TITLE IX

COMPLIANCE REPORT

FOR

OKLAHOMA STATE UNIVERSITY

PREPARED BY

LAMAR DANIEL, INC.
CONSULTANTS FOR GENDER EQUITY AND SPORTS MANAGEMENT
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NOVEMBER 2004
INTRODUCTION

This report is a part of the continuing relationship between the Oklahoma State University (OSU) Athletic Department in Stillwater, Oklahoma and Lamar Daniel of LAMAR DANIEL, INC., which began in 1996. At that time, the former Oklahoma State University Athletic Director became proactive in his approach to comply with the athletic provisions of Title IX of the Education Amendment of 1972 by inviting Lamar Daniel to OSU for the purpose of providing advice on OSU’s Title IX compliance status. After a gap of three years, the invitation was again extended in 1999-2000 and renewed by the new AD. Annual reviews and reports have been done since the 1999-2000 academic year. Periodic assistance by telephone has been ongoing since the beginning of the relationship. Because of its progressive, innovative approach to Title IX by the previous and current ADs, the previous and current Senior Women Administrators and the Senior Associate AD, OSU has never had a Title IX complaint against the athletic program.

The current report addresses the compliance status of OSU with the athletic provisions of Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. Sections 1681 et. seq., and its implementing regulation at 34 C.F.R. Part 106. As a means of assessing compliance, LAMAR DANIEL, INC. followed the Policy Interpretation on Intercollegiate Athletics issued by the Office for Civil Rights (OCR) on December 11, 1979, 44 Fed. Reg. 71413 et. seq. (1979), subsequent policy clarifications, legal precedent (where applicable) and OCR practices. The findings were made for the 2003-2004 academic year, except where indicated. Preliminary to the review, OSU provided specific data requested by LAMAR DANIEL, INC. During the onsite portion of the review (October 25-28, 2004), all head coaches, appropriate administrators, support staff, and women student-athletes from each team were interviewed. The conclusions reached herein are based on these data alone.
I. EFFECTIVE ACCOMMODATION OF STUDENT INTERESTS AND ABILITIES

A. Regulatory Requirement

The regulation requires institutions to accommodate effectively the interests and abilities of students to the extent necessary to provide equal opportunity in the selection of sports and levels of competition. [34 C.F.R. Section 106.41(c)(1)]

B. Selection of Sports

OSU offers eighteen varsity intercollegiate teams, nine for men and nine for women. These teams and the number of participants on each in 2003-2004 are set out below.

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN PARTICIPANTS</th>
<th>WOMEN PARTICIPANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>44</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>17</td>
<td>16</td>
</tr>
<tr>
<td>Equestrian</td>
<td>NA</td>
<td>63</td>
</tr>
<tr>
<td>Football</td>
<td>117</td>
<td>NA</td>
</tr>
<tr>
<td>Golf</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>27</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>18</td>
</tr>
<tr>
<td>Tennis</td>
<td>6</td>
<td>11</td>
</tr>
<tr>
<td>Track: XC</td>
<td>15</td>
<td>38</td>
</tr>
<tr>
<td>Indoor</td>
<td>21</td>
<td>39</td>
</tr>
<tr>
<td>Outdoor</td>
<td>20</td>
<td>31</td>
</tr>
<tr>
<td>Wrestling</td>
<td>32</td>
<td>NA</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>282</strong></td>
<td><strong>250</strong></td>
</tr>
</tbody>
</table>

The number of participants was established during interviews with the head coaches. Participants are defined in the Policy Interpretation of 1979 as those athletes:

a. Who are receiving the institutionally-sponsored support normally provided to athletes competing at the institution involved, e.g., coaching, equipment, medical and training room services, on a regular basis during a sport’s season; and

b. Who are participating in organized practice sessions and other team meetings and activities on a regular basis during a sport’s season; and
c. Who are listed on the eligibility or squad lists maintained for each sport; or

d. Who, because of injury cannot meet a., b., or c. above but continue to receive financial aid on the basis of athletic ability.¹

This definition is reinforced in OCR’s “Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test” dated January 1996. The “Clarification” adds:

Under this definition, OCR considers a sport’s season to commence on the date of a team’s first intercollegiate competition. As a general rule, all athletes who are listed on a team’s squad list or eligibility list and are on the team as of the team’s first competitive event are counted as participants by OCR. In determining the number of participation opportunities for the purposes of the interests and abilities analysis, an athlete who participates in more than one sport will be counted as a participant in each sport in which he or she participates.

In determining participation opportunities, OCR includes, among others, those athletes who do not receive scholarships (e.g., walk-ons), those athletes who compete on teams sponsored by the institution even though the team may be required to raise some or all of its operation funds,² and those athletes who practice but may not compete.³

The number of participants was established during interviews with the head coaches.

Specifically, participants are:

(1) those individuals whose names appear on the NCAA official eligibility lists at the time of the first competition;

(2) those individuals whose names are added to the NCAA official eligibility lists after the first competition during the season;

(3) those individuals who practice and/or compete during the regular season;

(4) those individuals who receive athletic financial assistance who are red-shirted for medical or other reasons but have eligibility remaining;

¹ This refers to medical redshirts or otherwise injured participants but not medical exemptions who no longer practice or participate and whose grants-in-aid are not countable in the number allowed by the NCAA for a sport.

² This refers only to varsity intercollegiate sports, not club sports that are a lower level of competition.

³ This does not include male practice players on women’s teams. Male practice players do not meet some of the criteria of a participant and are not eligible to compete in women’s sports.
(5) those individuals who have been dismissed from the team for disciplinary or other reasons but continue to receive athletic financial assistance and are eligible to compete under NCAA rules;

(6) those individuals who enroll and/or practice during the nontraditional seasons only if they receive athletic financial assistance.

Participants are not:

(1) those who are fifth-year students whose eligibility has expired but still receive athletic financial assistance;

(2) those who are medically exempt, i.e., who receive athletic financial assistance but cannot participate because of career-ending injuries;

(3) those who enroll and/or practice during the nontraditional season unless they receive athletic financial assistance for the period;\(^4\)

(4) those who try out and quit or are cut prior to the first contest of the regular season.

These definitions of participants are based on the Policy Interpretation of 1979 and subsequent OCR practices.

**C. Compliance Standard (Three-Part Test)**

Compliance with the effective accommodation of interests and abilities section of Title IX is assessed in any one of three ways; i.e., if any one of the following three tests is met, the University will comply with Title IX in the area of interests and abilities.

