

the others (men):

- not making eye contact as frequently or interrupting them more,
- not encouraging them to share their ideas as often,
- shuffling through papers or looking at one’s watch when they speak,
- not inviting them to informal networking and bonding sessions,
- using stereotypes and telling jokes that denigrate them.

The worst chilly climates occur when there are the fewest of the people who are marginalized, such as at the conference Sandler attended where there were nearly four times as many men as women.

She writes, “Taken by themselves, many of these behaviors have a minuscule effect, if they have any at all, and are often not even noticed. ... Yet when these behaviors occur again and again, especially if they are not noticed or understood, they often



Bernice Sandler speaks to the AAUW Arlington (VA) Branch.

have a damaging and cumulative effect, creating an environment that is indeed chilly—an environment that dampens one’s self-esteem, confidence, aspirations, and participation.”

Each of us has a responsibility to ensure that we are not inadvertently treating others unfairly. We must speak up when

we or others are being mistreated. We can examine our own behaviors and note when we make eye contact or provide the most feedback and encouragement. We can make sure we do not use stereotypes or attribute different words to women and men for the same behaviors.

When we see unfair treatment occurring, we can intervene by using humor or by directly describing the behavior as unacceptable and stating how it needs to be changed. We can also ask to talk to the person privately or send her or him a letter stating the facts of what happened, how it made us feel, and what we want to happen to fix or end the behavior.

For more suggestions on warming a chilly climate to help ensure that everyone feels welcome at work, visit Sandler’s website, www.berniceandler.com.

Receive Funding for an LAF Campus Outreach Program

Through the LAF Campus Outreach Program, AAUW members can receive grants of up to \$750 and LAF staff support to implement gender equity programs or events at their local colleges or universities. Topics for campus outreach should focus on fighting discrimination and may include such issues as sexual harassment on campus, sexual assault on campus, equal pay and preparing for the workplace, Title IX in the context of athletics or women in non-traditional fields, and tenure issues for faculty. The newly released LAF Campus Outreach Program in a Box explains more about the program and provides ideas for campus events.

Learn more about the LAF Campus Outreach Program and access the Program in a Box online at

- www.aauw.org/advocacy/laf/campusOutreach.cfm
- www.aauw.org/member_center/programs/LAFCampusOutreach.cfm

More Men Are Fighting Sexual Assault on Their Campuses continued from page 4

conduct peer counseling, and to engage in activism, and they are encouraged to partner with women’s groups. The training focuses on developing healthier versions of masculinity and concrete activities groups can do to address sexual violence.

Numerous other campuses have their own local men’s groups with similar objectives. Former LAF fellow Thomas Rosen is

the president of Vanderbilt University’s Every Two Minutes. Rosen became involved with the group after men sexually assaulted two of his close female friends. Hearing their stories and helping them heal made Rosen realize that sexual assault must be prevented. He felt he could no longer be complacent in a culture in which so many women are victimized in college.

The members of Every Two Minutes hold training seminars on how to challenge and change a culture that largely ignores sexual assault; they use poster campaigns to promote dialogue and raise awareness, and they collaborate with like-minded student organizations to host events and speakers. One of their more successful initiatives has been a poster campaign featuring role

Continued on page 6

More Men Are Fighting Sexual Assault on Their Campuses continued from page 5

models in the form of male leaders on campus who are against sexual violence.

From his experiences as a campus leader, Rosen offered advice to individuals who want to engage men on their campus in ending sexual violence: “An important lesson I’ve learned is not to focus the blame for sexual assault on all men. ... I think it’s important to remind men that this movement is not against their interests and is, in fact, in the interest of people they love and the women in their lives,” he said.

AAUW Regulatory Affairs Manager Adam Zimmerman also joined a campus men’s group focused on ending sexual violence while



Adam Zimmerman

he attended Stony Brook University in New York. He became involved in the group SAFE: Sexual Assault Facts and Education because he felt that, as a man, he had a responsibility to address the fact that most rapists are men, and he wanted

to help protect the good names of the majority of men who are not rapists. He stresses



AAUW Fellow Thomas Rosen

that “to win the war against sexual assault and other forms of domestic violence, both women and men need to be involved and fight as one.”

While Zimmerman was a member, SAFE performed a date rape skit on campus and at local high schools to generate dialogue and create teaching moments. Zimmerman said that after the skit, the performers would answer audience questions both in and out of character, provide facts and figures on sexual violence, and hold post-performance discussion groups. They also worked to challenge preconceived notions and gender stereotypes about men and women.

“Quite simply, men need to rise to the challenge. It is not enough to just treat women with respect in our own lives,” said Zimmerman. “We need to challenge other men to do the same. Men are themselves victims of domestic violence and sexual assault and, as men, we have a responsibility to our brethren who are survivors as well.”



