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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 Western Oregon University (“Western Oregon”) 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 Western Oregon’s website indicates that Western Oregon is discriminating on the basis of sex by providing women with unequal athletic participation opportunities, unequal athletic scholarship dollars, and unequal treatment and benefits, including athletic recruitment funding.

4. In order to address these disparities, *Champion Women* requests that the Office for Civil Rights (“OCR”) investigate Western Oregon to determine whether it is discriminating against women; is it providing women equal educational opportunities to participate in varsity sports, equal scholarship dollars, equal treatment, including but not limited to equal recruiting dollars 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 Western Oregon currently violates Title IX’s athletic equity requirements, this complaint is timely.

## **III. FACTUAL ALLEGATIONS**

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

9. Data submitted by Western Oregon 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 Western Oregon is discriminating against its women students in the athletic department, by 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 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
2003-04	1567	2397	3964	60.47%	291	134	425	31.53%	311
2004-05	1585	2263	3848	58.81%	263	131	394	33.25%	245
2005-06	1568	2232	3800	58.74%	258	143	401	35.66%	224
2006-07	1445	2178	3623	60.12%	281	166	447	37.14%	258
2007-08	1590	2259	3849	58.69%	305	151	456	33.11%	282
2008-09	1680	2329	4009	58.09%	328	156	484	32.23%	299
2009-10	1822	2429	4251	57.14%	340	171	511	33.46%	282
2010-11	1909	2622	4531	57.87%	349	165	514	32.10%	314
2011-12	1925	2721	4646	58.57%	299	177	476	37.18%	246
2012-13	1899	2746	4645	59.12%	303	148	451	32.82%	290
2013-14	1860	2560	4420	57.92%	321	181	502	36.06%	261
2014-15	1759	2395	4154	57.66%	265	178	443	40.18%	183
2015-16	1614	2466	4080	60.44%	265	178	443	40.18%	227
2016-17	1573	2501	4074	61.39%	279	179	458	39.08%	265
2017-18	1528	2533	4061	62.37%	289	159	448	35.49%	320
2018-19	1450	2428	3878	62.61%	252	144	396	36.36%	278
2019-20	1292	2381	3673	64.82%	269	149	418	35.65%	347
2020-21	1198	2222	3420	64.97%	40	84	124	67.74%	-10
2021-22	977	2038	3015	67.60%	284	175	459	38.13%	417

10. *Champion Women* has edited the EADA data in just one instance: <https://titleixschools.com/> 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.<sup>1</sup>

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

<sup>1</sup> 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/>

Title IX participation test. Women are 67.6% of the student body, but just 38.13% 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, Western Oregon's participation gap was 417 athletes. In other words, Western Oregon must add 417 additional athletic opportunities for women in order to provide athletic opportunities substantially proportionate to enrollment; 417 additional opportunities is enough to add almost an entire athletic department; Western Oregon currently is only offering 124 women with the opportunity to play sports. Assuming a new team would have an average of 25 athletes – some more, some less – Western Oregon will need to add over 16 new women's sports teams.

13. The EADA data and evidence gathered on Western Oregon's website show that Western Oregon 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. Western Oregon has not offered women improving educational opportunities continuously; Western Oregon offered women more opportunities to compete back in 2013. From 2013 forward, the opportunities for women have consistently declined for 7 years. *Champion Women* does not 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 Western Oregon'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. Western Oregon sponsors 6 men's varsity sports (Baseball, Basketball, Cross Country, Football, Soccer, and Track & Field) serving 215 men, and 6 women's varsity sports (Basketball, Cross Country, Soccer, Softball, Track & Field and Volleyball) serving 124 women.

17. Information available on Western Oregon'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. Western Oregon women participate in the club sports of Rugby, Basketball, Dance, Soccer, Volleyball, Swimming, Rock Climbing, Badminton, Pickleball, Bowling, Golf. The existence of these women's club teams indicates that there is unmet interest in women's athletics at Western Oregon.

19. Sport Governing Bodies and the NCAA make it easy to see other competitors' locations. 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.<sup>2</sup>

20. Western Oregon is a member of the Great Northwest Athletic Conference (GNAC), an NCAA Division II conference. Other members in this conference are located in Alaska, Montana, British Columbia, Canada, Washington, Oregon, and Idaho; including two affiliate members in Oklahoma and California. This expansive competitive geographic region will encompass most women’s sports, in which women have demonstrated interest and ability.

21. Women’s Golf and Rowing are currently sponsored by the GNAC as Championship sports, but Western Oregon does not offer either of these two sports, women’s Golf or Rowing. These championship teams demonstrate women’s interest in these sports and that competition for these women’s sports exists in the competitive geographic area.

