

 Kelley L. O'Dell

07/19/99 09:21:10 AM

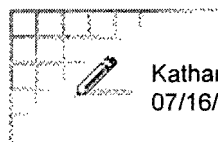
Record Type: Record

To: Ruby Shamir/OPD/EOP@EOP

cc:

Subject: Title IX (Kris -- this is all we have on Title IX, per your req

----- Forwarded by Kelley L. O'Dell/WHO/EOP on 07/19/99 09:21 AM -----



Katharine Button

07/16/99 11:40:00 AM

Record Type: Record

To: Kelley L. O'Dell/WHO/EOP@EOP

cc:

Subject: Title IX (Kris -- this is all we have on Title IX, per your req

----- Forwarded by Katharine Button/WHO/EOP on 07/16/99 11:40 AM -----



Kris M Balderston

07/16/99 11:22:44 AM

Record Type: Record

To: Sean P. O'Shea/WHO/EOP@EOP, Anne E. McGuire/WHO/EOP@EOP

cc: Katharine Button/WHO/EOP@EOP

Subject: Title IX (Kris -- this is all we have on Title IX, per your req

FYI for a brfg memo on Title IX and its impact on women's sports

----- Forwarded by Kris M Balderston/WHO/EOP on 07/16/99 11:15 AM -----



Leslie_Thornton@ed.gov

07/16/99 10:36:00 AM

Record Type: Record

To: Kris M Balderston@EOP

cc:

Subject: Title IX (Kris -- this is all we have on Title IX, per your req

7/15/99

Title IX Athletics

Participation in athletics has been shown to have positive impact on girls' lives. The Women's Sports Foundation reports that female student-athletes are less likely to get involved with drugs or get pregnant and are more likely to graduate from high school than those who do not play sports and graduate college at a significantly higher rate (69%) than other female students (58%). Girls who play sports also experience higher than average levels of self-esteem and less depression than girls who are sedentary. It is also indisputable that athletic opportunities provide access to higher education and provide important educational experiences, such as leadership and team building skills.

Since the enactment of Title IX, the number of females participating in high school sports increased from 294,000 to over 2.4 million in 1996-97. By 1998, more than 39% of all high school athletes were female. On the intercollegiate level, more than 165,000 women participated in athletics nationwide in 1996-97, a five-fold increase since 1971 when 31,852 women participated in intercollegiate athletics. These increases are certainly due, in part, to the impact of Title IX.

Title IX:

25 Years of Progress

Introduction

On the 25th anniversary of Title IX it seems fitting to suggest that America is a more equal, more educated and more prosperous nation because of the far-reaching effects of this legislation. Much has been accomplished in the classroom and on the playing field and we have many reasons to celebrate the success of Title IX in expanding our nation's definition of equality. With Title IX, we affirm what can be accomplished when we allow all Americans—men and women—an equal opportunity to be their best.

What strikes me the most about the progress that has been achieved since Title IX was passed in 1972 is that there has been a sea change in our expectations of what women can achieve. More important, women have shown skeptics again and again that females are fully capable of being involved as successful and active participants in every realm of American life. Women astronauts from Sally Ride to Shannon Lucid have made their mark in space even as Mia Hamm and Michelle Akers have led the women's national soccer team to Olympic glory and the World Championship. Women have entered the medical and legal professions in record numbers and we have seen a fourfold increase in women's participation in intercollegiate athletics.

The great untold story of success that resulted from the passage of Title IX is surely the progress that has been achieved in education. In 1971, only 18 percent of all women, compared to 26 percent of all men, had completed four or more years of college. This education gap no longer exists. Women now make up the majority of students in America's colleges and universities in addition to making up the majority of recipients of master's degrees. Indeed, the United States has become a world leader in giving women the opportunity to receive a higher education.

Accompanying this untold story of success is the too frequently told story of the barriers that women continue to encounter—despite their history of accomplishments and despite the history of the legislation that protects them from such barriers. Too many women still confront the problem of sexual harassment, women still lag behind men in gaining a decent wage, and only one-third of all intercollegiate athletic scholarships are granted to women. Clearly, much more remains to be done to ensure that every American is given an equal opportunity to achieve success without encountering the obstacle of gender bias.

But of this I am sure: somewhere in America today there are young women who are studying hard and achieving success on the athletic field who even now may be thinking hard about their careers as scientists, business owners, basketball players, or even the possibility of becoming president of the United States. They may not know of the existence of Title IX, but Title IX will be there for them should any of them encounter a skeptic who does not believe that they can succeed and be part of the American Dream.

Richard W. Riley
U.S. Secretary of Education

Indicators of Progress Toward Equal Educational Opportunity Since Title IX

College Enrollment and Completion:

- ★ In 1994, 63 percent of female high school graduates aged 16-24 were enrolled in college, up 20 percentage points from 43 percent in 1973.
- ★ In 1994, 27 percent of both men and women had earned a bachelor's degree. In 1971, 18 percent of young women and 26 percent of young men had completed four or more years of college.

Graduate and Professional Degrees:

- ★ In 1994, women received 38 percent of medical degrees. When Title IX was enacted in 1972, 9 percent of medical degrees went to women.
- ★ In 1994 women earned 38 percent of dental degrees, whereas in 1972 they earned only 1 percent of them.
- ★ In 1994 women accounted for 43 percent of law degrees, up from 7 percent in 1972.
- ★ In 1993-94, 44 percent of all doctoral degrees awarded to U.S. citizens went to women, up from only 25 percent in 1977.

Participation in Athletics:

- ★ Today, more than 100,000 women participate in intercollegiate athletics—a fourfold increase since 1971.
- ★ In 1995, women comprised 37 percent of college student athletes, compared to 15 percent in 1972.
- ★ In 1996, 2.4 million high school girls represented 39 percent of all high school athletes, compared to only 300,000 or 7.5 percent in 1971. This represents an eightfold increase.
- ★ Women won a record 19 Olympic medals in the 1996 Summer Olympic Games.

International Comparisons:

- ★ In the United States, 87 percent of women 25-34 years old had completed high school in 1992, far more than their counterparts in West Germany, the United Kingdom, France, Italy, and Canada.
- ★ In the United States in 1992, 23 percent of women 25-34 years old had completed higher education degrees, which is significantly higher than for women in France and Japan (12 percent each), the United Kingdom and West Germany (11 percent each), or Italy (7 percent).

Legislation:

In addition to Title IX, three pieces of supporting and related legislation have been enacted:

- ★ The Women's Educational Equity Act of 1974 provides for federal financial and technical support to local efforts to remove barriers for females in all areas of education through, for example, the development of model programs, training, and research.
- ★ Title IV of the Civil Rights Act of 1964 provides for support to schools to comply with the mandate for nondiscrimination by providing funds for regional Desegregation Assistance Centers and grants to state education departments for providing more equitable education to students.
- ★ The 1976 amendments to the Vocational Education Act of 1963 require states to act affirmatively to eliminate sex bias, stereotyping, and discrimination in vocational education.

