

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                                               | DATE       | RESTRICTION |
|--------------------------|-----------------------------------------------------------------------------|------------|-------------|
| 001. list                | re: SSNs and DOBs [Personally Identifiable Information] [partial] (5 pages) | 06/16/1997 | b(6)        |

**COLLECTION:**

Clinton Presidential Records  
Domestic Policy Council  
Ann O"Leary  
OA/Box Number: 19585

**FOLDER TITLE:**

Title IX Event

2013-0436-S

rc2882

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]  
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
P3 Release would violate a Federal statute [(a)(3) of the PRA]  
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]  
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Draft 6/16/97 9:00pm

PRESIDENT WILLIAM J. CLINTON  
REMARKS FOR TITLE IX EVENT  
THE WHITE HOUSE  
JUNE 17, 1997

Acknowledgments: Sec. Riley; Dr. Nelda Chavez, Administrator, HHS Substance Abuse and Mental Health Administration; Members of Congress; Sally Ride; Jackie Joyner-Kersee; Ann Jarvis Jefferson; Verelett [vair-uh-LETT] Allen, electronic technician; Capt. Robin J. Forster, Baltimore County firefighter.

As we have just heard from all the speakers before me, for too many years, too many young women like Hillary were told to put aside their dreams of becoming astronauts -- a dream finally fulfilled in space by Sally Ride; too many brilliant athletes like Jackie Joyner Kersee had to jump hurdles off of the field just to get the training they needed on the field; and too many aspiring young scientists like Ann Jarvis Jefferson learned more about home economics than nuclear physics.

Title IX <sup>has helped to</sup> ~~changed~~ <sup>has</sup> all that -- and it ~~changed~~ the face of America. We have heard about the huge difference it has made in the lives of millions of girls and young women. We have heard about the confidence it has built, the high expectations it has set, and the achievements it has helped to inspire. But today I want you to focus on something else -- the impact Title IX has had on our country.

*each to every one of us.*

If we have learned anything in the 25 years since Title IX became law, it is that expanding opportunity for any American benefits every American . . . and wasted opportunity diminishes us all. As we prepare ourselves for the challenges and opportunities of the 21st century, it would be sheer folly not to take advantage of every ounce of energy, talent, and creativity that every American has to offer. More than ever, we know that we cannot afford to waste even one person.

*not sure  
this under-  
line is this  
"something  
etc."*

Just think of what our country would be like without Sally Ride, or Jackie Joyner Kersee, or any one of the countless women whose contributions are helping to shape our future. I certainly cannot imagine what my administration would look like without the record number of women I have been proud to appoint to cabinet-level positions. And every girl in America has the potential to become an astronaut or an Olympic athlete, a Cabinet Secretary or a Supreme Court Justice. Every girl in America has the power to change the world. And we have got to make sure that their power doesn't go to waste.

For 25 years, Title IX has helped girls to realize their dreams, and to achieve them. ~~But~~ in spite of our progress, we still have far to go. Far too many schools and education programs are still dragging their feet, and lagging behind in their responsibility to our nation's young women and girls. That is why today, I am directing every agency and executive department to ~~step up~~ their enforcement of Title IX within the next 60 days, by reviewing their current regulations and complaint procedures and consulting with the Attorney General on the best way to improve them.

Today is a time to celebrate the progress we've seen under Title IX and to recommit ourselves to the goal of making progress. Strengthen

I want every school and educational program in America to understand that complying with Title IX is not an optional obligation-- it is the law, and we will enforce it.

and delivering to me a new, vigorous enforcement plan

that receives federal assistance

There is no question that America is better off because of Title IX. But we can go even further to provide all of our people with the opportunity they need to make the most of their lives. Currently, Title IX only applies to educational programs and activities that receive funding from the national government, not to the educational programs that the national government runs itself. These include the schools run by the Department of Defense and the Bureau of Indian Affairs, and educational fellowships awarded directly to students.

I believe that the national government must hold itself to the same high standards it expects from everyone else, especially when it comes to discrimination in education. Today, I am announcing that following a 60-day study, and on the Attorney General's recommendation, I will act to prohibit educational discrimination on the basis of sex, race, or national origin in all federally conducted education programs. With this step, we are saying we will not tolerate discrimination anywhere -- and we will do everything in our power to overcome it.

On the desk outside the Oval Office there is a little sign with a quote from a woman who lives here in Washington. I look at it every day when I go into work, and it says: "I rejoice in others' success, knowing there is plenty for us all." Today, we are making sure that all of our people -- and every one of our girls and young women -- have the opportunity they need to make their own success, and we know there is plenty for us all.

Thank you and God bless you.

review inventory of federal education programs

and especially not in our own government.

June 17, 1997

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Strengthening Title IX Enforcement and Addressing Discrimination on the Basis of Sex, Race, Color and National Origin in Federally Conducted Education Programs and Activities

As we commemorate the twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should pause to recognize the significant progress our nation has made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

My Administration is working hard to expand further opportunities for women and girls. We have stepped up enforcement of civil rights statutes in areas such as access to advanced math and science programs. We have issued policy guidance on racial and sexual harassment and on ensuring equal opportunities in intercollegiate athletics. We have aggressively litigated cases presenting significant issues of discrimination, including cases challenging the exclusion of women from VMI and the Citadel. My Administration has also sponsored an education campaign to help young girls build skills, confidence and good health. Finally, my Administration has reaped the benefits of an ever increasing pool of superbly qualified women, making it possible for me to appoint record numbers of women to my Cabinet, judicial posts, and to high levels of decision-making throughout the federal government.

Yet more needs to be done. Our nation is stronger when all of our citizens have the opportunity to reach their full potential and contribute to our society. Today, I am announcing two important next steps in our fight to reach true equality in education.

First, I am directing executive departments and agencies to develop vigorous, new Title IX enforcement plans. We must ensure that all federal agencies that provide financial assistance to education programs or activities take all necessary steps to ensure that programs and institutions receiving federal money do not discriminate on the basis of sex.

I therefore direct all heads of executive departments and agencies that provide financial assistance to education programs or activities, following consultation with the Attorney General, to report back within 90 days on measures to ensure effective enforcement of Title IX. This should include a description of department or agency priorities for enforcement, methods to make recipients of federal financial assistance aware of their obligation not to discriminate, and grievance procedures to handle Title IX complaints. In accordance with Executive Order 12250, the Attorney General should coordinate implementation of these measures.

Second, I am asking executive departments and agencies to take appropriate action against discrimination in education programs or activities conducted by the federal government. Currently, Title IX generally prohibits discrimination based on sex, and Title VI of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color, or national origin in education programs or activities that *receive* federal financial assistance. However, these laws do not apply to comparable education programs or activities that are *conducted* by the federal government. I believe it is essential that the federal government hold itself to the same principles of nondiscrimination in educational opportunities that we now apply to education programs and activities of state and local governments and private institutions receiving federal financial assistance. Applying these principles to appropriate federally conducted education programs and activities will complement existing laws and regulations that prohibit other forms of discrimination in federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination based on race, color, religion, sex or national origin against federal employees (prohibited by Title VII of the Civil Rights Act of 1964).

I therefore direct all heads of executive departments and agencies to report to the Attorney General within 60 days:

- (1) identifying and describing education programs or activities conducted by the executive department or agency (including the approximate budget and size of the program). An education program or activity includes any civilian academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. Examples of federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of eligible personnel; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students; and
- (2) describing any substantive or procedural issues that might arise under these education programs or activities related to prohibiting discrimination based on sex, race, color and national origin in the program or activity, in order to aid in determining where application of remedial efforts would be appropriate.

On the basis of these reports, I intend to issue an Executive Order implementing appropriate restrictions against sex, race, color, and national origin discrimination in federally conducted education programs. I direct the Attorney General to report to me within 60 days after receiving these reports with the results of her review and a proposal for an appropriate and effective Executive Order.

AS PREPARED

**FIRST LADY HILLARY RODHAM CLINTON  
REMARKS FOR TITLE IX 25TH ANNIVERSARY  
THE WHITE HOUSE  
JUNE 17, 1997**

I'm extremely pleased to welcome you here today. I'm especially glad that some of the true heroes of Title IX are here with us. Twenty-five years ago, Congress passed a law that has profoundly touched the lives of women throughout our nation and brought Americans closer to our ideal of equality for all citizens. Today we commemorate Title IX and the opportunities it has given women to participate more fully in the life of our country. For millions of girls, this legislation has unlocked the door of educational opportunity and allowed many to break through the glass ceiling in fields as diverse as dentistry, law and space exploration.

When I was 14, I had my heart set on becoming an astronaut. I wrote to NASA to inquire about my prospects. You can imagine how dejected I was to get a letter back saying girls need not apply. Many of you here today have probably had the same experience.

Sadly exclusion of this sort occurred in law schools, medical schools, and graduate schools and perhaps most visibly on the athletic playing fields. Since most sports teams are divided by gender, it was easy to see that women were not given the same opportunities as men to hone their athletic skills. In 1971 only 1 in every 27 girls participated in high school sports while half of all boys did. Budgets were smaller, coaches paid less, and teams fewer when it came to girl's and women's sports.

This imbalance not only discriminated against women in high school and college, it hurt their prospects for later life as well. According to data compiled by the Women's Sports Foundation and the NCAA, girls who participate in sports are much more likely to experience academic success, have greater self-confidence, and feel more self-esteem than girls who don't. While only 58% of women students graduate from college, 69% of female athletes manage to earn their diplomas. And according to the National Cancer Institute, regular exercise for women over their reproductive lifetime can drastically reduce the risk of breast cancer, even as much as 60%.

Since Title IX was enacted, we have made great strides. Today one in every three girls participates in high school athletics. A quarter century ago, who would have imagined that we would witness the birth not of one, but two professional basketball leagues for women? Who would have predicted that one of the most popular figures of the Centennial Olympics would have been the swimmer Amy van Dyken or that women who play softball and soccer would become household names? Title IX did not guarantee these successes. But it did open up opportunities and expanded choices for girls to pursue their dreams and live up to their God-given potential in whatever field they chose.

On a personal note, I have seen the progress in my own household. When my daughter was in grade school she and her friends played soccer, softball, and other sports and never thought it strange that they had been given the opportunity to excel in athletics. My daughter even went to space camp.

Not that our work is done. Yes we have made progress. But as we celebrate this progress, let's also use this occasion to remind ourselves that there is still more work to do. Until every girl in this country is assured equal opportunity to participate in sports to acquire the skill and knowledge she needs to pursue the career of her choice, we must renew our commitment to Title IX and the values of equal opportunity that it represents.

[INTRODUCE SECRETARY OF EDUCATION RILEY]

###

June 12, 1997

MEMORANDUM

TO: Phil Kaplan  
FR: Nicole Rabner  
RE: Executive Memorandum on Title IX

Elena Kagan asked me to forward to you for appropriate internal WH review the attached working draft of an executive memorandum on Title IX, which is planned to be signed and issued on Tuesday, June 17th in conjunction with President's event to commemorate the 25th anniversary of the passage of Title IX. FYI, there is some discussion about having the President sign the memorandum during the event.

Mac Reed of OMB Counsel has been involved in our process to develop the attached document, and he does not intend to do a full agency clearance. The most appropriate agencies (DOE, DOJ, DOD, and DHHS) have been involved in the development of this memorandum.

Please note that an additional, substantive paragraph may be added on Monday morning, pending further discussions.

