

Gender Equality in College Athletics

Assessing Fifty Years of Title IX

Nineteen seventy-two was a monumental year for women's sports. The United States Congress passed Title IX of the Education Amendments of 1972, a law that prohibited discrimination based on sex in educational programming including school-sponsored sports.¹ In the eyes of many Americans, this signified the start of progress toward equality in college athletics. Yet, more than a half century later, the quest for parity remains unfulfilled. The glaring inequalities exposed during the National Collegiate Athletic Association's (NCAA's) 2021 men's and women's basketball championships made this freshly clear. Men's teams participating in what has become known as the "March Madness" tournament enjoyed an elaborate training facility, piles of participant swag and gifts, and unlimited steak and shrimp buffet-style meals. Meanwhile, participants in the women's tournament disclosed via social media that their teams had access to paltry training support, minimal commemorative gear, and prepackaged, calorie-controlled meals. In fact, there was no sign that the women's tournament was part of "March Madness." Instead of the iconic "March Madness" insignia used to promote the men's events on jerseys, television broadcasts, tournament facilities, and fan apparel, the courts on which the women played were emblazoned with the mere text "NCAA Women's Basketball." University of Connecticut acting head coach Chris Dailey commented, "I think it looks a little embarrassing on the court when you see 'Women's Basketball' and nothing

¹ Throughout, we employ the language of sex, gender, male, female, women, and men carefully and provisionally. We offer a detailed discussion about our use of language later in this chapter.

connected to March Madness. There are women playing, so clearly it's women's basketball. I think everyone can get that. So, I think that certainly it's something that needs to be discussed" (Associated Press 2021).

Significant public discussion ensued. The NCAA leadership initially claimed that insufficient space at the host hotel was the reason for the women's negligible training facilities (Hensley-Clancy 2021b). But Sedona Prince, a University of Oregon player, gave the lie to their claims in a viral TikTok video. Prince's post revealed a near empty ballroom, featuring only one tower of hand weights and a pile of yoga mats, reserved for the women to train. She also posted the video on Twitter where it was retweeted over 210,000 times.² Athletic training staff posted contrasting images of the men's facilities that included dozens of weightlifting stands, barbells, and heavy weight plates to simultaneously accommodate multiple teams. Journalists in every major American news outlet began to cover the story.

Women athletes, coaches, and fans alike expressed indignation on social media at the revelations. Former longtime head coach of the University of Notre Dame's women's basketball program, Muffet McGraw (2021), tweeted:

While I appreciate the outrage, the fact that there's a huge disparity between men's and women's sports is hardly breaking news. We have been fighting this battle for years and frankly, I'm tired of it ... The fact that there are inequities in facilities, food, fan attendance, and swag bags is not what bothers me. What bothers me is that no one on the NCAA's leadership team even noticed ... Well time's up gentlemen. This generation of women expects more and we won't stop until we get it.

The NCAA president, Mark Emmert, eventually responded that "it is pretty self-evident that we dropped the ball in supporting our women's athletes, and we can't do that ... What do we need to do better? How do we make up for those shortcomings from this day going on and create the kind of gender equity that we all talk about ... to make sure it's a reality, not just language?" (Dinich 2021). Under intense public pressure, athletic leadership thus acknowledged the issues.

Nevertheless, only a few months after the basketball tournaments, evidence of inequalities emerged again, this time in college baseball and softball. The 2021 NCAA-sponsored men's baseball "College World Series" ensured the players had rest days between games and offered recreational golf outings and recuperative massages. In sharp contrast,

² See https://twitter.com/sedonaprince_/status/1372736231562342402?lang=en.

teams in the NCAA-sponsored “Women’s College World Series” softball tournament endured a lack of showers at the stadiums and few, if any, off days between games. Many teams even played two games a day, with some games starting near midnight since the inflexible women’s tournament schedule did not account for weather delays (Leonhardt 2021). And this, despite fan interest in women’s softball ranking near the top of all college sports, regularly exceeding viewership of the men’s College World Series (Elchlepp 2021). Patty Gasso, coach of the 2021 national champion softball team from the University of Oklahoma, retorted, “we’re still not being treated [the same n]or [do we] have the same opportunities, amenities that others do. And it’s sad for me... It’s kind of shameful, it really is, and I am committed to help this change” (Hoover 2021).³

These events invite deeper investigation into gender inequalities in college athletics. They also highlight the important advocacy roles of student-athletes (i.e., varsity collegiate athletes who compete for school-sponsored teams), coaches, and leaders within the system. Indeed, the day after Prince’s video of the women’s lackluster basketball tournament training facilities went viral, the chair of the NCAA Committee on Women’s Athletics (CWA), Suzette McQueen, took action. She wrote to NCAA president Emmert that the basketball tournament conditions “undermined the NCAA’s authority as a proponent and guarantor of Title IX protections” (West 2021). The NCAA agreed to an external equity review of its championships.⁴ The review, the first phase of which was released in August 2021, offered a damning evaluation of sex bias in NCAA championship practices, referring to the inequities as “significant and systemic” (Kaplan Hecker & Fink LLP (KHF) 2021a, 108). It also noted that while Title IX does not directly apply to the NCAA itself, it “does apply to the vast majority of NCAA’s member” colleges and universities and thus federal policy

³ Similar critiques of subpar venues and media coverage also emerged during the 2021 NCAA women’s volleyball tournament (Olson 2021).

⁴ The review came in response to the CWA and a letter from thirty-six Democratic Members of Congress (Hensley-Clancy 2021c) and was conducted by the law firm Kaplan Hecker & Fink (aka KHF). Five months later, the review concluded that “it is beyond dispute that there were significant disparities” between the treatment of the men’s and women’s championships and that the “experience” for participants in the women’s tournament “was markedly different from and inferior to that of the men’s” (KHF 2021a, 7). On September 29, 2021, the NCAA announced it would allow the women’s tournament to use the March Madness trademark and change the budgeting model of the tournaments. The long-term material effects of these efforts remain to be seen.

“provided [the taskforce] with a helpful lens for assessing the gender equity of the NCAA championships” (4).⁵

The NCAA subsequently ensured that the 2022 basketball tournaments did not repeat the same massive public displays of inequalities – men and women were provided similar facilities and food, and both tournaments employed the “March Madness” label in marketing, television broadcasts, merchandise, and arena insignia. The recommendations emerging from the external report and the changes made by the NCAA to the 2022 tournaments may suggest the subtle hope of movement toward real equality in collegiate sports. However, in the aftermath of the external review the NCAA made no commitments to directly address the deeper gendered inequalities that pervade college sports (see KHF 2021b). Even the 2022 changes to the basketball tournament, while certainly important, remained relatively superficial. For instance, no changes were made regarding revenue distribution (e.g., how money is allocated in the men’s and women’s tournaments) – an issue that the external report noted as a central factor in the subordination of the women’s events (KHF 2021a, 93–95). Reacting to the 2022 revised practices and the initial shifts toward more equitable management by the NCAA, one columnist aptly noted: “That’s all fine and good. It’s also low-hanging fruit. Fifty years after the passage of Title IX ... the NCAA was goaded into these simple changes after an internally ordered reviewer blistered the organization for an old-school, male-centered approach ... The true test has yet to come. Simple changes go only so far” (Streeter 2022a). The future for high-profile championships *and* quotidian opportunity and spending practices that we detail later in this chapter (and which pervade colleges and universities across the country) remain unclear.

In this book, we provide an assessment of gender equality in collegiate athletics fifty years after the passage of Title IX. Although much has evolved for women in sport since 1972, we illustrate the consequences of quiescence in recent years. There has been an absence of vigorous leadership among the most empowered stakeholders (i.e., the NCAA, members of Congress and federal bureaucrats, high-level university administrators). We seek to understand why and explore the possibility of agitation toward change in policy. We investigate whether protests

⁵ Title IX specifically targets “education programs” but not, according to the US Supreme Court, the NCAA itself (see *NCAA v. Smith*, 525 U.S. 459, 469 (1999)). However, the NCAA does provide guidance on gender equity considerations to its member institutions who must comply with federal law.

and demands from key actors, like those instigated in 2021, are likely to generate improved future practices. We also interrogate how the structures of college sports – that is, the institutions that govern it – protect the status quo and undermine initiatives for change. Our framework and analyses are relevant for those who study the politics of college sports and beyond. We illustrate how institutions – particularly those that promote segregation as a vehicle for equal treatment, that prioritize cultural norms of the historically dominant group, and that enable profit-seeking as a goal within colleges and universities – can undermine the political quest for full equality.

We begin by establishing, in this chapter, the context of policy and practice in which recent events at NCAA tournaments emerged. As we detail, all conversations about equality in American collegiate sports are indebted to the passage of civil rights laws in the 1970s. We first summarize the history of Title IX, and we characterize the cultural mythos that often frames it as a unique policy success. Next, we raise questions about the accuracy of this frame and present evidence that interrogates it. Our skepticism stems from a pervasive reality: Despite federal law that outlaws sex discrimination in educational institutions, significantly inequitable practices persist. We illustrate this, provide an outline for the book, and gesture toward the needed policy change – and troubling institutional roadblocks – that will define the future of efforts to obtain equality. To be clear, lackluster leadership that neither enforces Title IX nor attends to the need for nuanced evaluations of how well it currently functions have rendered the insufficiencies of the status quo. Our aim is to lay bare the consequences of inaction and to diagnose and explore alternative possibilities (and structural limitations) to pursue meaningful progress.

1.1 THE PROMISE AND THE REALITY OF TITLE IX

In order to look to the future, we should first explain the past. The policy framework for this book emerged forty-nine years before the events of 2021, in a year that is often hailed as an inflection point in the evolution of women's rights. Therein, the US Congress passed the Education Amendments of 1972, including Title IX that states: "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."⁶

⁶ 20 U.S.C. §1681.

Sports are not enumerated in the law, nor were they the main focus of lawmakers before its passage (Edwards 2010; Rose 2018). However, the initial spotlight on sex bias in classrooms, graduate admissions, and faculty appointments swiftly expanded to encompass extracurricular, school-sponsored athletics programs during debate over policy design in the 1970s (Sharrow 2017). In recent years, most journalistic coverage and the majority of Americans celebrate Title IX as a pivotal policy that ended the exclusion of girls and women in athletics and offered them full educational opportunities in the classroom.⁷ Much like the 100th anniversary of women's suffrage in 2019, the 50th anniversary of Title IX in 2022 invited inevitable assessments of sex nondiscrimination policies and their consequences.

This dominant story of Title IX's success is a powerful one. On its fortieth anniversary, President Barack Obama (2012a) declared that Title IX has "helped to make our society more equal in general." Undeniably, a great deal of evidence substantiates this claim. In higher education, women outnumber men in college enrollment and now receive graduate degrees at parity with men in many fields (Rose 2018). Improved higher educational attainment opened the workplace for women (Hanson, Guilfooy, and Pillai 2009). In collegiate sports, competitive opportunities for women have ballooned roughly twelvefold since the early 1970s (NCAA 2017a; Wilson 2022). In turn, women and girls who participate in sports are more likely to live healthier lives (Callison and Lowen 2022; Kaestner and Xu 2010; Staurowsky et al. 2015). These impacts sharply contrast with the uneven effectiveness of gendered policies aimed at pay inequity, parental leave, access to childcare, and workplace sexual harassment. On balance, sex-based oppression and inequalities remain thorny problems. Yet Title IX is often discussed (both implicitly and explicitly in media, policy reports, and scholarship) as an exceptional, liberal feminist policy *success*. Although activists and elected officials continue to seek improved policy enforcement, including in its application to sports, Title IX is commonly framed as "the most important step for gender equality since the 19th Amendment gave us the right to vote" (Bernice Sandler quoted in Wulf 2012).

