

# It's Your Right!

*What are your  
rights as a male or  
female student?*

*Take this quiz  
to find out*

1. The instructor says that he won't accept any girls in his electrical shop. Legal   Not Sure  Illegal
2. In an introductory computer course, the instructor teaches girls word processing and boys programming. Legal   Not Sure  Illegal
3. The textbook for physics class has no pictures of women nor any mention of the contributions of female physicists. Legal   Not Sure  Illegal
4. The teacher uses "he" and "man" to refer to students of both sexes. Legal   Not Sure  Illegal

(Want to check your answers?  
Follow the corresponding numbers inside)

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# It's Your Right!

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## **IT'S YOUR RIGHT!**

You've made a decision that sets you apart from others. You've enrolled -- or are thinking about enrolling -- in a course or program nontraditional to your sex. You're likely to be the first and only -- or perhaps one of a few -- female or male students in your class. That may cause you to have a lot of different feelings. You may feel excited and challenged or worried and alone. Or you may feel anxious, not knowing what to expect.

This pamphlet lets you know how you should -- and shouldn't -- be treated because of your sex. It also tells you what steps to take if someone violates your rights. After reading it, you should feel more confident and comfortable being in the minority in your class. You're a pioneer. It won't necessarily be easy, but it can be one of the most important decisions you make. After all, it is your future.

## **WHAT ARE SEX BIAS AND DISCRIMINATION?**

Sex discrimination is any action that violates federal, state or local laws prohibiting discrimination on the basis of sex. All such acts are illegal. On the other hand, sex bias -- prejudicial attitudes for or against persons because of their sex -- is not necessarily illegal. It is, however, harmful to both males and females.

Here are a couple of examples. Prohibiting a girl from enrolling in auto mechanics or a boy from signing up for culinary arts, solely because of their sex, would be an illegal act of discrimination. Suggesting that girls read romances and boys read sports stories reflects sex bias. Although not illegal, the different suggestions reinforce sex stereotyping and may make students feel less adequate and confident about their abilities.

## **HOW DO YOU RECOGNIZE SEX BIAS AND DISCRIMINATION?**

Look for instances in which females or males are treated differently just because of their sex. And look to see how they are hurt by being treated differently.

As a check, ask yourself a couple of questions:

- Am I being treated differently from students of the opposite sex?
- Am I experiencing any barriers due to differential treatment on the basis of sex?

If your answer is yes, you've most likely encountered some form of sex bias and discrimination.

## **WHY DO SEX BIAS AND DISCRIMINATION OCCUR?**

No one knows for sure. More traditional than intentional, most bias and discrimination probably come from years of believing that boys and girls and women and men in our society have different abilities, skills and interests and, as a result, should have totally different roles. Because some people believe that females and males should behave in different ways, they treat each group differently, and are often totally unaware of the negative effects of their beliefs.

## **WHAT IS TITLE IX (EDUCATION AMENDMENTS OF 1972)?**

In response to data indicating that schools were limiting students' opportunities on the basis of their sex, Congress passed a law prohibiting schools from discriminating against students in 1972. It is called Title IX, and it protects your right to enroll in any course or program regardless of your sex. Your rights may also be protected by state laws and board of education policy. You are also protected from sexual harassment from your peers and school personnel. Your district's Title IX coordinator will have information about these statutes or policy statements. See your Title IX coordinator if you have a question or need some support for your rights.

Since many students aren't aware of their rights, this pamphlet sets forth a student's sex equity bill of rights. These 10 statements explain your legal and educational rights on the basis of sex. Legal rights are protected by Title IX. Educational rights are usually supported by board of education policy and or your school's educational philosophy. If that's not the case in your school, see your Title IX coordinator.

If you find that any of these rights have been violated, then you have experienced some form of sex bias or discrimination. The suggestions at the end of this pamphlet tell you what to do if that happens to you.

