

Title: Equity in Athletics Disclosure Act
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Introduction

The Equity in Athletics Disclosure Act (EADA) was enacted on October 20, 1994, as section 360B of the Improving America's Schools Act of 1994 (IASA, [Public Law 103-382]). The EADA added new requirements to the Higher Education Act of 1965, as amended (HEA), which were implemented by the November 29, 1995, Student Assistance General Provisions Final Rule. On October 7, 1998, the EADA was amended when President Clinton signed into the law the Higher Education Amendments of 1998 (Public Law 105-244). The statutory changes made to the HEA by the Higher Education Amendments of 1998 were implemented by the November 1, 1999, Student Assistance General Provisions Final Rule. The EADA is currently cited as 20 USC 1092(g) or section 485(g) of the HEA.

The EADA is a "sunshine" law designed to make "prospective students and prospective athletes . . . aware of the commitments of an institution to providing equitable athletic opportunities for its men and women students" (IASA, §360B(b)(7)). The Act requires certain coeducational institutions of higher education to prepare annually, and to make available upon request to enrolled students, prospective students, and the public, a report on participation rates, financial support, and other information on men's and women's intercollegiate athletic programs. Noncompliance with the requirements of the Act will affect an institution's continued participation in the Title IV student financial assistance programs authorized by the HEA. The general policies and procedures that follow have been formulated to facilitate Boston College's implementation of the requirements of the Equity in Athletics Disclosure Act.

Definitions

Athletically-related student aid is defined by the November 1, 1999, Student Assistance General Provisions Final Rule as any scholarship, grant, or other form of financial assistance, offered by an institution, the terms of which require the recipient to participate in a program of intercollegiate athletics at the institution. Other student aid, of which a student-athlete simply happens to be the recipient, is not athletically-related student aid.

For purposes of compliance with the November 29, 1995, Student Assistance General Provisions Final Rule, Boston College defines **full-time coach** as a full-time, permanent employee who is eligible for all applicable employee benefits.

For purposes of compliance with the November 29, 1995, Student Assistance General Provisions Final Rule, Boston College defines **part-time coach** as a part-time, temporary employee who is not eligible for employee benefits.

Expenses are defined by the November 1, 1999, Student Assistance General Provisions Final Rule as expenses attributable to intercollegiate athletic activities. This includes appearance guarantees and options, athletically-related student aid, contract services, equipment, fundraising activities, operating expenses, promotional activities, recruiting expenses, salaries and benefits, supplies, travel, and any other expenses attributable to intercollegiate athletic activities.

Operating expenses are defined by the November 1, 1999, Student Assistance General Provisions Final Rule as all expenses an institution incurs attributable to home, away, and neutral-site intercollegiate athletic contests (commonly known as "game-day expenses") for (a) lodging, meals,

transportation, uniforms, and equipment for coaches, team members, support staff (including, but not limited to, team managers and trainers), and others; and (b) officials.

Recruiting expenses are defined by the November 1, 1999, Student Assistance General Provisions Final Rule as all expenses an institution incurs attributable to recruiting activities. This includes, but is not limited to, expenses for lodging, meals, telephone use, and transportation (including vehicles used for recruiting purposes) for both recruits and personnel engaged in recruiting, any other expenses for official and unofficial visits, and all other expenses related to recruiting.

Institutional salary is defined by the November 1, 1999, Student Assistance General Provisions Final Rule as all wages and bonuses an institution pays a coach as compensation attributable to coaching.

Participants are defined by the November 1, 1999, Student Assistance General Provisions Final Rule as students who, as of the day of a varsity team's first scheduled contest, (a) are listed by the institution on the varsity team's roster; (b) receive athletically-related student aid; or (c) practice with the varsity team and receive coaching from one or more varsity coaches. Any student who satisfies one or more of the criteria in (a) through (c) of this definition is a participant, including a student on a team the institution designates or defines as junior varsity, freshman, or novice, or a student withheld from competition to preserve eligibility (i.e., a redshirt), or for academic, medical, or other reasons.

For purposes of compliance with the November 1, 1999, Student Assistance General Provisions Final Rule, Boston College defines **reporting year** as the consecutive twelve-month period of time comprising its fiscal year, June 1 through May 31.

