

## Advocacy Update

July 18 – July 22, 2011

**At Two-Year Colleges, Less Scrutiny Equals Less Athletic Equality** (July 16)—Title IX has been hailed as the great equalizer. At two-year colleges, however, *The New York Times*, reports that there has been not only a lack of effort to follow Title IX, but also a lack of consequences for their blatant disregard for the law. Despite all the potential obstacles, Pensacola State College has proven that it is more than possible to be Title IX compliant and also to have successful women's teams. With the recent influx of younger students, it is imperative for two-year colleges to accommodate all of their students. [READ MORE](#)

*Women's Sports Foundation summary and response to this article:*

This article emphasizes the importance of Title IX oversight, and the ongoing importance of the laws themselves. Sports opportunities at Community Colleges are rare educational opportunities, subsidized with our tax dollars, delivering superior life-long returns on investment. The article contrasts two schools; one in California with just 27% of the athlete spots being designed for women, and the other in Pensacola, Florida, where the student body population and the athlete population are identical. Sports at Community Colleges are important to our economy, and to the long-term health of our population. Read the original article [here](#) and the WSF response [here](#).

**After World Cup, Still A Long Way To Go** (July 18)—Japan's victory in the World Cup over the United States has been hailed as a heartbreaker, an act of providence to lift up the spirits of a broken nation, and as a momentous occasion in showing the world that all women can play and compete at a high level. Val Ackerman writes that even as we have made progress, it is important that we do not become complacent in the victories. For example, women in leadership and coaching positions are severely lacking; it remains important to continue to groom and develop women for those positions. We have made progress, but have not reached our ultimate destination yet. [READ MORE](#)

**The World Cup 'C' word: 'Choke'** (July 19)—Across the country, the U.S. Women's National Team has been welcomed home as victors. Jemele Hill writes that such a view is insulting and condescending. She argues that if a men's team was placed into a similar situation the media would be criticizing them for "choking" not praising them for their effort. Does true equality mean that women must be prepared and welcome the criticism as well as the praise from the media? And is the media prepared to analyze the women's game critically? [READ MORE](#)

**Group Sues Over Title IX High School Enforcement** (July 21)—The American Sports Council has filed a suit against the Department of Education arguing that Title IX's three-part test to determine a school's compliance should not be applied to high schools. [READ MORE](#)

*Women's Sports Foundation summary and response to this article:*

On July 21, 2011 the American Sports Council (previously the College Sports Council) filed a law suit against the U.S. Department of Education in an attempt to weaken Title IX. The law suit challenges the use of the three-part test in high school athletics. The suit argues that the three-part test violates the equal protection clause of the Constitution. The Pacific Legal Foundation raised the same issue in 2008, and the Office for Civil Rights (OCR), the administrative agency responsible for enforcing Title IX, rejected the issues that are now being raised in the lawsuit; that Title IX does not apply to high school athletics and that it violates the equal protection clause of our Constitution. A similar argument was heard by the Fourth Circuit in a case decided earlier this year, *Equity In Athletics, Inc. v. Department of Educ.*, 639 F.3d 91 (4th Cir. 2011). There the court reiterated that Title IX was Constitutional, it did not create quotas, that it was passed and applied fairly. Read WSF's response to the American Sports Council's latest lawsuit [here](#).