

**NCWGE Single-sex Education Panel at American Educational Research
Association Special Interest Group:
Research on Women and Education Conference,
Arlington, Virginia¹**

**“Capitalizing on the Expertise of Researchers and Policy Makers to Counteract
Sex Segregation in Education”**

On Saturday, November 8, 2008, soon after the election of Barack Obama and Joe Biden, Single-sex Education Task Force members from the American Federation of Teachers (AFT), Feminist Majority Foundation (FMF), National Organization for Women (NOW), National Women’s Law Center (NWLC), American Civil Liberties Union (ACLU), American Association of University Women (AAUW) and Women Educators presented on the upsurge in single-sex education classes and schools since the 2006 change in Title IX Regulations by the U.S. Department of Education.

Connie Cordovilla of [AFT](#) and co-chair of the NCWGE Single-sex Education Task Force explained that the National Coalition for Women and Girls in Education (NCWGE) was founded in 1975 to promote the development and implementation of regulations for Title IX, which was passed in 1972. NCWGE is a major force in developing national education policies that advance gender equity. The over 50 organizations in NCWGE share information and strategies regarding Title IX of the Education Amendments of 1972, and related federal and state laws and education programs. The mission of the NCWGE [Task Force on Single-sex Education](#), chaired by Connie Cordovilla, AFT and Sue Klein, FMF, is to examine the initiatives, research, legal and practical issues related to single-sex education to make sure that they maintain the important safeguards of Title IX and related laws that bar sex discrimination and illegal sex segregation in public education. Since the 2006 revision of the regulations for Title IX allows schools to provide single-sex programs without adequate protection against stereotyping and other forms of sex discrimination, the NCWGE has called for their rescission.

Jan Erickson of the [NOW](#) pointed out some legal premises under which limited single-sex educational opportunities were allowed based on the 1975 Title IX regulations. They include allowing sex segregation for remedial and affirmative action to decrease sex discrimination in outcomes and for physical contact sports or sex education classes. What has resulted from the 2006 changes in the regulations is in fact unsubstantiated forays into the kind of segregation that is likely to increase sex stereotyping in adulthood by depriving both boys and girls of the opportunity to interact daily as peers during their formative years. It pulls resources away from dealing with a troubled public school system. It doesn’t prepare boys and girls for the real world, where they will have to interact with and work alongside each other. Instead, we should expand the use of methods we know will improve learning by both girls and boys, together – like increased funding to schools, smaller class sizes, more resources and training for teachers, and more attention to students. ‘Separate but equal’ has never really been equal for girls, and that has been true of recent experiments with single-sex schools.

¹ This information is adapted from a summary prepared by Connie Cordovilla and published in the January 2009 Association for Gender Equity Leadership in Education ([AGELE](#)) (www.agele.org) news. More detailed information is available from panel organizer, Sue Klein (sklein@feminist.org).

Segregation was wrong in the past, and it's wrong now. It advances one group while the other is 'left behind'. Women have made great advancements in society, thanks in part to Title IX.

Lara S. Kaufmann of the [National Women's Law Center](#) pointed out some of the problems with the 2006 regulations on single-sex education. She warned participants not to expect the 2006 regulations to be rolled back immediately, because the administration must first issue a notice of intent to regulate and must publicize its proposed regulations, after which there will be a lengthy public comment period. Also, the administration has to be careful so it can defend any legal challenges to its regulations. Lara discussed the legal standard that courts use to evaluate administrative action. If challenged, the Department of Education would have to demonstrate that it took into consideration all the comments and examined all the data and research, and that it reasonably reached the conclusion to change the regulations. She also suggested ways that the Department of Education's Office for Civil Rights can improve its enforcement of Title IX in this area and promote non-discriminatory education that will benefit both boys and girls.