Revenues are defined by the November 1, 1999, Student Assistance General Provisions Final Rule as revenues attributable to intercollegiate athletics activities. This includes revenues from appearance guarantees and options, an athletic conference, tournament or bowl games, concessions, contributions from alumni and others, institutional support, program advertising and sales, radio and television, royalties, signage and other sponsorships, sports camps, State or other government support, student activity fees, ticket and luxury box sales, and any other revenues attributable to intercollegiate athletic activities.

For purposes of compliance with the November 1, 1999, Student Assistance General Provisions Final Rule, Boston College defines **undergraduate student** as any student currently enrolled in a four-year bachelor's degree program.

Varsity team is defined by the November 1, 1999, Student Assistance General Provisions Final Rule as a team that (a) is designated or defined by its institution or an athletic association as a varsity team; or (b) primarily competes against other teams that are designated or defined by their institutions or athletic associations as varsity teams.

Policy

Boston College complies with the requirements of the Equity in Athletics Disclosure Act. The disclosure requirements of the Act are as follows:

- I. Each coeducational institution of higher education that participates in any Title IV, HEA program and that has an intercollegiate athletic program must, not later than October 15 of each year, make available upon request to enrolled students, prospective students, and the public, the report described in paragraph (2) below.
 - (a) The institution must make the report easily accessible to students, prospective students, and the public, and must provide the report promptly to anyone who requests it.

- (b) The institution must provide notice to all enrolled students and prospective students of their right to request the report.
 - (c) The institution must submit the report to the Secretary of Education within fifteen (15) days of making it available to students, prospective students, and the public.
- 2.
- 3. Each institution subject to paragraph (1) above must annually, for the preceding reporting year, prepare a report that contains the following information:
 - (a) The number of male and the number of female full-time undergraduate students that attended the institution.
 - (b) A listing of the varsity teams that competed in intercollegiate athletic competition and for each team the following data:
 - (i) The total number of participants as of the day of its first scheduled contest of the reporting year, the number of participants who also participated on another varsity team, and the number of other varsity teams on which they participated.
 - (ii) Total operating expenses attributable to the team, except that an institution may report combined operating expenses for closely related teams, such as track and field or swimming and diving. Those combinations must be reported separately for men's and women's teams.

In addition to the data required by paragraph (2)(b)(ii) above, an institution may report operating expenses attributable to the team on a per participant basis.
 - (iii) Whether the head coach was male or female, was assigned to the team on a full-time or part-time basis, and, if assigned on a part-time basis, whether the head coach was a full-time or part-time employee of the institution.

The institution must consider graduate assistants and volunteers who served as head coaches to be head coaches for purposes of this report.
 - (iv) The number of assistant coaches who were male and the number of assistant coaches who were female, and, within each category, the number who were assigned to the team on a full-time or part-time basis, and, of those assigned on a part-time basis, the number who were full-time and part-time employees of the institution.

The institution must consider graduate assistants and volunteers who served as assistant coaches to be assistant coaches for purposes of this report.
 - (c) The unduplicated head count of the individuals who were listed under paragraph (2)(b)(i) above as a participant on at least one varsity team, by gender.
 - (d) Revenues derived by the institution according to the following categories: (Revenues not attributable to a particular sport or sports must be included only in the total revenues attributable to intercollegiate athletic activities, and, if appropriate, revenues attributable to men's sports combined or women's sports combined. Those revenues include, but are not limited to, alumni contributions to the athletic department not targeted to a particular sport or sports, investment interest income, and student activity fees.)
 - (i) Total revenues attributable to its intercollegiate athletic activities.
 - (ii) Revenues attributable to all men's sports combined.
 - (iii) Revenues attributable to all women's sports combined.

- (iv) Revenues attributable to football.
- (v) Revenues attributable to men's basketball.
- (vi) Revenues attributable to women's basketball.
- (vii) Revenues attributable to all men's sports except football and basketball, combined.
- (viii) Revenues attributable to all women's sports except basketball, combined.

In addition to the data required by paragraph (2)(d) above, an institution may report revenues attributable to the remainder of the teams, by team.

