

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CONNECTICUT**

-----	X
STEPHANIE BIEDIGER, KAYLA LAWLER,	:
ERIN OVERDEVEST, KRISTEN	: CIVIL ACTION NO:
CORINALDESI, and LOGAN RIKER,	:
individually and on behalf of all those	: 3:09-CV-00621 (SRU)
similarly situated; and	:
ROBIN LAMOTT SPARKS, individually,	:
	:
Plaintiffs,	:
	:
against	:
	:
QUINNIPIAC UNIVERSITY,	:
	:
Defendant.	:
-----	X

**QUINNIPIAC UNIVERSITY'S PROPOSED COMPLIANCE PLAN**

Quinnipiac University submits the following compliance plan in accordance with the Court's July 21, 2010 order. This plan is submitted without prejudice to Quinnipiac University's rights to appeal from the July 21, 2010 order or any other orders entered concerning Title IX compliance in this case.

As described below, the University plans on complying with Title IX by providing athletic participation opportunities substantially in proportion to the University's undergraduate enrollment, in accordance with Prong One of OCR's 1979 Policy Interpretation. The plan extends through the 2011-2012 academic year, after which Quinnipiac expects that court monitoring of the University's athletic team rosters will no longer be required. Quinnipiac reserves the right to submit a modified Compliance Plan, for the Court's approval, based on any unforeseen circumstances. Quinnipiac also reserves the right to demonstrate compliance with Prong Two of OCR's 1979 Policy Interpretation.

**2010-2011 Plan**

*Volleyball*

As ordered by the Court, the University will continue sponsoring the women's volleyball team during the 2010-2011 season.

*Women's Cross Country / Women's Indoor Track and Field / Women's Outdoor Track and Field*

The Court's decision relied on unexplained and unexplored testimony that the head coach of the women's cross country team – Carolyn Martin – required members of the cross country team to participate in the women's indoor track and field and outdoor track and field teams. No such requirement was ever communicated to the student athletes, and no cross country athlete was ever required to participate in the indoor and/or

outdoor track and field team who did not voluntarily decide to do so. Nevertheless, the University will take additional steps to ensure that all student-athletes and potential student-athletes are aware that participation on any and all teams is completely voluntary.

All coaches and student-athletes will be informed in writing that, consistent with long-standing University policy, student-athlete participation in varsity sports is totally voluntary on the part of the student, and no student is required to participate in any sport. The University will make clear to coaches and student-athletes that no student is required to participate in one sport in order to participate in a different sport.

In particular, students on the women's cross country team will be notified in writing that participation on the women's indoor track and field and/or outdoor track and field team is not required to participate on the women's cross country team.

#### *Women's Golf*

The University will add a varsity women's golf team in 2010-2011. Golf is recognized as a championship sport by the NCAA and Northeast Conference. The NCAA's most recent participation report from 2008-2009 indicates that the average size of a Division I varsity women's golf team is 8.6. The University will initially set a roster target of 10 students for the varsity women's golf team. The University will take several steps to ensure that the women's golf team will provide genuine participation opportunities to 10 female students.

First, the University is in the process of conducting a search for a qualified women's golf coach. The coach will be hired as soon as possible, with the goal of having a coach in place by the beginning of the fall semester of the 2010-2011 academic year.

Second, the coach will recruit student-athletes who are in high school and/or who currently attend other colleges/universities, as well as students currently enrolled at Quinnipiac, to participate in the varsity women's golf team.

Third, the University will provide two full tuition scholarships, which the coach can allocate among student-athletes, to attract talented student-athletes to the team.

*Roster Management*

Dr. Mark Thompson, the University's Senior Vice President for Academic and Student Affairs, will continue overseeing the University's roster management process. Dr. Thompson will remind all coaches that he must approve all additions or deletions to varsity teams.

Because the 2010-2011 academic year begins in September and team rosters are already set, no other changes will be made to rosters for the upcoming year. With the exception of the addition of women's golf, the roster numbers will remain the same as those already provided to coaches, as set forth in the chart below:

	<b>Men</b>	<b>Women</b>
<b>Basketball</b>	19	18
<b>Baseball</b>	31	
<b>Field Hockey</b>		24
<b>Soccer</b>	24	25
<b>Tennis</b>	10	10
<b>Lacrosse</b>	41	30
<b>Cross Country</b>	13	24
<b>Ice Hockey</b>	30	26
<b>Indoor Track</b>		35
<b>Outdoor Track</b>		35
<b>Softball</b>		19
<b>Volleyball</b>		14
<b>Golf</b>		10
<b>Total</b>	168	270

Below is a summary chart showing the number of male and female athletes the University expects will participate in varsity athletics in 2010-2011, compared to the projected undergraduate enrollment:

	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>2010-2011 Varsity Athletes</b>			
<b>Number</b>	168	270	438
<b>Percent</b>	38.36%	61.64%	100%
<b>2010-2011 Undergraduate Population (Projected)</b>			
<b>Number</b>	2188	3766	5954
<b>Percent</b>	36.75%	63.25%	100%

**2011-2012 Plan**

*Volleyball*

The University will continue sponsoring the women's volleyball team during the 2011-2012 season, and potentially beyond that period as needed to maintain Title IX compliance.