AAUW

1111 Sixteenth St. NW
Washington, DC 20036

Breaking through Barriers

About LAF

The AAUW Legal Advocacy Fund partners with other civil and women’s rights organizations to support strategic litigation that affects women in all workplaces. Through our campus programs and online resource library, LAF educates campuses and the general public about barriers faced by women and the legal rights, policies, and strategies that can help to eradicate sex discrimination in higher education and the workplace.

Staff

- Holly Kearl, Program Manager
- Jill Birdwhistell, Chief of Strategic Advancement
- Linda Hallman, CAE, AAUW Executive Director



AAUW

1111 Sixteenth St. NW
Washington, DC 20036
Phone: 202/785-7750
Fax: 202/463-7169
laf@aauw.org
www.aauw.org

090-10 2,400 1/10

LAF/UPDATE

Winter 2010

From the President



Carolyn Garfein

Thanks to the generosity of members since we’ve expanded the support of the AAUW Legal Advocacy Fund to all workplaces, we are now able to help more women. Already this fiscal year, LAF already has disbursed more than \$20,000 to offset the mounting legal costs of current plaintiffs as they fight for justice. Many of us will have an opportunity to learn more about our plaintiffs and their cases this spring when they speak at AAUW state conventions and personally thank members for their support.

I want to alert you to other LAF programs detailed in this update. First, there is an exciting new Title IX high school athletics compliance initiative, Know the Score, a terrific member/branch project. A Know the Score Program in a Box, developed in collaboration with the Legal Aid Society – Employment Law Center and the Women’s Sports Foundation, includes branch programming ideas and step-by-step instructions on how to investigate Title IX athletic compliance in your local school. Most schools are still short-changing girls—you can help fix this problem!

I also urge you to apply for an LAF Campus Outreach Program grant. Any AAUW branch may apply for up to \$750 from LAF to hold an event on a sex discrimination topic at their local college. Details on how to plan and carry out a program are included in our new Campus Outreach Project Program in a Box.

LAF initiatives are made possible by the generous, tax-deductible donations of our members. Thank you for all your contributions, and thank you in advance for what I know you will continue to give.

Sincerely,

Carolyn H. Garfein
AAUW President

Also in This Edition

- Become a Local Title IX Activist
- More Men Are Fighting Campus Sexual Assault
- Latest Case Updates

How to Warm a “Chilly Climate”

Improving equity for women in education and the workplace has been the focus of Bernice Sandler’s work for 40 years. The “Godmother of Title IX,” Sandler helped coin the phrase “chilly climate” and has written extensively on the topic, particularly as it relates to women and gender. In December 2009, Sandler spoke at the AAUW Arlington (VA) Branch’s annual LAF luncheon about the chilly climate and what each person can do to help end it.

A few decades ago, Sandler attended a business conference with 15 men and four women. On the first day, she was struck by how often the men interrupted the women. The next day, she decided to tally how often attendees interrupted each other. She found that people interrupted the three women twice as many times as they interrupted the 15 men. Additionally, she noticed that when someone interrupted a man, it usually was to give him positive feedback, but attendees interrupted women to state something trivial or to change the topic.

Sandler showed her tallies to the two male facilitators and pointed out that women were being interrupted far more often than the men. The men denied it, and Sandler felt discouraged. The next day, however, the men interrupted the women significantly less. Sandler was elated and realized it was a changeable behavior. She applied for a grant and, in 1982, she wrote her first report on the chilly climate in the classroom.

In the workplace setting, she found many behaviors that are indicative of a chilly climate. These include doing the following to the marginalized persons (women) but not to

Continued on page 5

AAUW's New Initiative, Know the Score, Makes You a Title IX Activist

People call baseball America's pastime, but it is a sport that regularly receives more favorable treatment than its female counterpart, softball.

Over the last several years, many students and their parents have brought lawsuits against school districts for providing softball teams with inferior equipment, facilities, and coaches compared with baseball teams. At Sweetwater Union High School in California, the girls' softball program played on a substandard, overused

field that lacked basic amenities such as covered dugouts. The baseball field, however, was in excellent condition, fully fenced, locked, and reserved exclusively for team use. The boys also had covered dugouts with storage and a concession stand. In spring 2009, a California federal district court ruled in *Ollier v. Sweetwater Union High School District* in favor of the softball team and scheduled further proceedings to address a remedy to the imbalance.

In Lewistown, Illinois, parents of softball players sued the school district for treating the softball team unfairly compared with the baseball team. The district settled, and they are making improvements and upgrades to the softball field, including building a new concession stand and press box, installing a new scoreboard and locker room, and making dugout improvements. The lawsuit and settlement cost the district \$101,800, including \$63,000 in legal expenses.