Title IX:

A Sea Change in Gender Equity in Education

Athletic competition builds character in our boys. We do not need that kind of character in our girls.—Connecticut judge, 1971

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational programs or activity receiving federal financial assistance.—From the preamble to Title IX of the Education Amendments of 1972

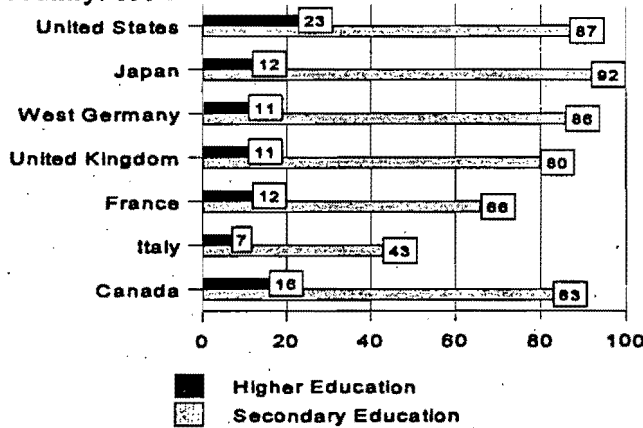
Civil rights laws have historically been a powerful mechanism for effecting social change in the United States. They represent a national commitment to end discrimination and establish a mandate to bring the formerly excluded into the mainstream. These laws ensure that the federal government delivers on the Constitution's promise of parity so that every individual has the right to develop his or her talents.

Title IX of the Education Amendments of 1972 bolsters this national agenda and prohibits sex discrimination in federally assisted education programs. Modeled on Title VI of the Civil Rights Act of 1964 prohibiting race, color, and national origin discrimination, it was followed by three other pieces of civil rights legislation: Section 504 of the Rehabilitation Act of 1973 prohibiting disability discrimination; the Age Discrimination Act of 1975; and Title II of the Americans with Disabilities Act of 1990 prohibiting disability discrimination by public entities.

Twenty-five years after the passage of Title IX, we recognize and celebrate the profound changes this legislation has helped bring about in American education and the resulting improvements in the educational and related job opportunities for millions of young Americans. While no definitive study has been done on the full impact of Title IX, this "snapshot" report suggests that Title IX has made a positive difference in the lives of many Americans.

Substantial progress has been made, for example, in overcoming the education gap that existed between men and women in completing four years of college. In 1971, 18 percent of women high school graduates were completing at least four years of college compared to 26 percent of their male peers. Today, that education gap no longer exists. *Women now make up the majority of students in America's colleges and universities in addition to making up the majority of those receiving master's degrees. Women are also entering business and law schools in record numbers. Indeed, the United States stands alone and is a world leader in opening the doors of higher education to women.*

Figure 1.—Percentage of 25- to 34-Year-Old Females Completing Secondary and Higher Education, by Country: 1992



SOURCE: Organization for Educational and Cultural Development (OECD), *Indicators of Education Systems, OECD Education Statistics, 1985-1992*.

As this report makes clear, many barriers have been brought down that once prevented girls and women from choosing the educational opportunities and adult careers they would have liked to pursue. The history of this progress begins 25 years ago with the passage of Title IX.

The Legislative Road to Title IX

As the women's civil rights movement gained momentum in the late 1960s and early 1970s, Americans began to focus attention on inequities that inhibited the progress of women and girls in education. The issue of sex bias in education moved into the public policy realm when Representative Edith Green (Ohio) introduced a higher education bill with provisions regarding sex equity. The hearings that Green held were the first ever devoted to this topic and are considered the first legislative step toward the enactment of Title IX.

Women Not Admitted

Virginia state law prohibited women from being admitted to the College of Arts and Sciences of the University of Virginia, the most highly rated public institution of higher education in the state. It was only under court order in 1970 that the first woman was admitted.—Kirstein v. Rector and Visitors of University of Virginia, 309 F.Supp. 184 (E.D. Va. 1970).

Congressional activity on the issue increased, and in 1971 several education bills that included sex discrimination proposals were introduced in the House. In the Senate, amendments by Senators Birch Bayh (Indiana) and George McGovern (South Dakota) to an omnibus education proposal outlawed sex discrimination in higher education programs. In total, five proposals—all different—in the House, Senate, and White House proposed to end sex discrimination in education. Although there was growing agreement that sex discrimination in education should

end, there was little agreement as to the best methods for reaching that goal. It took a House-Senate Conference Committee several months to settle on the more than 250 differences between the House and Senate education bills, 11 of which spoke to sex discrimination. The final legislation—the provision against sex discrimination—became Title IX.

Married Women Not Wanted

Luci Baines Johnson, the daughter of President Lyndon Johnson, was refused readmission to Georgetown University's school of nursing after her marriage: in 1966, the school did not permit married women to be students.

Title IX was adopted by the Conference Committee and sent to the full Senate, which approved it on May 22, 1972. It then went to the House, and was passed on June 8. President Nixon signed Title IX on June 23, and on July 1 it went into effect. While developing the implementing regulation for Title IX, the then-U.S. Department of Health, Education and Welfare (HEW) received more than 9,700 comments. The final regulations were published on July 20, 1974. President Gerald Ford signed the Title IX regulations on May 27, 1975 and they were then submitted to Congress for review.

Everyone Benefits from Title IX

Title IX prohibits institutions that receive federal funding from practicing gender discrimination in educational programs or activities. Because almost all schools receive federal funds, Title IX applies to nearly everyone. The Office for Civil Rights in the U.S. Department of Education is charged with enforcing the civil rights and regulations in education, extending protection to

- about 51.7 million elementary and secondary school students;
- about 14.4 million college and university students;
- almost 15,000 school districts;
- more than 3,600 colleges and universities;
- more than 5,000 proprietary schools; and
- thousands of libraries, museums, vocational rehabilitation agencies, and correctional facilities.

Achieving Success Under Title IX

Title IX, as a landmark civil rights law, profoundly affects all aspects of schooling by requiring equal opportunity for females and males. By extension, it also affects equity in the labor market. The following highlights suggest many of the significant developments in gender equity that can be linked to Title IX.

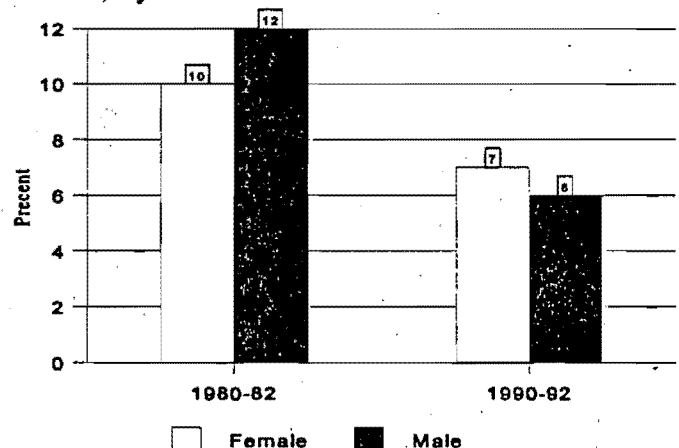
Changing Expectations

Since its passage in 1972 Title IX has had a profound impact on helping to change attitudes, assumptions and behavior and consequently our understanding about how sexual stereotypes can limit educational opportunities. We now know, for example, that gender is a poor predictor of one's interests, proficiency in academic subjects, or athletic ability. As the First Circuit Court of Appeals noted in a recent Title IX case, "interest and ability rarely develop in a vacuum; they evolve as a function of opportunity and experience." Decision making in schools and in the labor market that relies on gender to assess what students and employees know and are able to do is both archaic and ineffective.

Lowering the drop-out rate

Title IX has played a part in lowering the dropout rate among high school females who become pregnant or have a child. The law prohibits schools from suspending, expelling, or discriminating against them in educational programs and activities due to their status as mothers. In addition, because becoming pregnant and having a child while in high school correlate strongly with dropping out of school, many school districts have opened alternative schools for this population to help them persist in school and graduate. The results are very positive: although the childbearing rates rose between 1980 and 1990 from fewer than 1 percent to 2.5 percent, dropout rates declined 30 percent during the same period, precisely at a time when graduation requirements were raised.

