



United States Department of Education
Office for Civil Rights
DISCRIMINATION COMPLAINT FORM

You do not have to use this form to file a complaint with the U.S. Department of Education’s Office for Civil Rights (OCR). You may send OCR a letter or email instead of this form, but the letter or email must include the information in items 1-15 of this form. If you decide to use this form, please type or print all information and use additional pages if more space is needed. An online, fillable version of this form, which can be submitted electronically, can be found at:

<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Before completing this form, please read all information contained in the enclosed packet including: Information About OCR’s Complaint Resolution Procedures, Notice of Uses of Personal Information and the Consent Form.

If you have questions about civil rights or how to file a complaint, you may contact OCR at 800-421-3481, 800-877-8339 (TTY), OCR@ed.gov, or by calling the enforcement office that serves your state or territory. Contact information for enforcement offices can be found at:

<https://ocrcas.ed.gov/contact-ocr>.

If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800-USA-LEARN (1- 800-872-5327) (TTY: 1-800-877-8339), or email us at:

Ed.Language.Assistance@ed.gov. If you are a person with a disability, you may request disability-related assistance by contacting OCR at 800-421-3481, 800-877-8339 (TTY), OCR@ed.gov, or by calling the enforcement office that serves your state or territory. Contact information for enforcement offices can be found at: <https://ocrcas.ed.gov/contact-ocr>. To request this document in an alternate format such as Braille or large print please contact the Department at 202-260-0852 or om_eeos@ed.gov.

1. Name of person filing this complaint:

Last Name: Hogshead, J.D., OLY **First Name:** Nancy

Address: 2103 River Road

Champion Women, a non-profit providing legal advocacy for girls and women in sports.

City: Jacksonville **State:** Florida **Zip Code:** 32207

Primary number: (904) 384-8484 **Alternate number:** N/A

Email Address: hogshead@championwomen.org and supportwomen@championwomen.org

2. Name of person discriminated against (if **other** than person filing). If the person discriminated against is age 18 or older, we will need that person's signature on this complaint form and the consent/release form before we can proceed with this complaint. If the person is a minor, and you do not have the legal authority to file a complaint on the student's behalf, the signature of the child's parent, guardian, or other authorized legal representative is required.

Last Name: N/A First Name: _____ Address: _____
City: _____
State: _____ Zip Code: _____
Primary Phone: _____ Alternative Phone: _____
Email Address: _____

3. OCR investigates discrimination complaints against schools, colleges and universities, institutions, and agencies which receive funds or other forms of financial assistance from the U.S. Department of Education and against public educational entities and libraries that are subject to the provisions of Title II of the Americans with Disabilities Act. Please identify the institution or agency that engaged in the alleged discrimination. If we cannot accept your complaint, we will attempt to refer it to the appropriate agency and will notify you of that fact.

Name of Institution: Texas Christian University– OCR #03-23-2271

Address: 2800 South University Drive

City: Fort Worth State: TX Zip Code: 76109

Department/School: Athletics Department

4. The regulations OCR enforces prohibit discrimination on the basis of race, color, national origin, sex, disability, or age. The regulations also ban retaliation against persons who assert the right to be free from discrimination. Please note the following:
- Discrimination based on race, color, and national origin includes failure to provide meaningful access to English learners and limited English proficient parents and guardians, as well as discrimination based on shared ancestry or ethnic characteristics or based on citizenship in a country with a dominant religion.
 - Discrimination based on sex includes discrimination based on sex stereotypes, pregnancy or related conditions, sexual orientation, and gender identity, as well as rules about parental, family, or marital status that treat people differently based on sex.
 - Discrimination based on disability includes discrimination against individuals who have a physical or mental impairment that substantially limits a major life activity, as well as individuals who have a record of or are regarded as having a disability.
 - Discrimination based on age does not limit protection against discrimination to a certain age group (e.g., people over 40); however, there are a variety of exceptions to the relevant Federal law that may permit age to be taken into account.
 - Retaliation refers to actions taken for the purpose of interfering with any rights under the laws enforced by OCR,

or because you made a complaint, testified, or participated in any manner in an OCR proceeding.

Please indicate the basis of your complaint:

Discrimination **based on race (specify) based on color (specify) or based on national origin (specify)**



Discrimination **based on sex (specify)**

Texas Christian University 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.

More areas of sex discrimination are expected to be found with an investigation, including:

- (1) Provision and maintenance of equipment and supplies;
- (2) Scheduling of games and practice times;
- (3) Travel and per diem expenses;
- (4) Opportunity to receive tutoring and assignment and compensation of tutors;
- (5) Opportunity to receive coaching, assignment, and compensation of coaches;
- (6) Provision of locker rooms, practice, and competitive facilities;
- (7) Provision of medical and training services and facilities;
- (8) Provision of housing and dining services and facilities;
- (9) Publicity;
- (10) Support services; and
- (11) Recruiting.

See more assessment factors on each of these treatment issues at: “A Policy Interpretation: Title IX and Intercollegiate Athletics,” Federal Register, Vol. 44, No. 239, 1979, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/t9interp.html>



Discrimination **based on disability (specify)**

Discrimination **based on age (specify)**

Retaliation because you filed a complaint or otherwise asserted rights under laws enforced by OCR (specify)

Violation of the Boy Scouts of America Equal Access Act (specify)

5. Please describe each alleged discriminatory act. For each action, please include the date(s) the discriminatory act occurred, the name(s) of each person(s) involved and, why you believe the discrimination was because of race, disability, age, sex, etc. Also please provide the names of any person(s) who was present and witnessed the act(s) of discrimination.

Sex Discrimination Complaint

Texas Christian University

Texas Christian University 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.

The legal test to measure “equal opportunities” has been clear since 1979. “Equal athletic participation” is measured by determining whether the educational institution meets any 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: Whether it can be demonstrated that women’s “interests and abilities have been fully and effectively accommodated by the present program.”¹

The following graphic from the recent GAO Report, “**College Athletics: Education Should Improve Its Title IX Enforcement Efforts**” – the report suggests using resources exactly like the types *Champion Women* is providing in this complaint.

The graphic from the GAO describes this same 3-Part test for participation under Title IX well; schools must meet ONE of these THREE Options:

Figure 1: The “Three-Part Test” Framework for Accommodating Athletic Interests and Abilities

A college can show it is effectively accommodating students' interests and abilities by meeting one of the following criteria:



Source: GAO analysis of the Department of Education’s 1979 Policy Interpretation and related guidance. | GAO-24-105994

I. Texas Christian University is Not Providing Women with Proportional Athletic Opportunities, As Required Under Prong 1 of Title IX.

