



A Reflection: Fifty Years of Title IX

By Megan Novell, Title IX Coordinator and Equity and Compliance Specialist

This year marks the fiftieth anniversary of the passage of Title IX of the Education Amendments Act of 1972. In those fifty years, this single sentence of a piece of omnibus educational legislation has reshaped American education for girls and women, and more recently for LGBTQ+ and parenting students, guaranteeing the rights of all people in the United States to access their educational programs free from discrimination on the basis of sex.

And it has been a remarkably effective piece of civil rights legislation. In 1971, only about 8% of American women had attained a four-year college degree; by 2021, it was nearly 40%. Women's high school graduation rates and participation in graduate and professional programs have followed a similar trajectory, and girls' and women's participation in sports has grown exponentially since the passage of Title IX. (Although interestingly, girls' participation in high school sports has increased by a nice round number, 1000%, since the early nineteen-seventies, the total number of girls participating in interscholastic athletics still has not caught up to the number of boys participating in similar activities in 1971.)



In this century, attention has turned toward the importance of the prevention and remedy of sexual harassment and sexual violence in maintaining women’s equal access to education, and the past decade has seen frequent advances and reversals, beginning with the Obama administration’s Dear Colleague Letter in 2011, which detailed to colleges and universities the importance of addressing claims of harassment and assault. Former Secretary of Education Betsy DeVos rescinded that guidance in 2017, followed shortly by a major revision of Title IX, the first ever, in 2020. Immediately after taking office, President Biden issued an executive order affirming the right to receive equal treatment under the law regardless of gender identity or sexual orientation, and later guidance specifically affirmed the rights of transgender students and workers.



This past summer, the Department of Education proposed new regulations governing schools' prevention of and response to sex discrimination; after a period for public comment, which drew nearly a quarter of a million responses, "recipients" (of Federal funding contingent on complying with Title IX regulations — i.e., us) now await the issuance of the "final rule."

Needless to say, it is an exciting time to be a Title IX practitioner! I doubt that any of the architects of the law would have anticipated the precise sociocultural position we find ourselves in today, where issues of sexual equality are the subject of some of our most contentious cultural divides. But here we are! From small-town libraries to state legislatures to the Supreme Court, here we are: laws and policies that shape the lives of women and parents and queer people are changing again.

Yet what we can do to continue to support our students and maintain inclusive communities is the same. The same as what? The same as what we do to support anything we love and care about. Give our time and attention. Make sure people know they are valued. And use our talents and gifts to build the world we want to live in.

If you teach, signal in your syllabus and in your early remarks to students that you are specifically supportive of women, parents, and LGBTQ+ people. The precise contours of the law and our institutional obligations to uphold it — that's my job. But making students feel valued and as they belong in your classroom doesn't require any specific knowledge of

anyone's rights. A single sentence reminding them that they *have* a right to an education free from harassment and violence, coming from you, will have a significant and meaningful impact on students. And not only students who may have reason to avail themselves of Title IX protections. Every person here benefits from our commitment to equal access and equal opportunity.



Those working in other roles at the university have many opportunities to show their investment in an inclusive, welcoming institution, too. If you're comfortable with it, a little rainbow flag sticker on your office door goes a surprisingly long way. (If you want one, call me!) So too does coming to campus activities that affirm diverse identities, whether lectures or talks, club meetings, games, or celebrations or commemorations of important people or events, even if they are outside of your experience or tradition. Our students benefit tremendously from informal, friendly relationships with faculty, staff, and administrators, and I think the benefit is mutual. Even if you feel a little shy about it at first, attending a campus event focused on women's issues or a subject relevant to LGBTQ+ life can help you better understand both contemporary gender politics and our students as individuals.

Again: responding to discrimination — that's my job. But preventing discrimination is



something we all have a part in. The law is one part, and a critical one, but the law alone cannot build a just society. We have to do that ourselves.

If someone discloses to you any experience that may constitute discrimination on the basis of sex, or any other problematic experience related to sex, sexual orientation, gender identity or expression, or pregnancy or parenting status, call or email me at (313) 993-1802, novellme@udmercy.edu, or use our online reporting form at udmercy.edu/titleix.