1. "Whether intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments."

\[
\begin{array}{l}
\text{(a) Full-time Undergraduate Male Students: } 9,529 \ (51\%) \\
\text{Full-time Undergraduate Female Students: } 9,154 \ (49\%) \\
\text{Total: } 18,683
\end{array}
\]

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\(^4\) Non-traditional or “other seasons” are practice times when very limited competition is allowed, but not required, for certain sports prior to (lacrosse, softball and baseball) or after (soccer and volleyball) the NCAA championship seasons when competition is required. Teams allowed to have outside competition during this period often compete against lower level or non-NCAA opponents if they compete at all, and there are no requirements that officials be certified, official records maintained, etc. In Division I, walk-ons are usually allowed at this time and may or may not be allowed in pre-season practice prior to the championship or regular season.
The above enrollment is for the fall semester of 2003. The spring semester of 2004 enrollment rates were 50.9% male students and 49.1% female students.

<table>
<thead>
<tr>
<th></th>
<th>Male Participants</th>
<th>Female Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>282 (53%)</td>
<td>250 (47%)</td>
</tr>
<tr>
<td></td>
<td>532</td>
<td></td>
</tr>
</tbody>
</table>

(b) There is a minus 2% difference between the participation rate and the enrollment rate of women students. OSU is providing intercollegiate level participation opportunities in substantial proportion to the enrollment rate of female students.

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;”

3. “Where the members of one sex are underrepresented among intercollegiate athletes, and the institution cannot show a continuing practice of program expansion such as that cited 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.”

The second and third tests were not considered because OSU is attempting to meet the first test to comply with 34 C.F.R. Section 106.41(c)1, the Effective Accommodation of Interests and Abilities.

D. Recommendations/Comments

1. The 2% difference between the enrollment rate of women students (49%) and their participation rate is approximately 20 participants. This is less than last year’s difference but still too high. A factor in this difference is the .4% increase in the women’s student body. Again, I am recommending roster management. I urge OSU to use my recommendations because these are more realistic than the ones that have been used and are competitive within the Big XII.

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN 03-04 ACTUAL</th>
<th>MEN RECOM’D</th>
<th>WOMEN 03-04 ACTUAL</th>
<th>WOMEN RECOM’D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>44</td>
<td>35</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>17</td>
<td>18</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Equestrian</td>
<td>NA</td>
<td>NA</td>
<td>63</td>
<td>63</td>
</tr>
<tr>
<td>Football</td>
<td>117</td>
<td>115</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Golf</td>
<td>10</td>
<td>10</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>NA</td>
<td>27</td>
<td>27</td>
</tr>
<tr>
<td>SPORT</td>
<td>MEN 03-04 ACTUAL</td>
<td>MEN RECOM'D</td>
<td>WOMEN 03-04 ACTUAL</td>
<td>WOMEN RECOM'D</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------</td>
<td>-------------</td>
<td>---------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>18</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Tennis</td>
<td>6</td>
<td>8</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Track: XC</td>
<td>15</td>
<td>14</td>
<td>38</td>
<td>35</td>
</tr>
<tr>
<td>Indoor</td>
<td>21</td>
<td>20</td>
<td>39</td>
<td>40</td>
</tr>
<tr>
<td>Outdoor</td>
<td>20</td>
<td>20</td>
<td>27</td>
<td>40</td>
</tr>
<tr>
<td>Wrestling</td>
<td>32</td>
<td>32</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>TOTALS</td>
<td>272</td>
<td>272</td>
<td>250</td>
<td>257</td>
</tr>
</tbody>
</table>

2. The numbers for men are maximum; the numbers for women are minimum. If women’s sports overall have greater numbers than those recommended, I recommend allowing increases in football first and baseball second. When the Head Coach of Baseball gets the team rebuilt, he should be able to be successful with 35 participants.

3. Based on the fall 2003 enrollment rates for women, the recommended roster management plan is within .4% of exact proportionality, a difference of five participants or less.
II. ATHLETIC FINANCIAL ASSISTANCE (SCHOLARSHIPS)

A. Regulatory Requirement

Institutions must provide reasonable opportunities for awards of financial assistance for members of each sex in proportion to the number of students of each sex participating in athletics. [34 C.R.F. Section 106.37(c)]

B. Policy Interpretation

The Policy Interpretation of 1979 clarifies that compliance will be determined by means of a financial comparison which considers whether proportionately equal amounts of financial assistance (scholarship aid) are available to the men’s and women’s program. This is done by totaling the amounts awarded to each sex and comparing the ratio of men and women participating in the intercollegiate athletics program. Participants are counted only one time although some may compete in two and three sports; hence, the participation rate will differ for some sports from the participation opportunities rate found in the previous section.

C. The “Bowling Green Letter”

On July 23, 1998, OCR issued a letter to the General Counsel of Bowling Green University in response to a request concerning allowable differences between the rates of participation and the rates of the awards of athletic financial assistance. OCR took the position in this letter that a difference in excess of 1% must be justified by nondiscriminatory reasons or a violation of 34 C.F.R. Section 106.37(c) resulted. This was a marked change from the previous years when statistical tests were required to determine if differences were significant. The "Bowling Green Letter" has been distributed to all schools as current OCR policy.

D. Assistance Awarded to Each Team and Modified Participant Count

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN AMOUNT</th>
<th>MEN PART.</th>
<th>WOMEN AMOUNT</th>
<th>WOMEN PART.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>$169,169.00</td>
<td>43</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>191,915.00</td>
<td>17</td>
<td>$194,600.00</td>
<td>16</td>
</tr>
<tr>
<td>Equestrian</td>
<td>NA</td>
<td>NA</td>
<td>152,540.00</td>
<td>63</td>
</tr>
<tr>
<td>Football</td>
<td>1,164,723.00</td>
<td>117</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Golf</td>
<td>69,560.00</td>
<td>10</td>
<td>84,480.00</td>
<td>7</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>NA</td>
<td>155,302.00</td>
<td>27</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>NA</td>
<td>156,880.00</td>
<td>18</td>
</tr>
<tr>
<td>Tennis</td>
<td>68,932.00</td>
<td>6</td>
<td>79,850.00</td>
<td>10</td>
</tr>
<tr>
<td>Track/XC</td>
<td>193,852.00</td>
<td>30</td>
<td>157,930.00</td>
<td>40</td>
</tr>
<tr>
<td>Wrestling</td>
<td>126,167.00</td>
<td>32</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$1,984,318.00</td>
<td>255</td>
<td>$981,582.00</td>
<td>181</td>
</tr>
</tbody>
</table>
E. Differences Between Participation and Award Ratios

The total amount of athletic financial assistance awarded in 2003-2004 was $2,965,900.00. Men represented 58.5% of the participants and received 66.9% of the awards. Women represented 41.5% of the participants and received 33.1% of the awards. There is a difference of 8.4% favoring the men’s program. That difference is significant.