6/12/97 7:45 pm DRAFT

June 17, 1997

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Addressing Discrimination on the Basis of Sex, Race, Color and  
National Origin in Federally Conducted Education Programs and Activities

As we commemorate the twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should pause to recognize the significant progress our nation has made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

My Administration has benefited from the expanded educational opportunities that Title IX has provided for American women and girls. I am proud to have appointed record numbers of women to my Cabinet and to high levels of decision-making throughout the federal government. My Administration is working hard to expand opportunities for women and girls further by ...  
[SPECIFIC EXAMPLES OF ADMINISTRATION ACCOMPLISHMENTS TO BE ADDED]

Yet more needs to be done. Our nation is stronger when all of our citizens have the opportunity to reach their God-given potentials and contribute fully to our society. Today, I am announcing an important next step in our fight to reach true equality in education. Currently, Title IX generally prohibits discrimination based on sex, and Title VI of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color, or national origin in education programs or activities that receive federal financial assistance. However, these laws do not apply to comparable education programs or activities that are conducted by the federal government. I intend to take appropriate action against discrimination in education programs or activities *conducted* by the federal government as well.

I believe it is essential that the federal government hold itself to the same standards of nondiscrimination in educational opportunities that we now apply to education programs and activities of state and local governments and private institutions receiving federal financial assistance. This action will complement existing laws and regulations that prohibit other forms of discrimination in federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination based on race, color, religion, sex or national origin against federal employees (prohibited by Title VII of the Civil Rights Act of 1964).

I therefore direct all heads of executive departments and agencies to report to the Attorney General within ninety days:

(1) identifying and describing education programs or activities conducted by the executive department or agency (including the approximate budget and size of the program). An education program or activity includes any civilian academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. Examples of federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of military personnel here and overseas; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students.

(2) describing any substantive or procedural issues that might arise under these education programs or activities related to prohibiting discrimination based on sex, race, color and national origin in the program or activity.

On the basis of these reports, I intend to issue an Executive Order implementing appropriate restrictions against sex, race, color, and national origin discrimination in federally conducted education programs. I direct the Attorney General to report to me within 120 days after receiving these reports with the results of her review and a proposal for an appropriate and effective Executive Order.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF LEGAL COUNSEL  
WASHINGTON, D.C. 20530

FACSIMILE TRANSMISSION SHEET

DATE: JUNE 13, 1997

FROM:  ROSEMARY HART  
AND  
LISA SCHULTZ BRESSMAN  
OFFICE OF LEGAL COUNSEL

OFFICE PHONE: 202/514-2027

TO: NICOLE RABNER  
OFFICE OF MANAGEMENT & BUDGET

OFFICE PHONE: 202/456-6266

FACSIMILE NUMBER: 202/456-2878

NUMBER OF PAGES: 2 (PLUS COVER SHEET)

REMARKS:

Nicole: Attached are the Office of Legal Counsel's comments. We particularly wanted to note our change to the second numbered paragraph on page 2, which we think better reflects the agreement at the meeting that we should make it more clear that there will likely be exemptions to whatever restrictions the President ends up imposing on the executive branch agencies. Also, we recommend deleting the phrase "God-given" in accordance with this Office's observation that this phrase has not been used in Presidential documents. It has, of course, been used in Presidential speeches.

Please call Rosemary Hart at 202-244-5967 or Lisa Bressman at 703-527-7236 over the weekend if we can be of further assistance or if there is another draft to review. Rosemary's home FAX is 202-244-0359.

ANY QUESTIONS, PLEASE CONTACT OUR ADMINISTRATIVE OFFICE ON 514-2067

6/12/97 DRAFT

June 17, 1997

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Addressing Discrimination on the Basis of Sex, Race, Color and  
National Origin in Federally Conducted Education Programs and Activities

As we commemorate the twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should pause to recognize the significant progress our nation has made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

My Administration has benefited from the expanded educational opportunities that Title IX has provided for American women and girls. I am proud to have appointed record numbers of women to my Cabinet and to high levels of decision-making throughout the federal government. My Administration is working hard to expand opportunities for women and girls further by ...  
[SPECIFIC EXAMPLES OF ADMINISTRATION ACCOMPLISHMENTS TO COME FROM DOE, HHS, DOJ.]

Yet more needs to be done. Our nation is stronger when all of our citizens have the opportunity to reach their God-given potentials and contribute fully to our society. Today, I am announcing an important next step in our fight to reach true equality in education. Currently, Title IX generally prohibits discrimination based on sex, and Title IV of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color, or national origin in education programs or activities that receives federal financial assistance. However, these laws do not apply to comparable education programs or activities that are conducted by the federal government. I intend to take action against discrimination in education programs or activities conducted by the federal government as well.

I believe it is essential that the federal government hold itself to the same standards of nondiscrimination in educational opportunities that we now apply to education programs and activities of state and local governments and private institutions receiving federal financial assistance. This will complement existing laws and regulations that already prohibit other forms of discrimination in federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination against federal employees (prohibited by Title VII of the Civil Rights Act of 1964).

I ~~therefore~~ <sup>hereby</sup> direct all heads of executive departments and agencies to report to the Attorney General within ninety days:

Applying these standards to appropriate federally conducted education programs and activities

submit a

90

- (1) identifying and describing education programs or activities conducted by the executive department or agency (including the approximate budget and size of the program). An education program or activity includes any academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. Examples of federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of military personnel here and overseas; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students.
- (2) describing any substantive or procedural issues that might arise under these education programs or activities related to prohibiting discrimination based on gender, race, color and national origin in the program or activity, *sketch.*

On the basis of these reports, I intend to issue an Executive Order implementing appropriate restrictions against sex, race, color, and national origin discrimination in federally conducted education programs. I direct the Attorney General to report to me within 120 ~~with the~~ results of her review and a proposal for an appropriate and effective Executive Order.

*days*

*in order to aid in determining  
where application of remedial  
efforts would be appropriate.*

Insert for second paragraph of memo

My Administration has made major efforts to combat discrimination based on sex or race in education. For example, we issued policy guidance on racial and sexual harassment and on ensuring equal opportunities in intercollegiate athletics. We have aggressively litigated cases that presented significant issues of discrimination, including cases challenging the exclusion of women from VMI and the Citadel. In addition, the Department of Education has stepped up enforcement of civil rights statutes in areas such as the access of females to advanced math and science programs. [additon from HHS] Yet more needs to be done.

Steve Winnick, DOE GC  
From Andy Hagan, 401-6000

Insert for second paragraph of memo

My Administration has made major efforts to combat discrimination based on sex or race in education. For example, we issued policy guidance on racial and sexual harassment and on ensuring equal opportunities in intercollegiate athletics. We have aggressively litigated cases that presented significant issues of discrimination, including cases challenging the exclusion of women from VMI and the Citadel. In addition, the Department of Education has stepped up enforcement of civil rights statutes in areas such as the access of females to advanced math and science programs. [additon from HHS] Yet more needs to be done.

Steve Winnick, DOE GC  
From Andy Hagan, 401-6000

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES  
OFFICE OF THE GENERAL COUNSEL

PHONE: (202) 690-6318

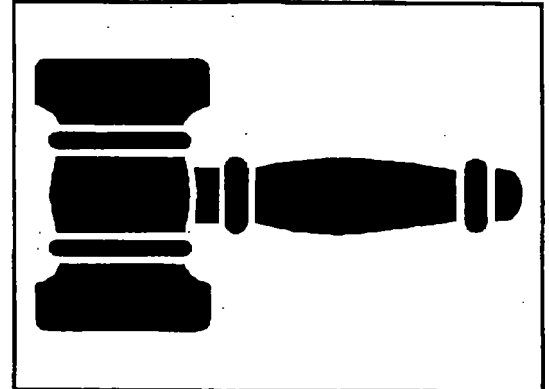
FAX: (202) 690-7998

DATE: June 13, 1997

TO: ~~STEVE WINNICK~~  
~~fax: 205-2689~~

NICOLE RABNER

456-9412



FROM: ANDREW D. HYMAN  
Special Assistant to the General Counsel  
Office of the General Counsel, Room 707F  
U.S. Department of Health and Human Services  
200 Independence Ave., SW  
Washington, D.C. 20201

COMMENTS: As discussed. HHS can highlight the following:

First, "Girl Power", an HHS-sponsored education campaign to help encourage and empower all 9- to 14-year old girls to get active, get healthy, and make the most of their lives. Among other things, it emphasizes the need to provide opportunities for girls to build skills and self-confidence in academics, arts, sports, and other endeavors.

Also, Secretary Shalala this year (at the NCAA Women's Basketball Final Four) released the first-ever government report -- "Report on Physical Activity and Sport in the Lives of Girls -- focusing on the positive impact of sports on all aspects of a girl's life.

Please call with any questions.



OFFICE OF THE  
DEPUTY ASSISTANT SECRETARY OF DEFENSE  
(PERSONNEL SUPPORT, FAMILIES AND EDUCATION)  
4000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-4000

## Facsimile Cover Sheet

To: Nicholas Rabner  
OFFICE: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
FAX: 202-456 6244  
From: Carolyn Becraft  
OFFICE: ODASD(PSF&E)  
Room 3A280, 4000 Defense Pentagon  
PHONE: 703-697-7220  
FAX: 703-614-9303  
DATE: June 16, 1997  
NO. PAGES WITH 3  
COVER:

COMMENTS: Nicholas - see edits  
Defense is OK with the  
rewrite - However, please  
Contact Paul Kaffsky at 703-697-9341.  
We need to add a few words to  
make sure of the distinction  
between military and civilian  
ed programs. Thanks CB

JUN-13 97 14:10 FROM:

TO: 703 693 7278

PAGE: 02

6/12/97 DRAFT

June 17, 1997

## MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

**SUBJECT:** Addressing Discrimination on the Basis of Sex, Race, Color and National Origin in Federally Conducted Education Programs and Activities

As we commemorate the twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should pause to recognize the significant progress our nation has made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

My Administration has benefited from the expanded educational opportunities that Title IX has provided for American women and girls. I am proud to have appointed record numbers of women to my Cabinet and to high levels of decision-making throughout the federal government. My Administration is working hard to expand opportunities for women and girls further by ... [SPECIFIC EXAMPLES OF ADMINISTRATION ACCOMPLISHMENTS TO COME FROM DOE, HHS, DOJ.]

Yet more needs to be done. Our nation is stronger when all of our citizens have the opportunity to reach their God-given potentials and contribute fully to our society. Today, I am announcing an important next step in our fight to reach true equality in education. Currently, Title IX generally prohibits discrimination based on sex, and Title IV of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color, or national origin in education programs or activities that receive federal financial assistance. However, these laws do not apply to comparable education programs or activities that are conducted by the federal government. I intend to take action against discrimination in education programs or activities conducted by the federal government as well. *STC*

*appropriate*  
I believe it is essential that the federal government hold itself to the same standards of nondiscrimination in educational opportunities that we now apply to education programs and activities of state and local governments and private institutions receiving federal financial assistance. This will complement existing laws and regulations that already prohibit other forms of discrimination in federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination against federal employees (prohibited by Title VII of the Civil Rights Act of 1964).

I therefore direct all heads of executive departments and agencies to report to the Attorney General within ninety days:

*based on  
race, color,  
religion, sex or  
national origin*

JUN-13-1997 13:18

P.002

P.02

JUN-13-1997 15:35

JUN-15 97 14:10 FROM:

TO: 703 693 7278

PAGE: 03

(1) identifying and describing education programs or activities conducted by the executive department or agency (including the approximate budget and size of the program). An education program or activity includes any academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. Examples of federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of military personnel here and overseas; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students.

(2) describing any substantive or procedural issues that might arise under these education programs or activities related to prohibiting discrimination based on gender, race, color and national origin in the program or activity.

