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TITLE IX OF THE EDUCATIONAL AMENDMENTS
OF 1972: LEVEL OF IMPLEMENTATION
IN TEXAS PUBLIC SCHOOLS

DISSERTATION

Presented to the Graduate Council of the
University of North Texas in Partial
Fulfillment of the Requirements

For the Degree of

DOCTOR OF PHILOSOPHY

By

Sandra Davis Maddox, B.A., M.Ed.

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Using a survey and case study formats, this study focused on the level of understanding and implementation of Title IX relating to Texas public school students. The survey focused on the degrees of principal understanding and the compliance with the statute. Additional areas of study analyzed the impact of such factors as principal gender and school level on understanding and implementation. The case study examined the degrees of implementation for a district that had experienced civil rights action and one that had not.

Survey data were collected during spring, 1994, from a random selection of Texas principals representing small, medium, and large districts. The survey included questions about Title IX, its implementation, degree of training, and identification of legal action regarding Title IX.

The author collected case study data from two districts during the fall, 1994. Interviews were conducted with the Title IX district coordinators as well as five staff members from three campus levels in each district. Questions were designed to determine knowledge of Title IX, perceived effects at the campus and level of training.

The findings suggest that certain areas of Texas education have changed because of Title IX. Athletic programs offer opportunities for girls; girls are enrolled in more advance level courses.

The knowledge and impact of Title IX on Texas campuses is minimal. Although principals perceive that Title IX has been implemented, the evidence does not support their perceptions. The reasons for lack of implementation of Title IX seem to be (a) lack of knowledge by educators, (b) lack of realization that discriminatory practices exist in classrooms and campuses, (c) lack of understanding of what constitutes harassment, and (d) lack of knowledge of consequences for noncompliance. Although this study has identified possibilities for districts and educators being in conflict with Title IX, further research is needed to determine specific reasons for non-compliance with Title IX since ignorance poses risks of litigation.

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CHAPTER 1

INTRODUCTION

The first serious consideration by the United States Congress for elimination of sexual discrimination can be traced to the 91st Congress in 1970 in the House of Representatives. Edith Green, Representative from Oregon and Chairperson of the House Subcommittee on Education, proposed a bill designed to increase financial assistance to education. Included among its provisions was an amendment to Title VI of the Civil Rights Act of 1964 to prohibit sexual discrimination in all federally assisted programs (Parker, 1991). Title VI of the Civil Rights Act of 1964 prohibited discrimination on the basis of race, color, or national origin under any program receiving federal financial assistance. The proposal did not go beyond subcommittee hearings.

The issue of sexual discrimination rose again during the next legislative session. This time Representative Green gained support within the Senate from Senator Birch Bayh who proposed a bill, separate from Title VI, which disallowed sexual discrimination in education. The data presented to Congress describing overt discrimination in United States higher education were startling. As a result, with a minimum of debate over the bill itself, an act prohibiting sexual discrimination was passed (Lamar, 1983). As amended in 1982, this act, commonly referred to as "Title IX," stated:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance (20 U.S.C. §1681).

Although debate was limited, compromise was necessary on exemptions for single-sex schools and military institutions. The strong resemblance in the language of Title IX to the earlier Title VI created ambiguity as to what Congress intended. As Patricia Weiner Lamar stated in 1983: "As finally enacted, Title IX reflects legislative compromise and, arguably, a confused attitude on the part of Congress as to the appropriate role of women in the educational process" (p. 1146). Members of Congress responded to a societal need but, like the majority of society at that time, lacked an understanding of what was feasible as a remedy. While the language of the amendment is sparse, the Office for Civil Rights has provided a number of regulations since 1972. These regulations, along with subsequent Supreme Court and lower court rulings, have resulted in a comprehensive body of law.

Because the education of the nation's students is a function of the 50 states, members of Congress focused legislative action where they could: education programs or activities receiving federal financial assistance. For public schools this emphasis was nevertheless significant; by the 1970s, most schools were receiving significant amounts of federal dollars earmarked in the far-reaching Elementary and Secondary Education Act of 1965 for disadvantaged students. What was not clear was the significance of Title IX's impact. There was even confusion over

what constituted a federal program or activity. The controversy has not subsided, even though it has been more than 20 years since the enactment of Title IX. Court decisions have only fueled the controversy, which has been no less within the public schools.

As with the 1964 Civil Rights Act, public schools are among the major institutions to face the implementation of this social legislation. Title IX specifically pinpoints education as the vehicle to end sexual discrimination. In *Cannon v. University of Chicago* (1979), the Supreme Court ruled that Congress had a dual aim in enacting Title IX. Its purpose was "to prevent the use of federal funds to subsidize sex discrimination in education and to provide protection to individual citizens against such discrimination" (Kernie, 1992, p. 174).

This study focused on Title IX implementation at the campus level in public schools in Texas and was limited to the impact of Title IX on students. Specifically, the goal for this study was to ascertain (a) the actual degree of campus practices that promote implementation of Title IX regulations and (b) the factors that account for differences in the extent of implementation of Title IX regulations among campuses in Texas.

Statement of the Problem

The problem of this study was the degree to which the provisions of Title IX have been implemented as they pertain to Texas public school students.

Purpose of the Study

The purpose of this study was exploratory in nature and was designed to (a) ascertain and describe the degree of understanding of Texas campus administrators relative to Title IX regulations and court rulings, (b) determine the degree of implementation of Title IX regulations within Texas public schools, and (c) assess which factors account for differences in the degree of implementation of Title IX regulations among Texas campuses.

Research Questions

The areas of exploratory inquiry addressed in the study were the following:

1. What is the degree of understanding of Texas principals relative to Title IX including the statute itself, regulations, and related court rulings?
2. What is the degree of implementation of practices that support compliance with Title IX regulations in Texas schools?
3. What conditions exist on a campus that support compliance with Title IX regulations in Texas schools?
4. Is there a difference in the perceived degree of successful implementation of Title IX regulations between principal gender and school level or among years of experience, district size, or ethnicity?
5. Is there a difference between the responses of principals who have been involved in legal action and those who have not?

6. Is there a difference between the responses of principals from school districts that have been involved in Title IX allegations and those that have not?

Background and Significance of the Study

The passage of Title IX of the Education Amendments of 1972 was almost an anticlimax in Texas in the early 1970s. The unpopular Civil Rights Act of 1964 was still being implemented in Texas via court action to desegregate schools. As a result, Title IX was seen as one more battle and was minimized by the more pervasive civil rights action. Nevertheless, Title IX was a reality. Sandwiched between its elder sibling, the Civil Rights Act of 1964, and the Rehabilitation Act passed in 1973, Title IX was viewed by educators in Texas and other southern states as another hurdle to overcome in order to receive federal assistance.

During the more than 20 years since its passage, Title IX has undergone changes affecting its implementation in Texas as elsewhere. Until 1985, the government's authority to enforce Title IX (as with other statutes affecting financial assistance) was broad. In the 1985 case, *Grove City College v. Bell*, the Court interpreted the statute to be program specific so that purpose and effect of the federal funding had to be considered. If only the counseling program received federal assistance, then Title IX applied only to that specific program, not to the entire school. During this period of Title IX history, the implementation of Title IX regulations in schools lost some impetus. Not until the Civil

Rights Restoration Act of 1987, (1990 Supp.) was this program-specific ruling nullified. Thus, Title IX could no longer be narrowly interpreted.

Even then, its effect on public schools was limited, Texas schools included. The sex discrimination cases receiving attention were focused primarily on employment practices and practices of colleges in admissions or financial aid. Little attention was given to discrimination in elementary and secondary education. Nevertheless, Title IX regulations applied to these levels of schooling. The Code of Federal Regulations 45 (1992) defining Title IX apply to kindergarten through grade 12 public education. The most important regulations include the following:

1. With some exceptions, schools cannot assign students to separate classrooms or activities, or prevent them from enrolling in courses of their choice, on the basis of sex.
2. Schools must ensure that counseling procedures and materials do not discriminate on the basis of sex.
3. Schools may not discriminate against students because of pregnancy, childbirth, false pregnancy, termination or recovery from termination of pregnancy.
4. Schools may provide separate toilet, locker room, and shower facilities, but such facilities must be comparable to those provided for the other sex.
5. Schools cannot exclude students from participating in athletics on the basis of sex. However, separate teams can be provided

where selection is based upon competitive skill or involves a contact sport. If one sex is excluded, its members must be allowed to try out for the team of the other sex unless the sport is a contact sport.

6. Schools must provide equal opportunity for sexes in athletics including equipment and supplies, scheduling of games and practices, travel and per diem, opportunity to receive coaching and academic tutoring, provision of locker rooms, provision of medical and training facilities and services, and publicity (Code of Federal Regulations 45, 1992).

These regulations are intended to end practices in schools that discriminate on the basis of sex. Nevertheless, discriminatory practices still exist in Texas schools. It is common practice to have boys' athletics practice in the favored afternoon slot and girls' athletic practice before school. Gymnasiums are still labeled boys and girls, and the boys have noticeably better equipment. In addition, counseling materials are often outdated and depict certain occupations as being appropriate for one sex. Although slowly eliminating these practices, Texas schools now have more impetus to do so. In 1985, the Third Circuit Court provided a new twist for Title IX. In *Pfeiffer v. Marion County Area School District* (1990), this court became the first to acknowledge the availability of compensatory damages under Title IX. That is, damage remedies were now available against school districts in addition to the termination of federal funding. This was shortly after the Eleventh Circuit Court had come to the opposite decision in *Franklin v. Gwinnett County Public Schools*

(1990), in a case involving sexual harassment of a student by a school teacher. The conflict in judicial interpretation was resolved by the U.S. Supreme Court in 1992. In 1992, the U.S. Supreme Court reversed the Eleventh Circuit Court ruling and ruled that compensatory damages are available (*Franklin v. Gwinnett County Public Schools*, 1992). The decision left no doubt that "a student is entitled to recover monetary damages under Title IX for intentional sexual discrimination" (Valente, 1992, p. 1029). With the availability for compensatory damage awards, the need for schools to comply with Title IX regulations was increased.

Significance of This Study

Texas schools must eliminate sexual discrimination and sexual harassment of students for two reasons. First and foremost, compliance with Title IX is required in order to receive federal financial assistance. Second, the availability of compensatory damages as a remedy for Title IX violations makes non-compliance costlier. Texas schools must now confront the sexual discrimination that has long been acceptable within its culture.

Before change can occur, however, the current level of knowledge about Title IX regulations in Texas schools and the extent of their implementation must be assessed. Because sexual discrimination in public schools occurs generally on the campus, the focus of this research was at the campus level. Although districts have district-designated Title IX grievance procedures and Title IX coordinators, campus administrators, by virtue of their role and placement, are the keys to the

elimination of on-site discrimination. Administrators' effectiveness is likely to be based on their knowledge of the body of law surrounding Title IX. The factors that cause some schools to be more advanced in the elimination of discriminatory practices than others are also examined in this study. These factors can be used as guiding points for other schools.

Definition of Terms

Several terms are used in this study that have specialized meanings. The more important ones include the following:

Sexual discrimination is the denial of equal protection of the laws based on gender (*Reed v. Reed*, 1971).

Sexual harassment consists of verbal or physical conduct of a sexual nature that is imposed on the basis of sex by an employee or agent of a recipient that denies, limits, provides different, or conditions the provision of aid, benefits, services or treatment protected under Title IX (U.S. Dept. of Education, Office for Civil Rights, 1985).

Federal financial assistance is a grant or loan of federal funds (*Federal Register*, U.S. Dept. of Education, Office for Civil Rights, 1980).

Grievance is an assertion or claim that a particular set of rules has been violated (U.S. Department of Education, Office for Civil Rights, *Title IX Grievance Procedures: An Introductory Manual*, 1987).

Delimitations

Several delimitations were part of this study. They include the following:

1. The data for this study were collected from the limited population of Texas principals. Therefore, this study was primarily limited to campus-based implementation rather than activities at the district level.
2. Case studies were limited to campuses within two Texas districts.

Limitations

Because this study was exploratory in nature and the literature was sparse, the major limitation of the study was its lack of precision in findings. Rather, the goal for this study was to provide a description of the practices that exist for implementation of Title IX regulations in Texas schools.

Assumptions

It was assumed that the principals' responses to the questionnaire truly reflect the respondents' campus conditions. It was also assumed that information obtained from interviews on the case-study campuses was based on the honest opinions of interviewees.

Procedures for Collection of Data

A survey designed to determine the degree of knowledge possessed by campus principals about Title IX, as well as the actual degree of

implementation of Title IX procedures in their schools, was sent to a random sample of Texas principals. The survey also helped to locate districts for the case studies and provided an information base for the case study interviews. Development of the survey was based upon a review of the statute, code of regulations, and guidelines regarding Title IX written by the Office for Civil Rights. Questions regarding demographic data and Title IX allegations were included.

Validation of the survey instrument was achieved through a panel consisting of two university education and political science professors, two district Title IX coordinators, and a regional technical assistance coordinator. After the panel members completed their review, the survey was pretested with five campus administrators who were not selected in the random sample. The survey was again revised.

Internal validity for the survey instrument was considered in its development. Factors that were controlled included (a) respondent interest in the study, (b) parsimony of information surveyed, (c) range of knowledge of respondents, (d) single factor questions, and (e) simplicity in terminology.

The surveys were initially mailed to 360 randomly selected Texas administrators (Table 1) in February 1994, with a 32% response rate. Telephone requests were made to randomized non-responding principals in March. The response rate was increased to 43%.

Table 1

Average Daily Attendance and School Level for Survey of Texas Public Schools

School Level	Small (Under 1,000 ADA)	Medium (1,000-10,000 ADA)	Large (Above 10,000 ADA)
Elementary	60	60	60
Secondary	60	60	60

Survey data were analyzed regarding understanding of Title IX by Texas campus administrators and the degree of implementation of Title IX requirements. In addition, information relative to differences in degree of knowledge and implementation was sought by contrasting across the strata representing level of campus and district size and demographic data.

In order to verify and enrich survey data, case studies involving campuses in two districts were conducted. One district was purposely selected because of considerable involvement with Title IX as a result of an investigation by the Office for Civil Rights. The other district selected was comparable in size, student ethnicity, and property wealth but with no Title IX enforcement or court action.

Based on survey results, a structured interview guide was developed for systematically gathering information at both case study sites. Open-ended questions were used to obtain "unexpected dimensions of the topics" (Bogdan & Biklen, 1982, p. 62).

Several steps were included in the case study interview process. Interviews were conducted with each district Title IX coordinator to ascertain district history in regard to Title IX. Information from the Title IX coordinator was also used to guide the campus interviews, although coordinators for both districts were asked the same leading questions. It was also deemed important to determine any differences between district policy and campus practice. Structured interviews were conducted with personnel from elementary, middle, and high school campuses. Personnel interviewed were those individuals who were most likely to have involvement in Title IX issues as identified in Office for Civil Rights investigations in Texas. Questions were focused on students' rights under Title IX. Some of the interview questions were similar to those on the original survey instrument, for verification purposes. Official statistics and records data were gathered at both district.

Procedures for Treatment of Data

The procedures for the treatment of the data include the following:

1. The results of the survey data were studied to provide preliminary information. A value of 66.6% was the value selected for reporting significant findings from the survey data. This value reflects a preponderance of evidence considered adequate for exploratory research. The figure of 66.6% was selected after asking 10 campus principals whether they would consider a finding of 66.6% significant enough to report, and receiving affirmation from all 10 principals.

2. Survey instrument data were studied to develop interview guides and to identify relationships between knowledge level and degree of implementation with gender, ethnicity, years of experience of the administrator, level, and size of school.

3. When administrative or district/campus involvement in Title IX legal action was reported in the survey, data were examined further in order to identify districts for case study.

4. Case study information was summarized and validated for accuracy. If summaries were not valid, changes were made by modifying. For instance, if transcriptions of interviews were not accurate, modifications, additions, or deletions were considered.

5. The tentative conclusions from interview data were compared with district official statistical records and documents. From these sources, descriptions were developed relative to Title IX implementation in Texas public schools.

Both qualitative and quantitative information was used to determine the degree of knowledge and the level of implementation of the 22-year-old statute in Texas public schools. This is useful information for districts who seek compliance with the evolving Title IX standards in order to avoid expensive litigation. The results of this study and the changing Title IX standards raise new questions for further study.

improvements attributable to Title IX are blurred with those attributable to other forces, several important aspects of the implementation are described in the literature produced in the span of over 20 years since Title IX's passage. The review of this literature is described in this chapter and is organized around several themes. First, literature on federal legislation and the nature of its implementation are reviewed. Following the description of federal legislation, the history of Title IX is examined. Then the extent of its implementation and the barriers to effective action are discussed. In addition, contemporary issues involving Title IX are described. The final section of the chapter reviews the significance of this study.

Federal Redistributive Legislation

Title IX is federal legislation. As such, it has several characteristics and is subject to forces that are the result of these characteristics. Federal legislation in the United States does not exist in a vacuum. Instead, it is subject to influence and modification from actions at other levels and in other branches of the government. Interestingly, "democracy offers little protection to individuals," so the founders of the United States government devised "auxiliary precautions" (as mentioned in *Federalist*, Number 51) for protection of the rights of individuals against the majority (Dye, 1990, p. 3). Among these auxiliary precautions are both federalism and separation of powers. Paul E. Peterson provides a definition of federalism as a "system of government

in which powers are divided between higher and lower levels of government in such a way that both levels have a significant amount of separate and autonomous responsibility for the social and economic welfare of those living within their respective jurisdictions" (cited in Dye, 1990, p. 5). Separation of powers is the division of powers among the legislative, executive and judicial branches of government to provide a system of checks and balances. No one single branch of government has enough power to carry out policy itself (McCubbins & Sullivan, 1987, p. 2). These principles create opposite forces that aid in the protection of human rights such as the rights of women.

When discussing any type of domestic policy implementation, political analysts arrive at two important conclusions:

1. No one set of institutions or people is clearly in charge of its implementation, and
2. It never achieves all that is anticipated (Ripley & Franklin, 1986).

Much of the reason for these conclusions lies in the structure of American government (federalistic and separate branches), along with the many conflicting values of the key actors (Ripley & Franklin, 1986).

Within American federal legislation, Title IX most fits the policy type of redistributive policy, that is, "a program or policy intended to readjust the allocation of wealth, property, rights, or some other value among classes in society" (Ripley & Franklin, 1986, p. 77). The class can include social class, race, or sex. The redistributive policy is designed to

transfer the valued item to one group at the expense of another group. Several factors about redistributive policy implementation are noteworthy. One of its major attributes is conflict in policy formulation and legitimation. The conflict occurs primarily because rights are being taken away from one group to give to another. This conflict transfers to policy implementation, making it difficult to achieve. Furthermore, after the formulation of the policy, Congress becomes less involved in the program. Congress typically intervenes in the implementation phase only if the benefits to the intended constituency are threatened or if implementation costs become too high (Ripley & Franklin, 1986).

Another feature of redistributive policy is that often several programs, aimed at the same goal, are created. Redistributive policy often begins as a somewhat vague goal of Congress which becomes reality within several legislative programs. These programs are further advanced through bureaucratic action (Dye, 1990; Ripley & Franklin, 1986).

Bureaucratic action in redistributive policy usually emanates from one or more regulatory agencies. Because regulatory agencies are part of the executive branch, the possibility exists for conflict, especially if the President is not supportive of the policy passed by Congress. Conflict can either retard progress or enhance it. Progress is enhanced if a policy has the potential for popularity because different areas of government then compete to take the first action to implement it (Kingdom, 1984). Often, however, regulating agencies change the complexion of the policy. Ultimately the implementation of redistributive policy is in the control of

a regulatory agency within another branch of government or at another level of government. Congress only intercedes if there is concern over the degree or direction of implementation (Dye, 1990).

Redistributive policy implementation also implicates the separation of powers among the legislative, executive, and judicial branches of government. The judiciary is frequently involved in the implementation of redistributive policy due to its conflictual nature. A right redistributed from one group of people to another group of people produces conflict. The conflict arises because a right already possessed by one group must now be shared with groups that did not possess the right. This conflict is often resolved only with the intervention of the courts. In the case of federal policy, the conflictual issues progress from district courts to the Supreme Court. Federal court decisions further define the policy (Ripley & Franklin, 1986). This definition may expand or contract the policy definition. As mentioned earlier, Congress can respond, if desired, with additional legislation.

Of all the factors impacting redistributive policy, none has more influence than federalism. Federal policy implementation must occur within state and local government bureaucracies that often resist the policy (Ripley & Franklin, 1986). There is, however, evidence to suggest that federal policies, once at the state and local levels, develop partly because of regulatory intervention from the federal government and partly because of internal evolution at lower levels of government. Enforcement is easier when it is only a small portion of the population

who will receive the benefits. Also if the implementation conditions are uncomplicated, enforcement is made easier (Ripley & Franklin, 1986). The nature and extent of federal policy intervention vary greatly among individual states and local governments according to the interest and values of their citizens (Dye, 1990).

History of Title IX

Title IX, along with other legislation for human rights, provides an historical lesson in redistributive policy. Title IX, passed in 1972, began its history alongside the turbulent legislation of Title VI, which outlawed discrimination on the basis of race, creed, and color in programs receiving federal assistance.. The interpretation of Title IX, stated earlier, was at first broad. Any educational institution receiving federal funds was required to abide by Title IX regulations to avoid the revocation of funding. Then in February 1984, the United States Supreme Court's decision in *Grove City v. Bell* narrowed the focus of Title IX to the specific program or activity receiving federal financial assistance. Three years later, the Civil Rights Restoration Act of 1987 was introduced in Congress to restore the principle that the whole institution receiving federal assistance must comply with the nondiscrimination requirements of Title IX if any of its components practiced sexual discrimination (Carelli, 1988).

The decade of the 1980s was a period of conservatism in the White House, and Title IX was not strictly enforced. The staff of the

Office for Civil Rights needed prodding to enforce Title IX and those who were assigned Title IX were not highly regarded (Tyack & Hansot, 1990). The impetus toward elimination of sexual discrimination slowed (American Association of University Women [AAUW], 1992; Sadker & Sadker, 1994). However, a hint of change became evident by the late 1980s, as sexual harassment entered into the discussion of sexual discrimination. Sexual harassment was not mentioned in Title IX regulations (Shultz, 1994). Nevertheless, in 1984, the Office for Civil Rights in the United States Department of Education, produced a pamphlet entitled *Sexual Harassment: It's Not Academic*. Several Supreme Court cases in the last half of the 1980s dealt with sexual harassment as a part of Title IX and defined it as "the unwanted imposition of sexual requirements in the context of a relationship of unequal power" (*Moire v. Temple Univ. School of Medicine*, 1985, p. 1366),

The momentum of Title IX enforcement was boosted in 1992 in *Franklin v. Gwinnett County Public Schools* (1992), when the Supreme Court provided a more forceful interpretation of Title IX. For the first time, a concept taken from an earlier court case (*Cannon v. University of Chicago*, 1979) was implied right of action and used to support a claim for monetary damages when an intentional violation was involved. The Supreme Court found an implied right in that Congress intended to make a remedy available to litigants. A four-part test was used to determine implied private rights: (a) The plaintiff discriminated against a member of the class that Congress meant to benefit, (b) Title IX was

patterned after Title VI of the Civil Rights Act of 1964 under which federal courts had implied a private remedy by the time Title IX as passed, (c) the implication of a private remedy furthered Title IX's purpose of protection of individuals against discrimination, and (d) the federal government had conditioned the receipt of federal funds on prohibiting sexual discrimination in its role of protecting individual citizens from discrimination (Wright, 1992). This case should open new avenues for enforcing Title IX against employee-student harassment because it makes a school district financially accountable if sexual discrimination and harassment occurs. A 1993 decision by the United States Court of Appeals for the Ninth Circuit goes further by supporting a claim under Title IX against a district for failure to respond appropriately to student-to-student harassment of which it has knowledge (*Doe v. Petaluma City School District*, 1993). However, a 1994 Texas decision (*Garcia v. Galena Park ISD*, 1994) is in apparent contradiction to the Ninth Circuit decision holding that a school district cannot be charged under Title IX with responsibility for a "hostile environment" wherein student-to-student harassment occurs. Although this case makes the issue of student-to-student harassment unclear, it is likely that *Garcia v. Galena Park* will be appealed to the United States Court of Appeals for the Fifth Circuit.

