

AAUW CALIFORNIA ONLINE
FEBRUARY 2016 PROGRAM
TITLE IX
GUEST: ALICIA HETMAN
FEBRUARY 8-FEBRUARY 13

Our February 2016 program was learning more about Title IX. Our featured guest was Alicia Hetman who is presently the AAUW Board Vice Chair, Past AAUW CA President, Past CDE Education Consultant and California Online member.

Alicia began the program by saying:

I am very pleased to share my Title IX story. I had an urgent need to run a full scan on my computer today and it still states 5 more hours. I am using my tablet and am hopeful that you'll receive these comments

When I was serving as the AAUW CA Educational Equity Chair from 1991-1993, I served on a California Department of Education gender equity committee as the AAUW CA representative. It was during that time that AAUW CA, working with AAUW member, Assemblywoman Jackie Speier sponsored legislation that would add gender equity to the Department's Categorical Programs Coordinated Compliance Review process for public school districts. On behalf of AAUW CA, I worked on creating and distributing a survey of recently credentialed teachers to see whether or not gender was included in their teacher preparation classes. We then lobbied for the bill. We knew Gov. Wilson wouldn't sign the bill unless there were no costs connected, and so the bill ended up going to his desk with just 20 school districts per year. He signed the bill and I received a phone call from the manager in the office assigned to this legislation and was offered the job. I was hired as a Visiting Educator (a program for educators to be loaned out to the CDE on a yearly basis) in February 1993. I worked with legal services to develop and implement the provisions of that legislation. After three years as a Visiting Educator I was hired as a full-time employee.

I was the only employee to work on gender equity compliance. The public school districts were reviewed on a 3-year cycle and I conducted three- hour training sessions for school districts each year, conducted the reviews, and the necessary follow-up to bring the districts into compliance. I did train some AAUW CA members who were sent out to conduct some of the reviews. I share this detailed story as it is important to share that this change in my career is all thanks to AAUW CA and the work we did on this legislation. I am the proud recipient of AAUW CA's gender equity work in the 1990's. I truly believe "the more you give to AAUW, the more you receive"

Due to, in my opinion, a very wrong decision, by a particular Superintendent of Public Instruction, I made the painful decision to ask for a transfer to a different office, Categorical Complaints Management. I worked as the Gender Equity Compliance Consultant for about 7 years. There are very few Title IX experts in California and the Department could not find a qualified person. They did hire someone, but the program I developed was never the same. The next Superintendent didn't actively support this part of the Compliance process and it was

weakened.

There were many changes made to the Education Code and the California Statutes after I left the position and wasn't available to defend what was "on the books". When I started the job, the Education Code had a full section dedicated to gender equity. I was the original author for the sexual harassment section, which was then watered down by the Administrators, but we had specific language. Now, they have gone back to Educational Equity as the section with just a small piece of the original gender piece, so, once again, gender is somewhat lost with all the other protected classes.

This was a long story to tell you that there is now only paper review of gender equity and no on-site reviews. The current review document can be found at cde.ca.gov. When my computer completes this virus scan I can send the informational path to the current equity review document, if anyone is interested.

Basically, any progress made during my time as gender compliance has been long forgotten.

ONE PARTICIPANT ASKED: Could you please (if it is possible) briefly explain Title IX? (as if someone had no clue about it & didn't want a lot of detail.). This information could be a good beginning to make people eager to know more about Title IX & why it is important.

ALICIA REPLIED: The Civil Rights Act of 1964 did not adequately address the gender discrimination problems in public education. Title IX of the Education Amendments was the first comprehensive federal law prohibiting sex (word used in federal law, gender is used in California law). Title IX covers girls and boys, women and men, students and staff in educational institutions that receive federal funds. Local school districts, colleges and universities, for-profit, career and technical education agencies are required to adhere to Title IX. AAUW's Patsy Mink, Congresswoman from Hawaii, was instrumental in the passage of Title IX. AAUW representatives were in attendance at the signing.

Title IX Became law in 1972 with regulations not until July 23,1975.

Title IX's purpose:

"...is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial assistance, whether or not such program or activity is offered or sponsored by educational institutions as defined in this part." The most publicized aspects of Title IX are sports, co-education PE, bullying, sexual harassment, sexual violence, counseling, course selection.