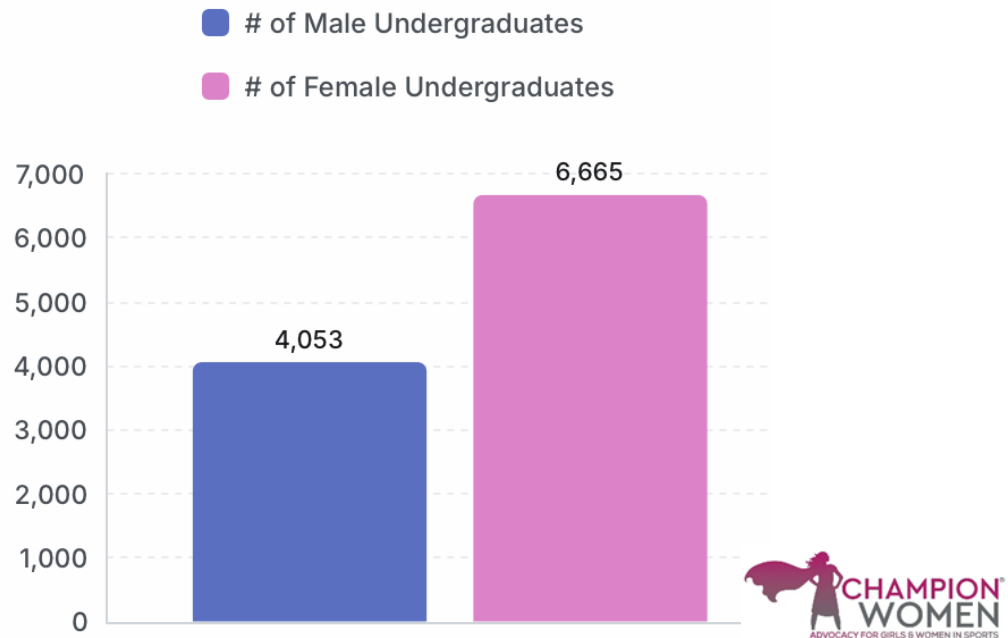
Texas Christian University cannot meet Prong 1 of the OCR test to determine whether a school is providing women with equal athletic opportunities, when it is not providing women with athletic opportunities that are substantially proportionate to their enrollment at the school

¹ 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).

Women at Texas Christian University are **62.19%** of the student body, but they are provided just **45.28%** of the student-athlete opportunities. To provide athletic opportunities that are substantially proportionate to men's and women's enrolment, or the “Proportionality Test,” Texas Christian University must add **252** additional athletic opportunities for women.

Texas Christian University

2024 Enrollment



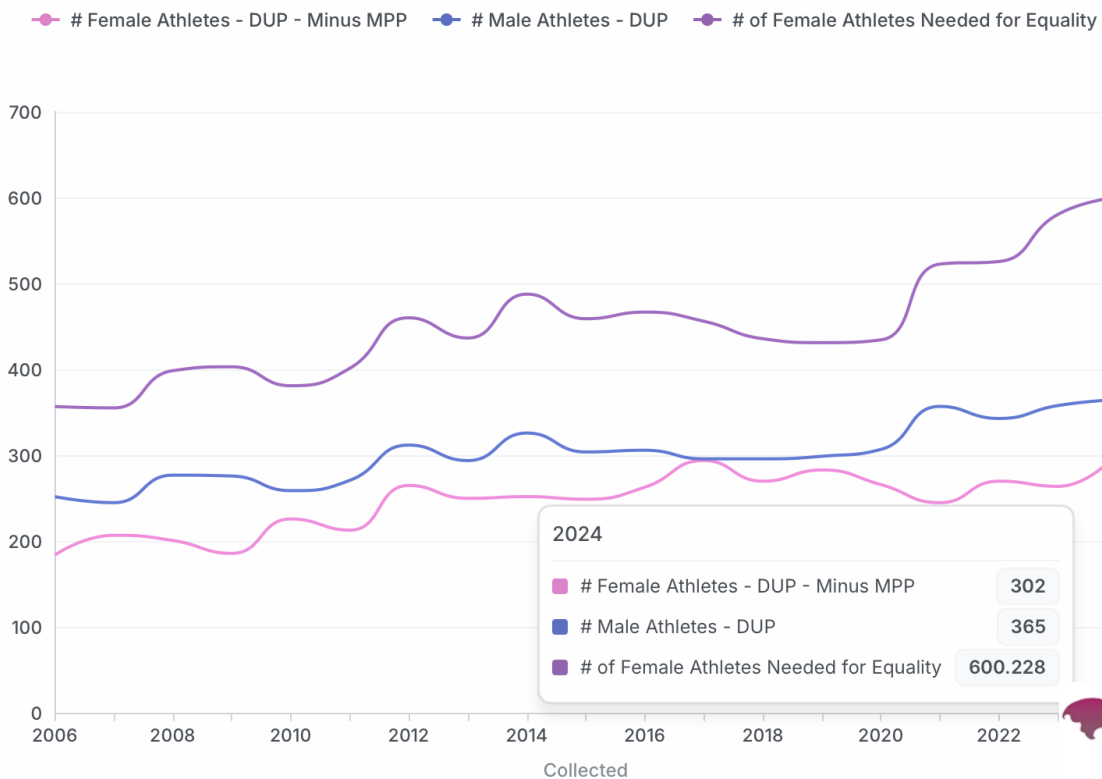
Texas Christian University sponsors:

- 8 men’s varsity sports (Baseball, Basketball, Cross Country, Football, Golf, Track & Field, Swimming & Diving, and Tennis), providing this educational opportunity to 298 men using the single count.
 - In 2024, Texas Christian University reported that it provided sports opportunities to 365 men, using the double count.
- 9 women’s varsity sports (Basketball, Beach Volleyball, Cross Country, Equestrian, Golf, Track & Field, Rifle, Soccer, and Swimming & Diving) providing this educational opportunity to 247 women using the single count.
 - In 2024, Texas Christian University reported that it provided sports opportunities to 302 women, using the double count.

For the following graphs, note the difference between the pink line, the bottom line – what women are currently provided – and the purple line, the top line – which is the number of opportunities women would have if the school provided men and women with proportional athletic opportunities to the school’s student-body ratio.

Texas Christian University

Participation Gap



Texas Christian University owes women 98.9% or 298 more in sports opportunities.

The bracket to the right of the graph demonstrates that Texas Christian University needs to increase the number of female participants by 98.9% or 298 more Women Athletes.

The 19 years of data represented in this graphic demonstrate that Texas Christian University cannot meet Prong 1 or Prong 2 (see graphs).

Using the Unduplicated count, Texas Christian University needs to add 252 more women athletes to its athletics department.

Texas Christian University

2024 Need to Add

252

Female Athletic Opportunities Missing

-18 ↘

More Needed Since 2023



II. Texas Christian University Does Not Have a History of Continuing Practice of Expanding Athletic Opportunities for Women, As Required Under Prong 2.

In *Champion Women's* chart in 2024, we provide detailed facts that Texas Christian University cannot meet Prong 2.

Champion Women's chart above on page 9 demonstrates that the bottom line, the pink line, does not move upward consistently over time. It demonstrates that Texas Christian University does not have “a continuing practice of program expansion which is demonstrably responsive to the developing interests and abilities of the members of that sex”, the requirement for Prong 2.