## **SEX EQUITY FOR STUDENTS: A BILL OF RIGHTS**

### **1. You have the legal right to enroll in any course or program regardless of your sex.**

If you want to enroll in auto mechanics, carpentry, physics or advanced calculus, it is illegal to stop you because you're a girl. And if you want to take a course in cosmetology, child development, secretarial skills, or clothing construction, no one should tell you no just because you're a boy. People come up with some pretty strange reasons to support discrimination.

Did you ever hear that

- there's something wrong with you for wanting to enroll?
- enrolling is a waste of time because you'll never use the knowledge and skills you gain?
- you can't enroll because there are no locker rooms or restroom facilities?
- you really shouldn't enroll because the teacher doesn't like students of your sex?

There may be requirements that you have to meet before enrolling -- like a certain grade point average or successful completion of other courses. That's all right -- just as long as those requirements apply to all students.

**Quiz Item 1:** Illegal if the teacher's words actually discourage or prevent students from enrolling.

## **2. You have a legal right to be treated equitably in terms of course requirements and how you meet those requirements.**

Giving students choices based on interests and needs is an effective teaching strategy. However, teachers should not assume that you want and need certain assignments solely because of your sex. Differences in assignments should be based on how much you know, what skills you need and what your interests are. For example, in home economics girls may be interested in making backpacks rather than purses. On the other hand, boys need to know how to give a baby a bath.

In addition, you should not be

- told that any learning activity is for girls only or boys only.
- assigned to single-sex teams or work groups. To the extent possible, small groups should be made up of both boys and girls.
- made to watch while students of the other sex practice a skill. Both boys and girls should be able to conduct the physics experiment or feed the baby.

Remember that instruction need not be identical for all students, but different assignments should not be made on the basis of sex.

**Quiz Item 2:** Illegal because students are being instructed according to their sex.

### **3. You have an educational right to learn about the contributions that people of your sex, race and/or ethnic group have made to the field you're studying.**

All too often textbooks and instructional materials omit the history, contributions and points of view of persons of one sex, race or ethnic group. For example,

- Do the carpentry or auto mechanics texts omit pictures of women working?
- Does the child development text talk mostly about mothers, leaving out fathers?
- Does the computer text refer to programmers as "he" rather than "he" and "she" or "they"?

When you open a text, you should see a variety of people: women and men, people of color, and persons with disabilities. You should also be able to read about their accomplishments and perspectives. If not, you may think that you -- and persons like you -- don't belong. You may also pick up inaccurate information about what persons of your sex, race or ethnicity do - - or don't do -- in that field.

And don't forget about videotapes, computer programs, and other classroom materials you use. They should also show both females and males in a variety of roles.

Although textbooks are not covered under Title IX, it is clear that sex bias in texts or in illustrations reinforces the notion that women and men do very different things. And that notion can keep you from preparing yourself for the kind of life you'll lead as an adult.

**Quiz Item 3:** Legal. Provisions of Title IX cannot violate our First Amendment right to freedom of speech guaranteed by the Constitution of the United States of America. That's why Title IX does not cover textbooks. However, your school may have a policy indicating that the histories and perspectives of minorities and both sexes be included in all texts.

#### **4. You have an educational right to hear language that is nonsexist, including words that refer to persons of both sexes.**

Language in the classroom can be the source of much sex bias and stereotyping. It can make you feel very uncomfortable because of your sex.

Your teacher and the other students should not

- ignore students who are the minority in the class (for example, "Okay, boys, it's time to work on the carburetor.").
- use "he" and other male pronouns, excluding references to females.
- rely on words with "man" (as in "mankind" and "policeman").

Research studies show the influence of using male pronouns and nouns to refer to persons of both sexes. People are very literal in their thinking. When the terms "he" and "man" are used to supposedly refer to both sexes, students are likely to think of males. Both girls and boys hear a message that implies "males only."

Although not illegal, biased language can negatively affect you. It can either make you feel uncomfortable or give you incorrect information. Either way, your learning is at stake.

