

NCWGE Action Agenda

This report looks critically at 35 years of progress under Title IX. Probing beyond the headlines in six key areas covered by the law, NCWGE has found serious enforcement gaps and disappointing set-backs. However, looking forward, it has identified key opportunities to continue improving women's and girls' access to educational opportunities. Congress, administrative agencies, and educational institutions all

have an important role to play, along with students, parents and teachers, in effectively applying Title IX. NCWGE believes that implementing this action agenda will expand progress toward gender equity in education and lead to more positive headlines in the years to come.

CONGRESS

Fulfilling the promise of Title IX will further the goal of improving educational opportunities for all students throughout our nation—both female and male. Congress should take the following steps:

- Conduct oversight hearings and call for enhanced agency enforcement, particularly an increase in the number and frequency of compliance reviews conducted by the Offices for Civil Rights (OCRs) in the Department of Education and other federal agencies, to ensure that federally-funded education programs provide equal access and opportunity to all students.
- Restore federal funding to states for gender equity work, including funding for state Title IX coordinators and programs.
- Pass legislation improving protections for equal pay for women and men working at all levels of educational institutions, from pre-K through universities as well as in all other areas of our society.
- Authorize and fund a comprehensive public education campaign to raise awareness of rights and responsibilities under Title IX as well as the importance of gender equity in education among students, parents, teachers and administrators.
- Require increased data collection, including analysis and disaggregation of data by gender, race and other appropriate characteristics, for use in ensuring accountability and progress in attaining gender equity in educational institutions receiving federal financial assistance and require schools to publicize this information. For example, enact the High School Athletics Accountability Act/High School Sports Information Collection Act to require high schools to report key data, including participation numbers, budgets and expenditures, which can be used to gauge schools' compliance with Title IX in athletics.
- Fund research and program development to improve gender equity in education through federal programs such as the Women's Educational Equity Act (WEEA), the Fund for the Improvement of Postsecondary Education and the Institute of Education Sciences in the Department of Education.
- Increase funding for programs that focus on attracting and retaining women and girls in non-traditional and STEM careers, including afterschool programs and the National Science Foundation's ADVANCE grants for STEM faculty.

ADMINISTRATIVE AGENCIES

Title IX applies to every educational institution and activity that receives federal funds. The federal agencies that oversee that funding should implement Congressional mandates and take the following steps to strengthen enforcement of Title IX and further gender equity in education:

- The Department of Education should rescind the March 2005 Clarification allowing email surveys to be used as the sole means to satisfy the third prong of the test for determining whether schools are providing equal opportunity for males and females to participate in athletics programs. It should affirm the 1996 Policy Clarification, pursuant to which surveys are only one of a multitude of factors schools can use to determine whether they are satisfying the interests of their female students.
- The Department of Education should rescind the 2006 amendments to the 1975 Title IX regulations that allow single-sex education without accountability or protections against discrimination.

- In addition to responding to complaints, OCRs in the federal agencies must initiate more compliance reviews of educational institutions and be vigilant in following through to ensure that schools implement their compliance plans. Where appropriate, OCRs should deny funding when schools fail to comply with Title IX.
- The Department of Education should reinstate the Gender Equity Expert Panel and support the use of effective replicable gender equity programs.
- Collect detailed data on employment from elementary and secondary school districts and postsecondary institutions to better analyze educator pay rates and promotional opportunities. This data should be used, among other things, to develop programs to promote a wide range of

diversity (gender, ethnicity, race, age, sexual orientation, etc.) in teaching, including tenure track jobs and administrative positions.

- Provide technical assistance to schools to help them understand their obligations under Title IX and to disseminate promising practices. Enforce the Title IX requirement that each institution receiving federal funds have a coordinator to ensure proper implementation of Title IX.
- Support high quality evaluation and research on single-sex education, focusing on comparing single-sex education programs with appropriately matched coeducational programs. Fund gender equity organizations to develop and disseminate model criteria, standards and procedures to evaluate single-sex education programs to ensure that they are not discriminatory.

STATE AND LOCAL EDUCATIONAL PROGRAMS AND ACTIVITIES

All education programs or activities receiving federal financial assistance must comply with Title IX's requirements. The following activities will further compliance and improve educational equity:

- Appoint Title IX coordinators for each educational institution and school district to organize efforts to comply with the law, investigate complaints, and publicize information on patterns of compliance with Title IX. The Title IX coordinators should ensure that all staff and students are educated about their rights and responsibilities under Title IX and that plans are implemented to end sex discrimination.
- Provide all members of the school community, including students, applicants, parents, admissions and recruitment personnel, union representatives, faculty, and staff, with information about Title IX protections, grievance procedures and the name and contact information of the Title IX coordinator at the school, using the Internet and other means.
- The Title IX coordinators should participate in an annual self-assessment of compliance with the 1975 Title IX regulations and subsequent policies and guidances. This assessment should include an examination of institutional policies, procedures and practices for ending gender bias.
- Provide professional development and training to educators and administrators about approaches to counteracting sex stereotyping and sex discrimination to meet the needs of all students and society.

- Continue and expand programs to attract women into career fields relying on science, technology, engineering and mathematics, at every level from career and technical education to higher education. This includes strategies such as educating parents, increasing networking and peer support activities, integrating more hands-on activities into curricula and offering after-school and other informal education programs that can engage women and girls in these fields.
- Work with search committees and personnel departments to effectively address all hiring programs and promote diversity among staff and faculty. Provide employees with opportunities for advancement, such as training and mentoring for administrative positions. Support family-friendly employment policies and provide increased networking opportunities.
- Ensure that female and male students have equal opportunities to participate in athletics and other types of education programs where one sex is under-represented, and ensure equal treatment when students of the under-represented sex do participate.

With community cooperation and increased enforcement of Title IX, the nation can ensure that the headlines of the future will reflect increased progress in ending sex discrimination in education.