III. Texas Christian University Is Not Meeting Women’s Athletic Interests and Abilities, As Required for Prong 3.

Champion Women demonstrates that Texas Christian University cannot meet Prong 3 of meeting women’s interests and athletic ability, and within the school’s competitive geographical region.²

The following facts are better detailed in our letter to demonstrate non-compliance with Prong 3:

- *Champion Women* found that women at TCU participate in numerous club sports, and lists the sports.
 - Badminton, Basketball, Bowling, Lacrosse, Rugby, Soccer, Softball, Ultimate Frisbee, Volleyball, and Wrestling.
- *Champion Women* names the school’s athletic conference and its normal competitive geographic area:
 - Texas Christian University competes in the Big 12 Conference, with a vast geographic reach of Arizona, Colorado, Iowa, Kansas, Oklahoma, Texas, Utah, and West Virginia.
- *Champion Women*’s materials list the sports that the state high school athletic association sponsors, and compares those sports with the sports offered by Texas Christian University.
 - Texas Christian University is in the state of Texas, where the state high schools compete in Basketball, Cross Country, Golf, Soccer, Softball, Swimming & Diving, Tennis, Track & Field, and Volleyball. 4 sports (Softball, Tennis, Track & Field, and Volleyball) that Texas Christian University does not offer for women, even though the state could offer a steady supply of women interested and athletically able to compete in these sports.³

² As stated in the 1996 Clarification, the OCR asks whether: there is (a) unmet interest in a particular sport; (b) sufficient ability to sustain a team in the sport; and (c) a reasonable expectation of competition for the team. If the answer to all three questions is “Yes,” OCR will find that an institution is not fully and effectively accommodating the interests and abilities of the underrepresented sex and therefore is not in compliance with Prong Three.” *Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test*, January 16, 1996, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/clarific.html>

³ “OCR will look at participation rates in sports in high schools, amateur athletic associations, and community sports leagues that operate in areas from which the institution draws its students in order to ascertain likely interest and

- In 2023- 2024, 3,423,517 girls played high school sports. It is inconceivable that colleges cannot find women to play on the teams they create, particularly when NCAA Division I schools would need to increase their spending on recruiting by 214.45% to equal the amount spent on men.⁴
- A comparable analogy would be the National Football League claiming that it “couldn’t find” football players who were interested and able to play in its league, when each year the NFL drafts fewer than two hundred players, out of currently 81,000 football players in collegiate athletics. In other words, the demand for sports participation by both males and females far exceeds institutional resources.
- When just about 6 out of every 100 high school athletes have an opportunity to compete in any college division, college sports opportunities are rare, while the supply of women to fill those educational opportunities is enormous.
- Division 1, like Texas Christian University, has even fewer opportunities. According to the NCAA,⁵ in 2023, only 1.4% of high school girl basketball players were provided the opportunity to play in Division I. Just 3.6% of high school Field Hockey players, 2.8% of Golfers, 10.2% of Ice Hockey players, 4.3% of Lacrosse players, 2.7% of Soccer players, 2.0% of Softball players, 4.2% 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.
- The percentage of those high school athletes who are provided with a college athletic scholarship is even smaller.
 - Sadly, most of these women think they cannot play a sport in college because they aren’t as skilled and athletically accomplished, rather than the fact that schools offer girls and women so many fewer opportunities and athletic

ability of its students and admitted students in particular sport(s). *Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test*, January 16, 1996, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/clarific.html>

⁴ <https://www.nfhs.org/media/7213111/2023-24-nfhs-participation-survey-full.pdf>

⁵ NCAA: Estimated Probability of Competing in College Athletics, updated April 1, 2024: <https://www.ncaa.org/sports/2015/3/2/estimated-probability-of-competing-in-college-athletics.aspx>

scholarship dollars.

- **Champion Women** provided the NCAA “emerging sport” list of sports, with women’s sports that Texas Christian University does not offer:
 - Flag Football
 - Rugby
 - Stunt
 - Triathlon

Champion Women provided links to sport governing bodies, which makes it easy to see where women’s teams and potential competitors are located.⁶

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 - 2025” for schools to find competitors within the school’s normal competitive region: NCAA Sports Sponsorship and Participation Rates Report.⁷

⁶ In addition, “Under the Policy Interpretation, the institution may also be required to **actively encourage the development of intercollegiate competition** for a sport for members of the underrepresented sex when overall athletic opportunities within its competitive region have been historically limited for members of that sex.” *Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test*, January 16, 1996, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/clarific.html>

⁷ See NCAA Sports Sponsorship and Participation Rates Report, 1956 – 2025, available at: https://ncaaorg.s3.amazonaws.com/research/sportpart/2025RES_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>

Together, these metrics demonstrate that girls and women are expressing enormous interest in sports and the athletic ability to play sports; that the demand for women’s competitive collegiate athletics is unmet. It cannot be said that there are no women interested and athletically able to compete in many additional sports at Texas Christian University.

Champion Women also checked the school’s website and found that Texas Christian University does not provide avenues to add more women’s sports, nor does it assess students' interests and athletic abilities to determine *which* new sports to add.⁸

⁸ For a school to claim it is complying with Prong 3, it must regularly assess the interest of its students for additional sports. “An institution’s evaluation of interest should be done periodically so that the institution can identify in a timely and responsive manner any developing interests and abilities of the underrepresented sex. The evaluation should also take into account sports played in the high schools and communities from which the institution draws its students both as an indication of possible interest on campus and to permit the institution to plan to meet the interests of admitted students of the underrepresented sex.” Id.

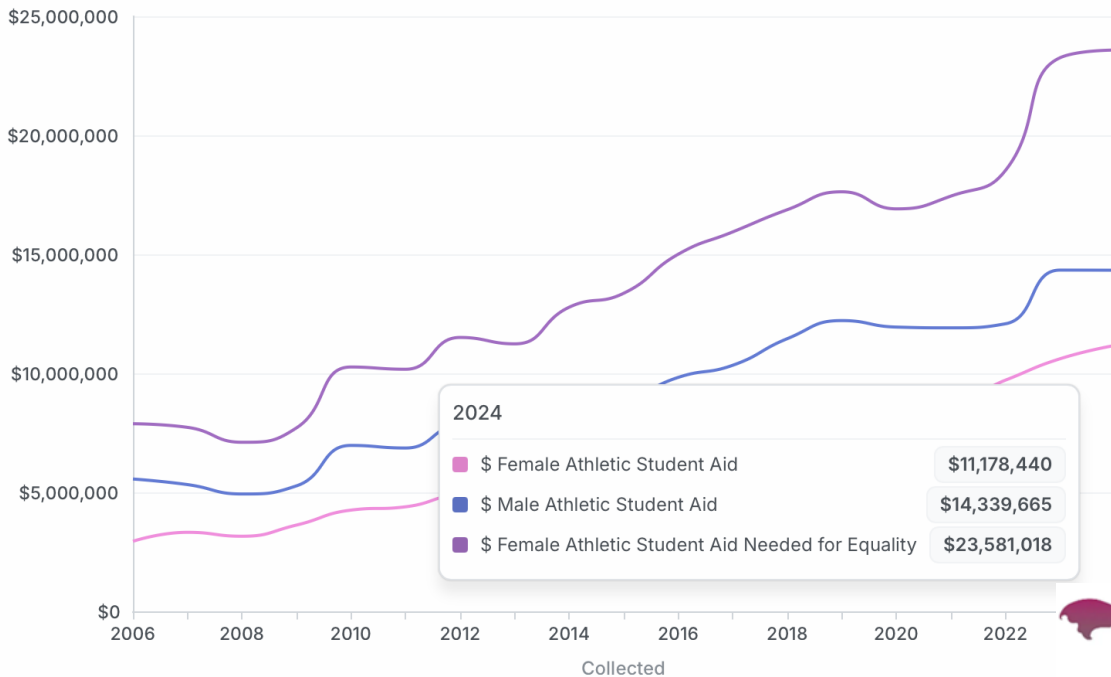
IV. Texas Christian University Is Discriminating Against Women in Awarding Athletic Scholarships

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.

