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Equal Rights Advocates Applauds Title IX Victory Against the University of California at Davis

Sacramento, California, August 3, 2011: The United States District Court issued a decision today following a three-week trial on liability, finding that the University of California at Davis violated Title IX by refusing to provide female students with an equal opportunity to participate in intercollegiate athletics while Plaintiffs were students. Title IX is the landmark law passed in 1972 that requires gender equity for boys and girls in every educational program that receives federal funding.

Ruling in favor of Plaintiffs on the Title IX claim against the University, the Court stated: “UC Davis did not have a continuing practice of program expansion at the time plaintiffs were students. . . . The gravamen of . . . compliance [with Title IX] is an ever increasing number of actual participation opportunities for the underrepresented sex, in this case women. When an institution loses over 60 opportunities in two years and never fully regains all of those opportunities over the next four years, such an institution cannot be held to be Title IX compliant . . .” Finding qualified immunity, the Court declined to find liability against the individual Defendants, who were UC Davis officials. Damages will be decided in November.

Plaintiffs Arezou Mansourian, Christine Ng, and Lauren Mancuso filed the action against UC Davis when they were denied the opportunity to participate in varsity wrestling at a time when the school was eliminating opportunities for women throughout its entire athletic program. UC Davis dropped and refused to replace more than 60 intercollegiate sports opportunities for women program-wide while the Plaintiffs were students, enough to field several women’s sports teams.

Plaintiffs were represented by Noreen Farrell of Equal Rights Advocates, Kristen Galles of Equity Legal, Whitney Huston and James Sturdevant of the Sturdevant Law Firm and Monique Olivier of Duckworth Peters Lebowitz Olivier LLP. The American Association of University Women (AAUW) provided support for the case.

Noreen Farrell, Managing Attorney at Equal Rights Advocates, a national civil rights organization, applauded the Court’s Title IX decision: “The young women who brought this suit courageously sought enforcement of Title IX, a law which was passed nearly 40 years ago to ensure that young women and men across the country have equal educational opportunities, including in athletics. As this Court’s decision reflects, schools such as UC Davis must make gender equity a priority. Generations of young women depend on it.”

Plaintiff Christine Ng stated: “We brought this case nearly a decade ago to ensure that all women at UC Davis had a fair chance to play sports. I am proud to be part of a case that led to important changes at UC Davis that did just that.” The women wrestler case led to the filing of a class action suit against UC

Davis on behalf of a class of all female students. This class action suit resulted in a settlement with UC Davis that equalized athletic participation rates for men and women and created a monetary fund to support developing women athletes (the WISE (Women in Sports Equity) Fund). See “Student-Athletes Benefit from Title IX Women in Sports Equity Settlement Fund” at http://equalrights.org/media/ERA_TitleIX_May20.pdf

About ERA

Equal Rights Advocates (ERA), founded in 1974, is a national civil rights organization dedicated to protecting and expanding economic and educational access and opportunities for women and girls. Through its campaign approach—incorporating public education, legislative advocacy, and litigation—ERA seeks to assist women and girls throughout a life-long continuum: ensuring equality in their educational experience, combating sex discrimination in the workforce, and advocating for workplaces hospitable to working families. For more information, see equalrights.org.