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ADMINISTRATIVE CLASS COMPLAINT

COMPLAINANT

Champion Women
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RECIPIENT

University of Louisiana at Lafayette
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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 the University of Louisiana at Lafayette, (“Louisiana Lafayette”) 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 Louisiana’s website indicates that Louisiana is discriminating on the basis of sex by providing unequal athletic participation, unequal athletic scholarship dollars, and unequal treatment and benefits, including 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 Louisiana Lafayette to determine 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 remediating 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 Louisiana Lafayette currently violates Title IX’s athletic equity requirements, this complaint is timely.

III. FACTUAL ALLEGATIONS

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

9. Data submitted by Louisiana 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 Louisiana 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.

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

Year	Undergraduate Enrollment				Athletic Participation				
	Men	Women	Total	Percent Women	Men	Women Prong 2: This # should Rise Continuously and Steadily Over Time, Without Going Backwards	Total	Percent Women	Female Athletes Who Would Need to be Added to Achieve Equity
2003-04	5287	6738	12025	56.03%	169	94	263	35.74%	121
2004-05	5321	7010	12331	56.85%	226	122	348	35.06%	176
2005-06	5485	7441	12926	57.57%	229	130	359	36.21%	181
2006-07	6267	8664	14931	58.03%	288	171	459	37.25%	227
2007-08	5443	7081	12524	56.54%	289	194	483	40.17%	182
2008-09	5328	6977	12305	56.70%	239	139	378	36.77%	174
2009-10	5486	7030	12516	56.17%	252	130	382	34.03%	193
2010-11	5672	7203	12875	55.95%	270	156	426	36.62%	187
2011-12	5775	7219	12994	55.56%	280	173	453	38.19%	177
2012-13	5637	6890	12527	55.00%	275	160	435	36.78%	176
2013-14	5643	6631	12274	54.02%	278	183	461	39.70%	144
2014-15	5761	6726	12487	53.86%	316	210	526	39.92%	159
2015-16	5857	6995	12852	54.43%	302	201	503	39.96%	160
2016-17	5743	7116	12859	55.34%	300	193	493	39.15%	179
2017-18	5724	7018	12742	55.08%	275	186	461	40.35%	151
2018-19	5487	6911	12398	55.74%	282	172	454	37.89%	183
2019-20	5256	6645	11901	55.84%	296	200	496	40.32%	174
2020-21	4905	6394	11299	56.59%	305	209	514	40.66%	189
2021-22	4667	6178	10845	56.97%	332	208	540	38.52%	231

11. Louisiana Lafayette 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 participation test. Women are 56.97% of the student body, but just 38.52% of the student-athletes.

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/>

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, Louisiana Lafayette's participation gap was 231 athletes. In other words, Louisiana Lafayette must add 231 additional athletic opportunities for women in order to provide athletic opportunities substantially proportionate to enrollment; 231 additional opportunities are enough to add almost an entire athletic department; Louisiana currently only has 152 women athletes.

13. The EADA data and evidence gathered on Louisiana's website show that Louisiana 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 "Percent Women" under "Athletic Participation" above.

14. Louisiana had 171 and 194 women athletes in 2006 and 2007, but then slid backwards for the next six years. Between 2007 and 2008, Louisiana Lafayette cut 55 women's athletic opportunities. Louisiana hit its all-time high in 2014, and has not provided the same opportunities since. *Champion Women* cannot know the 28-year history of adding sports between 1975 and 2003, but Louisiana Lafayette cannot show a history of continuous program expansion that is demonstratively responsive to women's growing interest in sports of all kinds.

The same cannot be said of Louisiana's male athletes, whose numbers have grown at double the rate of women's athletic opportunities.

15. A review of Louisiana'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.

16. Louisiana sponsors 6 men's varsity sports (Baseball, Basketball, Track and Field, Football, Golf, and Tennis) serving 266 men, and 6 women's varsity sports (Basketball, Track and Field, Soccer, Softball, Tennis, and Volleyball) serving 152 women.

17. Information available on Louisiana'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. Louisiana women participate in numerous club sports, including Bass Fishing, Bowling, Climbing, Cycling, Equestrian, Gymnastics, Karate, Powerlifting, Trap and Skeet Shooting, Spikeball, Jiu-Jitsu, Tennis, Soccer, Ultimate Frisbee, Wakeboarding, Waterski and Volleyball, *Recreational Sports*, Louisiana, (last visited July 27, 2023). The existence of these women's club teams indicates that there is unmet interest in women's athletics at Louisiana Lafayette.

20. Louisiana is a member of the Sun Belt Conference, where members come from Alabama, Arkansas, Colorado, Florida, Kentucky, Louisiana, Tennessee, and Texas, for all sports with the exception of football. Louisiana Lafayette will have many options for adding more women's opportunities, with the Sun Belt Conference covering a multi-state geographical competitive region, with many women's teams to compete against.

21. The Sun Belt Conference sponsors Beach Volleyball, Golf and Swimming & Diving as Championship sports; all sports Louisiana Lafayette does not sponsor. These women's Championship teams offer a unique educational experience. And they demonstrate women's interest in these sports and that competition for these women's sports exists in the Sun Belt and Louisiana Lafayette's competitive geographic area.

22. Members of the Sun Belt Conference sponsor Bowling, Field Hockey, Lacrosse, Rifle, Rowing, Sailing, and Swimming and Diving. A number of universities in the Sun Belt Conference and within the competitive region have rugby club teams, making competition viable. Louisiana does not sponsor any of these eight teams. These women's sports and teams demonstrate women's interest in these sports and that competition for these women's sports exists in the competitive geographic area.