But what *is* the status of women in college athletics a half century after Title IX became law? How close do current practices come to achieving

⁷ Several studies show that much journalistic attention employs progressive narratives of Title IX's success, promoting the idea that discrimination is a vestige of the past (Roessner and Whiteside 2016; Whiteside and Roessner 2018). Public opinion has long supported Title IX (Sigelman and Wilcox 2001; YouGov 2017).

sex equality? Although there is some merit to Title IX's success story, it also hinges on a powerful dose of underexamined folklore. While equitable opportunities for women have expanded over the past half century, the promise of *full equality* remains unfulfilled, particularly in athletics. As we document later in this chapter, men are persistently provided greater numbers of athletic roster spots, significantly more financial support for their teams, and the preponderance of coaching and athletic leadership opportunities. Likewise, the benefits of expanded athletic opportunity have disproportionately favored cisgender, able-bodied, White women from middle-to-upper-income families, revealing the intersectional shortcomings of the policy (see NWLC and PRRAC 2015; Pickett, Dawkins, and Braddock 2012).⁸

Political disputes over the efficacy of Title IX often pivot to whether better enforcement could end inequality. On Title IX's fortieth anniversary, President Obama (2012b) also noted, "We have come so far. But there's so much farther we can go. There are always more barriers we can break and more progress we can make. As president, I'll do my part to keep Title IX strong and vibrant." Scholars (e.g., Yanus and O'Connor 2016), public figures (e.g., Romero and Yarrison 2012), advocacy groups (e.g., Barnett and Hardin 2011; NCWGE 2022; Staurowsky et al. 2020), and journalists (e.g., Barra 2012; Hardin and Whiteside 2009; Wulf 2012) typically embrace status quo policy design even while recognizing persistent inequalities. This perspective suggests that extant inequalities can be addressed through better policy administration and oversight, ultimately pursuing equality *within* existing policy parameters.

If the conventional wisdom about Title IX is correct, then movements for better enforcement should be sufficient to secure equality. However, there is plentiful evidence of insufficiencies in the status quo, such as that revealed during the 2021 basketball tournaments. This evidence persists despite fifty years of policy implementation. Even the ostensibly more equitable 2022 NCAA basketball tournaments remain the exception rather than the norm. As we noted, initial changes to the tournament structures do not address systemic issues (such as tournament revenue sharing), and they have not produced a widespread shift to routine, non-tournament practices across institutions where leadership also remains lacking. Ultimately, the events of 2021 and 2022 merely reveal the practices of the NCAA. Although the NCAA is a key player in college sports whose choices reveal much about the gendered order of college sports,

⁸ Throughout, we have opted to capitalize "White" (see Ewing 2020).

narrowly focusing on their tournaments does not fully capture the status of equality, nor the quality of efforts to implement federal policy.⁹ As we will show, when we take an overall look at nationwide practices, the average and overall gendered athletic participation, resource allocation, and leadership inequalities at colleges and universities across the country are stark. This evidence raises questions about whether extant policy, if better enforced, will suffice in its current form.

Rather than reifying the assumption that mere pressure toward policy enforcement will be sufficient to produce full equality, we adopt a critical perspective. We set out to study whether existing structures provide adequate vehicles for the push toward parity, and if not, why? As the circumstances in 2021 illustrate, public attention to inequality implies that student-athletes, coaches, leadership, and fans are well poised to propel needed adjustments to the status quo. Indeed, such exogenous pressures on the NCAA were key to securing the external gender equity review, and research shows that policy stakeholders are often crucial actors in advocating for enforcement or transformation (e.g., Campbell 2003).

But how likely is it that such groups *will* push for widespread policy change? In this book, we tackle this question head-on. We do this by scrutinizing whether and how initiatives for gender equity could emerge from student-athletes, college sports coaches and athletic administrators, the mass public, or college sports fans. The success of such initiatives, we argue, will be key to defining the future possibilities for equality.

Ours is more than a speculative argument. We test our predictions with multiple original, direct solicitation surveys with student-athletes, coaches, athletic administrators, and the American public, including fans (total $N = 7,500$ respondents). Our surveys query support for gender equity initiatives (i.e., policies that aim to improve equality of outcomes); our findings reveal substantial institutional hurdles in the pursuit of equality.

Drawing on theories of interpersonal contact (among student-athletes), organizational culture (among athletic administrators and coaches), socialization effects of sports participation (among the public), and political economy (among fans), we reveal how potential pathways to reform are blocked by four institutional conditions. First, sex-segregated athletic training and competition – incentivized under the status quo policy

⁹ Indeed, the aforementioned external equity review explicitly focused on the narrow issue of college basketball tournaments and not on the larger systemic inequalities that we document later in this chapter.

design – block coalition formation among student-athletes. Those competing in the “men’s” versus “women’s” categories are less likely to push for full equality. Second, organizational culture (i.e., assumptions taught to and brought to bear on those who work within an organization) inhibits progressive leadership among women working as coaches and administrators in college athletics by conservatizing their preferences. Third, sex-segregated youth athletic experiences – specifically in high school – indelibly socialize young men to accept the marginalization of women. Such consequences endure into adulthood regardless of men’s interest in sports later in life. Fourth, the economic pressures from college sports fans who prefer the status quo impede reform. These rarely acknowledged conditions present core roadblocks to change.

Our findings offer underappreciated perspectives on public policy. First, efforts to obtain sex equality have not been achieved merely through bureaucratic implementation of Title IX in its current form. Nuanced evaluations of Title IX’s legacy must grapple with this fact. Second, our results demonstrate how institutions and policy design can shape policy preferences in ways that undermine potential efforts to obtain equality now and in the future. The status quo is (and will likely stay) unequal, at least in part, because coalitions to demand equality remain suppressed. When steady efforts to promote equality are constrained by existing structures, it reveals the need for fundamental institutional and cultural change. Finally, we provide lessons from this case study of Title IX for those who seek to design policy and institutions that address the marginalization of any excluded group. We situate our book within the landscape of efforts to promote egalitarianism via policy interventions in the United States and demonstrate that our findings have broad implications for the future of gender equality.

1.2 CONTEXT AND CASE LOGIC: CIVIL RIGHTS AND THE UNFINISHED JOURNEY TO EQUALITY

Of all possible windows into the status of gender equity, why study non-discrimination policy in sports? Although intercollegiate and interscholastic athletic programs have drawn much of the attention and debate about Title IX, the law itself is one of many federal civil rights policies. Civil rights policies such as Title IX are designed to protect against discrimination and improve the status of marginalized groups in America. Title IX’s focus on school-sponsored athletics is one component of its general ban on sex discrimination in educational programming of all

types. Thus, it is imperative to study policy impacts on equality in sports because athletic teams are components of American education.

We follow a long tradition of normative Western political thought by focusing on questions of equality (e.g., Fraser 2009; Klinkner and Smith 1999; Smith 1997; Young 2000). Although equality constitutes a core tenet of full citizenship in democratic societies (Smith 2022), history and feminist critique demonstrate that ascriptively liberal political orders, even those in the contemporary United States, can still fall short on the full incorporation of women into society and public life (see Brown 1988; Mettler 1998; Ritter 2006). In recent years, and particularly (though not exclusively) after the election of Donald Trump to the American presidency, both political scientists and theorists alike have grown increasingly concerned about women's status in American democracy (e.g., Brown 1995; Honig 2021; Strolovitch, Wong, and Proctor 2017; Threadcraft 2016). Evidence suggests an uneven efficacy for sex-equity policies at work (Edelman 2016; Edelman and Cabrera 2020), policies securing reproductive rights and autonomy (Solinger 2019; Ziegler 2015), and policies designed to prevent violence against women (Sidorsky and Schiller 2023; Sweet 2021). Such gendered policies are regularly under scrutiny, often underenforced, and increasingly under threat. Notably, the day after the fiftieth legislative anniversary of Title IX in June 2022, the US Supreme Court ruled in *Dobbs v. Jackson Women's Health Organization*, effectively ending federal abortion rights granted by the 1973 *Roe v. Wade* decision. Gendered backlash – to borrow a term coined by Susan Faludi (1991) to describe conservative political pushback to the feminist movement's policy success – is imminent. Such events underscore the need for rigorous analyses of public policies intended to promote gender equality. To the extent that Title IX *has* been a successful tool for addressing inequality in the male-dominated realm of athletics, there may be lessons for solving women's oppression elsewhere in society.

By the same token, identifying points of policy failure is crucial if Title IX is to be appropriately used as a model for other policies. In other domains, much is known about the difficult task of societal change via public policy. Civil rights policies in particular have proven uneven in their effectiveness at addressing workplace inequalities (Dobbin 2009; Edelman 2016), lack of equitable educational access (Bell 2004; Bowen and Bok 1998), and the needs of people with disabilities (O'Brien 2001; Pettinicchio 2019). More generally, multiple studies document the unfinished and often retrogressive business of addressing race-based

discrimination (Barnes 2021; Fording, Soss, and Schram 2011; Pollock 2008), legacies of homophobia (Canaday 2009), and other forms of bias at the intersections of race, gender, class, and sexuality via public policies (Crenshaw 1991; Michener and Brower 2020). Similar appraisals of policy inadequacies under Title IX should also inform the next era of policy design and implementation, particularly if or when feminist movements must respond to backlash.

Political scientists have said relatively little about the influence of Title IX on intercollegiate sports (although see McDonagh and Pappano 2007). Anecdotally, scholars theorize that Title IX's implementation educated women on their gendered political rights (Mettler and Soss 2004, 61) but with limited rigorous assessment of how or with what effect. This silence persists despite increasing interest in the political consequences of public policy with respect to mobilizing beneficiaries (Campbell 2003; Michener 2018), stimulating their long-term civic participation (Mettler 2005), and rendering shifts in public opinion (Lerman and McCabe 2017; Mettler and Soss 2004). Elsewhere in the field, scholars recognize the important impacts of women as elected representatives, social movement leaders, and voters, despite their chronic underrepresentation in political institutions (e.g., Dittmar, Sanbonmatsu, and Carroll 2018; Lawless 2015). Yet scholars give limited attention to the ways that women have been influenced by and in turn have come to shape subsequent policy debates about Title IX. Given Title IX's ostensibly transformative effects, the void of political science research is noteworthy.

Other disciplines have had more to say, albeit with different foci. For instance, economists demonstrate that Title IX's implementation in sports positively altered women's workforce participation (Stevenson 2010) and physical health (Kaestner and Xu 2010). Sociologists analyze how policy facilitates expansive shifts in understandings of gender (Cooky and Messner 2018; Messner 2002; Schultz 2014) and how girls' sports participation increases the likelihood of completing a college degree (Troutman and Durfur 2007). Policy historians and legal scholars provide context for the ongoing battles over interpretation and compliance (e.g., Belanger 2016; Brake 2010; Buzuvis and Newhall 2012; Rose 2018; Sharrow 2021b). Beyond sports, recent scholarship traces the centrality of women's activism in reshaping Title IX's application to addressing sexual misconduct on college campuses (Brodsky 2021; Reynolds 2019).

This scholarship reveals the importance of insider-advocates in Title IX's history. Our previous research on student-athletes' opinions about

equality in college athletics made us curious about the potential for policy reform movements, emerging from either beneficiaries or other interested parties (Druckman et al. 2014a; Druckman, Rothschild, and Sharrow 2018; Sharrow 2017). We aimed to study such possibilities for shaping the future of policy across the *constituencies* of American collegiate sport. We also suspected that Title IX's implementation and repercussions would be attenuated by the historic *structures* of college sports – particularly as they relate to sex-differentiated competition, one topic that has been more thoroughly problematized in political science research (McDonagh and Pappano 2007; Sharrow 2021a). Thus, we set out to research this book based on an instinct that analyzing college sports provides a rare opportunity to study policy constituents, possibilities for policy change, and the impacts of contemporary institutional segregation on policy opinions and policy coalitions.

1.2.1 Governance and Organization of College Sports

More generally, understanding policy in college sports provides insights about the politics of women's inclusion into historically exclusionary spaces. Intercollegiate athletics before Title IX were notoriously male-centric in both competitive venues and governance structures (Cahn 1995). The first men's intercollegiate competition was in 1852 and the NCAA, the now-dominant college sports governing entity, began organizing competitive athletics for men in 1910.¹⁰ College leaders made no efforts to nationally organize women's sports competition until 1941. Even then, it was the Division for Girls and Women's Sport of the American Association for Health, Physical Education and Recreation, not the NCAA, that convened the first national collegiate women's championship in golf.

