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ADMINISTRATIVE CLASS COMPLAINT

COMPLAINANT

Champion Women
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RECIPIENT

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I. PRELIMINARY STATEMENT

1. This complaint is filed by *Champion Women*, pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.* (“Title IX”) and the regulations and policies promulgated thereunder. *See* 34 C.F.R. § 106 *et seq.* Title IX prohibits discrimination on the basis of sex in federally funded education programs and activities, including athletics.

2. *Champion Women* is a 501(c)(3) that provides legal advocacy for girls and women in sports.

3. As detailed in the Factual and Legal Allegations below, data submitted by Elmhurst University (“Elmhurst”) to the Office of Postsecondary Education of the U.S. Department of Education pursuant to the Equity in Athletics Disclosure Act (“EADA”), 20 U.S.C. § 1092, as well as information collected from Elmhurst’s website indicates that Elmhurst is discriminating on the basis of sex by providing unequal athletic participation opportunities and unequal athletic recruitment funding for its female students.

4. In order to address these disparities, *Champion Women* requests that the Office for Civil Rights (“OCR”) investigate Elmhurst to determine whether it is discriminating against women; whether it is providing women equal opportunities to participate in varsity sports and equivalent recruitment funding as required by Title IX and, if not, to remedy any unlawful conduct.

II. JURISDICTION

5. The OCR is responsible for ensuring compliance with Title IX and receiving information about, investigating, and remedying violations of Title IX and its implementing regulations and guidelines. 34 C.F.R. §§ 106.71, 100.7.

6. *Champion Women* has not filed this complaint with any other agency or institution.

7. As Elmhurst currently violates Title IX’s athletic equity requirements, this complaint is timely.

III. FACTUAL ALLEGATIONS

8. Elmhurst receives federal financial assistance and is therefore prohibited from discriminating on the basis of sex pursuant to Title IX.

9. Data submitted by Elmhurst to the U.S. Department of Education pursuant to the EADA that is publicly available on the Office of Postsecondary Education website for academic years 2003-04 through 2021-2022 indicates that Elmhurst is discriminating against women; it is

not currently and has not in the past been providing female athletes equal opportunities to participate in athletics under Title IX’s three-part participation test.

Year	Undergraduate Enrollment				Athletic Participation				
	Men	Women	Total	Percent Women	Men	Women	Total	Percent Women	Female Athletes Who Would Need to be Added to Achieve
2003-04	699	1369	2068	66.20%	217	121	338	35.80%	304
2004-05	781	1348	2129	63.32%	241	115	356	32.30%	301
2005-06	835	1527	2362	64.65%	254	141	395	35.70%	324
2006-07	861	1605	2466	65.09%	251	138	389	35.48%	330
2007-08	922	1628	2550	63.84%	250	157	407	38.57%	284
2008-09	1011	1737	2748	63.21%	281	200	481	41.58%	283
2009-10	1072	1764	2836	62.20%	315	186	501	37.13%	332
2010-11	1075	1797	2872	62.57%	319	186	505	36.83%	347
2011-12	1090	1845	2935	62.86%	321	195	516	37.79%	348
2012-13	1084	1749	2833	61.74%	345	176	521	33.78%	381
2013-14	1074	1645	2719	60.50%	354	195	549	35.52%	347
2014-15	1061	1607	2668	60.23%	358	192	550	34.91%	350
2015-16	1071	1575	2646	59.52%	347	169	516	32.75%	341
2016-17	1107	1575	2682	58.72%	371	174	545	31.93%	354
2017-18	1062	1629	2691	60.54%	362	189	551	34.30%	366
2018-19	1064	1640	2704	60.65%	343	207	550	37.64%	322
2019-20	1038	1674	2712	61.73%	310	184	494	37.25%	316
2020-21	1002	1681	2683	62.65%	367	250	617	40.52%	366
2021-22	1011	1677	2688	62.39%	421	293	714	41.04%	405

10. *Champion Women* has edited the EADA data on our website <https://titleixschools.com/> in just one instance: to remove male practice players who are counted up in the tally as “women”. These male practice players are not female athletes and have therefore been subtracted from the totals in the EADA.¹

11. Elmhurst does not and has not provided athletic opportunities to female students in numbers substantially proportionate to their enrollment pursuant to part one of the Title IX

¹ See *Champion Women* website for every college and university receiving federal funds: <https://titleixschools.com/2023/05/20/eada-data/> High school data for these schools receiving federal funds is available here: <https://titleixschools.com/2023/06/06/check-your-high-school/>

participation test. Women are 62.39% of the student body, but just 41.04% of the student-athletes.