On the basis of these reports, I intend to issue an Executive Order implementing appropriate restrictions against sex, race, color, and national origin discrimination in federally conducted education programs. I direct the Attorney General to report to me within 120 with the results of her review and a proposal for an appropriate and effective Executive Order.

JUN-13-1997 13:10

P.03

P.003

JUN-13-1997 15:35

TOTAL P.003

June 12, 1997

MEMORANDUM

TO: Elena  
FR: Nicole

The attached draft incorporates recent changes from DOE, DOJ and HHS, as discussed at our meeting this morning. The proposed DOD language is in **bold** -- we promised DOD specific discussion of their concerns by conference call today.

6/12/97 DRAFT

June 17, 1997

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Addressing Discrimination on the Basis of Sex, Race, Color and  
National Origin in Federally Conducted Education Programs and Activities

As we commemorate the twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should pause to recognize the significant progress our nation has made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

My Administration has benefited from the expanded educational opportunities that Title IX has provided for American women and girls. I am proud to have appointed record numbers of women to my Cabinet and to high levels of decision-making throughout the federal government. My Administration is working hard to expand opportunities for women and girls further by ...  
[SPECIFIC EXAMPLES OF ADMINISTRATION ACCOMPLISHMENTS TO COME FROM DOE, HHS, DOJ.]

Yet more needs to be done. Our nation is stronger when all of our citizens have the opportunity to reach their God-given potentials and contribute fully to our society. Today, I am announcing an important next step in our fight to reach true equality in education. Currently, Title IX generally prohibits discrimination based on sex, and Title IV of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color, or national origin in education programs or activities that receive federal financial assistance. However, these laws do not apply to comparable education programs or activities that are conducted by the federal government. I intend to take action against discrimination in education programs or activities conducted by the federal government as well.

I believe it is essential that the federal government hold itself to the same standards of nondiscrimination in educational opportunities that we now apply to education programs and activities of state and local governments and private institutions receiving federal financial assistance. This will complement existing laws and regulations that already prohibit other forms on discrimination in federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination against federal employees (prohibited by Title VII of the Civil Rights Act of 1964).

I therefore direct all heads of executive departments and agencies to report to the Attorney General within ninety days:

action

(1) identifying and describing education programs or activities conducted by the executive department or agency (including the approximate budget and size of the program). An education program or activity includes any **[civilian]** academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. Examples of federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of military personnel here and overseas[, **but not military personnel, education or training programs**]; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students. } e

(2) describing any substantive or procedural issues that might arise under these education programs or activities related to prohibiting discrimination based on gender, race, color and national origin in the program or activity.

On the basis of these reports, I intend to issue an Executive Order implementing appropriate restrictions against sex, race, color, and national origin discrimination in federally conducted education programs. I direct the Attorney General to report to me within 120 with the results of her review and a proposal for an appropriate and effective Executive Order.

6/11/97 DRAFT

June 17, 1997

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: *Appropriate restrictions*  
Prohibition of Discrimination on the Basis of Sex, Race, Color and National Origin in Federally Conducted Education Programs and Activities

As we commemorate the *pause to consider or reflect on?* twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should *recognize* the significant progress we have made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

*Do E. ex.* I benefited in my presidency of life from Title IX -- The record # of women I've *appointed to position of leadership in my administration had more*  
Since I took office, we have . . . [FILL IN WITH EFFORTS TO IMPROVE *women/min.* EQUALITY IN EDUCATION. EXAMPLES IN FIRST DRAFT WERE NOT RELATED TO *under rep in grad prog (use program).* EDUCATION.]

Yet more needs to be done. Recent reports indicate an increase in incidents of hostility and harassment directed at students because of their gender, race, or the language they speak at *app -- soft*  
home. [OTHER SPECIFIC EXAMPLES.]

*To reach our goal of full participation in ed program.*  
Today, I am announcing an important next step in our fight to reach true equality in education. Currently, Title IX prohibits discrimination based on sex, and Title IV of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in *generally* any education program or activity that receives Federal financial assistance. However, these laws do not apply to programs or activities that are conducted by the Federal government. I intend to *comparable* issue an Executive Order prohibiting discrimination in programs or activities conducted by the Federal government as well. *(set) educational*

*intend to take action against* I believe it is essential that the Federal government hold itself to the same standards of nondiscrimination in educational opportunities that we now apply to educational programs and activities of state and local governments and private institutions receiving Federal financial assistance. This will *complement* build on existing laws and regulations that already prohibit other forms on discrimination in Federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination against Federal employees (prohibited by Title VII). *rightly*

I therefore direct all heads of executive departments and agencies to, within [30/60] days of the date of this memorandum, report to the Attorney General: *90*

- (1) identifying and describing education programs or activities conducted by the

executive department or agency (including the approximate budget and size of the program). An education program or activity includes any academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. [OKAY TO INCLUDE EXAMPLES?] Examples of Federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of military personnel here and overseas; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students.

[DO WE NEED THIS PARAGRAPH OR CAN WE REPLACE IT WITH A CLAUSE IN PARAGRAPH 1 LIKE -- WHERE APPLICATION OF THESE REMEDIAL EFFORTS WOULD BE APPROPRIATE? (2) describing any substantive or procedural issues that might arise under these programs or activities related to prohibiting discrimination based on gender, race, color and national origin in the program or activity.]

*education*

I further direct the Attorney General to review these reports and to provide to me within [60/120] days of the date of this memorandum a proposed Executive Order effectively implementing a ~~prohibition~~ against sex, race, color, and national origin discrimination in Federally conducted education programs.

*appropriate restrictions*

~~appropriate restrictions~~ *taking action against*

Upon review of the AG's report I intend to...

\*I intend to take action against discriminated program or activity conducted by the fed gov as well.

6/11/97 DRAFT

June 17, 1997

## MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Prohibition of Discrimination on the Basis of Sex, Race, Color and National Origin in Federally Conducted Education Programs and Activities

As we commemorate the twenty-fifth anniversary of Title IX of the Education Amendments of 1972, we should recognize the significant progress we have made in increasing educational possibilities for girls and women and recommit ourselves to the goals of this important legislation. Title IX has broken down barriers and expanded opportunities -- opening classroom doors, playing fields, and even the frontiers of space to girls and women across this country.

Since I took office, we have . . . . [FILL IN WITH EFFORTS TO IMPROVE EQUALITY IN EDUCATION. EXAMPLES IN FIRST DRAFT WERE NOT RELATED TO EDUCATION.]

Yet more needs to be done. ~~Recent reports indicate an increase in incidents of hostility and harassment directed at students because of their gender, race, or the language they speak at home. [OTHER SPECIFIC EXAMPLES.]~~

*generally*  
Today, I am announcing an important next step in our fight to reach true equality in education. Currently, Title IX prohibits discrimination based on sex, and Title IV of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in ~~any~~ education program or activity that receives Federal financial assistance. However, these laws do not apply to programs or activities that are conducted by the Federal government. I intend to *John the agent* ~~issue an Executive Order prohibiting discrimination in programs or activities conducted by the Federal government as well.~~ *educational*

*compliance*  
I believe it is essential that the Federal government hold itself to the same standards of nondiscrimination in educational opportunities that we now apply to educational programs and activities of state and local governments and private institutions receiving Federal financial assistance. This will ~~build on~~ existing laws and regulations that already prohibit other forms on discrimination in Federally conducted education programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973) and discrimination against Federal employees (prohibited by Title VII).

*of the CNM 6?*  
I therefore direct all heads of executive departments and agencies to, within ~~30~~ <sup>90</sup> days of the date of this memorandum, report to the Attorney General: *GC recommended*

- (1) identifying and describing education programs or activities conducted by the

*Define term to ensure Exec. Order does not apply to Federal employees and military personnel.*

executive department or agency (including the approximate budget and size of the program). An education program or activity includes any academic, extracurricular, research, occupational training, or other education activity conducted by the Federal government. [OKAY TO INCLUDE EXAMPLES?] Examples of Federally conducted education programs would include elementary and secondary schools operated by the Department of Defense for dependent children of military personnel here and overseas; federally conducted educational research; and educational fellowships awarded directly by federal agencies to students. *Exclude any national training given to law enforcement*

[DO WE NEED THIS PARAGRAPH OR CAN WE REPLACE IT WITH A CLAUSE IN PARAGRAPH 1 LIKE -- WHERE APPLICATION OF THESE REMEDIAL EFFORTS WOULD BE APPROPRIATE? (2) describing any substantive or procedural issues that might arise under these programs or activities related to prohibiting discrimination based on gender, race, color and national origin in the program or activity.] *can't use as a factor per: Internal Decision*

I further direct the Attorney General to review these reports and to provide to me within [60/120] days of the date of this memorandum a proposed Executive Order effectively implementing a prohibition against sex, race, color, and national origin discrimination in Federally conducted education programs. *The Executive Order will establish policy for the Executive Branch, not create rights enforceable by individuals or non-governmental entities in judicial or administrative proceedings.*

*, but not military personnel, education or training programs*

For McCumy

### **Title IX Event Internal Talking Points**

Tomorrow, the President will host an event to commemorate the 25th anniversary of Title IX of the Education Amendments of 1972. The President will use this opportunity to recognize the significant progress our nation has made in increasing educational opportunities for girls and women and to urge us all to recommit ourselves to the goals of this important legislation.

The President will also take action to improve Title IX enforcement and extend its non-discrimination principle to areas currently not covered by the law.

At this event, the President will be joined by the First Lady and various women who represent the progress our country has made, including Jackie Joyner-Kersey, the accomplished track and field athlete, and Sally Ride, the first American woman to fly in space.

Q. What is Title IX?

Title IX of the Education Amendments of 1972, passed 25 years ago on June 23, 1972, generally prohibits sex discrimination in federally assisted education programs. The law has helped to bring about important changes in American education by improving educational opportunities.

**BACKGROUND ON TITLE IX EXECUTIVE MEMORANDUM  
NOT FOR ANNOUNCEMENT -- FOR BACKGROUND PURPOSES ONLY**

Recognizing that we as a nation have a more to do to reach true equality in education, the President will announce an important step forward. He will issue an executive memorandum to the heads of executive agencies and department addressing discrimination on the basis of sex, race, color and national origin in federally *conducted* education programs and activities. Currently, Title IX generally prohibits discrimination based on sex, and Title VI of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color or national origin in education programs or activities that receive federal assistance. However, these laws do not apply to comparable education programs or activities that are conducted by the federal government. The executive memorandum that the President will issue tomorrow will take action against discrimination in education programs or activities conducted by the federal government as well.

While the executive memorandum does not target any specific discrimination that we know of, the President believes that it is essential that the federal government hold itself to the same standards of non discrimination in educational opportunities that we now apply to education programs receiving federal assistance.

The executive memorandum will direct the heads of all executive agencies and departments to report to the Attorney General identifying the education programs and activities that it *conducts*. The memorandum further directs the Attorney General to report to the President with the results of her review and a proposal for an appropriate Executive Order that generally prohibits discrimination on the basis of sex, race, color and national origin in federally conducted programs or activities.

Q. Will this affect the military?

This will affect the military's civilian programs, such as the schools it operates. However, as Title IX does not affect military training programs, this action will not.

## TITLE IX PARTICIPANTS BIOGRAPHY HIGHLIGHTS

**Variolate Allen** (Washington, DC) graduated from the Wider Opportunities for Women (WOW) electronics program in 1981 and was hired by the Metropolitan Transit Authority, where she has worked for over a decade. Ms. Allen was recently recognized by WOW for her leadership in this field. She is the Coordinator for the YWCA/HCCCE Non-Traditional Employment for Women Program and founder and Executive Director of Women's Work, Inc., Silver Springs, MD. Ms. Allen's story is an example of how Title IX opened doors to women in non-traditional educational facilities and careers. She has consistently shown her personal initiative and commitment to promoting non-traditional work for women.