Texas Christian University

Scholarships

— \$ Female Athletic Student Aid — \$ Male Athletic Student Aid — \$ Female Athletic Student Aid Needed for Equality



Texas Christian University owes women 111% or \$12,638,291 more in scholarship dollars.

The bracket to the right of the graph demonstrates that Texas Christian University needs to increase athletic scholarships for female athletes by 111% or \$12,638,291. Texas Christian University owes women an additional \$12,638,291 in athletic scholarship dollars, to balance out the amount it provides to its male students.

But if the student-athlete ratio is used, Texas Christian University would need to provide women with \$686,159 in additional athletic scholarship aid.

Texas Christian University

2024 Need To Add Athletic Scholarships

\$12,638,291

Missing for Female Athletes

+\$235,712 ↗

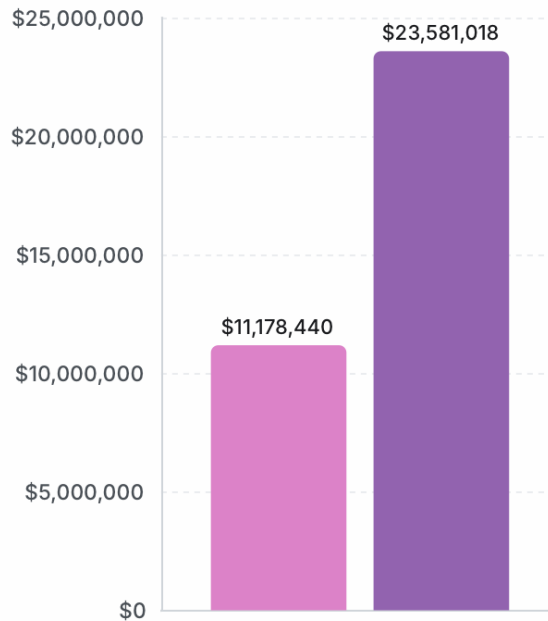
More Missing Since 2023



Texas Christian University

2024 Scholarship Gap

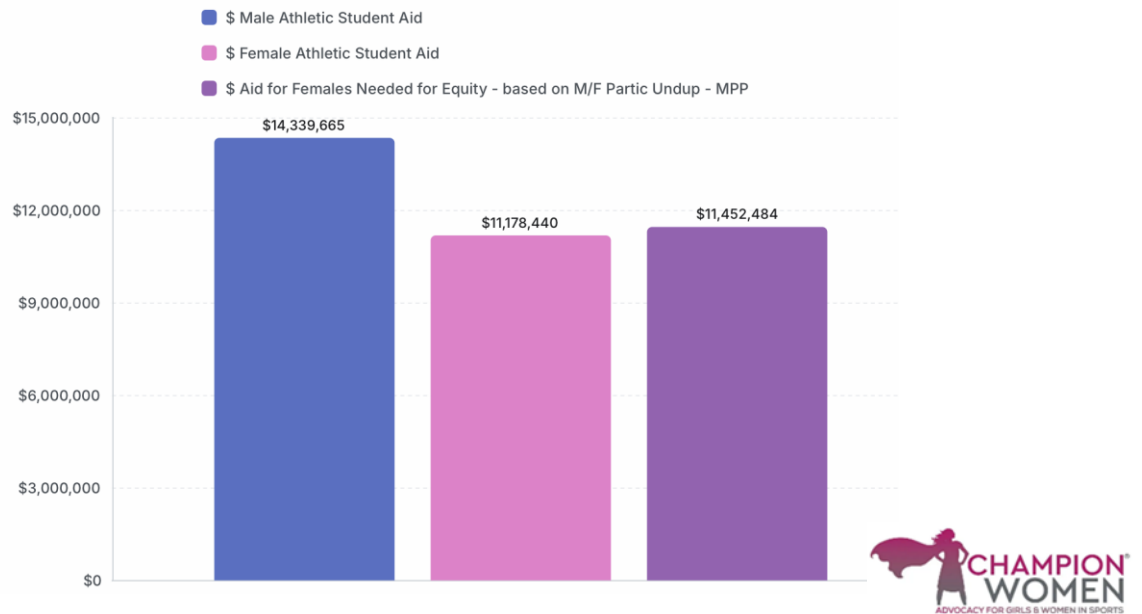
- \$ Female Athletic Student Aid
- \$ Female Athletic Student Aid for Equality



In the following *Champion Women* graph below, notice how women are entitled to much less in athletic scholarship aid than the school provides men if the OCR does not require Texas Christian University to comply with Prong 1 or Proportionality.

