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PRESS RELEASE

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PARTIES RESOLVE TITLE IX DISCRIMINATION SUIT AGAINST UNIVERSITY OF CALIFORNIA AT DAVIS

The University of California, Davis, and plaintiffs Kelsey Brust, Jessica Bulala, and Laura Ludwig, all current or former students, have reached agreement in a class-action lawsuit about women's participation in varsity sports. The settlement provides an agreed set of standards for female participation rates in varsity sports at UC Davis and also provides additional financial support for club sports at UC Davis.

Brust and Bulala, who played club field hockey, and Ludwig, who had wrestling experience and played club rugby, brought suit in July 2007 under the 1972 Patsy T. Mink Equal Opportunity in Education Act (Title IX). The lawsuit was certified as a class action in October 2008. Both sides actively litigated the case, which was set to go to trial this October.

"We are thrilled," said Ludwig. "It feels good to have the university's support for women's athletics through this resolution. We are proud to have come up with a result that will benefit Davis for years to come. It will create more opportunities for women to participate in the sports that they love."

"UC Davis has a solid history of commitment to its female athletes and coaches and to expanding opportunities for women in competitive sports. While the parties have a difference in opinion about whether litigation was necessary, we're pleased that we have reached an outcome that benefits both sides," said Greg Warzecka, UC Davis Athletics Director.

During the course of the litigation, the university conducted an open application process and selected women's field hockey as a new intercollegiate sport, to join the 14 other women's varsity teams at UC Davis. A team has been selected and competition will start this fall.

The agreed-upon settlement sets out a 10-year plan for UC Davis to reach specific proportions of male and female athletes by the 2019-20 school year. The university will either add women's intercollegiate teams or will take other measures to ensure equal accommodation of student interest in varsity sports. UC Davis has also agreed to contribute \$110,000 to a fund for the development of club sports, which the plaintiffs will distribute consistent with the purposes of the lawsuit.

"The time frames set out in the settlement maximize the potential to add varsity opportunities for women in the future. We are continually trying to maintain our compliance efforts to give women athletes the very best access to intercollegiate athletics competition possible," Warzecka said.

Added Brust, "The university's sponsorship of a women's intercollegiate field hockey team will allow field hockey players to contribute at even a higher level to the campus, and will provide incredible opportunities for many young women."

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"When we give women a fair share of athletic opportunities, we are developing leaders on and off the field," said Noreen Farrell of Equal Rights Advocates, who represented the plaintiffs with Monique Olivier of the Sturdevant Law Firm and Kristen Galles of Equity Legal.

"Title IX has been served well today. We applaud the efforts of all parties in resolving this suit," said Olivier.

The settlement must be approved by the U.S. District Court in Sacramento after notice of its specific terms has been provided to members of the class.

ADDENDUM TO PRESS RELEASE

The key aspects of the settlement are:

- UC Davis will follow a strategic plan to narrow the difference between the participation rates for men and women in intercollegiate athletics. Under this plan, the differential between women's undergraduate enrollment rates and women's varsity participation rates will be reduced to 3.5 percent for the 2009-10 school year. If the differential does not drop to 2.5 percent or less by the 2010-11 school year, the campus will either add a new women's intercollegiate sport which will start competition in the 2013-14 school year or achieve the 2.5 percent threshold by the fall of 2012. The agreed upon differential for the 2013-14 school year is 1.5 percent if the percentage of female undergraduates is 58 percent or lower. If women make up more than 58 percent of the undergraduate population that year, the differential threshold is 2 percent. If the campus does not reach the applicable differential, it will either add a new women's intercollegiate sport which will start competition in the 2016-17 school year or achieve the applicable differential by the fall of 2015. Finally, the differential for the 2016-17 school year will be no more than 1.5 percent. If the campus does not meet that number, it will either add a new women's intercollegiate sport which will start competition in the 2019-20 school year or achieve the differential by the fall of 2018.
- The newly added women's field hockey team will enjoy the same status as any other intercollegiate team, as will any other team added under the agreement.
- UC Davis will contribute \$110,000 to a non-profit organization selected by the plaintiffs. Plaintiffs have the discretion to distribute the money in a manner they deem to be appropriate, so long as it is used to support club sports at UC Davis. They have advised the university that if the settlement is approved by the Court, they intend to use the fund for the development of women athletes.
- The class representatives (Brust, Bulala and Ludwig) will each receive the sum of \$8,000.
- The attorney's fee and costs claim made by plaintiffs will be settled by payment of \$460,000 to Equal Rights Advocates, the Sturdevant Law Firm, and Equity Legal.
- The fact that the university has entered into this agreement is not an admission of liability or an admission that it is not or has not been in compliance with Title IX. The terms of the settlement apply only to UC Davis and should not be used as precedent for other UC schools.

Attorneys for both sides are preparing documents for submission to the Court as part of the approval process. They anticipate having those documents on file by early next week.