*Women's Cross Country / Women's Indoor Track and Field / Women's Outdoor Track and Field*

The University will continue the practices set forth above for 2010-2011 with respect to notifying coaches and student-athletes that no student is required to participate in any sport.

*Women's Rugby*

The University will add a varsity women's rugby team in 2011-2012. Rugby is recognized as an NCAA emerging sport. The NCAA's most recent participation report from 2008-2009 indicates that the average size of a varsity women's rugby team is 36.8, and the University initially will set a roster target of 35 students. The University will take several steps to ensure that the women's rugby team provides genuine participation opportunities to 35 female students.

First, the University is in the process of conducting a search for a qualified women's rugby coach. The coach will be hired as soon as possible, with the goal of having a coach in place during the fall semester of the 2010-2011 academic year.

Second, the coach will recruit student-athletes who are in high school and/or who currently attend other colleges/universities, as well as students currently enrolled at Quinnipiac, to participate on the varsity women's rugby team.

Third, the University will provide six full tuition scholarships, which the coach can allocate among student-athletes, to attract talented student-athletes to the varsity team.

Fourth, during the 2010-11 academic year, the coach will begin to practice with and assess the skills of the current students who are interested in participating in rugby. To the extent feasible, the coach will organize a club team in the 2011-12 academic year.

#### *Roster Management*

Dr. Thompson will continue monitoring roster numbers for all of Quinnipiac's varsity teams. Each year, Dr. Thompson will engage in the process of evaluating roster targets with coaches to ensure that the roster numbers accurately reflect genuine athletic participation opportunities.

As the OCR recognizes, enrollment numbers may fluctuate. Dr. Thompson will monitor and adjust roster numbers based on an ongoing assessment of the coaches' needs and undergraduate enrollment statistics, with the goal of ensuring that each student athlete receives a genuine athletic participation opportunity.

In any given year, coaches may be more or less successful in recruiting athletes, and other circumstances may arise that necessitate higher or lower roster numbers. For example, if several scholarship athletes on a team are injured, the coach may request a higher roster number to remain competitive. It is expected that ordinary issues will arise with the student-athletes that may require that athletes be added or cut from teams, including injuries, academic eligibility issues, and personal concerns. Dr. Thompson will continue to evaluate these issues on a case-by-case basis as they arise.

Below is a chart showing the number of male and female athletes the University expects will participate in each varsity sport in 2011-2012:

	<b>Men</b>	<b>Women</b>
<b>Basketball</b>	19	18
<b>Baseball</b>	31	
<b>Field Hockey</b>		24
<b>Soccer</b>	24	25
<b>Tennis</b>	10	10
<b>Lacrosse</b>	41	30
<b>Cross Country</b>	13	24
<b>Ice Hockey</b>	30	26
<b>Indoor Track</b>		35
<b>Outdoor Track</b>		35
<b>Softball</b>		19
<b>Volleyball</b>		14
<b>Golf</b>		10
<b>Rugby</b>		35
<b>Total</b>	168	305

Below is a chart summarizing the total number of male and female athletes the University expects will participate in varsity athletics in 2011-2012, compared to the projected undergraduate enrollment for 2010-11:

	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>2011-2012 Varsity Athletes</b>			
<b>Number</b>	168	305	473
<b>Percent</b>	35.52%	64.48%	100%
<b>2010-2011 Undergraduate Population (Projected)</b>			
<b>Number</b>	2188	3766	5954
<b>Percent</b>	36.75%	63.25%	100%

**Stunts and Tumbling (Competitive Cheer)**

The University plans on continuing to support its Stunts and Tumbling team (formerly known as the Competitive Cheer team) as a varsity sport. If Stunts and Tumbling is recognized by the NCAA as an emerging sport or by OCR as a sport prior to the 2011-12 academic year, the University will submit a modified compliance plan in light of the additional athletes who would count as participants for purposes of Title IX.

Dated: August 11, 2010

PROSKAUER ROSE LLP

By: /s/ Edward A. Brill

Edward A. Brill

Federal Bar No.

phv015747

Susan D. Friedfel

Federal Bar No.

phv03585

1585 Broadway

New York, NY 10036

Tel: 212.969.3000

Fax: 212.969.2900

ebrill@proskauer.com

sfriedfel@proskauer.com

WIGGIN AND DANA

Mary Gambardella, Esq.

Federal Bar No. ct05386

400 Atlantic Street

Stamford, CT 06911-0325

Tel: (203) 363-7662

Fax: (203) 363-7676

mgambardella@wiggin.com

*Attorneys for Defendant*