The California laws are actually a bit more refined, but many people have no knowledge of the provisions of the California Education Code and three CA Code of Regulations, Title 5.

ANOTHER PARTICIPANT ASKED: Okay, there is an "elephant in the room", in fact there are "two elephants in the room" - the two AAUW CA State projects.

Tech Trek is an activity for "girls only" and the girls are chosen from federally-funded schools. When Speech Trek began, we were told that many high schools would not participate in the

competition if it was "girls only" because the schools were in compliance with Title IX. Hence, Speech Trek was forced to change the rules of competition to include boys.

It would be a logistic nightmare if Tech Trek would have to open its doors to 7th grade boys. Alicia, is there some loophole in Title IX that allows Tech Trek to operate with "girls only"?

ALICIA REPLIED: Title IX applies to educational institutions that receive any federal dollars and the state gender equity laws apply to all educational institutions that receive state funding.

AAUW is not an educational institution so Title IX is not directly applied. That said, educational institutions that are approached by AAUW members to advertise or encourage girls to participate can refuse under Title IX if there is no provision to include both genders.

And as a compliance consultant, I did look at what was approved by schools as handouts for recreational programs, etc. If there was not a fair balance, I would have marked the school noncompliant. It gets complicated and I am not sure I can explain it clearly in writing. This was part of those 3-hour workshops I held for school district Title IX Coordinators.

Basically, Tech Trek was started at a time when I wasn't consulted and there is always a chance a parent of a boy may legally challenge the program and I would imagine that educational institution would no longer wish to share the recruitment materials with just their female students.

In the case of Speech Trek, I was consulted and we had long discussions about the implications of working on a gender specific recruitment plan. The final decision was to open it to both genders, but with the topic focus clearly on female topics. Speech Trek is not a summer program with overnight stays and more open to potential challenges if it had not been open to both genders.

Educational institutions receiving state and federal funds need to evaluate and balance for both genders in scholarships, athletics, etc.

REGARDING THE CONFERENCE CALL ABOUT TITLE IX COORDINATORS, ALICIA RELATED:

The Title IX webinar held on February 3rd was recorded and is available on the AAUW website. It was a reminder that at the 2015 National AAUW Convention, held in San Diego, a Plenary Session was on Title IX. The Office for Civil Rights (OCR) released new resources for educational institutions; a tool-kit for Title IX implementation. During this call, we heard an update about the ongoing push to have AAUW members throughout the Country print out and deliver these resources. AAUW is keeping track of everyone's efforts with this project. I submitted articles to AAUW CA in August requesting branches get involved.

For all members of a virtual branch, I would recommend you find a friend or two that live in your community. Together, contact your local school district and ask to speak to the Title IX Coordinator. During the call make an appointment to bring the resources to her/his office. You can use the opportunity to also share some of our research reports, etc. Basically, a good

opportunity to help get these people to really look at the legal requirements of Title IX so more schools will become more compliant with those provisions.

Here is what the AAUW Hawaii newsletter shared:

"AAUW's website has a link to new resources for the Title IX coordinator of every school and institution of higher learning. As concerned members of this organization and protectors of the Patsy Mink legacy, we need to commit to spreading the word about these materials in our communities. Every branch should dedicate itself to contacting schools to encourage the use of the new 30-page manual (available on the AAUW website). Those of you who were fortunate enough to attend the national convention and hear Catherine Lhamon speak about the efforts of the Office for Civil Rights to ensure equal educational opportunities for girls and women know how important this is. Please go to the website, download the letters and manual, and visit your local schools."

FINALLY, A QUESTION WAS ASKED: As Vice Chair of AAUW National, are you still involved in Title IX and if so, how?

ALICIA REPLIED: As Vice Chair I have responsibilities that the Chair has for me. Title IX is not something she has needed me to do anything for yet. We do have staff members that work and speak on Title IX. I am being sent as the Leader on Loan to three states and will offer my Title IX knowledge to those states. Mollie Lam is an attorney and heads our Legal Advocacy Fund program and I know she carries the message with her when she goes out to speak. I do provide some technical assistance as I feel is necessary on AAUW documents.

It was amazing to have “the” expert on Title IX as our guest. Alicia is very busy with her many duties as Vice Chair of AAUW. California Online is so grateful for all the valuable information she took the time to share with us.