Athletic programming was similarly sidelined in congressional debate on discrimination against women in education and was scarcely considered

¹⁰ The NCAA does not govern all American college athletics, although it organizes and oversees the preponderance of institutions (nearly 1,300) and student-athletes (over 460,000 annually). Elsewhere, the National Association of Intercollegiate Athletics governs athletics at small colleges in North America, the National Junior College Athletic Association governs athletics for community/junior colleges in the United States, and the National Christian College Association (NCCA) governs competition among some Christian colleges in the United States and Canada. Neither club sports nor intramurals are governed by the NCAA. Many club sports have distinct governing bodies (e.g., the National Intramural-Recreational Sports Association, National Federation of Collegiate Club Sports Leagues). Only varsity athletics sponsored by NCAA member institutions fall within our study design.

until *after* the 1972 passage of Title IX (Edwards 2010; Sharrow 2017). In 1971–72, only 15 percent of collegiate varsity athletic opportunities were available to women (Staurowsky et al. 2022), an imbalance that swiftly drew the attention of activists interested in defining the breadth of sex nondiscrimination. Federal policy deliberation throughout the 1970s concerned the means for addressing this imbalance. Aggressive lobbying efforts from men’s coaches, organized through the NCAA, argued that men’s sports should be allowed to retain their independence. Although final federal regulations disconfirmed the notion that men’s teams were entitled to act with disregard for women’s equality, vestiges of the idea that men’s sports are the “real” college sports whereas women’s competition is merely a sideshow persist in contemporary athletics.

In practice, the regulations incentivized creation of “separate but equal” women’s teams. Today, Title IX remains a nondiscrimination policy that requires similar, but not identical, treatment of women and men in school-sponsored sports (see Brake 2010, chaps. 6 and 7). Policy design to define and combat sex discrimination under Title IX addresses issues of access, opportunity, treatment, and resource allocation. Schools need to provide proportional athletic opportunities (including scholarship dollars) and equivalent treatment and benefits to women and men (US Department of Education Office for Civil Rights [OCR] 1979). As feminist legal scholars note, Title IX blends “measures of equality that are substantive and results oriented” (Brake 2010, 8), requiring institutions to ensure nondiscrimination in sports through a variety of means that we detail in what follows. Ultimately, contemporary college sports are built on guidelines crafted in the 1970s and in which policymakers merely required existing, male-dominated, athletic departments to add new women’s teams without otherwise requiring them to change their administrative practices or personnel. Moreover, equal spending is *not* required under law.¹¹

In practice, policy thus protected rather than challenged central structures of androcentric athletic institutions. It required the creation of new sex-segregated teams, largely governed by preexisting men’s leadership, as the “nondiscriminatory” solution to long-standing exclusions. Policy guidelines did not require coed teams, joint practice facilities, or shared coaches across sex-separated structures, nor did such practices widely emerge organically. Policymakers imported binary organizational logics to entrench separate “men’s” and “women’s” teams, presuming and

¹¹ For the history of congressional debate over equal funding, see Suggs (2005, chap. 4).

privileging access for cisgender athletes (Sharrow 2017). Thus policy design, not merely preexisting norms or customs, cemented growth in “separate but equal” sports teams (Sharrow 2013, 2021a).¹² Legalized sex segregation paired with limited policy interference into athletic leadership sustained, rather than disrupted, the preexisting dominance of men’s sports and leadership.

Decades hence, sex-based segregation in athletics is profoundly normalized. Whereas sex segregation is outlawed or outmoded in almost every other social realm (see Sharrow 2021a; Strum 2004), alternative organizational bases for school-sponsored sports are rarely discussed (with the obvious exception of organizing competition by age or skill – i.e., junior varsity teams – in interscholastic sports). The institutionalization of segregation through policy design is key to this normalization. Early in life, children invariably engage in sex-integrated play at school and in their neighborhoods. Hextrum (2021, 97) aptly explains, “Institutions formalize, and in turn gender, children’s play. Schools route children’s play into formalized and regulated channels ... eliminating opportunities for youth to design their own physical contests. In these formal settings ... institutions’ representatives ... taught them the right way to play. This ‘right way’ retained a masculine athletic structure.” Various other organizational principles could be (and occasionally are) deployed to structure athletic competition, such as height, weight, age, or ability (Cooky and McDonald 2005; Hextrum 2021, 98; Sharrow 2021a). However, Title IX’s policy guidelines consider only sex for organization of teams (and even then, tend to narrowly conflate “sex” with sex assigned at birth except where participation guidelines for gender-diverse participants broaden eligibility).

The institutions that govern and oversee sex-separate competition – that is, sports governance organizations – also developed in segregated contexts. The NCAA now publicly supports current policy guidelines, though its record on Title IX reveals periods of aggressive resistance to sports equity. During initial debates over how to construct equity policy in sports, the NCAA sued the US Department of Health, Education, and Welfare (HEW) in an attempt to invalidate the federal regulations in 1978.¹³ It contended that HEW, the agency of the federal bureaucracy

¹² During the twentieth century, access to physical education and recreation increased significantly for girls and women, also often in segregated spaces. Women physical educators were key players in debates over integrated physical education (Verbrugge 2012).

¹³ *National Collegiate Athletic Association v. Califano*, 444 F. Supp. 425 (D. Kans., 1978), affirmed, 622 F. 2d 1382 (10th Circ. 1980).

then charged with administering Title IX, exceeded its authority in promulgating requirements for its member institutions.¹⁴ The court ruled against the NCAA, finding that it did not have the legal standing to contest the regulations (Schubert, Schubert, and Schubert-Madsen 1991). During that period, women's athletics was governed by the Association for Intercollegiate Athletics for Women (AIAW), founded in 1971. By 1981, only two years after the federal government finalized Title IX's enforcement guidelines, the NCAA abruptly changed its stance on women's sports and began hosting its own women's championships. The AIAW suffered significant loss in membership and financial income as a result of the NCAA's decision to monetize women's championships (Festle 1996). It filed an unsuccessful antitrust lawsuit against the NCAA to retain governance of women's collegiate athletics (Wushanley 2004). Thus, the AIAW, unable to compete with the financial incentives offered to participating schools by the NCAA, ceased operations in 1982. In the years that followed, the NCAA incorporated women's sports into its governance structure and replicated Title IX's policy design by instituting sex-separate national championships.

1.2.2 Equity Guidelines and the "Three-Part Test"

Throughout the 1980s and 1990s, political institutions were the venue for significant policy debate about enacting Title IX. As the NCAA asserted its leadership over intercollegiate competition, scores of women pushed for policy enforcement at their individual institutions in efforts to obtain equal opportunities. This meant that many women employed direct pressure on leadership by filing federal-level complaints to the OCR in the US Department of Education or pursuing lawsuits (Brake 2010; Reynolds 2019). These actions facilitated growth in women's athletic teams by demanding action on federal policy guidelines at colleges around the country.

One particular lawsuit, *Cohen et al. v. Brown University*, inspired clarification of enforcement mechanisms that paradoxically made policy more detailed and less enforceable (OCR 1979; see also Brake 2010; Sharrow 2013).¹⁵ Since the *Cohen* decision, OCR specified that schools must pass the "three-part test" of compliance with Title IX (OCR 1996).

¹⁴ The US Department of Education, founded in 1979, now oversees implementation and enforcement of Title IX.

¹⁵ The case was brought by women student-athletes at Brown University where athletic administrators demoted their varsity gymnastics and volleyball teams to club status; the

College athletic departments must either: (1) provide participation opportunities and scholarships for women and men that are substantially proportionate to their undergraduate enrollments, (2) demonstrate a history of continuing expansion for the “underrepresented sex” (i.e., women), or (3) show evidence of having accommodated the “interests and abilities” of the underrepresented sex. Although political debates about compliance rules resurfaced in the early 2000s (see Sharrow 2020; Suggs 2005, chap. 10), the “three-part test” remains the dominant policy guideline.

However, current federal standards provide such leeway for unequal practices that no institution has ever confronted a loss of federal funding – Title IX’s ultimate enforcement provision – from a policy investigation. This is the case even though many schools remain at least partially noncompliant with the “three-part test” (e.g., Sigelman and Wahlbeck 1999; Yanus and O’Connor 2016). As the size and scope of intercollegiate athletic competition ballooned over the past decades (Clotfelter 2019), sports governance and federal civil rights policies hived men’s sports away from women’s and entrenched sex-segregated practices that often obscure, rather than reveal, the extent of inequality.

Today, the NCAA’s main purpose involves overseeing ninety national championships across twenty-four sports. The federal government retains full authority to enforce the law, but the NCAA wields sufficient power and clout over the decisions of its nearly 1,300 member institutions to aggressively incentivize compliance. They have the latitude to craft membership rules that could, in theory, require participating schools to comply with federal guidelines. Although the NCAA no longer expresses open hostility to policy requiring equal treatment and opportunity for women in sport, they have yet to forcefully pursue it in their sports championships, as evidenced by the events in 2021. Gaps between commitments to equity in principle and practice remain.

1.3 INEQUALITY IN CONTEMPORARY COLLEGE SPORTS

In our introductory example we described the stark inequalities at the men’s and women’s 2021 NCAA championships. Here we take up our central framing more systematically, asking: Are women college athletes

student-athletes charged that by ceasing support for women’s teams while continuing to fund disproportionate opportunities for men Brown violated Title IX (*Cohen et al. v. Brown University*, 101 F.3d 155 [1996]).

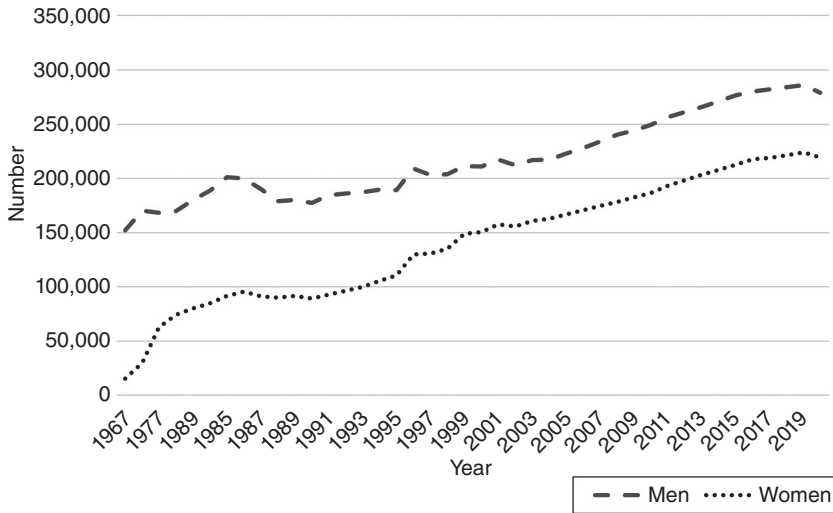


FIGURE 1.1 US college athletic participation, 1967–2021

Source: NCAA Sports Sponsorship and Participation Rates Report 2021. (Data are noncontiguous from 1967 to 1982; specific numbers are available for 1967, 1972, 1977, and 1982–2021.)

a marginalized group – that is, one targeted by policy but persistently facing systematic discrimination and frequent exclusion in the status quo (Young 2000)? We address this question with a new analysis of data on gendered dynamics in sports participation opportunities (i.e., roster spots on varsity sports teams), resource allocation, and athletic leadership.

Figure 1.1 presents NCAA-sponsored athletic participation opportunities for men and women from 1967 to 2021 (based on data from the NCAA). The monotonic increases in athletic opportunity for both groups are striking. Whereas limited varsity athletic programming was available for women fifty years ago, there is now substantial evidence that federal policy opens inroads for inclusion. However, the figure also exposes enduring inequalities – as women’s participation increased, so did opportunities for men. Despite policy implementation, *full equality* of opportunity, wherein the two trend lines would eventually converge, remains elusive.

