

**IMPLEMENTATION OF TITLE IX:  
PERSPECTIVES OF PENNSYLVANIA SPORTS LEADERS**

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*Title IX of the Higher Education Act is to provide women with legal protection against discrimination in educational programs and activities, including intercollegiate athletics. The purpose of this research is to examine the attitudes and perceptions of male and female sport leaders toward Title IX and the specific democratic value, equality, which underlays it. This article reports the findings of an attitudinal survey of sport leaders in selected public institutions of higher education in Pennsylvania. The survey addressed the sport leaders' attitudes toward political and social equality and the enforcement issue of Title IX. The thesis of this report is that so long as there is a gap between persons' support for democratic values in the abstract and their actual behavior, enforcement of Title IX will remain controversial and equality between the sexes will not be achieved.*

**INTRODUCTION**

A fundamental *raison d'etre* of a democratic society is that it is inexorably committed to the achievement of the "good life." Although various meanings can be given to that concept, a political meaning can be the enhancement and advancement of personal self-respect. The enhancement and advancement of personal self-respect constitutes a democratic ideal because

man's self-respect is an understanding of his dignity. It is the value he sets on his own full development, the condition and result of his self-actualization. It is his recognition, with neither pride nor groveling, of

his indispensability to society and his insignificance in the universe. Most of all, within the limits society allows, it is a function of his self-direction and self-control, of the choice and living of the life he thinks best (Riker, 1970, p. 17).

Personal self-respect, and, by implication, collective self-respect is striven for by individuals, groups and organizations and attained, although never in an absolute sense, when their affairs are conducted according to certain "process values." In a democratic polity, the most salient process values are: *participation*--engaging in activities either directly or indirectly as an individual and/or group or organization member in various decision-making processes so as to have an impact on the decisions; *liberty* or freedom--engaging in a plethora of culturally defined behaviors so that reasonable self-determined goals may be achieved; *equality*--recognizing the essential legal, political, and opportunistic parity of oneself with others and of all members of the society; *tolerance*--restraining one's impulses to interfere in the lives of others insofar as others' expressions and behaviors do not interfere with one's own life; and *obedience*--complying with the established rules of society or its relevant subparts to the extent that the rules reflect a consensus achieved through legitimate procedures (Riker, 1970, pp. 17-21).

The presence of these process values within the American political culture suggests an essential purpose of the governmental apparatus, namely, that the government is to establish the conditions whereby the process values may be actualized, i.e., become increasingly operational for more and different citizens of the society. To achieve this purpose, the government (often times following a lengthy struggle) enacts legislation and regulations, establishes enforcement mechanisms, and engages in adjudication procedures that are designed to foster the conditions deemed necessary to advance and enhance personal self-respect. While the Black civil rights movement provides a classic example of the process involved, it also demonstrates that the struggle to actualize the process values in one's own and others' lives is a continuing struggle. More recently, the efforts to actualize the process values has been carried forward by the women's movement. A particular

focus of that movement has been on the nature of the educational institutions of society; and their efforts culminated in 1972 when Congress enacted Title IX of the Education Amendments to the Higher Education Act of 1965. Title IX states that:

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.... (Section 901, Public Law 92-318).

According to Senator Birch Bayh, who introduced the legislation, education was just another area of American life in which differential treatment between the sexes had been documented. Title IX was to "provide women with solid legal protection" against discrimination in a wide variety of educational programs and activities (118 *Cong. Rec.* 5804). Among these are housing, access to course offerings, financial and employment assistance, and health and insurance benefits and services. Furthermore, Title IX applied to any interscholastic, intercollegiate, club, or intramural athletic program and/or activity offered by an educational institution which received Federal financial assistance. It is this area of Title IX which, although obviously not the sole focus of the legislation, has received probably the most national attention (Underwood, 1979; *Newsweek*, 1981).

Enforcement of Title IX was the responsibility of any federal agency that extended federal financial assistance to educational institutions or programs. Initially those agencies were located primarily within the Department of Health, Education and Welfare (and since its creation, in the Department of Education) and its Office for Civil Rights (OCR). The agencies were to enforce Title IX "...by issuing regulations prohibiting sex discrimination... and they may terminate or refuse to extend financial assistance for failure of a recipient to comply". (U.S. Commission on Civil Rights, 1980, p. 3). Specifically, the OCR collects and analyzes information from recipients of federal assistance and from its own regional offices. To detect violations, the OCR relies

upon complaints filed by individuals or groups and compliance reviews of recipients' programs. When violations have been identified, the OCR attempts to gain voluntary compliance through negotiations. Should the negotiations fail, the OCR may take steps to terminate a recipient's financial assistance or refer the case to the Department of Justice for prosecution (U.S. Commission on Civil Rights, 1980, p. 12).