**Quiz Item 4:** Legal. Since our Constitution insures freedom of speech, we normally do not regulate what people can and can't say in schools unless it's demeaning, obscene, inflammatory or libelous. However, from an educational perspective, teachers can make their language more inclusive and less offensive by eliminating sex bias.

## **5. You have an educational right to participate fully in classroom discussions regardless of your sex.**

Although teachers are often unaware of the fact, they may interact differently with male and female students. Research studies show that both male and female teachers are likely to call on male students more often. For equal opportunity in the classroom, your teacher should not

- call on male students more than female students.
- allow more boys than girls to call out answers.
- ask boys more abstract and open-ended questions.
- allow male students more time to think before answering a question.

If you're a young woman, make sure that you're getting your fair share of the teacher's instructional time. That's essential for you to do well in your course. If the teacher doesn't call on you, you may have to practice being more assertive in getting his or her attention. In answering questions, avoid self put-downs (such as "I don't think this is right, but...") and tentative language (such as "kind of," "maybe" and "probably"). Remember that you're as likely to be right as anyone else in the class. You can be as assertive as your male classmates.

**Quiz Item 5:** Could be. Whether this is legal or illegal depends on the extent of the pattern of restriction or exclusion. Occasional unintentional restricting of students of one sex, such as calling on boys more frequently than girls, is not illegal. However, a deliberate and consistent pattern of excluding students of one sex or restricting their opportunities for participation could be providing different "aid, benefits or services" which is illegal.

**6. You have a legal right to be disciplined according to the nature of an offense rather than on the basis of your sex.**

Who do you think receives more discipline? And why?

Research shows that teachers discipline female and male students differently, even when the offense is the same. For example, two students -- one male, the other female, are caught not putting away lab tools. The male is given detention while the female is only reprimanded.

We're not sure why this occurs. Perhaps teachers expect boys to misbehave more than girls. So boys get the punishment they "clearly deserve" while girls are simply reprimanded for the "slip" that they made.

Regardless of your sex, the teacher should not be giving you harsher or more frequently punishment simply because of your sex. It's illegal.

**Quiz Item 6:** Illegal, assuming that this offense is the first one for both.

**7. You have an educational right to receive both praise for your accomplishments and constructive criticism for improving your work with regard to your sex.**

Differences in evaluating students' performances is a very subtle form of sex bias, again one that most teachers aren't aware of. However, if you are male, research shows that you receive more praise, more criticism and more help in answering questions from your teacher than female students receive. If you are female, your teacher is more likely to complete a task for you while showing males how to do it on their own.

Research also points out a very important relationship. The amount and quality of your interaction with your teacher directly affect how much and what you learn. Therefore, if you are a female student, you need to receive your fair share of the teacher's praise, criticism, help in answering questions and time to practice new skills.

**Quiz Item 7:** Could be. If a teacher deliberately and persistently evaluates students -- either orally or in writing -- of one sex more harshly than the other, that could be another instance of providing different "aid, benefits or services," a violation of Title IX. If there is an occasional and unintentional instance, there is no violation of the law.

## **8. You have a legal right to pursue your studies free of sexual harassment from other students or faculty.**

Students enrolled in classes or programs nontraditional to their sex may encounter another form of sex discrimination called sexual harassment. Regardless of your sex, teachers or other students should not

- subject you to sexual teasing, jokes, remarks or questions.
- pressure you for dates or punish you in any way for rejecting sexual advances.
- leer at, touch, pinch or make comments about your body.
- make demeaning remarks about you or call you offensive or obscene names.
- write you suggestive notes or put offensive pictures in your locker.
- hide your tools or harass you in other ways.
- use obscene gestures or make obscene telephone calls.
- block your path or follow you around.

These are all examples of sexual harassment. Such behaviors can interfere with your progress in class and make you so uncomfortable that you want to leave. In fact, some educators believe that one of the major reasons students drop out of programs nontraditional to their sex is because of sexual harassment. That's unfortunate, because sexual harassment is illegal. It should not happen to you -- or to anyone.