Participation opportunities illustrate only part of practice in college sport. We further explore the status of differential treatment by collecting data from the US Department of Education’s Equity in Athletics Data Analysis Tool, for the 2018–2019 academic year (the year during which we collected most of the data in this book) (US Department of Education

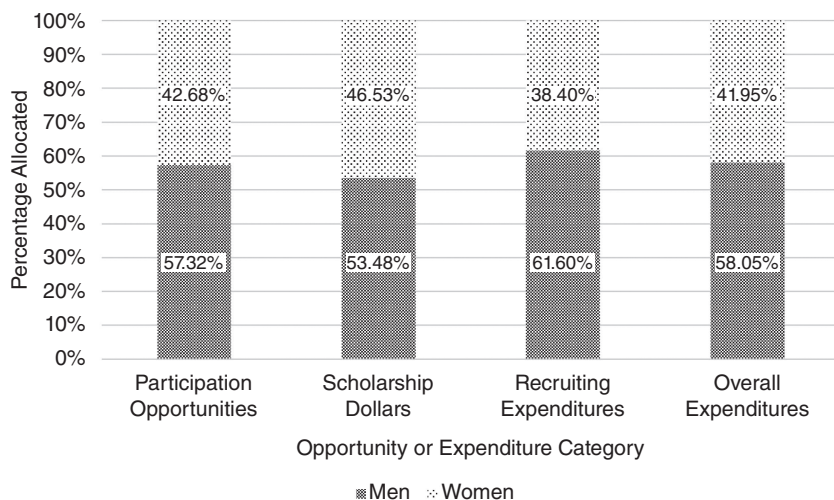


FIGURE 1.2 College athletic opportunities and expenditures, 2018–19

(DOE) 2021A).¹⁶ In Figure 1.2, we present the results, displaying national average percent allocations to men and women (derived across percentages calculated within each institution) for participation opportunities, scholarship spending, recruiting expenditures, and overall expenditures. These data cover all NCAA schools across NCAA divisions.¹⁷ We provide narrower breakdowns of averages by NCAA division and among schools with and without football programs and additional details on the primary data sources in the appendix. (Throughout the book, we regularly refer to both general and chapter-specific information available in our online appendix at www.cambridge.org/Druckman-Sharrow_EqualityUnfulfilled.) We also return to a longer discussion of the roles of football and men’s basketball in debates over gender equity at the end of this chapter.

¹⁶ Per allowable federal guidelines, the participation data include male “practice players” on women’s team rosters, if individual institutions elect to report them. This practice, common in Division I women’s basketball, allows institutions to report men who practice (but never compete) on women’s teams (e.g., mocking likely opposition plays to prepare for games) as “women” (also see Fink, LaVoi, and Newhall 2016).

¹⁷ The NCAA divisional structure was created in 1973 to align institutions for competition; national championships and elements of governance are organized within divisions. Division I institutions are generally the largest athletics programs with the most sizable budgets; they are further subdivided based on whether or not they offer football programs and at what level (i.e., Football Bowl Subdivision [FBS – formerly NCAA Division IA] or Football Championship Subdivision [FCS – formerly NCAA Division IAA]). They grant partial or full athletic scholarships to many (but not all) athletes and compete at the highest level. Division II institutions are also allowed to grant athletic scholarships. Division III institutions cannot grant athletic scholarships (see Shannon 2018).

The first bar in Figure 1.2 shows, consistent with Figure 1.1, that men receive substantially greater average participation opportunities: 57.32 percent versus 42.68 percent for women, on average, leading to a 14.64 percentage point gap that favors men.¹⁸ As a point of reference, women comprise about 57 percent of the nationwide undergraduate population – an enrollment gap that favors women by about 14 percentage points (NCES 2021). Thus, based on the pure proportionality expectation in the “three-part test” of Title IX compliance, the disparity among student-athletes is even more striking. Athletic opportunities *should* mirror the gender proportion of enrolled undergraduate students if Title IX is fully enforced. That is, proportionality in athletic opportunities should technically favor women, based on their higher undergraduate enrollment levels. Enforcing proportionality could lead to *greater* athletic opportunities for women, at least on average.¹⁹

In the second bar, we present the average percentage of scholarship dollars allocated to men and women. This reveals a gender gap of 53.48 percent to 46.53 percent on average (a 6.95 percentage point disparity that favors scholarship spending for men). These participation and scholarship inequalities persist *despite* policy guidelines that explicitly pressure colleges and universities to pursue parity in these practices.

The third bar in Figure 1.2 reports the enormous 23.20 percentage point (61.60 percent to 38.40 percent) average athlete recruiting expenditure differential between men’s and women’s sports. The final bar displays the average overall expenditure allocation with 58.05 percent going to men and 41.95 percent going to women (a 16.10 percentage point difference). In the appendix, we show that among the largest NCAA Division I Football Bowl Subdivision (FBS) programs, that overall average expenditure disparity is significantly larger. In those programs, men enjoy 41.5 percentage points more of the average overall spending per institution – an average of \$21.5 million per year at each Division I FBS school. Cumulatively, among NCAA Division I programs alone, these disparities favor excess spending on men’s athletics at over

¹⁸ We also calculated the differences in the number of teams overall and here, there are consistently more women’s teams, but they tend to have fewer athletes, particularly compared to the size of men’s football rosters, many of which host over 100 student-athletes. On average, NCAA colleges and universities host 1.11 more teams for women.

¹⁹ Each institution is technically required to provide athletic opportunities on the basis of sex proportionate to their undergraduate enrollment. So, while the nationwide comparison is based on aggregated trends, strict proportionality would require schools to invert their current practices, providing 57 percent of athletic opportunities to women (or whatever percent women are enrolled in their undergraduate population). As we note, the federal government has been loath to enforce this.

\$3.1 billion annually. While Title IX does not strictly require equal spending, the size of spending disparities nonetheless reveals the hyper-prioritization of men's teams.

Of course, the status of women in collegiate athletics has improved over time. The resource and spending inequalities pre-Title IX were inarguably dramatically larger when very few opportunities and limited expenditures were devoted to women's sports. However, focusing only on change over time suggests that the salient points of comparison in assessing equality would merely compare women's treatment now to their treatment in 1972, a half century ago.²⁰ Instead, we argue that the vital counterfactual for assessing the status quo requires comparison of men's and women's treatment in contemporary practice – a higher bar but a better metric by which to assess the status of equality.

With this metric in mind, we also observe gross inequalities in professional athletic leadership opportunities. For instance, before Title IX, over 90 percent of women's teams were coached by women (Acosta and Carpenter 2014; National Coalition for Women and Girls in Education [NCWGE] 2017). Despite the increase in women's teams, there has been a dramatic decrease in the proportion of women collegiate coaches over the past five decades. Men now hold 59 percent of the coaching positions for women's teams, in addition to nearly every appointment coaching men's programs. Further, during the period of our studies, nearly 24 percent of NCAA Division I women's teams had all-male coaching staffs (LaVoi, Boucher, and Silbert 2019).

In Figure 1.3, we present data on employment of men and women in collegiate coaching and athletic administration from 2018 to 19. (We again provide more acute breakdowns in the appendix.) The first bar of Figure 1.3 displays the overall distribution of men and women across coaching positions, including head and assistant coaches, for all (men's and women's) sports, revealing dramatic inequalities.²¹ Across NCAA schools, only slightly more than one quarter of all coaching positions are occupied

²⁰ Some commentators often jump to this perspective, particularly to suggest that men's sports ought to remain at the center of collegiate athletics (e.g., Gavora 2002; Will 2002).

²¹ The data on coaches include volunteer coaches. Volunteer coaches are prevalent in college sports, and they work directly with student-athletes and within teams. The title "volunteer" is often deceptive; the number of paid coaches is regulated by the NCAA and those labeled "volunteers" are, in many cases, compensated by external revenue generated by youth summer sports camps, clinics, etc. Also, to be clear, our population of coaches does not include trainers; trainers are treated as athletic administrators (typically, as part of the athletic performance staff). More detail is available in Chapter 2.

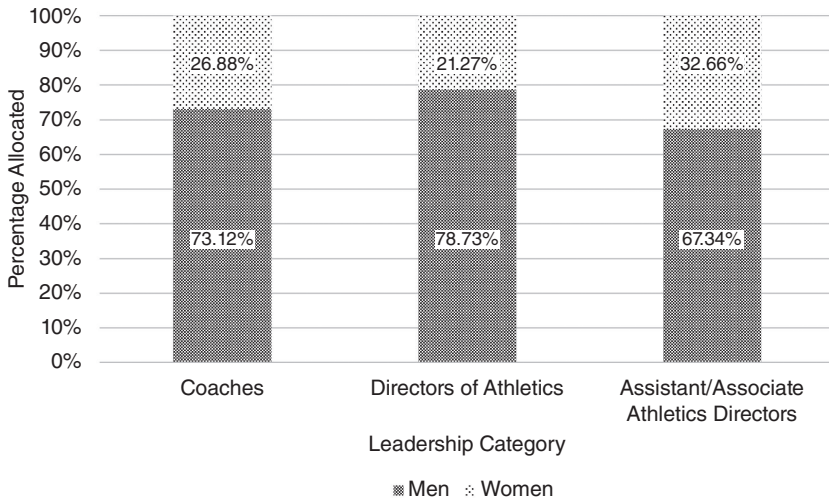


FIGURE 1.3 College athletic leadership opportunities, 2018–19

by women (a 46.24 percentage point disparity that favors men’s employment) and, as mentioned, nearly all the women coach women’s teams.

We find similar disparities among athletic administrators: Men inhabit 78.73 percent of athletic director positions and 67.34 percent of assistant and associate athletic director jobs. Women hold only 21.27 percent and 32.66 percent of those directorship positions, respectively (gaps of 57.46 percentage points and 34.68 percentage points that favor men’s leadership) (see also Whisenant 2003).²² This underrepresentation of women is strikingly most similar to industries such as manufacturing (29.4 percent women) and agriculture (26.2 percent women), according to the US Bureau of Labor Statistics (2021). Moreover, as we will discuss in subsequent chapters, women are also underrepresented on NCAA governing committees that determine the rules and regulations for intercollegiate athletic competition, where men hold 60 percent of the positions. Definitely, athletic administrative leadership and coaching remain overwhelmingly male-dominated: The 2020 Racial and Gender Report Card on College Sport (Lapchick 2020) gave the industry a grade of C+ for gender hiring.

These employment statistics accentuate the limitations of potential Title IX “spillover effects.” That is, the expansion of women’s teams

²² Among the sixty-five schools in the Power Five Conferences (that largely include the football teams with the highest revenue), women hold only five or 7.69 percent of the athletic director position (as of May 2021) (Phillips 2021)

could have stimulated a larger talent pool of prospective female coaches and/or athletic administrators poised to enter the field, as well as increased college athletic employment possibilities. But increasing a possible pipeline for women in leadership through expanding women's athletic opportunity has failed to render a durable shift in women's athletic industry leadership. Such contradictory gender dynamics of bounded expansion at the points of entry into athletics (e.g., increased opportunity for participation, increased numbers of women's teams with new coaching opportunities) and spiraling retraction in representation up the leadership hierarchy (e.g., diminished proportion of women in leadership) are cause for concern. As we know from research in other domains and as we explore more fully in Chapter 4, women's underrepresentation in governance and management positions substantially restricts representation of their interests (Karpowitz and Mendelberg 2014).

Overall, our analyses make clear that across participation, resources, and leadership college athletics overwhelmingly benefit men. Relative to a standard of full gender equality with men (rather than in comparison to the benchmark of historic exclusions), disparities are stark. The data reveal that rather than reflecting a one-off error in tournament planning, the inequities that defined the 2021 basketball tournaments exemplify broader trends: inequalities remain an enduring tradition.

The data also underscore the importance of studying college athletics. An uncritical assessment of Title IX's effects, or an unnuanced assumption that moderate shifts toward inclusion are sufficient, could lead policymakers to replicate its tactics and policy design in other gendered policy realms. Although women student-athletes have greater athletic opportunities now than fifty years ago, women remain underincorporated, vastly underfunded, and dramatically constrained in their professional opportunities compared to men. Questioning how facets of a celebrated civil rights policy regime retain hurdles to equality can prevent duplication of the same incomplete outcomes in other policy domains, thereby preventing the perpetuation of disparities elsewhere in society.

