

Where We Stand: Title IX

<https://www.aauw.org/resources/policy/position-title-ix/>

AAUW supports the strengthening and vigorous enforcement of Title IX and all other civil rights laws pertaining to education.

Title IX of the Education Amendments of 1972 is the federal law that prohibits sex discrimination in education, protecting staff and students in any educational institution or program that receives federal funds. This includes local school districts, colleges and universities, for-profit schools, career and technical education programs, libraries, and museums. Music, choir, sex education classes, and sports involving bodily contact are exempt from Title IX, as are religious institutions if the law would violate their religious tenets. Admissions policies at private undergraduate institutions are also exempt.

The U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the implementation and enforcement of Title IX, its regulations, and its guidance. AAUW believes OCR must receive adequate funding to strengthen its Title IX enforcement efforts, and advocates thorough investigation of complaints and proactive compliance review.

More than Athletics

Title IX requires recipients of federal education funding to evaluate their current policies and practices; adopt and publish a policy against sex discrimination, including sexual harassment and violence; and implement grievance procedures providing for prompt and equitable resolution of student and employee discrimination complaints. The law also prohibits retaliation for filing a Title IX complaint or advocating for those making a complaint.

Title IX affects all areas of education, including:

- recruitment, admissions and housing;
- career and technical education;
- pregnant, parenting, and/or married students;
- science, technology, engineering and math (STEM);
- sexual harassment and assault;
- comparable facilities and access to course offerings;
- financial assistance;
- student health services and insurance benefits;
- harassment based on gender identity; and

- athletics.

Title IX's Work is Not Done

Title IX has advanced gender equity in schools since 1972, but much work remains:

- AAUW's own research revealed that [two-thirds](#) of college students experience sexual harassment. Studies have also found that [approximately 26%](#) of all female undergraduate students and nearly 7% of all male undergraduate students have experienced sexual assault. Additionally, AAUW research found that [56% of girls and 40% of boys](#) in grades 7-12 face sexual harassment.
- Girls have [1.3 million fewer chances](#) to play sports in high school than boys. [Less than two-thirds](#) of African American and Hispanic girls play sports, while more than three-quarters of white girls do.
- [Only 21%](#) of engineering majors and 19% of computer science majors are women.
- Pregnant and parenting students are [often steered](#) toward separate, less rigorous schools.
- The [rate of women's enrollment](#) in certain nontraditional careers remains at low levels, with some fields well below 25% in women's representation.

Changes to Title IX

The Department of Education expanded Title IX enforcement in 2021 to prohibit discrimination based on sexual orientation and on gender identity—an important step to ensure protections for LGBTQ+ students under Title IX. On June 23, 2022—the 50th anniversary of Title IX—the Department of Education released [proposed regulations](#) that would restore students' protections against sexual harassment, affirm protections for LGBTQ+ students, strengthen supports for pregnant and parenting students, and much more. Final rules are expected in Spring 2024.

The Department, however, [announced](#) a separate rulemaking on athletics, which were not addressed in the June 2022 proposed regulations. AAUW [joined](#) coalition partners and submitted a [comment](#) to the Department of Education recommending changes to the proposed regulations and urging the Department to swiftly release a Title IX athletics rule that affirms the right of all students, including transgender, nonbinary, and intersex students, to participate in sports as part of their education.

These updates were needed because of steps taken by previous administrations to systematically dismantle Title IX protections. In 2017, the Department of Education rescinded multiple importance guidance documents—including those that had clarified what Title IX requires schools to do to prevent and address sexual harassment and violence and to protect transgender

students. Then, in 2020, the Department of Education released a [rule](#) with significant harmful implications for students' civil rights and for federal enforcement of Title IX. The 2020 rule narrowed the definition of sexual harassment to potentially exclude many students' experiences and altered when schools must respond to reports of sexual harassment and violence. Further, the rule put in place school processes that make it harder for students to come forward about sexual harassment or assault and receive the support they need.

Title IX Coordinators

Title IX requires that every educational institution that receives federal funding designate at least one employee who is responsible for coordinating the school's compliance. These Title IX coordinators oversee all complaints of sex discrimination and identify and address any patterns or systemic problems at their schools. Unfortunately, Title IX coordinators often lack the support, guidance, and training needed to complete their work. Some of the most egregious Title IX violations occur when schools fail to designate a Title IX coordinator or when the Title IX coordinator does not have the training or authority to oversee compliance.

In 2020, the Department of Education rescinded OCR guidance and resources that helped Title IX coordinators meet their responsibilities. These resources should be restored and strengthened to ensure that schools have a Title IX coordinator with supports to effectively oversee compliance.

The Civil Rights Data Collection

Since 1968, the Department of Education has administered the Civil Rights Data Collection (CRDC), which collects data on key education and civil rights issues in our nation's public schools. The CRDC has been improved to shed additional light on the pervasiveness of sex discrimination, including sexual harassment and violence, in our schools. AAUW appreciates that the CRDC includes several important, school-specific gender equity points that are helpful to advocates, parents, students, educators and Title IX coordinators at schools nationwide. The Department of Education should maintain the CRDC moving forward.

Strengthening Title IX

AAUW supports federal legislation that strengthens students' civil rights protections and Title IX enforcement, including comprehensive training and support for Title IX coordinators.

The **Gender Equity in Education Act (GEEA)** would provide educational entities and Title IX coordinators the resources, training, and technical assistance necessary to ensure equity in

education and would establish an Office of Gender Equity in the Department of Education to coordinate interagency enforcement of Title IX. GEEA would also authorize competitive grants to K-12 schools, colleges, local educational agencies, or states to support their gender equity work.

AAUW in Action

All public policy actions take direction from the [AAUW Public Policy Priorities](#), voted on by members every two years. AAUW is a nonpartisan organization—but nonpartisan does not mean “non-political.” Since its first meeting in 1881, AAUW has been a catalyst for change. Together, through our coordinated and strategic advocacy, we’ve enacted invaluable legislation at the federal, state, and local levels. The 2023-2025 Public Policy priorities directly identify strengthening and vigorously enforcing Title IX.

The public policy team engages in many efforts on this key issue, including but not limited to:

- Working in coalition with other gender equity and civil rights organizations, including the [National Coalition for Women and Girls in Education](#) and the [Education Task Force](#) of the Leadership Conference on Civil and Human Rights.
- Writing [letters and comments](#) providing insight on changes to Title IX rules and regulations.
- Mobilizing AAUW advocates and members through targeted calls to action on important legislation, like the [Gender Equity in Education Act \(GEEA\)](#).
- Engaging directly with elected leaders and the public through calls, [letters](#) to political offices, and comments and testimonies in hearings.
- Providing voter education resources on key equity issues to consider during elections and offering information on how elected officials have voted in the past (more about this and Get Out the Vote guides at the [AAUW Action Fund](#)).

ADDITIONAL RESOURCES

- [Title IX at 50](#)
- [AAUW Two-Minute Activist: Support the Gender Equity in Education Act](#)
- [Honoring 50 Years of Title IX](#)

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