The implementation of Title IX since its passage in 1972 is indicative of federal redistributive policies. The extent of the implementation, as well as the barriers, are rooted in its regulatory

agencies, the action of the judiciary, and federalism. As described earlier, federal domestic policies usually suffer from two conditions:

(a) no one is clearly in charge of their implementation, and (b) the programs never achieve all expectations (Ripley & Franklin, 1986). Title IX is no exception.

As with other landmark pieces of federal legislation aimed at human rights, the history of Title IX displays a pattern of incremental steps in implementation with occasional bursts forward and several setbacks. The 20-plus years of Title IX demonstrate, as well as any other federal legislation, that government program implementation in the United States is "above all, a political process and should be analyzed as such. Bargaining--at the heart of American politics--occurs during implementation" (Ripley & Franklin, 1986, p. 1). No one group of actors is totally responsible for domestic programs. Instead there are many, including branches and levels of government. As with most domestic programs, Title IX has not achieved what was expected of it, certainly not in a timely sense. The very title of Myra Sadker and David Sadker's latest publication on sexism in schools, published in 1994, indicates that Title IX is not perceived as fulfilling its expectations: *Failing at Fairness; How America's Schools Cheat Girls*. Sadker and Sadker's (1994) findings are startling:

One assignment we give to our students at The American University is to visit local schools and evaluate their compliance with Title IX. A free lunch is the prize for any student who can find a school not violating the law. Our lunch fund is undiminished. (p. 37)

Extent of Implementation

The initial portion of this section includes a discussion of findings relative to the degree of Title IX implementation. Where regulatory agencies and other aspects of bureaucracy have affected implementation, they are discussed. When the judiciary assisted the implementation, it too is discussed. Finally, federalism as a force in the implementation of Title IX is reviewed.

Sadker and Sadker (1994) studied Title IX within the total arena of sex equity in the United States since the 1970s. Their report on sexism is both anecdotal and data-specific. Certainly not all progress made for sex equity is the result of Title IX. Kingdom (1984) described what political scientists refer to as a "political agenda" (p. 3). As defined by Kingdom, it is the "list of problems to which government officials and people outside of government closely associated with those officials are paying some serious attention at any time" (p. 3). In other words, the environment must change. The participants advocating sex equity have grown, creating a political agenda.

Sadker and Sadker's (1994) research provides one poignant anecdote. In 1973, Myra Sadker conducted a session at the National Association of Elementary School Principals on sexism in school. The mostly male group of administrators left before hearing much of her session, believing the topic was really about sex education. By 1993, the American Association of University Women's *How Schools Shortchange Girls* (1992) had placed sex equity on the American agenda. During the

20 years since Myra Sadker's experience, subtle changes had occurred via Title IX and other pieces of legislation. Perhaps most important was the coming of age of a generation of Americans willing to experiment with new role expectations in the family and workplace (Sadker & Sadker, 1986). Indeed, evidence exists that "gender justice" advanced when gender was no longer the main focus. Rather, the pursuit of a more rigorous high school curriculum for all students emphasized areas not previously stressed for women and minorities. More stringent requirements for graduation were included. Even the emphasis on coeducation, accepted as appropriate education in the 1900s, has slowly affected equity (Tyack & Hansot, 1988). Most research indicates that coeducation has advanced sex equity. Indeed, Title IX encouraged coeducation. However, at least one researcher questions coeducation as a positive force on equity. Cornelius Riordan (1990) argued for reconsidering the merits of single-sex schooling which would encourage a climate conducive to the education of females. Riordan noted that Title IX provides "legal support for coeducation as the appropriate mode of schooling" (p. 46). He expressed concern that the policies of Title IX are impossible to monitor and enforce in coeducational schools.

Nevertheless, most researchers on Title IX at least recognize that coeducation will continue and that Title IX must apply within this environment. It is in this environment that the Sadker and Sadker (1994) researched sex equity and Title IX. Major points of their research included the following:

1. Even though girls are ahead of or equal to boys on most achievement tests and psychological well-being in early grades, they fall back by high school or college graduation.
2. Girls score lower than boys on college entrance examinations, especially in science and mathematics.
3. More boys than girls are awarded state and national college scholarships.
4. Women in college score lower on all sections of the Graduate Record Examination.
5. Women score lower on most tests taken to enter professional schools including the GMAT, ISAT, and MCAT.
6. At all levels of schooling, females receive less active instruction, both in quantity and quality of teacher time and attention (Sadker & Sadker, 1994).

This research brings up the issue of whether achievement can be associated with gender. Although data are conflicting, no systematic evidence exists of a "gender" gene (AAUW, 1992; Harvey, 1986). Instead, it seems to be an educational achievement lag as documented by a host of other researchers. Several careful studies have indicated that many of these differences are the result of teacher, parent, school, and even student low expectations (AAUW, 1992; Irvine, 1986; Jones & Wheatley, 1990).

The research findings reported by Sadker and Sadker (1994) are substantiated by others. The other major research report on sex equity

since the enactment of Title IX, was published in 1992 by the American Association of University Women (AAUW). This publication, entitled *How Schools Shortchange Girls*, reported the results of a study conducted in 1990 in 25 rural districts in 21 states:

Thirty-seven percent of administrators interviewed saw no Title IX compliance issues in their districts. Some of these administrators expressed the view that it was "stupid" or "frivolous" to worry about equal opportunities for girls and boys. Furthermore, . . . in some of the school districts where the administrators perceived no problems, Title IX violations appeared to exist in terms of athletic opportunities and sex segregation in higher level mathematics and science courses. An additional twenty-eight percent of the district administrators interviewed replied that they believed their districts were within the letter of the law but they had not gone beyond equal access. A third group, thirty-five percent of the sample, reported that they were concerned that equal access in the narrow sense was not sufficient to provide genuine equal opportunity for girls and boys. (AAUW, 1992, p. 8)

The AAUW (1992) report does indicate, however, that progress has been made in sexual equity: "Significant improvements in the educational opportunities available to girls have occurred in the past two decades," (p. 84). However, like Sadker and Sadker's (1994) publication, the report indicates that "grades, test scores, and course-taking patterns" (p. 45) continue to show a gender gap in instruction and opportunity.

Stromquist (1993) examined specific areas of schooling to determine progress made in Title IX. Her study, at the University of South California, demonstrated that limited progress has been made in this area and that more is needed:

1. Access to educational programs for career fields has seen most growth in law and medicine. Mathematics changes seem to have taken

place as part of a general social trend. Improvement in engineering is evident but still well below parity.

2. Textbook changes are more evident in kindergarten through grade 12 textbooks than in teacher preparation textbooks. Market forces (e.g., fear of boycott of certain books by feminist parents) may assist this more than Title IX.

3. Curriculum material has made progress as part of the emphasis toward overall diversity and multiculturalism. Nevertheless, the actual classroom materials still portray women as an afterthought to history.

4. In-service training is conducted but not on an organized full-scale basis to affect all staff. Indeed there is evidence that after in-service, teacher behavior does not change even though there is increased awareness.

5. Athletics lead the way in terms of support and incentives to girls. Department of Education assessment cites a substantial increase in the number of girls involved in sports. In other areas of schooling, the support and incentives are far fewer (Stromquist, 1993).

It is indeed this last area cited by Stromquist (1993), athletics, that achieved momentum for Title IX. This is likely attributable to King's concept of a political agenda. Tangible measures of equality in sports began to crumble even by the 1970s and major achievements were evident as the United States moved into the 1990s. The tangible measures include more equal facilities for practice and training, more equal access to times for practice and competition, and more equality in

number of sports and teams (NACWEP, 1981; Olson, 1991). These areas are the most easily identified as being discriminatory, and progress is evident. Many activists stress that automatic application of male standards to women's sports have not occurred. In addition boys' athletic programs remain better funded, and girls have fewer sports and no contact sports (Tyack & Hansot, 1990). Also, the number of female coaches is decreasing as women's sports become more profitable (Olson, 1991; Tyack & Hansot, 1990).

Supporting Stromquist's (1993) findings in areas other than sports, other researchers have reported similar results (Avery & Walker, 1993; Carelli, 1988; Cusick, 1987; Lirgg, 1983; O'Reilly & Borman, 1984; Page & Rosenthal, 1990; Sadker & Sadker, 1994; Vandell, 1989). It is also evident that the research is not as fully developed in other areas as it is in sports. Two studies suggest that this discrepancy is the result of students' and parents' lack of awareness of gender discrimination in textbooks, career counseling, and teacher expectations and their effect in comparison to more overt areas of discrimination (NACWEP, 1981; Titus, 1993). Sadker and Sadker's research indicates that textbooks are still more likely to promote sexist attitudes than to eliminate them (Sadker & Sadker, 1994). This tendency is especially true in textbooks for mathematics and science. However, reading and language arts books also handle sex differences in a stereotypic manner (Sadker & Sadker, 1994). Counselors seem to be more aware of sex equity than do teachers (Northwest Attitudes, 1981). The Department of Education, in

1991, published a pamphlet entitled *The Guidance Counselor's Role in Ensuring Equal Educational Opportunity* for improving counselors' awareness. This document was in partial reaction to the need for counseling techniques and materials that were not stereotyped. Evidence exists that teachers channel young children into "sex-typed" activities as early as preschool (Jones, 1989).

It is interesting to note that textbooks used for teacher preparation cover Title IX and related gender equity in only a cursory manner. Often only two to three sentences are given to the entire topic (Titus, 1993). Furthermore, sex equity must be redefined in something other than male-as norm conception of curricula. Heretofore, females have been viewed as receiving equitable treatment only as they work toward male standards in areas such as test scores and athletic records. New discourse offers the suggestion that the constructs of male and female be analyzed (Leach & Davies, 1990). This suggestion should be considered in light of the evidence that often females hold a "fundamental contempt" for being females even at the elementary school level (Birard, 1986).

The implementation of Title IX thus has been incomplete. Placing Title IX in the context of redistributive policy helps explain these mixed results. It has already been suggested that Title IX has been on and off the political agenda. It gained attention long enough in the early 1970s to secure passage, but its implementation was significantly hampered in the 1980s by conservative forces in the executive and judicial branches of government (AAUW, 1992; Tyack & Hansot, 1990).

This indicates how separation of powers plays an important role in the implementation of federal legislation. As in redistribution policy, Congress often creates several programs aimed toward the same end. Several programs similar in purpose to Title IX were implemented. The following brief list displays the programs related to sexual discrimination at the federal level alone:

Executive Order 11246, 1968
Women's Educational Equity Act, 1974
Pregnancy Discrimination Act, 1978
Guidelines for Eliminating Discrimination and
Denial of Services on the Basis of Race, Color,
National Origin, Sex and Handicap
Carl Perkins Vocational Education Act, 1984 (Carelli, 1988,
p. 93).

One reason for these additional acts was that Congress did not view the program results as satisfactory. As discussed in the section on redistributive legislation, this is one of the few reasons for Congress to revisit legislation. In the 1970s and 1980s, as inequities were discovered in the vocational, science and mathematics fields, and in textbooks, Congress passed additional measures to encourage redistribution. Some of these included incentives for change, such as in the Perkins Vocational Act (Carelli, 1988).

With this additional legislation, two conflicting results occurred. First, additional money became available to implement some of the purposes of Title IX, as in the Women's Educational Equity Act and the Carl Perkins Act. However, in some ways the additional legislation caused a second result. It hampered the implementation of Title IX

because several different sections of the educational bureaucracy handle these programs. The major regulatory agency, the Department of Education Office for Civil Rights, was charged with monitoring more of these programs. Already, the staff of the Office for Civil Rights needed prodding to enforce Title IX. Significantly, the federal government did not resort to cutting off funding at noncompliant institutions, the ultimate sanction for Title IX violations available, until recently (Tyack & Hansot, 1990). Several researchers have pointed to the lack of significant activity by the Office for Civil Rights on Title IX (AAUW, 1992; Carelli, 1988). Part of the problem in determining the office's success lies in the absence of statistics on gender discrimination.

Incomplete records were revealed in a study in the 1980s by the National Advisory Council on Women's Educational Programs' Project on Equal Protection Rights, PEER (1985). The project was often forced to rely on data collected by private organizations (Tyack & Hansot, 1990). The available data indicated token compliance. Members of the PEER Council found that implementation in public schools showed staff personnel to be "ignorant of the law itself" (p. 255). There was little incentive to implement Title IX when the fear of funding loss was not real. Indeed, one account describes the mid-1970s into the 1980s as a time in which educators viewed Title IX as "a simply bothersome and costly distraction" from the real purpose of education (Tyack & Hansot, 1990, p. 247). The Office for Civil Rights did little to move educators to real implementation (AAUW, 1992).

The impact of the judiciary on Title IX, as a redistributive policy, is both significant and inconsistent in results. Much of Title IX's progress and many of its setbacks have been seeded in court actions. In the initial years, compliance occurred, but was slow and sporadic (Carelli, 1988). However, within 10 years after Title IX regulations were published in 1975, the Supreme Court handed down *Grove City College v. Bell* (1985), which created what was perceived by many as a loophole that allowed institutions to discriminate. The Court ruled that the only part of an institution that was subject to the anti-discrimination provisions of Title IX was the part receiving direct federal funds. The rest of the institution could be free from Title IX restrictions. This setback, viewed by many as a lack of commitment to the original intent of Title IX, was reversed within a year by legislative action. Had there not been substantial advocacy on the part of those interested in restoring the intent of Title IX, the situation could have remained.

This particular reaction demonstrates the willingness of Congress to become involved again if legislators do not perceive program implementation to be as was intended, or if program results are not satisfactory. Congress immediately responded after *Grove City* by passing the Civil Rights Restoration Act of 1985. The passage of this act required a coalition of feminists with other organizations representing "disenfranchised Americans," including minorities, disabled, labor, and older Americans (Carelli, 1988). The passage is evidence of the bargaining process which Ripley and Franklin (1986) referred to as the

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bargaining process that Ripley and Franklin (1986) referred to as the heart of politics and therefore the implementation of legislation.

Other court cases have broadened the statute beyond its original scope. Federal judges and courts are involved in implementation by "not only decisions that limit or channel or mandate certain kinds of implementation [as in *Grove v. Bell*, 1985], but in the sense that judges and their appointees literally become program administrators" (Ripley & Franklin, 1986). *Cannon v. University of Chicago*, (1979) held that a private cause of action does exist under Title IX, thus allowing individuals to sue directly rather than prevail upon the Office For Civil Rights to initiate compliance action. It was this United States Supreme Court ruling plus a previous Title VI case (*Guardians Association v. Civil Service Commission of N. Y.*, 1983) that provided the backbone of the Supreme Court's most recent Title IX expansion. The *Guardians* ruling suggested that damages are available to a plaintiff alleging intentional violation of rights. Ruling that the intent of Title IX allowed it to be interpreted and applied as Title VI (*Cannon*), the court expanded the scope of Title IX (Brown, 1993). It was only a matter of time before the implementation of Title IX gathered new momentum.

This hint at momentum was evident in the middle and late 1980s. Sexual harassment entered into the discussion of sexual discrimination, and the courts were not hesitant to rule on these issues. Although originally viewed as an employer-employee or college professor-student problem (*Moire v. Temple University School of Medicine*, 1985), the

dimension of sexual harassment became part of Title IX. The Supreme Court then delivered another critical implementation tool for Title IX. In *Franklin v. Gwinnett County Public Schools* (1992), the Supreme Court dealt with sexual harassment of teacher to student. For the first time the implied right of action recognized in *Cannon* supported a claim for monetary damages when an intentional violation was involved. The implications of the *Franklin* case are significant and include such issues as institutional liability with or without punitive damages for student-to-student harassment (Brown, 1993). However one court has ruled that school officials cannot be sued under Title IX in their individual capacities because they do not personally receive federal funds (*Bogher v. University of Pittsburgh*, 1989).

The *Franklin* case, providing a "money damages remedy," gave a powerful incentive to enforcement of Title IX. Now sexual harassment might be actionable against the institution. In *Doe v. Petaluma City School District*, (1993), the Ninth Circuit Court of Appeals ruled that a sexual harassment claim based on a student's hostile environment is actionable under Title IX. A district's failure to respond appropriately to student-to-student harassment of which it has knowledge is in violation of Title IX (cited in Shultz, 1994). Although in *Garcia v. Galena Park ISD* (1994) the United States District Court, Southern District of Texas, ruled the opposite in 1994, there is a likelihood of an appeal so the issue is not yet fully settled. Peer sexual harassment is often left unchecked at the secondary school level. These incidences are not isolated but are

"compelling repeated events" (Bogart & Stein, 1989, p. 158). Ample reason exists to use Title IX, with its threat of compensatory damages, to create a desire on the part of school administrators to prevent sexual harassment. Shultz suggested that these new court rulings place significant pressure on educators, especially administrators, to become familiar with the district's policy on sexual discrimination and harassment and take affirmative action when suspected instances occur (Shultz, 1994).

The judiciary has expanded Title IX's scope as it often does with redistributive legislation. The recent cases are a positive impetus for increased enforcement of Title IX. Susan Wright described the effect of *Franklin*,

The *Franklin* decision clarifies the state of the law with respect to the specific remedies available under Title IX. The holding will also affect future court interpretations of similar anti-discrimination statutes. Legal commentators must reexamine the direction of the Supreme Court in light of its unusually broad reading of this piece of civil rights legislation. Further, the full impact of the *Franklin* decision must be reevaluated in light of future lower court applications, and possible limitations, of the decision. Ultimately, however, the positive consequences of the decision should outweigh any potential negative effects on educational institutions. The decision represents a clear, though surprising, victory for civil rights groups. (Wright, 1992, p. 1386)

Just as court cases have affected the implementation of Title IX, so federalism has had its effect. Federal policy implementation occurs within the environment of state and local government bureaucracy that often resists the policy (Ripley & Franklin, 1986). Title IX, albeit federal legislation, has its application within the state function of education.

Local control of education is the common pattern in virtually every state, and certainly in Texas. Therefore local interests and values are present. The ultimate implementation is in the school, its classrooms, and athletic practice fields where real individuals are the actors. They bring to bear their own values and interests and often reflect those of their community. In many ways these schools figuratively exist a long way from the halls of Congress.

Actual implementation at the local level takes place within a special local governmental entity: the school district. This government entity is subject to the whims of individuals and their beliefs (Dye, 1990). It is interesting to note that although research findings indicate that local school administrators are aware of Title IX, these same findings indicate that compliance is minimal only (AAUW, 1992). The specific requirements of Title IX, as stated in its regulations, call for action on the part of local districts (Carelli, 1988). Although relatively simple and similar in nature to most grievance procedures, Title IX requirements are often seen as an invasion of local control. The extent to which federalism, via local and state implementation, has affected Title IX is the subject of significant debate. "Procedural and jurisdictional arguments have snarled the enforcement of Title IX" making its ultimate effect difficult to assess (Lines, 1983, p. 2). Federalism allows for differences to exist in terms of degree and extent of implementation among the states and local entities (Dye, 1990). In essence, "the implementation of Title IX is dependent on the social organization of

timely and trustworthy information flowing from interested core actors to the proximate authorities [local school districts]. [This] defines the nature of the policy debate and its outcome" (Perrucci, & Potter, 1989, p. 17). Federalism, at least as practiced in the last 100 years of American history, has blurred the lines among levels of government (Ripley & Franklin, 1986). Implementation is therefore dependent on both cooperation among government and enforcement, where necessary by the federal regulating agency. Most of the history of Title IX indicates that necessary alliances of power must be brought to bear (Perrucci & Potter, 1989). Faludi (1991) described the conflictual nature of Title IX, implemented within federalism, as "battles lost, points and territory gained and surrendered (p. XX).

Barriers to Effective Implementation of Title IX

In part, several of the barriers to the effective implementation of Title IX have been suggested in the discussion of the degree of implementation. Certainly, the literature reviewed suggests that the Office for Civil Rights' lack of enforcement of Title IX and failure to apply the sanction of removal of federal funds have been barriers to its implementation (National Organization of Women's PEER, 1985; Tyack & Hansot, 1990). The fact that the regulatory agency for Title IX is responsible to the Executive Branch, which was dominated by conservatives in the 1980s was a major barrier (AAUW, 1992; Stromquist, 1993; Tyack & Hansot, 1990). The judiciary, notably in

Grove City College v. Bell (1985), created a barrier to Title IX implementation for several years (Carelli, 1988). The very nature of federalism and its complicated environment have created various barriers to Title IX, which include failure of states and local districts to be attentive to the statute (Stromquist, 1993).

It is important to recognize that each of these sources of barriers--regulatory agencies, the judiciary, and federalism--have a more systemic root. As Ripley and Franklin (1986) remarked, a major consistent complicating factor is that a very large number of actors are involved in a redistributive policy. Where programs seem likely to have a chance of success, almost inevitably someone, usually at the local level, has taken the lead in building a network of supporting actors and institutions and simultaneously in neutralizing much of the potential opposition. "The absence of such a network goes far in explaining relative . . . lack of progress" (Perrucci & Potter, 1989, p. 17).

No research of Title IX to date has provided evidence to support major success of the program. Instead the success reported is limited to certain periods of time, and certain areas, such as athletics. These periods of more momentum seem to appear when a network of actors and institutions are willing to neutralize the opposition. In the AAUW report (1992) these periods in time are referred to as "windows of opportunity" (p. 84). Kingdom (1984) called them "policy windows" (p. 94).

One of the major reasons for the absence of a major change network for sex equity is that the problem is not clearly visible, as is racism. Many educators view gender differences as natural. They see "gender differences but not discrimination" (Tyack & Hansot, 1990, p. 249). Even many women themselves are ambivalent on natural gender differences versus differences created by established practices in the home, school, and society. Studies of the classroom treatment of girls and boys consistently reveal bias against girls in terms of expectation and attention. Yet the majority of teachers in classrooms are females (Eder & Parker, 1987; Jones & Wheatley, 1990; Page & Rosenthal, 1990; Vandell, 1989). One researcher, who limited the study to female teachers, found bias in teachers' perceptions of the scientific ability of students (Shepardson & Pizzini, 1992). A national poll of school administrators in 1972 revealed that 84 % of those polled felt that there was no sex bias in textbooks (Tyack & Hansot, 1990). Stromquist (1993) delved into the problems of barriers specific to Title IX implementation and concluded that extensive study into policy enactment and implementation are needed:

Studies of policy implementation that consider federal administrations that are antagonistic and supportive would present informative comparisons of state response and permit the identification of contingency variables affecting state performance. Can a friendly administration lead to more substantial changes, or do the forces of resistance run deeper than a few sympathetic actors? More studies of policy impact, systematically tracing changes at selected organizational levels, must be conducted. . . . Finally cross-national comparisons with educational equity legislation enacted in other countries . . . would increase our

understanding of the intention and performance of the state toward gender issues. (Stromquist, 1993, p. 401)

Contemporary Issues Involving Title IX

Due to recent court cases, including *Franklin v. Gwinnett* (1992) and *Doe v. Petaluma* (1993), several new issues have been brought forward under Title IX. Some have been resolved; others still have undetermined implications.