Figure 2.—Dropout Rates for Grades Ten to Twelve, by Sex: 1980-82 and 1990-92



SOURCE: National Center for Education Statistics, *A Comparison of High School Dropout Rates in 1982 and 1992*, Table 9.

Teenage Mother Allowed to Graduate

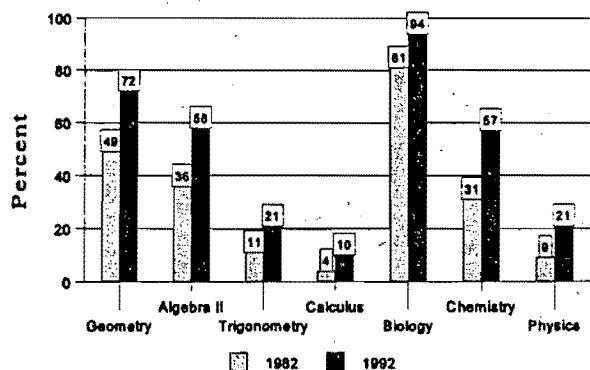
A parent in the Chicago area contacted the U.S. Department of Education's Office for Civil Rights (OCR) when her teenage daughter—who had given birth earlier in the year—was denied the opportunity to take a final examination because the teacher disapproved of the girl's pregnancy and her excused absences from school due to childbirth. Without a grade on the final exam, the student would not be allowed to graduate. OCR contacted the school district and received assurance that the student could take her exam. She did, and received her diploma.

Increasing the opportunities in math and science

The United States is among only 11 of 41 countries in the recently released Third International Math and Science Study with no gender gap in grade 8 mathematics and science. A gender gap still exists, however, in science achievement at the 12th-grade level for females. According to the National Center for Education Statistics, male students were more likely than females to increase their science proficiency level between 8th and 12th grades, 56 and 51 percent respectively.

Overall, both male and female students were more likely to take more sophisticated mathematics courses by 1992 than they were in 1982, with females less likely than males to take remedial mathematics, more likely to take Algebra II, and just as likely to take trigonometry and calculus. The same is true for advanced science courses, with females more likely than males to study biology and just as likely to take chemistry, and boys more likely to study physics. In 1994, 68 percent of females took algebra, 70 percent took geometry, and 9 percent took calculus—similar to the percentage of males taking those courses. In the same year, 95 percent of females took biology and 59 percent took chemistry—higher than the rates of 92 and 53 percent, respectively, for their male classmates.

Figure 3.—Percentage of High School Female Graduates Taking Selected Mathematics and Science Courses: 1982 and 1992



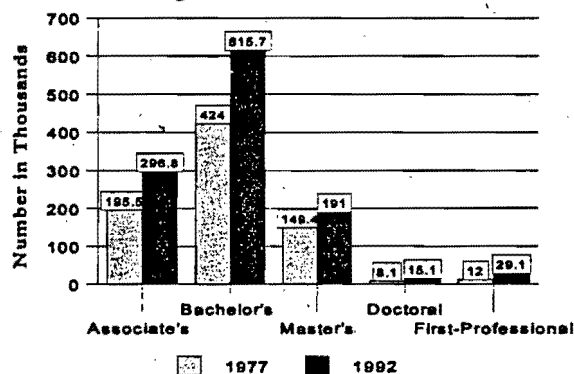
SOURCE: National Center for Education Statistics, *The 1990 High School Transcript Study Tabulations 1993*, based on *The High School and Beyond Transcript Study* and the *National Education Longitudinal Study (NELS: 88) Transcripts*, 1992.

In college, many more women are majoring in math, as evidenced by the proportion of undergraduate degrees in math awarded to women: 47 percent in 1992, compared to 27 percent in 1962. This may be the result of the advances made in their preparation in high school in math and science during the decade 1982-1992, as shown in figure 3.

Increasing the completion of postsecondary, graduate and professional degrees

Women are now graduating from college in record numbers and for the first time in America's history their numbers are proportionate to those of men: by 1994, women were earning bachelor's degrees at the same rate as men, with both at 27 percent. In 1971, however, only 18 percent of young women had completed four or more years of college compared to 26 percent of young men. By 2006, women are projected to earn 55 percent of all bachelor's degrees.

Figure 4.—Number of Degrees Conferred on Females by Institutions of Higher Education: 1977 and 1992



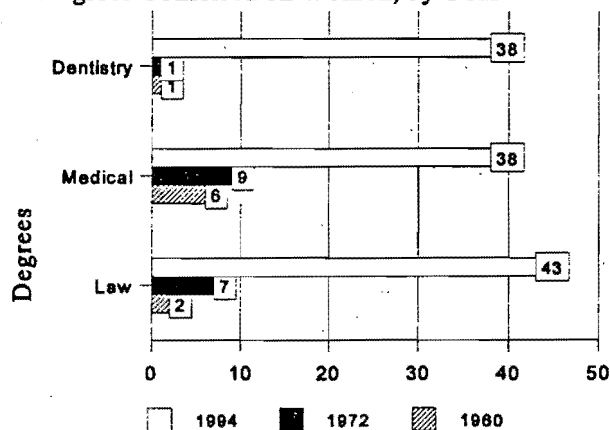
SOURCE: National Center for Education Statistics, *Digest of Education Statistics 1994*, Table 234.

In 1992, women also earned the majority of associate's (296,800) and master's degrees (191,000), reversing the 1977 pattern of men earning the majority of them (207,500 and 161,800, respectively).

Between 1977 and 1994, the number of U.S. women earning doctoral degrees almost doubled, from just over 7,500 to almost 14,000. This represents a jump from 25 percent in 1977 to 44 percent in 1994 of total doctoral degrees conferred.

During the same time period, the percentage of first-professional degrees earned by women also rose dramatically: from 7 percent to 43 percent of all law degrees; from 9 percent to 38 percent of all medical degrees; and from 1 percent to 38 percent of all dental degrees. In veterinary science and pharmacy women earned the majority of degrees in 1994.

Figure 5.—Percentage of First-Professional Degrees Conferred on Women, by Year



SOURCE: National Center for Education Statistics, *Digest of Education Statistics 1996*, Table 254.

In certain nontraditional areas such as business, women's degrees increased dramatically from 8 percent in 1962 to 47 percent in 1992. This development in particular is expected to have a profound impact on women's earnings potential: women who choose careers in nontraditional fields can expect to have lifetime earnings that are as much as 150 percent of those of women who choose careers in traditional fields.

"My personal experience has shown me that while the situation for women in science in the United States is by no means perfect, it is the best one in this world of ours."—Dominique Homberger, Swiss-born professor of zoology, Louisiana State University

Women are also increasing the number of science classes they take in college. In the biological sciences, for example, women earned only 28 percent of college degrees in 1962 but increased their proportion to 52 percent by 1992. The gap between men's and women's master's degrees in the life sciences, physical sciences, engineering and computer sciences has also narrowed over time. In 1950, only 175 women received bachelor's degrees in engineering—compared to more than 52,000 men. By 1966, women were earning a greater number of engineering degrees, but the proportion of the total was still less than one-half of 1 percent. By 1991, it had risen to more than 15 percent.