12. In 2021-2022, the most recent academic year for which EADA data is available that is not corrupted by disruptions related to Covid-19, Elmhurst's participation gap was 405 athletes. In other words, Elmhurst must add 405 additional athletic opportunities for women in order to provide athletic opportunities substantially proportionate to enrollment; 405 additional opportunities is enough to add almost an entire athletic department; Elmhurst currently only has 293 women athletes. Assuming a new team would have an average of 25 athletes – some more, some less – Elmhurst would need to add over 16 new women's sports teams.

13. The EADA data and evidence gathered on Elmhurst's website show that Elmhurst does not have a history and continuing practice of expanding athletic participation opportunities for women pursuant to Prong 2 of the Title IX participation test. See column "Women" under "Athletic Participation" above. The number of women athletes does not consistently increase over time.

14. Over the 19 academic years covered by the available EADA data, Elmhurst achieved a high of 200 women's educational opportunities in 2008. It then slid backwards; it did not offer over 200 opportunities until 2018, or 10 years later. *Champion Women* cannot know the history of adding sports since 1975, but it is unlikely to show a history of continuous program expansion that is demonstratively responsive to the growing interests of women in sport.

15. A review of Elmhurst's website did not show any policy or procedure for adding new sports or elevating existing club sports to varsity status. Nor did it reveal any athletic gender equity plan, or any gender equity committee. The information deals almost exclusively with sexual assault and violence: <https://elmhurstbluejays.com/sports/2023/3/16/title-ix.aspx>

16. Elmhurst sponsors 9 men's varsity sports (Baseball, Basketball, Football, Golf, Lacrosse, Soccer, Tennis, Track & Field and Wrestling) serving 339 men, and 9 women's varsity sports (Basketball, Bowling, Golf, Lacrosse, Soccer, Softball, Tennis, Track & Field and Volleyball), serving 205 women.

17. Information available on Elmhurst's website suggests that the university is not accommodating the interests and abilities of female athletes as required by part three of the Title IX participation test.

18. Elmhurst women participate in the club sport of Dance and Rugby, *Clubs & Organizations*, Elmhurst, 2023 (last visited August 2, 2023). The existence of these women's club teams indicates that there may be unmet interest in women's athletics at Elmhurst.

19. A review of the Elmhurst website does not reveal that Elmhurst undertook any athletic interest surveys or other research into interest and competition to support the addition of women's varsity sports. While surveys are never sufficient to deny women sports opportunities, they are often helpful in determining *which sports* the school should add.

20. Elmhurst is a member of the College Conference of Illinois and Wisconsin (CCIW), serving NCAA Division III schools. Members are from Illinois and Wisconsin. Affiliate members are from Iowa, Kentucky and Missouri. This large competitive region will not be an impediment to almost any new women's sport.

21. CCIW sponsors women's Championships for Wrestling, Swimming & Diving; two sports that Elmhurst does not offer, providing Elmhurst with competitors within its competitive geographic region. In addition, Conference championship sports are a unique educational experience. CCIW sponsorship shows women have the interest and athletic ability to compete in sports.

22. Girls in Illinois and Elmhurst's competitive region compete in numerous high school <https://www.nfhsnetwork.com/states/IL> and club sports, including Wrestling, Badminton, Table Tennis, Team Handball, Sailing, Field Hockey, Fencing, Swimming & Diving, Water Polo, Archery, Field Hockey, Rifle, Triathlon, Ice Hockey, Sport Climbing, Artistic Swimming, Gymnastics, Rowing, and Rugby, and all sorts of combat sports, like Judo, Karate, and Taekwondo, to name a few.