1.4 THEORIZING ROUTES TO POLICY CHANGE

With these intractable imbalances in mind, we sought to understand *why* they persist. What prevents more progressive policy efforts to address inequalities? We begin by identifying initiatives that aim to address gender inequality in college sports. In so doing, we again emphasize that our focus on equality reflects a normative stance, not a legal one. The goal

of Title IX was not necessarily equality, per se: The point was to eliminate sex discrimination that by itself does not ensure equal outcomes.²³ Moreover, in its implementation, as we note, Title IX does not strictly prohibit lop-sided spending patterns nor any type of gendered disproportionality in leadership. The proposals we next delineate and on which we subsequently focus are demonstrably forward-looking initiatives that would propel a movement toward gender equality. Given the absence of momentum toward full equality from those who could aggressively pursue it (e.g., lawmakers), our attention turns to the latent forces that could, in theory, force new forms of change.

1.4.1 Policy Proposals for Gender Equality

The policy agenda around sex discrimination and inequality in college athletics includes several proposals. Consideration among political elites and the general public is dominated by episodic discussion of better enforcement of Title IX and equal athletic opportunities. The history of Title IX reveals such conversations in congressional proceedings, formal periods of public comment, and federal-level public hearings (Kihl and Soroka 2012; Sharrow 2013, 2020).²⁴ Media coverage, particularly around Title IX's "anniversary," frequently highlights policy implementation struggles (Hardin et al. 2007; Whiteside and Hardin 2008).²⁵ As we noted, despite the clarification of the proportionality standard in the status quo, college athletics continue to underserve women (including when it comes to participation) leaving enforcement concerns squarely on the policy agenda, but typically among a host of low-salience issues.

Recent events propelled increased attention to policy protections against sexual harassment. At the confluence of #MeToo and the activism regarding Title IX's application to addressing sexual violence on college campuses, egregious and well-publicized incidents of sexual abuse rocked the sporting world. Most notably, Larry Nassar, a former elite and collegiate athletic trainer, was convicted for multiple sexual assaults.

²³ That said, policy interpretations make liberal use of the language of "equal opportunity" in formal guidance to schools (see, e.g., OCR 2020).

²⁴ For example, Members of Congress sponsored legislation to this end in spring 2021 ("The Patsy T. Mink and Louise M. Slaughter Gender Equity in Education Act of 2021," H.R. 4097, 117th Cong. [2021]). Discussion of these topics often cohere around annual celebrations of National Girls and Women in Sports Day, observed each February.

²⁵ At the same time, this focus is often on mere enforcement instead of more radical changes as scholars find that recent reporting often frames sex discrimination as a relic of the past (Whiteside and Roessner 2018).

His more than 250 accusers who included many former college athletes (and members of the US gymnastics team) testified at Nassar's sentencing hearing in January 2018, heightening public attention to the trauma endured by survivors. Later that year, Michigan State University – where Nassar had been employed as an athletic trainer – announced a \$500 million settlement with Nassar's victims in a civil lawsuit regarding its lack of action to protect athletes from abuse. Unlike other sexual abuse scandals (e.g., at Pennsylvania State University), the NCAA did not sanction Michigan State University. Nassar's court proceedings came on the heels of sexual assault cases incriminating football players at Baylor University, which also ultimately went unsanctioned by the NCAA (see Luther 2016). Instead, the NCAA Board of Governors passed policy to heighten engagement with campus-level sexual violence prevention among member institutions, starting in 2017 (NCAA 2017b). This action was limited, but it intensified attention to the issue among key stakeholders. Moreover, as we designed our empirical studies (in 2017–2018), the Trump administration was rewriting Title IX policy guidelines with respect to procedures for addressing campus sexual misconduct, including within collegiate athletics. These conversations continued under the Biden administration whose US Department of Education hosted public hearings on the topics in June 2021 (Gravely 2021), ultimately releasing new proposed regulations on campus sexual misconduct in June 2022 and transgender inclusion and gender identity nondiscrimination in April 2023.²⁶

In addition to enforcement policies, advocates often argue for more aggressive equity initiatives, particularly in terms of athletic spending. A sixty-page status report published by the NCAA on the occasion of Title IX's forty-fifth anniversary (NCAA 2017a) drew significant media attention to spending imbalances and reinvigorated public debate about equal spending among men's and women's sports (Meredith 2017). Opponents of Title IX often contend that full equality for women could trigger dire financial consequences under the current model of college athletics (Gavora 2002).²⁷ Consequently, the absence of spending equality policies

²⁶ The issue of sexual harassment in sports remained in the public conscience into the fall of 2022, with a blistering report about abusive behavior and sexual misconduct by coaches in the National Women's Soccer League (Yates 2022).

²⁷ Opponents of Title IX who make this argument claim that "revenue sports" – namely football and men's basketball – are "needed" to fund women's sports. If equality were required, they argue that rosters in some sports would have to be trimmed (e.g., fewer football players) and would consequently bring in less revenue. We return to a discussion of this argument later in this chapter.

has galvanized focus on whether equal treatment imperatives should include spending rules, particularly when issue salience is high.

A final set of proposals would boost pathways for women as coaches and administrators, in light of their abysmal underrepresentation in athletic leadership (see Sabo, Veliz, and Staurowsky 2016). Such policies could emulate those used in other domains. For example, since 2003, the National Football League (NFL) requires that all teams with a vacancy in the head coaching or senior football operations position must interview at least one candidate of color in their finalist pool (i.e., the “Rooney Rule”).²⁸ Similarly, college athletics could require that final interviews for the athletic director position and head coach positions for women’s teams include women candidates on the shortlist.

With these various issues and trends in mind, we identified six specific proposals that would promote gender equality in athletics through public policy and which have recently circulated in policy discussions: (1) the increased enforcement of Title IX by officials, (2) the creation of equal athletic opportunities for women and men, (3) the increased enforcement of sexual harassment laws as they pertain to stakeholders in college athletics, (4) the creation of rules requiring equal spending for women’s and men’s sports, (5) the creation of requirements to interview at least one woman in the finalist pool for a women’s team’s head coach position, and (6) the creation of requirements to interview at least one woman in the finalist pool for an athletic director job. Each of these “gender equity initiatives,” as we call them, are proposals aimed at changing current practices to make them more equitable with the long-term objective of achieving full equality. As we describe in Chapter 2, we use these proposals to formulate our main policy measures.

A policy agenda with proposals requires active constituents to advocate for policy change. Literatures across political science suggest that policy change, particularly in the absence of aggressive leadership from lawmakers, typically requires an activated lobbying force. We next provide an overview of our theory of three possible routes through which actors could pursue these initiatives, elaborating both the circumstances required for and possible hurdles that may limit transformation from the status quo.

²⁸ In 2022, the Rooney Rule added a requirement that all teams must have at least one minority individual on their offensive coaching staff (recent rule changes now designate that women, regardless of racial or ethnic identity, can be designated as a “minority”).

1.4.2 Change from the “Bottom Up”: Student-Athletes as Activists

Policy change could come from the *bottom up*, driven by athletes-as-policy-stakeholders. Student-athletes are the primary target population of Title IX’s athletic regulations. Women’s collegiate sports history includes many changes resulting from athlete activism (see Belanger 2016; Brake 2010; Cahn 1995). Indeed, in the midst of the national news and uproar about the aforementioned 2021 NCAA basketball tournament inequalities, coach Cori Close of the University of California, Los Angeles, said of the student-athletes: “They’re the ones that have the most powerful voice. If this was not being bolstered by student-athletes and led by the student-athletes, I don’t think it would have near as much power” (Baccellieri 2021). For example, as soon as the 2021 women’s tournament concluded, players mobilized through social media and shared highlight videos, creating a tournament montage to advance their concerns about gendered disparities using the hashtags #OurShiningMoment and #OurFairShot. The latter hashtag promoted a new, durable initiative to advance discussion of gender inequalities in college basketball (WBCA 2021).

However, such change from “below” is not easy. Student-athletes’ lives remain highly regulated, and they possess scant direct power to influence regulations that determine their training and competitive autonomy. On the other hand, there exists a long history, going back to at least the 1930s, of student-athletes pushing for change on racial inclusion gender equality, and compensation opportunities (Druckman, Howat, and Rothschild 2019; Epstein and Kisska-Schulze 2016). The level of success among particular subgroups of student-athletes (i.e., women) can be contingent on the size of their support coalitions – a heterogeneous majority of student-athletes advocating for change carries more potential than a smaller homogenous group.

When it comes to gender equity initiatives, we might expect female student-athletes to express support given their status as targeted policy beneficiaries from the historically marginalized group. Yet, as detailed in Figure 1.2, women, despite being a decisive majority of the population enrolled in undergraduate programs nationwide, comprise a clear minority of student-athletes (43 percent). To embolden their efforts, it may be essential to form a majority coalition with male student-athletes – that is, an alliance between those who are disempowered by the status quo (women) and those who are not (men). Such a coalition would not only generate strength in numbers but also carry symbolic weight. Many detractors of sex equality presume a zero-sum relationship between women’s and men’s opportunities and resources. That is, women’s quest for additional opportunity

is often framed by opponents as an attempt to “take” a fixed number of existing opportunities “from men.” Such framing persists against the evidence of continued, parallel growth among men’s sports in the wake of Title IX revealed in Figure 1.1.²⁹ Majoritarian coalitions of both women and men could propel successful movements for full equality.

In Chapter 3, we fully develop this theory. We extend work on social movements and interest group coalitions among marginalized groups to argue that coalitions can have a powerful impact in pressing for change (e.g., Han, McKenna, and Oyakawa 2021; Strolovitch 2007; Tormos 2017; VanDyke and Amos 2017). We also draw on political science research that suggests how policy advocates can drive change from within institutions (Campbell 2003; Katzenstein 1998; Mettler 2005). We argue that coalition formation requires meaningful engagement across groups and, given the unique structures that define the collegiate student-athlete experience, present a new theory of interpersonal contact as it relates to policy change.

Theorizing in this realm requires moving beyond the enormous existing literature on intergroup contact that mostly focuses on prejudice reduction (e.g., Paluck et al. 2021). We identify conditions under which an out-group (i.e., male student-athletes) may become more supportive of policies that benefit a marginalized group (i.e., female student-athletes). These include: (1) when the out-group understands the plight of the marginalized group (i.e., female student-athletes) and (2) when the out-group trusts the policymaking institutions (e.g., colleges, NCAA) to not substantially undermine their own interests. We argue that interpersonal contact is a mechanism through which the first condition can be met. Intergroup conversations about the contours of their experiences as student-athletes have the potential to educate the advantaged group (i.e., men) about the inequitable circumstances facing the marginalized group (i.e., women) (see Harnois 2017; Wiley et al. 2021). We theorize that such contact provides a potential pathway for the emergence of coalition and change from the *bottom up*. However, this occurs only when the advantaged group trusts the policymaking institutions (e.g., Lupia and McCubbins 1998); this addition of trust and a focus on policy beliefs, rather than group attitudes, constitute a novel theoretical contribution to work on contact.

²⁹ Men’s participation opportunities have grown in sum, but we acknowledge the nuance obscured by these nationwide numbers. It is the case that some men’s sports have been unduly eliminated at some schools during the past fifty years. However, overall growth in men’s football rosters during that time – at many of the same schools that cut smaller men’s teams – reveals that if administrators are engaging in any “zero-sum” choices they more aptly pit men’s football against lower-profile men’s sports. We discuss this further in Chapter 3.

We further hypothesize constraints on the potential for coalitions. The context of life as a student-athlete is key. College athletes spend an inordinate amount of time with and among their teammates while they train, travel, compete, study, and often when they eat and socialize (Ottaway 2018). Doing so also means spending unusually little time (compared to other college students) with those of the other sex. This is because Title IX creates incentives for institutions to support separate teams for women and men, hyperstructuring the social and competitive structures in athletes' lives and thereby diminishing cross-sex interactions. Consequently, exogenous institutional segregation of student-athletes significantly impedes the prospect that men will experience or identify with the inequitable plight of their marginalized female counterparts. We theorize that this limits the likelihood of policy coalition formation (see also Han, McKenna, and Oyakawa 2021; Htun and Weldon 2012; Tormos 2017; Weldon 2011), undermining change from the bottom up.

