



## **An Update on Athletics Facilities**

Dear Colleagues,

In my message to campus last March about Cal Athletics, I wrote of our need to improve the training and competition facilities we provide to our women's softball and beach volleyball teams. With the initial analytical work completed, we recently presented preliminary plans for these projects to the Capital Projects Committee. Due to the significant costs associated with these facility improvements, I am writing to explain how we got here, and what needs to happen going forward.

This issue is first and foremost about our values, specifically the value the University places on gender equity, including access to equitable athletics facilities for our male and female student-athletes. In addition, we must maintain compliance with the provisions of Title IX that support and protect those very same values. After conducting a careful review, I am convinced that if we are to remain true to our moral, ethical and legal commitments we must improve two of our women's athletics venues. To be clear, the University is not joining the athletics arms race that is occurring throughout the country but rather is working to provide our existing women's teams with fields, courts, and associated amenities that are similar to what their male counterparts at Cal already enjoy while also meeting our obligations under the law.

Unfortunately, the price tag associated with these necessary facility improvements is extraordinarily high. Initial estimates provided by external consultants with relevant expertise indicate that new softball and beach volleyball facilities will cost approximately \$30 million overall. I expect your reaction to this number may be similar to my own: one of concern and dismay. So, I want to share what I have learned about circumstances we cannot wish away.

The current situation is the result of a series of missed opportunities and unfortunate decisions that have accumulated over the years, for which campus and athletics must share responsibility. Simply put, we have a history of insufficient investment in the facilities that support some of our women's sport programs. As a result, we must proceed with these projects.

The high cost of the projects is driven by their scope. When it comes to equity in facilities the moral and legal comparator is the over-arching level and quality of facilities and amenities that we provide to our men's teams. So, in that context I am convinced that temporary and/or incremental improvements will not suffice. While the details are not yet finalized, we need to provide our softball and beach volleyball teams with facilities that are commensurate with our men's facilities. In addition, we must also address long-standing shortcomings in the softball field itself which, in its Strawberry Canyon location, does not have competition-level lighting and does not meet NCAA size requirements for post-season competition. As a result, the entire field will need to be flipped in orientation and enlarged. In addition, there are the high costs associated with the University's public-sector project regulatory requirements, as well as high labor expenses for all university-sponsored construction.

After extensive discussion and analysis, I have come to understand that short of discontinuing the softball and beach volleyball programs ---a step I will not take for it stands in dramatic opposition to our values and would likely set the stage for costly litigation -- the University must accept the responsibility and the costs necessary to improve the facilities.

There are of course more draconian options, none of which make sense in the context of our university's identity, mission, principles, relationships and objectives. Reducing the scope of our intercollegiate athletics program to a minimal level would come with its own set of significant costs in terms of participation and developmental opportunities for our student-athletes, the ties that connect us as a campus community, alumni relations, philanthropy for academic and athletics programs, and the threat of litigation. Yet, even in the context of a smaller intercollegiate athletics program inequities in need of correction would persist.

These projects have nothing to do with my recent decision to change the "prong" through which our intercollegiate athletics program complies with Title IX's equitable participation mandate. We currently comply through Prong III, under which we must fully and effectively accommodate the interests and abilities of the underrepresented sex. To remain compliant under Prong III, we would be obligated to add women's intercollegiate sports whenever a request to do so meets the requirements for interest and ability set forth in law. For example, in compliance with Prong III, we added Beach Volleyball as an intercollegiate sport in 2014, and it is likely that additional sports would meet the standards in the future. Under Prong I, on the other hand, a university complies with Title IX's participation mandate when it provides athletic participation opportunities that are substantially proportionate to the undergraduate enrollment. I believe that maintaining an athletics program that is substantially proportionate to our undergraduate population is more consistent with Title IX's defining goal of gender equity and comes with the added benefit of better predictability regarding Intercollegiate Athletics' programmatic scope and financial future.

In terms of financing the anticipated costs, we will not use any state funding or student tuition. Rather, the campus will, as it has in the past when confronted by unanticipated capital expenses, draw from what are known as "undesignated bequests." I have also been pleased by the results of initial conversations with a select group of donors who have long histories of supporting both academic and athletics programs. Intercollegiate Athletics believes the time is right for a broad fundraising push for the program that would also raise financial support for these intercollegiate athletic facilities that embody and reflect our commitment to gender equity and continued participation opportunities for women on our campus.

I know that this is all hard news in the context of our ongoing financial challenges and the undeniable opportunity costs no matter what the funding sources are. I wish different decisions had been made in the past, but I cannot turn back the clock. I have repeatedly asked senior administrators and our attorneys to explore additional options, to do more analysis, to scrutinize every aspect of the cost estimates. While I can assure you that I will continue to review every aspect of these projects, the basic contours of what we must do are now in place.

Sincerely,



Carol Christ