



PRESS RELEASE

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FOR IMMEDIATE RELEASE

COMPREHENSIVE SETTLEMENT REACHED IN TITLE IX LAWSUIT AGAINST SLIPPERY ROCK UNIVERSITY

Pittsburgh, PA (April 10, 2007) -- On April 6, less than 10 months after U.S. Chief District Judge Donetta Ambrose ordered Slippery Rock University to reinstate the three women's varsity teams it had cut in violation of Title IX, the plaintiffs—12 Slippery Rock women athletes—reached a comprehensive settlement with the school. The settlement is aimed at achieving gender equity in an athletic program that has short-changed female athletes for decades.

When Slippery Rock announced the elimination of the women's field hockey, swimming, and water polo teams in January 2006, the female athletes fought back by suing the university under Title IX. With this settlement, plaintiffs secure for themselves and future athletes Slippery Rock's commitment to achieve fairness in both participation and treatment of women athletes. A key aspect of the settlement is the creation of a \$300,000 fund to be spent over three years on women's athletics to overcome the effects of historical conditions that have limited women's participation in athletics. This is in addition to monies the university has or will spend to assure gender equality in athletics.

"We're really proud that we helped create more athletic opportunities for female students and some meaningful improvements in the women's locker rooms, playing fields,

equipment and coaching,” commented Jennifer Venet, a field hockey player and one of the plaintiffs in the litigation, *Choike v. Slippery Rock University*.

Added Beth Choike, water polo athlete and lead plaintiff, “This lawsuit was definitely worthwhile. We’ve already seen some definite improvements, and the progress just keeps on going.”

“Swift resolution of this lawsuit would not have been possible without the leadership of SRU President Smith,” said Abbe Fletman, co-counsel for the plaintiffs.

On April 9, 2007, Judge Ambrose preliminarily approved the partial settlement of the plaintiffs’ participation claims, certified the settlement class, appointed class counsel, and scheduled a hearing on June 12, 2007 for final court approval.

“These young women are to be commended for their courage and passion for their sports,” said Susan Frietsche, staff attorney in the Pittsburgh office of the Womens’ Law Project and co-counsel for the plaintiffs. “Without them, this sea-change in SRU’s athletics program never would have happened. Every woman at Slippery Rock owes them a debt of gratitude.”

This lawsuit has attracted national attention from the Women’s Sports Foundation, nonprofit education and advocacy organization founded in 1974 by Billie Jean King. The Foundation will present its “Geena Takes Aim National Resolution” honoring the three women’s teams and the plaintiff student-athletes for “taking a stand against gender inequity.” The awards, signed by actress and Title IX activist Geena Davis, will be presented to the student-athletes by Women’s Law Project staff attorney Susan Frietsche at a ceremony in downtown Slippery Rock tonight, April 10, following Slippery Rock’s water polo match against Grove City.

Title IX of the Education Amendments of 1972 prohibits sex discrimination in federally funded educational programs. In the athletic arena, Title IX mandates the provision of athletic opportunities in proportion to the gender balance in the student body, equitable treatment in the availability, quality, and kinds of benefits and opportunities afforded female student athletes, including equipment and supplies, locker rooms and other facilities, coaching, medical and training services, recruitment, travel, publicity and other facets of the athletic program, and scholarships.

The student-athletes are represented by the Women’s Law Project, a non-profit women’s legal advocacy organization with offices in Pittsburgh and Philadelphia; and Flaster/Greenberg, P.C., a multi-disciplinary law firm of 65 lawyers in seven offices

throughout Philadelphia, Wilmington and Southern New Jersey. Founded in 1972, the firm provides business and corporate, litigation and regulatory legal services to businesses, governmental entities, nonprofit organizations and individuals throughout the tri-state area.

The full name of the lawsuit filed in the U.S. District Court Western District of Pennsylvania is CHOIKE et al v. SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGH EDUCATION et al; case number [2:06-cv-622](#)

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Overview of Settlement

The settlement, negotiated in two stages, requires Slippery Rock University (SRU) to comply with Title IX's equal participation and equal treatment requirements.

On April 6, 2006, the parties reached a settlement of the treatment claims in a negotiation supervised by U.S. Magistrate Judge Lisa P. Lenihan. The settlement aims at achieving equity through major investments in the women's programs, establishment of gender-equitable policies, and institution of prospective budgeting of all athletic expenditures. The major terms of this settlement include:

- Substantial improvements to the softball field to bring it closer in quality to the baseball team's Critchfield Park, described as "one of the premier Division II ballparks in the nation;"
- New and improved women's locker rooms;
- Equitable availability of medical and training personnel and facilities for women athletes;
- Equitable provision of and compensation to coaches of women's teams;
- Adoption of policies setting forth gender-equitable treatment regarding uniforms, travel, equipment, publicity, trainers, and access to automobiles for recruitment by coaches.

Central to the achievement of equity in treatment is SRU's agreement to adopt a comprehensive prospective athletic budget and the creation of a \$300,000 fund to be spent over 3 years on women's athletics to overcome the effects of historical conditions that have limited women's participation in athletics. This influx of funds is in addition to the approximately \$1 million SRU has committed to facilities and coaching for women athletes since the inception of this lawsuit.

In an earlier agreement preliminarily approved by the Court yesterday, April 9, 2007, the parties resolved the participation claims, the essential terms of which require SRU to:

- Retain women's swimming and water polo as varsity teams for one full academic year after SRU has achieved compliance with the proportionality requirement of Title IX within two percentage points; and
- Allocate an additional amount of money to women's varsity athletics for the academic year following any year during which the participation of SRU female varsity athletes is not within two percentage points of the proportion of full-time female undergraduates.

SRU has also agreed to provide documentation to plaintiffs' counsel on an annual basis for three years to allow monitoring of compliance with the terms of the agreement and progress in achieving equity in both participation and treatment.

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