Texas Christian University

2024 Athletic Aid Gap - Based on Participation

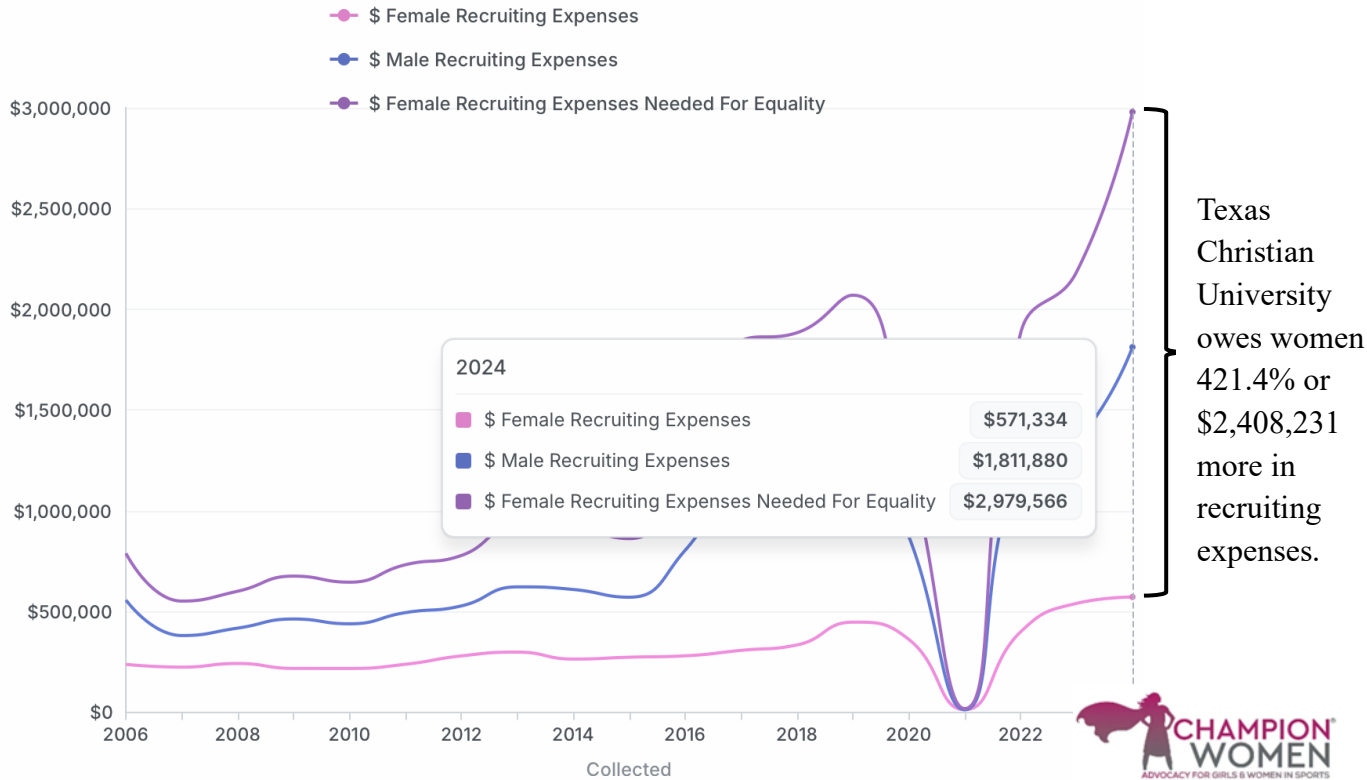


If Texas Christian University provided its male and female students with equal opportunities to participate, it would need to add **\$12,638,291** in additional athletic scholarship dollars to balance *the amount it* provides to its male students. If, for some reason, the OCR determines that Texas Christian University is, in fact, not discriminating against women in providing opportunities in sport, then Texas Christian University would not need to add additional athletic scholarship dollars for women.

V. Texas Christian University Is Discriminating Against Women in its Treatment and Benefits, including Recruiting.

Texas Christian University

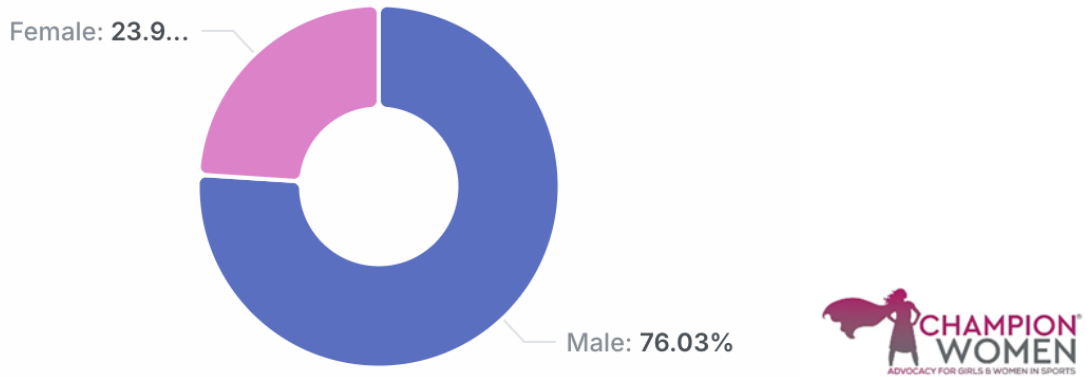
Recruiting Expenses Gap



The bracket to the right of the graph demonstrates that Texas Christian University needs to increase recruiting expenses for female sports and female athletes by **421.4% or \$1,953,005.**

Texas Christian University

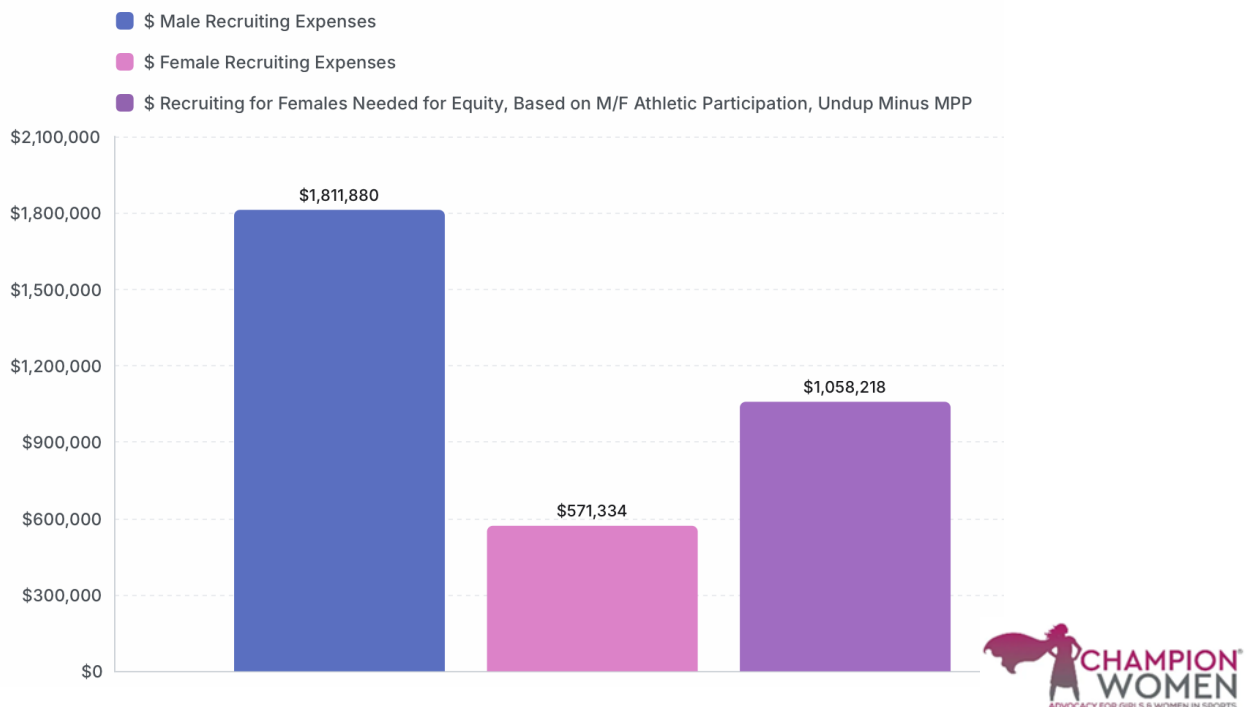
2024 Recruiting Expenses



In the following *Champion Women* graph below, notice how women are entitled to much less in recruiting budgets than the school provides men if the OCR does not require Texas Christian University to comply with Prong 1 or Proportionality.

Texas Christian University

2024 Recruiting Expenses Gaps - Based on Participation



Our mission is to ensure equal access to education and to promote educational excellence nationwide through the enforcement of civil rights.

In order to match the recruiting dollars provided to men’s teams, Texas Christian University to give women’s teams an additional \$2,408,231 in recruiting funds, based on enrollment. If, for some reason, the OCR determined that Texas Christian University is, in fact, not discriminating against women in providing opportunities in sport, the OCR used the student-athlete ratio, instead of the student-body ratio, Texas Christian University would still need to provide its women’s sports teams – and women’s coaches – with \$927,810 more recruiting dollars to be consistent with the school’s investment in men’s sports.