23. High school-age girls in Louisiana compete in a number of sports not offered by Louisiana Monroe. <https://www.nfhsnetwork.com/states/LA> They play Basketball, Soccer, Softball, Swimming & Diving, Track & Field, Volleyball, Weightlifting and Wrestling.

Louisiana's high school athletes have very few opportunities to compete in college sports, and even fewer in Division I. According to the NCAA,² in 2020, only 1.3% of high school girls basketball players were provided the opportunity to play in Division I. Just 2.9% of high school Field Hockey players, 2.8% of Golfers, 8.9% of Ice Hockey players, 3.7% of Lacrosse players, 2.4% of Soccer players, 1.8% of Softball players, 3.3% of Swimmers, 1.5% of Tennis players, 2.8% of Track & Field athletes, 1.2% of Volleyball players in high school are provided opportunities to play their sport in Division I.

High school-age girls in Louisiana Lafayette's competitive geographic region are also active in club sports or travel teams that are not associated with their school, such as Basketball, Soccer, Golf, Tennis, and Track & Field, Wrestling, Badminton, Table Tennis, Team Handball, Sailing, Field Hockey, Fencing, Swimming & Diving, Skateboarding, Water Polo, Archery, Field Hockey, Rifle, Triathlon, Ice Hockey, Sport Climbing, Artistic Swimming, Skiing, Snowboarding, Gymnastics, Rowing, Wrestling, Rugby, and all sorts of combat sports, like Judo, Karate, and Taekwondo, to name a few.

These metrics demonstrate that women have expressed enormous demand to compete in sports that is unmet. Girls and women have the interest and athletic ability to play additional sports. It cannot be said that there are not women interested and athletically able to compete in many additional sports at the University of Louisiana at Lafayette.

24. 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

² NCAA: Estimated Probability of Competing in College Athletics:
<https://www.ncaa.org/sports/2015/3/2/estimated-probability-of-competing-in-college-athletics.aspx>

normal competitive region: NCAA Sports Sponsorship and Participation Rates Report.³

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

26. A review of the Louisiana website does not reveal that Louisiana undertook any athletic interest surveys or other research into interest and competition to support the addition of women's varsity sports.

27. The failure to provide women with equal opportunities to play impacts the availability of athletic scholarship dollars for women. These are important sources of funding for educational attainment that women are being denied because of their sex. If Louisiana Lafayette provided its male and female students with the same opportunities to participate, Louisiana would need to add **\$3,330,302 additional** athletic scholarship dollars, to balance out the amount Louisiana provides to its male students.

28. If, for some reason, the OCR determines that Louisiana does not need to add more opportunities for women, and the ratio used is the student-athletes, instead of the student body, no more scholarship dollars would be required.

29. Louisiana Lafayette's EADA data further indicates that the university provides inadequate and unequal funding for the recruitment of female athletes. In 2021-2022, Louisiana spent \$343,378 on men's recruitment and only \$178,558 on women's recruitment; women were

³ See

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>

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>

allocated only 34.21 percent of the recruiting budget even though they account for 38.52 percent of the athletic population and 56.97 percent of the full-time undergraduate population. University of Louisiana at Lafayette needs to add **\$275,993** for its women's athletic teams for recruiting.

30. If, for some reason, the OCR determines that Louisiana Lafayette does not need to add more opportunities for women, Louisiana would still need to provide its women's sports teams – and women's coaches – with **\$11,236** more recruiting dollars in order to be consistent with the school's investment in men's sports.

IV. LEGAL ALLEGATIONS

31. 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).

32. 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).

33. 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). NCAA limits on scholarships per team is not a legal defense; schools cannot blame a third-party; recipients are responsible for equality. Schools choose which schools to sponsor, and some schools have chosen scholarship-dense sports for men, like football, and scholarship-light sports for women, like track.

34. 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*].

35. 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*].

36. 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).⁴

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.

37. 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;

⁴ 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 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*.

38. 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;
- 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.

39. 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.*

40. 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).

41. 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.*

42. 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.*

43. 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.*

44. 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.*

45. 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.*

46. 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.*

47. 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.

48. 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.*

49. 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).

50. Monies and in-kind benefits from third-party sources, such as donors, sponsorships, television rights, ticket sales, and 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 of the other benefits of sports participation. None of those sources of money creates a legal defense against sex discrimination. 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)”)

51. 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 – notice how many do not require additional money outlay.

- 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 to 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."

52. Louisiana Lafayette'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 their failures to provide women with equal scholarship and treatment and benefits, as required by Title IX.

V. RELIEF REQUESTED

53. *Champion Women* expects OCR investigators will find additional violations of the civil rights law guaranteeing women equal educational opportunities in athletics. *Champion Women* requests that OCR:

- a. Investigate the University of Louisiana at Lafayette to determine whether it is discriminating against women; whether it is providing female students with equal participation opportunities in varsity athletics, equal athletic scholarship aid, and equivalent treatment and benefits.
- b. Take all necessary steps to remedy any unlawful conduct that you identify in your investigation, as required by Title IX and its implementing regulations. Secure assurances of compliance with Title IX from Louisiana Lafayette, as well as requiring full remedies for all the violations found.
- c. Among other steps to achieve compliance with Title IX in the school's athletic department, require Louisiana Lafayette to add more athletic opportunities for women, require Louisiana Lafayette to provide women with the same proportionate athletic scholarships that it provides men, and accord to existing and additional teams and athletes the full range of benefits accorded to men's varsity teams and athletes, including increase recruiting budgets for women's teams.
- d. Finally, we ask the OCR to monitor any resulting agreement with the University of Louisiana at Lafayette to ensure that the school achieves full and complete compliance with Title IX throughout its athletic department, now and in the future.

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 21, 2023