Summer school aid is considered under this section but is not part of the above comparison. The only criterion for compliance in this area is that access to summer school be equal. All teams were represented except men’s and women’s golf. There were no complaints about access to summer school from student-athletes or coaches. Clearly, all that need to go to summer school do attend.

F. Conclusion

1. OSU has the maximum number of grants-in-aid available to the women’s program as well as the men’s program. In 2003-2004, however, 12.26 grants-in-aid or equivalencies were not awarded to women student-athletes. The largest amounts not awarded were in tennis\(^5\) (2.0), cross country/track (6.24) and basketball (2.0). The remaining sports had less than one full grant-in-aid for each, but these also increased the overall problem: softball (.28), soccer (.66), equestrian (.62) and golf (.46), a total of 2.02 grants-in-aid. Some coaches probably have legitimate reasons for not making these awards, but I suspect some do not.

2. Some method of awarding the remaining grant-in-aid money to seniors who are not on a full ride should be used by coaches in awarding remaining aid. Not awarding this aid has drawn negative attention to OSU in the past and will again.

3. Other factors possibly contributing to the very substantial 8.4% disparity are the large number of equestrian participants (63) and the low number of grants-in-aid allowed for the sport (15); the relatively large number of women cross country/track participants (40) and the low number of grants-in aid (18) allowed; and possibly, men’s sports may have awarded substantially more out-of-state grants-in-aid than did women’s sports.

\(^5\) Although tennis is a “head count sport,” two of the participants were awarded only half a full ride each.
III. EQUAL OPPORTUNITY AND THE EQUIVALENCE STANDARD: 
THE REMAINING COMPONENTS OF TITLE IX

A. Regulatory Requirement

[34 C.F.R. Section 106.41(c)]

Institutions must provide equal athletic opportunities for members of both sexes. In determining 
whether an institution is providing equal opportunity, several factors must be considered.

“Unequal aggregate expenditures for members of each sex or unequal expenditures for male and 
female teams … will not constitute noncompliance…, but the Assistant Secretary (for Civil 
Rights of the U. S. Department of Education) may consider the failure to provide necessary 
funds for teams for one sex in assessing equality of opportunity for members of each sex.”

B. Policy Interpretation

Compliance with each factor or component is assessed by comparing the availability, quality and 
kinds of benefits, opportunities and treatment of both sexes. If the components are found to be 
equivalent, then the institution will be in compliance. Equivalence means equal or equal in 
effect. Under the equivalence standard, identical benefits, budgets, opportunities, or treatment 
are not required, provided the overall effect of any difference does not have a disparate impact 
on one sex.

C. The Factors/Components

1. The Provision of Equipment and Supplies

[34 C.F.R. Section 106.41(c)(2)]

a. Quality and Suitability

The equipment provided is suitable for the various sports and rated by the coaches and 
participants as good to excellent.

b. Amount and Availability

Participants on all teams, except men’s and women’s golf and men’s and women’s cross 
country/track, are provided all the equipment and supplies necessary to practice and compete. 
Golf participants provide their own practice clothes (because there are no golf practice clothes) 
and men’s cross country/track participants supplement T-shirts, shorts and practice socks. 
Women’s cross country/track participants used sweats for warm-ups this past year.
c. Maintenance and Replacement

A full-time equipment manager oversees the football equipment, maintains their equipment room and oversees the laundry operation. He has one full-time assistant and 12-14 students assisting him in football. The Head Equipment Manager is certified, but his assistant is not. The assistant also works with baseball some. Laundry is done in the football equipment room for baseball, men’s and women’s basketball and wrestling in addition to football. Soccer game uniforms are also laundered in the football equipment room but not soccer practice clothes. The participants do those themselves. Softball has their own washer/dryer at the team clubhouse, and a student manager will do their laundry there. Men’s and women’s cross country/track and equestrian launder their own practice and competitive uniforms.

Equipment is stored in various locations at or near the team locker rooms or coaches’ offices. The men’s and women’s tennis coaches have an empty office near their offices to store some of their equipment; however, the Head Women’s Tennis Coach rents space off campus to store some of this team’s equipment, and the Head Men’s Tennis Coach stores some equipment in his home.

d. Recommendations/Comments

1. The Men’s Head Cross Country/Track Coach stated that his budget was not sufficient to provide everything. While he had money left over in his budget, it was due to an anticipated travel expense that did not occur.

2. Women’s cross country/track is still trying to overcome the loss of their equipment and are almost there.

3. Equipment storage appears to be a problem, but men and women (tennis) are equally affected.

2. Scheduling of Games and Practice Times

[34 C.F.R. Section 106.41(c)(3)]

a. The Number of Regular Season Competitive Events per Sport in 2003-2004

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN</th>
<th>NCAA MAX.</th>
<th>WOMEN</th>
<th>NCAA MAX.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>56</td>
<td>56</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>28</td>
<td>28</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>Equestrian</td>
<td>NA</td>
<td>NA</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td>Football</td>
<td>12</td>
<td>12</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Golf</td>
<td>24</td>
<td>24</td>
<td>24</td>
<td>24</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>NA</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>NA</td>
<td>56</td>
<td>56</td>
</tr>
</tbody>
</table>
All men’s and women’s teams except indoor/outdoor track competed in either one less (equestrian and men’s and women’s cross country) or the maximum number of regular season competitive events allowed for those sports under NCAA rules. The number in which indoor/outdoor track competed was sufficient, according to the head coaches.

b. The Number and Length of Practice Opportunities and the Time of Day Practice Opportunities are Scheduled

The number of practice opportunities and the length (per week) are governed by NCAA rules. Practice times are based on class schedules. All teams practice at the most desirable times.

c. The Time of Day Competitive Opportunities are Scheduled

Competition is scheduled seven days a week at various times of the day or evening depending on the sport. Neither coaches nor women participants had any complaints about the time of day participation opportunities are scheduled.

d. The Opportunities to Engage in Pre-Season and Post-Season Competition

The following teams had the opportunity to compete in pre-season, "other" season, or nontraditional season competition:

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN # EVENTS</th>
<th># ALLOWED BY NCAA</th>
<th>WOMEN # EVENTS</th>
<th># ALLOWED BY NCAA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>0</td>
<td>No Limit</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>NA</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>NA</td>
<td>7</td>
<td>No Limit</td>
</tr>
</tbody>
</table>

The baseball and softball teams are allowed scrimmages in the fall, but each scrimmage counts toward the maximum number of competitive events during the traditional season (56). The head baseball coach chose not to schedule competition, and the softball coach scheduled seven. All other teams allowed competition during these periods competed in the maximum.