RECRUITING

Please Champion Women’s Separate Resource for Office for Civil Rights for Recruiting and Sex Discrimination, Title IX, 2026.⁹

“Recruiting” has been part of OCR Regulations to measure athletic benefits and treatment, and it has been included in the Laundry List since 1975.¹⁰ “...where an institution recruits potential student-athletes for its men's teams, it must ensure that women's teams are provided with substantially equal opportunities to recruit potential student-athletes.” See 34 C.F.R. § 106.41(a) and “A Policy Interpretation: Title IX and Intercollegiate Athletics,” 44 Fed. Reg. 71,413, 71,415 (1979).

⁹ *Champion Women*, “Resource for OCR regarding Recruiting and Sex Discrimination Title IX 2026” <https://irp.cdn-website.com/3b7fae75/files/uploaded/Resource+for+OCR+regarding+RECRUITING+and+Sex+Discrimination+Title+IX+2026.pdf>

See also, 34 CFR 106.41(10), 1975, Publicity, i. “*Publicity* (§ 86.41(c)(10)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:

- (1) Availability and quality of sports information personnel;
- (2) Access to other publicity resources for men's and women's programs; and
- (3) Quantity and quality of publications and other promotional devices featuring men's and women's programs.” “A Policy Interpretation: Title IX and Intercollegiate Athletics,” Federal Register, Vol. 44, No. 239, 1979, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/t9interp.html>

¹⁰ “Title IX and Athletic Opportunities in Colleges and Universities, A Resource for Students, Coaches, Athletic Directors, and School Communities” February 2023, available at: https://in.ewu.edu/titleix/wp-content/uploads/sites/119/2023/12/OCR_TitleIXAthleticsResources_Feb2023.pdf Pages 5 and 6: “Recruitment. Are coaches and other personnel given substantially equal opportunities to recruit women and men for athletic teams? (For example, the amount of time coaches have to recruit, similar and appropriate geographic range for recruiting) Is recruitment for men and women athletes funded in a way that is equivalently adequate to meet the needs of each men’s and women’s athletic program? (For example, funds for outreach, brochures, visiting campuses) Do the differences in benefits, opportunities, and treatment afforded to women or men who are prospective athletes have a disproportionately limiting effect upon the recruitment of students based on sex?”

Unlike most public high schools, most athletes attend their college or university because of the school's recruiting efforts. It is not a fluke that men over 6'9" just happen to be walking around campus with stellar basketball programs. In other words, when a school needs to attract athletes to its campus, the school hires a coach and staff and empowers them to go out and get these elite athletes. Recruiting has been a proven strategy for athletic success for over a century.

To comply with Prong 3, "the institution may also be **required to actively encourage the development of intercollegiate competition** for a sport for members of the underrepresented sex when overall athletic opportunities within its competitive region have been historically limited for members of that sex."¹¹

Courts have recognized that demand for sports at a particular college is due in part to the sports that the school provides women, and a school's efforts to attract these athletes to the campus. See *Neal v. Bd of Trs. Of Cal. State Univs.*, 198 F.3d 763, at 769 (9th Cir. 1999); ("[T]he creation of additional athletic spots for women would prompt universities to recruit more female athletes, in the long run shifting women's demand curve for sports participation. As more women participated, social norms discouraging women's participation in sports presumably would be further eroded, prompting additional increases in women's participation levels"); See also, *Cohen v. Brown Univ.*, 101 F.3d 155, 177 (1st Cir., 1996), cert. denied, 520 U.S. 1186 (1997); ("[B]ecause recruitment of interested athletes is at the discretion of the institution, there is a risk that the institution will recruit only enough women to fill positions in a program that already under-represents women, and that the smaller size of the women's program will have the effect of discouraging women's participation").

Schools and their athletic departments determine the relative interests of men and women on campus when they choose their sports offerings and decide the sums spent on recruiting. Recruiting brings in more new students with the interest and ability to participate in sports.

For example, when NCAA schools began rowing, only a few private schools in the Northeast offered it at the high school level.

¹¹ *Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test*, January 16, 1996, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/clarific.html>

This supports the conclusion that a school creates athletic opportunities for students and then recruits athletes to fill them. Title IX simply requires that schools allocate these school-created slots in a nondiscriminatory manner.

As courts have recognized, “Crew or rowing is an example of a sport in which interest commonly develops only after matriculation at college.” *Cohen v. Brown Univ.* 879 F.Supp., 185 at 207, (D.R.I., 1999), (usually referred to as “*Cohen III*”). Before high schools adopted rowing more widely, a school’s rowing recruiting efforts included scholarships, open tryouts, coaches walking through campus in search of tall, broad-shouldered women, and advertisements in school newspapers. (Male rowers were traditionally recruited to college campuses using precisely these techniques.)

A coach’s career is tied to win/loss records, and much of winning is the direct result of a coach’s ability to recruit athletes to compete on the women’s team.

As we say in sport,

“The tail of the bell-shaped curve for athletic performance is long.”

This quote is meant to convey that the differences within and between athletic performance standard deviations are *enormous*, even in this hyper-elite cadre of potential high school students.

VI. Sex Discrimination in Recruiting, and the Impact on Other Areas of Sex Discrimination

Like the intersection of unequal participation opportunities and athletic scholarships, as described above, a lesser recruiting budget allocated for women is another type of sex discrimination in athletics that impacts other types of sex discrimination in athletics. (see *Champion Women* graphs starting on page 13, showing the impact of failing to consider opportunities when also evaluating athletic scholarships and recruiting.) Unequal treatment, as measured by Title IX (facilities, equipment, locker rooms, travel, publicity, etc.), impacts how recruits view the school’s overall program and the educational opportunity that the women’s coach can offer. In other words, differences in *all the other* athletic benefits and

treatment afforded to female prospective athletes, as compared to their male peers, have a disproportionately limiting effect on women’s athletic recruitment and overall experience. Together, specific types of sex discrimination are impossible to disaggregate from the sex discrimination women in athletics experience overall.

Athletic scholarships and Recruiting.

Lower athletic scholarship budgets for women impacts the coach’s ability to recruit meritorious athletes.

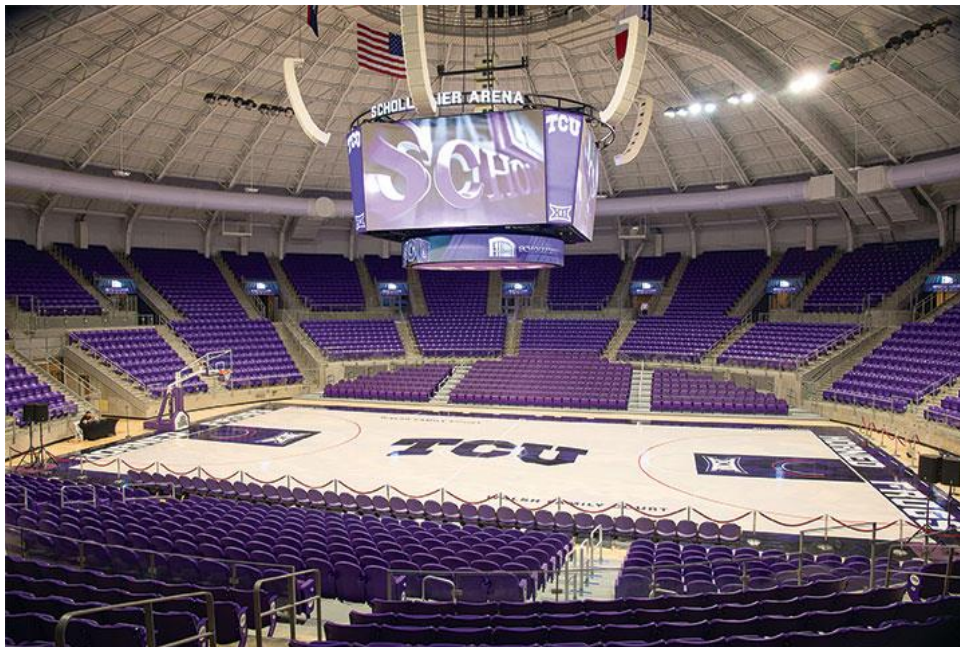
Unequal facilities and Recruiting.

