</b>		<b>\$4,130,714</b>	<b>\$3,389,111</b>	<b>\$741,603</b>