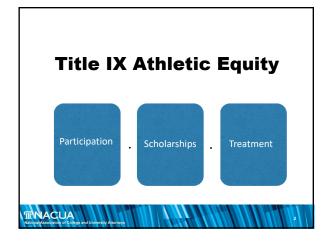
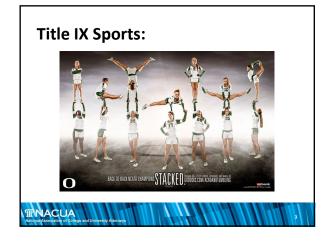
Title IX Coordinator Training Module 8: Title IX & Athletics Part 1 Janet P. Judge Partner, Holland & Knight LLP Seculded from participation in, be denied the benefits of control of the control of t







ESports

Title IX **Student-Athlete:**

- Comparable Support; and
- Regular Activities;
- On the Squad List;
- Injured on Scholarship.

In short, student-athletes who are included on the squad or roster list as of the first date of competition, plus others added shortly after and minus other taken off shortly after ... but case by case basis.

It's not that easy ...

- Male Practice Players
- Adds/Drops
- Transfers



 Non-Championship • Sport Issues: Cross Country Indoor Track & Field Outdoor Track & Field - Rowing TNACUA

Participation: The Three Part Test Prong 1. Intercollegiate-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollment, or The institution can show a history and continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of the underrepresented gender, or It can be demonstrated that the interests and abilities of the members of the underrepresented gender have been fully and effectively accommodated by the present program. TNACUA

Are the male/female intercollegiate athlete participation percentages substantially proportional to the full-time male/female undergraduate enrollment percentages?

- equates to enough athletes that could create a "viable team."

 Consider average squad size of sports currently
- offered for the underrepresented sex

Fluctuations, Effective (and Defensible) Roster Management

- Real Opportunities

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Caps versus Floors
 Coach Agreement and Adequate Support

Prong 1: **Substantial Proportionality**





IF YOU CUT A PROGRAM ...

Does your school have a: (1) HISTORY, and

(2) CURRENT PRACTICE of

expanding athletic programs for underrepresented sex which is responsive to their interests and

BOTH elements are required

Waypoint ONLY.

Prong 2: **Program Expansion**



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Does the Current Program Effectively Accommodate the Athletic Interests and Ability of the Underrepresented Sex?

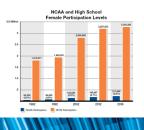
- ➤ Is there unmet interest in a
- particular sport?

 Is there sufficient ability to sustain a team in the sport?
- \succ Is there a reasonable expectation of competition for the team?

If the answer is "yes" to all three questions, an institution is not fully and effectively accommodating the interests and abilities of the underrepresented sex.

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Prong 3: **Accommodating Interest & Abilities**





Levels of Competition

The competitive schedules for men's and women's teams, on a program-wide basis, afford proportionately similar numbers of male and female athletes equivalently advanced competitive opportunities;

and continuing practice of upgrading the competitive opportunities available to the historically disadvantaged sex as warranted by developing abilities

among the athletes of

that sex.

There exists a history

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Scholarship Equity

- Not Sport to Sport
- Overall Equity
- Everything Counts
- Not Viable Defenses . . .
 - NCAA Limit
 - NCAA Legislation (Summer)
 - Coach Preference

1%

TNACUA
Nacionalezo-diarria el Calinga and University Alternitys

Treatment Areas:

- Equipment
- Scheduling
- Travel/Per Diem
- Coaching
- Academic Services
- Facilities
- Medical & Training Facilities
- Housing/Dining
- Publicity
- Recruitment
- Support Services

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Note

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