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A Mandate and an Opportunity

In this two-part series, Andréa Maria Cecil explores women in sports and what supporters and critics have to say about the contentious Title IX legislation. In Part 2, Cecil investigates the effects of Title IX on women and men and explains CrossFit's approach.

By Andréa Maria Cecil

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Staff/CrossFit Journal

Former U.S. Sen. Birch Bayh once said, "Title IX is rather simple: don't discriminate on the basis of sex." But the federal legislation has been anything but.

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While there is no shortage of people who credit the 41-year-old mandate with championing equal opportunities for girls and women, members of a growing constituency say interpretation of the law has had detrimental effects on boys' and men's sports.

Equality or Legislated Discrimination?

"I would describe it as a federal law that actually changed the whole landscape and culture in the United States," says Kathy DeBoer, executive director of the American Volleyball Coaches Association. DeBoer spent 23 years in intercollegiate athletics as a coach, administrator and fundraiser.

"There is no other country that comes even close to producing the number of opportunities for women to participate in sport as the United States," she says.

She adds: "I think it's impossible to look at the culture of the United States in terms of women's education attainment and women's professional attainment without looking at Title IX. It was groundbreaking. It was landmark. It's never been replicated anywhere in the world."

Part of the Education Amendments of 1972, Title IX says: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Leo Kocher is fine with that language.

"No one wants to see sex discrimination. But (Title IX) eventually got twisted by special interests."

—Leo Kocher

"It was the kind of law that no one had a problem with," explains the president of the American Sports Council, a 10-year-old organization seeking reform of Title IX regulations.

"No one wants to see sex discrimination. But it eventually got twisted by special interests," he says.

In 1979, the U.S. Department of Health Education and Welfare—predecessor to today's Department of Education—released a policy interpretation in an attempt to clarify Title IX's equal-opportunity mandate. That interpretation included three independent ways schools can show that students of both sexes have equal opportunities:

1. The percentage of male and female athletes is substantially proportionate to the percentage of male and female students enrolled in the school. This is often referred to as the "proportionality test."
2. The school has a history and a continuing practice of expanding opportunities for female students because their gender is usually the one excluded from sports.
3. The school is fully and effectively meeting its female students' interests and abilities to participate in sports.



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In the CrossFit Games in 2012, women and men competed side by side in the Camp Pendleton event. The top eight women all finished ahead of 18 male athletes.

It's No. 1—the proportionality test—that raises ire. The reason is because it's not about how much interest either sex has in a particular sport but how many opportunities the school is offering. If a school's student population is 52 percent male and 48 percent female, athletic participation must also be exactly 52 percent male and 48 percent female—no matter what.

Kocher explains it in simple terms: take a school with an equal number of boys and girls, and 200 athletic opportunities to offer. If 100 girls want to play sports and 1,000 boys want to play sports, the proportionality test says the school must give 100 opportunities to the girls and 100 to the boys. When all is said and done, 100 percent of the girls are accommodated but only 10 percent of the boys.

“(Special-interest groups have) morphed it into a law that virtually guarantees sex discrimination against males,” he says. “You could have many ... more males interested in sports who are denied opportunity than females. But if males aren't the underrepresented gender in sports, they're considered non-existent. Basically the interpretation ... can only be due to discrimination.”

Among the male sports that have taken a hit over the decades: gymnastics and wrestling.

In the case of gymnastics, the numbers tell a devastating story.

In 1981-82, 1,367 male collegiate athletes participated in gymnastics, according to the NCAA's *Sports Sponsorship and Participation Rates Report 1981-82–2011-12*. Thirty years later, the most recently completed school year, that number suffered a precipitous drop to a mere 341 athletes: a 75 percent decrease, the report said. Meanwhile, men's collegiate wrestling went from 7,914 athletes in 1981-82 to 6,622 in 2011-12, according to the report. That's a 16 percent decline.

“(The proportionality test) just puts in some really distorted and perverse incentives by how they determine what is discrimination,” says Kocher, who is also the head wrestling coach at the University of Chicago. He's been coaching wrestling at the college for 28 years.

“By the way, I am just full-bore excited and happy about any additional women that play sports,” he says.



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The hill doesn't become less steep because you are male or female.



Staff/CrossFit Journal

In CrossFit.com programming, women are not told to do less work than men. Women can scale workouts as needed, but many have no need to do so.

He adds with a laugh: “I wish more women were playing sports because men wouldn’t be getting hurt by the quota so much.”

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By the Numbers

Karen Morrison disagrees that Title IX has had negative effects on men’s sports programs.