**Quiz Item 8:** Illegal. Sexual harassment is keeping this student from pursuing educational goals, and that is not allowed.

**9. You have a legal right to be considered for any work-study program or co-op job without regard to your sex.**

If you have a part-time job as part of your school program, your work assignment should be made without regard to your sex. School officials cannot comply with an employer's request for students of one sex for a job. That's illegal.

Just as schools are prohibited by the federal government from discriminating on the basis of sex, so are employers. The law is called Title VII of the Civil Rights Act of 1964 and applies to all employers with 15 or more workers. (Smaller businesses may be prohibited from discrimination by state law or local ordinance.)

As a part-time worker, you are covered by the laws that your employer has to follow. They protect you from sex discrimination on the job, including sexual harassment. Female students 16-19 years old are especially vulnerable to sexual harassment in the workplace. No one should be pressuring you for dates, touching your body or making lewd comments while you're at work. Such behavior can get in the way of your doing your work, and that's against the law.

**Quiz Item 9:** Illegal.

**10. You have a legal right to know what your rights are.**

According to Title IX, schools are legally required to inform you of your rights and how to protect them. Your school district should have a person called a Title IX coordinator who is responsible for making sure that all students -- as well as teachers, counselors and other school employees -- know their rights and responsibilities under Title IX.

Your individual school may have a teacher, counselor or administrator who helps insure that no sex discrimination occurs.

Some schools have student advocates who are very knowledgeable about Title IX and students' rights. These people should be a ready source of help in keeping you informed about your rights and how to protect them.

**Quiz Item 10:** Illegal. The counselor should inform a student of his or her rights under Title IX rather than intimating that he or she has none.

## WHAT TO DO IF YOU RUN INTO A PROBLEM

If someone says you can't succeed in carpentry because you're a girl or in clothing construction because you're a boy, it's normal to feel angry or to wonder if there's something wrong with you. Although you may be angry or have self-doubts, the problem is not with you but with the other person. You may have similar feelings if students or teachers make sexual remarks or exhibit sexual behaviors that make you feel uncomfortable. Here are some suggestions for protecting your rights and making yourself feel better in the process.

**1. Talk to the person who's infringing upon your rights.** Often people don't realize the impact that their behavior is having on you. Perhaps the teacher was trying to protect you by saying that no one would hire a female in that field. Perhaps your classmate's comments were meant to be a joke even though they weren't funny to you. If you explain how another's behavior affects you, that person will often apologize and simply stop whatever they were doing. Remember that most instances of sex bias and discrimination are unintentional rather than deliberately malicious.

**2. Write a letter to the offending person.** Another approach is writing a letter to a teacher or student, indicating how you feel about the behavior and asking the person to act in a different way. Your letter should be straightforward, listing the behaviors you object to; when the behavior occurred; how you feel; and, finally, what you want the person to do. The letter may lead to a discussion which clears up the problem. If not, it is a good record of the facts you need to inform someone in authority.

**3. Talk with someone in authority.** Sometimes you may not feel comfortable talking directly with the student or teacher. In those instances, talk to a counselor or someone in authority with whom you feel comfortable. When you speak with that person, have details to support your concern. That includes names, dates and examples of things said or done to which you object. Also, relate what you said or did and how you feel about the behavior.

This person can, in turn, speak with the student or teacher who is treating you unfairly because of your sex.

**4. Seek the support of other students.** Other students are often your best source of help. Those of you who are the minority in a class or program may want to form a support group. By coming together once every week or two, you share problems and concerns and provide support and encouragement to one another. Many schools have started support groups for students enrolled in courses nontraditional to their sex as a way of helping students successfully complete the program they've chosen.

A teacher or counselor should be able to help you start such a support group. Don't hesitate to speak to such a person about the need for students to assist each other.