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6 For a track meet to count as a competitive date, there must be a minimum of fourteen (14) participants entered in the meet.
All teams or individuals that qualified for post-season are allowed to compete. In 2003-2004, all men’s teams or some participants on a team competed in the post-season. Men’s basketball competed in the Final Four, football in the Cotton Bowl and wrestling was the NCAA Division I National Champion for the second consecutive year.

The only women’s teams to compete in the NCAAs were equestrian, golf, soccer and outdoor track. Softball competed in the NCAA Regionals and the tennis team in the Nationals. The women’s golf team was second in the NCAA National Championship, and women’s soccer competed in their first NCAA post-season tournament since the team was established.

e. Recommendations/Comments

None. The Scheduling of Games and Practice Times is equivalent.

3. Travel and Per Diem Allowances
   [34 C.F.R. Section 106.41(c)(4)]

a. Modes of Transportation

Below is the total number of trips by mode of transportation to regular season competitive events for all men’s and women’s teams in 2003-2004. The sources of the information are the travel data and interviews with coaches and participants.

In addition to the modes of transportation and number of trips indicated below, one men’s team (outdoor track) used an automobile for one trip.

<table>
<thead>
<tr>
<th>MODE</th>
<th>MEN # OF TRIPS</th>
<th>WOMEN # OF TRIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air</td>
<td>36</td>
<td>33.5</td>
</tr>
<tr>
<td>Bus</td>
<td>32</td>
<td>41.5</td>
</tr>
<tr>
<td>Van</td>
<td>10</td>
<td>8</td>
</tr>
</tbody>
</table>

Three men’s teams (basketball, football and golf) had sixteen charter air flights. Three of the golf charters were one-way only. Two women’s teams had a total of nine by charter air, six for women’s basketball and three for women’s golf. All three for women’s golf were one-way charters only. All men’s and women’s teams, except men’s cross country and indoor track, flew at least once. Men’s teams had nine trips of 6-8 hours. Women’s teams had fifteen trips of seven hours or more. There remains a disparity affecting women participants in modes of transportation.
b. Housing Furnished During Travel

When overnight travel is required, each team stays in moderately good to excellent lodging establishments selected by a member of the coaching staff or an administrator. Participants share rooms. All teams assign two-three participants to a room, one per bed. If three are assigned to a room, when there is an odd number, a rollaway bed is provided.

c. Length of Stay Before and After Competitive Events

Teams arrive either the day before or in sufficient time to warm up prior to a competitive event and leave immediately after the event in order to return to campus, except when commercial air travel is involved. In that case, participants have to sometimes stay overnight and fly back the next day.

d. Dining Arrangements and Per Diem Allowances (Meal Costs) for Each Team

Teams eat as a group with one of the coaches or an administrator paying the full bill, or participants are given money for the meal. There are no problems with these arrangements. OSU has adopted the per diem rates used by the U.S. Government for high rate geographical areas (HRGA). These rates were used consistently. All participants indicated that the amount and quality of food provided to them was sufficient.

e. Recommendations/Comments

1. Again, the only problem area is the comparative distances traveled using land transportation. A great deal of improvement occurred, but it remains skewed in favor of men’s teams overall.

2. Given the problems that are occurring, I again recommend adopting an objective policy addressing air travel based on the distance to be traveled, e.g., bus travel up to __ hours, air travel over that. Maybe the coaches need to schedule better.

4. Opportunity to Receive Coaching and the Assignment and Compensation of Coaches
[34 C.F.R. Section 106.41(c)(5)-(6)] 7


Below is a chart comparing the current full-time, part-time and graduate assistant (GA) coaches for men’s and women’s teams. Not included in the chart below is the full-time assistant coach for men’s and women’s golf. He assists both teams.

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN</th>
<th>WOMEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>3 FT, 1 VOL.</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>4 FT</td>
<td>4 FT</td>
</tr>
<tr>
<td>Equestrian</td>
<td>NA</td>
<td>3 FT</td>
</tr>
<tr>
<td>Football</td>
<td>10 FT, 2 GAs</td>
<td>NA</td>
</tr>
<tr>
<td>Golf</td>
<td>1 FT</td>
<td>1 FT</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>3 FT</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>3 FT</td>
</tr>
<tr>
<td>Tennis 8</td>
<td>1 FT, 1 GA</td>
<td>1 FT, 1 GA</td>
</tr>
<tr>
<td>Track/XC</td>
<td>2 FT, 1 GA, 1 VOL.</td>
<td>3 FT</td>
</tr>
<tr>
<td>Wrestling</td>
<td>3 FT</td>
<td>NA</td>
</tr>
</tbody>
</table>

All men’s and women’s teams have the maximum number of coaches allowed under NCAA rules for the sports offered except men’s and women’s golf. Overall, there are 24 full-time coaches and four GAs in the men’s program and 18 full-time coaches and one GA in the women’s program. Two of the four GAs in the men’s program are in football. These positions cannot be upgraded. The other two GAs are in tennis and cross country/track. Both these positions are in lieu of a full-time coach. Only one women’s sport is similarly situated (tennis).

b. Assignment (Qualifications) and Compensation of Coaches

The men's and women's assistant golf coach is also excluded from this analysis. All coaches are highly qualified, most having participated at both the high school or club and college levels in the sport they coach. Some have competed on national teams and played and coached professionally. While some coaches also have coaching experience at the high school and professional level, the average number of years of experience at the college level for coaches of men's sports is 17 years and the average for women's sports is 8.6 years. The difference is attributable to a very senior men’s coaching staff as compared to the women’s staff overall.

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7 While Opportunity to Receive Coaching and Academic Tutoring [34 C.F.R. Section 106.41(c)(5)] and the Assignment and Compensation of Coaches and Tutors [34 C.F.R. Section 106.41(c)(6)] are separate in both the Title IX regulation and the Policy Interpretation, the above combination significantly simplifies the review of each.