22. A number of universities in the GNAC and within the competitive region sponsor Swimming & Diving, Wrestling, Rifle and Skiing, as well as several Equestrian and Rugby club teams, making competition viable. Women have therefore demonstrated their interest in these sports and that competition for these women’s sports exists in the competitive geographic area.

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.

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<sup>2</sup> See

[https://ncaaorg.s3.amazonaws.com/research/sportpart/2022RES\\_SportsSponsorshipParticipationRatesReport.pdf](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>

24. High school-age girls in Oregon play Bowling, Ice Hockey, Lacrosse, Snowboarding, Swimming & Diving, Tennis, and Wrestling. <https://www.nfhsnetwork.com/states/OR> Western Oregon offers none of these sports.

According to the NCAA,<sup>3</sup> in 2020, only 1.2% of these high school girls' basketball players were provided the opportunity to play in Division II. Just 1.4% of high school Field Hockey players, 1.9% of Golfers, 1.1% of Ice Hockey players, 3.7% of Lacrosse players, 1.9% of Soccer players, 1.7% of Softball players, 1.2% of Swimmers, 1% of Tennis players, 1.5% of Track & Field athletes, 1.1% of Volleyball players, and just 1.1% of high school Water Polo players in are provided opportunities to play their sport in Division II.

High school-age girls in Oregon and the Great Northwest Athletic Conference competitive geographic region also compete in club sports or travel teams; sport that are not associated with a school. These include Basketball, Soccer, Golf, Tennis, Track & Field, Soccer, Volleyball, Wrestling, Equestrian, Badminton, Table Tennis, Team Handball, Sailing, Field Hockey, Fencing, Speedskating, Swimming & Diving, Skateboarding, Water Polo, Archery, Field Hockey, Rifle, Triathlon, Cycling, Ice Hockey, Sport Climbing, Artistic Swimming, Skiing, Snowboarding, Gymnastics, Rowing, 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.

25. A review of the Western Oregon website does not reveal that Western Oregon 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.

26. 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 Western Oregon provided its male and female students with the same opportunities to participate, Western Oregon would need to add **\$1,041,806** additional athletic scholarship dollars, to balance out the amount Western Oregon provides to its male students.

27. If, for some reason, the OCR determines that Western Oregon is, in fact, not discriminating against women in providing opportunities in sport, then Post would still need to provide its women students participating in sports with **\$628,221** more in athletic scholarship aid, to match the amount Post provides its male athletes.

28. Western Oregon University's EADA data further indicates that the university provides inadequate and unequal funding for the recruitment of female athletes. In 2021-2022, Western Oregon spent \$26,508 on men's recruitment and only \$28,680 on women's recruitment; even though women represent 67.6 percent of the full-time undergraduate population. If Post

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

treated women like it does men's teams regarding recruiting resources, women's teams – and women's coaches – would have an additional **\$26,615** in recruiting dollars.

29. If, for some reason, the OCR determines that Western Oregon is, in fact, not discriminating against women in providing opportunities in sport, then Post would not need to give women more athletic recruiting aid.

#### **IV. LEGAL ALLEGATIONS**

30. 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).

31. 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).

32. 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).

33. 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*].

34. 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*].

35. 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).<sup>4</sup>

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.

36. 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

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<sup>4</sup> 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.”



- 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*.

37. 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 nondiscriminatory 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.*

38. 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.*

39. 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. (9<sup>th</sup> Cir. Cal. 2010).

40. 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.*

41. 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.*

42. 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.*

43. 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.*

44. 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.*

45. 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.

46. 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*.

47. 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).

48. 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 other benefit of sports participation. None of those sources of money creates a legal defense against 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)"

49. 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 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."

50. Western Oregon'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 scholarship and treatment & benefits requirements under Title IX.

## **V. RELIEF REQUESTED**

51. **Champion Women** expects OCR investigators will find additional violations of Title IX, the law guaranteeing women equal educational opportunities, including athletics. **Champion Women** requests that OCR:

- a. Investigate Western Oregon University to determine whether it is discriminating against women; whether it is providing female students with equal participation opportunities in varsity athletics, equal and proportionate athletic scholarship dollars, and whether women are receiving equal treatment.
- 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 Western Oregon, that include full remedies for all the violations found.
- c. Among other steps to achieve compliance with Title IX, require Western Oregon 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 opportunities, and adopt and implement a plan to achieve compliance with Title IX.
- d. Monitor any resulting agreement with Western Oregon University to ensure that the school achieves compliance with Title IX, now and in the future.

Respectfully submitted,



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

Nancy Hogshead, J.D., OLY  
September 25, 2023