The purpose of this research is to examine the attitudes and perceptions of a selected group of persons toward Title IX and the democratic values which underlay it. The selected group of persons consists of Pennsylvania sport leaders and includes coaches, athletic directors, and others associated with intercollegiate athletics in the state-owned institutions of the Pennsylvania System of Higher Education. In particular, this study seeks to examine a particular aspect of the "enforcement dilemma" of Title IX. That is, the enforcement dilemma can be explained in part by the presence of attitudes that resist the changes implied by Title IX. Until such time as the attitudinal sets of those most directly involved in the effort to achieve equal opportunity in education generally and intercollegiate sport in particular are altered or changed in such a way as there is congruence between attitudes and behavior, the efforts to achieve compliance will remain controversial and continue to fall short of the intended mark. Finally, and most importantly, until the attitudinal sets are altered, the actualization of the process value toward which Title IX compliance efforts are directed will remain unachieved and the "good life" unattained.

## **SUBSTANTIVE CONTEXT**

The difficulties associated with the enforcement of Title IX and other similar legislation can be traced to a classic paradox that exists within the American democratic political system. The paradox, quite simply stated, is that while the vast majority of citizens believe in democratic principles and values in the abstract only a minority of citizens are either willing or able to live their lives, i.e., conduct their affairs, according to those beliefs. Until a congruence emerges between the individual's abstract beliefs in the meanings of democracy and the concrete behavior that should follow from or be

triggered by those beliefs, there will continue to be a gap between a preferred state of behavior and actual behavior.

The paradox was described initially several years ago by political scientists such as Stouffer, Prothro and Grigg, and McClosky. Their studies, although concentrating on the value of tolerance, asserted on the basis of empirical findings that a democracy could be maintained so long as citizens remained attached to democratic principles and constitutional procedures. Attachment to the symbolic meaning of democracy enabled the system to survive even though citizens showed relatively high levels of intolerance and unwillingness to extend civil liberties to "objectionable" groups in their day-to-day affairs. More recent studies (Nunn, Crockett, and Williams, 1978; Davis, 1975; Lawrence, 1976; Sullivan, Piereson, and Marcus, 1979) have tended to qualify these initial findings either substantively or to attempt to reinterpret them on methodological grounds.

It is in the general context of these studies that the current research is undertaken. McClosky's study is particularly relevant because of the nature of his subjects and his findings. With respect to the former, McClosky studied the levels of support for democratic principles and for their specific applications among two groups of individuals, political influentials and rank and file citizens, and was able to make comparisons between these two groups. The immediate research that is reported cannot make intergroup comparisons because the subjects of this study are sport leaders. This group, however, is analogous to McClosky's group of political influentials. That is, sport leaders are directly involved with the issue of equal opportunity in sport and can be viewed as constituting influentials with respect to the purpose of Title IX legislation. Finally, the nature of the data does allow comparisons to be made between male and female sport leaders.

McClosky's findings also provide guidance for this research effort. His findings were that political influentials showed higher levels of support both for democratic principles and for their application in specific situations than were the levels of support among rank and file citizens. Accordingly, we should expect to find comparable if not higher levels of

support for democratic principles among sport leaders. Because of the nature of the issue, we should expect to find not only significant differences between the sexes on democratic principles but, also, significant differences between the sexes on the specific application of the democratic principles.

## **METHODOLOGY**

In the fall, 1982, a two-phase mail survey was distributed to a sample of 355 individuals in the (now) Pennsylvania State System of Higher Education. The names of the individuals to whom the survey was sent were ascertained from the Sport Information Directors of the fourteen institutions; all were directly or indirectly involved in intercollegiate athletics at the fourteen institutions in the SSHE system. Specifically, the survey was sent to the head and assistant coaches, athletic directors, assistant athletic directors, Affirmative Action officers, and the Directors of Equal Opportunity in Sport. Obviously, the sample is a non-probability sample; it, therefore, contains within it all the inherent dangers of inference.

The survey was composed of four major parts. The first part consisted of ten (10) items which raised questions of a personal nature, e.g., the age and the current position(s) occupied by the respondent. All subjects were to complete this part of the survey. Part II consisted of nine (9) items that requested information on a particular sport such as the athletic organization to which the team belonged, the number of athletes on the team, etc. This part of the survey was sent only to identified coaches. Part III of the survey consisted of six (6) items that dealt with "Institutional Information," e.g., the total athletic budget of the institution, and was to be completed by Athletic Directors and those involved with affirmative action programs.