8 Tennis did not have a GA at the time of the review but will at a later date.
In order for there to be a violation of Title IX with respect to coaching salaries, there must be a difference in the availability of coaches or the qualifications of coaches, and the difference must be shown to have a disparate impact on women student-athletes. There were no problems in the availability of coaches. Also, if there is some problem with respect to the delivery of coaching services to the student-athletes, Title IX jurisdiction can be asserted in this area. Otherwise, coaching salaries would fall under other federal laws: the Equal Pay Act, the Fair Labor Standards Act and Title VII of the 1964 Civil Rights Act. While I am familiar with these laws, I am not an expert on them.

c. Recommendations/Comments

1. The second assistants in women’s soccer and women’s track were upgraded from GAs to full-time positions, a very positive step for OSU.

2. All head coaches should be aware of the importance of diversity when hiring assistants. Particularly, the golf program should hire a female assistant. The Head Golf Coaches and the assistant (for both men and women) are all males.

3. Otherwise, coaching is equivalent.

5. Opportunity to Receive Tutoring and the Assignment and Compensation of Tutors
   [34 C.F.R. Section 106.41(c)(5)-(6)]

a. Procedures, Tutor Qualifications, Compensation and Availability

The Associate AD for Academic Services oversees the entire program. She reports to the Senior Vice President and Provost. She has four full-time staff and one graduate assistant (GA). In addition to overseeing the program, the Associate AD works directly with softball, football and men’s basketball. Her staff has the following assignments:

Assistant Director of Academic Services - works with all women’s sports except softball.

Manager of Academic Counseling/Eligibility - works with wrestling, baseball, men’s tennis, men’s golf and men’s cross country/track.

Coordinator of Learning Program - works with football

Learning Center Coordinator-CHAMPS and Life Skills Programs and the Learning Center

GA - works with wrestling

The efforts of all these individuals were rated as good to excellent.
Student-athletes become aware of the academic services available to them when they are being recruited. Each prospect visits with an academic counselor. At the beginning of the year, academic services staff meet with the teams to which they are assigned and review the services provided. No team has priority. At-risk students, regardless of sex, are the top priority.

Academic services have an account to pay for tutors if that is the service needed. Tutors are paid between $8.00 - $25.00 per hour depending on the course and the level of tutoring provided (undergraduate, graduate, etc.). Tutors for specific courses must have taken the course and received an “A.” They must be recommended by a faculty member or provide a transcript to prove they are capable of tutoring.

There are no problems in this area.

b. Recommendations/Comments

The Opportunity to Receive Tutoring and the Assignment and Compensation of Tutors is equivalent.

6. Provision of Locker Rooms, Practice and Competitive Facilities
[34 C.F.R. Section 106.41(c)(7)]

LOCKER ROOMS

a. Quality and Availability

The only men’s team not provided a locker room is the tennis team. The only men’s team without exclusive use of their locker rooms is the men’s golf team; however, the team has lockers assigned the year around in the men’s locker room at Karsten Creek Golf Club. The locker room facility is excellent. The baseball locker room is to be redone, according to the Head Coach. The cross country/track locker room was rated as average by the Head Coach. The remainder of the locker rooms were rated as excellent.

Women’s tennis and soccer do not have locker rooms. The soccer team either uses the visiting football locker room in the Athletic Center or the satellite training room at Droke. They are also using the women’s track locker room at Droke. Those situations were rated by soccer as poor. Like the men’s golf team, the women’s golf team uses the women’s locker room at Karsten Creek Golf Club. It is an excellent facility, and lockers are assigned for the year. The women’s cross country/track locker room at Droke is not being used because it is too small for the team. Participants dress for practice at their residences and return there to change after practice. The remaining women’s locker rooms were rated as good to excellent; however, the equestrian changing room at the Saddling Barn is almost at the maximum capacity. It has 65 lockers, and there were 63 participants this year.
b. Quality, Availability and Exclusivity of Use and the Maintenance and Preparation of the Facilities for Practice and Competition

Below is a list of the facilities for each team. The head coaches and women participants evaluated the quality and the maintenance and preparation.

<table>
<thead>
<tr>
<th>SPORT</th>
<th>FACILITY/ QUALITY</th>
<th>AVAILABILITY/ EXCLUSIVE USE</th>
<th>MAINTENANCE &amp; PREPARATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>Reynolds Stadium/ “Older facility, needs updating” Funds are now been raised.</td>
<td>Exclusive for Practice and Competition</td>
<td>Maintenance and preparation by groundskeepers/Good</td>
</tr>
<tr>
<td>Basketball Men &amp; Women</td>
<td>Gallagher-Iba Arena/ Excellent. Practice Gym/ Excellent</td>
<td>Men’s &amp; women’s basketball share practice gym and arena. Concerts, etc. and wrestling competition use Gallagher-Iba</td>
<td>Maintenance and Preparation by Facilities/Game Operations/ Good</td>
</tr>
<tr>
<td>Equestrian</td>
<td>Animal Science Arena – Indoor &amp; outdoor &amp; OSU Outdoor Arena/Good to Excellent, but have outgrown.</td>
<td>Animal Science facility shared with students in that discipline. OSU Outdoor Arena is exclusively team’s facility.</td>
<td>Maintenance by Animal Science Staff at this facility. Maintenance &amp; Preparation for shows at OSU Arena by coaches &amp; participants</td>
</tr>
<tr>
<td>Football</td>
<td>Lewis Field &amp; 2 Practice Fields/ Good for all</td>
<td>Exclusive use of practice fields. Stadium used for some other activities</td>
<td>Maintenance and preparation by Facilities/Game Operations/Good</td>
</tr>
<tr>
<td>Golf Men &amp; Women</td>
<td>Karsten Creek Golf Course &amp; Stillwater Country Club/ Excellent</td>
<td>Used by members of golf clubs.</td>
<td>Maintenance and Preparation by professional groundskeepers/</td>
</tr>
<tr>
<td>SPORT</td>
<td>FACILITY/ QUALITY</td>
<td>AVAILABILITY/ EXCLUSIVE USE</td>
<td>MAINTENANCE &amp; PREPARATION</td>
</tr>
<tr>
<td>-----------</td>
<td>----------------------------------------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Soccer</td>
<td>OSU Soccer Complex Practice &amp; Compete on same field/Good</td>
<td>Exclusive use</td>
<td>Maintenance by turf management/Good. Preparation by Facilities &amp; Game Operations/Good</td>
</tr>
<tr>
<td>Softball</td>
<td>Cowgirl Stadium/ Coach-“O.K.” Participants-Good to Excellent Pitching Facility &amp; Indoor Batting Facility/Good</td>
<td>Exclusive use of Cowgirl Stadium. Outdoor Batting &amp; Pitching Facility shared with baseball</td>
<td>Maintenance by Facilities staff/ Not Good due to lack of staff, not effort. Preparation by Game Operations/Same</td>
</tr>
<tr>
<td>Tennis</td>
<td>Men- Various indoor courts/Fair University Cts. /Fair. Women – Edmond Indoor Courts/Good University Cts/Fair</td>
<td>Indoor Courts shared with public. University Courts used by OSU student body</td>
<td>Maintenance by coaches &amp; participants. Preparation for matches by coaches</td>
</tr>
<tr>
<td>Track/XC</td>
<td>Droke Track &amp; Field Complex/ Poor No indoor facility. No outdoor home competition. XC practice anywhere. OSU XC Complex/ Excellent</td>
<td>Track used by anyone. XC Course used for high school meets.</td>
<td>Maintenance by Facilities staff and men’s coaches. Setup of XC Course assisted by Game Operations &amp; Facilities staff.</td>
</tr>
<tr>
<td>Wrestling</td>
<td>Practice area in Athletic Ctr./ Excellent. Competition in Gallagher-Iba Arena/ Excellent</td>
<td>Exclusive use of practice area. Share Arena with men’s &amp; women’s basketball &amp; other activities.</td>
<td>Maintenance by Facilities staff/Good. Preparation by Game Operations/Good</td>
</tr>
</tbody>
</table>

