# Too Strong For a Woman:

How Bernice Sandler Created Title IX to Break Barriers for Female Faculty in Higher Education

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"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." —Title IX<sup>1</sup>

In spite of the Civil Rights Act and the social revolutions of the 1960s, the term "sex discrimination" was unknown. Yet discrimination on the basis of sex was rampant in America, especially when it came to women's employment in higher education, as Bernice Sandler noted in 1969. After being turned down repeatedly for full-time teaching positions at the University of Maryland and told "[she came] on too strong for a woman," Sandler rebelled and took matters into her own hands. With the Women's Equity Action League, she filed over 250 lawsuits against colleges and universities in protest to their discriminatory hiring practices, which in turn led to the creation of Title IX of the Educational Amendments of 1972. This federal law was the force that enabled women to break barriers concerning their employment in higher education and would later address countless other injustices occurring at such institutions.

#### The Existing Conditions For Females in Higher Education

Historically speaking, men vastly outnumbered women as faculty and students from the creation of higher education in America through the late-twentieth century.<sup>2</sup> It wasn't until 1837 that Oberlin College opened its doors to women, becoming the first US college to do so—nearly

<sup>&</sup>lt;sup>1</sup> *Title IX and Sex Discrimination*. US Department of Education (ED), 10 Jan. 2020, www2.ed.gov/about/offices/list/ocr/docs/tix dis.html.

<sup>&</sup>lt;sup>2</sup> Parker, Patsy. "The Historical Role of Women in Higher Education." *Administrative Issues Journal: Connecting Education, Practice, and Research*, vol. 5, no. 1, 2015, pp. 3–14., ERIC, files.eric.ed.gov/fulltext/EJ1062478.pdf.

<sup>\*</sup> ERIC is an online PDF library, sponsored by the Institute of Education Sciences (IES) of the U.S. Department of Education.

two-hundred years after Harvard University's establishment.<sup>3</sup> Females as a whole had few opportunities in education before the Civil War, but afterward, faced with a decline in students, many state colleges began admitting women to boost their numbers.<sup>4</sup> Additionally, women's institutes such as Vassar College were introduced, intended to offer women higher education, though not of the same status.<sup>5</sup> The era also brought about the Dean of Women in coeducational schools, a role meant to guide and mentor female students on male-dominated campuses; this position was the highest of power a woman could attain at the time.<sup>6</sup>

Women also had success in academia during World War II, when America was once again faced with a depleted male populace and women were able to fill their roles as educators and students.<sup>7</sup> But though women proved themselves to be sufficient faculty members, female numbers soon dwindled in the face of discrimination on campus, as many again repudiated their authority following the war.<sup>8</sup>

Through the 1960s, such patterns of discrimination continued. In the early years of the decade, 21,000 women were rejected from Virginia state colleges, whereas not a single man was turned down.<sup>9</sup> The School of Veterinary Medicine at Cornell University only admitted two

<sup>&</sup>lt;sup>3</sup> Chamberlain, Mariam K. *Women in Academe: Progress and Prospects*. Russell Sage Foundation, 1988. <sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> Ibid.

<sup>&</sup>lt;sup>6</sup> Schwartz, Robert A. "American Educational Research Association." US Department of Education, *Historical Struggles and Opportunities for Women in Education Leadership*, 1996, pp. 5–7, ERIC, files.eric.ed.gov/fulltext/ED395552.pdf.

<sup>&</sup>lt;sup>7</sup> Parker, Patsy. "The Historical Role of Women in Higher Education." *Administrative Issues Journal: Connecting Education, Practice, and Research*, vol. 5, no. 1, 2015, pp. 3–14., ERIC, files.eric.ed.gov/fulltext/EJ1062478.pdf. <sup>8</sup> Ibid.

