



# Unit 3

## Title IX:

### Gender Equality in Public Education

**Unit 3**  
**Title IX: Gender Equality in Public Education**

**Unit Questions**

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What does it mean to provide equal opportunities for men and women in the context of education, including school sports? How does federal law protect the civil rights of women in public education?

**Length of Unit**

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This unit can be completed in five sixty-minute class periods.

**Overview**

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Through most of U.S. history, women had limited access to educational programs and extra curricular activities. Most women were excluded from elite academic institutions, and those schools that accepted female applicants required them to have higher test scores and grades than their male counterparts. Even when women were admitted to schools, they did not have the same financial aid opportunities, were excluded from many programs, and faced more restrictive rules. In the 1960s and 1970s, civil rights activists advocated for federal enforcement of equal opportunities for male and female students. In response, Congress enacted Title IX of the Education Amendments of 1972. That law, known as Title IX, bans educational programs that receive federal funding from discriminating on the basis of gender. This applies to a wide range of activities, including admissions, athletics, employment opportunities, and financial assistance. Over the past four decades, Title IX has greatly improved access to educational opportunities for women.

This unit asks students to consider the scope and application of Title IX through the examination of statutory text, federal regulations, enforcement policies, and court decisions. Students are guided to confront questions about how the provisions of Title IX ensure nondiscrimination on the basis of gender, and to think about what sex equality means across different contexts.

**Unit Objectives and Standards**

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By the end of this unit, students will be able to:

- Summarize the facts and identify the legal issues in Title IX cases.
  - [NSCG V.B.5](#);
  - [MI-HSCE P2.3](#), [MI-HSCE P2.4](#), [MI-HSCE C6.1.2](#);
  - [CCSS.ELA-LITERACY.SL.9-10.3](#), [CCSS.ELA-LITERACY.SL.9-10.4](#);
  - [C3 D4.2.9-12](#)

## Unit 3: Overview

### Title IX: Gender Equality in Public Education

- Explain the requirements and purpose of Title IX and the different theories of equality that it embodies.
  - [NSCG III.D.2](#), [NSCG III.D.1](#);
  - [MI-HSCE 8.3.3](#), [MI-HSCE C3.4.3](#);
  - [CCSS.ELA-LITERACY.RH.9-10.2](#);
  - [C3 D2.Civ.10.9-12](#)
- Assess whether women are treated fairly in a variety of educational scenarios and defend their positions.
  - [NSCG III.D.1](#), [NSCG V.B.5](#);
  - [MI-HSCE P3.1](#), [MI-HSCE P3.2](#), [MI-HSCE C6.1.3](#), [MI-HSCE C6.1.5](#);
  - [CCSS.ELA-LITERACY.RH.11-12.7](#);
  - [C3 D4.1.9-12](#); [C3 D4.2.9-12](#)
- Evaluate the degree to which civil rights litigation protects the civil rights of women in public education and promotes gender equality in the United States.
  - [NSCG III.D.1](#), [NSCG V.B.5](#);
  - [MI-HSCE P3.1](#), [MI-HSCE P3.2](#), [MI-HSCE C6.1.3](#), [MI-HSCE C6.1.5](#);
  - [CCSS.ELA-LITERACY.RH.11-12.7](#), [CCSS.ELA-LITERACY.RI.11-12.8](#);
  - [C3 D4.1.9-12](#); [C3 D4.2.9-12](#)

### **Anticipated Student Understanding/Challenges to Understanding**

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This unit assumes that students have already studied fundamental values and principles of America's constitutional republic (including justice/desert, due process, equality, and the rule of law), and that they have some understanding of the various levels and responsibilities of courts in the federal and state judicial system.

### **Material Needed**

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*What we provide:*

- Readings and handouts
- Teacher answer keys

*What you provide:*

- Physical copies of documents from the case

### **Unit Assessment**

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Students write a policy reform proposal for Title IX.

### **References**

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- Title IX, The Margaret Fund of NWLC, <http://www.titleix.info/> (last visited March 30, 2017)

- U.S. Dept. of Justice, Equal Access to Education: Forty Years of Title IX, June 23, 2012, <https://www.justice.gov/sites/default/files/crt/legacy/2012/06/20/titleixreport.pdf>

## **Lessons**

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### **Lesson 1: Conceptualizing Equality and Non-Discrimination**

Students will generate and evaluate solutions about how to ensure inclusion and equality for both genders in the context of sports.

Students will be able to:

- Analyze the issues of equality and non-discrimination in sports
- Discuss the benefits and drawbacks of proposed solutions
- Draft an argument about what equality means in terms of gender discrimination and athletics

### **Lesson 2: Analyzing Title IX and Athletics**

Students will learn about the background of Title IX and how the specific regulations ensure equality for both genders in athletics.

Students will be able to:

- Examine the background of Title IX
- Explain the equal participation requirement of Title IX and the three different theories of equality embedded in it
- Assess whether female athletes are being treated fairly in a variety of scenarios and defend their positions

### **Lesson 3: Applying Title IX Beyond Sports**

Students will read a regulation, a statement of the law, a news article, and a court opinion to examine how Title IX applies to other areas of gender discrimination.

Students will be able to:

- Apply Title IX principles to pregnancy discrimination
- Analyze a court opinion that discusses discrimination against women based on parental status

### **Lesson 4: Applying Title IX**

Students will read a court opinion that discusses Title IX's implicit protections against sexual harassment and draft a regulation to provide explicit protections.

Students will be able to:

- Evaluate the protections that Title IX provides against sexual harassment
- Examine a court opinion that prohibits sexual harassment on the basis of Title IX
- Draft a proposed addition to Title IX that explicitly prohibits sexual harassment

### **Lesson 5: Reshaping Title IX**

Students will draft a proposed enforcement policy or set of Title IX regulations to improve achievement of the statute's purposes.

- Analyze the application of Title IX in different contexts
- Draft an enforcement policy for Title IX

### Unit 3: Overview

#### Title IX: Gender Equality in Public Education

- Reflect on the issues of equality and non-discrimination