**Dr. Nelba Chavez** (Silver Springs, MD) is both the first Administrator of the Substance Abuse and Mental Health Services Administration (SAMHSA) and the first Hispanic to head an agency within the U.S. Department of Health and Human Services. Dr. Chavez directs federal policy and advises Secretary Shalala on ways to improve the quality and availability of substance abuse prevention, addiction treatment and mental health services. Dr. Chavez plays a major role in leading HHS's Girl Power Campaign to inspire all young girls to stay away from drugs, get active, get healthy, and make the most of their lives. She gained national recognition during her tenure with La Frontera Center in Tucson, Arizona, when former First Lady Rosslyn Carter designated La Frontera as a national model of an effective comprehensive community-based mental health organization.

**Captain Robin Forster** (Baltimore, MD) is a firefighter at Station 10 in Parkville, MD, and a member of International Association of Firefighters. A former physical education teacher, Captain Forster joined the fire department in 1982. Forster was promoted to Lieutenant in 1990, to Captain in 1995 and is one of two female Captains in Baltimore Co. Fire Department. Only 5-7% of all union firefighters in this country are women. Forster was awarded a medal for her participation in the Amtrak train tragedy in January 1987.

**Anne Jarvis Jefferson** (Winona, MN) has distinguished herself as one of the most accomplished young scientists in our country. Ms. Jefferson is a U.S. Presidential Scholar and has also won the Pinnacle Award at the Intel International Science and Engineering Fair. She will be attending Johns Hopkins University in the fall. Studies have shown that currently, female high school students are just as likely as male students to take advanced math and science courses. This high participation is a direct result of Title IX programs which encourage young women to pursue these careers.

**Jackie Joyner-Kersey** (East St. Louis, IL) is one of the most accomplished female track and field athletes of all time. In four Olympics, she won six medals (3 gold) and set numerous World and American records in the heptathlon and long jump. Joyner-Kersey was the 1986 Sullivan Award winner which recognizes the top outstanding amateur athletic performance. She is also one of only two people to win the Women's Sports Foundation Amateur Athlete of the Year Award three times (1987, 1988, 1992). These amazing achievements may have not occurred without her athletic scholarship to attend UCLA. This scholarship would not have been awarded without Title IX initiatives. Joyner-Kersey is actively involved in efforts to encourage young people to excel in her hometown community of East St. Louis and has formed the Jackie Joyner-Kersey Foundation to help promote these outreach and educational efforts nationally.

**Dr. Sally K. Ride** (La Jolla, CA) became the first American woman to fly in space when the space shuttle Challenger took off from Cape Canaveral, Florida, on June 18, 1983. Ride served as mission specialist on two Challenger flights. As a student in the mid 1970's, Ride witnessed the development and passage of Title IX from the unique perspective of a female scientist. Ride retired from NASA in 1987 and is currently the Director of the California Space Institute and Professor of Physics at the University of California, San Diego. Now as a professor, Dr. Ride supports Title IX as an educator and mentor for young students who wish to pursue a career in science.

**U.S. DEPARTMENT OF EDUCATION  
SEXUAL HARASSMENT GUIDANCE FACT SHEET  
WHITE HOUSE BRIEFING FOR WOMEN'S MAGAZINES**

**May 21, 1997**

**Judith A. Winston  
Acting Under Secretary and General Counsel**

**Title IX** of the Education Amendments of 1972 prohibits discrimination based on sex in any education program or activity that receives federal financial assistance.

It has been the Department's longstanding position that *sexual harassment of students is a form of sex discrimination* -- whether engaged in by school employees, other students, or third parties such as a visiting speaker or visiting athletes: *Sexual harassment can interfere with a student's academic performance and emotional and physical well being. It undermines an essential mission of schools to provide a safe, nondiscriminatory learning environment for all students.*

On March 13, 1997 the Department of Education published *sexual harassment guidance* in the FEDERAL REGISTER. The Guidance provides, for the first time, a comprehensive and accessible guide to the longstanding standards the Department uses to investigate and resolve sexual harassment complaints; it applies to every level of education. The Guidance also addresses recent court decisions involving sexual harassment of students.

The Guidance instructs *school personnel, parents, and students* regarding:

- What conduct is, and is not, sexual harassment under Title IX.
- Under what circumstances schools will be liable for sexual harassment under Title IX.
- How schools should respond to information or complaints regarding sexual harassment in their programs or activities.

The following important issues are discussed in the Guidance:

- Title IX gives *schools flexibility to respond appropriately to sexual harassment* depending on the circumstances involved, including the age of the students and the severity of the conduct.
- The Guidance also explains that *not all behavior with sexual connotations is sexual harassment* under Title IX: In order to violate Federal law, sexual harassment must be sufficiently severe, persistent, or pervasive that

it adversely affects a student's education or creates a hostile or abusive educational environment.

- ***Nor is the Guidance intended to discourage appropriate physical contact in schools:*** Title IX's prohibition of sexual harassment does not extend to nonsexual conduct such as a coach hugging a student who made a goal, or a teacher hugging a young student with a skinned knee.
- ***Title IX does not ban flirtation:*** As the Guidance makes clear, in order to be considered sexual harassment the conduct must be unwelcome. To evaluate whether the conduct was welcome, schools should look at the totality of the circumstances.
- ***A school is liable under Title IX for peer sexual harassment only where it knows or should have known of the harassment but fails to take appropriate steps to remedy the hostile environment.*** Title IX does not make a school responsible for the actions of the harassing student, but rather for its own discrimination: If one student subjects another student to severe, persistent, or pervasive sexual harassment, and the school knows about it, but does not stop it, the school forces the victim of harassment to endure a sexually discriminatory environment in order to obtain an education.
- The Guidance clearly states -- and illustrates through examples -- that when taking actions in response to sexual harassment ***a school must protect academic freedom and other free speech rights.***

#### ***INTERNET:***

A copy of the Guidance can be obtained on the Internet at:  
**<http://www.ed.gov/offices/OCR/sexhar00.html>.**

In addition, the Department's sexual harassment pamphlet -- Sexual Harassment: It's Not Academic -- can be obtained at:  
**<http://www.ed.gov/offices/OCR/ocrshpam.html>.**

**NEWS ARTICLES:**  
**U.S. Department of Education's**  
***Sexual Harassment Guidance***

1. Sometimes a Kiss is Just a Kiss (Editorial); *Chicago Tribune*, 3/15/97.
2. Innocent Kisses (Editorial); *St. Louis Post-Dispatch*, 3/23/97.
3. New Guidelines on Sexual Harassment Tell Schools When a Kiss Is Just a Peck, *New York Times*, 3/15/97.
4. Schools Get U.S. Guidance on Harassment; Much of the Time, A Kiss Is Just a Kiss, *The Washington Post*, 3/14/97.
5. Agency Spells Out What Sex Harassment Is, Isn't; *Los Angeles Times*, 3/14/97.
6. Classroom Distinctions; New Sexual Harassment Guidelines for Schools Released; *American Bar Association Journal*, May 1997.

Copyright 1997 Chicago Tribune Company  
Chicago Tribune

March 15, 1997 Saturday, NORTH SPORTS FINAL EDITION

SECTION: EDITORIAL; Pg. 22; ZONE: N

LENGTH: 237 words

HEADLINE: SOMETIMES A KISS IS JUST A KISS

BODY:

In a remarkable and refreshing departure, a federal agency on Thursday issued guidelines that invoked "good judgment and common sense."

The Department of Education guide is intended to help schools identify sexual harassment, but in invoking plain old common sense it is a worthy model for a host of other government bureaucracies.

That, however, does not obscure the sad reality that it has taken a federal directive to remind the people who run the nation's schools to use their heads for something besides hatracks.

Oh, the guidelines didn't put it quite that way, but the meaning is clear. In the wake of cases like that in Lexington, N.C., where a 1st-grader was punished for sexual harassment after kissing a classmate on the cheek, the message to school officials is: Get a grip.

Increasingly, public schools that receive federal funds--and that's most of them--have been adopting "zero tolerance" toward all sorts of normal kid-type behavior for fear of running afoul of federal sexual harassment policies and losing their funding.

The new guidelines make it clear that a kiss on the cheek, a teacher's hug, a coach's congratulatory slap on the back are not by definition sexual harassment.

Too bad the Education Department can't issue a "common sense" directive for the vast array of other issues in which school officials are using "zero tolerance" as a substitute for rational thought.

Copyright 1997 St. Louis Post-Dispatch, Inc.

St. Louis Post-Dispatch

March 23, 1997, Sunday, FIVE STAR LIFT EDITION

SECTION: EDITORIAL, Pg. 02B

LENGTH: 153 words

HEADLINE: INNOCENT KISSES

**BODY:**

The Office for Civil Rights of the U.S. Department of Education has made it official: "A kiss on the cheek by a first grader does not constitute sexual harassment." As part of guidelines for dealing with harassment, that conclusion makes sense.

In fact, common sense is a big part of the guidelines, which came in the wake of a series of incidents, including the punishment of Johnathan Prevette for kissing a girl in his first-grade class. In general, they tell schools that while one-time casual contact or acts by a teacher comforting or praising a student do not constitute harassment, failure by a school to act when it has been notified of a hostile or abusive atmosphere is a serious mistake.

The guidelines won't govern every situation, but they should reassure school officials that in most cases, they will know sexual harassment when they see it. Acting accordingly will be up to them.

# New Guidelines on Sexual Harassment Tell Schools When a Kiss Is Just a Peck

By TAMAR LEWIN

For school officials uncertain about how they should handle sexual taunting on the school bus, lewd advances by a teacher or an unwanted kiss by a classmate, the Department of Education's Office for Civil Rights this week issued its guidelines for dealing with sexual harassment.

To protect themselves from liability, many school districts have adopted tough sexual harassment policies that have made teachers nervous about any physical contact with students. The policies led to a storm of protest last fall when Johnathan Prevette, a North Carolina first grader, was suspended for a day and banned from an ice cream party for giving a young classmate a peck on the cheek.

The new Federal guidelines, which are largely the same as the draft version sent to school districts nationwide last year, contain no hard-

and-fast rules about what particular behavior constitutes sexual harassment. But they do offer some constructive examples.

In the murky area where the First Amendment bumps up against women's civil rights, the guidelines say that it would be harassment for a group of male students to target a girl on their school bus, making frequent sexual comments about her body and passing around pictures of her engaging in sexual conduct.

But it would be acceptable for a professor in a college creative writing class to assign literary excerpts containing explicit sexual descriptions that were derogatory to women, or to read aloud student writing containing similar material.

And while the guidelines say it is fine for a coach to hug a successful athlete or a kindergarten teacher to hug a child with a bruised knee, a teacher's repeated hugging, if it is

**No hard-and-fast rules, but a nod to good judgment and common sense.**

neither congratulatory nor consoling, may be sexual harassment.

The guidelines also forbid same-sex harassment such as a group of girls spreading sexually explicit graffiti about another girl.

Over all, the guidelines stress the need for judgment and common sense and explicitly direct schools to take account of the students' age and maturity.

In the same wording as the earlier draft, the guidelines make it clear that a single casual incident of inappropriate behavior is not sexual harassment: "Sexual harassment must be sufficiently severe, persistent or pervasive that it adversely affects a student's education or creates a hostile or abusive educational environment. For a one-time incident to rise to the level of harassment, it must be severe."