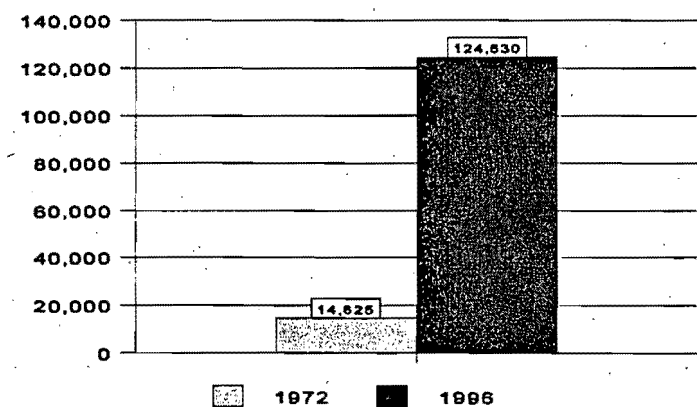
As the number of women who study the sciences increases, so does the proportion of women who receive graduate degrees in those fields. In 1993, women earned 20 percent of doctorates in science and engineering, up from less than 9 percent in 1973. At all levels—bachelor's, master's and doctoral—women's rates of receiving degrees have risen significantly in the fields of mathematical, physical, and biological sciences and engineering.

Opening up the professions and opportunities for employment

The many gains that have been made in giving women new opportunities to advance their education have had and continue to have a direct impact in opening up the professions and giving women the opportunity to seek employment in nontraditional fields. In 1993-94 women made up 58 percent of postsecondary vocational education students.

Women have also made significant inroads in speciality fields. For example, the proportion of women gynecologists/obstetricians rose from 8 percent in 1970 to 39 percent in 1995, an increase similar to increases in their numbers in the field of medicine overall. Just as medical schools had discouraged young women from admission, so had some nursing schools discouraged young men. In 1972, the rate of men graduating with nursing degrees was only 1 percent. In 1996, the rate rose to 5 percent.

Figure 6.—Number of Men in Nursing: 1972 and 1996



SOURCE: American Nurses Association 1972 Inventory of Registered Nurses, "Nations Nurses," National Sample Survey of Registered Nurses, March 1996, Unpublished.

Increasing participation in athletics

Title IX has helped girls and women participate in interscholastic and intercollegiate athletics in far greater numbers than they had in the past. When Title IX became law, dramatic change was needed to level the playing fields of this nation's schools and to change the perception of the place of girls and women on them. Just one year before the enactment of Title IX, in 1971, a Connecticut judge was allowed by law to disallow girls from competing on a boys' high school cross country team even though there was no girls' team at the school. And that same year, fewer than 300,000 high school girls played interscholastic sports. Today, that number is 2.4 million.

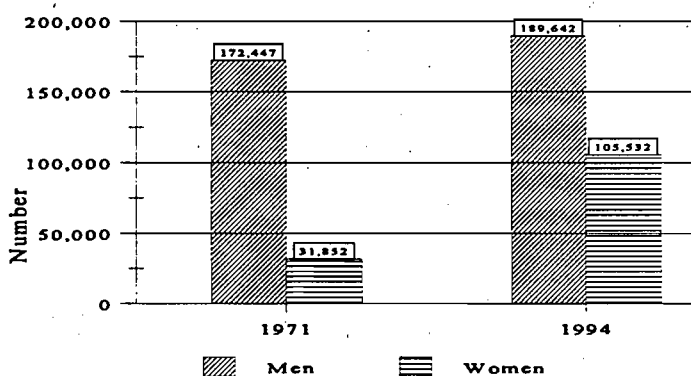
The rise of women's basketball is illustrative of the dramatic changes that have taken place since the enactment of Title IX. In 1972, 132,299 young girls played high school basketball. In 1994-95 the number had increased to 412,576, an increase of over 300 percent. In the last two years, women's basketball has come of age with the gold-medal victory of the American women's basketball team at the 1996 Olympics, the increased media attention to the NCAA women's basketball tournament, and the development of two professional women's basketball leagues.

"Without Title IX, I'd be nowhere."—Cheryl Miller, Olympic athlete
Outstanding member of 1984 gold medal women's basketball team

In addition, girls and women are increasingly participants in sports that have traditionally been seen as out-of-bounds for women, including lacrosse, wrestling, soccer, rugby and ice hockey. In one sport that is increasingly a favorite for young girls—soccer—the results have led to a world championship. In 1996, the U.S. national soccer team captured the first-ever women's Olympic medal in this sport before a crowd of 76,481, and in doing so established its position as the world's premier woman's soccer program.

In many ways, the very image of American women in the sports arena is being redefined by the many accomplishments of women in athletics. Women are now seen as sports stars in their own right, from Mia Hamm in soccer to Sheryl Swoopes in basketball. The inspiring story of Dr. Dot Richardson, the captain of the American Olympic softball team, who immediately left her triumph in Atlanta to begin her

Figure 7.—Intercollegiate Athletics Participation in NCAA Member Institutions, by Sex: 1971 and 1994



SOURCE: U.S. General Accounting Office, *Intercollegiate Athletics: Status of Efforts to Promote Gender Equity*, October 25, 1996; *Federal Register*, December 11, 1979.

medical residency, exemplifies just what has been accomplished on the field and off as a result of Title IX.

Dot Richardson - Olympian

Dot Richardson was 10 years old, playing catch in an Orlando, Florida, park when a man noticed her exceptional arm and asked if she wanted to play on his Little League team. Richardson was thrilled. "We'll just cut your hair short," said the coach, "and call you Bob." Richardson never believed that ball playing was reserved for boys. She went on to become a four-time All-American in college and was named NCAA player of the decade for the 1980s. She graduated as a physician from the University of Louisville Medical School, often ending 20-hour hospital shifts with workouts and practice so that she could compete in 1996 in the first women's softball appearance in the modern Olympic Games. She hit the first home run in Olympic softball history, helping the U.S. team win the gold medal. Richardson is now a resident in orthopedic surgery at the University of Southern California.

Increasing athletic scholarships

Before the passage of Title IX, athletic scholarships for college women were rare, no matter how great their talent. After winning two gold medals in the 1964 Olympics, swimmer Donna de Varona could not obtain a college swimming scholarship: for women, they did not exist. It took time and effort to improve the opportunities for young women: two years after Title IX was voted into law, an estimated 50,000 men were attending U.S. colleges and universities on athletic scholarships—and fewer than 50 women. In 1973, the University of Miami (Florida) awarded the first athletic scholarships to women—a total of 15 in golf, swimming, diving, and tennis. Today, college women receive about one-third of all athletic scholarship dollars.

Athletic Facilities at Fresno State University, California

Fresno State University had spent more than \$15 million on state-of-the-art facilities for men while it had spent about \$300,000 on the women's athletic facilities, which were considered substandard. Despite this, Fresno State captured 9 of the last 12 softball conference championships, and 5 current or former members of the Fresno State softball team were on the U.S. Olympic softball team. To meet the requirements of Title IX, Fresno State completed an ambitious plan costing more than \$8 million to provide equity in athletic facilities for women. A new building for women athletes houses four new team rooms. In addition, the women's Fresno State Bulldog Softball team has a new stadium, seating more than 2,500 fans. When the team last played their traditional rival, bleachers were added for the more than 5,000 people who filled the stadium. Coach Margie Wright, who was also a coach on the gold medal Olympic softball team, tells her Fresno State athletes that they got the stadium because of their hard work.

Achieving equal opportunity for women in intercollegiate sports has not been an easy task. Some colleges have faced budgetary restraints and others simply have been reluctant to change the status-quo. Given the fact, however, that no federal Courts of Appeals have ruled against Title IX's athletic provisions, it is clear that the immediate challenge for our nation's higher education community is to find positive ways to comply with the law.