According to NFHS data, girls participate in sports in high numbers across the country: Track and Field leads the way for girls with 486,355 participants, followed by Volleyball (470,488), Basketball (373,366), Soccer (377,838), Softball (377,838), Tennis (191,036), Swimming & Diving (191,036), and Lacrosse (98,014).²

Meanwhile, NCAA schools sponsor far fewer opportunities, roughly less than a tenth of the athletic opportunities: Track and Field (30,425), Volleyball (17,610), Basketball (16,090), Soccer (27,986), Softball (21,478), Tennis, (21,478), Swimming & Diving (12,889), Lacrosse (12,921)³

All these metrics demonstrate that women's enormous unmet demand sport; girls and women have regularly expressed their interest and athletic ability to play.

23. Sport Governing Bodies and the NCAA, for member schools, make it very easy to see where other competitors are located. The NCAA publishes the "NCAA Sports Sponsorship and Participation Rates Report, 1956 - 2022" for schools to find competitors within the school's normal competitive region: NCAA Sports Sponsorship and Participation Rates Report.⁴

² See, NFHS, High School Athletics Participation Survey, Conducted By the National Federation of State High School Associations; Based on Competition at the High School Level in the 2022-23 School Year https://www.nfhs.org/media/7212351/2022-23_participation_survey.pdf

³ See, NCAA Sports Sponsorship and Participation Rates Report (1956-57 through 2020-21) https://ncaaorg.s3.amazonaws.com/research/sportpart/2021RES_SportsSponsorshipParticipationRatesReport.pdf Page 86.

⁴ See NCAA Sports Sponsorship and Participation Rates Report (1956-57 through 2020-21) https://ncaaorg.s3.amazonaws.com/research/sportpart/2022RES_SportsSponsorshipParticipationRatesReport.pdf See individual sports' governing bodies for more, e.g.,

Women's College Rugby: <https://www.urugby.com/teams/womens-teams>

Collegiate Equestrian: <https://collegiateequestrian.com/sports/2020/5/6/schools.aspx>

Women's Collegiate Wrestling: <https://wrestlelikeagirl.org/college-opportunities>

23. Rugby, Equestrian, Triathlon, and Wrestling are NCAA emerging sports. There are 163 college women's Wrestling programs, 42 NCAA schools sponsor Triathlon, 26 colleges sponsor women's varsity Equestrian, and at least 32 colleges currently sponsor women's varsity Rugby.

24. Elmhurst's EADA data further indicates that the university provides inadequate and unequal funding for recruitment of female athletes. In 2021-2022, Elmhurst spent \$55,838 on men's recruitment and only \$37,587 on women's recruitment; women were allocated only 40.23 percent of the recruiting budget even though they account for 41.04 percent of the athletic population and 62.39 percent of the full-time undergraduate population. If Elmhurst were giving women's teams – and women's coaches, the same recruiting budget, women's teams would get an **additional \$55,034**.

25. If, for some reason, the OCR determines Elmhurst is, in fact, not discriminating against women in providing opportunities in sport, Elmhurst would still need to provide its women's sports teams – and women's coaches – with **\$2,380** more recruiting dollars in order to be consistent with the school's investment in men's sports.

IV. LEGAL ALLEGATIONS

26. Title IX provides that “[n]o 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.” 20 U.S.C. §1681(a).

27. Title IX regulations prohibit athletic programs from discriminating on the basis of sex in interscholastic, intercollegiate, club or intramural athletics offered by the institution. 34 C.F.R. §106.41(a) (2000).

Collegiate Competitive Cheer Teams: <https://www.ncsasports.org/cheerleading/colleges> (not to be confused with sideline cheerleading)

Women's Collegiate Triathlon: <https://www.usatriathlon.org/multisport/ncaa-triathlon>

Collegiate Sailing is governed by the Inter-Collegiate Sailing Association (ICSA) with 220 schools: <https://www.collegesailing.org/about/overview>

Women's Collegiate Ice Hockey: <https://www.uscho.com/teams/#d1women>

Collegiate Field Hockey: <https://www.teamusa.org/USA-Field-Hockey/PLAYERS/College/Team-Websites>

Collegiate Synchronized/ Artistic Swimming: <https://www.collegexpress.com/lists/list/colleges-with-notable-synchronized-swimming-teams/581/>

Collegiate Bowling - <https://collegebowling.bowl.com/teams>

Collegiate Rifle - <https://competitions.nra.org/competitions/nra-national-matches/collegiate-championships/collegiate-shooting-sports-directory/>

Collegiate Skiing – <https://www.uscsa.org/>

Collegiate Water Polo - <https://collegiatewaterpolo.org/>

Collegiate Women's Gymnastics <https://www.ncaa.com/sports/gymnastics-women>

28. Title IX regulations require institutions that offer athletics programs to provide equal athletic opportunities to members of both sexes to participate in athletics. 34 C.F.R. §106.41(c)(1).

