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FOR IMMEDIATE RELEASE:

EIU RESPONDS TO OCR

CHARLESTON -- Eastern Illinois University has responded to an invitation by the U.S. Department of Education's Office for Civil Rights (OCR) in Washington to offer an alternate proposal to meet compliance with Title IX of the Education Amendments of 1972, which prohibits gender discrimination at institutions that receive federal aid.

Eastern President David Jorns wrote to OCR in December asking them to consider reopening negotiations on a gender equity compliance review that found Eastern was not in compliance with Title IX.

Under the terms of the settlement agreement, Eastern agreed to eliminate men's wrestling and swimming and add women's soccer, effective next academic year, resulting in nine NCAA sports each for men and women.

Jorns was notified on Jan. 25 by OCR that the university may propose modifications or alternate strategies to achieve compliance with Title IX.

"The news from OCR is encouraging," said Jorns, who today (Feb. 2) submitted a response to OCR outlining an alternate proposal containing four

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provisions.

Jorns said the university believes its new proposal meets OCR's goals of developing a settlement agreement that resolves Title IX violations expeditiously and brings Eastern's intercollegiate athletic program into compliance with Title IX.

Eastern has proposed the following:

1) Adding women's golf as an intercollegiate sport beginning with the 1996-97 academic year to accommodate the interests of female athletes. In the letter, Jorns noted that this time frame will allow the university to conduct a search for a coach, recruit student-athletes and make the necessary arrangements for competitive schedules.

2) Reinstating men's swimming and wrestling, effective immediately. Jorns states in the letter: "We have been informed by OCR on several occasions that the agency does not advocate the elimination of any sports. The university's decision to eliminate men's wrestling and swimming was made as a last resort, when all of its other alternative proposals were rejected by your (OCR's) regional staff."

Jorns emphasized, "Only if and when OCR approves all provisions of Eastern's proposal can the university move forward with plans to restore men's wrestling and swimming and adding women's golf. As it stands right now, the university is still bound by the original settlement agreement," Jorns said.

Jorns noted in the letter that OCR's original proposal suggested the university add four women's sports: intercollegiate soccer and golf in 1995-96 and field

hockey and gymnastics in 1996-97. He said the new proposal adopts the same-time frame and two of the sports originally recommended by OCR -- soccer and golf.

In early negotiations, Eastern informed OCR that it was not financially feasible to add women's field hockey and gymnastics and that students had expressed no interest in these sports. However, OCR rejected the university's position, ruling out the university's ability to meet the interests and abilities prong of the Title IX test.

"Consequently, we were forced to direct our efforts at meeting the substantial proportionality prong of the test, which ultimately led to the difficult decision to cut sports (men's wrestling and swimming)," Jorns said in the letter.

A three-pronged test of Title IX is used to determine whether colleges are providing ample opportunities for their female athletes to participate in intercollegiate sports.

It requires a college to show first that its male and female students participate in intercollegiate sports in substantial proportion to their representation in the student body.

If they do not and if one sex is underrepresented, a college must show a continuing history of expanding its opportunities for that sex.

If it cannot do that, its third option is to prove that it has met the athletic interests and abilities of the underrepresented sex.

Another provision of Eastern's proposal includes:

3) Extending the settlement agreement an additional two years to allow the university adequate time to perform its obligations under the settlement agreement, which is currently in effect through the beginning of the 1997-98 academic year, but would be extended to the 1999-2000 academic year under this proposal.

Jorns stated in the letter, "This additional time will allow the university to make program adjustments, budgetary and otherwise, in the spirit of Title IX with minimal adverse impact on the (athletic) program as a whole."

He added, "Under this proposal, the university is effectively adding two women's sports -- soccer and golf. If the university is to add any more sports following its survey and assessment, it will need this additional time."

Lastly, the university proposes leaving the other provisions of the settlement agreement the same. This would include capping athletic participation rates for men, establishing goals for women's participation and assessing the athletic interests of females to determine whether the interests of women participating in specific sports or levels of competition exceed available opportunities.

Should the needs assessment indicate that through prior actions the university has satisfied the needs and abilities of current and potential female athletes, then the university will have met the needs and abilities prong regardless of the proportionality ratio.

In the proposal, Jorns said that he is willing to meet with the OCR staff in Washington or to arrange a conference call between OCR and the university to arrive at a creative resolution to these issues.

* Call Shelly Flock, 581-5983, to request copies of correspondence between Eastern and OCR mentioned in this release.