1. Does Title IX apply to student-to-student harassment?

The issue is still unresolved in the courts. The case of *Garcia v. Galena Park ISD* (1994) in the United States District Court, Southern District of Texas, held that Title IX does not. However, the United States Court of Appeals for the Ninth Circuit (*Doe v. Petaluma*, 1993) has ruled that school districts can be sued under Title IX for harassment of one student by another student. Furthermore, as with employees, the issue of what constitutes intentional discrimination is not completely resolved for Title IX. In the case of employee discrimination against a student, the United States Supreme Court ruled in *Franklin v. Gwinnett* that intentional discrimination is not "just that the employee of the institution had knowledge or should have knowledge of the hostile environment and failed to take appropriate action to end it" (cited in Shultz, 1994, p. 4.). Rather, "it is intentional discrimination" (Shultz, 1994, p. 4). Therefore, what is intentional discrimination on the part of a district in student-to-student harassment (Shultz, 1994)? It is interesting that the Office for Civil Rights interprets the "failure to take

timely and effective action" (Shultz, 1994, p. 4) as enough to issue Letters of Findings.

2. To what extent can individual educators be liable under Title IX?

Under Title IX, administrators and teachers cannot be sued in their individual capacities for sexual harassment or discrimination as an issue of free speech (*Doe v. Petaluma City School District*, 1993). It is imperative, however, that educators understand some liability may still exist under another federal statute, 42 U.S.C. §1983 (*Doe v. Taylor ISD*, 1993).

3. Can failure to act trigger district liability under Title IX?

Because the courts have allowed only the educational institution to be held liable, what conditions must be present for district liability? Several conditions must be satisfied in order to secure a *money damages remedy*: (a) An intentional violation of Title IX is proven (*Franklin v. Gwinnett*, 1992), and (b) there is a hostile environment and failure of the institution to take appropriate action (*Doe v. Petaluma*, 1993). The definition of appropriate action seems difficult to determine. Districts confronted with a complaint that cannot be determined as true are unsure how far to take the investigation.

Significance of Study

Because of increased liability for failure to eradicate gender discrimination, Title IX and the associated issues of sex equity are back

on the nation's political agenda. *Franklin v. Gwinnett's* (1992) allowance of monetary damages can be costly. This remedy also represents the "most effective means of compensating individual victims of sex discrimination and of deterring such discriminatory conduct by institutions" (Wright, 1992, p. 1386). Yet educators seem reluctant to move forward. A report from the American Association of School Boards (1994) indicated that only three-fourths of Florida's school districts had policies prohibiting sexual harassment of students. Even in these schools many school officials were unable to define sexual harassment, especially student-to-student harassment (p. 12). In Texas, awareness of the implications of sexual discrimination, including sexual harassment, is now more pronounced especially within particular professional organizations such as the Texas Association of School Boards (Shultz, 1994). Nevertheless, teachers, principals, and even superintendents may not have taken the time to implement essential steps to protect their districts against Title IX suits. This study will provide information regarding the levels of understanding among school administrators about Title IX issues and, in the process, reveal the extent to which Texas school districts are vulnerable to Title IX lawsuits and administrative enforcement procedures because of their lack of compliance.

CHAPTER 3
PROCEDURES FOR DATA COLLECTION
AND ANALYSIS

Overview

The degree of understanding of Title IX and its impact in public schools in Texas has become increasingly important in view of recent court rulings toward institutional liability for victim compensatory damages. In addition, the increased emphasis on sexual harassment of students has provided the impetus for campus faculties to become knowledgeable about Title IX. The problem of this study was the degree to which the provisions of Title IX have been implemented as they pertain to Texas public school students. An attempt was also made to ascertain which factors account for differences in the extent of Title IX implementation among campuses in Texas. Some of the exploratory inquiry focused on conditions that exist on campuses that encourage or discourage implementation. Does the gender, ethnicity, school level, or years of experience of a principal account for differences in a school's degree of implementation? Does the size of a district make a difference? Finally, does the fact that a principal or a district has been involved in Title IX allegations or legal action account for difference in the degree of implementation?

In an effort to achieve the stated goal of this study, two separate research methodologies were included. Initially a survey of Texas campus principals was conducted. This survey was designed to determine the degree of knowledge of campus principals in Texas about Title IX, its regulations, and the impact of recent court interpretations of the statute. After collection and analysis of this data, case studies of two districts were conducted to obtain more information regarding factors that affect Title IX implementation.

Populations

The population selected for the survey was made up of the campus principals of Texas public school districts. A total of 360 principals, representing 6% of the 5,600 campus leaders in Texas, was selected. To accomplish the selection process, campuses were disproportionately and randomly stratified to represent the campus level and size of districts in which the campuses existed. Campus level for the survey was either elementary or secondary. District size was deemed to be small, medium, or large based on average daily attendance (ADA) as listed for 1993-94 in the *Texas School Directory* (Texas Education Agency, 1993). Districts with under 1,000 ADA were designated as small. These districts generally had only one campus per grade level population (e.g., one elementary campus). Districts with 1,000 to 10,000 ADA were designated as medium, and districts with more than 10,000 ADA were designated as large. Generally, the districts which had above 10,000

ADA had more than one high school and were located in urban or suburban areas. Adherence was held to these designations with the realization that there were exceptions to the number of campuses in each size category. The total geographic area of Texas was represented in the survey although not every Texas county was represented. Because the survey was disproportionately stratified, the results do not represent the number of students in the total population but rather an approximately equal number of campuses in each level of schooling and campuses of each district size.

The population for the case studies was made up of selected staff members from three campuses (elementary, middle, and high) in two Texas districts. The two districts selected had ADAs in the range of 40,000 to 45,000. The staff selected for interviews at the campus levels in each district were administrators, coaches or physical education instructors, counselors, and two teachers. The two districts selected were chosen after analysis of the information from the survey. One district was selected because of extensive involvement with the Office for Civil Rights in recent years. The other district was selected for its comparable size, student ethnicity, and property wealth to the initial district but with no involvement with the Office for Civil Rights. Districts located in rural areas or with an enrollment of less than 10,000 students were not selected for case studies. To produce enriched data, it was considered desirable to study districts with multiple campuses at various grade

levels. More action on the part of the Office for Civil Rights has occurred to-date in larger urban and suburban school districts in Texas.

Instrumentation

An instrument was designed for the random survey of Texas principals. Items in the survey were developed after reviewing the statute, code of regulations and guidelines written by the Office for Civil Rights, and recent court rulings. The items included in the instrument were primarily designed to determine the degree of knowledge of principals about Title IX as well as the degree of implementation of Title IX procedures in their schools. The instrument elicited information relative to principals' school level, district size, years of administrative experience, and ethnicity. In addition, principals were asked whether they or their districts had previously been involved in Title IX allegations or legal action.

To validate the survey instrument, a five-member panel was selected to examine items on the survey for clarity and wording. The panel consisted of two university education and political science professors, two district Title IX coordinators, and a coordinator of the Regional Technical Assistance Office. Each panel member was asked to review all of the items. Items that were not considered clear were replaced or revised. After the instrument was revised, copies were sent to five campus principals to check for clarity. The five principals were not among those scheduled to participate in the random survey. The input

from the five principals was used for further clarification of the instrument.

The internal validity of the survey instrument was also studied.

The following factors were controlled:

1. interest--a cover letter accompanied the survey to promote the value of the study and the necessity of the survey to the study,
2. parsimony--only information that could best be obtained by a survey rather than other means was requested,
3. knowledge of respondents--in all appropriate questions, a "do not know" response was allowed,
4. items contained a single variable--each question was framed around one factor, and
5. simplicity--terminology and wording were as easy to understand as possible.

The decision to use a survey instrument to determine the knowledge level of principals and the degree of implementation of Title IX was based on the advantages of a wide data-gathering scope. According to most research methodology, the survey instrument allows for the collection of a great amount of information from a large population. For the amount of information needed from the large population of Texas principals, the survey was considered most economical (Kerlinger, 1986). With final revisions, the survey instrument was completed. A copy of the final draft is provided in Appendix A.

Recognizing that survey research does not necessarily penetrate "very deeply below the surface" and that it can "lift the respondent out of his own social context" (Kerlinger, 1986, p. 387), two case studies were used to verify and enrich the findings of the survey. The case study method was selected for the following advantages that it provided for this study:

1. *Context*--The data, with which this study is concerned, are produced by people and their acts. Because the human behavior surrounding Title IX implementation is influenced by the campus setting, the context is important.

2. *Descriptive data*--Data collected from interviews were considered to be a source of rich information not easily gained from the written survey. The interview information from campus personnel was anticipated to yield unexpected data with details of the environment present.

3. *Process*--In the study of Title IX, it was expected that attitudes and expectations would be translated into daily interactions. Case studies can demonstrate the process of implementation as well as the outcomes revealed in the survey.

4. *Inductive data*--The survey data were expected to prove or disprove connections between such factors as years of administrator experience or involvement in Title IX action and the degree of implementation of Title IX. The case studies allowed for more freedom in the discussion of implications from evidence provided.

5. *Participant perspective*--The case studies method made it possible to determine the dynamics of Title IX implementation from the on-site perspectives offered by those interviewed (Bogdan & Biklen, 1982).

The interview was used as the primary data-gathering source in the case studies. A structured interview guide was developed after reviewing survey results. The structured guide technique was selected in order to maintain continuity and provide a frame of reference between the two case studies. Open-ended questions were used to allow flexibility with a minimum of restraint on respondent replies (Kerlinger, 1986). The focused interview guides are provided in Appendix B.

The initial phase of the case studies included an interview with each of the two districts' Title IX coordinators. The purpose of this interview was to ascertain the districts' history, policy, and procedures relative to Title IX. This ensured that the campus-focused interview guide was appropriately structured to garner the richest information within the environment of the individual districts. It also aided in the identification of differences between district policy and campus practice.

To complete the case studies, data were gathered from official statistics and records at the district level. The importance of using official statistics is suggested by qualitative researchers. These data can be used to (a) suggest trends to explore to a greater extent, (b) serve as a check on ideas developed during interviews, and (c) explore veracity of participant perceptions (Bogdan & Biklen, 1982).

Procedures for Collection of Data

The survey was designed for Texas principals. The instrument was validated and pretested with a pilot group of principals, and final revisions were made. After the revision, the survey was printed with a cover letter explaining the purpose of the survey and urging participation. A preaddressed envelope was provided. Information from the 1993-1994 *Texas School Directory* (Texas Education Agency, 1993), was obtained in order to create the randomized database of principals to be surveyed. The 360 principals on the database received the survey in February 1994. In March, a randomization of nonrespondents was done based on the total number of nonrespondents in each strata (e.g., small elementary campuses). Because the desired response outcome was 50% for each strata, the new randomized list contained names of principals equal to the following formula: $60\% (\text{desired } 50\% + 10\% \text{ overage}) - \text{percentage received by March 15} = \text{percentage for each strata to use in follow-up}$.

To each of these principals, a telephone request to complete the survey was made between March 21st and May 1st. Every principal contacted replied positively except one. If a principal could not be contacted, the next principal on the original randomized list was substituted and contacted. Each contacted principal was then sent a second survey accompanied by a return-addressed stamped envelope. By May 23rd, the survey results were considered received.

In June, 1994 an initial call was made to the district selected for use in the case study because of involvement with the Office for Civil

Rights on Title IX complaints. This call was followed up in August with a specific telephone request to the superintendent for permission to conduct a case study using three campuses in the district: elementary, middle, and high school. A formal letter was sent immediately after the call, and permission was granted. The second district was then selected based on the profile of the first district, but without involvement with the Office for Civil Rights relative to Title IX. The same procedure for contacting the superintendent was used with the second district. The complete lack of previous involvement with either of the two districts presented both an advantage and a disadvantage. The major advantage was personal objectivity toward the districts. The major disadvantage was the lack of established credibility with those interviewed. To aid in overcoming the lack of established credibility, 5 to 10 minutes of the interview time were spent seeking to put the participants at ease and explaining the ultimate use of information gained from the interviews as well as the anonymity of the findings (Bogdan & Biklen, 1982).

Standard procedures were followed in contacting each campus selected for the two case studies. An initial telephone call was made to each campus principal explaining: (a) the nature of study, (b) the permission granted by the superintendent, (c) the type and number of participants to be interviewed, and (d) the length of time for each interview. The appropriate date and schedule was set. Both case studies were scheduled in September.

During each case study, the Title IX district coordinator was interviewed initially. These interviews were conducted at the district central offices. The interviews were audio taped with the permission of the coordinators. The coordinators were told that they had the option of changing or adding to any of their responses upon receipt of a copy of the transcribed responses. The interviewer began by reading each question as written on the interview guide. The order of the questions was not considered sequential; therefore, questions were not always asked in the same order. When appropriate to the situation, the coordinators were asked for explanations and clarification. At the end of the interviews with the Title IX coordinators, copies of Title IX policies, procedures, and other information relative to Title IX enforcement were requested. The coordinators were asked to make other official statistics available for the interviewer at the close of the campus interviews.

Following the interview with the district Title IX coordinators, the campus-based interviews were conducted at the campus at times convenient for those interviewed. Attempts were made to interview each interview participant in a quiet, nondisruptive environment using a conversational style. This was accomplished in the majority of cases. As with the district coordinators, all of the participants agreed to have their answers audiotaped. The structured interview guide was used to elicit responses. The interviews were accomplished as designed.

Procedures for Analysis of Data

Survey Instrument

Data from the survey instrument were analyzed to provide important information relative to the knowledge of Texas principals about Title IX and the degree of implementation of the statute in Texas schools. Due to the exploratory nature of the research, a simple approach was used to report overall knowledge of all principals and various sub- populations of the principals. Following are examples.

There were 18 questions designed to measure knowledge about Title IX. A determination was made to report the percentage of principals who either missed or marked "don't know" on each question. When fewer than 66.6 % of the principals were able to answer correctly on the particular question, it was considered important enough to report. Next the questions were placed in the following categories to determine if certain areas of knowledge were less known by principals than others.

Categories:

1. Information on statute itself or code of regulations.
2. Information based on interpretation by administrative agencies, but not specifically mentioned in statute or code.
3. Information based on recent court cases.

The 66.6 % was considered important enough to report because this was primarily exploratory research. Ten principals were asked if finding one-third of all principal respondents not familiar with an area of

education law would be significant. Their unanimous reply was affirmative. In addition, it appeared that some questions were missed more than others because of item construction. These too, are reported and reasons are provided. It was also considered interesting enough to report the percentage of principals who were able to answer fewer than 66.6% of all the knowledge questions correctly.

For questions relative to Title IX implementation, data were again analyzed to report simple percentages of principals and tables created to report the data. For example, data on knowledge of principals were studied to determine the percentage of principals involved with action relative to Title IX discrimination in terms of a district internal complaint, Office for Civil Rights, or court action. Further analysis was done to determine the percentage of principals participating in staff development and the frequency with which it occurs. Finally the perceptions of principals relative to campus implementation of Title IX were studied in order to report the extent of implementation and equity of treatment of both sexes. These are reported in terms of mean and mode.

In order to test questions relative to differences among groups of principals according to sex, ethnicity, years of principal experience, size of district of employment, and level of school assignment, traditional statistical tests were used. Dependent on the type of question asked and the method of response, a test was run. The Wilcoxon Rank Sum Test and the Kruskal-Wallis Test were both used to test for correlation

between degree of knowledge and factors such as administrators' years of experience, ethnicity, size of district, or sex. A specific example included the analysis of the percentage of questions marked "don't know" according to the size of the district in which the principal was employed. The Kruskal-Wallis Test for Identical Populations was used to test the null hypothesis. In using this test, the original scores were replaced by their corresponding ranks. The test statistic H was considered a measure of the variance of the rank sums. Large values of H indicated that the null hypothesis (samples came from identical populations) should be rejected (Triola, 1989). The H values for different district sizes are shown in Table 2.

Table 2

H Values for Different District Sizes

District Size	H
Above 25, 000 ADA	364.5
Between 10,001 and 25,000 ADA	560.0
Between 5,001 and 10,000 ADA	417.0
Between 1,001 and 5,000 ADA	451.5
Between 501 and 1,000 ADA	499.5
Less than 500 ADA	361.5

In much the same way, the Wilcoxon Rank-Sum Test was set up to test the null hypothesis. This test was used because the sample for the study

was not randomly chosen from a very large population (Hienkle, 1988). An example for use of this test is shown for male versus female on the percentage missed as follows: rank-sum for males = 1,987.5, mean rank-sum = 1,892, standard deviation rank sum = 117.791, test statistic = .810758, critical value $z = +1.96039$, significance level = .05, p -value = .417504. The analysis also involved the use of the t -test to determine relationships on particular questions (Triola, 1989). For example, Question 23 measured the principals' perceptions of their familiarity with Title IX. The mean was determined for male principals and for female principals. The mean for male principals was 3.4; the mean for female principals was 2.9. Because there was a difference, a t -test was run to determine if the difference was significant between the two means. The t -test gave a test statistic of 2.35. The critical value was ± 1.96 resulting in a p -value of .02, which revealed a significant difference between the perceived familiarity with Title IX of male and female principals.

Case Studies

After the interviews with the two district Title IX coordinators and at the completion of all interviews at a particular campus, the responses to each question were summarized in written form. Accuracy of the written answers was ensured by listening at least twice to the taped responses. Validation and objectivity were checked by using two Title IX coordinators and one assistant superintendent from districts other than those involved in the case studies. Each of the validators reviewed two

transcribed responses each, randomly selected from two case study participants. Two questions on the campus interview guide and six of the responses of the district coordinators were excluded because the questions were background questions only and did not call for subjective judgment. Approximately 30% of the responses were validated using this procedure; ten minor changes were made in the 38 transcriptions.

Those interviewed were then provided a transcript of their responses and allowed to determine the accuracy of the interpretation of their own responses. Changes made by the respondents were recorded on the final document which was analyzed for the study. An example of a final transcription with changes noted is provided in Appendix C.

From the transcriptions, responses to each question were coded (Bogdan & Biklen, 1982). Categories were predetermined based on questions and included (a) familiarity with meaning of sexual discrimination and sexual harassment of students, (b) perceived changes on campus relative to Title IX for students (both positive and negative aspects), (c) practices still needed to eliminate sexual discrimination and harassment of students, (d) barriers to elimination, and (e) type and frequency of staff development provided for campus personnel.

When appropriate, responses were categorized according to the type and school level of the respondents, such as the responses of coaches to "Practices Needed to Eliminate Sexual Discrimination and Harassment of Students" and responses of elementary respondents to "Meaning of Sexual Discrimination of Students." Furthermore, the

responses of the participants from the two districts were categorized in order to determine if the action of the Office for Civil Rights against the district had a significant impact on the knowledge and degree of Title IX implementation. These categorized responses were analyzed and inferences made about the factors affecting Title IX implementation as related to factors of level of schooling, Office for Civil Rights action, and type of position on campus (principal, coach, teacher, counselor). In addition, some inferences were made as to depth of understanding about Title IX. These inferences and accompanying generalizations are presented in Chapter 4.

Summary

A survey instrument was designed to collect data concerning the knowledge level of Texas principals relative to Title IX and the degree of implementation of the statute in Texas schools. Case study data, collected from campuses in a school district with previous Office for Civil Rights action and a similar district without Office for Civil Rights action, resulted in categorized perceptions of various faculty positions.

Inferences and generalizations relative to factors affecting Title IX implementation were drawn. The study made possible the following:

1. tentative conclusions as to level of knowledge of Title IX of Texas principals and whether there is significant variance in this level based on principal level of school assignment, years of principal experience, ethnicity, sex, or size of district;

2. tentative conclusions as to degree of implementation of Title IX on Texas campuses and whether there is significant variance in the degree based on principal level of school assignment, years of principal experience, ethnicity, sex or size of district;

3. descriptions of individuals' perceptions of (a) their knowledge of the meaning of sexual discrimination and sexual harassment, (b) perceived changes on campuses relative to Title IX for students, (c) the positive and negative aspects of these changes, (d) the barriers to elimination of sexual discrimination and harassment, (e) type and frequency of staff development provided for campus personnel;

4. descriptions of similarities and differences in references to Title IX as delineated above among particular groups of respondents such as faculty positions (administrator, coach, teacher, counselor) and level of schooling;

5. descriptions of similarities and differences between the district having involvement of the Office for Civil Rights relative to Title IX and the district with no involvement in reference to the specifics of Title IX delineated above;

6. inferences and generalizations regarding principals and other faculty members' perceptions of Title IX and its implementation; and

7. tentative hypotheses for further study of Title IX implementation.

CHAPTER 4

ANALYSIS OF DATA AND FINDINGS

The purpose of this study was to ascertain the degree to which the provisions of Title IX are understood by Texas principals and the degree to which these provisions have been implemented on Texas campuses. In addition, the factors that account for differences in the extent of Title IX implementation among campuses were ascertained. The two research methodologies used were (a) a survey of Texas campus principals to determine their degree of knowledge and the degree of implementation of Title IX, its regulations, and the impact of recent court interpretations of the statute; and (b) case studies of two districts to examine in more detail the factors affecting Title IX implementation.

This chapter contains two major sections. The initial section provides data from the survey on Title IX of Texas principals. This section reports the extent of knowledge about Title IX requirements from (a) information directly stated in statute or code of regulations, (b) information based on interpretation by the Office for Civil Rights, and (c) information based on recent court cases; and the degree of implementation of Title IX by Texas campus personnel as explained by (a) involvement in Title IX action, (b) amount of staff development on Title IX, (c) perceptions of principals about the degree of campus

implementation, and (d) perceptions of principals about equity between the sexes on campus. For both degree of knowledge and degree of implementation, information is provided showing differences, if any, among groups of principals according to sex, ethnicity, years of experience, size of district, and level of school assignment.

The second section contains data from the case studies. In this section, the findings reported correspond to predetermined categories. Included are (a) familiarity with Title IX and the meaning of sexual discrimination and sexual harassment of students; (b) both positive and negative aspects of perceived changes on the campus relative to Title IX for students, practices still needed to eliminate sexual discrimination and sexual harassment of students, and barriers to elimination of sexual discrimination and harassment of students; and (c) type and frequency of staff development relating to Title IX. Comparisons are made between campuses in a district that had previous Office for Civil Rights action and campuses in a district that had no Office for Civil Rights action. When appropriate, responses are categorized according to the type and school level of respondents. Responses to questions in each category are displayed in tables, or means of responses, and similarities and differences between and within groups are presented.