29. Pursuant to the 1979 Title IX Policy Interpretation, compliance with Title IX's equal athletic participation requirement is measured by determining whether the educational institution meets one part of the following three-part test:

1. Prong 1: Whether intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments; or
2. Prong 2: Where the members of one sex have been and are underrepresented among intercollegiate athletes, whether the institution can show a history and continuing practice of program expansion which is demonstrably responsive to the developing interests and abilities of the members of that sex; or
3. Prong 3: Where the members of one sex are underrepresented among intercollegiate athletes, and the institution cannot show a history and continuing practice of program expansion, as described above, whether it can be demonstrated that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.

United States Department of Health, Education, and Welfare, Office for Civil Rights, *Policy Interpretation; Title IX and Intercollegiate Athletics*, 44 Fed. Reg. 71413 (Dec. 11, 1979) [hereinafter *Policy Interpretation*].

30. In determining substantial proportionality under part one of the three-part test, OCR considers the number of opportunities that would have to be added to achieve proportionality and whether it would be sufficient to support another team. If there are a significant number of unaccommodated women, it is likely that a viable sport could be added and therefore the institution has not satisfied part one of the three-part test. United States Department of Education, Office for Civil Rights, *Clarification of Intercollegiate Athletics Policy Guidance: the Three-Part Test* (Jan. 16, 1996) [hereinafter *1996 Clarification*].

31. In 1975, schools were given three years to be in compliance with the equal participation mandate under Title IX. Schools had only one year to end sex-discrimination in all other areas of Title IX's non-discrimination mandate. Only athletics gave schools three years to add athletic opportunities and to stop discriminating against women – or until 1978. That

deadline passed 45 years ago. 34 C.F.R. §106.41(d).⁵

It is worth noting how odd Prong 2 is as a legal test, in comparison to other non-discrimination civil rights. For a school to be able to argue that it is still playing catch-up with non-discrimination – exists nowhere else in law. This is especially true 51 years after the passage of Title IX, and 48 years after the passage of the regulations OCR depends on, regulations that were passed by Congress. When a school uses Prong 2, it is admitting that it is not providing women with equal educational opportunities, but that their actions are acceptable, because the school is “improving.” Title IX’s Prong 2 allows schools to provide girls and women with less.

32. Therefore, it is understandable that Prong 2 is a strict legal test. In determining whether an institution has a history and continuing practice of expansion under Prong 2 of the three-part test, OCR reviews the entire history of the athletic program and evaluates whether the institution has expanded participation opportunities for the underrepresented sex in a manner that was demonstrably responsive to their developing interests and abilities, considering a number of factors, including:

- an institution’s record of adding intercollegiate teams, or upgrading teams to intercollegiate status, for the underrepresented sex;
- an institution’s record of increasing the numbers of participants in intercollegiate athletics who are members of the underrepresented sex;
- an institution’s affirmative responses to requests by students or others for addition or elevation of sports; and
- whether the institution has effective ongoing procedures for collecting, maintaining and analyzing information on the interest and abilities of students of the underrepresented sex, including monitoring athletic participation, and assessing interest and ability on a periodic basis.

United States Department of Education, Office for Civil Rights, *Intercollegiate Athletics Policy Clarification: The Three-Part Test- Part Three* (Apr. 20, 2010) [hereinafter *2010 Clarification*]; *1996 Clarification*.

33. In determining whether an institution has a continuing practice of program expansion under Prong 2, OCR will consider a number of factors, including:

- an institution’s current implementation of a non-discriminatory policy or procedure for requesting the addition of sports (including the elevation of club or intramural teams) and the effective communication of the policy or procedure to students;

⁵ 34 C.F.R. §106.41(d) “*Adjustment period.* A recipient which operates or sponsors interscholastic, intercollegiate, club or intramural athletics at the elementary school level shall comply fully with this section as expeditiously as possible but in no event later than one year from the effective date of this regulation. A recipient which operates or sponsors interscholastic, intercollegiate, club or intramural athletics at the secondary or post-secondary school level shall comply fully with this section as expeditiously as possible but in no event later than three years from the effective date of this regulation.”