Lest there be any doubt, the guidelines add, "A kiss on the cheek by a first grader does not constitute sexual harassment."

The guidelines reiterate the Education Department's position that schools can be held liable for student-to-student harassment if school officials knew about the problem and did not respond adequately, or failed to take adequate steps to prevent it.

While several courts have adopted the reasoning behind the guidelines, the United States Court of Appeals for the Fifth Circuit, in New Orleans, has explicitly rejected it.

In a ruling last year, the Appeals



Associated Press

Johnathan Prevette, 6, shown at his home in Lexington, N.C., last fall, can put his mind at ease now.

court, which covers Louisiana, Mississippi and Texas, said that schools could be held liable for failing to respond to complaints of student-to-student harassment only if they treated girls' complaints different from those of boys.

And in a ruling on Feb. 17, the court found that a school was not liable for the environment created by a male karate instructor who had sexual intercourse with a 15-year-old student. The guidelines criticize those decisions as incorrect.

Lawyers who handle sexual har-

assment cases say the guidelines should be helpful, although they break no new legal ground.

"This is a great tool to help schools clarify things, and make it clear that they have to look at the individual circumstances and not jump the gun to find sexual harassment every time a student does something to another student," said Verna Williams, a lawyer at the National Women's Law Center in Washington. "They also say clearly, as I think is correct, that the Fifth Circuit is simply wrong."

The Office for Civil Rights, which enforces the law forbidding sex discrimination and sexual harassment in schools that receive Federal money, can take legal action against schools that do not have adequate policies to prevent harassment or fail to respond properly to complaints.

But what worries schools far more is the threat of private lawsuits brought by parents under Title IX of the Education Amendments of 1972 — suits that can lead to damages like the \$500,000 that a California jury awarded last fall to a 14-year old girl, Tianna Ugarte, who had endured months of sexual taunting and threats from a classmate.

"Sexual harassment is a really, really hot issue for school boards," said Gwendolyn Gregory, deputy counsel to the National School Boards Association.

"While any words about using common sense and judgment are helpful, schools are still very concerned about the prevention aspect," Ms. Gregory added. "It's not that easy, and there's a real worry about being held liable for something you've tried to prevent. This is hardly going to cure all evils."

Copyright 1997 The Washington Post  
The Washington Post

March 14, 1997, Friday, Final Edition

SECTION: A SECTION; Pg. A25; THE FEDERAL PAGE

LENGTH: 464 words

HEADLINE: Schools Get U.S. Guidance On Harassment; Much of the Time, A Kiss Is Just a Kiss

BYLINE: Rene Sanchez, Washington Post Staff Writer

BODY:

The Education Department made it official yesterday: The famous kiss that Johnathan Prevette, a first-grader in North Carolina, planted on the cheek of an unsuspecting classmate last year was in fact just a kiss -- not grounds for sexual harassment.

In new guidelines released for schools nationwide, the department urged educators to consider the age and maturity of students and to use "judgment and common sense" when deciding whether an incident among students is harassment, or merely inappropriate.

The guidelines do not specifically mention Prevette's case, which drew worldwide attention after he was suspended from school for a day and banned from an ice cream party, but generally cites it as the kind of incident that is not harassment.

"In order to give rise to a complaint . . . sexual harassment must be sufficiently severe, persistent or pervasive that it adversely affects a student's education or creates a hostile or abusive educational environment," the guidelines state. "For a one-time incident to rise to the level of harassment, it must be severe."

School officials in Lexington, N.C., the small town where Prevette attends school, swiftly retreated from punishing him, but his kiss raised new debate among educators across the nation about setting the bounds of appropriate behavior for students.

In recent years, many schools have created tough new sexual harassment policies that do not distinguish by age, partly in fear of lawsuits from parents. Some schools now define sexual harassment as virtually any unwelcome

contact between students. Several recent court cases, in which schools were forced to compensate students involved in some kind of sexual incident, have forced educators to be more vigilant about harassment.

Last fall, for example, a jury in San Francisco awarded \$ 500,000 to a 14-year-old girl after finding that school officials had ignored her complaints about her classmate, a sixth-grade boy, who frequently made sexual gestures and taunts toward her. Few awards in other cases have been that large, but they have nevertheless convinced officials that they could be held liable for any form of harassment that they do not stop.

The department's guidelines, which were published yesterday in the Federal Register, do not establish precise ages or precise situations to judge student or faculty behavior. Rather, the guidelines present general scenarios for schools to consider.

For example: A coach hugging a student who made a goal, or a kindergarten teacher's consoling hug for a child with a skinned knee would not be considered sexual harassment, according to the guidelines. But a teacher's repeatedly hugging and putting his or her arms around students under "inappropriate circumstances" could be.

Copyright 1997 Times Mirror Company  
Los Angeles Times

March 14, 1997, Friday, Home Edition

SECTION: Part A; Page 29; National Desk

LENGTH: 371 words

HEADLINE: AGENCY SPELLS OUT WHAT SEX HARASSMENT IS, ISN'T

BYLINE: From Associated Press

DATELINE: WASHINGTON

BODY:

Johnathan Prevette, the first-grader punished last year for kissing a girl at school, can put his mind at ease. The Education Department declared Thursday that a peck on the cheek by a 6-year-old falls short of sexual harassment.

Issuing guidelines for schools or colleges that receive federal funds--and most do--the department called upon the "judgment and common sense" of school officials when fighting harassment. The department told officials to consider the alleged offender's age.

"The factors in the guidance confirm that a kiss on the cheek by a first-grader does not constitute sexual harassment," the department said, not mentioning Johnathan by name.

"In order to give rise to a complaint . . . sexual harassment must be sufficiently severe, persistent or pervasive that it adversely affects a student's education or creates a hostile or abusive educational environment," the guidelines said. "For a one-time incident to rise to the level of harassment, it must be severe."

Johnathan was separated from his class at Southwest Elementary School in Lexington, N.C., for a day and banned from an ice cream party after he kissed a classmate in September 1996. The case drew worldwide attention, and ridicule, for schools nervous about the strings attached to federal aid. The guidelines also attempted to clarify some other situations:

\* "A high school athletic coach hugging a student who made a goal or a kindergarten teacher's consoling hug for a child with a skinned knee will not be

considered sexual harassment," the guidelines said. However, "a teacher's repeatedly hugging and putting his or her arms around students under inappropriate circumstances" could be.

- \* Students who tell gay or lesbian students they're not welcome at a cafeteria table aren't sexually harassing them under federal law. Male students who target lesbian students for sexual advances would be harassing them.

- \* A creative writing class in which students read classic works or student works that are sexually derogatory would be protected.

- \* A group of male students that targeted a female student on her bus ride home, making sexual comments about her body or following her home, could not be protected.

# Classroom Distinctions

## New sexual harassment guidelines for schools released



School officials' actions would be different if Johnathan Prevette kissed a classmate now.

BY STEPHANIE B. GOLDBERG

His 15 minutes of fame may be over, but Johnathan Prevette, the North Carolina 6-year-old who was branded a sexual harasser for kissing a classmate, appears to have made his mark on new harassment guidelines by the U.S. Department of Education's Office of Civil Rights.

Released in mid-March, the guidelines leave no doubt that Prevette's kiss was not harassment, but a case of school officials failing to assess the severity of the conduct and the age of the students involved.

Educators are hoping the new guidelines will also be helpful to them in analyzing other situations, such as those involving claims of peer harassment in high schools or free speech rights of harassers.

### A Model for Plaintiffs

As the first formal statement of the agency's standards for investigating sexual harassment, the guidelines provide a model for schools to follow. They could be a

boon to plaintiffs in lawsuits if courts show them deference, as they have shown toward EEOC guidelines on sexual harassment in the workplace. They can also be a basis for legal action by the Office of Civil Rights, which can seek money damages and a cutoff of federal funds against offending schools.

Under the guidelines, administrators who learn of sexual harassment by either students or employees are required to take prompt steps to end it. That stance goes further in holding schools accountable than some courts, at least one of which has held that schools generally are not liable for student-on-student harassment.

The problem of harassment is not just academic; indeed, it is epidemic, according to "Hostile Hallways," a 1993 survey sponsored by the Educational Foundation of the American Association of University Women. The survey of 1,600 students in grades 8 through 11 found that four out of five students have experienced some form of sexual harassment. Of girls who had been

harassed, 32 percent reported that it made them reluctant to talk in class.

Robert J. Shoop, a professor of education law at Kansas State University, says in many cases students are called names such as "sluts" or "homos," are subjected to inappropriate groping, and are pressured into affairs by adult instructors. In several cases, students have committed suicide. "The problem is much more prevalent and serious than people think," he says.

### Striking Back

Some victims drop out, become emotionally withdrawn or transfer to private schools, Shoop notes. But more are fighting back by filing lawsuits under Title IX of the Civil Rights Act, which forbids discrimination in educational institutions receiving federal funding.

Suits rose sharply when the U.S. Supreme Court ruled in 1992 that Title IX provides a right to money damages in cases of quid pro quo harassment, which occurs when an employee makes an educational decision or conditions a student's participation in an activity on the youth's submission to unwelcome sexual conduct. *Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992).

More recently, the Court denied cert in a 5th U.S. Circuit Court of Appeals case that held student-on-student harassment was not actionable absent allegations that the school district itself had engaged in discriminatory conduct. *Rowinsky v. Bryan Independent School District*, 80 F.3d 1006 (1996), cert denied, 117 S. Ct. 165 (1996).

The tide may turn in favor of plaintiffs, however, if courts analyze peer harassment under the guidelines. They may even hold a school accountable for the actions of visiting students if it has notice and some control over their actions.

In such cases, the student's

conduct must be unwelcome, an issue that may not be that clear-cut. "Mere acquiescence in the conduct or the failure to complain" or even "the fact that the [complaining] student willingly participated on one occasion" does not prove welcomeness, but "active ... participat[ion] in sexual banter and discussions" might.

The prospect of allowing students to recover damages for peer harassment is "complete insanity," says conservative Michael Greve, a constitutional law scholar and director of the Center for Individual Rights in Washington, D.C.

Says Greve, "By these standards, my children are harassed on a daily basis by peers."

But Kansas State's Shoop believes the problem is that harassment is policed too little rather than too much.

"Some schools don't have policies or have a boilerplate policy from the main district that no one bothers to read," he says. "Other schools think they're really cutting-edge if they put teachers through a two-hour training session."

Only a handful, he says, give students meaningful instruction in recognizing, reporting and defending themselves in these situations.

Shoop thinks the guidelines will be helpful in raising awareness, but he is critical of the part dealing with sexual harassment by adult employees. Like the section on peer harassment, it declares that sexual conduct must be unwelcome to be actionable.

If the student is in grade school, the Office of Civil Rights will never view sexual conduct with an employee as consensual. But if the student is in high school, the OCR will consider the acts involved, the parties' relationship and "whether the student was legally or practically unable to consent to the sexual conduct."

Shoop finds that distinction disturbing. "It opens up a very unhealthy discussion," he says. "I can see schools arguing that the student didn't tell anyone so the

teacher was legitimate in assuming the relationship was welcome." Shoop thinks that "any romantic relationship at all between student and teacher" should be prohibited.

The guidelines are tougher



Robert Shoop: Teacher-and-student romances not OK.

when it comes to quid pro quo harassment by an adult employee in a position of authority. They declare just one such instance of unwelcome conduct to be unacceptable, even if administrators did not know or should not have known of the problem. Conservative Greve thinks it is reasonable to allow quid pro

quo complaints. "If there's a line to draw, that's it," he says.

Some critics complained there were not enough bright lines in a preliminary version of the guidelines. One example was the section dealing with the harassment of gay students. The guidelines stated that Title IX protected them from discrimination based on gender but not based on sexual orientation.