“The data says otherwise,” the NCAA director of gender inclusion says via email. “The law provides schools with flexibility to choose which sports to offer and how to allocate their resources, so long as that is not done in a discriminatory fashion.”

The National Collegiate Athletic Association is a nonprofit group of nearly 1,300 institutions, conferences, organizations and individuals that organizes the athletic programs of many colleges and universities in the United States and Canada.

But according to the NCAA’s report, member institutions dropped 68 men’s teams and 46 women’s teams in 2011-12. Since 1988-89, institutions dropped 2,816 men’s teams and 1,989 women’s teams; each specific academic year, the institutions dropped more men’s teams than women’s teams except the 2010-11 year, when 10 more women’s teams than men’s teams were dropped, according to the report.

NCAA spokeswoman Gail Dent explains those numbers as a reflection of the fact that there have historically been more men’s teams than women’s teams.

"When the NCAA combined with the (Association for Intercollegiate Athletics for Women) in 1981-82, there were 2,000 more men's sports than women's," she explains. "So it stands to reason that they have more room to drop sports than the women do. So, when you consider the unbalanced numbers, it appears that many more men's sports are being dropped, but the overall numbers are still not the same as the women's sports."

Opportunities for men to participate in high-school and college sports are at "record levels," Morrison says.

"In fact in the last several years, men's intercollegiate opportunities have risen at a slightly higher rate than women's opportunities," she continues.

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But according to the same NCAA report, member institutions added 187 men's teams and 231 women's teams in 2011-12. Since 1988-89, those institutions added 3,450 men's teams and 4,872 women's teams; each specific academic year, the institutions added more women's teams than men's teams.

"In each division separately, with only a few exceptions, the general trend of adding more women's teams than men's teams each year continued," it says.

And men are now the underrepresented sex on the college level. In 2009, the latest year for which statistics have been published, 57 percent of women in the U.S. graduated from colleges compared with 43 percent of men, according to the Census Bureau.

Still, while male gymnastics and wrestling have been on the decline, male lacrosse and soccer have seen tremendous growth. Wrestling stands as a particularly interesting example: there are few female wrestlers, which means men's teams are often untenable.



Staff/CrossFit Journal

One of Coach Greg Glassman's original athletes, Annie Sakamoto has shown that women are far more capable than some would have thought.

In 1971-72, there were 171 boys playing lacrosse at U.S. high schools, according to the National Federation of State High School Associations. Forty years later, 100,641 boys are playing lacrosse. Meanwhile, 2,290 boys were playing high-school soccer in 1971-72, the report says. In 2011-12, the number ballooned to 411,757.

At the collegiate level, 4,193 men played lacrosse in 1981-82, according to the NCAA report. In 2011-12, the number catapulted 160 percent to 10,903 athletes. And soccer has grown 77 percent—from 12,957 college men playing in 1981-82 to 22,987 in 2011-12.

"Does Title IX get credit for growing men's soccer and lacrosse?" DeBoer asks.

"Certain sports definitely have not fared well since the 1970s. The unknown in the debate is if you wouldn't have had opportunities for women, would men's lacrosse still



Staff/CrossFit Journal

“CrossFit is as close to leveling the field as we can.” —Greg Glassman

be replacing men’s wrestling programs, for instance? That’s the unanswered question.”

Title IX, she says, has kept schools from adding programs “on the men’s side and on the women’s side.”

Beyond numbers, though, are the intangibles: social mores.

“People still associate sports with gender,” says Diana Parente, director of Title IX operations for the New York City Department of Education. The city’s school district is the largest in the country.

Often, Parente hears talk of boys playing “girly sports” or girls playing “boys’ sports.”

“There is this larger societal issue,” she says. “I do think that’s one of the reasons why Title IX is so important.”

Parente adds: “I always say to people, ‘You’ll know that ... Title IX is no longer needed when you don’t look at sports that way.’”

The 30-year-old started playing soccer at the age of 4. Most people called her a “tomboy.” That was 1986.

“These boundaries have not been broken yet. It takes an extremely long time,” notes Parente, who trains at CrossFit Long Island City.

And while she agrees that some universities have misinterpreted Title IX regulations, she says institutions don’t need to cut men’s sports to expand women’s.

“When I took this position, I didn’t cut any programs,” Parente says. “I didn’t want to discriminate against boys and perpetuate something that isn’t absolutely 100 percent accurate against Title IX.”

She continues: “Title IX achieved so much for women in sports. So it is a very important piece of legislation. You might not even get the Brandi Chastains at the World Cup.”



Staff/CrossFit Journal

Sakamoto was one of three women featured in the Nasty Girls video, which many women have named as their inspiration for pursuing functional fitness.