Here it is important to recognize that there is no mandate under Title IX that requires a college to eliminate men's teams to achieve compliance. The thought that "if women are to gain opportunities, then men must lose opportunities," presents a false dichotomy. As with other educational aspects of Title IX, and according to the expressed will of Congress, the regulation is intended to expand opportunities for both men and women.

Title IX: Student Participation in Athletics

In the assessment of the "interests and abilities" portion of the Title IX regulations, a three part test governs. As the name suggests, this test consists of three separate and distinct parts. All that is required under Title IX is that an institution be in compliance with one part of that test. No one part of the test is the predominant or "true" measure of compliance. The three parts of the test are:

Part One: Substantial Proportionality. This part of the test is satisfied when participation opportunities for men and women are "substantially proportionate" to their respective undergraduate enrollments.

Part Two: History and Continuing Practice. This part of the test is satisfied when an institution has a history and continuing practice of program expansion that is responsive to the developing interests and abilities of the underrepresented sex (typically female).

Part Three: Effectively Accommodating Interests and Abilities. This part of the test is satisfied when an institution is meeting the interests and abilities of its female students even where there are disproportionately fewer females than males participating in sports.

Opening up avenues of achievement through athletics

The critical values learned from sports participation—including teamwork, standards, leadership, discipline, self-sacrifice and pride in accomplishment—are being brought to the workplace as women enter employment in greater numbers, and at higher levels than ever before. For example, 80 percent of female managers of Fortune 500 companies have a sports background. Also, high school girls who participate in team sports are less likely to drop out of school, smoke, drink or become pregnant. It is no surprise, then, that 87 percent of parents now accept the idea that sports are equally important for boys and girls.

"I Should Watch...They Should Compete"

"As a child, I loved athletics and physical activities. I was talented, but my talent was not appreciated or approved of by most. I watched my brothers compete on school teams. It didn't matter that in the neighborhood pick-up games, I was selected before my brothers. Society dictated that I should watch, and that they should compete. So at home in the backyard, I would catch as my brother worked on his curve ball, I would shag flies as he developed his batting prowess and, as I recall, I frequently served as his tackling dummy. The brother I caught and shagged for, and for whom I served as a tackling dummy, went on to Georgetown University on a full athletic grant. He later became vice president of a large banking firm. So, while I rode in the backseat on the bus of opportunity during my lifetime, I want my daughter's daughter and her peers to be able to select a seat based on their abilities and their willingness to work. Don't deny them the things that I dreamed of."—Excerpts of a letter sent to OCR in spring 1995 by Joan Martin, Senior Associate Director of Athletics, Monmouth University, New Jersey

The Next 25 Years

This report, celebrating the 25th anniversary of the enactment of Title IX, has focused on the many gains girls and women have made since 1972 in education and employment. These gains represent a great deal of work by many Americans, men and women, but we still have more to do. As this report was being prepared an obituary noted that Rose Will Monroe, the model for the famous World War II poster of "Rosie the Riveter," had passed away. The death of Rose Will Monroe reminds us that long before Title IX became law, women were willing to enter the job market in fields from which they are still sometimes excluded.



Even today as we acknowledge the many advances women have made in academics, employment and athletics, we still need to recognize some dismaying facts in our efforts to achieve equity. While sex discrimination is no longer routinely accepted in education and has been prohibited since Title IX became law, the incidences of sexual harassment and assault that are continually reported show that freedom from threats to learning still has not been achieved. In response, the Office for Civil Rights of the Department of Education has released its final policy guidance on sexual harassment to help educators recognize sexual harassment and formulate age-appropriate responses to prevent or resolve sexual harassment.

Sexual Assaults and Threats in High School

In one school district, a disabled sophomore high school student was sexually harassed by her male music teacher. She filed a complaint under Title IX revealing that her school district ignored her complaints about the teacher's behavior. As a result, the school district agreed to place the student in another district and to pay all related costs including \$2,000 for counseling fees.

In another school district, several female high school students turned to the Office for Civil Rights for help in stopping sexually harassing threats and comments that occurred for a three-year period. As is typical in these types of cases, one female student had developed ulcers and other problems due to continual stress. As a result of Title IX the school district developed disciplinary guidelines to address sexual harassment of students.

Other conditions that inhibit equal opportunity in education and the workplace remain:

- ▶ Although women earn half of all college degrees, they are less likely than men to earn bachelor's degrees in computer science, engineering, physical sciences, or mathematics. At still higher levels of education, they account for only 17 percent of doctoral degrees in math and physical science, 14 percent of doctoral degrees in computer science and 7 percent of doctoral degrees in engineering. This gap takes on more significance still in the labor market where salaries are among the highest in mathematics/computer science and engineering—fields in which women are underrepresented. Without more equity in these fields at all levels, women will remain at the low end of positions and the pay scale in the information age.
- ▶ At the high school level, there are still about 24,000 more boys' varsity teams than girls' teams, women receive only one-third of all athletic scholarships in college, and, between 1992 and 1997, overall operating expenditures for women's college sports programs grew only 89 percent compared to 139 percent for men, representing only 23 percent of the total operating expenses.
- ▶ Even though women make up half of the labor market, not only are they underrepresented in jobs in scientific fields, but they are often paid less than men. In 1993, only 18 percent of employed recent female science and engineering graduates worked in science and engineering occupations, compared to 35 percent of their male counterparts. In the same year, women who had majored in the natural sciences earned 15 percent less than men who majored in the same field.
- ▶ Despite women's large gains toward equal educational attainment and their accompanying gains in labor force participation, their earnings are only 80 percent of the earnings of their male counterparts with the same education—\$26,000 vs \$32,000, respectively, for graduates of 4-year colleges in 1993.

President Clinton frequently reminds us that "We do not have a person to waste" if we are to ensure the well-being of our people and the competitiveness of the nation. Twenty-five years ago, America began the long process of eradicating discrimination based on gender and has since moved forward. There have been peaks and valleys in this process, and we cannot ignore the reality that inequality and discrimination still remain here in 1997.

Yet, the American people have never turned away from the goal of making sure that all Americans, regardless of gender, are given an equal opportunity to get a good education, to compete in the athletic arena, and to work in a job or a profession for which they are well qualified. Title IX, today and in the future, represents and reflects this American commitment to equality.

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.

**PRESIDENT CLINTON COMMEMORATES 25TH ANNIVERSARY OF TITLE IX
BY ANNOUNCING NEW STEPS TO ADDRESS SEX DISCRIMINATION
June 17, 1997**

"...Until all women have an equal opportunity to develop their full potential and to make contributions that are accepted and welcomed by our society, our freedom as a nation will be incomplete."

-President Bill Clinton, Women's Equality Day, 1995, Proclamation

Today, President Clinton will host an event at the White House to commemorate the 25th anniversary of Title IX of the Education Amendments of 1972 and recognize the significant progress our nation has made in increasing educational and related job opportunities for millions of American women and girls.

Title IX of the Education Amendments of 1972, one of the nation's landmark civil rights laws, has made great strides toward eliminating sex discrimination in all aspects of American education -- in the classroom, in course offerings, in the school workplace, and on the athletic fields. Title IX generally prohibits sex discrimination in education programs and activities that receive federal assistance.