If the school had been complying with Title IX of the Educational Amendments of 1972, which prohibits sex discrimination in any educational program that receives federal funding, none of these costs would have been incurred.

The school was not compliant, but if the school administrators had worked on a solution with parents and community members, they could have avoided a lawsuit and \$63,000 in legal expenses.

AAUW's new project, Title IX Compliance: Know the Score, tells AAUW members how to find out if their local high schools treat their athletes equitably. If it looks like the schools do not, members can take steps to try to pressure schools into compliance without a costly lawsuit. We know that schools are strapped for money and that lawsuits should be a last resort, but we do not want to see schools short-change female athletes.

Project collaborators The Legal Aid Society – Employment Law Center and the Women's Sports Foundation, as well as AAUW activist members Kathryn Braeman, a retired judge, her daughter, attorney Elizabeth Kristen, and Mitzi Witchger, helped craft the materials for AAUW members and co-hosted a webinar for interested individuals in October 2009. The webinar is now available for download at any time from the AAUW website.

Know the Score is particularly accessible as an AAUW member/branch activity, and several tools are aimed at branches and include materials to use at branch meetings. AAUW branches in North Carolina and California are already beginning to evaluate their local schools. We hope you will participate in the program to help ensure equity on the playing fields for girls at your local high schools!

Case Updates

In addition to funding current cases, the LAF Committee regularly considers new ones. During their next scheduled meeting call in January 2010, they will review three new case applications.

Do you know about or are you involved in a case that centers on a workplace or higher education sexual discrimination issue? Does the case have potential significance with respect to future cases and the likelihood to set or reinforce precedent that will discourage gender discrimination and benefit women? If so, please contact laf@aauw.org for a case recommendation form, and AAUW will consider providing organizational and/or monetary support to the case to help ensure that all women have a fair chance. Read more about LAF's expanded case support program online at www.aauw.org/advocacy/laf/cases.

Pending Cases

Jaureguito v. Feather River Community College, Thein v. Feather River Community College, Wartluft v. Feather River Community College

Michelle Jaureguito, former director of the Upward Bound/Talent Search program at Feather River Community College; Paul Thein, former vice president of student services, athletic director, and dean of students; and Laurel Wartluft, former head coach and faculty member, sued Feather River Community College for sex discrimination and retaliation in violation of Title IX of the Education Amendments of 1972.

In spring 2008, the lawyers in these cases submitted closing and reply briefs from the November 2007 trial to the California

State Personnel Board. The judge submitted a decision to the California State Personnel Board in August 2009, ruling in favor of all three plaintiffs and awarding reinstatement, back pay, and damages. The personnel board rejected the decision, however, and the judge will have to present an oral argument to the board at a later date.

Jaureguito's trial is still set for August 21, 2010, Thein's for July 20, 2010, and Wartluft's for May 18, 2010. To date, LAF has contributed \$40,217.43 to Jaureguito, \$37,217.43 to Thein, and \$40,217.43 to Wartluft.

Mansourian, et al. v. Regents of the University of California, et al.

Arezou Mansourian and her fellow plaintiffs were students at the University of California, Davis, and were members of the university's wrestling team. They sued the regents of the University of California for sex discrimination in violation of Title IX.

The plaintiffs have appealed the judge's ruling against them, which dealt with whether there was sufficient notice of the discrimination, not whether the discrimination occurred. The appeal also questions whether a Title IX claim supplants an equal protection claim. In February 2009, the National Women's Law Center, the ACLU, and other women's rights groups submitted appellate briefs supporting the plaintiffs' briefs. AAUW signed on to the brief submitted by the NWLC. In October 2009, the U.S. Court of Appeals for the 9th Circuit heard oral arguments and is expected to issue a written decision within six months. To date, LAF has awarded \$59,745.99 in support of the wrestlers' case.

"Based on the questions and comments by the judges, I feel very optimistic that we will get a strong decision out of it," said Kristen Galles, an attorney for the case. "Thanks again to AAUW for signing on to the amicus brief written by the National Women's Law Center."

Schuster v. Berea College

Claire Schuster, a tenured associate professor of nursing, sued Berea College for sex discrimination in compensation in violation of the Kentucky Civil Rights Act. The court ruled in favor of Berea College, but the Kentucky Court of Appeals reversed the judgment. The appeals court found that the trial court had repeatedly denied Schuster use of critical discovery. Berea College challenged that decision in a motion for reconsideration.

In December 2008, the Kentucky Court of Appeals once again ruled in favor of Schuster. The college filed a motion on December 5, 2008, for discretionary review with the Kentucky Supreme Court. Schuster filed a response to Berea's motion for discretionary review on January 15, 2009.