Part IV of the survey consisted of a series of fifty-six (56) attitudinal items that were divided into two major categories. The first of these, titled "Contemporary Issues," presented a variety of liberal-conservative items and items

which addressed a number of democratic principles (Robinson, Rusk, and Head, 1969). The level of support among members of the sample on several of the latter items will be examined subsequently. The second component of Part IV was titled "Equal Opportunity in Sport" and consisted of thirty-six (36) items. These items were developed from a "Feedback Mechanism for Intercollegiate Sport," a survey instrument used by the Pennsylvania Department of Education to ascertain whether institutions of higher education are in compliance with Title IX requirements. Several of these items are presented in this research effort (Table 1).

For this Table, the smaller percentage of respondents who are in agreement with the item, the stronger the expression of belief in the democratic principle. Because the expressions of belief were not as strong as he had anticipated, McClosky interpreted his findings by stating that political influentials "...are torn sharply not only on the empirical question of whether men are *in fact* equal but also on the normative issue of whether they should be *regarded* as equal" (p. 367). Even though the political influentials do not approach the desired level of consensus on political and social equality questions, McClosky nevertheless concluded that "support for these equalitarian features of 'popular' democracy...is greater among the elite than among the masses "(p. 368).

The information on sport leaders, however, is not as uncertain or ambivalent. Indeed, sport leaders to a remarkable degree express reasonably to extremely strong beliefs in these indicators of political and social equality. It appears from these findings that sport leaders believe that "men " are not only regarded as empirically equal but that they are seen as normatively equal as well. The interesting question with respect to the findings on sport leaders is why their expressed beliefs in political and social equality are so strong. Two explanations can be suggested. The first is an historical reason, namely, that a fantastic amount of movement has occurred with respect to the actualization of equality since McClosky collected and reported his findings. Sport leaders have been neither isolated from nor immune to the meaning of the movement and/or the presumed actualization. The second reason flows from both the educational background and the

work environment of the sport leaders. It seems reasonable to assume that individuals with high levels of educational attainment who work in an intellectual atmosphere where values such as equality are discussed frequently are likely to express strong support for political and social equality.

Assuming that these explanations constitute a reasonable interpretation of sport leaders' beliefs in political and social equality, is it reasonable to assert that sport leaders are willing to apply their expressed beliefs in their work-a-day world of intercollegiate athletics? If they are willing, then they should express belief in specific Title IX applications of the democratic principle of equality. Finally, if sport leaders do express belief in the Title IX applications, is it then possible to at least argue that the general principle of equality is being actualized? Table II provides the relevant data.

In Table II, the larger the percentage of respondents in agreement with the item, the greater the expression of belief in the application. First, the data suggest that sport leaders express reasonably strong beliefs in the selected Title IX applications of political and social equality. With the exception of the two items that deal with athletic funding and budgets, more than 60% of all the sport leaders are in agreement with the applications. In comparison to their level of agreement of the abstract political and social equality item in Table I above, however, their level of agreement on the applications is lower. That is, there is less congruence between the abstract statements about belief in political and social equality and the belief in the specific applications of same. Second, an examination of the actual percentages in Table II for all sport leaders shows that there is considerable variation in the level of agreement on the specific applications. The levels of support for the more remote applications are greater than for the more concrete applications. For example, while a high level of agreement is found on the prime practice time item, small levels of agreement are found on the athletic funding and budget items. These two comments when taken in combination support the generalization that the more abstract the question or issue, the greater the expression of agreement or support for it.



**TABLE I. A Comparison of McClosky's Political Influentials\* and Sport Leaders' Responses to Items Expressing Belief in Political and Social Equality.**

Item	McClosky's Political Influentials (N=3020)  % Agree	Sport Leaders (N=218) %Strongly Agree or Agree
<u>Political Equality</u>		
The main trouble with democracy is that most people don't really know what's best for them.	40.8	31.7
Few people really know what is in their own best interest in the long run.	42.6	28.4
"Issues" and "arguments" are beyond the understanding of most voters.	37.5	18.8
Most people don't have enough sense to pick their own leaders wisely.	28.0	21.1
It will always be necessary to have a few strong, able people actually running everything.	42.5	38.5

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*Table I cont.*

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Item	McClosky's Political Influentials (N=3020)  % Agree	Sport Leaders (N=218) %Strongly Agree or Agree
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Social Equality

We have to teach children that all men (people) are created equal but almost everyone knows that some are better than others.**	54.7	24.3
Just as is true of fine race horses, some breeds of people are just naturally better than others.	46.0	17.0
When it comes to things that count most, all races (the sexes) are certainly not equal.**	45.3	34.7

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\*Data on the political influentials is from McClosky, 1964, p.369.