President Clinton Directs Agencies to Develop Tough New Enforcement Plans and Extend the Principles of Title IX to Federal Education Programs

Today, the President will sign and issue an executive memorandum designed to strengthen Title IX enforcement and extend Title IX's principle of nondiscrimination to areas not currently covered by the law. The executive memorandum:

- **Directs each federal agency to develop a plan to enforce Title IX and requires all federal agencies to report to the President on measures to ensure effective enforcement.** Each agency's new plan must include a description of the 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.
- **Addresses discrimination on the basis of sex, race, color and national origin in all 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 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*. Today's directive will take action against discrimination in education programs or activities conducted by the federal government. This measure will hold the federal government to the same standards of non-discrimination in educational opportunities that now apply to non-federal education programs receiving federal assistance.

President Clinton Receives Report Documenting Tremendous Progress Under Title IX

Today, the Secretary of Education Dick Riley will present to the President *Title IX: 25 Years of Progress*. Produced by the Department of Education, this report documents the profound changes since the enactment of Title IX in American education and the resulting improvements in the educational and related job opportunities for millions of young Americans, particularly women and girls. The report also points to what remains to be done to reach equality in education.

Building on a Strong Commitment to Expand Opportunities for Women and Girls

Since President Clinton took office, he has worked hard to expand opportunities for women and girls. The Clinton Administration has: stepped up enforcement of civil rights statutes in areas such as access to advanced math and science programs; issued policy guidance on racial and sexual harassment and on ensuring equal opportunities in intercollegiate athletics; aggressively litigated cases presenting significant issues of discrimination, including cases challenging the exclusion of women from VMI and the Citadel; and sponsored an education campaign to help young girls build skills, confidence and good health.

A CELEBRATION OF THE 25TH ANNIVERSARY OF TITLE IX

Today, the U.S. Department of Education is releasing "Title IX: 25 Years of Progress," a report which summarizes the status and accomplishments of women and girls due to Title IX initiatives and programs. The following are highlights from the report.

Monday, June 23, 1997 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 eliminate sex discrimination in all aspects of American education – in the classroom, in course offerings, in the school workplace, and on the athletic fields.

Title IX has brought down many barriers that once prevented girls and women from choosing the educational opportunities and adult careers they would have liked to pursue. Indeed, the barriers were so ingrained, they affected all women, regardless of who they were. For instance, in 1966, Luci Baines Johnson, the daughter of President Lyndon Johnson, was refused readmission to Georgetown University's school of nursing after her marriage because the school did not permit married women to be students.

Twenty-five years after its passage, Title IX has helped bring about profound changes in American education, resulting in improvements in educational and related job opportunities for millions of young Americans.

PROGRESS IN ACADEMICS

- In 1994, 27 percent of both men and women had earned a bachelor's degree. In 1971, about 18 percent of young women and 27 percent of young men had completed 4 or more years of college.
- In 1992, women earned the majority of master's degrees (191,000), whereas the majority of master's degrees were conferred to men in 1977 (161,800).
- In 1994, women received 38 percent of medical degrees and 43 percent of law degrees. In 1972, women earned only 9 percent of medical degrees and 7 percent of law degrees.

PROGRESS IN ATHLETICS

- Today, over 100,000 women participate in intercollegiate athletics, a four-fold increase since 1971.
- In 1996, 2.4 million high school girls represented 39 percent of all high school athletes, compared to only 300,000 or 7.5 percent in 1971.
- American women won a record 19 Olympic medals in the 1996 Summer Olympic Games.

In athletics, Title IX compliance is governed by a three part test. Colleges and universities that are attempting to comply with Title IX in terms of increased sports participation for women are required to be in compliance with only one part of that test.

The three parts of this test are:

- Participation opportunities for men and women are “substantially proportionate” to their respective undergraduate enrollments.
- The institution has a history and continuing practice of program expansion that is responsive to the developing interests and abilities of the under represented sex (typically female).
- The institution is meeting the interests and abilities of its female students even where there are disproportionately fewer females than males participating in sports.

THE NEXT TWENTY-FIVE YEARS

Today, even with the many advances women have made in academics, employment and athletics, we still need to recognize some dismaying facts in our efforts to achieve equality:

- In athletics, there are still about 24,000 more boys’ high school varsity teams than girls’ teams, women receive only one-third of all collegiate athletic scholarships, and operating expenditures for women’s college sports programs represents only 23 percent of the total operating expenses.
- Although women earn half of all college degrees, they are still less likely than men to earn bachelor’s or advanced degrees in high-paying fields such as engineering, mathematics and computer and physical sciences, fields in which women are under represented.
- Even though women make up 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 CELEBRATION OF THE 25TH ANNIVERSARY OF TITLE IX

"Honoring the successes of women and girls"

TITLE IX PARTICIPANTS BIOGRAPHY HIGHLIGHTS

Verelett 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 Spring, 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 Rosalyn 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 the Baltimore County 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. Current studies have shown that 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. Competing in four Olympic Games, 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 was a result of 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 Youth 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.

A CELEBRATION OF THE 25TH ANNIVERSARY OF TITLE IX

U.S. DEPARTMENT OF EDUCATION "TITLE IX: 25 YEARS OF PROGRESS"

JUNE 17, 1997

Today, the U.S. Department of Education is releasing "Title IX: 25 Years of Progress," a report which summarizes the status and accomplishments of women and girls due to Title IX initiatives and programs. The following are highlights from the report.

Monday, June 23, 1997 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 eliminate sex discrimination in all aspects of American education – in the classroom, in course offerings, in the school workplace, and on the athletic fields.

Title IX has brought down many barriers that once prevented girls and women from choosing the educational opportunities and adult careers they would have liked to pursue. Indeed, the barriers were so ingrained, they affected all women, regardless of who they were. For instance, in 1966, Luci Baines Johnson, the daughter of President Lyndon Johnson, was refused readmission to Georgetown University's school of nursing after her marriage because the school did not permit married women to be students.

Twenty-five years after its passage, Title IX has helped bring about profound changes in American education and the resulting improvements in the educational and related job opportunities for millions of young Americans.

PROGRESS IN ACADEMICS

- In 1994, 27 percent of both men and women had earned a bachelor's degree. In 1991, about 18 percent of young women and 27 percent of young men had completed 4 or more years of college.
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PROGRESS IN ATHLETICS

- Today, over 100,000 women participate in intercollegiate athletics– a four-fold increase since 1971.
- In 1996, 2.4 million high school girls represented 39 percent of all high school athletes, compared to only 300,000 or 7.5 percent in 1971.

- American women won a record 19 Olympic medals in the 1996 Summer Olympic Games.

In athletics, Title IX compliance is governed by a three part test. Colleges and universities that are attempting to comply with Title IX in terms of increased sports participation for women are required to be in compliance with only one part of that test. The three parts of this test are:

- Participation opportunities for men and women are "substantially proportionate" to their respective undergraduate enrollments.
- The institution has a history and continuing practice of program expansion that is responsive to the developing interests and abilities of the under represented sex (typically female).
- The institution is meeting the interests and abilities of its female students even where there are disproportionately fewer females than males participating in sports.

THE NEXT TWENTY-FIVE YEARS

Today, even with the many advances women have made in academics, employment and athletics, we still need to recognize some dismaying facts in our efforts to achieve equality:

- In athletics, there are still about 24,000 more boys' high school varsity teams than girls' teams, women receive only one-third of all collegiate athletic scholarships, and operating expenditures for women's college sports programs represents only 23 percent of the total operating expenses.
- Although women earn half of all college degrees, they are still less likely than men to earn bachelor's or advanced degrees in high-paying fields such as engineering, mathematics and computer and physical sciences— fields in which women are under represented.
- Even though women make up 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.

TITLE IX 25TH ANNIVERSARY CELEBRATION
INTERNAL QUESTIONS AND ANSWERS
JUNE 17, 1997

Q: What is Title IX?