In Chapter 3, we present survey and experimental data to assess our argument. The data show that, indeed, male student-athletes exhibit more support for gender equity initiatives when they trust their schools and the NCAA and when they have high levels of interpersonal contact with female student-athletes. Thus, support for equity benefits increases among men who train and compete in sex-integrated environments (e.g., on track and field or swimming and diving teams where training in shared facilities is more common, often under shared coaching staff). Yet most male student-athletes do not live in such settings, as integrated or coed teams are the exception rather than the norm. Consequently, there is relatively limited cross-sex contact for male student-athletes and therefore many express lower levels of support for equity initiatives.

The chapter accentuates a possible route to policy change while also identifying how sex segregation inhibits it. The argument reveals, more generally, that an underappreciated barrier to policy change for marginalized groups emerges from segregated settings. It casts light on the problematic impacts of sex-segregated athletics – impacts theorized but rarely investigated by social scientists. Furthermore, our findings underscore the urgency for assessment of male-exclusive and male-dominated environments where, in college sports, the data show that men more easily secure and hoard opportunities and resources.

1.4.3 Change from the “Top Down”: Leaders as Representatives

Given the relatively disempowered status of student-athletes, we also consider the possibility that athletic leadership might push to alter the

status quo. Change could come from the *top down*, driven by those in a position to directly enact policies. Policymakers in the context of college sports include athletic department administrators (e.g., those in the athletic director's office, medical personnel, and academic support services) and coaches. Athletic administrators oversee Title IX compliance, hiring of coaches, and allocating resources. They can directly affect legislation via the NCAA rulemaking committees and must implement policy (both from the NCAA and the federal government) at individual schools. For instance, in the wake of the 2021 basketball tournament inequities, the external equity review panel recommended that the NCAA host the men's and women's semifinals and finals (i.e., Final Fours) at the same site and offer financial incentives to schools to improve their women's basketball programs (KHF 2021a). Athletic administrators have the power to pursue such policies in the long run and across their sports programs.

While coaches have relatively less direct policy control (although they too can sit on NCAA committees), they make hiring decisions within their team staffs and often serve as important intermediaries between student-athletes and higher-level athletic administrators. Additionally, coaches can raise awareness about equity concerns, as female basketball coaches did following the 2021 tournament. The Women's Basketball Coaches Association institutionalized the aforementioned initiatives to demand gender equity that initially emerged organically among the student-athletes in women's college basketball named "Our Fair Shot."³⁰ Athletic administrators and coaches further serve, in essence, as representatives of student-athletes in policy conversations. While they act as highly imperfect representatives given the lack of direct accountability mechanisms, they nonetheless are best positioned to advance student-athletes' interests to higher administration. We consider athletic administrators and coaches as leaders who can enact change from the top down in Chapter 4.

Of course, equity policies could be prompted by women and/or men in leadership positions. We focus on isolating the specific role of women for three reasons. First, theories of representation suggest that those who are descriptively representative of the beneficiary population are more likely to pursue substantive changes on behalf of the group, particularly when they have shared experiences (Dittmar, Sanbonmatsu, and Carroll 2018; Mansbridge 1999). Along these lines, many women in sports leadership are former participants in college sports. Fifty percent of women athletic

³⁰ The demands articulated in the "Our Fair Shot" campaign addressed many of the resource proposals we identify in our main measures, including demands for equal institutional support, training facilities, and recruiting dollars. See <https://ourfairshot.com>.

administrators and nearly 90 percent of women coaches are former college athletes.³¹ Second, women administrators and coaches, like female student-athletes, directly benefit from sex nondiscrimination policies that secure the rights and opportunities for women in the workplace (e.g., increasing the number of women in leadership). Support for women's sports can also increase job quality and security for coaches of women's teams. Third, recent history includes examples of initiatives driven by women to increase women's leadership and representation, including the creation of positions such as the "Senior Woman Administrator" (intended to vest authority in the senior-most female athletic director within a school) and the publication of reports on the status of gender parity in college sports (e.g., NCAA 2017a). Across many colleges and universities, aggressive implementation of Title IX has stemmed from advocacy by female leaders (Cahn 1995; LeBlanc and Swanson 2016). In short, given the relative stagnation in the move to equality and the related inaction to better pursue it through assertive leadership in recent years, we hoped to identify potential subcurrents for change within athletic administration. On gendered policy issues, this drew our attention to the possible roles of and constraints on women as changemakers.

We bring together work on policy feedback, organizational culture, and gender in sports to theorize how status quo institutions can undermine possibilities for leader-driven policy change by women. Political science research suggests that representative processes can successfully evoke minority interests in governing bodies (Dittmar, Sanbonmatsu, and Carroll 2018; Reingold 2000; Tate 2003). Women in positions of power could work to enact change on behalf of women's interests using their institutionalized power and/or in coalition with empowered men from the "top down."

Yet research also suggests that when women enter collegiate athletic leadership positions, they find themselves embedded in an organizational culture – that is, patterns of behaviors and beliefs that are imparted to new members of the organization (Schein 2004) – defined by male domination, normalized gendered inequality, and scant support for progressive gender initiatives (see Darvin, Hancock, and Williams 2021; Hindman and Walker 2020; Kane 2016). Women in sports leadership thus confront a double-bind between the need to support the aims of their employer and the pressure to pursue equity commitments on behalf of women as a group (see also Katz, Walker, and Hindman 2018).

³¹ These percentages come from data we present in Chapter 4.

Circumstances are exacerbated (and constituted) by the reality that, as among student-athletes, women comprise a minority of athletic administrators and coaches.³² As such, we theorize that they engage in coping strategies that often involve altering their personal perspectives to better assimilate in their work environment (Miscenko and Day 2016; Wille and De Fruyt 2014). Likewise, those who advance up the hierarchy of a male-dominated industry likely reflect some selection effects that reward those who best conform to the extant culture.

We suggest that socialization (and/or selection) stemming from organizational culture leads women in athletic leadership roles (whether as administrators or coaches) to express lower levels of support for policy change compared to those below them in the institutional hierarchy (i.e., female student-athletes). We expect that women who have ascended the hierarchy – such as those who head athletic departments or head coaches – will exhibit significantly less support due to cultural entrenchment. These factors, we argue, make change from the *top down* less likely.

Male-dominated leadership structures suppress otherwise-possible change both directly and indirectly. They directly quell change by cultivating conservative leaders and incentivizing minimal responsibility to the requirements of status quo equity policy. Women in leadership within male-dominated organizations are less likely to unilaterally press for change or to build coalitions with male administrators when allies are few. Indirectly, androcentric hierarchies in sport suppress leadership opportunities for women and create a culture that socializes or selects women less supportive of full equality. We expect that quiescence, not change, is valued among those who advance in the hierarchy and therefore lead at the top level. Athletic administrators *could* lead towards change, yet we know relatively little about what constrains those with professional and group-based gendered interests (i.e., women) from successfully doing so.

In Chapter 4, we use data from surveys of coaches and athletic administrators to evaluate our expectations. The results reveal that female leaders indeed exhibit lower levels of equity initiative support than those held by female student-athletes – particularly among those leaders higher up the hierarchy. Organizational culture of college sports, where female administrators and coaches remain in the clear minority, is a hurdle to

³² This mirrors women's underrepresentation in other governing institutions in the United States (CAWP 2021) and undermines the possibility of a majoritarian coalition of women policymakers who could unilaterally and aggressively enact "women's interests" in college athletics.

equality. This underscores the general lesson that marginalized groups pursuing change from the top down must contend with organizational cultures that resist such transformation.

This case also highlights how policies themselves can shape organizational culture: here, by normalizing basic, numeric gender inequalities and views. Policy design remains grounded in the era of its formulation, when women were largely excluded from college sports. This outdated baseline remains the salient point of comparison, rather than full equality. In short, the limits of policy design normalize an intransigent organizational culture that breeds, that is, feedbacks to, inequalities.

1.4.4 Change from the “Outside In”: The Public as Policy Demanders

A final possible route for change is from outside the system – that is, from the public writ large and/or consumers of college sports advocating from the *outside in*. Although policy targets particular beneficiaries (e.g., student-athletes), Title IX is a civil rights law and therefore the ultimate constituents are the American public. The public supports Title IX (Igielnik 2022; Sigelman and Wilcox 2001; YouGov 2017).³³ But, whether there is widespread acknowledgment of extant inequalities or support for more progressive initiatives remains unclear. The stability of Title IX’s policy milieu and its high popularity after fifty years of implementation makes significant shifts to the policy (via state or federal legislation) relatively unlikely compared to other issues (Mettler 2016).³⁴ However, we suggest that understanding mass opinion remains essential since legislators might enact policy change in anticipation of public reactions.

Research suggests that the public can influence sporting debates (Sharrow 2020; Thorson and Serazio 2018; Wallsten et al. 2017). Such possibilities remain clear as evidenced when the 2021 NCAA basketball tournament inequities were met with public outcry – including substantial social media engagement – that prompted the NCAA to address immediate inequalities and pursue an equity review. One

³³ An April 2022 Pew poll shows that 63 percent who know about Title IX and sports view the impact on gender equality as being positive and only 17 percent view it negatively (with the rest saying it has no impact) (Igielnik 2022).

³⁴ Notably, even recently proposed state-level legislation that challenges the rights of transgender girls and women to compete in sports typically reifies the import of Title IX and argues that transgender athletes should be excluded from the law’s protections, *not* that the law itself should change to better serve all constituents (Sharrow 2021b).

media source noted that “the situation was seized on by everyone ... As a result, the NCAA installed a full weight room for the women sooner than had been originally planned, and it expanded the food options” (Baccellieri 2021).

We also recognize that change can come directly via the marketplace. College sports operate as an industry largely dependent on economic support from fans (Nixon 2014). In a capitalistic system, what fans want out of the “product” and how they react to industry conditions and values matter. Collegiate sports fans hold particular sway given the outsized role of consumer demands in the college sports economy (Clotfelter 2019). Examples of change to sports from the outside include fan pressure on schools to change their Native American mascots (Billings and Black 2018; Guiliano 2015) or fans organizing to insist that the NCAA move championship competitions away from states with discriminatory public policies (Kliegman 2021). In Chapter 5, we consider the role of the public in pressing for policy change, whether via demands as citizen constituents of nondiscrimination policy or as fans with market-driven preferences.

We extend work on socialization effects to theorize some additional important factors. We expect that familial socialization will play a role. Specifically, we theorize that having a daughter who plays (or played) sports will increase parents’ (both mothers and fathers) support for gender equity initiatives, as suggested by previous work (Sharrow et al. 2018). However, we also theorize that another socialization force might dwarf the impacts of familial effects. Specifically, we suggest that participation in a sex-segregated athletic system at an early age, namely in high school, normalizes the separation and gendered priorities/hierarchy within athletics, particularly among men. We focus on high school as that, historically, demarcates a clear transition from youth sports (where sex-integrated teams are not rare) to more competitive athletics governed by sex segregation. As such, we explore whether men who played high school sports remain more opposed to gender equity initiatives than men who did not play sports in high school. In contrast, we expect that women who played in high school directly experienced inequalities and, thus, if anything, will remain supportive of change for collegiate athletics. This chapter explores, in part, whether the impacts of sex segregation on constituent opinions toward equity policies have enduring consequences in the fight for gender equality. It shows how institutional settings can have long-term consequences on policy opinions and views of equality. Moreover, since a greater share of men participated in high

school sports (55 percent) than there are men who have daughters who play sports (16 percent), we discuss how this competing trend can dominate the impact of increased support from parenting a daughter who plays (or played) sports.³⁵

Finally, we theorize how the economic structure of college sports shapes support for gender equity initiatives, through a smaller subset of the public – fans. We draw on the political economy literature on “private politics” (e.g., Abito, Besanko, and Diermeier 2019; Druckman and Valdes 2019) and scholarship on fandom to theorize that those who financially invest in college sports (e.g., attend or watch games) develop a status quo bias against any change, including novel gender equity initiatives. This reflects their investment in the product and the overwhelming media bias that places higher value on and coverage of men’s sports (see Cooky et al. 2021; Musto, Cooky, and Messner 2017).