Chai Feldblum, a civil rights professor at Georgetown Law Center, said she thought the section was ambiguous and wondered if its protection was only available in situations where a gay student failed to comport with gender stereotypes.

### Spelling It Out

The revised guidelines attempt to be more explicit.

Discrimination against gays is prohibited when it involves sexually related conduct and comments. On the other hand, a statement such as "gay students are not welcome at this table in the cafeteria" would not constitute sexual harassment.

Similarly, schools had complained of insufficient guidance on First Amendment issues. Under the revised guidelines, a college class reading *Lady Chatterley's Lover* would not create a hostile environment. However, repeated sexual comments directed at female students on a school bus are not protected speech.

Another complaint from school administrators is that the guidelines could clash with the rights of employees. Schools that discipline or fire faculty members to eliminate harassment have faced wrongful discharge or denial of due process suits.

The National School Board Association, based in Washington, D.C., suggests a different remedy when the school is unable to stop harassment: Remove the victim. Yet, the guidelines do not seem to support that remedy as appropriate, the association says.

Marcia Greenberger of the National Women's Law Center, in Washington, D.C., adds: "There is a lot of common sense involved in those guidelines."

"It's unrealistic to expect that every kind of situation would be covered. General principles are what count."

### Complaints Rising

Sexual harassment complaints filed with the U.S. Department of Education began to rise in 1993. The tally:

| YEAR | K-12 | COLLEGE |
|------|------|---------|
| 1991 | 11   | 25      |
| 1992 | 31   | 58      |
| 1993 | 78   | 75      |
| 1994 | 77   | 68      |
| 1995 | 78   | 71      |
| 1996 | 72   | 78      |

Source: U.S. Department of Education.

Draft 6/16/97 9:00pm

PRESIDENT WILLIAM J. CLINTON  
REMARKS FOR TITLE IX EVENT  
THE WHITE HOUSE  
JUNE 17, 1997

Acknowledgments: Sec. Riley; Dr. Nelda Chavez, Administrator, HHS Substance Abuse and Mental Health Administration; Members of Congress; Sally Ride; Jackie Joyner-Kersee; Ann Jarvis Jefferson; Verelett [vair-uh-LETT] Allen, electronic technician; Capt. Robin J. Forster, Baltimore County firefighter.

As we have just heard from all the speakers before me, for too many years, too many young women like Hillary were told to put aside their dreams of becoming astronauts -- a dream finally fulfilled in space by Sally Ride; too many brilliant athletes like Jackie Joyner Kersee had to jump hurdles off of the field just to get the training they needed on the field; and too many aspiring young scientists like Ann Jarvis Jefferson learned more about home economics than nuclear physics.

Title IX <sup>has helped to</sup> ~~changed~~ all that -- and it <sup>has</sup> ~~changed~~ the face of America. We have heard about the huge difference it has made in the lives of millions of girls and young women. We have heard about the confidence it has built, the high expectations it has set, and the achievements it has helped to inspire. But today I want you to focus on something else -- the impact Title IX has had on our country.

*each to every one of us.*  
If we have learned anything in the 25 years since Title IX became law, it is that expanding opportunity for any American benefits every American . . . and wasted opportunity diminishes us all. As we prepare ourselves for the challenges and opportunities of the 21st century, it would be sheer folly not to take advantage of every ounce of energy, talent, and creativity that every American has to offer. More than ever, we know that we cannot afford to waste even one person.

Just think of what our country would be like without Sally Ride, or Jackie Joyner Kersee, or any one of the countless women whose contributions are helping to shape our future. I certainly cannot imagine what my administration would look like without the record number of women I have been proud to appoint to cabinet-level positions. And every girl in America has the potential to become an astronaut or an Olympic athlete, a Cabinet Secretary or a Supreme Court Justice. Every girl in America has the power to change the world. And we have got to make sure that their power doesn't go to waste.

not sure  
This under-  
how is this  
"something  
else"?

For 25 years, Title IX has helped girls to realize their dreams, and to achieve them. ~~But~~ in spite of our progress, we still have far to go. Far too many schools and education programs are still dragging their feet, and lagging behind in their responsibility to our nation's young women and girls. That is why today, I am directing every agency and executive department to ~~step up~~ their enforcement of Title IX within the next 60 days, by reviewing their current regulations and complaint procedures, and consulting with the Attorney General on the best way to improve them.

→ Today is a time to celebrate the progress we've seen under Title IX and to recommit ourselves to the goal of this initiative.

and delivering to me a new, vigorous enforcement plan

I want every school and educational program in America to understand that complying with Title IX is not an optional obligation-- it is the law, and we will enforce it.

that receives federal assistance

There is no question that America is better off because of Title IX. But we can go even further to provide all of our people with the opportunity they need to make the most of their lives. Currently, Title IX only applies to educational programs and activities that receive funding from the national government, not to the educational programs that the national government runs itself. These include the schools run by the Department of Defense and the Bureau of Indian Affairs, and educational fellowships awarded directly to students.

I believe that the national government must hold itself to the same high standards it expects from everyone else, especially when it comes to discrimination in education. Today, I am announcing that following a 60-day study, and on the Attorney General's recommendation, I will act to prohibit educational discrimination on the basis of sex, race, or national origin in all federally conducted education programs. With this step, we are saying we will not tolerate discrimination anywhere -- and we will do everything in our power to overcome it.

On the desk outside the Oval Office there is a little sign with a quote from a woman who lives here in Washington. I look at it every day when I go into work, and it says: "I rejoice in others' success, knowing there is plenty for us all." Today, we are making sure that all of our people -- and every one of our girls and young women -- have the opportunity they need to make their own success, and we know there is plenty for us all.

Thank you and God bless you.

review inventory of federal education programs

and especially not in our own government:

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE | DATE | RESTRICTION |
|--------------------------|---------------|------|-------------|
|--------------------------|---------------|------|-------------|

|           |                                                                             |            |      |
|-----------|-----------------------------------------------------------------------------|------------|------|
| 001. list | re: SSNs and DOBs [Personally Identifiable Information] [partial] (5 pages) | 06/16/1997 | b(6) |
|-----------|-----------------------------------------------------------------------------|------------|------|

### COLLECTION:

Clinton Presidential Records  
Domestic Policy Council  
Ann O"Leary  
OA/Box Number: 19585

### FOLDER TITLE:

Title IX Event

2013-0436-S

rc2882

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

#### Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

**A CELEBRATION OF THE 25TH ANNIVERSARY OF TITLE IX**  
*"Honoring the successes of women and girls"*

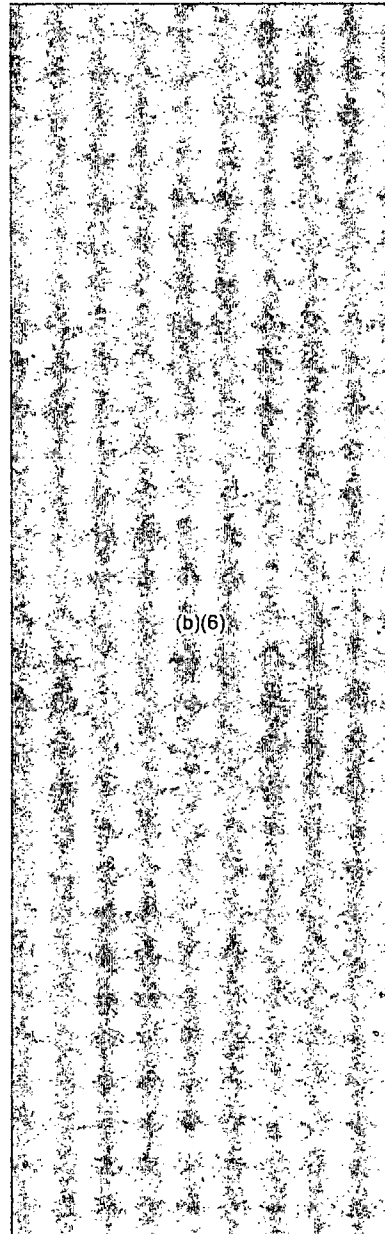
**\*\*TITLE IX ATTENDEES\*\***

**Revised as of June 16, 1997; 6:15pm**

| <u>NAME( Last, First)</u> | <u>DOB</u> | <u>SSN</u> | <u>Ctry</u> | <u>Phone Number</u> | <u>Seating</u> | <u>Referred by</u> |
|---------------------------|------------|------------|-------------|---------------------|----------------|--------------------|
| Alden, Elizabeth          |            |            | USA         | 619-322-7000        |                | NCWGE              |
| Alexander, LaVerne        |            |            | USA         | 202-659-3780        |                | NCWGE              |
| Allen, Verelett P.        |            |            | USA         | 202-626-0700        | Stage          |                    |
| Appelbaum, Judith         |            |            | USA         | 202-588-5180        |                | NWLC               |
| Bailey, Diana M.          |            |            | USA         | 410-767-0531        |                | NCWGE              |
| Baldridge, Kathryn        |            |            | USA         | 202-651-0531        |                | NCWGE              |
| Battle, Sandra            |            |            | USA         | 202-401-8183        |                | DOE                |
| Bayh, Birch               |            |            | USA         | 202-289-8660        | Reserved       | NWLC               |
| Bernal, Dan               |            |            | USA         | 202-401-3053        | Staff          | DOE                |
| Blatnick, Jeffery C.      |            |            | USA         | 518-463-5244        |                | PCPFS              |
| Brake, Deborah            |            |            | USA         | 202-289-8660        |                | NCWGE              |
| Bregstein, Nancy J.       |            |            | USA         | 610-642-6374        |                | NWLC               |
| Breuer, Teri Lynn         |            | (b)(6)     | USA         | 610-642-6374        |                | NWLC               |
| Brown, Cynthia            |            |            | USA         | 202-336-7007        |                | NCWGE              |
| Bryant, Arthur            |            |            | USA         | 202-797-8600        |                | NCWGE              |
| Bryant, Anne L.           |            |            | USA         | 202-588-5180        |                | DOE                |
| Burk, Martha              |            |            | USA         | 202-797-0606        |                | NCWGE              |
| Campbell, Nancy Duff      |            |            | USA         | 202-588-5180        |                | NWLC               |
| Campbell, Cynthia Alice   |            |            | USA         | 202-797-0606        |                | NWLC               |
| Cantu, Norma              |            |            | USA         | 202-205-5557        |                | DOE                |
| Chasen, Nancy             |            |            | USA         | 301-652-1126        |                | NWLC               |
| Chau, Nguyen Minh         |            |            | USA         | 202-682-0870        |                | NCWGE              |
| Chavez, Nelba             |            |            | USA         | 301-443-8956        | Stage          |                    |
| Chernay, Gloria           |            |            | USA         | 412-357-2483        |                | NCWGE              |

[Cool]

Christensen, Michael  
Claytor, Randal  
Cohen, Phyllis  
Coleman, Arthur  
Coleman, Elizabeth Jane  
Cribbs, Anne  
Danowitz, Jane  
Deconti, Sabrina Ann  
Delany, Ellen  
Delgado, Jane L.  
deVarona, Donna  
Didion, Catherine J.  
Dixon, Doris  
Dobbs, Evangelina Frescas  
Dolan, Elizabeth  
Dooley, Betty  
Dororetz, Beth  
Dumbaugh, Mary Elizabeth  
Edwards, Teresa  
Engustian, Kathryn  
Everett, Diana  
Ferdig, Le Anne  
Ferguson, Anita Perez  
Figel, Brad  
Forster, A. Louis  
Forster, Robin  
Foster, Valerie  
Frank, David  
Franz, Sharon L.  
Fredrickson, Caroline  
Friedlander, Merrily  
Frye, Jocelyn  
Gandy, Kim A.