CrossFit: All Things Being Equal

Three years before the first CrossFit Games were held in 2007, Annie Sakamoto started experimenting with a fitness program called CrossFit in Santa Cruz, Calif., with a man named Greg Glassman. Glassman is CrossFit Inc.'s Founder and CEO. And Sakamoto, now 37, is considered a legend in the CrossFit community.

Along with Nicole Carroll and Eva Twardokens, Sakamoto appeared in a [video doing the workout Nasty Girls](#): 3 rounds for time of 50 squats, 7 muscle-ups and 10 hang power cleans at 95 lb. The clip became one of the most popular videos on CrossFit.com, and the trio has been credited with inspiring women to push their physical boundaries.

Since that time, Sakamoto recalls, CrossFit treated women the same as men. Glassman, she says, saw the potential in all humans.

When women put big weights overhead and did the muscle-ups gymnastics coaches told them they were too

weak to manage, pictures of the feats were posted on CrossFit.com for the world to see. Title IX had nothing to do with that.

“I think it set a culture that has always really respected the female athlete.”

—Annie Sakamoto

“I think it set a culture that has always really respected the female athlete,” Sakamoto says. “And not in a way that’s,

'Look at these girls. Aren't they so cute?' but, 'Look at these women and look what they can do.'

Ransdell says CrossFit is a way to revolutionize sport.

"And break down barriers and say, 'Ya know, women can do this,'" explains the dean of Montana State University's College of Education, Health and Human Development.

"I've done it and it's challenged me on a level that I haven't been in a long time."

Of the nearly 140,000 people who registered for this year's CrossFit Games Open, about 40 percent were women—women who perform pull-ups, muscle-ups, snatches and deadlifts, just like their male counterparts.

At the Games, men and women compete in practically identical events and sometimes side by side—as in last year's surprise swim-bike-run event at Camp Pendleton. It was there that Julie Foucher, who placed second overall at the end of the competition, beat all 42 female competitors and all but eight of the 45 men in the endurance test. Top

female finishers receive the same amount of prize money as top male finishers, and when the Games are broadcast on ESPN platforms, there are equal numbers of segments dedicated to both sexes.

And at the world's 17 Regional competitions this year, the opening event, Jackie, called for both men and women to use the same loading: a 45-lb. barbell for 50 repetitions after a 1,000-meter row and before 30 pull-ups. In many regions, top females would have stood ahead of some male competitors had the two sexes been ranked together.

The sport of CrossFit is helping women realize their capabilities, says Kirsten Cummings, 49, a former pro basketball player and founder and CEO of the National Senior Women's Basketball Association.

"The nature of CrossFit has shown that women are far stronger than people realize," she continues. "And so when you've got a few women who have that mentality and succeed, then other women say, 'I want to do that.'"



Staff/CrossFit Journal

Few male CrossFit athletes have not been humbled by an outstanding female athlete at some point.



CrossFit Kids

Whatever effects Title IX has on collegiate sports, no one in CrossFit will ever tell this young athlete she can't do a pull-up.

Through its approach and visibility, CrossFit is showcasing women's potential better than any other sport, she emphasizes.

"Little girls can now dream of CrossFit," Cummings says.

But perhaps most importantly, CrossFit.com programming has never prescribed women's weight for workouts. The lack of recommended loads for females is a contentious issue within the CrossFit community. It has been both lauded as removing boundaries for women and attacked for ignoring women's needs.

"I don't find it offensive in any form," Parente says.

When weights are prescribed for workouts at CrossFit Long Island City, she interprets them as suggestions.

Besides, the affiliate's coaches are "never pushing me to do RX—they're always pushing me more to do more."

RX loads in competition make sense, Parente adds.

"(They're) used to compare ... athletes to see where (they) measure up."

"CrossFit is as close to leveling the field as we can."

—Greg Glassman

The subtlety in CrossFit's approach—providing opportunity versus Title IX's government-mandated equality—is an important one for Glassman.

During an impromptu discussion at CrossFit Headquarters in Scotts Valley, Calif., Glassman addresses the programming controversy simply.

Criticism of CrossFit.com programming, Glassman observes, "presumes women need weight prescribed for them."

He adds: "Let them figure it out. My girls are so fuckin' smart."

There are no prescribed loads for seniors, children or the guy who hurt his back and is just returning to the gym after a few weeks off, Glassman notes.

"CrossFit is as close to leveling the field as we can," he continues.

"People will figure it out."



About the Author

Andréa Maria Cecil is a CrossFit Journal staff writer and editor.