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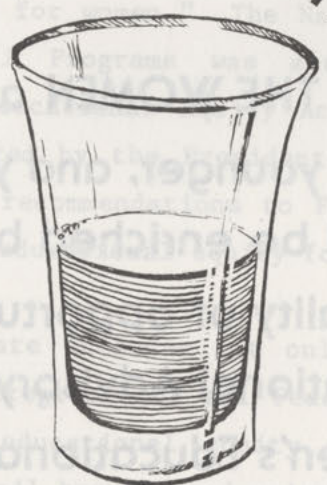
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PREFACE

In 1974 Congress declared that "educational programs in the United States... are frequently inequitable as such programs relate to women and frequently limit the full participation of all individuals in American society. The enactment of the Women's Educational Equity Act... authorized the Department of Education to support state and local agencies, non-profit organizations, and individuals in their activities "to provide educational opportunities for women and girls. The Advisory Council on Women's Educational Programs was established under the original act. It consists of 20 members of the Council, including 10 ex-officio members, and 10 members who will be appointed by the Secretary of Education.

**Title IX:
The Half Full, Half Empty
Glass**



toward equality in education. The Council's mandate is to monitor and report on the progress of Title IX, far more than any other law. But many problems still remain. The position of women and girls in education today resembles the glass which is half full or half empty, depending on one's outlook. The Advisory Council believes that more about the changes in the educational system resulting from this important law. We hope that this publication will contribute to understanding of and support for Title IX, which has been appropriately dubbed "A Law for All People."

Fall 1981

National Advisory Council on Women's Educational Programs

Established by the Women's Educational Equity Act, 1974. -- U.S. Department of Education

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**TO THE WOMEN and MEN,
older, younger, and yet unborn,
whose lives will be enriched by continued progress
toward equality of opportunity in education,
the National Advisory Council on
Women's Educational Programs
dedicates this report.**

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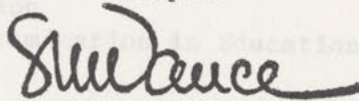
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PREFACE

In 1974 Congress declared that "educational programs in the United States... are frequently inequitable as such programs relate to women and frequently limit the full participation of all individuals in American society." Through the enactment of the Women's Educational Equity Act of 1974, Congress authorized the Department of Education to support state and local agencies, non-profit organizations, and individuals to conduct activities "to provide educational equity for women." The National Advisory Council on Women's Educational Programs was also established under the original Women's Educational Equity Act. The 20 members of the Council, 17 appointed by the President and three ex-officio members, make policy recommendations to Federal officials regarding the improvement of educational equity for women.

The Council's mandate includes not only the Women's Educational Equity Act (WEEA) program, but all Federal policies and programs affecting women's educational equity at all levels. From its inception, the Council has focused major attention on Title IX of the 1972 Education Amendments which prohibits sex discrimination in Federally assisted education programs and activities.

The past nine years have seen much progress toward the goal of Title IX, far more than is generally recognized. But many problems still remain. The position of women and girls in education today resembles the glass which is half full or half empty, depending on one's outlook. The Advisory Council believes that the American public--parents, students, educators--need to know more about the changes in the educational system resulting from this important law. We hope that this publication will contribute to understanding of and support for Title IX, which has been appropriately dubbed "A Law for All People."



Susan Margaret Vance, Chair
National Advisory Council on
Women's Educational Programs

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I. INTERSECTION

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INTRODUCTION

Why Title IX?

During the 1970's, sex bias and discrimination in American schools emerged as a major public policy issue. Women, returning to the labor force in record numbers, began to reexamine their educational preparation and career prospects. In the face of a wide and persistent earnings gap between men and women, citizens and educators began to study more closely the inequities in schools and colleges. Also during this time, many advocacy groups, including the Women's Equity Action League (WEAL), filed class action charges against hundreds of colleges which had contracts with the Federal government, charging them with sex discrimination in employment. Furthermore, the President's Task Force on Women's Rights and Responsibilities issued its report in 1971 documenting the existence of sex bias in American society and recommending numerous legislative changes to ban sex discrimination in education and other areas.

In this climate, Congress passed a bill in 1972 that included the now famous Title IX, which prohibits sex discrimination in schools receiving Federal financial assistance. On July 1, the Education Amendments of 1972, including Title IX, became law.

Because of an unusually thorough process of citizen involvement across the country, the final regulation to implement Title IX was not issued by the Department of Health, Education, and Welfare and signed by President Ford until July 1975. The Department's Office for Civil Rights was assigned enforcement responsibility for Title IX.

What Does Title IX Say?

The key section of Title IX of the Education Amendments of 1972 states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

This brief language of the law is interpreted through a detailed regulation, which spells out the criteria for identifying and eliminating sex discrimination in education programs and activities. Because public attention has focused mainly on inequities in collegiate athletics, many people mistakenly believe that Title IX relates solely to athletics. In fact, the broad scope of the regulation provides that females and males must be offered equal opportunity in:

- admissions to most education institutions^{*};
- access to, and treatment in, curricular and extracurricular programs and activities sponsored by education agencies and institutions at all levels;
- treatment under regulations and policies governing student benefits, services, and conduct;
- access to employment as well as terms, conditions, and benefits of such employment in education agencies and institutions.^{**}

* Private undergraduate institutions and public single sex institutions are exempt from this provision.

** A pending Supreme Court decision may alter coverage of employment. Legislative and regulatory changes in this coverage are also under consideration.

Title IX does not require educational institutions to provide any particular programs, facilities, or services; it simply requires that any which are offered be provided on a non-discriminatory basis to women and men alike.

Virtually all school districts and most colleges and universities receive Federal financial assistance through grants, contracts, or loans under programs ranging from school lunch subsidies to college housing construction, from grants for vocational education to graduate fellowships and other student aid. Therefore, the impact of Title IX has been felt throughout the nation at every level of education. Although implementation and enforcement have been plagued by a number of problems, such as insufficient resources for the Office for Civil Rights, ambiguous guidance on policy questions, and inadequate public understanding of the purpose and requirements of the law, Title IX is contributing to major improvements in American education.

This overview of the effects of Title IX highlights the compelling economic arguments for broader educational opportunities for women and girls. Next it looks at several major aspects of education affected by this law: enrollments in various programs, student services and activities, admissions and degrees in higher education institutions, employment of women and men in the education system, and athletics. The report combines statistics which give evidence of problems and progress with personal experiences to illustrate the human significance of Title IX.