USA 202-358-2100  
USA 202-690-5157  
USA 816-363-1930  
USA 202-205-5557  
USA 212-856-8921  
USA 415-856-3200  
USA  
USA 301-391-6130  
USA 617-269-0849  
USA  
USA 212-456-2877  
USA 202-326-8940  
USA 913-339-1906  
USA  
USA 503-671-3509  
USA 202-293-3050  
USA 757-459-5100  
USA  
USA  
USA 202-544-1681  
USA 703-476-3450  
USA 202-335-6144  
USA 202-785-1100  
USA 202-543-6453  
USA  
USA 410-683-1311  
USA 314-770-0448  
USA  
USA 202-884-8000  
USA  
USA 202-616-7170  
USA 202-986-2600  
USA 202-331-0066

Reserved

Reserved

Reserved

Reserved

Reserved

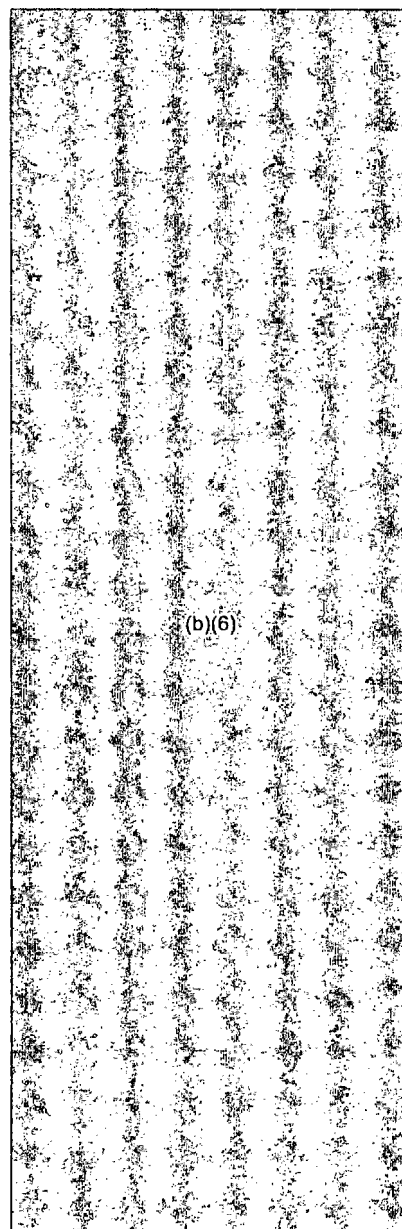
Stage

Reserved

Staff

NASA  
PCPFS  
NWLC  
DOE  
NWLC  
DOE  
NCWGE  
DOE  
NWLC  
OPL  
DOE  
NCWGE  
DOE  
w/Speaker  
NIKE  
NCWGE  
NWLC  
NCWGE  
POTUS  
NCWGE  
NCWGE  
NCWGE  
NCWGE  
NCWGE  
w/Speaker  
JKK  
DOE  
NCWGE  
Senate  
DOJ  
NCWGE  
NCWGE

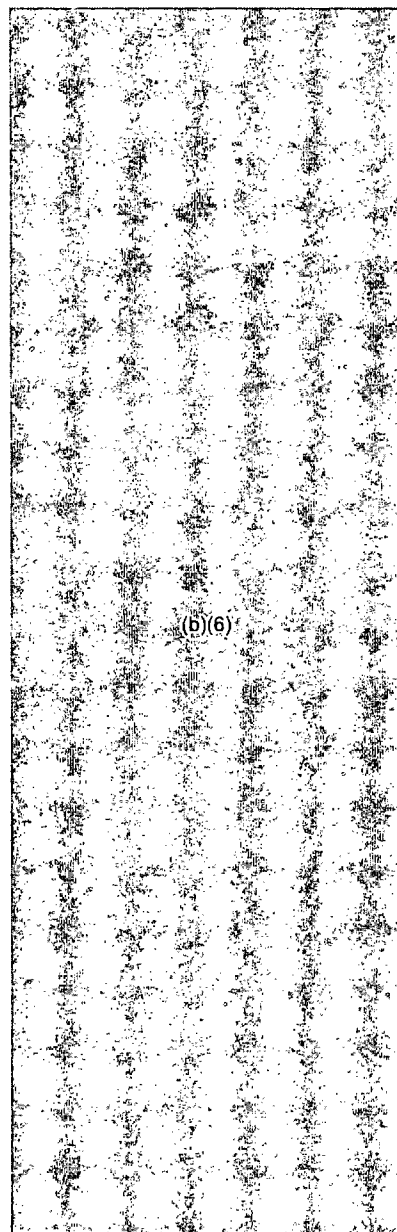
Ganesan, Suba  
Gangone, Lynn M.  
Garcia, Isabelle  
Garrett, Molly Yard  
Garrett, Joyce  
Godoff, Jill Miller  
Gordon, Deborah  
Grant, Christine H.B.  
Greenberg, Jill Moss  
Greenberger, Marcia  
Greene-Chamberlain, Lillian  
Gupta, Sarita  
Hadar, Alyn L.  
Haffer, Rollin  
Hall, Gerri Mason  
Hall, Oceola  
Hampton, Diane  
Hayashi, Dennis  
Henry, Wayne P.  
Herndon, Heather  
Ibarra, Delia  
Jarvis, James Jefferson  
Jefferson, Carol Annette  
Jefferson, Anne Jarvis  
Johnson, Sandra  
Jones, Mervyn  
Joyner-Kersee, Jacqueline  
Kallem, Howard  
Kassel, Maureen  
Kassel, Whitney  
Kersee, Robert Dale  
Kimmel, Adele P.  
Koener, Christine



Sing 202-797-0606  
USA 202-659-9330  
USA 202-822-7331  
USA 703-522-2214  
USA 412-357-2473  
USA 202-467-6346  
USA 610-642-6374  
Canada 319-335-9247  
USA 210-887-3763  
USA 202-588-5180  
USA 516-542-4700  
USA 202-347-8772  
USA 703-695-8381  
USA 516-928-2357  
USA  
USA 202-358-1284  
USA 202-939-9357  
USA 202-619-0403  
USA 202-690-5205  
USA 202-785-1100  
USA 202-690-7470  
USA 507-454-6947  
USA 507-454-6947  
USA 507-454-6947  
USA 202-581-7125  
USA 202-358-0683  
USA 314-770-0448  
USA 202-205-5557  
USA 415-346-9933  
USA 415-346-9933  
USA 314-770-0448  
USA 202-797-8600  
USA 703-706-8536

NCWGE  
NCWGE  
DOE  
Res-aisle NCWGE  
NCWGE  
NCWGE  
NWLC  
DOE  
NCWGE  
NWLC  
NCWGE  
NCWGE  
ARMY  
NWLC  
Reserved w/Speaker  
NASA  
NCWGE  
HHS  
PCPFS  
NCWGE  
HHS  
Reserved w/Speaker  
Reserved w/Speaker  
Stage  
NCWGE  
NASA  
Stage DOE  
NWLC  
NWLC  
Reserved w/Speaker  
NCWGE  
APTA

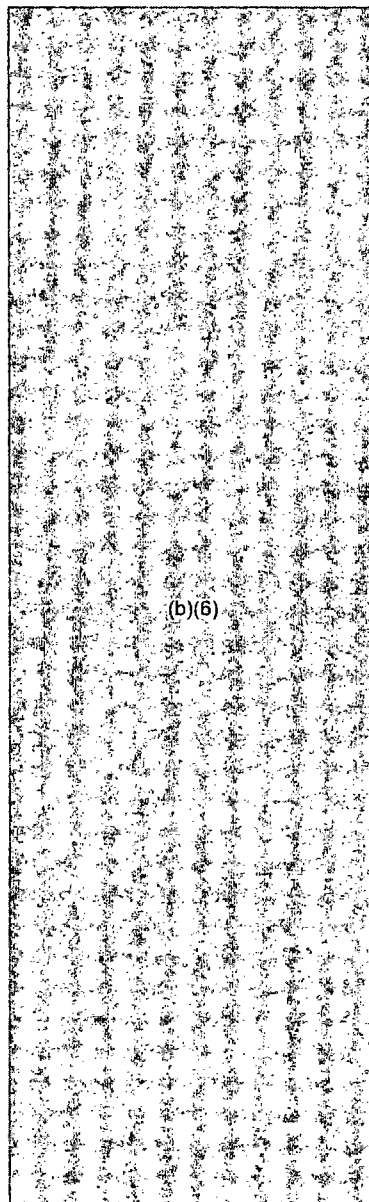
Komlos, Joani  
 Kovner, Sarah S.  
 Kramer, Lisa  
 Lapchick, Richard  
 Larkin, Deborah Slaner  
 Laws, James Jeffrey  
 Leduc, Laura Hagen  
 Lerner, Phyllis  
 Lichtman, Judith  
 Lin, Janet Chan-Yue  
 Lufkin, Mary Elizabeth  
 Lwin, Way Mee  
 Lyon, George  
 Mandelbaum, Sara  
 Maynes, Judith  
 McKnight, Dorothy B.  
 McMillen, C. Thomas  
 Miles, Shari Elizabeth  
 Miller, Richard  
 Mouzon, Adele  
 Mutter, Carol  
 O'Connor, Kevin  
 O'Leary, John H.  
 Perlmutter, Sandra  
 Pierce, Raymond C.  
 Pinzler, Isabel  
 Pottker, Janice  
 Pottker-Fishel, Carrie  
 Redenbo, Susan  
 Reinertsen, Sarah  
 Reith, Kathryn M.  
 Rengers, Robyn Michelle  
 Reuss, Pat



USA 202-690-5179  
 USA 202-690-6347  
 USA 609-896-2404  
 USA 617-373-4025  
 USA 914-738-7829  
 USA 301-831-8228  
 USA 312-372-1010  
 USA 301-229-3284  
 USA 202-986-2600  
 USA 301-251-1051  
 USA 717-529-6635  
 USA 301-946-6455  
 USA 202-619-0900  
 USA 212-549-2645  
 USA 908-221-8227  
 USA 301-652-0343  
 USA 202-543-6800  
 USA 202-628-0444  
 USA  
 USA  
 USA 703-614-8003  
 USA  
 USA 202-690-5179  
 USA 202-690-5187  
 USA 202-205-5557  
 USA 202-514-2151  
 USA 202-205-5714  
 USA  
 USA 703-306-1640  
 USA  
 USA 503-671-6472  
 USA 301-384-2469  
 USA 202-544-4470

PCPFS  
 HHS  
 NWLC  
 OPL  
 PCPFS  
 Reserved DOE  
 NWLC  
 NCWGE  
 NCWGE  
 Reserved DOE  
 NCWGE  
 Reserved DOE  
 HHS  
 NCWGE  
 NWLC  
 PCPFS  
 PCPFS  
 NCWGE  
 Staff DOE  
 IAFF  
 MARINE  
 IAFF  
 PCPFS  
 PCPFS  
 DOE  
 DOJ  
 DOE  
 DOE  
 NSF  
 Front Row USPO  
 NIKE  
 Reserved DOE  
 NCWGE