Section 1: Survey Data

The results obtained from the survey of campus principals in Texas provide information on their knowledge level about Title IX. One

hundred and fifty-six of the 360 surveys mailed were returned. Returns yielded from the initial mailing are listed in Table 3.

Table 3

Returns of Survey of Initial Mailing

School Level	Size of District (Average Daily Attendance)		
	0-1,000	1,001-10,000	10,000 +
Elementary	15 of 60 returned	16 of 60 returned	16 of 60 returned
Secondary	16 of 60 returned	18 of 60 returned	21 of 60 returned

A second follow-up was made using telephone calls to principals. A letter was then mailed. Final returns are shown in Table 4. One limitation of this study was the inability to assure that the principals responding to the survey were representative of the original random sample. However, attempts were made in the follow-up to principals to maintain randomization. The data base was used to make follow-up telephone calls by calling every third non-respondent. If no contact was made, the next principal on the list was called.

Table 4
Returns of Survey After Final Follow-Up

School Level	Size of District (Average Daily Attendance)		
	0-1,000	1,001-10,000	10,000 +
Elementary	27 of 60 returned	29 of 60 returned	23 of 60 returned
Secondary	27 of 60 returned	26 of 60 returned	24 of 60 returned

Degree of Knowledge

The results of the analysis were organized by categories of information. The first 18 questions of the survey, designed to report the knowledge level of principals, were organized into more specific categories for analysis. In each specific category, the percentage of principals who missed or marked "don't know" on each question was reported. The percentage of principals who correctly answered each question was reported as well. The final column reflects whether the percentage of principals who missed or marked "don't know" was significant. Significance was determined by whether at least one-third of the principals marked "don't know" or missed the question.

Data in Tables 5, 6, and 7 provide the information on the initial 18 questions according to the three categories: (a) information from the

Table 5

Degree of Knowledge of Texas Principals on Title IX--Information From the Statute Itself or Code of Regulations

Percentage of All Principals (N = 156) Who Missed or Marked "Don't Know"				
Questions	Correct Response	% Missed or Marked "Don't Know"	% Correct	Considered Significant
1. Title IX prohibits sexual discrimination in public and private institutions that receive federal funds.	Y	6	94	
2. The Equal Employment Opportunity Commission is responsible for enforcing regulations relative to Title IX.	N	84	16	√
7. Receipt of federal funds, such as Chapter 1, places the entire district under the Title IX requirement.	Y	30	70	
10. If an investigation reveals there has been a Title IX violation, voluntary compliance is requested as an initial remedy.	Y	34	66	√
11. One must use the institutional grievance procedure before filing a complaint under Title IX with the appropriate agency.	N	72	28	√
15. Title IX required educational institutions receiving federal assistance to adopt a separate grievance procedure to handle sexual harassment allegations.	N	67	33	√
17. Only the victim, not another person, can file a Title IX complaint.	N	53	47	√
Average of all questions in this category		49	51	

Table 6

Degree of Knowledge of Texas Principals on Title IX--Information Based on Interpretation by the Office for Civil Rights

Percentage of All Principals (N = 156) Who Missed or Marked "Don't Know"				
Questions	Correct Response	% Missed or Marked "Don't Know"	% Correct	Considered Significant
3. It is permissible under Title IX to have single sex classes in secondary physical education where there is extensive bodily contact.	Y	46	54	√
4. Sex-based dress and grooming codes are not permissible under Title IX (e.g., no earrings for boys).	N	53	47	√
5. Title IX does not prohibit extracurricular activities that are limited to participation by one sex.	Y	68	32	√
12. Conducting a course dealing exclusively with human sexuality in separate groups for males and females does not violate Title IX.	Y	48	52	√
13. Using one standard to measure skill in a physical education class is appropriate even if it has an adverse effect on members of one sex.	N	45	55	√
14. If a school offers separate classes for pregnant girls, a pregnant girl cannot attend regular classes.	N	22	78	
16. Monies collected by volunteer fund-raising groups (such as booster clubs) can be distributed unequally if designated for a particular activity such as baseball.	N	81	19	√

(table continues)

Percentage of All Principals (N = 156) Who Missed or Marked "Don't Know"				
Questions	Correct Response	% Missed or Marked "Don't Know"	% Correct	Considered Significant
18. Title IX includes the equal access to athletic facilities and the preferred times for athletic practice.	Y	27	73	
Average of all questions in this category		49	51	

Table 7

Degree of Knowledge of Texas Principals on Title IX--Information Based on Court Interpretation

Percentage of All Principals (N = 156) Who Missed or Marked "Don't Know"				
Questions	Correct Response	% Missed or Marked "Don't Know"	% Correct	Considered Significant
6. Title IX has been interpreted by the Supreme Court to apply to sexual harassment.	Y	52	48	√
8. Title IX remedies do not include money damages.	N	58	42	√
9. A demonstrated intent to discriminate or harass is essential for Title IX compensatory relief.	Y	76	24	√
Average of all questions in this category		62	38	

statute itself or code of regulations, (b) information based on interpretation by the Office for Civil Rights, and (c) information based on court interpretation. These responses reveal that, overall, 48.5% of the Texas principals surveyed knew the correct response to the questions on Title IX asked in the survey. In the category of questions which required knowledge of the statute or code, about 51% of the principals provided correct responses. In the category of questions which required interpretation of the statute or code, approximately 51% of the principals provided correct responses. In the category of questions which required information based on court interpretation, approximately 38% of the principals provided correct responses. The principals lacked the following specific knowledge on Title IX: (a) the agency responsible for enforcing regulations, (b) whether an institutional grievance procedure is necessary before filing a complaint under Title IX with the Office for Civil Rights, (c) whether a separate grievance procedure for sexual harassment is essential, (d) whether a person other than the victim can file a Title IX complaint, (e) whether Title IX prohibits extra curricular activities that are limited to participation by one sex, (f) whether conducting a course dealing exclusively with human sexuality in separate groups for males and females violates Title IX, (g) whether using one standard to measure skill in physical education class is appropriate even if it has an adverse effect on members of one sex, and (h) whether money collected by volunteer fund-raising groups can be distributed unequally if it is designated for a particular activity. Three other questions in the

area of knowledge (Questions 3, 4, and 5) received a low number of correct responses. However, the construction of these questions, as reversed items, rather than lack of knowledge, may be responsible for the low number of correct responses.

The principals also responded to a question relative to their perceptions of familiarity with Title IX. On a scale of one to seven, with the rating of one representing not familiar and seven representing extremely familiar, the mean rating was 3.2. The mode was 2.5. In addition, a hypothesis test was run to determine if the mean was significantly larger for males than females. The total number of males responding to the survey was 95; the total number of females was 61. The result of the z-test was $z = 2.35$, with a critical value of -1.65 . This indicates that the male principals felt they are more familiar with Title IX than did the female principals. However, using Wilcoxon Rank-Sum Test of Independent Samples, no significant difference was detected on either the number of knowledge questions missed or marked "don't know" between males and females. It was a matter of perception only (see Appendix D).

Principals' Involvement in Title IX Action

On items 19 and 20 principals were asked whether they had been involved in Title IX action or whether there had been any Title IX action in their district. If there had been action, they were asked to specify the type: internal complaint, enforcement agency (Office for Civil Rights), or litigation. This information is reported in Tables 8 and 9.

Table 8

Principals' Responses Regarding Involvement in Title IX Action (N = 156)

	% Indicating "Don't Know"	% Indicating No Involvement	% Indicating Involvement
Principal	--	94	6
District	20	61	19

Table 9

Type of Action of Principals Answering Yes in Table 7 (N = 39)

	% Internal Complaint	% Enforcement Agency	% Court Action
Principal	50	38	12
District	66	17	17

Tests were run comparing principals who had been involved in Title IX action and those who had not to test for differences in their knowledge. In terms of knowledge from the statute or code itself, an average of 51% of the principals involved in Title IX or in a district involved in Title IX missed or marked "don't know." This percentage was in comparison to 49% of the total group of surveyed principals (156). In the category of knowledge based on interpretation by the Office for Civil Rights, an average of 48% of the principals involved in Title IX or in a district involved in Title IX missed or marked "don't know." This percentage was in comparison to 49% of the total group of surveyed principals. Finally, in the category of knowledge based on court action,

an average of 53% of the principals previously involved in Title IX or in a district involved in Title IX missed or marked "don't know." This percentage was in comparison to 62% of the total group of surveyed principals. Only the last category had considerable difference, and the difference was attributable to one question. A smaller percentage of principals who were involved in some form of Title IX action or who were within a district experiencing involvement than principals in the overall group missed or marked "don't know" to the question of whether Title IX applied to sexual harassment (27% as compared to 52%).

Degree of Implementation

The next portion of the principal survey assessed the degree of implementation of Title IX by campus personnel. One question asked the extent to which the principals had participated in professional staff development. Another question asked the extent to which campus staff had been involved in staff development for Title IX. These findings are presented in Table 10.

Table 10

Principals' Responses Regarding Extensiveness of Staff Development (N = 155)

	Percentage of Principal Responses by Degree of Participation				
	More Than Two Times a Year	One to Two Times a Year	Less Than Once a Year	Never	"Don't Know"
Principal	3	15	23	59	--
Campus staff	2	11	20	62	5

The principals were also asked to rate how effectively their campuses had implemented Title IX. On a scale of one to seven, with the rating of one representing not implemented and seven representing entirely implemented, the mean rating was 4.6. The mode was 5.

Finally, two questions were asked to determine the principals' perceptions of actual sex equality on their campuses. It was assumed that the degree of sex equity could be slight or extensive regardless of their knowledge of Title IX legislation. Because much of the attention in Texas on Title IX has been focused on female athletics and physical education, one question asked principals to evaluate the treatment of the sexes in athletics and physical education on their campuses. Indeed, the results indicate that from the 156 respondents, the mean was 6.2 on a scale of one to seven, with one representing very unequal and seven representing totally equal treatment. The mode was 7. Another question asked principals to describe the equality of treatment of both sexes in the portrayal of future careers. On a scale of one to seven, from very unequal to totally equal, the mean was 5.7. The mode was 7.

In summary, the principals believed that Title IX had not been fully implemented on their campuses. Progress in athletics and the portrayal of future careers was perceived to be of higher than average equality.

Statistical Tests on Survey Instrument Results

Using the survey results, statistical tests were run to determine if differences in responses existed among groups of principals based on sex, ethnicity, years of principal experience, size of district, or level of school assignment. A correlation matrix was initially run to determine the relationships, if any, of these factors.

A correlation matrix was set up to find the linear correlation coefficient between seven areas of data collected from the survey. These areas were (a) the years of experience of each administrator, (b) the percentage for questions that each administrator missed, (c) the percentage of questions that each administrator marked "don't know," (d) the size of the district where the administrator worked, (e) the gender of the administrator, (f) the ethnicity of the administrator, and (g) the grade level of the administrator's campus.

A perfect correlation exists between two sets of data when the linear correlation coefficient equals ± 1 . (A positive correlation means that as one set of scores increases, so does the other set. A negative correlation means that as one set of scores decreases, the other set increases.) No correlation exists between two sets of data when the linear correlation coefficient equals zero. Therefore, the closer the linear correlation coefficient is to ± 1 , the stronger the correlation, and the closer the linear correlation coefficient is to zero, the weaker the correlation. Because the horizontal categories and the vertical categories are the same in Table 11, a perfect correlation of +1 naturally exists

Table 11

Factors

<i>Correlation</i>			3. % of Knowledge Questions Marked "Don't Know"	4. Size of District	5. Sex	6. Ethnicity	7. Level of Campus
1. Years of Experience	1.00	-0.16	0.10	-0.30	0.12	-0.21	-0.13
2. % of Knowledge Questions Missed	-0.16	1.00	-0.16	0.22*	0.08	-0.01	0.07
3. % of Knowledge Questions Marked "Don't Know"	0.10	-0.61*	1.00	-0.10	-0.14	0.04	-0.40*
4. Size of District	-0.03	0.22	-0.10	1.00	-0.34	0.14	-0.22
5. Sex	0.12	0.08	-0.14	-0.34	1.00	-0.11	-0.33
6. Ethnicity	-0.21	-0.01	0.04	0.14	-0.11	1.00	0.15
7. Level of Campus	-0.13	0.07	-0.40	-0.22	0.33	0.15	1.00

*Possible significant correlation.

between each data set and itself. The linear correlation coefficient was examined for strength for each of the other pairs of the categories. Only those found to be significant and relevant to this study are discussed.

The percentage of questions missed correlated negatively with the percentage of questions marked "don't know." In other words, the principals who missed few questions tended to mark more questions "don't know." The principals who did not know appeared to recognize

their lack of knowledge. A possible positive significance was evident between the factors of size of the district and the percentage of questions missed. In addition, a possible negative correlation was evident between the factors of level of campus and percentage of questions marked "don't know."

Several tests for significance were then run for the three factors that showed possible correlation on the matrix. The results are provided in Tables 12 through 14.

Table 12

Percentage of Questions Missed Versus Percentage of Questions Marked "Don't Know"

Number of surveys	156
Spearman	-0.4961
t-value	-7.1814

*Spearman's Rho Correlation Coefficient Test for Significance (see Appendix E).

Table 13

*Size of District Versus Percentage of Questions Missed**

Test statistic	$H = .95081$
Critical value	$= 11$

*Kruskal-Wallis Test for Identical Populations (see Appendix E).

*...s Versus Percentage of Questions Marked "Don't Know"
Versus Elementary)**

z statistic $z = 2.95746$
Critical value $z = \pm 1.96039$

*Wilcoxon Rank-Sum Test of Independent Samples (see Appendix E).

This t -value appeared to be statistically significant. The fact that the t -value is negative indicates that the more questions principals marked "don't know," the fewer questions they missed.

This test indicated that although there was possible correlation between district size and percentage of questions missed, no one grouping by size of district missed significantly more than any other group. Therefore, district size had no significant effect on the percentage of questions missed.

There was a significant difference. Because of the way the data were entered, the negative z score indicates that the secondary principals marked fewer questions "don't know." Elementary level principals marked more questions "don't know."

The data from the survey instrument indicate that about half the principals in Texas were familiar with the specific information requested about Title IX and its implications. Only the purpose of Title IX and three other common facts were known by at least two-thirds of the principals. The principals who were involved in some form of Title IX action or in a district involved in Title IX action apparently knew no

more than the group of principals overall. Although there were a few differences involving factors of sex and level of the school of the principal, these differences were fairly insignificant.

Although they had little knowledge about Title IX, the principals felt their campuses had implemented Title IX to a large degree. Most of the principals and their staffs had not had any staff development on Title IX.

Although several statistically significant differences were detected, these facts were apparently not the most important data. Instead, the fact that only about half of the Texas principals really understood the application of Title IX and the consequences to their districts and campuses was most significant.

Section 2: Case Studies

The case studies, which were conducted in September 1994, involved interviews with campus personnel of two Texas school districts. The first case study district, District A, was selected because of its involvement in Title IX with the Office for Civil Rights which culminated in a Letter of Findings issued in 1991 and required corrective action. The complaint filed with the Office for Civil Rights stated that the district failed to offer equal athletic opportunities to female students in such areas as accommodation of student interests, equipment, and facilities. The second district, District B, had no involvement with the Office for Civil Rights.

Interviews With District Title IX Coordinators

District A is a large Texas district with multiple high schools. It has grown from a small rural district with one high school 20 years ago to a sprawling metropolitan district today. Ethnically, the district's student population is 69% Anglo, 15% Hispanic, 9% African-American, and 7% Asian. Approximately 15% of its students receive free or reduced price lunches, a statistic used for identifying low socioeconomic status students in Texas schools. High school enrollments average about 2,500 students in grades 9 through 12. A profile of campus enrollments indicates that the ratio of female to male students on each campus is approximately equal, with a maximum variation of approximately 11%.

After the Letter of Complaint was issued, acceptable corrective action was taken by the district. Since that time, the district has not had any complaints involving students' rights under Title IX filed beyond the district level. The district policy on Title IX, including sexual harassment, is similar to the policy recommended by the Texas Association of School Boards and adopted as updated in 1992. The policy reads:

A student or parent who has a complaint alleging sexual harassment or offensive intimidating conduct of a sexual nature may request a conference with the principal or designee. The principal or designee shall schedule and hold a conference with the student and/or parent within a reasonable time, and shall be responsible for coordinating an appropriate investigation of the complaint. . . . If the outcome of the investigation is not to the student's satisfaction, an appeal may be made in accordance with district policy to the superintendent and ultimately the Board. (*Cypress-Fairbanks I.S.D. Policy Book*, 1994, p. DGBA-08)

An initial interview with the Title IX district coordinator yielded the following information. The Title IX policy is disseminated from the central office to building principals in the form of discussion of the overall policy each year. No specific review of this policy is conducted with principals unless there has been a specific update or an activity calls for its discussion. Building administrators are responsible for providing information and staff development on Title IX on their campuses as needed. No specific time, length, or content for staff development is required by the district.

The most recent activity in District A relative to sex equality at the district level was a district-initiated review of stipends for coaches. This resulted from a study of coaching stipends for a particular sport compared to stipends in similar districts. In all instances, District A stipends were raised, and female coaches received equal stipend rates to males for comparable sports. Because this issue primarily concerns employment, it was not analyzed in this study, even though it may ultimately affect the quality of sports for girls in comparison to the quality of sports for boys.

The interview with the Title IX coordinator revealed that he viewed the district as making progress toward sex equity and as being in compliance with Title IX. He indicated that remaining barriers to equity in the district revolved around the slowness of some personnel to change their perceptions of females and of equity. Primarily these perceptions are more evident in athletics than academics.

District B is similar in size to District A. However, District B has had no action by the Office for Civil Rights. District B has multiple high schools and is also in a metropolitan setting which encompasses surrounding rural areas. District B is more ethnically diverse than is District A: 31% Anglo, 32% Hispanic, 32% African-American, and 5% Asian. More than 50% of its students receive free or reduced lunches. High school enrollments average about 2,500 students in grades 9 to 12. The ratio of female students to male students is approximately equal, with a variance of about 10%.

District B's policy on sexual discrimination is also based on the model recommended by the Texas Association of School Boards. The district's policy is the same as that of District A.

An interview with the Title IX coordinator of District B revealed no complaints beyond the district level relative to Title IX.

District B's policy is disseminated via the policy book much like that of District A, with discussion on policies only when updated or when circumstances call for it. Building administrators in District B are also responsible for promoting understanding of the Title IX-related policy among the staff. No prescribed staff development is required on Title IX in District B.

In contrast to District A, District B has received few complaints related to sexual discrimination, even in athletics. However, the district has provided extensive opportunities for females in sports, such as softball with fully-equipped facilities. This expansion of athletic

opportunities for females appears to have been provided for more than 8 years.

Review of Case Study Methodology

In each of the case study districts, three campuses were selected for site-visits: one high school, one junior high or middle school, and one elementary school. The district Title IX coordinators asked principals to volunteer. In both districts, the principals from the three campuses were willing to participate. In general, both districts had six to eight high schools. The only exception to the principals' willingness to participate was in District A. The athletic director requested that a particular high school be used in the study. The reason was that female coaches in several of the high schools were already upset over salaries and related issues. The athletic director felt that the case study would further exacerbate the situation. In this instance, the new high school, where there was little previous history, was specifically named.

In each campus, five staff members were interviewed: an administrator, a counselor, a coach or a physical education teacher, a science teacher, and a mathematics teacher. The same focused interview guide was used for each interview (see Appendix B). The interviews were audio-taped for later transcription and analysis. The staff members, other than the principal, were selected by the principal or, in the case of some teachers, by the department chairs. After their selection, all staff members were given the choice by the principal to participate.

Personal Information

Questions 1 and 2 of the interview provided data concerning the position, experience, and credentials of the 30 case study participants. Specifically, these questions were used to determine whether such factors as participants' length of time in the field of education or position affected their responses.

Question 1: Current position and length of time in the position. In Question 1 participants were asked to state their current position and length of time in this capacity. The type of position of the persons interviewed was predetermined by the interviewer. Their positions were recorded in order to study the responses of various positions of educators.

Question 2: Experience and credentials for position. In Question 2 participants were asked to discuss their experience for their current position and their credentials, such as professional certification.

The information obtained from Questions 1 and 2 is recorded in Table 14 for ease in referencing later responses of participants by group. The remaining interview questions are reported within three major areas: familiarity with Title IX (Question 3), changes in the school or education attributable to Title IX enactment (Question 4), and staff development (Question 5). Each of these areas is discussed for District A--its campus levels, (elementary, middle/junior high, high school) and types of educator positions (principal, counselor, coach/physical education

Table 15

Information on Positions, Experience, and Credentials of Participants Interviewed

Current Position	District	School Level	Ethnicity	Sex	Length of Time in Current School	Total Length of Time in Position	Certification
Principal	A	Elem.	Anglo	M	10	10	Mid-management
Principal	A	Junior high	Anglo	F	2	2	Mid-management
*Associate principal	A	High school	Anglo	M	3	7	Mid-management
Principal	B	Elem.	Anglo	F	5	5	Mid-management
Principal	B	Middle school	Hispanic	M	6	6	Mid-management
Principal	B	High school	Hispanic	F	6 weeks	2	Mid-management
Counselor	A	Elem.	Anglo	F	4	13	Counselor certification with masters
Counselor	A	Junior high	Anglo	F	7	9	Counselor certification with masters
Counselor	A	High school	Afro-American	F	3	3	Counselor certification with masters
Counselor	B	Elem.	Anglo	F	1	3	Counselor certification with masters
Counselor	B	Junior high	Anglo	F	10	15	Counselor certification with masters
Counselor	B	High school	Afro-American	F	2	8	Counselor certification with masters
Physical education teacher	A	Elem.	Anglo	F	5	17	Physical education, B.S.
Head coach (football) & physical education teacher	A	Junior high	Anglo	M	13	22	Physical education, B.S.
Assistant coach (football) & physical education teacher	A	High school	Hispanic	M	13	22	Physical education, B.S.
Physical education teacher	B	Elem.	African-American	F	18	18	Physical education, B.S.

(table continues)

Current Position	District	School Level	Ethnicity	Sex	Length of Time in Current School	Total Length of Time in Position	Certification
Head coach (football) & physical education teacher	B	Junior high	African-American	M	11	18	Physical education, & science, B.S.
Assistant coach (football) & physical education teacher	B	High school	Anglo	M	7	10	Masters in education with physical education.
Science & mathematics teacher	A	Elem.	Anglo	F	2.5	2.5	B.A. in elementary education
Science teacher	A	Junior high	African-American	F	13	13	Nursing major/teaching credentials
Science teacher	A	High school	Anglo	F	2.5	3	B.A. in biology
Science & mathematics teacher	B	Elem.	Anglo	F	22	25	B.A. in elementary education
Science teacher	B	Middle school	Anglo	F	10	10	Elementary education masters and in science elementary
Science teachers (physics)	B	High school	Hispanic	F	1	10	B.A. in physics and mathematics
Science & mathematics teacher	A	Elem.	Anglo	F	4	4	B.A. elementary education
Mathematics teacher	A	Junior high	African-American	F	5	11	B.A. elementary education
Mathematics teacher (geometry)	A	High school	Anglo	F	3	4	Original degree in engineering, masters in education and mathematics
Science & mathematics teacher	B	Elem.	Anglo	M	1	1	Elementary education
Mathematics teacher	B	Middle school	Anglo	F	10	10	Elementary & secondary credentials masters
Mathematics teacher (algebra)	B	High school	African-American	F	3	3	Economic major masters

*The head principal was scheduled to be interviewed but had cardiac surgery on the day before the interview was scheduled. Elem. = elementary.

instructor, and teacher), and then for District B with the same divisions for analysis of data.