We test our predictions with a representative survey of the public, including college sports fans. The data reveal the barriers expected by our theory. We find a long-term impact of experiencing sex segregation in sports on men’s enduring attitudes toward equity policies later in life. We also detect that economic barriers stemming from the privileged status given to men in college athletics suppress support among fans. Structural barriers hinder change, this time from the outside in.

1.5 REFORMING COLLEGE SPORTS

In Chapter 6, we situate our findings in a larger context. We point out the peculiarity of college sports institutions, relative to those that govern other social spaces – they invoke conflicting missions of revenue generation and education, incentivize sex segregation rather than integration, and normalize massive gender disproportionalities in leadership roles. We summarize how these structures have halted the quest, by student-athletes, athletic leaders, and the public, for gender equality. We also generalize lessons from our findings to other domains. For instance, our exploration into the impact of segregation on policy opinions reveals that any type of separation can diminish the possibility of policy coalitions that benefit marginalized groups. Even if segregation stems from geographic sorting or histories of discrimination (rather than standing institutional rules), it can lead to inequitable practices. We provide examples from work on racial segregation regarding housing and education policy and the role of partisan sorting

³⁵ These percentages come from data we present in Chapter 5.

in the emergence of antidemocratic attitudes. Further, sex segregation specifically facilitates and/or rationalizes discriminatory policies toward transgender people, a topic of contemporary relevance given the number of states that have recently passed anti-trans laws (Sharrow 2021b).

When it comes to organizational culture, our findings offer insight into theories of representation. We investigate whether descriptively representative individuals better represent the preferences of those from their shared identity groups. We find this is, all else constant, the case for female leaders in colleges sports (i.e., relative to male leaders, their preferences are closer to those of female student-athletes); however, the preferences of women in higher athletic leadership positions are less representative of women student-athletes as well as women lower in the athletic hierarchy. This accentuates how formal positionality matters, with leaders having to navigate an organizational culture that may not cohere with the interests of their constituent groups. In less-democratic contexts that lack accountability mechanisms – such as college sports – this can result in the disenfranchisement of relevant stakeholders.

Finally, we discuss the implications of our findings for work on policy feedback and socialization. On questions of policy feedback, we illustrate the uncertainties of determining key policy constituents when policies have a commercial element. We ultimately question how the quasi-private market of college athletics renders ambiguity around whether student-athletes, the tax-paying public that funds Title IX enforcement, or fans should determine the future of the law. On topics of policy socialization, we draw a connection between early socialization experiences, such as participating in sex-segregated sports, and downstream policy views. We note that such socialization can shape the possibilities for policy feedback.

Our conclusions then turn to the future of gender equality in college sports. The fiftieth anniversary of Title IX in 2022 brought with it much public discussion, reflection, and celebration. This included a vastly improved NCAA women's basketball tournament – much more on par with the men's tournament. But Americans should not mistake that event as indicative of fundamental change, a point emphasized by many commentators at the time. There remains an urgent need to move beyond mere improved enforcement of Title IX.

We are not sanguine about this, acknowledging the treasured place that Title IX occupies in the American consciousness and, as we will discuss, its relative (although not absolute) success in postsecondary education more generally. However, the future of gender equality in sports

must acknowledge that Title IX, as currently conceived, does little to counteract the hurdles we identify on each pathway toward equality. It promotes sex segregation, remains silent on gendered leadership disparities, and fails to address either the concomitant cultural consequences or market-driven decisions that privilege men's sport. Requiring increased policy compliance would not change such factors and thus will not remove the substantial barriers for equality that our analyses reveal. For these reasons, we argue for more fundamental reforms. These include efforts toward sex desegregation – at the very least involving more shared facilities, training activities, and practice schedules between men's and women's teams. We also demonstrate that there is a reasonable, perhaps surprising, amount of support for coed teams that enable athletically qualified women to participate on men's teams (particularly in noncontact sports).³⁶ We also argue for reforms that alter the leadership structures of college sports, including affirmative hiring of currently underrepresented candidates (i.e., women or nonbinary people) and efforts to insulate college sports from overreacting to market forces.

We recognize that our reform proposals involve an inferential leap from microlevel data on individuals' opinions to macrolevel institutional processes. The connection between individuals and institutions is far from straightforward. Furthermore, bringing about significant change will require overcoming collective action and mobilization challenges. Such challenges are daunting, but we believe that our results reveal the urgent need to tackle them. Our efforts identify the change needed in hopes that our findings will inspire broader conversation and attention among those best positioned to pursue it.

1.6 THE ROLES OF REVENUE AND INTEREST IN SPORTS

Any contemporary treatment of college athletics requires some discussion of sports-generated revenue. We will touch on some relevant history in Chapter 5 when we introduce the role of market pressures. Here, we offer a brief discussion of amateurism, recent related reforms, the role of the so-called “revenue producing sports,” and common myths about girls' and women's interest in sports. We do so to explicate, despite

³⁶ As we will note in more detail in Chapter 6, we recognize potential upsides to segregation when one moves beyond a focus of policy preferences. For example, some work suggests negative mental health effects on people from marginalized groups who live in less-segregated areas (e.g., Herbst and Lucio 2016).

common arguments, why revenue sports and interest in sports should not be central to policy discussions about gender equality. We aim to engage readers who may otherwise dismiss our analyses by adopting such tropes.

1.6.1 Revenue Considerations in Public Discourse

Historically, the NCAA actively opposed compensation for college athletes. They even coined the term “student-athlete” to undermine any perception of athletes being employees. Nonetheless, challenges to amateurism persisted, culminating most recently in allowing student-athletes to receive compensation for their name, image, and likeness (NIL).³⁷ In 2019, California enacted the “Fair Pay to Play Act” that authorized student-athletes in California to earn money when their name, image, or likeness is used for commercial purposes. Further, in 2021 the Supreme Court ruled in *NCAA v. Alston* against any limitations on student-athlete education-related benefits, rejecting NCAA claims that college sports are not “highly profitable” or “professional.” In essence, the Court rejected the amateurism doctrine on which the NCAA built its eligibility rules. In response the NCAA itself put forth an NIL policy that largely delegates specific rulemaking authority to the states or the schools themselves.³⁸ Future evolutions in either enforcement of NIL regulations or the recognition of college athletes as employees remain unclear (as of April 2023).

Additional ambiguity emerged in January 2022 when the NCAA voted to adopt a new, vastly stripped-down constitution that decentralizes control and provides athletic conferences and schools with more independence. This coincided with massive athletic conference realignment with two major football powerhouses (Texas and Oklahoma) joining the Southeastern Conference (SEC) and another two (the University of Southern California and the University of California, Los Angeles) moving to the Big Ten Conference. These moves came about due to substantial revenue opportunities (via television contracts) offered by the

³⁷ The revenue produced by football and men’s basketball is highly scrutinized in public discourse. Critics note that such revenue is built on the largely uncompensated, and therefore exploited, athletic performance of Black student-athletes who are disproportionately represented in these sports, sometimes likening the exploited labor to that experienced by enslaved people (e.g., Hawkins 2010; McCants 2018; Rhoden 2006).

³⁸ The NCAA maintains rules against directly paying student-athletes for playing and outlaws quid pro quo payments based on performance or enrollment at a particular school.

SEC and the Big Ten. The ultimate impact of these changes will depend on the conference movement of other schools and on how conferences and NCAA's division-specific committees proceed.

We do not view these developments, at this point, as directly intersecting with the gender equity initiatives on which we focus. Thus, while they are certainly crucial to understanding college sports writ large, they lie beyond our purview concerning potential futures for gender equality. Whatever changes such forces bring to college sports, they will need to remain compliant with Title IX, not the other way around. Of more explicit relevance are longer-standing questions about the role of money in college sports and, specifically, the role of football in gender equality considerations given football's outsized rosters, expenses, and revenue potential. Women's participation in collegiate football remains scarce and no single "women's sport" rivals the roster size or expenditure profile of many football teams. Public discussions of Title IX and gender equality often become ensnarled in conversations about football and men's basketball since their television contracts, stadium size, and historic legacies enable those two sports to produce the most revenue at many (but not all) colleges and university. Even teams at schools that spend more than they earn from these sports benefit from the perception that football and men's basketball are "revenue producing" sports.³⁹

Although revenue streams have become central to the administrative calculus of college athletics, we do not subsequently focus attention on revenue production as a central policy question for several reasons. First, when the OCR adopted the three-part "accommodation of interests and abilities" test of Title IX compliance in 1979, most schools opted to focus on the proportionality criterion rather than satisfying a test of student "interest." In theory, evaluating the nascent "interest" among women on any campus to participate in varsity athletics would require demonstrating that women do not want to play a sport that is not yet available.⁴⁰ In some (often high-profile) cases, schools then chose to cut some men's teams as

³⁹ It is also worth noting, although it is largely ancillary for our main analysis, that the language of "revenue producing sports" is owed to debates about the application of Title IX in the mid- to late-seventies (see Suggs 2005). Attempts to frame some sports as revenue producing was related to the failed attempt by those representing the interests of men's football to achieve an exemption from Title IX for some men's sports.

⁴⁰ Satisfaction of the second part of the test, which evaluates "historical progress," was meant as a temporary provision insofar as schools (who chose this approach) were also required to develop a long-term plan to accommodate proportionality.

part of a strategy to meet proportionality instead of adding a similarly sized women's team to achieve proportional gender balance. Many of these schools cut men's teams while simultaneously substantially expanding football rosters (see Messner and Solomon 2007; Walton and Helstein 2008). This triggered unsuccessful lawsuits from male athletes (most notably wrestlers, organized through the National Wrestling Coaches Association) claiming that Title IX had harmed men. At the same time, it perpetuated a narrative that "reasserted men's birthright claims to sports and higher education. Men are seen as deserving *all* spots in college sports. Any attempt to provide spots for women is seen as taking something *away* from men" (Hextrum 2021, 103; italics in original). Sex segregation in sports also reaffirmed this perspective that presumes men's interests and capacities in athletics inevitably outpace women's. Moreover, this framing suggests a paternalistic (and legally rejected) argument that men's revenue sports of college football and basketball should be excluded from Title IX requirements since revenues can be used to support a range of other sports. Eckstein (2017, 28) summarizes this perspective:

Despite some popular rhetoric indicting women and Title IX for the precipitous decline in sports such as wrestling and men's gymnastics, it was the explosive, and some might say unnecessary, growth of football squad sizes over the past three decades that forces schools to reduce other male opportunities and still be compliant with Title IX ... this might be less about sports themselves than about securing enrollments that can help a school's 'brand.'

We concur.

Second, we reject the idea of exceptionalizing revenue-generating sports on its face – the revenue sports generally do not make sufficient money to prevent large athletic department deficits, and the evidence demonstrates that most "revenue-producing" sports spend the increased income on their teams rather than holding their spending constant and relinquishing excess revenue to other sports as income grows (Eckstein 2017; Nixon 2014). More importantly, civil rights law does not require oppressed groups to demonstrate their market worth in order to receive civil rights. Nor is the stated mission of college sports, according to the NCAA, to generate profits. The mission is an educational and hence a nonprofit one. In other words, college sports have operated with two simultaneous and competing models – a profit-seeking business model and an educational model. The latter often gives cover to the former to justify not compensating athletes directly (Staurowsky 2018, 105). Ultimately, as long as athletes continue to be treated as students and

not employees (and NIL policy does not affect their student status), the relevance of whether particular sports produce revenue is moot from the perspective of civil rights protections. Institutions exercise some choice in how to allocate their resources; however, they lack a moral justification for privileging any athletic teams that bring in revenue given that the mission of higher education is not merely revenue-seeking (e.g., all sports teams could operate on smaller budgets, with less travel, etc. or football teams could shrink their spending etc.).⁴¹ In that sense, we affirm the perspective that institutions cannot disassociate the so-called revenue sports from discussions of gender equity – a view backed by federal law. The relevant protected categories under Title IX assess the relative treatment of men and women, not football players versus gymnastics (or the like).