- (e) Expenses incurred by the institution, according to the following categories:
(Expenses not attributable to a particular sport, such as general and administrative overhead, must be included only in the total expenses attributable to intercollegiate athletic activities.)
 - (i) Total expenses attributable to intercollegiate athletic activities.
 - (ii) Expenses attributable to football.
 - (iii) Expenses attributable to men's basketball.
 - (iv) Expenses attributable to women's basketball.
 - (v) Expenses attributable to all men's sports except football and basketball, combined.
 - (vi) Expenses attributable to all women's sports except basketball, combined.
- (f) The total amount of money spent on athletically-related student aid, including the value of waivers of educational expenses, aggregately for men's teams, and aggregately for women's teams.
- (g) The ratio of athletically-related student aid awarded male athletes to athletically-related student aid awarded female athletes.
- (h) The total amount of recruiting expenses incurred, aggregately for all men's teams, and aggregately for all women's teams.
- (i) The average annual institutional salary of the nonvolunteer head coaches of all men's teams, across all offered sports, and the average annual institutional salary of the nonvolunteer head coaches of all women's teams, across all offered sports, on a per person and a per full-time equivalent position basis. These data must include the number of persons and full-time equivalent positions used to calculate each average.
If a head coach has responsibilities for more than one team and the institution does not allocate that coach's salary by team, the institution must divide the salary by the number of teams for which the coach has responsibility and allocate the salary among the teams on a basis consistent with the coach's responsibilities for the different teams.
- (j) The average annual institutional salary of the nonvolunteer assistant coaches of men's teams, across all offered sports, and the average annual institutional salary of the nonvolunteer assistant coaches of women's teams, across all offered sports, on a per person and a per full-time equivalent position basis. These data must include the number of persons and full-time equivalent positions used to calculate each average.
If an assistant coach has responsibilities for more than one team and the institution does not allocate that coach's salary by team, the institution must divide the salary by the number of teams for which the coach has responsibility and allocate the salary among the teams on a basis consistent with the coach's responsibilities for the different teams.

The Financial Vice President and Treasurer has overall responsibility for implementing, monitoring, and enforcing the provisions of this policy. The Controller, the Academic Vice President, and the Director of Athletics are responsible for implementing, monitoring, and enforcing specific procedures as stipulated by the policy.

Procedures

Annual reports are to be prepared, published, and made available in the following manner, by the following responsible individuals, to enrolled students, prospective students, and the public upon request by October 15 of each year.

- The Financial Vice President and Treasurer is responsible for preparing and publishing the annual report required in paragraph (2) above. The Controller, the Director of Athletics, and the Academic Vice President are responsible for compiling the information necessary to complete the report.
- Annual reports are to be made available by the Controller's Office. The Controller is responsible for providing copies of the annual report to enrolled students, prospective students, and the public upon request. Reports are to be sent to requesters through the U.S. mail, and each request is to be recorded on a tracking form maintained by the Controller's Office.
- Enrolled students are notified in the IMPORTANT NOTICES AND DISCLOSURES annual mailing of their right to request a copy of the report. To inform prospective students of their right to request a copy of the report, the Academic Vice President is to ensure that the following statement appears in the UNDERGRADUATE ADMISSION BULLETIN and all graduate program ADMISSION BULLETINS:

In compliance with the Higher Education Amendments of 1998, Boston College publishes and makes available to any prospective student upon request:

A copy of Boston College's annual security report, the CAMPUS SAFETY AND SECURITY PROGRAM. This report contains statistics for the previous three years concerning reported crimes that occurred on campus and on public property immediately adjacent to and accessible from the campus. The report also incorporates institutional policies concerning campus security, including Reporting of Crimes and Other Emergencies, Safety Notification Procedure, Campus Law Enforcement, and Campus Sexual Assault Program; information regarding the available educational programs that address campus security procedures and practices, and crime prevention; information regarding drug and alcohol policies, and other matters.

A report of athletic program participation rates and financial support data. This report details participation rates, financial support, and other information on men's and women's intercollegiate athletic programs.

To request a copy of either of the above reports, please call the Office of the Financial Vice President and Treasurer at (617) 552-4856, or send your request in writing to:

Boston College
Office of the Financial Vice President and Treasurer
More Hall 200
140 Commonwealth Avenue
Chestnut Hill, MA 02467

The Academic Vice President is also to ensure that the above statement appears in the BC BULLETIN as a component of the NOTICE OF INFORMATION DISCLOSURES statement.

- The Financial Vice President and Treasurer, in coordination with the Director of Athletics, is responsible for submitting the report to the Secretary of Education within fifteen (15) days of making it available to students, prospective students, and the public.