The teams experiencing facility problems are men’s and women’s track, and men’s and women’s tennis. Problems with the track and tennis facilities affect both men and women equally.
c. Recommendations/Comments

1. For the first time, there is a facilities plan with architectural renderings. The facilities plan addresses the need for a Tennis Center with indoor courts and a women’s soccer complex with locker rooms, coaches’ offices, equipment storage and a satellite training room. Funds are being raised, primarily by the Senior Woman Administrator, for this facility.

2. In addition to indoor courts and locker rooms for men’s and women’s tennis, the track facility at Droke needs to be completely redone or a new one built.

3. Problems have been experienced at the softball facility with respect to the maintenance and preparation of the field. The Head Softball Coach felt that one of the facilities staff who works on the field was spending most of his time with baseball and excluding softball. This situation needs to be addressed and, if true, corrected. The Head Softball Coach also is concerned with the cleanliness of her facility. The team manager could address some of that.

4. While the Head Men’s Basketball Coach feels the Auxiliary Gym and the main floor of Gallagher-Iba Arena is equally shared with women’s basketball, both the Head Women’s Basketball Coach and women basketball participants stated that the main floor was not shared equally. According to them, the men’s team gets the Arena three days per week every week, and they cannot schedule Saturday practices until after the men have determined what time they desire to practice. Women participants also stated that the men have used the main floor when it was their time to use it.

   I suspect this is being done by some of the men’s assistant coaches, but a resolution is clearly needed. An administrator must take action to see that the use of the main floor is rotated fairly either weekly or by semester; e.g., if the men’s team uses the main floor three days, Monday through Friday, the women’s team should be able to use it for three days the next week. Preference on Saturday practice time should also be alternated.

5. Equestrian has outgrown their facility and cannot increase their numbers without increasing the size of the facility.

6. The Provision of Locker Rooms, Practice and Competitive Facilities is not equivalent and is OSU’s biggest problem area.
7. Provision of Medical and Training Facilities and Services
   [34 C.F.R. Section 106.41(c)(8)]

a. Health, Accident and Injury Insurance Coverage

Primary coverage on all student-athletes is through their parents' or student health insurance. At whatever point the primary coverage stops, the Athletic Department's secondary coverage begins. If a student-athlete has no coverage, the Athletic Department pays the entire cost through its own insurance. No student-athlete pays any costs.

b. Availability and Quality of Weight and Conditioning Facilities

There is one weight room for all student-athletes, and it is located in the OSU Athletic Center. Teams are scheduled to use the facility by the Strength Coach assigned to each team. The Head Strength Coach makes sure there are no conflicts. One hundred student-athletes can use the facility at a time. No coaches had any complaints about their scheduled time of use and rated the facility as good to excellent.

Five full-time strength coaches and two graduate assistants (GAs) staff the weight room. One of the GAs is a volunteer. All the full-time staff members are nationally certified except one. One of the full-time staff members is a female, a first at OSU. The full-time medical trainer for men’s basketball is now acting as their strength coach. He is in the process of obtaining certification as a strength coach.

c. Availability and Quality of Training Facilities

The main training room is located in the Athletic Center. Satellite facilities used for practice and/or game day are located at Droke Field House (men’s and women’s cross country/track and soccer), Reynolds Stadium (baseball) and Cowgirl Stadium (softball). The main training room contains all the latest modalities and was rated as good to excellent by coaches and participants. The Droke Field House satellite training room was rated as adequate, and the other two training rooms as good to excellent.

d. Availability of Medical Personnel and Assistance

The “team” physician, a D.O., is the only physician paid by the Athletic Department. The main team orthopedist receives referrals only. There is also a relationship with the Medical School nearby that provides a fellowship. Medical doctors travel with football (the D.O. and an orthopedist) and men’s basketball (to the Big XII and the NCAAs). A physician traveled with soccer to the Big XII tournament in 2003. Physicians cover home games for baseball, men’s and women’s basketball, soccer, softball and wrestling. Periodic visits by physicians are made to the training room.
e. Availability and Qualifications of Athletic Trainers

Four full-time trainers, six graduate assistants (GAs), one intern and one part-time intern comprise the nationally certified Trainers for the athletic program. Assisting them are 29 student assistant trainers, who are assigned to various sports. One of the full-time trainers is a Physical Therapist. He is assigned men’s and women’s golf but does not travel. Most of his work is in the training room. He also works with the Student Wellness Center. Of the remaining full-time trainers, two are assigned to football and one to men’s basketball. A full-time intern covers women’s basketball home and away, and the part-time intern is assigned to men’s and women’s tennis, but he travels with neither team. He also is the assigned trainer for the cheerleaders. A GA is assigned to men’s and women’s cross country/track. When the teams travel to different locations on the same date, one is without a certified trainer. Also only a student travels with the equestrian team.