- an institution’s current implementation of a plan of program expansion that is responsive to developing interests and abilities; and
- an institution’s efforts to monitor developing interests and abilities of the underrepresented sex, for example, by conducting periodic nondiscriminatory assessments of developing interests and abilities and taking timely actions in response to the results.

2010 Clarification, 1996 Clarification.

34. OCR will not find a history and continuing practice of program expansion where an institution increases the proportional participation opportunities for the underrepresented sex by reducing opportunities for the overrepresented sex alone or by reducing participation opportunities for the overrepresented sex to a proportionately greater degree than for the underrepresented sex. *2010 Clarification, 1996 Clarification.*

35. Courts have found that schools must have both a history *and* continuing practice of expanding opportunities for women for Prong 2 compliance. *Mansourian v. Bd. Of Regents of Univ. of Cal.*, 594 F. 3d 1095, 1108. (9th Cir. Cal. 2010).

36. Prong 3 of the three-part test requires an examination of whether there is an unmet interest in a particular sport, a sufficient ability to sustain a team in the sport, and a reasonable expectation for competition for a team in the sport. *2010 Clarification, 1996 Clarification.*

37. Whether there is unmet interest and ability will be determined by examining a broad range of indicators, including whether the institution uses non-discriminatory methods of assessing interest and ability, the elimination of a viable team for the unrepresented sex, multiple indicators of interest and ability, and frequency of conducting assessments. *2010 Clarification.*

38. Sufficient interest can be established by student requests to add a sport or elevate a club sport, increases in club or intramural sport participation, responses to interviews and interest surveys, assessments of student athletic participation before entering the institution or in the secondary schools from which the university draws its students, and assessments of participation in intercollegiate sports in the institution’s normal competitive regions. *Id.*

39. Ability may be established by the athletic accomplishments and competitive experience of club sports and admitted students, the opinions of coaches, administrators, and athletes, and student participation in other sports. *Id.*

40. Expectation of competition may be established through athletic opportunities offered by other schools with which the school competes or opportunities at other schools in the school’s geographic area, including those against which the institution does not compete. *Id.*

41. Under Prong 3 of the three-part test, OCR will also examine an institution’s recruitment practices. If an institution recruits potential student-athletes for its men’s teams,

OCR will examine whether the institution is providing women's teams with substantially equal opportunities to recruit potential student-athletes. *Id.*

42. Title IX also requires schools to provide equal scholarship dollars, in proportion to the number of students of each sex participating in athletics. 34 C.F.R. §106.37(c) (2000). NCAA limits on scholarships per team is not a legal defense; schools cannot blame a third-party for sex discrimination; recipients are responsible for equality. Schools choose which sports to sponsor, and some schools have chosen scholarship-dense sports for men, such as football and basketball, and scholarship-light sports for women, such as track.

43. Title IX also requires equal opportunity in the recruitment of student-athletes where equal athletic opportunities are not present for male and female students. Compliance will be assessed by examining the recruitment practices of the athletic programs for both sexes and evaluating whether the financial and other resources made available for recruitment in male and female athletic programs are equivalently adequate to meet the needs of each program. *1979 Policy Interpretation.*

44. Title IX requires schools to provide women with equal treatment, including equipment and supplies; game and practice times; travel and per diem allowances; coaching and academic tutoring; assignment and compensation of coaches and tutors; locker rooms, practice, and competitive facilities; medical and training facilities and services; housing and dining facilities and services; and publicity. 34 C.F.R. §106.41(a) (2000), *Policy Interpretation.*

45. Lack of money is not a legal defense to sex discrimination. *See, e.g., Roberts Colorado State Univ.*, 814 F. Supp. 1507, 1518 (D. Colo. 1993) (“[A] financial crisis cannot justify gender discrimination.”); *Favia v Indiana University of Pennsylvania*, 812 F. Supp. 578, 585 (W.D. Pa. 1993) (finding that financial concerns alone cannot justify gender discrimination); *Cook v. Colgate University*, 802 F. Supp. 737, 750 (1992) (“[I]f schools could use financial concerns as a sole reason for disparity of treatment, Title IX would become meaningless.”); *Haffer v. Temple*, 678 F. Supp. 517, 520 (1987) (finding that financial concerns alone cannot justify gender discrimination).