Title IX of the Education Amendments of 1972, which passed 25 years ago on June 23, 1972, prohibits sex discrimination in federally assisted education programs. One of the nation's landmark civil rights laws, Title IX has helped bring about profound changes in American education by improving the educational opportunities for millions of young Americans.

Q: What is the President doing today to commemorate this occasion?

Joined by the First Lady, Secretary Riley and several remarkable women whose lives have been touched by Title IX, the President will recognize the significant progress our nation has made in increasing educational and related job opportunities for millions of American women and girls. He will receive a report on the progress Title IX has made from Secretary of Education Richard Riley, entitled *Title IX: 25 Years of Progress*.

Most important, the President will commemorate the anniversary of Title IX by announcing new steps to address sex discrimination.

Q: What new steps will the President announce?

The President will sign and issue an executive memorandum designed to strengthen Title IX enforcement and extend Title IX's principle of nondiscrimination to areas not currently covered by the law. The Executive Memorandum:

- Directs each federal agency to develop a plan to enforce Title IX and requires all federal agencies to report to the President on measures to ensure effective enforcement. Each agency's new plan must include a description of the 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.
- Addresses discrimination on the basis of sex, race, color and national origin in all 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 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*. Today's directive will take action against discrimination in education programs or activities conducted by the federal government. This measure will hold the federal government to the same standards of non-discrimination in educational

opportunities that now apply to non-federal education programs receiving federal assistance.

Q: Why is the President issuing this Executive Memorandum?

A: The twenty-fifth anniversary of the passage of Title IX of the Education Amendments of 1972 is a time to celebrate the enormous accomplishments that have been made in achieving equal educational opportunities for women and girls. But the President also recognizes that more needs to be done to achieve this goal.

Q. How will Title IX enforcement improve with this Executive Memorandum?

A. The Executive Memorandum requires that each federal department and agency develop a rigorous new plan to enforce Title IX and requires all federal agencies to report to the President on measures to ensure effective enforcement. Each agency's new plan must include a description of the 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.

Q: Why does the President plan to issue an Executive Order addressing discrimination based on race, national origin, and sex in federally conducted education programs?

A: The President believes that we should hold the federal government to the same standards of non-discrimination in educational opportunities that now apply to non-federal education programs receiving federal assistance. Currently, Title IX generally prohibits discrimination based on sex -- and Title VI of the Civil Rights Act of 1964 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*. Today's directive will take action against discrimination in education programs or activities conducted by the federal government.

Q: Is there currently a big problem with discrimination in education programs conducted by federal agencies?

A: We are not aware of any major problem areas. However, we also are aware that discrimination frequently is covert and subtle, so it is difficult to gauge how extensive it may be. We expect that the President's Executive Order will do two things: (1) it will specifically forbid discrimination based on race, national origin, or sex in federally conducted education programs, and (2) it will require that grievance procedures be put in place so that students in those programs and their parents will have a system available to them to resolve complaints about discrimination. Thus, federal agencies will be held to the same high standards that apply to state and local governments and private institutions that offer federally-assisted education programs.

Q: What process does the Executive Memorandum call for to make sure that these things get done?

A: The memorandum directs all federal departments and agencies to do two things. First, the departments and agencies must report to the President within 90 days, following consultation with the Attorney General, on measures to ensure effective enforcement of Title IX. The Attorney General will coordinate the implementation of these measures. Second, the departments and agencies must submit reports to the Attorney General within 60 days, in which they describe their federally conducted educational programs and address any special issues that need to be addressed in preparing an Executive Order. The President directs the Attorney General to report to him within 60 days after receiving the reports with the results of her review and a proposal for an appropriate and effective Executive Order that addresses discrimination based on sex, race, color and national origin in federally conducted education programs and activities.

Q: Why didn't the President just issue the Executive Order, instead of asking for a study to be done?

A: The President has not simply directed that a study be done. Rather, he has expressed his intent to issue an Executive Order and directed that information be collected that will be needed to develop the terms of the Executive Order. Federal agencies offer numerous education programs. For example, the Department of Agriculture offers education programs for farmers and others, the Coast Guard offers boater safety training, and the Federal prisons provide educational instruction for inmates. Additionally, the Department of Defense and the Bureau of Indian Affairs each operate school systems. The President wants to be certain that he and the Attorney General have all the necessary information to close the "coverage gap" and to make sure no inequitable "loop holes" remain. At the same time, just as is the case under Title IX, it may be appropriate to include certain exemptions in the Executive Order. The study will also ensure that unique situations are covered fairly and adequately.

Q: Why are only education programs included in the President's directive concerning the Executive Order?

A: We are commemorating the 25th anniversary of Title IX of the Education Amendments of 1972, and Title IX is limited to Federally assisted education programs. This initiative to extend the principles of Title IX -- and Title VI concerning racial discrimination -- to federally conducted programs does not preclude issuing similar Executive Orders to cover other programs in the future.

Q. What kinds of education programs will be covered by the Executive Order?

A: We expect that all civilian education programs conducted by Federal agencies will be covered. These include academic, research, extracurricular and occupational training programs

unrelated to federal employment. Also included are schools operated by the Department of Defense for children of eligible personnel, schools operated by the Bureau of Indian Affairs, and education fellowships awarded directly to students by Federal agencies. There currently is no comprehensive list of such programs, and creating that list is one of the important purposes of the President's directive.

Q: Will the Executive Order apply to military educational and training programs?

A: Just as Title IX exempts from its coverage educational institutions whose primary purpose is to train individuals for the military services of the United States, we expect that military training conducted by the Department of Defense will be exempted from coverage under the Executive Order. However, we expect that civilian educational programs such as schools operated by the Department of Defense for the children of eligible personnel would be covered by the order.

Q: Does the President have the authority to ban discrimination on the basis of race, national origin, or sex in Federally conducted education programs?

A: Yes, the President does have the authority to prohibit such discrimination in programs conducted by Federal agencies. The President's Executive Order will not make the specific provisions of Title IX and Title VI applicable to Federal agencies. However, the President does have the authority to require the application of the nondiscrimination principles embodied in those statutes to the Federal education programs for which he is -- ultimately -- responsible.

Q: Will the Executive Order provide students with a "private right of action" -- meaning the right to sue the Federal Government over alleged discrimination?

A: That is an issue that will have to be addressed by the Attorney General. However, one of the primary purposes of the Executive Order is to require Federal agencies to establish administrative grievance procedures within each agency offering educational programs so students and their parents have a place to go to file complaints and an administrative avenue for resolving those complaints.

Q. Why doesn't the President's memorandum address discrimination based on disability in federally conducted education programs?

A. Discrimination based on disability in federally conducted programs is already covered by section 504 of the Rehabilitation Act of 1973.

Q: What is the report that Secretary Riley will present?

Today, Secretary of Education Richard Riley will present to the President *Title IX: 25 Years of Progress*. Produced by the Department of Education, the report documents the profound changes since the enactment of Title IX in American education and the resulting improvements in the

educational and related job opportunities for millions of American women and girls. The report also points to what remains to be done to reach equality in education.

Q. What does the Department of Education report find?

This report shows that, twenty-five years after its passage, Title IX has helped bring about profound changes in American education and the resulting improvements in the educational and related job opportunities for millions of young Americans.