Familiarity With Title IX

Question 3: Knowledge of Title IX and explanation (informal definition) of sexual discrimination and sexual harassment. This question gave participants an opportunity to provide an explanation of Title IX's purpose or intent and explanations for two terms most closely associated with Title IX (sexual discrimination and harassment).

District A

District A (the district with previous Office for Civil Rights action) participants' responses varied from no familiarity with Title IX to an understanding that it dealt with sexual discrimination. Two of the principals could identify Title IX with both sexual discrimination and sexual harassment. The other District A principal (associate principal) had no knowledge of Title IX. Of the 15 participants from District A, 6 had no familiarity with Title IX prior to the interviews. Of the remaining 9 participants, 4 at least associated it with "sex discrimination," "equity," or "equal rights for women." A composite common response was: "someone being treated unfairly or differently because of their sex." Most of the four responses included very simple responses, such as, "It has something to do with equal rights for females and males." One principal stated that Title IX had to do with "financial assistance and its removal

from schools" but did not mention sexual discrimination. Another physical education instructor stated:

Well of course I know, and I have always heard Title IX this and Title IX that. My knowledge of it basically is that it was a bill that was passed to implement or force the funding of a program to support girls' athletics and equal rights for women in education.

One principal and one coach had considerable knowledge about Title IX. Their responses included important features of Title IX, such as "sexual discrimination in districts accepting federal funds," "federal legislation from the 1970s," and "educational entities receiving funds." The principal who was absent due to surgery probably would have displayed a high degree of familiarity with Title IX because the campus had offered principal-directed staff development on sexual discrimination and harassment.

Interestingly only one participant in District A, the junior high coach, mentioned in the previous paragraph, was aware that the district had Title IX action involving the Office for Civil Rights in 1991. He and the female principal at his school were the most knowledgeable of any participants interviewed about Title IX. The female principal, who had been involved in a sex discrimination case in the 1970s, provided a poignant account of circumstances under which she suffered discrimination in contract renewal in another state. She had strong feelings about the need for Title IX legislation.

The participants were asked to explain sexual discrimination and harassment. When they indicated that they had no knowledge of Title

IX, the legislation was explained briefly prior to asking about discrimination and harassment. District A participants were all able to define sexual discrimination, but to varying degrees. Of the 15 participants, the majority provided interpretive definitions such as "unequal opportunities," "discrimination on the basis of whether one is male or female," or "not allowing someone to do something because of sex." Several participants provided an example. One principal provided this example. "If you have a male and a female with equal credentials applying for a job, and you take the male over the female because of sex, that would be discrimination." Two of the participants identified sexual discrimination as sexual harassment only. Some identified discrimination in the narrow sense of employment and adults, and could not see an application to students. When provided examples, they agreed that sexual discrimination also applied to students.

Providing an explanation for sexual harassment was more of a problem for District A participants. Some of the phrases used were: "physical aspect of touching," "suggestive comments," "sexual involvement," and "sexual connotations." Two responses indicated little or no understanding of harassment; in fact harassment and other forms of discrimination were often not differentiated. When probed, all agreed that this type of harassment could occur. One of the more precise explanations of sexual harassment was "bothering the other sex with offensive sexual words or actions." Another respondent stated that

harassment was "bothering a staff member or student in an offensive manner relative to sex."

An analysis for the responses of District A by level of campuses was also made. The campuses were studied individually.

District A, high school level. Among levels of campuses in District A, the degree of familiarity with Title IX was also studied. Four of the high school participants in District A had some knowledge of Title IX. Two participants provided an expanded description of the statute, such as the one provided by a teacher who said: "It's a federal law for schools not to discriminate against girls because of sex. It's part of our student code of conduct and covers sexual harassment as well." No mention of the loss of district funds or liability was made, but the definition provided more correct information than those of other participants. One of the high school participants provided a fairly simple explanation using the term of "equal rights" with no further explanation. Another teacher discussed both sexual discrimination and harassment.

High school participants in District A tended to provide interpretive explanations of sexual discrimination, as previously described and as in this example: "Not being promoted because of your sex to a better job even though you are qualified." One participant, a teacher, provided a limited definition but seemed to understand the terms. All of the District A high school-level participants could provide at least a limited example of sexual harassment using ideas such as "physical aspect of discrimination." Three of the high school-level participants could

provide an extensive explanation, such as "a member of the female race being spoken to or treated in a manner you would not use with the same sex." However, most of the explanations of the high school participants indicated their difficulty in determining the real differences between harassing and flirting, especially with high school students.

District A, junior high school level. Two of the five junior high school participants had no knowledge of Title IX. Two provided simple responses using terms such as "something about equal rights and such." The principal responded with a personal account involving job discrimination in another state, and the coach provided a response related to athletics. However, their explanations of the statute did not include students or areas of schooling other than athletics.

The majority of junior high school participants in District A provided general interpretive explanations of sexual discrimination which were often expressed in terms of unfair practices. Sexual harassment, as a term, proved difficult to explain. One participant's response did not demonstrate any understanding of harassment. However, the counselor provided a particularly descriptive explanation and delineated the boundary between flirting and harassment:

Well, if it is a student at the junior high age, you know that flirting can just be talking. "Can I have a date or a phone number?" To be harassment is when it goes past that and you make suggestive comments. You are making fun of that person's physique or suggesting actions--maybe not necessarily following through with those--but just making the person feel uncomfortable.

District A, elementary level. Elementary teachers were not very familiar with Title IX; three of the teachers knew nothing about Title IX. Two other participants gave responses which were different--one understood the loss of federal funds and the other discussed "equal rights and pay." After discussion of Title IX occurred with each of the elementary participants, they still felt that the application of Title IX to elementary students was remote. Sexual discrimination was not perceived by the participants as a problem, as revealed by the later responses of the elementary participants.

The District A elementary participants provided a variety of explanations for discrimination. One gave an example of athletic practices which would be discriminatory: providing encouragement to boys to play sports but not the girls. One participant limited sexual discrimination to male and female hiring practices. The discussion of harassment at the elementary school made two of the teachers uncomfortable, especially in terms of elementary students. None of the participants fully explained harassment.

A final analysis of District A on familiarity with Title IX was made for the various educator positions interviewed. Data are discussed for the positions of principal, counselor, coach or physical education instructor, and teacher.

District A, principal position. Two of the principals revealed that they did have knowledge of Title IX as legislation. One provided an explanation of Title IX in terms of sexual discrimination and indicated

that it applied to students; the other explained it in terms of equal rights and applied it to adults only. In describing sexual discrimination, two of the principals were again limited in their explanations. One respondent cited "unequal opportunities for girls and boys in athletics." The other limited the explanation (as quoted in an earlier section) as unfair employment practices on the basis of sex. All of the principals provided explanations of sexual harassment, but two used very limited terms, as in this example: "If through conversation, there is any kind of sexual connotation, that would probably be harassment."

District A, counselor position. Counselors interviewed were less familiar with Title IX legislation than were respondents in any of the other positions. One stated that she knew now but only because "I asked the coach before you came for this interview." Another counselor recognized Title IX as forcing equal opportunities for females. Each counselor used explanations of discrimination which included "allowing unequal opportunities" or "girls can't do something because they're the wrong sex." Another counselor used an interpretation limited to adult practices. All of the District A counselors provided at least a partial explanation of sexual harassment, such as "sexual attention that is not appropriate." One counselor, quoted earlier, provided an extensive application.

District A, coach or physical education instructor position. Two of the participants who were coaches or physical education instructors

identified Title IX, albeit with a very limited explanation, and one added the components of harassment as well as discrimination in sports. Sexual discrimination was also explained by one coach in terms of only sports examples. Another said, "One sex get[s] more of the goods than the other." The remaining coach/instructor described sexual discrimination as "somebody's power to give others an edge over another person."

One of these participants was unable to distinguish discrimination from harassment. Likewise, in explaining sexual harassment, all but one could provide at least a limited definition. One participant provided a rather descriptive explanation which also brought up an uneasiness about when harassment might be confused with affection:

From this area [of athletics] I can see the boys having a lack of respect for the morals of the girls. I see that going on a lot in society: In schools, in the hallways, be it profanity, be it talking. Acceptable flirting is okay but if its truly uncomfortable and you invade their privacy, their space, then that's harassment. You can say things to friends that boost their day and that's flirting. Some people say hugging is harassment, but I don't because I'm a hugger.

District A, teacher position. The teachers in District A were no more or less familiar with Title IX than other educators, except for the counselors, who knew less. Two teachers did not recognize the term Title IX. Otherwise the teachers' explanations tended to be fairly different from each other. One talked about discrimination against women, another mentioned harassment, and one remembered there was a possibility of removal of funds. The remaining teacher mentioned sexual discrimination in schools and that the statute was passed in the

early 1970s. In explaining sexual discrimination, the explanations of teachers repeated the words of *sexual* and *discrimination* such as "women or men are discriminated against because of their sex." One teacher could not differentiate between harassment and other forms of discrimination. However, the other five teachers were able to provide explanations, either by providing an example or by using a concept such as unwelcome sexual attention. In summary, the degree of familiarity with Title IX was not extensive, although a few individuals knew that the statute dealt with the prohibition of sexual discrimination. In discussing the terms of sexual discrimination and sexual harassment, District A participants usually provided simple explanations of the terms but demonstrated little knowledge beyond the definition of these terms.

District B

The interviews of District B participants also provided information relative to their familiarity with Title IX. In this district, no official action on Title IX by the Office for Civil Rights had occurred. In addition, none of the participants interviewed had been involved in Title IX action in other districts. Seven of the 15 respondents interviewed indicated that they had no familiarity with Title IX. The principals in this district were no more familiar with Title IX than any of the other staff interviewed. Of the participants who were familiar with Title IX, several associated it with the same concepts used by District A participants, with little discernible differences and interpretations. "Equal rights for females," "equal opportunity," and "gender

discrimination" were mentioned. Two of the participants indicated a knowledge of Title IX as studied in college courses; one first-year teacher had extensive knowledge from an out-of-state college. One of the participants, a principal, identified Title IX as applicable to employment only.

The District B participants were also able to explain sexual discrimination with varying degrees of accuracy. Like the District A participants, the majority of the 15 District B participants provided interpretive explanations of sexual discrimination. Phrases such as "preference given to one gender over another," "whether one sex is treated differently," "equal treatment," "gender discrimination" were used. Four participants provided examples, such as: "Making a difference in awards or classes. I remember we use to make home [economics] a girls' class but because of Title IX we stopped that." One of the District B participants applied sexual discrimination to employment rights and adults only. However he agreed that it could apply to student rights when probed. Several participants' responses were very narrow: "stereotyping" and "some girls cannot participate in different sports."

As in District A, the District B participants had difficulty in fully explaining sexual harassment. Several participants were unable to explain the differences between flirting or "picking on" and harassment. The majority provided general explanations and mentioned "sexual overtures," "sexual favors for performance," and "sexual comments or actions." Seven explanations were more extensive and complete but only

two participants were precise in pointing out that harassment was "verbal or physical sexual attention that was unwanted, making the person uncomfortable and without permission."

An analysis of the responses of participants in District B by school level of the campuses was also made. The campuses were each studied individually.

District B, high school level. Within the District B high school, the participants' degree of familiarity varied from no familiarity with Title IX to a fairly expanded description provided by a coach who had studied Title IX in a college course. Two participants were able to provide simple responses which were quite similar to those in District A: "having to do with gender discrimination" and "discrimination against women."

The District B high school-level participants provided explanations of sexual discrimination. Two included interpretive explanations and one teacher gave an example: "Calling a male Mr. So and So in class and a female "Connie." Two participants limited their explanations to include only employment or athletics.

The District B participants were all able to explain sexual harassment; however, two provided fairly extensive concepts. Their limited definitions usually included the concept of sexual behavior "making another one uncomfortable." One teacher said harassment was a behavior "of a sexual nature which makes you feel lowered." Those offering extensive explanations went into more detail by differentiating

between harassment and flirting or even "horseplay," but even these participants felt the boundaries were often ambiguous.

District B, middle school level. Three of the middle school participants in District B had no familiarity with Title IX. One of the participants, the principal, discussed Title IX in terms of employment but not as related to students. One participant provided the simple response of "unequal athletic opportunities."

One of the middle school participants was not able to distinguish between discrimination and harassment: "a female is being talked to in an abusive way." The coach described discrimination in athletics. The remaining middle school participants provided interpretive explanations which were similar to those of District A junior high participants using terms such as unequal treatment. Defining harassment was a problem for one District B middle school participant who found it difficult to distinguish harassment from discrimination. However, several of the campus personnel cited extensive instances of student-to-student harassment that often go unreported.

District B, elementary level. Two of the elementary participants in District B could provide no information about Title IX. However, one teacher who provided an expanded explanation as a result of studying Title IX in a college course in another state knew the essential aspects of the statute.

In discussing the term sexual discrimination, two participants provided an interpretation of the phrase with the similar words of "showing favoritism because of gender." Three participants at this elementary campus gave examples to explain sexual discrimination. The principal elaborated on ways that sexual discrimination must be considered, such as differences in mathematics scores and lack of encouragement of girls in science. The elementary participants understood harassment but believed that it was not a problem at their school, even among students. One male teacher discussed the difficulties in being a male teacher in the fifth and sixth grades when girls first became interested in the opposite sex. Another teacher described a female teacher who, in previous years, possibly became too affectionate with male students.

As for District A, a final analysis of District B participants' familiarity with Title IX was made for the educator positions. These data are discussed by each position.

District B, principal position. One principal in District B was not familiar with Title IX prior to the interview. Another principal explained that Title IX required "equal opportunity of employment between male and female." The remaining principal initially indicated that she had little familiarity with Title IX but actually gave a thorough explanation, even discussing the impact of Title IX on test scores, courses offered, and classroom practices.

Explanation of sexual discrimination was provided primarily through examples. One of the principals used a definition that applied to employment only. Sexual harassment was explained by all principals of District B, but none provided a full explanation. The principals' responses were mainly short answers using words such as abusive, unwanted, and sexual advances.

District B, counselor position. As was the case in District A, two counselors in District B did not recognize Title IX. The counselor, who did respond, however, stated that Title IX made "gender discrimination illegal so that there would be equal opportunities for females."

Two counselors interpreted sexual discrimination as providing more equality and elimination of gender discrimination. The other counselor used examples of what Title IX had changed, such as courses traditionally taken by only males or females, such as home economics and shop. Although the counselors understood harassment, one commented that it was tough to decide whether particular student-to-student instances were really harassment. "It's a word that's thrown around by both adults and students. However, here at this school, all cases are taken seriously with principals taking action."

District B, coach and physical education instructor position. Although the physical education instructors in District B were not familiar with Title IX, the two coaches recognized the statute. One coach, mentioned

earlier, had studied Title IX in college. The other coach knew about Title IX but believed it primarily applied to athletics.

The physical education instructor could not distinguish between discrimination and harassment and indicated that discrimination was "boys bothering girls." The two coaches provided explanations: one by giving an example from athletics, and the other by stating it is "discrimination between male and female. It could be on jobs, favors, or anything." Although one coach/instructor had difficulty in explaining harassment, the other two were able to explain the concept. One coach told of how much sexual and lewd conversation toward girls goes on in the hallways and porches. "Most is not reported or even detected because girls want to be liked."

District B, teacher position. Three teachers in District B were unable to provide a description of Title IX. The other three used short explanations with no elaboration, such as "equal rights" or "elimination of sexual discrimination." One teacher commented that the law was never discussed.

Sexual discrimination was interpreted by most teachers as unfair treatment because of sex or unequal chances and opportunities. One teacher confused harassment with discrimination but corrected herself later. Four teachers who provided lengthy explanations of sexual harassment cited examples that they had believed could have been construed as harassment by parents. One teacher reported:

Sexual harassment is usually the mouth saying things that are not appropriate. You're more careful now. You have a student in alone to talk in private, and you think about it. What if the kid goes home and says something that is not true. It's your word against his.

In summary, most District B participants were familiar with Title IX only to the degree of recognition that Title IX prohibited sexual discrimination. The terms of sexual discrimination and sexual harassment were explained using limited definition and little extension to practical understanding within education.

Comparison Between Districts on Familiarity

In order to make direct comparisons between Districts A and B, the responses of all participants on (a) familiarity with Title IX, (b) sexual discrimination, and (c) sexual harassment were placed into defined categories. Tables 16, 17, and 18 provide comparisons of the responses of participants in the two districts.

Few discernible differences in familiarity with Title IX, sexual discrimination, and sexual harassment were evident between the participants of District A and the participants of District B. The participants who were very familiar with the concepts had gained their awareness through one of four conditions: (a) studied in college, (b) involvement in a personal case of discrimination, (c) campus emphasis through staff development on the recent court cases of *Franklin v. Gwinnett County Public Schools* and *Doe v. Taylor* (only one campus in District A had staff development, and it was more focused on sexual

Table 16

Familiarity With Title IX, by District

	Number of Participants					
	No Knowledge	Simple Response	Added Sexual Harassment	Removal of Financial Assistance	Expanded Description	Limited Description to Employment Rights Only
District A	6	4	2	1	2	--
High school	1	1	1	--	2	--
Junior high	2	2	1	--	--	--
Elementary	3	1	--	1	--	--
Principal	1	1	--	--	1	--
Counselor	2	1	--	--	--	--
Coach/physical education	1	1	1	--	--	--
Teacher	2	1	1	1	1	--
District B	7	5	--	--	2	1
High school	2	2	--	--	2	1
Middle school	3	1	--	--	--	1
Elementary	2	2	--	--	1	--
Principal	1	--	--	--	1	1
Counselor	2	1	--	--	--	--
Coach/physical education	1	1	--	--	1	--
Teacher	3	3	--	--	--	--

Note. Simple response: associated Title IX with words such as sex equity, sex discrimination, and equal rights for women. Added sexual harassment: provided sexual harassment in addition to simple response. Removal of financial assistance: provided this single response. Expanded description: provided basic description and included prohibition of sexual discrimination in districts receiving federal funds. Employment rights: limited description to employment rights.

harassment), and (d) direct knowledge as a coach in the Title IX Office for Civil Rights action in District A. Except for participants who had exposure to campus discussion, college course discussion, and personal involvement, no differences were evident between District A and District B participants' responses. Even when some attention was focused on

Table 17

Sexual Discrimination, by District

	Number of Participants				
	Interpretive Definition	Example	Indistinguishable From Harassment	Limited to Narrow Definition	No Explanation
District A	9	2	2	2	--
High school	3	1	--	1	--
Junior high	4	--	1	--	--
Elementary	2	1	1	1	--
Principal	1	--	--	2	--
Counselor	2	--	--	1	--
Coach/physical education	1	1	--	1	--
Teacher	5	--	1	--	--
District B	7	4	1	3	--
High school	2	1	--	2	--
Middle school	3	--	1	1	--
Elementary	2	3	--	--	--
Principal	--	2	--	1	--
Counselor	2	1	--	--	--
Coach/physical education	1	1	1	--	--
Teacher	4	1	1	--	--

Note. Interpretive: interpreted the term using other terms such as unequal opportunities or not allowing someone to do something because of their sex. Example: provided only examples to describe. Indistinguishable from harassment: could not differentiate between discrimination and harassment. Narrow definition: description very limited using only terms such as stereotyping and nonparticipation in sports.

sexual discrimination and harassment, it appeared to be the result of the principals' decision rather than district-driven.

In addition, no major differences were evident in either district among participants based on their campus levels or educator positions. Instead, both limited and extensive responses were found in all groups. Likewise, the number of participants who related to all of Title IX and its

Table 18

Sexual Harassment, by District

	Number of Participants		
	No Understanding	Limited Explanation	Extensive Explanation
District A	2	10	3
High school	--	3	2
Junior high	1	3	1
Elementary	1	4	--
Principal	--	2	1
Counselor	--	2	1
Coach/physical education	1	2	--
Teacher	1	4	1
District B	1	7	7
High school	--	3	2
Middle school	1	1	3
Elementary	--	3	2
Principal	--	2	1
Counselor	--	2	1
Coach/physical education	1	1	1
Teacher	--	2	4

Note. Limited explanation: participants were able to provide key words such as "offensive sexual words or actions" but were generally unable to apply to students or were unable to provide division points between flirting and harassment. Extensive explanation: participants were able to use delineators such as unwelcome, offensive, and apply to students as well.

concepts of sexual discrimination and harassment was, at best, no greater than five and included participants in both districts.

*Changes in the School or Education Attributable
to Title IX Enactment*

Question 4a--positive effects, Question 4b--negative effects, Question 4c--other practices that would encourage elimination of sexual discrimination on campuses, and Question 4d--barriers to elimination of sexual discrimination. In these questions, participants were asked to consider both the positive and negative effects of Title IX, especially in relation to the campus. The participants also considered what would enhance implementation and what barriers existed.

District A

Participants in District A (with Office for Civil Rights action) provided varied responses on these topics. Responding to the question of what changes had taken place at the campus level relative to Title IX, eight of the District A participants indicated that changes were also the result of changes in society. The high school associate principal stated: "Changes have been gradual and more a result of the world than laws. This district has made changes as a result of OCR (Office for Civil Rights) action as directed but this was limited to athletics." The participants were unsure whether the societal changes brought about Title IX passage or vice versa. Phrases such as "social change" and "media attention as a change agent" were mentioned. Other changes frequently mentioned included (a) a focus on harassment in recent years, (b) increased attention on the achievement and the course selection of girls, (c) the attention on women and their accomplishments included in

textbooks, and (d) a stronger support for girls' activities. Six of the District A participants commented on increases in the number of girls involved in athletic participation, parents wanting their girls to participate in sports, and increased expenditures on girls' athletics. Only one participant could not think of a positive change as a result of Title IX or, at least, the societal attention on equal right for girls.

District A participants also provided several common responses to perceived negative affects of Title IX. Most of the participants stated the biggest negative was an over-reaction to the intent of Title IX. The most common answer (6 of 15) concerned individuals' fear of joking around, saying affectionate words, and touching students and adults of the opposite sex. As one counselor remarked, "I think it takes away some of the comfortableness with adults, not children. You're always being careful about what you say. However, our concerns are with children and the benefits are only positive." One respondent mentioned the fear that female students will use Title IX and the attention on sexual harassment as a tool to get even with teachers with whom they are angry.

Three of the 15 participants stated that there were no negative effects of Title IX. One participant felt a negative effect was the creation of token females to prove equity. This participant described token females as the one or two females who were placed in an advanced placement science course so that everyone believed sex equity had been achieved.

All but one of the District A participants were able to discuss other practices that would enhance the Title IX intent and sex equity on the campus. The responses given were not similar; however, four participants emphasized the need for staff to be informed of the legislation and the meaning of its regulations. A counselor stated:

I can't think of anything except making everyone aware of things that are not okay: Some of the things we've been saying for years like girls do certain things and boys do others. We could become more aware of these things. The more you get the word out, that's the key.