Ride, Dr. Sally K.  
Riley, Richard W.  
Roberts, Nanette M.  
Rodgers, Kathryn J.  
Rogers, Lola  
Sadker, David  
Sadker, Jackie  
Sandler, Bernice Resnick  
Sauer, Elisabeth  
Schiller, Laura  
Shaffer, Susan  
Shaffer, Gail S.  
Shavlik, Donna L.  
Shevitz, Linda  
Simonson, Joy  
Smith, Elizabeth  
Spero, Laura  
Stefan, Maria Dennison  
Stokes, Suzanne  
Sullivan, Kevin  
Tobias, Sheila  
Turefy, Walteen Grady  
Van Blake, Barbara  
Votaw, Carmen Delgado  
Webber, Mark  
Widnall, Sheila E.  
Wilhide, Margaret  
Williams, Verna L.  
Winston, Judith  
Wurf, Mildred  
Yow, Deborah Ann  
Zirken, Nancy



USA  
USA 202-401-3000  
USA 914-723-6643  
USA 212-925-6635  
USA 703-306-1640  
USA 301-229-8483  
USA 301-229-8483  
USA 202-833-3331  
USA 816-471-2241  
USA 202-690-7470  
USA 301-657-7741  
USA 202-293-1100  
USA 202-939-9390  
USA 410-767-0428  
USA 202-363-7280  
USA 202-879-4434  
USA 201-652-1126  
USA 561-840-1100  
USA 202-293-1100  
USA  
USA 520-628-1105  
USA 212-463-9934  
USA 202-879-4434  
USA 202-659-3780  
USA  
USA 703-697-7376  
USA 202-358-1898  
USA 202-588-5180  
USA 202-401-6000  
USA 202-463-1881  
USA 301-314-7075  
USA 202-785-7722

Stage  
Stage

DOE  
NCWGE  
NCWGE  
NSF  
NCWGE  
NCWGE  
NCWGE  
NWLC  
HHS  
NCWGE  
NCWGE  
NCWGE  
NCWGE  
NCWGE  
NCWGE  
NWLC  
PCPFS  
NCWGE  
DOE  
NCWGE  
NCWGE  
PCPFS  
PCPFS  
HHS  
DOE  
NASA  
NCWGE  
DOE  
NCWGE  
DOE  
NCWGE

Staff

AS PREPARED

**FIRST LADY HILLARY RODHAM CLINTON  
REMARKS FOR TITLE IX 25TH ANNIVERSARY  
THE WHITE HOUSE  
JUNE 17, 1997**

I'm extremely pleased to welcome you here today. I'm especially glad that some of the true heroes of Title IX are here with us. Twenty-five years ago, Congress passed a law that has profoundly touched the lives of women throughout our nation and brought Americans closer to our ideal of equality for all citizens. Today we commemorate Title IX and the opportunities it has given women to participate more fully in the life of our country. For millions of girls, this legislation has unlocked the door of educational opportunity and allowed many to break through the glass ceiling in fields as diverse as dentistry, law and space exploration.

When I was 14, I had my heart set on becoming an astronaut. I wrote to NASA to inquire about my prospects. You can imagine how dejected I was to get a letter back saying girls need not apply. Many of you here today have probably had the same experience.

Sadly exclusion of this sort occurred in law schools, medical schools, and graduate schools and perhaps most visibly on the athletic playing fields. Since most sports teams are divided by gender, it was easy to see that women were not given the same opportunities as men to hone their athletic skills. In 1971 only 1 in every 27 girls participated in high school sports while half of all boys did. Budgets were smaller, coaches paid less, and teams fewer when it came to girl's and women's sports.

This imbalance not only discriminated against women in high school and college, it hurt their prospects for later life as well. According to data compiled by the Women's Sports Foundation and the NCAA, girls who participate in sports are much more likely to experience academic success, have greater self-confidence, and feel more self-esteem than girls who don't. While only 58% of women students graduate from college, 69% of female athletes manage to earn their diplomas. And according to the National Cancer Institute, regular exercise for women over their reproductive lifetime can drastically reduce the risk of breast cancer, even as much as 60%.

Since Title IX was enacted, we have made great strides. Today one in every three girls participates in high school athletics. A quarter century ago, who would have imagined that we would witness the birth not of one, but two professional basketball leagues for women? Who would have predicted that one of the most popular figures of the Centennial Olympics would have been the swimmer Amy van Dyken or that women who play softball and soccer would become household names? Title IX did not guarantee these successes. But it did open up opportunities and expanded choices for girls to pursue their dreams and live up to their God-given potential in whatever field they chose.

On a personal note, I have seen the progress in my own household. When my daughter was in grade school she and her friends played soccer, softball, and other sports and never thought it strange that they had been given the opportunity to excel in athletics. My daughter even went to space camp.

Not that our work is done. Yes we have made progress. But as we celebrate this progress, let's also use this occasion to remind ourselves that there is still more work to do. Until every girl in this country is assured equal opportunity to participate in sports to acquire the skill and knowledge she needs to pursue the career of her choice, we must renew our commitment to Title IX and the values of equal opportunity that it represents.

[INTRODUCE SECRETARY OF EDUCATION RILEY]

###

THE WHITE HOUSE

WASHINGTON

June 16, 1997

**Title IX: Celebrating 25 Years of Progress**

DATE: June 17, 1997  
LOCATION: Room 450  
TIME: 11:00 a.m.  
FROM: Maria Echaveste  
Elena Kagan *et al.*

**I. PURPOSE**

To celebrate the 25th anniversary of Title IX, receive a report on progress made under Title IX, and sign an executive memorandum strengthening Title IX enforcement and applying Title IX's nondiscrimination principles to federally conducted education programs.

**II. BACKGROUND**

Monday, June 23 marks the 25th anniversary of the signing of Title IX of the Education Amendments of 1972. Title IX, one of the nation's landmark civil rights laws, was enacted by Congress to prohibit sex discrimination in all aspects of American education -- in the classroom, in course offerings, in the school workplace, and on athletic fields.

Executive Directive Strengthening Title IX Enforcement and Addressing Discrimination on the Basis of Sex, Race, Color and National Origin in Federally Conducted Education Programs

You will issue an executive memorandum to the heads of executive agencies and departments. The memorandum has two parts:

First, the memorandum directs each federal agency to develop a plan to enforce Title IX. A number of agencies have never adopted regulations or complaint procedures to enforce Title IX. This memorandum will require all federal agencies to consult with the Attorney General and report back to you within 90 days on measures to ensure effective enforcement, including methods to make all recipients of federal financial assistance aware of their obligation not to discriminate and to put in place grievance procedures to handle Title IX complaints.

Second, the memorandum addresses discrimination on the basis of sex, race, color and national origin in federally *conducted* education programs and activities. Currently, Title IX generally prohibits discrimination based on sex, and Title VI of the Civil Rights Act of 1964 generally prohibits discrimination on the basis of race, color or national origin in education programs or activities that *receive federal assistance*. However, these laws do not apply to comparable education programs or activities that are *conducted by the federal government*. The executive memorandum will take action against discrimination in education programs or activities conducted by the federal government as well. It will not affect military training programs (just as Titles IX and VI do not apply to military training), but it will cover the military's civilian programs, including the schools it operates.

We are not aware of any particular incidents of discrimination in federal agencies. This order will simply hold the federal government to the same standards of non-discrimination in educational opportunities that we now apply to education programs receiving federal assistance.

**A draft memorandum is attached for your review.**

Department of Education Report on Title IX: 25 Years of Progress

Today, Department of Education Secretary Riley will present you with a report entitled *Title IX: 25 Years of Progress*, which provides an overview of the educational gains made by women and girls since Title IX's passage. The report shows that:

- The percentage of women receiving medical degrees increased from 9 to 38 percent. The percentage of women receiving law degrees rose from 7 to 43 percent in 1972.
- More than 100,000 women participate in intercollegiate athletics, which is a four-fold increase since 1971.
- Girls are slightly more likely than boys to complete high school. In 1995, 87 percent of young adult females had completed high school compared to 86 percent of young adult males. Almost equal proportions of males and females are taking vocational-technical courses, and girls are most likely to be enrolled in business programs.

The report also notes that there is still more to be done to ensure true equality for women and girls. For example, even though women make up over half of the labor market, they are often paid less than men. In 1993, women who had majored in the natural sciences earned 15 percent less than men who majored in the same field.

A pre-publication copy of the report is included in your briefing book.

### III. PARTICIPANTS

#### Briefing

Secretary Riley

Judith Winston, General Counsel, Department of Education

Norma Cantu, Assistant Secretary, Office of Civil Rights, Department of Education

Maria Echaveste

Elena Kagan

Jennifer Klein

#### Event

The First Lady

Secretary Riley

**Verelett Allen** (Washington, DC) graduated from the Wider Opportunities for Women (WOW) electronics program in 1981 and is the Coordinator for the YWCA/HCCCE Non-Traditional Employment for Women Program and founder and Executive Director of Women's Work, Inc., Silver Springs, MD.

**Dr. Nelba Chavez** (Silver Springs, MD) is one of the key leaders of HHS' Girl Power campaign and the first Administrator of the Substance Abuse and Mental Health Services Administration (SAMHSA). She is also the first Hispanic to head an agency within the U.S. Department of Health and Human Services.

**Captain Robin Forster** (Baltimore, MD) is a firefighter at Station 10 in Parkville, MD, and a member of International Association of Firefighters.

**Anne Jarvis Jefferson** (Winona, MN) has distinguished herself as one of the most accomplished young scientists in our country. Ms. Jefferson is a U.S. Presidential Scholar and has also won the Pinnacle Award at the Intel International Science and Engineering Fair. Anne will be introducing you.

**Jackie Joyner-Kersey** (East St. Louis, IL) is one of the most accomplished female track and field athletes of all time. Competing in four Olympic Games, she won six medals (3 gold) and set numerous World and American records in the heptathlon and long jump.

**Dr. Sally K. Ride** (La Jolla, CA) became the first American woman to fly in space when the space shuttle Challenger took off from Cape Canaveral, Florida, on June 18, 1983. Ride served as mission specialist on two Challenger flights.

#### Audience

150 attendees including:

Members of Congress (Representatives Eleanor Holmes Norton (D-DC)(Co-Chair, Women's Caucus); Maxine Waters (D-CA); Deborah Ann Stabenow (D-MI); Patsy Mink (D-HI); Karen McCarthy (D-MO); Rosa DeLauro (D-CT); Ellen Tauscher (D-CA); Nita Lowey (D-NY); Cynthia McKinney (D-GA); Carolyn

Kilpatrick (D-MI); Carolyn McCarthy (D-NY).  
57 Representatives from the Coalition of Women and Girls in Education;  
Marcia Greenberger and others from the National Women's Law Center;  
12 Board Members of your Council on Physical Fitness and Sports (Jeffrey Blatnick, Randal Claytor, Wayne Henry, Joani Komlos, Deborah Larkin, Dorothy McKnight, Thomas McMillen, John O'Leary, Sandy Perlmutter, Maria Stefan, Barbara Van Blake, Carmen Delgado Votaw);  
4 eighth grade girls from the Thomas Edison Center for Technology's Biotechnology Summer Focus Program: *Fun With DNA*, and their program sponsor;  
Other leaders and supporters of Title IX.

#### IV. PRESS PLAN

Open.

#### V. SEQUENCE OF EVENTS

- The President and First Lady greet program participants.
- Program participants are announced onto stage.
- The President, First Lady and Secretary Riley are announced onto stage.
- The First Lady makes remarks and introduces Sec. Riley.
- Sec. Riley makes remarks, presents the Title IX report to the President, and introduces Jackie Joyner-Kersey.
- Jackie Joyner-Kersey makes remarks and introduces Anne Jarvis Jefferson.
- Anne Jarvis Jefferson makes remarks and introduces the President.
- The President speaks and signs executive memorandum surrounded by program participants.

#### VI. REMARKS

To be provided by speechwriters.