**5. Don't forget your family.** Although you may want to resolve this problem on your own, remember that your family may be able to lend you a hand. Talking with a parent or other family member or having that person with you when you talk to a teacher or other school official can be very helpful. Also, your mother, father or guardian may want to intervene on your behalf in serious cases.

**6. If all else fails, file a grievance.** According to Title IX, all schools must have a specific procedure by which you can allege that your rights have been violated. Your school district's Title IX coordinator or your principal should have information on how to use this process. It is designed to help students resolve any possible complaints of sex discrimination. It's for you to use, and no one should try to intimidate you or harass you for doing so.

Ideally, you can resolve the issue informally. If not, using the grievance procedure may be the next appropriate step. And if that fails, you do have a right to sue under Title IX or to file a complaint with the Office for Civil Rights, U.S. Department of Education, the enforcement agency for Title IX. The address is 330 C Street, S.W., Washington, D.C. 20202; the telephone number is (202) 205-5413. Your district's Title IX coordinator has more information on these procedures, or you may want to consult an attorney.

These are examples of some of the steps you can take if you believe that your rights have been violated. We hope that doesn't happen. You should be able to enroll in and successfully complete any course or program without regard to your sex. If you do, your school and you are to be commended. If you run into a barrier, perhaps the information in this pamphlet will help you meet your educational goals.

**Remember, it is indeed your right.**

For further information, contact your Title IX coordinator. If your school personnel need assistance in complying with Title IX or achieving their sex equity goals, they may contact the Mid-Atlantic Equity Consortium, Inc., 5454 Wisconsin Avenue, Suite 655, Chevy Chase, Maryland 20815. The telephone number is (301) 657-7741.

## KEY TERMS

The following terms are used in this pamphlet:

**educational right** -- A student's right based on board of education policy, educational goals or objectives or sound educational philosophy, research, and practice

**legal right** -- A student's right based on local, state or federal legal requirements

**sex bias** -- A prejudiced attitude for or against a person based on their sex

Examples:

- Assuming that boys need more math and science than girls
- Refusing to vote for a girl running for class president solely because of her sex

**sex discrimination** -- An act that violates Title IX and other federal/state laws prohibiting discrimination on the basis of sex

Examples:

- Prohibiting young women from enrolling in auto mechanics solely because of their sex
- Keeping young men out of homemaking courses

**sex fair** -- A term describing policies, practices, behaviors and attitudes that reflect sex equality

Examples:

- Encouraging both females and males to participate in club elections
- Rewarding both boys and girls for the quality of their thoughts in a written composition

**sexism** -- Institutional policies and practices based on the assumption that one sex is superior to another, thereby justifying differential treatment (see sex bias, sex discrimination and sex role stereotyping for examples of different forms of sexism).

**sex role stereotyping** -- The assumption that females or males, solely because they are of the same sex, share common abilities, interests, values and/or roles

Examples:

- There are some games that are appropriate for boys; others are better suited for girls
- Most jobs in our society can be labeled "men's work" or "women's work"

**sexual harassment** -- Unwanted verbal or physical attention of a sexual nature

Examples:

- Pressuring someone for dates
- Constantly touching or brushing up against someone when that behavior is unwelcomed

More additional information on gender equity issues in schools, please contact the following organizations:

**The Mid-Atlantic Equity Center  
The Mid-Atlantic Equity Consortium**

5454 Wisconsin Avenue, Suite 655

Chevy Chase, Maryland 20815

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		Legal	Not Sure	Illegal
5.	The teacher almost always calls on male students and rarely allows female students to respond.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Two students — one male, the other female — are caught not putting away lab tools. The male is given detention while the female is only reprimanded.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	The teacher praises boys more than girls.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Students and teacher taunt a female classmate, making fun of her body so that she drops out of carpentry class.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	An employer asks the school for a male student for part-time work in landscaping and a female student for secretarial work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	When a student complains about an incident of discrimination, the counselor says that there's nothing anyone can do.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>