Other than the requests for awareness, participants' responses were more reflective of their positions. Physical education instructors and coaches discussed the need to fully fund and develop girls' sports. (These are discussed in the analysis section by position.) Nevertheless, District A participants responded readily with specific ideas, such as adding the district's Title IX policy and procedures to the orientation for new teachers.

Nine respondents described barriers to Title IX implementation. Eight believed that individuals' attitudes and slowness to change were major barriers. These respondents identified general barriers rather than barriers at a specific campus. Their responses were similar to that of a counselor: "Nobody saw anything wrong for so long." A principal felt that financial constraint was a barrier to equity in sports.

An analysis of responses by campus level in District A was also made. Each campus was considered individually.

The responses of high school-level participants regarding the positive effects of Title IX were similar for all high school-level participants. Of the five high school-level participants, the majority stated that much greater attention is now given to the opportunities and achievement of girls, equal access in course offerings and in athletics is stressed, and the topic of harassment is openly acknowledged. Some of the participants credited society with the changes. Others described conditions in education. One high school teacher pointed out society's changes: "Today more females are involved in work previously thought of as a man's. I remember being in college in engineering with 175 in the class, and there would be a handful of girls."

Regarding the negative effects of Title IX, most of the high school-level participants provided similar remarks, although two were unable to think of any negative effects. The most common response was uncomfortableness in dealing with adults and students of the opposite sex. For example, one principal said, "I see a lot of people not saying something they want to say because they're afraid it will be taken the wrong way. I see this with faculty and students."

The high school-level participants described some additional practices to enhance the implementation of Title IX. Their responses were diverse and were based on their positions. The associate principal believed that girls' athletics should be better funded, whereas the teachers believed that it was important to look at non-discriminatory instructional practices. One teacher suggested: "Teachers think they're not

discriminating because it is hard to recognize. Last year I had a student teacher, and we taped some of her lessons. I think that's one way to let you know the way you really are." Two of the participants who wanted to increase the information on Title IX provided to staff suggested: "Add staff development to mentor training for new teachers on sexual discrimination and harassment."

Barriers named by the high school-level participants were primarily focused on the attitudes of individuals who were slow to change. One teacher remarked: "Well, I think there are attitudes. Some people, you're not going to change their attitudes. We are fortunate to have a young staff. Most young people have grown up in a different time."

District A, junior high level. Junior high school-level participants responded to the positive effects of Title IX with similar answers. One participant mentioned that educational discrimination against girls cannot happen legally now; there are legal consequences. A counselor mentioned that the incidences of harassment are decreasing in schools as administrators become more aware of the consequences of discrimination. The participants mentioned increased opportunities for girls as a result of Title IX, as shown by the following example:

Being in athletics, I can tell you that for years and years, it was a man's world. And of course, that is not just athletics, it is everything. I'm not saying that this is right or wrong, I'm just saying that some of the leaders of our athletic program now and our administration came from that background where there was no recognition. Just like you can't deal with prejudice until you admit that you are prejudiced . . . you have to say that I have these

feelings. . . . Now all I can do is deal with them and try not to carry them on.

The negative effects of Title IX described by middle and junior high school-level participants were similar to those named by the high school-level participants. However, two junior high school participants were not aware of any negatives. Two of the remaining participants believed that the lack of knowledge of what is acceptable in the treatment of females and possible overreaction to Title IX regulations were the major negative effects. The counselor feared that females might often use Title IX to get even: "Even if someone is accused and he didn't do it, there is still damage done."

All of the junior high school-level participants suggested practices to increase the implementation of Title IX. Two participants (a counselor and a teacher) suggested that more information should be provided to staff on the law and its implications and consequences. The other teacher and coach suggested specific positive strategies, such as encouraging girls' athletics, implementing classroom strategies, and encouraging girls in mathematics and science.

The principal and one teacher believed that there were no barriers to the implementation of Title IX. The three other junior high participants provided such responses as: "In society, females still battle with their role. They fear being perceived as 'smart if it means less popularity.'" The lack of real consequences in the past for sexual discrimination and sexual harassment was also mentioned.

District A, elementary level. With the exception of one person, elementary school participants were able to discuss the positive effects of Title IX legislation. Primarily, their comments concentrated on the changes most evident in society in the last 5 years as a result of the renewed emphasis on sex discrimination and the new interest on sexual harassment. However, elementary participants all felt that the effects were more evident at levels other than elementary.

Four elementary participants were able to describe the negative effects of Title IX. Three of these described an uncomfortable feeling in dealing with students and adults because of the threat of harassment allegations. However, the elementary participants believed that harassment was more of a problem at other levels of schooling. The principal said, "Boys need more academic assistance than girls at elementary because of slower development." She worried that, as a result of the emphasis on non-discrimination, boys might not receive enough academic support.

The elementary participants made additional suggestions for implementing Title IX. They believed that attention to discrimination, especially as it relates to the achievement trends of girls in upper grades, should be studied. The two elementary teachers mentioned non-discriminatory instructional practices, such as "calling on both girls and boys to answer questions" and "encouraging girls to achieve in science." The principal suggested "desegregating data by gender for mathematics," and the counselor emphasized the need for "working on

[the] self-esteem of girls." Three of the elementary participants were unable to identify barriers that might result from not really knowing a great amount about what might be considered discriminatory practices at elementary school. The barriers mentioned by two participants concerned individuals' attitudes that were difficult to change.

The responses of educators in District A were also studied according to the educators' positions. These data are discussed by each position.

District A, principal position. All the District A principals discussed positive changes brought about by Title IX. Two described changes in society such as: "The things that happened prior to 1970 cannot happen now and be legal." One principal described changes in athletics in the district. Regarding negative effects, one principal believed that there were no negative effects from Title IX. Another principal thought that financial expenditures were required to upgrade athletic opportunities, and that district funds had many other needs to meet. Additional funds were a concern for central administration. The other principal discussed the discomfort associated with not knowing what to say to the opposite sex. He said, "People are afraid to talk to each other. A male says, 'That's a nice dress' and she wonders what he means by that."

The principals also offered diverse descriptions of additional practices to assist implementation of Title IX. One recognized the major importance of keeping staff informed. Another mentioned athletics and the need for additional funding. One principal said she needed to be

very proactive toward eliminating sexual discrimination: "Articles need to be provided to staff; discussions at faculty meetings would be beneficial."

Barriers to implementation were discussed with principals. One principal, who did not identify any barriers to Title IX implementation, believed that there really were no barriers. Another principal listed financial constraints, especially in making equal opportunities for girls in athletics. The other principal explained that the biggest barrier was the freedom to communicate openly between the two sexes.

District A, counselor position. The counselor's responses were very similar to those of principals in describing the positive effects of Title IX implementation. One counselor emphasized the effect produced by the increase in attention on girls. "I've certainly seen a difference in what girls' ambitions are." The other two counselors mentioned the current emphasis in society on girls: more opportunities and more support. The negative effects listed by two of the counselors who participated were similar. They described the discomfort of not knowing the boundaries of sexual harassment. One said, "It makes you shy away from touching, and I'm a touchy kind of person. It's caring." Another counselor talked about how a young girl might get angry with a teacher and make an unfounded allegation of harassment.

The responses of two of the counselors regarding additional practices were similar: self-esteem and creating opportunities. Another counselor discussed the need to inform all staff about Title IX. The

barriers listed by all the counselors were related to the slow change in individuals' attitudes. One counselor admitted, "I would not have chosen to be an educator if I'd have had more choices."

District A, coach and physical education instructor positions. The response of coaches and the physical education instructor to the positive and negative effects of Title IX were varied. Two discussed educational changes which create emphasis on the development of girls' abilities, not only in athletics but also careers. Another coach stated, "Nowadays, women have more opportunities to make their own way, not remain in the shadows." One of the negative effects mentioned dealt with concern about overreaction. As the coach said, "I couldn't coach girls for that reason. I would be so worried. It's just like anything though; it can be blown out of proportion." Another coach mentioned the problem of overreaction which was discussed by several other participants.

One District A coach felt that providing more funding for girls' athletics would assist Title IX implementation. A physical education instructor stated that more emphasis on lifetime sports would enhance sex equity. Another coach emphasized the encouragement of girls to achieve in athletics. He said, "I want my own little girl to be able to excel in sports, and I will encourage her."

The coaches also discussed barriers. Only one coach did not identify a barrier. A coach and a physical education instructor mentioned that sexual discrimination was hard to change. Referring to the district administration the coach said, "I think they have dealt with

racial issues much more often than they have dealt with this issue because racial discrimination is a much more obvious thing."

District A, teacher position. Three of the teachers described the positive effects of Title IX as more closely related to changes in society or the overall attention on females in education. One mathematics teacher discussed the relative ease with which students today accept sex equity. She said, "I think students feel more comfortable with this [discrimination] than my generation did In the past, a lot of it was going on and we didn't even know about it." Another teacher stated that the recent revived emphasis on sexual harassment was good. "New rules make it more advantageous to take care of sexual harassment." Two teachers commented on changes in education, such as the encouragement of girls to achieve in science and mathematics.

Interestingly, in the interviews with the six District A teachers, three teachers believed that there were no negatives associated with Title IX enactment and implementation. Two teachers discussed overreaction to individuals to what were the intended effects of Title IX, as mentioned in earlier sections. One of the teachers discussed the possibility that as one or two female students become highly successful, they would be used as "tokens of success" as often happened with "tokens of race."

Two teachers suggested that the most important practice to assist Title IX implementation was to inform staff members. As one teacher said, "When I asked about what Title IX was before you [interviewer] came, and they told me, I asked 'How come I don't know about this?'" In

three other interviews with teachers, specific recommendations were made for decreasing discrimination in instruction. One teacher suggested including more in-depth staff development sessions with a focus on non-discriminatory techniques. One teacher stated that volunteer videotaping of teaching sessions for the teachers themselves to study would be helpful in identifying needed changes in classroom practices.

Four District A teachers were unable to identify any barriers to implementation. However, this omission appeared to be the result of having already mentioned that more information about Title IX was needed. The two teachers, who did mention barriers, discussed the attitudes of individuals. One teacher illustrated the idea:

People's attitudes can be a problem. I think we're fortunate here [in this school] because the average age of this staff is young, and the average experience is probably five to six years. We've had a lot of turnover but this creates a staff of young people. Their attitudes toward women come from a different era.

In summary, District A participants described positive effects of Title IX by explaining changes in the education of females or by describing changes that were possibly changes in society as much as changes due to Title IX enactment. Many of the District A participants felt there were no negatives associated with Title IX enactment. Others felt the only negative of Title IX was an overreaction and discomfort with sexual harassment issues. District A participants were also able to name practices to enhance Title IX implementation. Several participants mentioned the need to inform staff; others mentioned practices specific to their own educational responsibilities. Finally, District A participants

either felt there were no barriers to Title IX implementation or the barrier was people's resistance to change.

District B

The District B participants provided different and more varied answers than did District A participants to the question concerning the positive effects of Title IX. Unlike District A participants, District B participants discussed specific campus-based effects, such as "more girls in advanced mathematics and science classes," "test scores analyzed through disaggregation by gender," and "careers stressed for both sexes." Only three District B participants mentioned girls' athletics. This was possibly because girls' athletics has been stressed in the district for at least 10 years. Because few of those interviewed in District B were teaching prior to this time, they could not imagine athletics as being unfair. In District B, three participants could not name or discuss a positive change resulting from Title IX. This did not mean they were negative about it; rather, they were simply not familiar with what the legislation had accomplished.

The District B participants' responses to questions regarding the negative effects of Title IX were similar to those of District A. Five of the 15 participants indicated that educators, like most other people, felt uncomfortable in knowing what is acceptable to say and do with both adults and students in terms of sexual harassment. One counselor said, "It is a problem for me knowing what is acceptable to do and say to boys. They need a lot of attention and interest toward them." Another

counselor discussed overreaction: "Whenever you're trying to implement something new, we take it above and beyond and blow it out of proportion." Two participants mentioned the fear that female students would "cry wolf" or make false accusations. One participant believed that the issues of Title IX made the problem of dealing with parents more difficult because parents used discrimination as a possible reason why their daughters were not successful. Six of the participants saw no negative effects.

District B participants were also able to suggest practices that could be implemented to decrease sexual discrimination as intended in Title IX. However, except for athletic coaches, their responses were more general than those of participants in District A. As already discussed, District A participants' responses were often specific to their positions. In District B, athletic coaches only provided responses that were specific to their positions in physical education and sports. These included encouraging more girls to participate in athletics to gain the benefits of leadership and character development, including girls in all sports, and encouraging coeducational physical education. Seven of the other District B participants suggested general practices such as staff training on sex equity, sexual harassment, and Title IX. A few participants suggested the provision of mentors and role models, career orientation for girls, voluntary use of classroom observation techniques for teachers to determine if they are discriminating, and discussing the topic of Title IX as part of college teacher preparation. Two participants mentioned

using programs that foster the self-esteem of girls and identify and support talented girls through middle and high school. Two of the participants were unable to think of practices that would enhance sex equity at the campus level.

Nine of the District B participants discussed barriers to Title IX implementation, the same number as in District A. The responses of the participants who named barriers, tended to be general rather than campus-specific. They included society's stereotyping of careers and the low expectations of society for female students. One counselor said, "We've been programmed to be helpmates; its hard to chart new waters." One teacher also mentioned that girls tend to mature earlier and that this is a barrier to the implementation of Title IX because girls and boys need special attention at different times, which is difficult to accomplish. Another teacher pointed out that female students in middle and high schools battle with being accepted and being smart and therefore often do not take advantage of their opportunities. In addition, two participants (one principal and one teacher) noted that Hispanic girls have a major barrier because their culture does not encourage females to achieve.

District B participants' responses were analyzed by level of campus. Each campus is reported individually.

District B, high school level. In response to the question concerning the positive effects of the enactment of Title IX, the District B high school participants provided a variety of responses. Two noted that the

changes made toward sex equity were the result of society. The principal said, "What was once pushed under the rug in our world is now out in the open." A teacher commented on the increased emphasis on the education of girls, "I've noticed there are a higher number of girls in advanced science classes now." The coach described the emphasis and equity in girls' athletic programs.

Two of the District B participants did not think there were any negatives as a result of the enactment of Title IX. Of the remaining participants, two suggested that the issues associated with harassment might be exaggerated. Specifically, the coach said, "We're a little suite happy. It seems you can't do a good job for worrying about what the other person is thinking. What you're thinking and what they're thinking might be two different things." The final high school-level participant, a teacher, was worried that girls would use charges of sexual harassment to get back at boys because of the breakup of relationships.

Additional practices suggested to enhance the implementation of Title IX by high school participants were applicable to the entire campus. One teacher described a classroom observation process in which one teacher recorded classroom interaction for the other teacher. This process could be used to assist teachers in identifying students who do not receive attention. The other teacher believed that no additional practices were needed because ample progress in the elimination of discrimination was occurring. The counselor suggested using programs that would encourage the achievement of girls and reward their successes.

She emphasized that girls "must be encouraged to take advantage of the opportunities now provided to them." The coach suggested that revenue be studied for enhancing girls' sports.

Although two high school-level participants recognized no barriers to Title IX implementation, three others provided responses. Two lamented the resistance of individuals to change. Some of the reasons for this resistance that were discussed included: older individuals' lack of exposure to the emphasis on women's rights, the programming of women to be dependent, the lower expectations of society for girls, and the stereotyped models that boys have for treatment of girls. The counselor described this resistance thusly: "Nobody saw anything wrong with it for so long. Of course it's okay to do this. There have been people who have been sexually discriminated against for years and did not say anything." The participant who felt it was more a lack of perception of discrimination as a problem concluded her response with these words: "Perhaps the right person has not been harassed."

District B, middle school level. Participants in the District B middle school had a very positive attitude toward their campus overall. They believed that the students and faculty worked hard at treating everyone with respect, and that the faculty worked hard to assist students in their achievement, regardless of their sex or race. This campus was also a pilot site for the National Science Foundation funding, which emphasizes serving minorities and females.

In discussing the positive effects of Title IX, the middle-school principal stated that he did not see the effects of Title IX; he simply believed that the district had always treated each sex equally. He had been in the district for 20 years. One teacher noted that female students have a greater awareness of their rights and opportunities: "I think girls feel more comfortable with their abilities in mathematics. Hopefully they will continue with this feeling into high school." Two other middle school participants mentioned societal changes. The counselor said,

Women's ambitions today are different. Whether our students in school are aware of the increased career opportunities or not is difficult to measure. We do try to get them to take courses that will allow lots of choices in careers.

The coach mentioned two positive changes in athletics that he attributed to Title IX: coeducation physical education and better pay for female coaches.

The negative effects of Title IX were discussed by two of the participants. Two other participants, the principal and one teacher, did not believe that there were any negatives. The responses of another participant did not correspond to the question of negatives. One participant described the discomfort and overreaction to the topic of sexual harassment. The counselor noted that "It's hard for students at this level to delineate what is acceptable so there's always a sense of making too big a deal of it." A teacher stated, "The only negative might be a student 'crying wolf.'"

The District B middle school participants all suggested practices to increase the implementation of Title IX. Two participants considered it critical to bring staff and students up-to-date on the statute. In addition, one of these participants, a teacher, felt that stronger penalties for the inappropriate behavior of boys toward girls and vice versa should be imposed. The coach suggested increased funding because "sports affect girls in the same way as boys--teaming, playing together--it's just as important for girls." The counselor believed that increasing the self-esteem of girls was the best practice. "Girls will then want to take advantage of opportunities."

Barriers listed by the middle school participants included the attitudes of individuals who are resistant to change. One participant mentioned "the good old boy network in which the system as it is now is right." One of the teachers emphasized a current lack of consequences for discrimination and harassment.

District B, elementary level. All of the participants except one were able to discuss positive changes relative to Title IX. The principal discussed how schools now disaggregate, by sex, test data to determine the differences, if any, between males and females. She was not sure if this was the result of Title IX or not. The physical education instructor mentioned that girls are now included in all sports and that sports are coeducational. Two teachers discussed the effects of Title IX on employment practices and benefits. One teacher had recently graduated from an out-of-state college where he had studied Title IX. He believed

the most positive effect was the application of Title IX to harassment. He said, "The new court rulings make it advantageous to take care of harassment."

The elementary principal and one teacher were unaware of any negatives to Title IX implementation. Also, one participant provided an answer that did not relate to the question. However, the counselor responded with the following statement: "I think that sometimes we can take anything to the extreme, and I'm afraid that's what may or may not happen (with Title IX). I'd hate to see unfair accusations made to get even." One teacher also considered current overreaction to Title IX to be a negative aspect of its implementation.

One elementary participant, the physical education instructor, did not name any additional practices to assist in Title IX implementation. The remaining staff believed that the most effective practice would be to inform staff on Title IX, especially about practices in the classroom that discriminate such as the following: consistently praising one sex, assuming that boys will like science better than girls, and not promoting the contributions of females.

The barriers discussed by the elementary participants were all related to the resistance of individuals to change. One of the teachers provided an excellent example of the resistance in her own remarks:

I think to be real honest with you, this world would be better off if some of the women were more willing to stay at home and be mothers. Mothers are more important. See here I go again. . . . There is no home life. There are no values. This was traditionally the mother's role. OOPS, here I go again!

The District B participants' responses were also studied according to their positions as educators. These data are presented by position.

District B, principals. One principal felt that his district had always been equitable during his 20 years; therefore, it was difficult for him to determine the positive effects of Title IX. One principal focused on the overall effects of society and the third principal mentioned changes in education resulting in such practices as desegregating data by sex.

Although two of the principals were unaware of any negatives, one principal described a particular concern with harassment. He explained that because of discomfort with harassment, "other reasons are sometimes used to discipline students instead of the real reasons."

The principals also believed that the most important practice to insure implementation of Title IX was to inform staff members. This response was even given by the principal who was unable to name any positive effects of Title IX. The elementary principal also felt that a major part of the information provided to staff should focus on accentuating all students' successes and working on different learning styles to accommodate the learning needs of all students. The barriers named by the principals were related to the attitudes of individuals. The high school principal discussed the specific problem of working with Hispanic girls to achieve their potential. She said, "Our culture (Hispanic) has not encouraged its girls to get an education and become successful in careers. An Hispanic girl who does is still unusual."

District B, counselor position. Two counselors were aware of positive effects of Title IX. One counselor stressed increased educational opportunities, and the other talked about changes in society. The latter said, "I've seen a difference in girls' and women's ambitions in the last 15 years. The world is now open to them if they'll take advantage of it." The negative effects of Title IX were also discussed by two of the counselors. One worried about the danger of unfair allegations, as previously detailed in an earlier section. The other counselor discussed educators' and other adults' levels of discomfort in discussing sexual harassment.

The counselors preferred to discuss specific practices in which counselors would be involved to assist the implementation of Title IX. One counselor discussed programs to increase self-esteem; another counselor talked about the need for counselors to take time to counsel girls in course selection and the importance of their grades in providing opportunities. She ended her remarks by saying, "Girls have opportunities and it's part of my job to encourage them to take advantage." The barriers listed by the counselors were those related to the attitudes of individuals or to society's perception that discrimination is not a problem.

District B, coach or physical education instructor position. The District B coaches and physical education instructor responded to the positive effects of Title IX by discussing the positive results that are evident in athletics. The high school coach remarked,

I have a little girl. I want the opportunity to be there for all kids. Athletics builds character with a chance to assume leadership roles. It also allows you to fail in an organized atmosphere in the school. These are the positives of Title IX.

In discussing the negative aspects of Title IX, one coach, as already discussed, worried about blowing the topic of sexual harassment out of proportion. The responses of the other coach and instructor did not relate to the specific question on negatives.

Two of the coaches felt that additional funding would be helpful in assisting the implementation of Title IX. They noted that revenue from all sports does not really cover the major expenses of quality athletic programs, and district funds always have many areas to target. The coaches also believed that the major barrier to implementation of Title IX was the attitudes of individuals toward girls' athletics and the need for change. One coach said, "It's understanding that females are just as important. Sports are just as important for girls."

District B, teacher position. Four of the five District B teachers were able to describe positive effects of Title IX implementation. However, two believed that the effects were possibly more attributable to overall changes in society relative to women than they were to Title IX. These changes included an increased and renewed interest in the topic of sexual harassment and the rights and opportunities of women. Teachers noted that media attention on these issues has provided a positive effect. Two teachers discussed the positive effects of more employment opportunities for women. One teacher said, "Most of the impact has been on the rights

of employment, like not discriminating against pregnant women in the workplace." Another teacher noted improvement in the course selection of girls in high school today through the inclusion of more advanced courses.

The negatives of Title IX implementation discussed by teachers included the level of discomfort that Title IX caused among adults as they work with students. Although the teachers stated that they were extremely careful in talking to and touching students, at least one teacher pointed out that some students need care and affection, thus creating a tough situation. The teacher said,

I have kids all the time who run up and hug me. I just hold up my arms and say "Don't do that." In a way that's bad because I'm sure these kids need hugs or that kind of affection.

One teacher also expressed concern over the possibility that a female would concoct a story of harassment against a teacher because the teacher either avoided advances or angered the student in another way. Three of the teachers were unaware of any negatives associated with Title IX.

Five of the six teachers discussed additional practices for assisting in the implementation of Title IX. Four recommended a strong focus on informing staff about Title IX and its implications. One teacher remarked, "It is hard to implement a law you have never heard of until today." The remaining teacher (mentioned in an earlier section) discussed teachers' observation of each others' instructional practices as a way to improve sex equity.