\*\*In the 1982 survey, the words in parentheses replaced the immediately preceding words.

**TABLE II. Sport Leaders' Responses to Title IX Applications of Beliefs in Political and Social Equality.**

Title IX Application	All Sport Leaders (N=218)	Male Sport Leaders (n=156)*	Female Sport Leaders (n=49)*
	<b>%Strongly Agree or Agree</b>		
Both sexes participate equally in determining overall athletic program policies.	62	70	43
Funds to support athletics are allocated nearly equally to men's and women's programs.	38	44	18
Male and female coaches have an equal voice in determining each year's athletic budget.	47	49	35
Prime practice times are distributed fairly between male and female athletes.	77	83	48

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*TABLE II cont.*

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Title IX Application	All Sport Leaders (N=218)	Male Sport Leaders (n=156)*	Female Sport Leaders (n=49)*
	%Strongly Agree or Agree		
Men and women coaches cooperate in determining when facilities will be used by male and female teams.	64	72	41
Athletic awards made to male and female athletes are nearly equal.	66	72	46

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\*The difference between the total group N and the male and female sport leader n's is due to coding procedures or missing data. Statistical significance was determined by using the formula  $D = |P_c - P_f|$  at the .05 level of probability.

We should also note the different levels of response of male and female sport leaders. On each of the specific Title IX applications, male sport leaders express higher levels of belief in the applications than do female sport leaders. Indeed, the expressions of belief by male sport leaders on several of the items in Table II approach the levels of support found on the abstract statements of political and social equality in Table I. Conversely, the expressions of belief registered by female sport leaders indicates a strong sense of disbelief in several of the applications. These differences in the level of belief between male and female sport leaders are, with a single exception, statistically significant. The exception to this is the Title IX application that deals with the equality of the voices in determining each year's athletic budget. Neither male nor female sport leaders express belief in this application. An explanation for this disbelief may lie in the notion that, traditionally, the responsibility for athletic budgets has been with athletic directors and not with coaches *per se*. Overall, however, male sport leaders perceive much greater equality between the sexes in intercollegiate athletics than do female sport leaders. The different levels of belief in the application portends future controversy with respect to Title IX.

## SUMMARY

The purpose of this research effort has been to reexamine the relationship between individual beliefs in abstract democratic principles and the willingness to apply those principles in one's work-a-day world. In particular, the focus of this study has been on the democratic principle of equality and the application of that principle in intercollegiate athletics through Title IX, based on the view that until such time as there is congruence between the level of expressed beliefs in abstract principle and the application of that principle, controversy over the means of application will remain and democratic principle will not have been actualized.

The study was conducted by surveying over 300 persons identified as sport leaders in the public institutions of higher education in Pennsylvania. Their responses to a variety of

items dealing with political and social equality and a number of items drawn from a Title IX feedback mechanism comprised the data base for the study. The former set of items permit attention to be directed toward expressed belief levels in abstract democratic values while the latter set of items constitute specific applications of those principles.

The substantive context of the study drew heavily from the work of McClosky. Based on his research, McClosky was able to assert that while most persons give high levels of support to abstract democratic principles, political influentials, even though they may be somewhat ambivalent or uncertain, are more likely to express stronger belief in the principles than are rank and file citizens. This study has confirmed McClosky's general findings. Furthermore, it has demonstrated convincingly that expressions of belief in democratic principles are clearly less ambiguous and uncertain among a selected group of Pennsylvania sport leaders. Sport leaders' strong expressions of belief in democratic principles of political and social equality are credited to historical and work environment explanations.

The examination of sport leaders' responses to Title IX applications of the democratic principles in question suggests that belief in general principles was stronger than belief in applications. Further, the more "abstract" the application, the greater the level of expressed belief. Finally, significant differences were found between male and female sport leaders' expressions of belief in the applications. Male sport leaders consistently had higher levels of belief in the applications than did female sport leaders. This incongruence between the beliefs of male and female sport leaders on the Title IX applications suggests not only that Title IX will continue to be controversial, but also that additional, concerted efforts must be undertaken if the value of equality is to be actualized.

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