It is not difficult for recruits *of all sports* to see glaring differences between women’s softball and men’s baseball facilities, as just one example.

Photos of men’s locker rooms and teams' hosting areas are typically available online for potential recruits to contrast with the women’s locker rooms and hosting areas.

I. Texas Christian University is Discriminating Against Women in the Provision of Athletic Facilities:

Ed and Rae Schollmaier Arena: Men’s and Women’s Basketball



Opened in 1961, Majorly renovated in 2015, Spectator Capacity: 6,800.

Men’s Basketball Locker Room:



Women’s Basketball Locker Room:



Lupton Stadium: Men's Baseball



Opened in 2003, Spectator Capacity: ~4,500.

G. Malcolm Loudon Player Development Center: Men's Baseball



Our mission is to ensure equal access to education and to promote educational excellence nationwide through the enforcement of civil rights.



Men's Baseball Locker Room:



Our mission is to ensure equal access to education and to promote educational excellence nationwide through the enforcement of civil rights.

Garvey-Rosenthal Soccer Stadium: Women’s Soccer

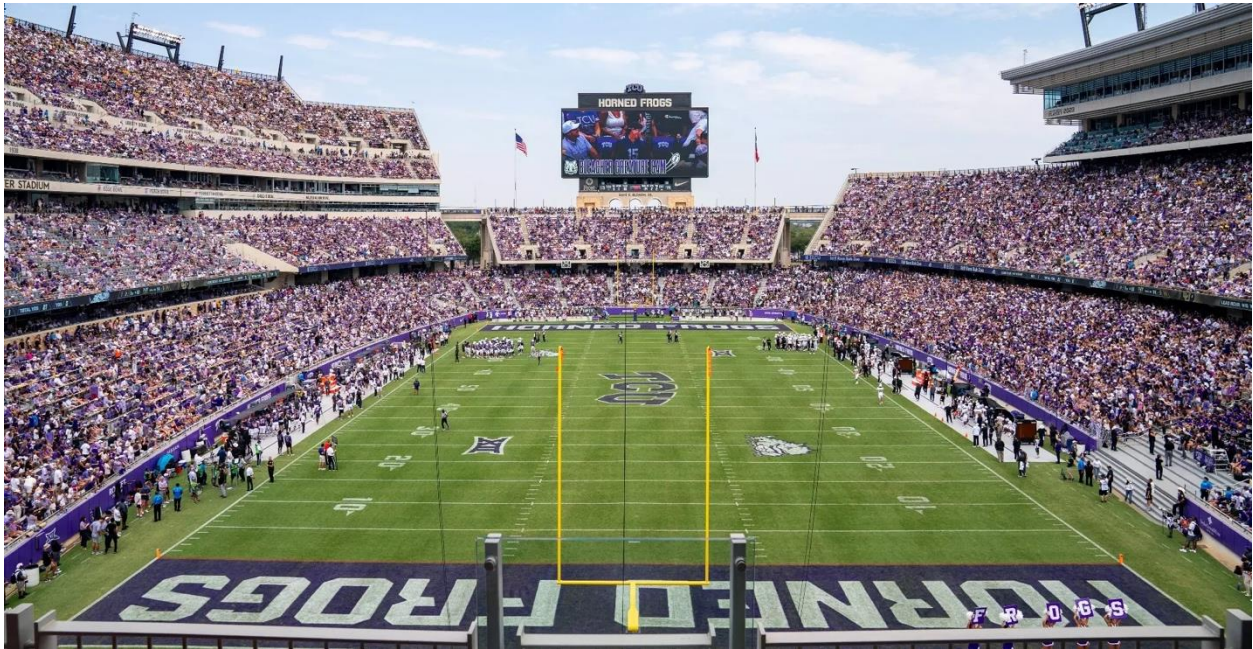


Opened in 2000, Spectator Capacity: ~1,500.

Women’s Soccer Locker Room:



Amon G. Carter Stadium: Men’s Football



Opened in 1930, Rebuilt in 2012, Spectator Capacity: ~47,000.

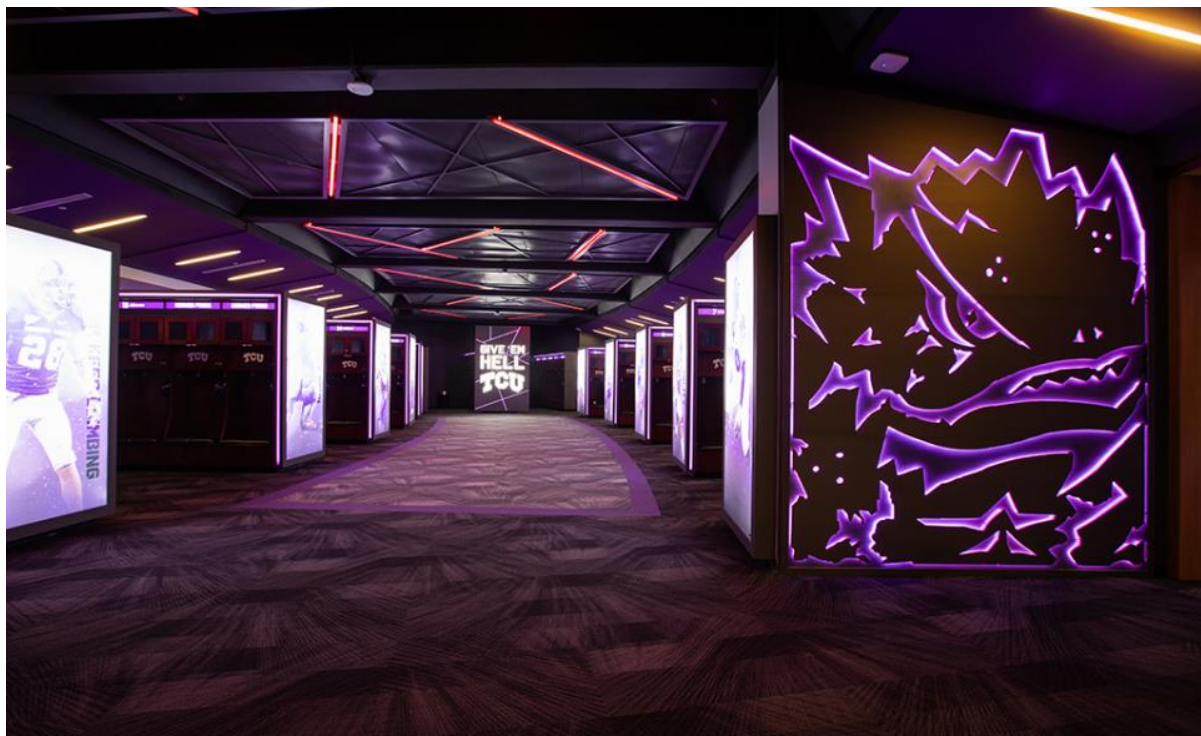
Mike & Brenda Harrison Football Performance Center: Men’s Football



Our mission is to ensure equal access to education and to promote educational excellence nationwide through the enforcement of civil rights.