After football, the two sports with the highest injury rates are wrestling and women’s soccer. Both sports have GAs assigned because there are no more full-time trainers.

f. Recommendations/Comments

1. Some of the coaching staff felt that the new full-time Strength Coach (female) was overstaffed. I brought this up at the interview with both she and the Head Strength Coach, but I received no response. I recommend that the Head Strength Coach review assignments of all staff and determine if the female strength coach workload is fair. He should report his findings to his supervisor and the Senior Woman Administrator.

2. Hiring a full-time female strength coach was a great start for OSU, but I also recommend that another female be hired at the next vacancy. Several other schools in the Big XII with which I work have two-three full-time female strength coaches. Their presence minimizes potential problems in the weight room.

3. At least one more full-time trainer needs to be hired to cover women’s soccer, a high injury sport. The Head Trainer felt that a new full-time trainer could cover both women’s soccer and wrestling, thus decreasing OSU’s vulnerability to liability in this area. Also another GA needs to be employed to cover men’s and women’s cross country/track. These are separate teams and often go to different meets at the same time. Also, as noted last year, there is often no certified trainer at practice when the GA travels with the other team.

4. A GA needs to travel with equestrian rather than a student. As you know, there was a death in this sport in California, and a lawsuit is ongoing.

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9 Based on the NCAA Injury Surveillance System (ISS).
5. Problems that occurred in the weight room in the previous year are no longer occurring.

8. Provision of Housing and Dining Facilities and Services
[34 C.F.R. Section 106.41(c)(9)]

a. Housing

Most freshmen live in dormitories unless they are locals. Other student-athletes may live in dorms or apartments on campus or off campus. On campus facilities now remain open during break periods, and there is no longer a need to provide special housing at these times. Football and soccer participants are all required to live on campus during their pre-season practice in August. After pre-season they may live in the various housing available on and off campus. All women basketball participants are required to live on campus. The football team stays at the Student Union Hotel the night before a home game.

b. Dining

Participants whose grants-in-aid include room and board eat on campus or receive checks for food. There is a training table available at one dorm. Only the football team eats there. Other sports have declined because of the cost, which comes out of the participant’s room and board portion of their scholarship check. The women’s soccer team is provided meals at a dorm that is open during their pre-season. The men’s and women’s golf teams have a training table at the Karsten Creek Country Club where they practice often. During periods when the regular campus dining halls are closed, teams that are in season are provided $30.00 per day for meals, less if a team meal is provided. The Head Wrestling Coach only provides $25.00. The Head Men’s Cross Country/Track Coach requires the cross country team to be on campus five days early to begin practice. No food is provided to them.

Pre-game meals are provided prior to home games for baseball, men’s and women’s basketball, football and soccer. Equestrian participants are provided more than one meal when their competition lasts all day. Both men’s basketball, football and soccer are provided post-game food. Depending on the time of competition, softball will have either a pre-game or post-game meal.

c. Recommendations/Comments

The Provision of Housing and Dining Facilities and Services is equivalent; however, if the Head
Coach/Track is going to require his cross country team to report early, he should feed them.

9. Publicity
   [34 C.F.R. Section 106.41(c)(10)]

a. Availability and Quality of Sports Information Personnel

Sports Information (SI) is under the supervision of the Associate AD for Media Relations/Sports Information Director (SID). He has four full-time assistants and five student assistants. The SID has 20 years experience, and he covers football both home and away. The assistant SID with the most experience (thirteen years) covers men’s basketball home and away and women’s golf. He traveled with women’s golf to the NCAA championship. The assistant SID who covers baseball also assists with football. He has six years experience and travels with both. Another full-time assistant SID who covers women’s basketball home and away has four years experience. He also covered men’s golf at the NCAA championship. Finally, the last full-time assistant, a female, has three years experience. She covers soccer and softball. She traveled to the Big XII Tournament with soccer. She covered softball home and away. Six of the seven student assistants are assigned one of the remaining sports: men’s tennis, women’s tennis, equestrian, men’s cross country/track, women’s cross country/track and wrestling. The one assigned to wrestling travels with the team. The one assigned to equestrian traveled to some competition.

Full-time SID staff members cover three men’s sports (baseball, basketball and football) and three women’s sports (basketball, soccer and softball) home and away. Their work was rated as good to excellent. The student assistants working with men’s and women’s tennis, wrestling and equestrian were also rated as good. The ones for men’s and women’s cross country/track and wrestling had lower ratings, a very low rating by women’s cross country/track, which did not receive a media guide.

b. Quantity and Quality of Publications

High quality media guides were provided to all men’s and women’s teams except women’s cross country/track. A student was assigned to do this media guide, but he failed to get it done. Posters, season tickets and schedule cards were provided for four men’s teams (baseball, basketball, football and wrestling) and three women’s teams (basketball, soccer and softball). All teams were provided programs of varying quality for home competition.

c. Other Publicity Resources and Promotional Services

A Director of Marketing oversees the marketing and promotions area. He reports to the Associate AD for Development. The Director has three full-time assistants and three interns to assist him. The Director’s responsibilities involve overseeing the budget, merchandising, the OSU athletic website and coordination with the private company that markets football and men’s and women’s basketball. One assistant is over the Internet, the website audio/video production
and website administration. Another assists with marketing and promoting women’s athletics, primarily soccer, softball and basketball. The third assistant markets the men’s team sports (baseball, basketball, football and wrestling). One intern assists with all aspects of men’s sports, one assists with women’s sports, and the other assists in the office.

Game day promotions are provided for all four men’s team sports (baseball, basketball, football and wrestling) and three women’s team sports (basketball, soccer and softball). Football, men’s and women’s basketball and soccer rated the efforts of the marketing and promotion staff as good. Softball and wrestling rated it as average. The baseball coach felt the efforts for his sport were not good.

d. Recommendations/Comment

1. The SID stated that the situation that resulted in the women’s cross country/track team not having a media guide would not occur again.

2. There were no other problems in this area, which is usually very good.

10. Recruitment of Student Athletes

[34 C.F.R. Section 106.41 (c)]

a. The Opportunity to Recruit

The opportunity to recruit is virtually synonymous with the opportunity to receive coaching (i.e., availability of coaches). If there are problems in the opportunity to receive coaching due to a lack of coaches, either full and/or part-time, there will usually be a problem in the opportunity to recruit. The availability of coaches/recruiters is equivalent at OSU. The opportunity to recruit is also equivalent.

b. Financial and Other Resources

This is a very difficult area of Title IX, one that is often misinterpreted because some formula for spending is sought in determining compliance. There is no such formula. The standard is whether the needs of the men’s and women’s program overall are met on an equivalent basis. Exacerbating the difficulty is the fact that needs fluctuate annually and each team has different needs.