Three teachers were unaware of any barriers to the implementation of Title IX. They evidently believed that if staff members understood Title IX, there would be no problem to implementing it. The remaining three teachers identified either the attitudes of individuals or the lack of awareness that sexual discrimination is wrong as barriers to implementation. One teacher related these barriers to Hispanic girls as well: "What society expects from females. We have a larger Hispanic population in this school, and I think part of that culture is that females will do certain things. Science is not one of them."

In summary, District B participants described the positive effects of Title IX in a variety of ways such as changes in society and educational changes. A few participants mentioned changes in employment or athletic practices only. In describing negative effects of Title IX enactment, a few mentioned overreaction to the topic of sexual harassment while others discussed using a Title IX grievance to make unfair allegations. Some participants felt no negatives to Title IX were evident. The need to inform staff about Title IX was the most commonly named practice to enhance implementation of Title IX. Of the District B participants who named barriers, most described the slowness of people to change their practices and treatment of other people.

Comparison Between Districts on Changes Attributable to Title IX Enactment

In order to make direct comparisons between Districts A and B, the responses of all participants on changes in the school or education

attributable to Title IX enactment as specific to (a) positive effects, (b) negative effects, (c) other practices that would encourage elimination of sexual discrimination on campuses, and (d) barriers to elimination of sexual discrimination were placed into defined categories. Tables 19, 20, 21, and 22 provide comparisons of the responses of participants from the two districts.

Table 19

Positive Effects of Enactment of Title IX, by District

	Number of Participants				
	No Response	Societal Changes	Increased Attention on Females in Education	Athletics Only	Employment Only
District A	1	8	6	--	--
High school	--	3	2	--	--
Junior high	--	2	3	--	--
Elementary	1	3	1	--	--
Principal	--	2	1	--	--
Counselor	--	2	1	--	--
Coach/physical education	--	1	2	--	--
Teacher	1	3	2	--	--
District B	3	4	3	3	2
High school	1	2	1	1	--
Middle school	1	2	1	1	--
Elementary	1	--	1	1	2
Principal	1	1	1	--	--
Counselor	1	1	1	--	--
Coach/physical education	--	--	--	3	--
Teacher	1	2	1	--	2

Note. Societal changes: the positive changes mentioned were also considered by the participants as being the result of changes in society. Examples of responses are: "social change" and media attention. The participants were unsure whether the societal changes brought about the Title IX passage or vice versa. Increased attention on women in education: the types of responses mentioned included the addition of women's accomplishment in textbooks, increased attention on academic achievement of girls, and more female athletes in school. Athletics only: responses discussed only changes in athletics. Employment only: responses discussed only employment rights.

Table 20

Negative Effects of Title IX, by District

	Number of Participants					
	No Negatives	Over- reaction and Discomfort	Token Female	Financial Hardships	Females Making Unfair Allegations	Response Not Related to Question
District A	5	6	2	1	1	--
High school	2	2	--	1	--	--
Junior high	2	1	1	--	1	--
Elementary	1	3	1	--	--	--
Principal	1	1	--	1	--	--
Counselor	--	2	--	--	1	--
Coach/physical education	1	1	1	--	--	--
Teacher	3	2	1	--	--	--
District B	6	5	--	--	2	2
High school	2	2	--	--	1	--
Middle school	2	1	--	--	1	1
Elementary	2	2	--	--	--	1
Principal	2	1	--	--	--	--
Counselor	1	1	--	--	1	--
Coach/physical education	--	1	--	--	--	2
Teacher	3	2	--	--	1	--

Note. Overreaction and discomfort: participants used the words "overreaction and discomfort" to discuss what they felt was an atmosphere in which both men and women did not know the boundaries between acceptable joking or a show of affection and harassment. Token female: placement of a few females in high profile positions as a token. These participants felt there was also some placement of female students in advanced mathematics and science classes to show that efforts were being made. Financial hardships: the response was that girls' athletics required additional resources and this was a concern to the district administration. Females making unfair allegations: "Some females use Title IX and the attention on harassment to get even with boys and some teachers."

Both District A and District B participants were able to describe several positive effects of Title IX after hearing what the legislation was designed to do. The District A participants' responses were more closely tied to the overall effects of society's emphasis on equal rights, whereas the District B participants' responses were more specific to what was

Table 21

Additional Practices That Could Assist Implementation

	Number of Participants				
	No Response	Inform Staff	Fund Fully Girls' Athletics	Response Specific to Position	Programs to Foster Girls
District A	1	4	2	8	--
High school	--	2	1	2	--
Junior high	--	2	1	2	--
Elementary	1	--	--	4	--
Principal	--	1	1	1	--
Counselor	--	1	--	2	--
Coach/physical education	--	--	1	2	--
Teacher	1	2	--	3	--
District B	2	7	2	2	2
High school	1	1	1	--	2
Middle school	--	2	1	2	--
Elementary	1	4	--	--	--
Principal	--	3	--	--	--
Counselor	--	--	--	2	1
Coach/physical education	1	--	2	--	--
Teacher	1	4	--	--	1

Note. Inform staff: these responses focused on the idea that little was known or understood about Title IX and sexual harassment. Ideas to remedy this condition included staff development, inclusion in new teacher orientation, and student sessions. Fully fund girls' athletics: responses suggested increases in funding to promote and establish more girls' teams for more sports. Responses specific to position: responses were very varied with few common suggestions. However, responses were specific to the position of the participant. For example, counselors mentioned self-esteem development; a mathematics teacher mentioned teaching mathematics as a verbal skill. Programs to foster girls: participants mentioned adopting programs to foster girls' achievement or programs to assist teachers in tracking who they actually called on in class.

happening on their campuses. Few District B participants mentioned girls' athletics as a positive effect, even though this appeared to be a positive effect in the district. The participants' responses in District A and District B were similar on the topic of the negative effects of Title IX. The most frequently mentioned effect was discomfort in knowing

Table 22

Barriers to Implementation of Title IX, by District Analysis

	Number of Participants			
	No Barriers Named	Attitudes of People and Resistance to Change	Society's Lack of Perception of Discrimination as a Problem	Financial Constraints
District A	6	8	--	1
High school	1	3	--	1
Junior high	2	3	--	--
Elementary	3	2	--	--
Principal	1	1	--	1
Counselor	--	3	--	--
Coach/physical education	1	2	--	--
Teacher	4	2	--	--
District B	6	7	2	--
High school	2	2	1	--
Middle school	2	2	1	--
Elementary	2	3	--	--
Principal	1	2	--	--
Counselor	1	1	1	--
Coach/physical education	1	2	--	--
Teacher	3	2	1	--

Note. Attitudes of people and resistance to change: responses focused on the idea that although people know what should be done, they are either unwilling or slow to change. Society's lack of perception of discrimination as a problem: responses indicated that sexual discrimination was not viewed as a problem or even that sexual equity is desirable. Financial constraints: response indicated that adequate money to provide equitable facilities for girls in sports was not available.

what is acceptable to say and do to other adults and students to avoid harassment.

District B participants' suggestions of practices to eliminate sexual discrimination were more general than those of the District A participants, except for the responses of coaches. Both District A and District B participants also had trouble listing barriers. The District A

participants who were able to answer believed that the attitudes of individuals, including educators, parents, and students, were slow to change on the issues of sexual discrimination and harassment. Most of the District B participants listed stereotyping and the low expectations of society for females and stereotyping as barriers to the implementation of Title IX.

Staff Development

Question 5: Amount of staff development and whether it was delivered by district, campus, or elsewhere. The responses to Question 5 were uniform among all categories. As a result, the information is displayed in a single table, Table 23, for responses (a) by district, (b) by level of campus, and (c) by position.

Administrators at the District A high school had provided organized staff development on the topic of sexual discrimination and harassment. Another session was planned but cancelled due to the illness of the principal. Administrators at the junior high had not provided formal staff development, but had distributed several staff memorandums and synopses of information relative to sexual discrimination and harassment. The elementary school administrators also had not provided staff development related to Title IX. In comparison, District B had not received campus-based sessions on the topic of Title IX at any level.

The coaches and principals in both districts had attended sessions on the topic, at least at the secondary level. Other participants had

Table 23

Degree of Staff Development on Title IX and Provider

Level	Degree of Staff Development	Provider
District A--None		
High school		
Campus	One in August; another scheduled	Campus-based
Staff		
Principal	One for administrators	District-based
Counselors	None except for campus staff	Campus-based
Coach	Discussed in coaching clinics	District-based
Teachers	None except for campus staff	Campus-based
Junior high school		
Campus	Informal through memos and faculty meetings	Campus-based
Staff		
Principal	None	--
Counselors	Some on campus and memos	Campus-based
Coach	Nothing for coaches; on campus at faculty meetings	--
Teachers	At faculty meetings	Campus-based
Elementary school		
Campus	None	--
Staff		
Principal	None	--
Counselors	None that are specifically mentioned with other topics.	District-based
Physical Education Teachers	None	--
Teachers	None	--
District B--None		
High school		
Campus	None	--
Staff		
Principal	None	--
Counselors	None	--
Coach	In college courses	College
Teachers	One had session in other district, one had no sessions.	Another district

(table continues)

Level	Degree of Staff Development	Provider
Middle school		
Campus	None	--
Staff		
Principal	Part of administrator training every few years	District-based
Counselors	One on discrimination for counselors	District-based
Coach	Talked about in head-coaches' meetings	District-based
Teachers	One teacher said discriminatory practices sometimes discussed for mathematics teachers Other teachers had none	District-based --
Elementary school		
Campus	None	--
Staff		
Principal	None on pure discrimination	--
Counselors	None	--
Physical Education	None	--
Teachers	One teacher had in college Other teachers had none	College --

received only sporadic or no staff development on the topic. Overall, the high school and middle or junior high school participants had received more training.

Chapter Summary

The two research methodologies used provided data related to participants' level of knowledge concerning Title IX and the level of implementation of Title IX in Texas public schools. The information obtained from the principal surveys and case studies was analyzed and reported in this chapter. In addition, specific exemplary comments were reproduced, responses were categorized, and results were reported.

CHAPTER 5

SUMMARY AND DISCUSSION

The focus of this study was on the degree to which the provisions of Title IX pertaining to Texas public school students are understood and have been implemented. The purpose of the study was to (a) ascertain and describe the degree of understanding of Texas campus administrators relative to Title IX regulations and court rulings, (b) determine the degree of implementation of Title IX within Texas public schools, and (c) assess which factors account for differences in the degree of implementation of Title IX. Chapter 2 was organized around several themes: the history of Title IX as a specific piece of federal redistributive legislation, the extent of Title IX's implementation and the barriers to effective action, and the contemporary issues involving Title IX. The literature review suggested that the implementation of Title IX was similar to other redistributive federal legislations. Indeed, the literature review provided evidence that the success of Title IX is currently limited to specific areas, such as athletics.

Two methods of data collection were used in this study: a survey of Texas principals and case studies of two districts. Data collected from the survey were analyzed and reported for possible significance in terms of percentage of the principals who had knowledge of Title IX and in

terms of the degree of implementation of Title IX on Texas campuses. Data collected from the case studies were analyzed by specific groupings of interviewed participants. The entire process, described in Chapter 3, resulted in the development of tentative explanations and implications testable by further research. These explanations and implications are presented in the following discussion.

Findings

Discussion of Educators' Familiarity With Title IX

The initial question of this study concerned the degree of knowledge of Texas principals about Title IX. The survey, which included 18 questions required one of three kinds of knowledge:

- (a) direct knowledge from the statute or code of regulations,
- (b) knowledge derived from interpretation of the statute by the Office of Civil Rights , and
- (c) court rulings relative to Title IX.

Direct Information from Statute and Code

Only 51% of the 156 principals answered questions pertaining to the statute and code of regulations correctly. Analysis of responses indicated that Texas principals recognized that Title IX is a federal statute which prohibits sexual discrimination in schools receiving federal funds. Principals also understood that receipt of specific federal funds places an entire district under Title IX requirements. However, other information about Title IX and direct knowledge from the code of regulations were not known by two-thirds of the principals surveyed.

This lack of knowledge centered on procedures for grievance, compliance, and remedies. For instance, 84% of the principals were unsure of the agency responsible for Title IX enforcement, and 72% did not realize the complainants on Title IX violations did not have to file a complaint with the district first. Although the Texas principals recognized that Title IX is briefly addressed in their districts' policies, they did not know the legal procedures associated with the statute.

Interpreted Information From Statute and Code

Only 51% of the principals had information that was interpreted from the statute or code. The majority of items in this category were specifically addressed in pamphlets written by the Office for Civil Rights. The two questions to which most principals could provide correct answers dealt with allowing pregnant girls to attend regular classes and providing equal access to athletic facilities and practice times. Perhaps the knowledge relative to these issues was due to fairly extensive emphasis on both in recent years. Some principals had a perception that Title IX does not allow for any differentiation between the sexes for any activity. Thus, for example, 46% either did not know or thought that single-sex classes can not be conducted in secondary physical education involving extensive bodily contact. The same two misconceptions were also evident in the case studies. Possibly the lack of knowledge about Title IX causes some of the overreaction consistently mentioned in the case studies as a negative effect of this statute.

Information Based on Court Cases Involving Title IX

The principals knew the least about this area of Title IX. Overall, only 38% of the principals were able to answer related questions correctly. What may be most significant is the participants' ignorance of the most recent court cases. Future researchers might want to investigate why important court decisions are not shared with campus administrators. The following information from court decisions was not known by half of the principals surveyed: (a) Title IX applies to sexual harassment, (b) Title IX includes money remedies, and (c) a demonstrated intent to discriminate or harass is essential for Title IX compensatory relief.

Factors Accounting for Differences in Familiarity

No significant difference was detected between the responses of elementary and secondary principals, nor did the sex of principals affect their responses. More surprising, no significant difference was noted in the level of knowledge of principals either (a) previously involved in a Title IX action or (b) working in a district having previous involvement. Even the threat of Title IX action did not cause a principal to become more knowledgeable. The only question for which there was a significant difference asked whether Title IX applied to sexual harassment. More principals previously involved in Title IX action or working in a district having action answered this question correctly. The principals with previous Title IX involvement may have been implicated in complaints of sexual harassment. Because the nature of their previous involvement was

not requested on the survey, this possibility could not be determined. No reliable source of information exists in Texas relative to the number of Title IX complaints concerning sexual harassment. Although male principals rated their familiarity with Title IX higher than did females, the knowledge of males as indicated on the survey instruments was not statistically different than that of females.

For a statute that had its beginning over 20 years ago, the participants' low level of knowledge is significant. Title IX has proven as difficult to implement as other redistributive policies. Not high on the public and political agenda for lengthy periods of time, they receive less attention (Ripley & Franklin, 1986, pp. 88-89). Policies which receive less public attention have less public knowledge about them, as revealed in the survey of principals.

Case Study Information Relative to Familiarity of Title IX

The data from the case studies supported the premise that campus-based educators, including principals, have only a superficial knowledge of Title IX. Almost half of all educators interviewed had no familiarity with Title IX. Only 4 of the 15 participants could provide an explanation of Title IX that included its major essential components: (a) prohibits sexual discriminations, (b) includes sexual harassment, (c) applies to employment and student rights, and (d) applies to districts receiving federal funds with cessation of funds as one sanction. None of the participants associated Title IX with institutional liability and the

possibility of a damages remedy. Further discussion with participants on explanations for the terms of sexual discrimination and sexual harassment demonstrated that although most of the participants were familiar with both terms, they provided only brief, limited explanations of harassment. Few discernible differences existed between the responses of educators within the district who had experienced an Office for Civil Rights Title IX investigation only 3 years before and those of educators in the district with no investigation. The district with Title IX action had not emphasized Title IX regulations with personnel although the cited violations had been corrected. The one campus in that district that did provide direct staff information on topics related to sexual discrimination had primarily concentrated on sexual harassment and had not associated it with Title IX. Because no overt efforts had been made to increase understanding of Title IX as the result of the Office for Civil Rights action, it was not surprising that there were no real differences in the familiarity of participants with Title IX between the two districts. In fact, the interview with the current Title IX coordinator of the district with the Title IX action indicated that the former superintendent felt it was best not to emphasize the action. Nevertheless, it was surprising that more personnel were not familiar with the Title IX action in that it had been well-publicized.

*Degree of Implementation of Title IX
on Texas Campuses*

Most of the information for this area of research was derived from the survey of principals, although comments from those interviewed as part of the case studies supported the survey findings. Principals were asked to rate the degree of implementation of Title IX on their campuses. The results indicate that the Texas principals perceived that Title IX had been implemented fairly extensively (4.6 mean on a scale of 1 to 7). However, this was a surprising perception because these same principals rated their degree of familiarity low (3.2 on a scale of 1 to 7). A question to be asked is, How much implementation can occur when the person chiefly responsible for implementation has relatively little knowledge of the statute?

Other questions on the survey that related to implementation dealt with staff development on Title IX, treatment of the sexes in athletics and physical education, and portrayal of careers. Approximately 60% of both groups had staff development on this topic less than once a year. This information is important for understanding why principals and campus staff know so little about various types of sexual discrimination. Research results such as teacher expectations of females (Good & Brophy, 1973, pp. 73-87) have not been shared through staff development.

The 15 case study interviews supported the survey findings on staff development. Only one of the six schools had provided organized staff development on the topic of sexual discrimination. Here the major focus

was liability resulting from sexual harassment as related to the United States Court of Appeals for the Fifth Circuit's *Doe v. Taylor* decision with little reference to Title IX. It is interesting to note that no participants in either of the case study districts were familiar with recent court cases related to Title IX and their impact on schools and personnel.

Considering the present national propensity for litigation, it is surprising that educators as professionals remain uninformed on the United States Supreme Court's decision in landmark court cases such as *Franklin v. Gwinnett County Public Schools* allowing recovery of compensatory damages by individual plaintiffs for sexual discrimination under Title IX.

The survey instrument requested information on the equitable treatment of the sexes on the campus relative to athletics and physical education. The principals believed that their campuses were providing equal treatment in this area. (The mean was 6.2 on a 7-point scale.) whether this was a matter of only allowing equal access to athletics or rather a strong effort to encourage females to develop athletically is unknown. It was consistently mentioned in the case study interviews that there were more male athletes than female athletes in the middle or junior high and high schools. However, three coaches mentioned an "explosion of interest" in girls' athletics in the last 5 years. One coach stated: "Society has decided that female athletes are acceptable role models. This was not the case in the early career of Billie Jean King." One elementary physical education instructor talked about the increase

in the variety of sports beyond football. As this has occurred, female athletes have found an opportunity to engage in a life-long sport.

On the survey, the principals indicated that portrayal of future careers for males and females was fairly equal on their campuses (5.7 on a scale of 7). In the case study interviews, this issue was not specifically addressed. However, several of the educators interviewed mentioned that society now accepts careers for females that were not previously open to them. It is unknown whether a high degree of promotion of all careers for female students is encouraged.

The degree of implementation of Title IX in Texas public schools pivots on how fully campus personnel understand sex discrimination and sexual harassment. Indications from this study suggest that little sound knowledge exists about Title IX and its regulations. While educators generally recognize the terms of sexual discrimination and harassment, the relationship of vague awareness to campus practice remains obscure. The possibility of litigation for Texas districts and campuses is apparently not yet important enough to bring the issues to the forefront. Five years ago a single case on sexual discrimination and equity existed in Texas federal courts (*Doe v. Taylor*). Although precise figures are not available, reported sexual harassment complaints are increasing. The Texas Commission on Human Rights reports that sexual harassment, as an employment issue, comprised 6.3% (214 cases) of all the charges filed with the Commission in 1993. The figure represents about a 20% increase over 1992 (personal communication, Texas Commission on

Human Rights, November 20, 1994). These figures indicate that the topic of sexual harassment as a societal concern is increasing. Societal concerns are seldom separated from the education arena.

Results of the case study interviews support the conclusions from the survey of Texas principals. Familiarity with Title IX and its topics of discrimination and equity were not any more well-known by other campus personnel than by the principals surveyed. Title IX was not better understood by personnel in the district that had been involved in previous Title IX official action. In the interviews, no differences were apparent in Title IX understanding of females as opposed to males. Instead, the base knowledge of Title IX by most educators was minimal, making any differences among categories of interviewees hard to detect. However, those who were familiar shared a common characteristic; they had been informed and directly exposed to the statute, rather than just the topics of sex-equity. It might not be important to recognize the statute by name, but it would seem important for educators to be familiar with the major components of the code of regulations as well as the recent implications of court cases on Title IX and the related Section 42 of the U.S.C. § 1983 (Civil Rights Act of 1964, 1990). Few campus staff recognized that their districts' policies, procedures, and student code of conduct addressed Title IX, sexual discrimination, or harassment.

*Changes in the Schools or in Education
Attributable to Title IX*

The case study interview format was prepared with the assumption that familiarity with Title IX would be extensive. Therefore, it was assumed that those interviewed could easily delineate both the positive and negative changes associated with the passage of the statute. Instead, in approximately 12 of the 15 interviews, a detailed explanation about Title IX and its history had to be provided by the interviewer before responses could be elicited from the participants about Title IX's effects. As a result, the types of positive effects cited by the majority of the participants were not specific to educational institutions. Instead, the changes were attributed to increases in the willingness of society to accept women as equal. The changes were also viewed more as an historical evolution than as an enactment of legislation.

In describing the negative effects of Title IX, most of those interviewed demonstrated little real knowledge of Title IX. Of course there are still areas of Title IX interpretation that are not fully developed, such as how much action is appropriate in the investigation of a student-to-student harassment (mentioned in Chapter 2). However, more is known than not known about Title IX. Most campus educators, including administrators, were simply not informed. Therefore, the negative effects tended to be those associated with a lack of knowledge: overreaction to and discomfort with the topic. The response most commonly provided to the question of what additional practices would be helpful in implementing Title IX was to inform all staff about the

statute and its regulations and implications. Those interviewed, especially teachers, indicated that they need to know because they may be held accountable. Several asked about their professional responsibility if they witnessed either educator-to-student or student-to-student harassment. They were most uncomfortable with the possibility of educator-to-student harassment because this placed them in an awkward position with peers and perhaps supervisors.

When asked to consider barriers, almost half of the educators could not provide a response of any kind. They felt barriers existed, but indicated they did not understand the issues associated with Title IX well enough to discuss them. Those, who did name barriers dealt more with barriers in society in general than educational barriers. Like the larger arena of civil rights, the participants felt there was a reluctance of individuals to change their beliefs. Several educators pointed out that quite a few females believe that sex equity is being pushed too far. One female interviewed stated she, too, sometimes wondered if mothers ought to stay home and raise their children. She wondered if this would restore "traditional values." After she said this she laughed and said: "I guess I'm a product of what we've talked about. I keep thinking like my mother."

In all the discussions of the changes attributable to Title IX, a common response was noted: Title IX was not viewed as the major force in sex equity. Instead, Title IX was viewed as a small piece of the gradual change in the thinking of the nation toward treatment of women. Whether listing positive effects and negative effects or barriers, the

feeling was that the intent of Title IX would be followed only when an evolution of society's beliefs occurred. However, if those responsible for the education of future citizens fully understood the intent of Title IX in relationship to the campus, athletic, and classroom practices, equity would be enhanced. Most of the educators interviewed could provide examples of change, such as more female athletes, and boys and girls in non-traditional high school courses. However, they simply had not internalized the changes.