Sue Klein of the [Feminist Majority Foundation](#) stated five principles that she urged the researchers present to consider:

- Researchers concerned with gender equity should be asking very tough questions about all the justifications for sex segregation as a tool to decrease sex discrimination or to accomplish other worthy purposes. If the justifications are inadequate they should discourage the sex segregation experiment.
- Researchers should make sure that whatever sex segregation that is being proposed is legal. It should not increase sex stereotyping and sex discrimination which is directly counter to the purposes of Title IX.
- Researchers should make sure that the required evaluations compare the educational processes for the sex segregated girls, boys, and coeducational groups using acceptable research methods.
- Researchers should make sure that the 2 year evaluations (required under the 2006 regulation changes) are able to determine if the sex segregation contributed to decreasing gender inequities in the desired outcomes better than equal quality coeducation—using the [What Works Clearinghouse](#) standards of evidence of effectiveness.
- Researchers should not encourage sex segregation “experiments” unless there is related evidence that the sex segregation will be as cost effective as high quality comparable non-sexist coeducational alternatives.
- Instead of focusing on evaluating sex segregated education as a “general” solution for increasing gender equity for men or women, researchers should focus on learning what works to address specific gender equity challenges such as increasing participation in non-traditional careers, helping pregnant students or low achieving males stay in school, and increasing the participation of women in STEM careers.

Emily Martin from the [ACLU](#) Women's Rights Project described the ACLU's current case in the U.S. District Court of Western Kentucky challenging sex segregation. One of the lead plaintiffs in the case is a middle-school girl who was forced to participate in a single-sex Algebra class because the coeducational math class covered only pre-Algebra. Because of the absence of a truly equal

coeducational option, her participation in the sex-segregated class was involuntary. The all-girls' math class was the most advanced in the school, meaning another ACLU plaintiff, a mathematically-talented boy, had no opportunity to take the best eighth-grade math class, solely because of his sex, demonstrating yet again that separate is not equal in the education world. The lawsuit challenges not only the implementation of this program in a Kentucky middle school, but the legality of the 2006 Department of Education regulations purporting to authorize single-sex classes in coeducational schools. Emily also pointed out that allowing sex segregation is counter to laws prohibiting race segregation and promoting the mainstreaming and inclusion of students with disabilities. She noted that ACLU is using multiple laws to defend students who are being deprived of their rights by illegal sex segregation. It needs the eyes of all the researchers and educators to make certain that laws are upheld.

Christina M. Vogt, [Women Educators](http://www.rwesig.net/womeneducators.html)

(<http://www.rwesig.net/womeneducators.html>) representative to NCWGE, discussed how "education reforms" such as charter schools, vouchers, and support of faith-based activities have encouraged sex segregation in public K-12 education. Christina traced the history of the use of federal funds and resources for parochial educational programs and initiatives. She then tied this into the current school voucher programs which use federal funds to pay for religious schooling in Washington DC, Cleveland, OH and Milwaukee, WI. Christina cited the legal cases where they have been upheld as constitutional up to and including the US Supreme Court. Christina also mentioned some cases where "citizens groups" have proposed single-sex charter schools in previous Catholic school buildings so that the public school system will rent or purchase this property and educate students who are accustomed to private sex segregated education. While often overlooked as potentially threatening to Title IX, Christina examined how public charter schools may also be another backdoor approach to funding discriminatory programs based on sex.

Lisa Maatz, Chair of the National Coalition for Women and Girls in Education and the Director of Public Policy and Government Relations at the [American Association of University Women](#) moved beyond the topic of the panel to update participants about the changes anticipated with the incoming Obama Administration and what it might potentially mean for rolling back the current trend of sex segregation. First she noted that great gains had been made in the changeover in the U.S. House of Representatives with the addition of 20 seats to the democratic side. The Senate is far less settled- 60 seats in any single party are considered filibuster proof and so far only 53 seats have been confirmed for the democrats. Many of them will be determined through runoffs and recounts. In addition, two of the current democratic senators will be moving to the executive branch. Others may be tapped for Cabinet level positions. Also to be considered is how many of the committee chairs in the Senate and the House will be changing hands and makeup in the power shift. Lisa reminded us that the rescission of the 2006 regulations which have promoted the growth of single-sex education without accountability will not instantly happen. First they have to ask for a period of commentary about why the regulation should be changed. There must be substantiating evidence for the change and then there has to be a time to reconcile all the comments. Finally the changes have to be printed and time set to enact the new regulations.