- In 1994, 27 percent of both men and women had earned a bachelor's degree, whereas in 1971, about 18 percent of young women and 27 percent of young men had completed 4 or more years of college.
- In 1994, women received 38 percent of medical degrees and 43 percent of law degrees, whereas in 1972, women earned only 9 percent of medical degrees and 7 percent of law degrees.
- Today, over 100,000 women participate in intercollegiate athletics— a four-fold increase since 1971.
- In 1996, 2.4 million high school girls represented 39 percent of all high school athletes, compared to only 300,000 or 7.5 percent in 1971.

However, the report also shows that, even with the many advances women have made in academics, employment and athletics, we still need to recognize some dismaying facts that exist today in our efforts to achieve equality:

- In athletics, there are still about 24,000 more boys' high school varsity teams than girls' teams; women receive only one-third of all collegiate athletic scholarships, and operating expenditures for women's college sports programs represents only 23 percent of the total operating expenses.
- Although women earn half of all college degrees, they are still less likely than men to earn bachelor's or advanced degrees in high-paying fields such as engineering, mathematics and computer and physical sciences— fields in which women are under represented.

Even though women make up half of the labor market, they are often paid less than men. For example, in 1993, women who had majored in the natural sciences earned 15 percent less than men who majored in the same field.

A CELEBRATION OF THE 25TH ANNIVERSARY OF TITLE IX

"Honoring the successes of women and girls"

TITLE IX PARTICIPANTS BIOGRAPHY HIGHLIGHTS

Verelett 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 Rosalyn 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 the Baltimore County 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. Current studies have shown that 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. Competing in four Olympic Games, 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 was a result of Title IX initiatives. Joyner-Kersee 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-Kersee Youth 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.

Secretary Richard W. Riley (Washington, DC) has spearheaded massive educational reforms both at the state and federal level. During his tenure as a two-term Governor of South Carolina he directed a comprehensive and highly successful reform of the state's school system. Now as the Secretary of Education, Riley directs educational reform initiatives on the national level. In just the first 21 months of the Clinton Administration, Secretary Riley was influential in the development of six ground breaking initiatives which President Clinton signed into law. A strong supporter of the Title IX regulations, Secretary Riley has also guided the development of new policy initiatives relating to sexual harassment. Significantly aiding educators in recognizing instances of harassment, these new policy initiatives clarify standards for investigation and provide guidance towards appropriate resolution.

MEMBERS OF CONGRESS CONFIRMED TO ATTEND TITLE IX EVENT:

Rep. Eleanor Holmes Norton (D-DC), co-chair, Women's Caucus
Rep. Maxine Waters (D-CA)
Rep. Deborah Ann Stabenow (D-MI)
Rep. Patsy Mink (D-HI)
Rep. Karen McCarthy (D-MO)
Rep. Rosa DeLauro (D-CT)
Rep. Ellen Tauscher (D-CA)
Rep. Nita Lowey (D-NY)
Rep. Cynthia McKinney (D-GA)
Rep. Carolyn Kilpatrick (D-MI)
Rep. Carolyn McCarthy (D-NY)

MEMBERS INVITED BUT UNABLE TO ATTEND:

Sen. Barbara Boxer (D-CA)
Sen. Dianne Feinstein (D-CA)
Sen. Kay Bailey Hutchison (R-TX)
Sen. Carol Moseley Braun (D-IL)
Sen. Barbara Mikulski (D-MD)
Sen. Patty Murray (D-WA)
Sen. Olympia Snowe (R-ME)
Sen. Ted Stevens (R-AK)
Sen. Tom Daschle (D-SD)
Sen. Chris Dodd (D-CT)
Sen. Ron Wyden (D-OR)
Sen. John Glenn (D-OH)
Sen. Jim Jeffords (R-VT)
Sen. Paul Wellstone (D-MN)
Sen. Ted Kennedy (D-MA)
Sen. Susan Collins (R-ME)
Sen. Mary Landrieu (D-LA)
Sen. Russ Feingold (D-WI)

Rep. Kay Granger (R-TX)
Rep. Barbara Kennelly (D-CT)
Rep. Lucille Roybal-Allard (D-CA)
Rep. Eva Clayton (D-NC)
Rep. Anna Eshoo (D-CA)
Rep. Elizabeth Furse (D-OR)
Rep. Nancy Johnson (R-CT)
Rep. Nancy Pelosi (D-CA)
Rep. Bill Goodling (R-PA)
Rep. Deborah Pryce (R-OH)

Rep. Sue Kelly (R-NY)
Rep. Carolyn Maloney (D-NY)
Rep. William Clay (D-MO)
Rep. Constance Morella (R-MD)
Rep. Louise Slaughter (D-NY)
Rep. Loretta Sanchez (D-CA)
Rep. George Miller (D-CA)
Rep. Marge Roukema (R-NJ)
Rep. Jane Harman (D-CA)
Rep. Dick Gephardt (D-MO)

**PRESIDENT CLINTON COMMEMORATES 25TH ANNIVERSARY OF TITLE IX
BY ANNOUNCING NEW STEPS TO ADDRESS SEX DISCRIMINATION
June 17, 1997**

"...Until all women have an equal opportunity to develop their full potential and to make contribution that are accepted and welcomed by our society, our freedom as a nation will be incomplete."

-President Bill Clinton, Women's Equality Day, 1995, Proclamation

Today, President Clinton will host an event at the White House to commemorate the 25th anniversary of Title IX of the Education Amendments of 1972 and recognize the significant progress our nation has made in increasing educational and related job opportunities for millions of American women and girls.

Title IX of the Education Amendments of 1972, one of the nation's landmark civil rights laws, has made great strides toward eliminating sex discrimination in all aspects of American education -- in the classroom, in course offerings, in the school workplace, and on the athletic fields. Title IX generally prohibits sex discrimination in education programs and activities that receive federal assistance.

**President Clinton Directs Agencies to Develop Tough New Enforcement Plans
and Extend the Principles of Title IX to Federal Education Programs**

Today, the President will sign and issue an executive memorandum designed to strengthen Title IX enforcement and extend Title IX's principle of nondiscrimination to areas not currently covered by the law. The executive memorandum:

- **Directs each federal agency to develop a plan to enforce Title IX and requires all federal agencies to report to the President on measures to ensure effective enforcement.** Each agency's new plan must include a description of the 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.
- **Addresses discrimination on the basis of sex, race, color and national origin in all 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 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*. Today's directive will take action against discrimination in education programs or activities conducted by the federal government. This measure will hold the federal government to the same standards of non-discrimination in educational opportunities that now apply to non-federal education programs receiving federal assistance.

President Clinton Receives Report Documenting Tremendous Progress Under Title IX

Today, the Secretary of Education Dick Riley will present to the President *Title IX: 25 Years of Progress*. Produced by the Department of Education, this report documents the profound changes since the enactment of Title IX in American education and the resulting improvements in the educational and related job opportunities for millions of young Americans, particularly women and girls. The report also points to what remains to be done to reach equality in education.

Building on a Strong Commitment to Expand Opportunities for Women and Girls

Since President Clinton took office, he has worked hard to expand opportunities for women and girls. The Clinton Administration has: stepped up enforcement of civil rights statutes in areas such as access to advanced math and science programs; issued policy guidance on racial and sexual harassment and on ensuring equal opportunities in intercollegiate athletics; aggressively litigated cases presenting significant issues of discrimination, including cases challenging the exclusion of women from VMI and the Citadel; and sponsored an education campaign to help young girls build skills, confidence and good health.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

June 17, 1997

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 25th 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 women and girls 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 women and girls 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 the Virginia Military Institute 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 can reach its full potential only 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 to me 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

more

(OVER)

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.

WILLIAM J. CLINTON