Although a few differences were evident between the responses of participants in District A and District B on the topic of changes attributable to Title IX, the overall pattern was similar. The same is true by level of campus and the educators' position. Few of the interviewed educators knew enough about Title IX to provide meaningful answers. Occasionally, poignant comments were provided such as: "I would never have been a teacher if the only fields available to women were not teaching, nursing, and typing." Or: "No one really knows how many women have been discriminated against and not reported it." Nevertheless, few differences were detected among groups of educators; the majority knew little.

One other interesting implication was detected in the case studies. Although not requested, the age of each person interviewed was noted. When the person interviewed had been in education prior to the early 1970s, the person always recognized more positive changes that were a result of Title IX. This recognition was true whether the person

recognized that statute or not. These individuals said they remembered specific instances of sexual discrimination and often were the victims of unequal pay, lack of promotions, lack of pregnancy leave, unequal athletic facilities, less college educational opportunities, and hiring discrimination. Most of their examples concerned employment equity, but they were, nevertheless, revealing. Those who entered the education profession in the late 1970s or after could see less benefit to Title IX. They had not witnessed the overt discriminatory practices and could not really identify with what was earlier common practice. Perhaps, the one who summed it up best was a 46-year-old female:

I wanted to be a veterinarian. In Texas in 1966, the only school for that was Texas A & M, and girls were not admitted. The only school in Louisiana for veterinary practice was also only for males. I became a teacher. I still wish I was a vet.

Perhaps an area for future research should be the exploration of differences in individuals' perceptions of sex equity based on their age.

Implications

Given the information yielded by the survey and case studies, as well as the body of literature on Title IX, several implications for Texas schools seem clear. The literature reviewed suggests that redistributive legislation is difficult to implement because its nature requires a right to be given to one group at a loss to another group, creating a struggle. In order for progress to be made, the need for the right must be part of the political agenda. It is possible that sufficient emphasis on Title IX, sexual discrimination, and sexual harassment has been created by recent

court rulings. However, as results of the survey and case studies reveal considerable confusion exists over appropriate policies and actions. The following suggestions for Texas district and campus administrators flow from this study:

1. District Title IX coordinators should (a) determine to what degree campus administrators in their districts are familiar with Title IX, sexual discrimination, and sexual harassment and the district policies related to these topics; (b) determine to what degree administrators are familiar with recent court holdings on these same topics; and (c) plan, develop, and provide training to all district administrators according to the deficit knowledge. It would be helpful to develop an information briefing with all major essential points that campus administrators might use with campus staff. Based on the results of this study, information that should be covered in the briefing includes (a) statutory reference and code of regulations for Title IX, (b) implications for school and athletic practices, (c) holdings of court cases pertaining to Title IX, and (d) district and Office for Civil Rights grievance procedures. The information prepared should also become part of new staff orientation.

2. District central office coordinators for curricular areas, counseling, athletics, transportation, and food services should secure information on Title IX relative to their fields of responsibility and provide staff development on practices for eliminating sexual discrimination and harassment. Based on the results of this study, specific areas needing attention include (a) early childhood and

elementary classroom practices which are sexually discriminatory, (b) understanding of disaggregation of test data by sex, (c) teaching methods that discourage one or the other of the sexes, and (d) methods of encouraging both sexes to achieve in their areas of interest.

3. Principals should take the necessary steps to become fully informed about Title IX, their responsibilities for campus implementation, and their own potential liabilities. Where doubts exist about district policies or practices that might not support Title IX, principals should request clarification from the district Title IX coordinator.

4. Campus principals should fully inform their total staff, including custodians and aides, of Title IX, its rules and regulations, sanctions, liability, and damages associated with Title IX for the district. Information should relate what is allowed and not allowed with very specific examples. Considerable attention should be given to sexual harassment both educator-to-student and student-to-student.

5. Teachers should actively request information on Title IX and its related topics from their campus and district administrators. This information should be read; where questions remain, they should be asked or put in writing for an administrator to address.

6. Colleges of education should prepare teacher candidates for working under Title IX as well as other important and current statutes and their related court holdings. Although this study did not include the study of college teacher preparation, it is assumed that Title IX was not

routinely addressed in either teacher or administrator preparation because little knowledge was apparent from any source.

Suggestions for Future Research

Suggestions for further research include the following:

1. Case study methodology should be used to investigate the reasons why relevant court holdings are not regularly disseminated to Texas campus administrators.
2. Case study methodology should be used to identify what effects the age of educators have on their positive feelings toward sex equity.
3. Case study methodology should be used to compare the degree of implementation in Texas schools of redistributive legislation involving students rights with other types of legislation in order to discover what factors enhance or detract from the implementation of various kinds of legislation.
4. Case study methodology should be used to investigate the degree to which Texas elementary campus staffs actually use sexually discriminatory practices in the classroom and to determine both teachers' and students' level of awareness of such practices to determine their possible impact.
5. Questionnaires should be used to assess the degree of student sexual harassment in Texas schools--both reported and unreported incidences--to determine whether this is a significant problem.
6. An experimental design should be used to determine what effects a full staff development program for campus staff and students

would have on the level of discriminatory and harassment incidences at various campus levels.

Conclusion

Certain areas of Texas education have changed as a result of the enactment of Title IX. Athletics offers more opportunities for girls, and more girls are enrolled in advanced mathematics and science courses. Pregnant girls are now educated with regular students within district schools.

Except for these overt changes, the implementation of Title IX has been slow. Educators' knowledge of the statute and the impact of its regulations on Texas campuses has been minimum. Although the campus principals surveyed perceived that Title IX has been implemented on their campuses, the weight of evidence in this study does not support their perceptions. The major reasons for slow implementation of Title IX appear to be (a) lack of extensive knowledge by campus educators, (b) lack of realization that sexual discrimination still exists in classroom and campus practices, (c) lack of understanding of what constitutes sexual harassment, and (d) lack of knowledge of the consequences of the district for sexual discrimination and harassment. In spite of a 20-year history of Title IX legislation, campus administrators in Texas are still not knowledgeable about the statute or its implications. Little recognition of this lack of knowledge or the lack of implementation of Title IX exists. In short, district and campus administrators need to commit to finally implementing Title IX and its regulations. Recent

court holdings demand a level of attention to Title IX in Texas to match the severity of the consequences of not fully implementing the statute.

APPENDIX A

SURVEY OF TEXAS PRINCIPALS

Initial Letter

February 7, 1994

Dear Administrator:

The enclosed questionnaire is designed to gather information relative to the implementation of Title IX in Texas public schools. As you know, Title IX prohibits sexual discrimination in education. Your responses as a campus administrator will be analyzed carefully in order to study Title IX's implementation throughout the state.

I would greatly appreciate your assistance and would be happy to supply you with a summary of the results of the questionnaire. If you desire this, please indicate on the last page of the instrument.

Your participation is voluntary, and the data provided about your campus will remain confidential. Please take about 10 minutes to respond to the questionnaire and mail it back in the enclosed envelope by February 28, 1994.

Sincerely,

Sandy Maddox
Doctoral Candidate
University of North Texas

Enclosure

Follow-Up Letter

May 9, 1994

Ms. Marilyn Odum
Jones Elementary
Midland ISD
615 W. Missouri Avenue
Midland, TX 70701-5017

Dear Ms. Odum:

Thank you for agreeing to complete this survey on Title IX sexual discrimination. This survey is designed to gather information relative to the implementation of Title IX in Texas public schools. The data provided about your campus will remain confidential.

I have enclosed a stamped, self-addressed envelope for return mail. Please know that I appreciate your time on this.

Sincerely,

Sandra Maddox

Enclosure

Questions for Principal Survey

Title IX, passed by Congress in 1972, prohibits sexual discrimination in education. Please answer the following questions by circling the appropriate response:

- | Yes | No | Don't Know | |
|-----|----|------------|---|
| | | | 1. Title IX prohibits sexual discrimination in public education and private institutions that receive federal funds. |
| Y | N | DK | 2. The Equal Employment Opportunity Commission is responsible for enforcing the regulations relative to Title IX. |
| Y | N | DK | 3. It is permissible under Title IX to have single sex classes in secondary physical education where there is extensive bodily contact. |
| Y | N | DK | 4. Sex-based dress and grooming codes, are not permissible under Title IX, e.g. no earrings for boys. |
| Y | N | DK | 5. Title IX does not prohibit extra-curricular activities that are limited to participation by one sex. |
| Y | N | DK | 6. Title IX has been interpreted by the Supreme Court to apply to sexual harassment. |
| Y | N | DK | 7. Receipt of federal funds, such as Chapter I, places the entire district under the Title IX requirements. |
| Y | N | DK | 8. Title IX remedies do not include money damages. |
| Y | N | DK | 9. A demonstrated intent to discriminate or harass is essential for Title IX compensatory relief. |
| Y | N | DK | 10. If an investigation reveals there has been a Title IX violation, voluntary compliance is requested as an initial remedy. |

- | | | | | |
|---|---|----|-----|--|
| Y | N | DK | 11. | One must use the institutional grievance procedure before filing a complaint under Title IX with the appropriate agency. |
| Y | N | DK | 12. | Conducting a course dealing exclusively with human sexuality in separate groups for males and females does not violate Title IX. |
| Y | N | DK | 13. | Using one standard to measure skill in a physical education class is appropriate even if it has an adverse effect on members of one sex. |
| Y | N | DK | 14. | If a school offers separate classes for pregnant girls, a pregnant girl cannot attend regular classes. |
| Y | N | DK | 15. | Title IX requires education institutions receiving federal assistance to adopt a separate grievance procedure to handle sexual harassment allegations. |
| Y | N | DK | 16. | Monies collected by volunteer fund-raising groups (such as booster clubs) can be distributed unequally if designated for a particular activity such as baseball. |
| Y | N | DK | 17. | Only the victim, not another person, can file a Title IX complaint. |
| Y | N | DK | 18. | Title IX includes the equal access to athletic facilities and the preferred times for athletic practice. |
| Y | N | | 19. | Have you ever been involved with action relative to Title IX discrimination? |

If yes, check applicable below.

- Internal complaint
 Enforcement agency
 Court action

- Y N DK 20. To your knowledge, has there ever been a Title IX action in your district?

If yes, check applicable below.

- _____ Internal complaint
 _____ Enforcement agency
 _____ Court action

- Y N DK 21. Have you participated in professional development on sexual discrimination?

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Not
Familiar

Extremely

- _____ Never
 _____ Less than once a year
 _____ One to two times a year
 _____ More than two times a year

- Y N DK 22. Has your staff participated in staff development on sexual discrimination?

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Not
Implemented

Entirely
Implemented

- _____ Never
 _____ Less than once a year
 _____ One to two times a year
 _____ More than two times a year

23. How would you rate your familiarity with regulations relative to Title IX?

Please place an "X" on the scale below.

1	2	3	4	5	6	7
Very Unequal			Totally Unequal			

24. How extensively has your campus implemented Title IX regulations?
25. How equitable is the treatment of both sexes on your campus in physical education/athletics?
26. How would you rate the treatment of both sexes in portrayal of future career opportunities?

Personal Data

Please place a check on the line which is appropriate.

27. Size of District
- _____ less than 500 ADA
- _____ between 501 and 1,000 ADA
- _____ between 1,001 and 5,000 ADA

- between 5,001 and 10,000 ADA
- between 10,001 and 25,000 ADA
- above 25,001 ADA

28. Years as principal

- two or less
- 3-5
- 6-10
- 11 and up

29. Ethnicity

- Anglo
- African-American/Black
- Hispanic/Latino/Mexican American
- Asian
- Other

30. Gender

- Male
- Female

31. Campus Level

- Elementary
- Secondary

I do desire to receive a summary of the results.

APPENDIX B

**INTERVIEW QUESTIONS: DISTRICT
TITLE IX COORDINATOR AND
CAMPUS STAFF**

Initial Interview With District Title IX
Coordinator

1. History of Title IX in the district relative to student rights.
2. District policy--What is it? How is it disseminated?
3. Amount of staff development for:
 - Administration
 - Building Administrators
 - Teachers
4. Type of staff development.
5. Number of complaints
Number of OCR actions
Number of court enforcements (Since original OCR settlement)
Nature of any of these
Final resolution
6. Changes made in policy and why? (As a result of OCR)
--Most significant?
7. Barriers within district
Tradition and transition stage
8. What does district policy say relative to sexual harassment?
9. General demographic information on district ADA, number of schools, ethnicity, SES.

Campus Staff
Focused Interview Guide

1. Current position and length of time in it
2. Experience and credentials for position
3. Familiarity with Title IX
 - a) Ask if they are informed about legislation
 - b) Explanation for these items:
 - Sexual discrimination
 - Sexual harassment
4. What changes in the school can the person attribute to Title IX enactment:
 - What are the positive aspects of the change?
 - What are the negatives?
 - What kind of practices would encourage elimination of sex discrimination?
 - Who or what are the barriers to elimination of sexual discrimination on the campuses?
5. What kinds of staff development have been conducted for you on Title IX?
 - How many sessions?
 - District-wide or campus-based?

APPENDIX C

**INTERVIEW: ATHLETIC COACH #1 AS REVIEWED
BY PARTICIPANT AND BY VALIDATOR**

Interview: Coach #1

1. Current position and length of time in it.
I have 13 years at Bleyl in Cypress-Fairbanks in coaching. Overall, I have 22 years of experience in education.
2. Experience and credentials for position.
My credentials are for high school physical education and driver's education.
3. Familiarity with Title IX.

- a) Ask if they are informed about legislation.

Well of course, I know and I have always heard since I have been teaching; Title IX, this and Title IX, that. My knowledge of it basically is that it was a bill that was passed to implement or force the funding of a program to support girls athletics and equal rights for women in education. And that is what I know about it.*

- b) Explanation for these items:
Sexual discrimination

A definition of it? I can give you an example of it. Right here in our district, we had a situation in girls' softball, which was not a UIL sport at the time. We did it because we had a very strong softball program. And then the girls' coaches or whomever brought suit [parents whatever], because there were these big baseball fields and the girls were practicing on backstops at the side. So they had to come up with a softball field. They could have used the baseball fields but that would have required them to modify the baseball fields.*

Sexual harassment

Well, if it is student-to-student at the junior high age, you know that flirting can be just talking. "Can I have a date or a phone number?" To be harassment is when it goes past that and you make suggestive comments. You are making fun of that person's

*Validated as being correct transcription of participant's response.

physique or suggesting actions and maybe not necessarily following through with those, but just making the other person feel uncomfortable.

4. What changes in the school can the person attribute to Title IX enactment?

What are the positive aspects of the change?

It has made our administration more aware of that these things are there and that we have to deal with them. Being in athletics, I can tell you that for years and years, it was a man's world. And of course, that is not just athletics, that is everything. [I'm] not saying that this is right or wrong. I am just saying that some of the leaders of our athletic program now and our administration came from that background where there was no recognition. Just like you can't deal with prejudice until you admit that you are prejudiced. You know that to whatever extent that you are prejudiced you have to say that I have these things that are within me that were inbred, that from where I came from and how I was brought up they are in me. Now all I can do is deal with them and try not to carry them on. And I don't think that our administration whether it is athletics or the whole district had that philosophy at that time so that they could deal with the whole situation. I think that they have dealt with racial issues much more often than they had dealt with this issue because it is a much more obvious thing.

What are the negatives?

Not too much, it is just like anything else you get to worrying about. I can't say one thing to a kid because I will get sued or I can't tell a joke to a teacher because I am afraid of sexual harassment. Whereas before, we might never have thought about it. So in this way, I think it is overkill. But it has made people much more cautious--sometime to a point of making tension in a relationship. It is just like anything else. Just like the crime; I hate it when you go to the mall and have to worry about walking to your car. That is something we never had to do before but now you do and so if I am talking to you and you are a colleague and you know that thoughts go through your mind about--What if you pat her on the shoulder?--and she really does not understand. So you feel the need to say, Don't take this seriously. I think that it is this caution that has created a tension that may or may not be good. It build barriers too.

Actually I'm not as worried as this appears. I'm just careful with what I say and do.**

What kind of practices would encourage elimination of sex discrimination?

Well, of course, I would draw on athletics. The only thing we could do that would probably make it more equal would be to totally revamp our whole facility. When it was built I think it was built correctly in one respect. If you went down and looked at the locker room facilities, it is about like this. This is boys' and this is girls.' They [the girls] have a large shower area that takes up a lot of room. But actual floor space, we have more, because we have football. Well, to be really equal that would be the way to go. The floors in both gyms are the same. The gyms are not called the girls' gym or the boys' gym. In reality we have coed P.E. classes. We have done this for the past 5 or 6 years. We do sometimes let them choose activities and by doing this sometimes they will move toward an activity. Sometimes for some sports we say we are going to have boys' basketball and girls' basketball. They don't have coed basketball because the skill levels are just too different. But they are in my classes which is a coed class. Policy-wise I do not think one thing that we are doing that is creating a bias. I don't think that we have done anything that would do that since I have been here. And part of that is my attitude toward girls' athletics. I have always thought that girls should have the same kind of program. I have always said that you can involve more girls. You have to cut too many too early because of the sports that they play. They [the girls] start with volleyball and [the coaches] have to cut because of space. Football they don't cut. See we cut in basketball because of space. Football is an outdoor fall sport, and no cuts have to take place. It is more a result of the sport itself. That is just the way it is set up with UIL. Because basketball is going on. I don't know what other sports you would add for girls or where you would put them. They are not going to move football.

**Comments added by the participant after review.

Who or what are the barriers to elimination of sexual discrimination on the campus?

Old facilities

Attitudes

5. What kinds of staff development have been conducted for you on Title IX?

Well, just what the general teachers have had, not much from the athletic department.

How many sessions?

I'm not sure--It's just mentioned along with other topics.**

District-wide or campus-based?

Most sessions have been on campus
These are mostly at faculty meetings.**

**Comments added by the participant after review.

APPENDIX D

STATISTICS FOR QUESTION 23

Statistics for Question 23

MALES

FEMALES

23. Familiarity

Sample size....=97

Sample size...=61

Minimum..... = 1

Minimum..... = 1

Maximum..... = 6

Maximum..... = 6

Average ranks for the group..... = 3.4

Average ranks for the group..... = 2.9

Hypothesis test for a claim about two INDEPENDENT populations

Question 23:

$$\text{NULL HYPOTHESIS: Mean 1} \begin{matrix} M \\ > \\ & = \\ & & F \\ & & & \text{Mean 2} \end{matrix}$$

CONCLUSION: FAIL TO REJECT the null hypothesis

Test statistic z = 2.35369

Critical value z = -1.64522

P-value = .99065

Significance level = .05

t- Test CONCLUSION: FAIL TO REJECT the null hypothesis

∴ Males felt more familiar with Title XI than females

Wilcoxon Rank-Sum Test of Independent Samples

Female vs. Male on Percent Missed	Rank-sum for Sample 1 ..	= 1987.5
	Mean rank-sum	= 1892
	Standard deviation Rank-sum	= 117.791
	Test statistic z	= .810758
	Critical value z	= -1.96039, 1.96039
	Significance level	= .05
	<i>p</i> -value	= .417504

FAIL TO REJECT the null hypothesis that the populations are the same

∴ no significant difference.

Wilcoxon Rank-Sum Test of Independent Samples

Female	Rank-sum for Sample 1 . . .	=	2542.5
vs.	Mean rank-sum	=	2525
Male on	Standard deviation Rank-sum	=	145.057
Percent			
Not Known	Test statistic z	=	.120642
	Critical value z	=	-1.96039, 1.96039
	Significance level	=	.05
	p-value	=	.903974

FAIL TO REJECT the null hypothesis that the populations are the same.
 No significant difference between percentage don't know males and females.

APPENDIX E
SPECIFIC INFORMATION ON
TABLES 12, 13, AND 14

Specific Information on
Tables 12, 13, and 14

Table 12 Percentage of Questions Missed versus Percentage of Questions Marked Don't Know (Spearman's Rho Correlation Coefficient Test for Significance)

Spearman's Rho Correlation Coefficient

Number of Pairs	156	Percentage Missed and Percentage Don't Know
-----------------	-----	--

Spearman Rho	-0.4961
--------------	---------

Corrected for Ties	-0.4961
--------------------	---------

t-values	-7.1814
----------	---------

Probability One-Tailed	0.0001
---------------------------	--------

Table 13 Size of District versus Percentage of Questions Missed (Kruskal-Wallis Test for Identical Populations)

Kruskal-Wallis Test for identical populations

Significance level.....	=	.05
Test statistic.....	H	= .950811
Critical value.....	Chi-square	= 11

FAIL TO REJECT
the null hypothesis of identical populations

Sum of ranks for sample	1	= 364.5	>	25,000 ADA
Sum of ranks for sample	2	= 560		between 10 and 25 ADA
Sum of ranks for sample	3	= 417		between 5 and 10 ADA
Sum of ranks for sample	4	= 451.5		between 1 and 5 ADA
Sum of ranks for sample	5	= 499.5		between 500 and 1,000 ADA
Sum of ranks for sample	6	= 361.5		< 500 ADA

Table 14 Level of Campus versus Percentage of Questions Marked Don't Know: Secondary versus Elementary
(Wilcoxon Rank-Sum Test of Independent Samples)

Wilcoxon Rank-Sum Test of Independent Samples

Secondary	Rank-sum for Sample 1	= 2,096
vs.	Mean rank-sum	= 2,525
Elementary	Standard deviation Rank-sum .	= 145.057
on Percent		
Not Known	Test statistic	$z = -2.95746$
	Critical value	$z = -1.96039, 1.96039$
	Significance level	= .05
	p -value	= 3.114E-03

REJECT the null hypothesis that the populations are the same

∴ There is a significant difference. Since Sample 1 = Secondary and the z -score is negative, then secondary had lower percentage (or less Don't Know) than did elementary.

Wilcoxon Rank-Sum Test---2 independent samples

Tests the null hypothesis that two independent samples come from populations with the same distribution. FAIL TO REJECT means there is no difference in the populations; REJECT means there is. This test is used when the samples may not be from normal populations. (Since your sample was not randomly chosen from a very large population, I thought this hypothesis test was more easily justified than the parametric sample t -distribution.) This test has a 0.95 efficiency rating compared to the t -test.

Kruskal-Wallis Test (H-test) ---2 independent samples

Tests the same null hypothesis as the test above. In using this test, the original scores are replaced by their corresponding ranks. The test statistic H is basically a measure of the variance of the rank sums. If the ranks are distributed evenly among the sample groups, the H is a relatively small number. If the samples are very different, then the ranks will be excessively low in some groups and high in others, with the net effect that H will be large. Consequently, only large values of H lead to rejection of the null hypothesis that the samples come from identical populations.

Spearman's rank correlation coefficient---nonparametric

Measures the strength of the association between two variables. Perfect positive ($= 1$) means that there is strong correlation and that as the first one increases (or decreases) so does the second. Perfect negative correlation ($= -1$) means that as the first variable increases, the second decreases and so on. No correlation is indicated by 0, so the closer a coefficient is to 0 on either side, the weaker the correlation. Likewise, the closer the coefficient to 1 or -1, the stronger the correlation.

Note. This is also true for the values of the correlation matrix, although I probably should not have used it here, since these samples were not from normal populations.

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