Men's Football Locker Room:



Our mission is to ensure equal access to education and to promote educational excellence nationwide through the enforcement of civil rights.

Men’s Football Locker Room:



TCU Beach Volleyball Courts: Women’s Beach Volleyball



Opened in 2016, Spectator Capacity: ~300.

Our mission is to ensure equal access to education and to promote educational excellence nationwide through the enforcement of civil rights.

Beach Volleyball Locker Room: Shared with Women’s Volleyball



Facilities and publicity are crucial for women athletes and their teams; creating a potential economic loss in “Name Image and Likeness” (NIL) opportunities, and thereby impacting recruiting.

In combination, when schools provide women with additional types of unequal treatment and unequal opportunities to recruit, they send a loud signal that women’s sports are second-class; they are less valuable to the institution.

Thus, deficient recruiting budgets impact the overall morale of women’s coaches, female students, faculty, alumni, donors, professors, and beyond.

To address these disparities, *Champion Women* requests that the Office for Civil Rights (“OCR”) investigate Texas Christian University to determine whether it is discriminating against women in its athletic department.

With an OCR investigation, additional Title IX violations are expected to be found, 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), 1979 Policy Interpretation.

When violations are found, **Champion Women** is requesting that the OCR secure assurances of compliance with Title IX that include **full remedies**.

Champion Women's extended discussion of *some* of these types of sex discrimination – participation, athletic scholarships, 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, publicity; and recruiting – will hopefully clarify how the sex discrimination in athletics flows across these sectors. All the different types and measures of sex discrimination in athletics cannot be disaggregated.

6. Do you have documents or written information that you think will help us to understand your complaint?
- No
 - Yes

If yes, please describe the documents or written information you have.

Please see the attached file - "Champion Women OCR Complaint Texas Christian University"

If OCR investigates your complaint, we may ask you to provide us with the items you describe above.

7. What is the most **recent date** you were discriminated against?

Date: The discrimination against women on the basis of sex is ongoing at Texas Christian University.

8. If this date is **more than 180 days ago**, you may request a

waiver of the filing requirement.

I am requesting a waiver of the 180-day time frame for filing this complaint.

Please explain why did not file your complaint within 180 days.

1. Have you complained about the allegations that you raise in this complaint to your school, institution, or another organization or agency?

YES X NO

If yes, have you complained about the allegations that you raise in this complaint by:

filing an internal complaint or appeal with your school or institution?

participating in your school or institution's grievance procedures?

participating in a due process hearing either at your school or institution, or through another organization or government agency.

If you answered **yes to any of the above questions**, please describe the allegations that you raised in an internal complaint or appeal, through your school or institution's grievance procedures, or in a due process hearing, identify the date you complained about the allegations and where you made the complaint, and tell us the status of the complaint, appeal, grievance procedures, or due process hearing. If possible, please provide us with a copy of your complaint or grievance or appeal or due process request and, if completed, the decision in the matter.

-
2. If the allegations contained in this complaint have been filed with any other Federal, state or local civil rights agency, or any Federal or state court, please give details and dates. We will determine whether it is appropriate to investigate your complaint based upon the specific allegations of your complaint and the actions taken by the other agency or court.

Agency or Court:

N/A _____

Date Filed: _____

Case Number or Reference:

Results of Investigation/Findings by Agency or Court:

-
3. You do not need to have a lawyer to file a complaint with OCR; however, if you do have a lawyer, OCR staff are required to communicate directly with your lawyer. If you have a lawyer representing you in this matter, please provide the lawyer's contact information.

Last Name: Hogshead, J.D., OLY First Name: Nancy

Telephone: (904) 384-8484

Email: hogshead@championwomen.org and
supportwomen@championwomen.org

4. If we cannot reach you at your home or work, we would like to have the name and telephone number of another person (relative or friend) who knows where and when we can reach you. This information **is not required**, but it will be helpful to us.

Last Name: _____ First Name:

Telephone: _____ Email:

5. **Option to Participate in OCR’s Early Mediation Process**

OCR provides an early mediation process as an opportunity for you and the recipient institution to voluntarily resolve your complaint soon after you file it with OCR.

Mediation is a form of complaint resolution that OCR offers as an alternative to its investigative process. Mediation is an informal process in which a staff member from OCR who is trained in mediation assists the parties to reach a negotiated resolution of the complaint. The mediator does not decide who is right or wrong and does not have the authority to impose a settlement on the parties. Instead, the mediator helps the parties to find a mutually acceptable resolution to your complaint. Mediation is a strictly voluntary process. If either party does not want to participate in mediation, OCR will address the complaint through its regular processes.

If you are interested in participating in the early mediation process, you must check the box below. If you indicate your interest in early mediation by checking the box below **and** OCR determines that your complaint is appropriate for this process, OCR will contact you and the recipient institution and offer this resolution option. If the recipient agrees to participate in early mediation, OCR will work with you and the recipient to achieve a mutually agreeable resolution of your complaint. If the recipient does not wish to participate in early mediation, OCR will proceed with its regular processing of your complaint. ***If you do not indicate your interest in early mediation by checking the box below, early mediation will not be offered to you and OCR will proceed with its regular processing of your complaint.***

I am interested in participating in early mediation (Please check box)

6. What would you like the institution to do as a result of your complaint — what remedy are you seeking?

Remedy Texas Christian University’s sex discrimination in athletics; in the provision of participation opportunities in varsity athletics, equal and proportionate athletic scholarship dollars, equal treatment and benefits, including equal recruiting budgets.

Take all necessary steps to remedy all unlawful conduct identified by Title IX and its implementing regulations.

To add equal athletic opportunities for women as Texas Christian University men, and to accord women athletes and these additional teams the full range of benefits accorded to men's varsity teams and athletes, such as 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), 1979 Policy Interpretation. Increase scholarship and recruiting budgets and opportunities, to be equal to the men's, and adopt and implement a plan to achieve full compliance with Title IX throughout the entire athletic department.

7. We cannot accept your complaint if it has not been signed.
Please sign and date your complaint below.



March 20, 2026

CEO, *Champion Women*

(Date)

(Signature)

Please mail or email the completed and signed Discrimination Complaint Form, your signed consent form and copies of any written material or other documents you believe will help OCR understand your complaint to the OCR Enforcement Office responsible for the state where the institution or entity about which you are complaining is located. You can locate the mailing information for the correct enforcement office on OCR's website at <https://ocrcas.ed.gov/contact-ocr>