After determining which items of a team’s budget constitute recruitment expenditures, each coach was asked to address the sufficiency of recruitment funds. All head coaches for all men’s and women’s sports stated that their recruitment budgets were sufficient for 2003-2004 except the Head Women’s Cross Country/Track Coach. He stated that he was still having to buy equipment, which minimized his overall budget.

"Other resources" for recruitment include such items as courtesy cars/car allowances and media
guides/recruitment brochures. Media guides were discussed under the Publicity component. Coaches use these in recruitment. Courtesy cars fall under the jurisdiction of Title IX because these are also used in recruitment. Otherwise, courtesy cars are a fringe benefit of employment, more appropriately addressed under Title VII. 10 There were twenty-three (23) courtesy cars/car allowances for coaches in the men's program; ten in football, four in men's basketball, three in baseball, two in cross country/track, one in golf, one in tennis and two in wrestling. There are sixteen (16) courtesy cars/car allowances for coaches in the women's program; four in basketball, two in equestrian, one in golf, two in soccer, three in softball, one in tennis and two in cross country/track. Finally, the assistant men’s and women’s golf coach is provided a courtesy car.

c. Benefits, Opportunities and Treatment of Prospective Student-Athletes

In 2003-2004, the following number of prospects made official visits:

<table>
<thead>
<tr>
<th>SPORT</th>
<th>MEN</th>
<th>WOMEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>15</td>
<td>NA</td>
</tr>
<tr>
<td>Basketball</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Equestrian</td>
<td>NA</td>
<td>1</td>
</tr>
<tr>
<td>Football</td>
<td>42</td>
<td>NA</td>
</tr>
<tr>
<td>Golf</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Soccer</td>
<td>NA</td>
<td>12</td>
</tr>
<tr>
<td>Softball</td>
<td>NA</td>
<td>16</td>
</tr>
<tr>
<td>Tennis</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Track/Cross Country</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>Wrestling</td>
<td>7</td>
<td>NA</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>95</strong></td>
<td><strong>54</strong></td>
</tr>
</tbody>
</table>

Prospective student-athletes are both flown and driven by automobile. They are lodged on campus or in local hotels and provided meals and entertainment on and off campus within NCAA rules. In 2003-2004, 63.8% of the prospect visits were by men and 36.2% were by women. The football prospects represented 44.2% of the visits by men and somewhat skews this comparison; however, there were no complaints by head coaches about limitations on official visits.

e. Recommendations/Comments

1. Women’s cross country/track needs a budget increase for equipment or recruitment.

2. Otherwise, this area is equivalent.

10 For this reason, courtesy cars to operations staff and additional cars to an individual head coach were not counted.
11. Support Services

[34 C.F.R. Section 106.41(c)]

a. Administrative Assistance

The Director of Athletics (AD) oversees the intercollegiate athletics program for men and women. He reports to the President of OSU. Directly under the AD is the Senior Associate AD/Chief Operations Officer. Three Associate ADs report to administrators outside the Athletic Department. The Associate AD for Compliance reports to the President. The Associate AD/Academic Services reports to the Provost/Senior Vice President. The Associate AD/Business Operations reports to the Director of Business Operations and Account Services. The Associate AD/Administration and Facilities, the Associate AD/Media Relations, the Associate AD/Senior Woman Administrator (SWA) and the Associate AD/Development report to the AD. All head coaches of men’s sports and the Coordinator of Radio/TV Communications report to the Senior Associate AD. All head coaches of women’s sports report to the SWA. The Coordinator of Film and Video Management, the Head Weight and Strength Coach, the Head Equipment Manager and the Director of Sports Medicine report to the Associate AD/Administration and Facilities.

Three men’s sports (baseball, basketball and football) have Directors of Operations to assist in the administration of each program. Women’s basketball also has a Director of Operations, and the equestrian program has an individual who is 50% herd manager, an administrative responsibility, and 50% clerical.

Overall, men’s and women’s sports have an Associate AD dedicated to each of their programs while the other Associate ADs have responsibilities that affect both men’s and women’s programs.

b. Office Space

In the men’s program, the sports with private offices for all head and assistant coaches are basketball, football, golf, cross country/track and wrestling. The two football GAs share an office. The tennis GA does not have an office. In the women’s program, only the basketball, soccer and golf coaches have private offices. The equestrian coaches are all in one room at the Saddling Barn and have no private space. The GA tennis coach has no office. The two assistant softball coaches share an office in the new clubhouse. The offices could have been private, but the former head coach designed them to be together.

The women’s cross country/track coaches are all in the same office space at Droke Field House. Women soccer coaches were in private offices with high partitions separating each coach in the Athletic Center overlooking the Hall of Fame Room.
c. Secretarial and Clerical Assistance

Football has three secretarial/clerical staff to assist the ten full-time coaches, the Operations Director and two GAs. The baseball and men’s basketball coaching staff have one staff member each and a student assistant. Women’s basketball and softball have one each. The wrestling coaching staff utilizes student assistants by choice, according to the Head Coach. One secretarial/clerical staff member assists men’s and women’s golf. Another is assigned to assist men’s and women’s cross country/track and soccer. She is in the soccer area. Finally, an indicated earlier, equestrian has a staff member who is 50% clerical and 50% herd manager. All coaches who desire one have computers, and many do much of their own work. This minimizes the need for secretarial/clerical staff.

d. Office Equipment and Supplies

Office equipment and supplies are available for all as needed.

e. Recommendations/Comments

1. The Head Softball Coach was provided a full-time secretary.

2. Coaches of women’s teams have less office space overall than coaches of men’s teams. The worst situation is the women’s cross country/track and equestrian teams. This needs to be part of the overall facilities plan.
SUMMARY

OSU has several concerns that need addressing in the following areas:

1. Effective Accommodation of Interests and Abilities
2. The Awards of Athletic Financial Assistance
3. The Provision of Equipment and Supplies
4. Travel and Per Diem Allowances
5. Facilities
6. Provision of Medical and Training Facilities and Services
7. The Recruitment of Student-Athletes
8. Support Services
9. Publicity

Areas of no concern:

1. Academic Services (Tutoring)
2. The Provision of Housing and Dining Facilities and Services
3. Scheduling of Games and Practice Times
4. Opportunity to Receive Coaching