The Kentucky Supreme Court ruled on August 19, 2009, in favor of Schuster, denying Berea College's motion for discretionary review of the appeals court decision and remanding the case for a new trial.

In November 2009, the Madison County Court of Appeals denied Schuster the right to a new trial and sought clarification from the appeals court. To date, LAF has awarded Schuster \$57,951 in support.

AAUW Legal Advocacy Fund Major Donors

We extend sincere thanks to the donors whose contributions to LAF were received between June 1 and October 31, 2009.


Defender (\$1,000–4,999)	Marla Kim Benziger (IL) Andrea S. Danis (IL) Carol Norberg (CA) Berniece Patterson (CA) Diane B. Roca (MD) Victorine P. Willingham (WA) Krys A. Wulff (CA) Barbara M. Wyne (IL)	Ruth Ewing (NH) Marsha Fife (CA) Diane Haney (NY) Tracy K. Lantz (MD) Eileen Shelley Menton (MD) Melanie Nelson (MN) Cheryl B. Papa (NY) Rita Kirk Powell (OR) Catherine Rodriguez (FL) Patricia Ross (TX) Carol R. Virostek (CT) Erika B. Vitense (WA)
Advocate (\$500–999)	Rowene Aguirre-Medina (AZ) Beth G. Bangert (CA) Florence A. Baturin (MA)	Partner (\$250–499)
	Tommy F. Angell (CA) Sharon F. K. Bigot (MN) Alice M. Bradee (WI) Sylvia B. Dahl (CT)	

* Gloria Weston was erroneously excluded from the donor list in the summer 2009 issue of *LAF Update*.

A Message from Development

Please remember that, without financial support, we cannot provide essential programs. We hope you will join other generous donors and support our work by using the enclosed donation envelope or by visiting our secure website at aauw.org/contribute. If you have any questions or would prefer to make a contribution over the phone, please contact Tremayne Parquet at 202/728-7611 or Kristie Malley at 202/785-7766 for assistance.

Action Items



- Download the Know the Score Program in a Box from the AAUW website and follow the suggested steps (www.aauw.org/member_center/programs/TitleIXCompliance.cfm).
- Watch the Know the Score webinar to better understand the problem and how you can make a difference (www.aauw.org/advocacy/laf/lafnetwork/library/TitleIXCompliance.cfm).
- Hold a workshop at your 2010 state convention on the Title IX project. Contact laf@aauw.org if your state is interested, and AAUW will provide a workshop facilitator.
- Keep up with the latest Title IX athletics news by becoming a Facebook fan of Title IX Compliance: Know the Score (www.facebook.com/pages/Title-IX-Compliance-Know-the-Score/170035197171?v=info) and by following @KTSTitleIX on Twitter (twitter.com/KTSTitleIX).

LAF Case Support Travel Grants Awarded for 2010

The LAF Case Support Travel Grant—previously known as the Plaintiff Travel Grant—enables Legal Advocacy Fund-supported plaintiffs, their lawyers, and related experts to speak at state meetings or conventions about LAF-supported cases, sex discrimination issues in the workplace and higher education, and the work of LAF. These grants cover the speaker's travel, lodging, and meal expenses.

This year, the AAUW board voted to award Case Support Travel Grants to AAUW of California, Maryland, Nebraska, New Jersey, and New York and to the 2010 AAUW Five-State Conference, which comprises Arkansas, Kansas, Missouri, Oklahoma, and Texas.

More Men Are Fighting Sexual Assault on Their Campuses

For several decades, campus-based groups of women have been working to prevent sexual assault, to help survivors, and to increase awareness of the problem at events such as Take Back the Night, V-Day, and the Clothesline Project. Sexual assault, however, will not end without the involvement of men, and two AAUW men are doing what they can to help.

Former AAUW Legal Advocacy Fund

Fellow Thomas Rosen and current AAUW Regulatory Affairs Manager Adam Zimmerman are part of a promising movement of men and men's groups on campuses. But Rosen and Zimmerman are just two of many men who want to create change on their campus. In fact, the number of campus men's groups has increased so much that in November the first National Conference for Campus-Based Men's Gender Equality and Anti-Violence Groups

was held in Minnesota. At the conference, 200 attendees from 40 colleges learned about male-initiated and male-focused programs, and conference-goers shared ideas and strategies for engaging college men in the work.

These groups, which include One in Four, Men Stepping Up, and Men Can Stop Rape, are addressing sexual assault and allying with women on their campuses. Men Can Stop Rape, an organization that mobilizes men to create cultures free from violence, launched a national Campus Strength Program in 2008. The program offers college men training, organizing tools, and technical assistance so that they can conduct campus programming on sexual violence. Men are trained to become mentors and role models, to

Continued on page 5