Third, the forward-thinking policy initiatives on which we focus move beyond participation opportunities and expenditures, including improved protections against sexual harassment and expanded coaching and leadership opportunities. The findings we will present regarding opinion toward these particular items cohere with the findings overall and these are variables on which any distinction over revenue sports has scant direct bearing.⁴²

In short, we argue that revenue-producing sports invariably enter conversations about Title IX and gender equality freighted with perceptions of their privileged economic status within an unequal system. Yet there is no legal or policy interpretation of Title IX that justifies

⁴¹ Nixon (2014) explains that spending on football and men's basketball leads to an athletic trap where schools may operate in deficit but continue to spend due, at least in part, to the perception of intangible benefits of the "brand." Eckstein (2017, 58) captures the essence of the process: "Once this trap becomes entrenched, [college] presidents and other decisionmakers are unable to extricate their schools from intercollegiate athletics' insatiable financial appetite. Because so few intercollegiate athletics programs generate net revenues, almost all schools find themselves diverting increasing general budget resources to athletics or identifying significant external resources to finance the athletics arms race.... presidents have become more concerned with the needs of external constituents (alumni donors, event sponsors, media) than with the internal constituencies focused on scholarship and learning."

⁴² Except, of course, due to the extent that many issues of sexual harassment and violence within college sports are related – at least in many high-profile cases – to football players (e.g., Luther 2016). However, the enforcement of sexual misconduct proceedings on college campuses should not be contingent on the extent to which any named student participates in extracurricular programming, athletics or otherwise, revenue-producing team affiliation or not. We included measures of gendered issues beyond mere proportionality, etc. for precisely these reasons.

or rationalizes sex-based inequalities on the basis of revenue calculus. Expanded investment by schools in some sports, particularly football, has been largely responsible for the elimination of men's teams in other sports, even as the so-called revenue producing sports contribute to overall budget deficits.⁴³ Such choices do not excuse privileging men's sports or entrenching discrimination against women, nor do they justify inequality through the lens of Title IX or under federal civil rights law.

1.6.2 Questions of Women's "Interest" in Public Discourse

At the same time, proponents of increased opportunities for women must contend with perceptions that extant sex inequalities reflect a lack of demand for more equality – that is, the institutions of college sports may be meeting the existing demands of women on their campus for varsity teams (as in the third part of the “three-part test”). For example, Deaner, Balish, and Lombardo (2016) take an evolutionary perspective to argue that “females’ underrepresentation generally reflects lesser interest, not merely fewer opportunities for engagement” (73).⁴⁴ They attribute this to assumed sex-based differences in motivation, competitiveness, and risk-taking. They also quickly dismiss the role of socialization in shaping interest in sports. We stridently disagree with this perspective as there is clear evidence that lower participation rates reflect societal factors. For one, young girls between the ages of six and eight tend to participate in sports at similar rates to boys in that age group. Gaps subsequently emerge so that by high school boys’ participation outpaces girls’ by nearly 20 percentage points in some areas (Hopkins et al. 2022; Sabiston 2020). The identified reasons for the decline among girls include low confidence, poor perceptions of belonging/feeling unwelcome, and perceived lack of skill (Hopkins et al. 2022; Sabiston 2020). These findings suggest that low participation rates reflect societal and institutional factors that shape experiences. Indeed, the Women's Sports Foundation (2020), reviewing a quarter century of research, identifies the following reasons why girls and women drop out of sports: lack of access/opportunities, decreased quality of experience, social stigma,

⁴³ In 2016, only 73 of 252 Division I football teams earned more than they spent on football (IBA Worldtour 2021).

⁴⁴ Additional discussion and debate about this and related perspectives are available in Grasgreen (2012).

and lack of positive role models.⁴⁵ These reasons track directly onto the disparities we previously documented: disproportionate participation, less infrastructure investment (e.g., expenditures), and male-dominated culture and leadership. This makes clear that inequalities reflect a failure to meet the expectations of college-aged women. If there is a decline in interest among college-age women, it reflects earlier experiences of inequalities. That said, interestingly, women who participate in high school sports have similar, if not greater, probabilities of participating in college (NCAA 2019a), suggesting no fundamental difference in demand at that acute point.⁴⁶

We also emphasize that inequalities expand beyond participation opportunities. Indeed, Figures 1.2 and 1.3 show substantial disparities when it comes to resources and leadership opportunities. In terms of the former, the differences in quality of experiences come across not only in these objective measures but also in perceptions. As we will discuss further in Chapter 3, we find in our previous work that women student-athletes perceive substantial inequalities across twenty-four measures, including those involving resources, opportunity, personnel, and equipment. At the same time, they believe that there should be more equality – clearly, women student-athletes are not satisfied (Druckman, Rothschild, and Sharrow 2018). This is evident in mass opinion as well, where a Pew survey shows 71 percent of women believe men’s and women’s college sports should be funded equally: Clearly they are not (Igielnik 2022). In terms of leadership, as mentioned, the number of women coaches has dramatically declined over time, which makes clear that the supply of potential coaches is not lacking. There also are sufficient women working at lower levels of athletic administration to substantiate a sufficient supply of women leaders. In the data we describe in subsequent chapters, 29 percent of department heads are women versus 56 percent of non-heads who are woman.

In sum, extant evidence makes clear that women’s demand for opportunities persists, that any decrease in demand stems from the very system that generates the broader inequalities we discuss, and that the other types of inequalities that motivate our inquiry are counter to

⁴⁵ They also identify safety and transportation issues and individual costs that seem more relevant to younger age groups when socioeconomic status drives participation.

⁴⁶ The differences in participation rates we document here stem largely, but not entirely, from men’s football spots that are not compensated for with equitable women’s opportunities. We have every reason to presume that if women had equitable opportunities to participate in either more sports or expanded rosters, they would do so.

women’s preferences or availability. Just as relative revenue production does not justify sex inequalities, these inequalities are *not* a story about demand.

1.7 A NOTE ON THE LANGUAGE OF “MALE” AND “FEMALE”

Before we embark on detailing our data, we want to guide readers through some of the tensions we confront in organizing and discussing our argument. As generations of feminist thought and activism teach, the language and terms we use to discuss gendered identities and oppression matter greatly. Throughout, we employ terms worthy of clarification/description.

We frequently use the term “sex,” the central category named in Title IX, to describe the dominant logic of collegiate athletic team organization (i.e., “sex-segregated teams”). We utilize this language both because it is the terminology used in public policy (i.e., Title IX bans discrimination “on the basis of sex”) and because the binary logics commonly connoted in such usage permeate the policy space. Segregated athletic teams are premised on sorting “male athletes” from “female athletes” (Sharrow 2017). However, we employ “sex” as a categorical, sociocultural distinction (e.g., one assigned by medical doctors to infants at birth or used to constitute athletic teams) but not a phenotypical one. Our references to “males” or “females” should not necessarily imply references to individuals’ chromosomes, hormones, genitalia, secondary sex traits, and so on.

We are mindful that such binary logics (i.e., male/female or men/women) are themselves problematic social constructions (see, e.g., Fausto-Sterling 2000; Fine 2010; Jordan-Young 2010). Moreover, ideas about “maleness” and “femaleness” in sport are increasingly used to reinforce androcentric hierarchies and narrow, binary notions of gender (see Karkazis et al. 2012; Sharrow 2021a, 2021b). At the same time, to grapple with the complications we identify in the status quo, we require analyses that rely on the germane categories. We thus employ them somewhat uncomfortably at a time when the research consensus readily notes that “sex is a context-dependent summary of a multidimensional variable space” (Miyagi, Guthman, and Sun 2021, 1569). Although many scholarly and social conventions invoke “gender” as a term to challenge such problematic, biological determinist logics (see for critical discussion Davis 2017; Repo 2016), we attempt throughout to avoid employing “gender” in contexts when policy logics explicitly rely on the language of “sex.”

When we refer to “men” and “women,” it should be read as referring to those who self-identify as such. Throughout, we use the terms “male” and “female” as adjective modifiers for other group identities (e.g., “female student-athletes,” “male coaches”). That is, for descriptive purposes, we employ the salient gendered categories used in sports with some reservation. We are loathe to be misread as authorizing, through language, these forms of gendered oppression. Thus, we encourage readers to engage with these categories critically.

Our analyses nevertheless focus largely on the inequalities between those categorized as women versus men. We do so to evaluate the extant outcomes of sex nondiscrimination policy that operates from such single-axis framing, and doing so gives us purchase on the question of how well Title IX has operated to vitiate inequality for women as an undifferentiated group. However, taking Title IX on its own terms places sex-based categorization in the foreground and obscures intragroup differences among women. This is a tradeoff we do not take lightly and, while not our primary focus, we acknowledge the intersectional critiques of nondiscrimination policy that substantiate how subgroups among women, especially women of color, are particularly underserved by single-axis nondiscrimination policy (i.e., Crenshaw 1989; Hextrum 2021; Hextrum and Sethi 2022).

Likewise, our data do not differentiate cisgender from transgender (nor gender-diverse) status among collegiate athletes, although both retained the right to participate in the women’s category during the time of our study (Griffin and Carroll 2010). The consequences of binary categories in sports produce particular harms for gender-diverse athletes, especially transgender girls and women, who do not identify with the sex they were assigned at birth. Numerous state legislators and some national lawmakers have recently targeted the rights of transgender girls and women to participate on athletic teams designated for women and girls, often invoking mere phenotypic notions of sex assigned at birth in order to deny the dignity of self-identification to gender-diverse people (see Sharrow 2021b). This emerging terrain of gendered politics under Title IX is important for the future of policy, in ways that are related to our aims in this book. That is, the notions of “sex” embedded in sex-segregated structures that presume cisgender identities of male/female (i.e., that individuals assigned female at birth will seek participation on a “women’s” team) become swift vectors of exclusion and harm for transgender and gender-diverse athletes (Sharrow 2023).

Indeed, rights for transgender girls and women in a sex-segregated system remain tenuous. As we wrote this book, federal-level policy addressing “sex discrimination” itself evolved to increasingly acknowledge gender diversity (i.e., transgender and nonbinary identities) as an important consideration (see DOJ 2021). We assert that any system that presumes sex-based binaries and elevates the status of cisgender men oppresses cisgender women *and* all gender-diverse people in mutually imbricated ways (see also Sharrow 2021a). We delineate the ways in which our critical perspectives on the status quo might create system reform that benefits athletes across the gender spectrum in the concluding chapter.

1.8 CONCLUSION

Our goal in this book is to offer an account of why gender equity initiatives often fail to garner more support and momentum by focusing on how institutions shape policy opinions. This focus on policy and its context provides a crucial assessment of Title IX as we move from its fiftieth anniversary toward the future. Certainly, enacting Title IX forced institutions to change. Even so, women remain a marginalized group that is denied full equality in sports, leaving open questions as to why this persists.

Recently, the stark gender inequalities of the 2021 NCAA basketball tournaments captured the attention of student-athletes, administrators, coaches, and the public, casting a spotlight on problems of gender inequality. While this attention and the more equitable 2022 tournaments may signal a step toward parity, there is reason for caution. The external review of gender equity that followed confirmed that vast disparities will not be easily resolved and likely require structural changes. Indeed, much attention with college sports has shifted away from gender inequities to rules that allow student-athletes to profit from their NIL. The NCAA wrote a new constitution, acknowledging the need for a more decentralized structure. Athletic conferences were realigned, raising questions about how the decentralized system will work. Gender equity initiatives seem fleeting on the agenda.

In what follows, we offer a window into the closed world of sports and the impacts of its totalizing logics. Sex segregation, women’s underrepresentation in leadership, socializing experiences, and market demands constitute barriers that sustain an unequal status quo in sports and elsewhere. We will demonstrate how segregation not only

structures beneficiary activism and possible coalition formation among student-athletes, it also durably shapes the views of former participants in youth sports (a much larger segment of the population) and suppresses demands for a more equitable future. Institutions foreclose both external and internal coalitions for change. As a result, androcentric cultures and practices remain undisturbed while normalizing marginalization. The findings that follow make clear that the very features built-in (or left out) of gendered policies can become barriers to full equality.