46. Monies and in-kind benefits from third-party sources, such as donors, sponsorships, television rights, ticket sales, student-fees, are not a defense to a sex discrimination charge, whether those resources were used to build facilities, fund scholarships, provide equipment and uniforms, or any other benefit of sports participation. None of those sources of money creates a legal defense to sex discrimination. Schools must ensure that their students are not receiving second class educational opportunities because they are female. *See* 20 U.S.C. § 1687 (2005); *See* Office for Civil Rights, *Department of Education, Further Clarification of Intercollegiate Athletics Policy Guidance Regarding Title IX Compliance* (June 11, 2003), *Cohen v. Brown Univ.*, 809 F. Supp. 978, 996 (D.R.I. 1992) (concluding that “all monies spent by Brown’s Athletic Department, whether originating from university coffers or from the Sports Foundation [booster club] must be evaluated as a whole under § 106.41(c)”)

47. It is *Champion Women's* experience that most athletes and former athletes are acutely aware of all the ways they are treated as second-class within their athletics department, because they are women. As NIL monies become more available, equal promotion and publicity will be important for female athletes. *Champion Women* asked current collegiate athletes what equality would look like under this list. Here's what the athletes came up with:

- i. Men's and Women's sports would be equally featured, with equal prominence, on school and Athletic Department websites and social media.
- ii. Schools would invest equally in cameras and production equipment for Women's and Men's sports.
- iii. Schools would optimize Google searches for their Men's and Women's teams to receive equal search results.
- iv. Women's and Men's sports would employ an equal caliber of talent in their sports information and marketing departments, and they would be paid and promoted equally.
- v. Women's and Men's sports jerseys, apparel and memorabilia would be equally and easily accessible.
- vi. The needs of Women's teams would not revolve around Men's football and men's basketball teams.
- vii. The Women's and Men's teams would have equal access to dining halls, nutrition, etc. at times equally convenient to both teams.
- viii. Men's and Women's teams would have equal access to optimal practice times when they share facilities.
- ix. Men's and Women's sports marketing efforts would focus on performance; Broadcasters and schools would not focus on a woman-athlete's appearance or sexuality.
- x. Women's and Men's medical care and athletic training access would be equal; Neither male nor female athletes would have priority accessing these resources.
- xi. Schools would hire competition officials of the same quality, with equal compensation, for the Women's and Men's teams.
- xii. Men's and Women's sports performance staff would be equal and would be paid and promoted comparably.
- xiii. Schools would intentionally use language that equally prioritizes Men's and Women's sports.
 1. Teams would be referred as "Women's Basketball" and "Men's Basketball."
 2. "Basketball" would not be used to refer to Men's Basketball.
 3. Schools would have Social Media handles that referred to men's and women's teams; "Oregon Soccer" would be changed to "Oregon Men's Soccer."

48. Elmhurst's own data, as outlined in the Factual Allegations above, demonstrate that it is not providing equal opportunities for its female students to participate in sports under Title IX's three-part participation test, in addition to treatment and recruitment requirements.

V. RELIEF REQUESTED

49. *Champion Women* requests that OCR:

- a. Investigate Elmhurst University to determine whether it is discriminating against women; whether it is providing female students with equal participation opportunities in varsity athletics, equal athletic scholarship dollars, and equal treatment and benefits.
- b. *Champion Women* expects investigators to find additional violations. We ask the OCR to take all necessary steps to remedy any unlawful conduct that you identify in your investigation, as required by Title IX and its implementing regulations.
- c. Among other steps to achieve compliance with Title IX, require Elmhurst to add more athletic opportunities for women, accord to additional teams and athletes the full range of benefits accorded to men's varsity teams and athletes, increase recruiting budgets and opportunities, and adopt and implement a plan to achieve compliance with Title IX.
- d. Monitor any resulting agreement with Elmhurst to ensure that the school achieves compliance with Title IX.

I give OCR my consent to disclose my name and *Champion Women's* name contained in this letter to others for OCR's investigation of, and enforcement activities related to, the Discrimination Complaint.



A handwritten signature in blue ink that reads "Nancy Hogshead".

Nancy Hogshead, J.D., OLY
September 16, 2023