<sup>&</sup>lt;sup>9</sup> Sandler, Bernice R. "Title IX: How We Got It and What a Difference It Made." *Cleveland State Law Review*, vol. 55, no. 4, 2007, pp. 473–489., Cleveland State University,

engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1193&context=clevstlrev.

women annually, and other colleges didn't allow women to major in or take science and math at all.<sup>10</sup> To be admitted to colleges and universities in the first place, women had to have higher grades and test scores than their male counterparts.<sup>11</sup> This discrimination of women in admissions led to fewer earning Ph.D.'s, and hence a lower number of females applied to become professors.<sup>12</sup> From 1971-1972, women made up just twenty-seven percent of college faculty, the percent even less than that for universities,<sup>13</sup> and in selective research institutions, female professors in science and medicine made up under five percent of the field.<sup>14</sup> Rather than hire women as full-time, many institutions employed them as part-time lecturers, who never received the benefits—such as tenure—of professors.<sup>15</sup> To put it simply, women were seen as second-class in higher education, and with so many barriers in place, they were far from unlocking their true potential as faculty and students.

## "Too Strong For a Woman"—The Last Straw

The terms "sexism" and "sexual discrimination" barely existed in the 1960s; moreover, many employers that practiced discrimination claimed it wasn't a problem, as it was the "natural order of things."<sup>16</sup> Women who did acquire leadership positions struggled to exert power when male colleagues didn't respect their positions and faced a considerable battle when it came to

<sup>&</sup>lt;sup>10</sup> Ibid.

<sup>&</sup>lt;sup>11</sup> Dunkle, Margaret. "A Matter of Simple Justice." Received by President Richard Nixon, 15 Dec. 1969, From the Archives of Margaret Dunkle [PDF].

<sup>&</sup>lt;sup>12</sup> Dunkle, Margaret. Telephone interview. 10 Feb. 2020.

<sup>&</sup>lt;sup>13</sup> The Carnegie Commission on Higher Education. *Opportunities for Women in Higher Education*. McGraw-Hill, 1973.

<sup>&</sup>lt;sup>14</sup> Ibid.

<sup>&</sup>lt;sup>15</sup> Ibid.

<sup>&</sup>lt;sup>16</sup> Creighton University. *We've Come a Long Way, Baby, but Not Far Enough: Progress and Problems of Women in Higher Education.* YouTube, 13 Mar. 2013, www.youtube.com/watch?v=BbbYBCgauWM.

moving up the career ladder.<sup>17</sup> Even with the passage of the Civil Rights Act of 1964—which supposedly prohibited discrimination in employment on the basis of race, color, sex, national origin, and religion—unchecked prejudice opposed women nationwide as the decade ended.<sup>18</sup>

In 1969, Bernice Sandler had just completed her doctorate degree at the University of Maryland (UMD) while working there as a part-time lecturer.<sup>19</sup> Previously, Sandler had earned a Bachelor's degree in Psychology and a Master's in Clinical and School Psychology from Brooklyn College, New York City's first coeducational liberal arts institute.<sup>20</sup> Yet when she applied for a full-time position at UMD, she was denied, despite seven job openings existing in her department.<sup>21</sup> When Sandler asked a male colleague as to why she hadn't been considered for any of the positions—her qualifications were outstanding—he responded, explaining, "But let's face it. You come on too strong for a woman."<sup>22</sup> Within the next months, she experienced two more instances of rejection at UMD, during which she was called "just a housewife who went back to school" and told she couldn't be hired because she'd stay home if her children were sick.<sup>23</sup> After these rejections, Sandler's reaction was one of doubt: had she indeed come on too strong and spoken too much at staff meetings and on the issues discussed with her fellow

<sup>&</sup>lt;sup>17</sup> Sandler, Bernice R, and Hall, Roberta M. *The Campus Climate Revisited: Chilly for Women Faculty, Administrators, and Graduate Students.* Project on the Status and Education of Women Association of American Colleges, Oct. 1986, ERIC, files.eric.ed.gov/fulltext/ED282462.pdf.

<sup>&</sup>lt;sup>18</sup> Griffiths, Martha. "Esch Amendment." Received by Carl D. Perkins, Schlesinger Library, Radcliffe Institute, Harvard University, 8 June 1970, Boston, Massachusetts.

<sup>&</sup>lt;sup>19</sup> Sandler, Bernice R. "Title IX: How We Got It and What a Difference It Made." *Cleveland State Law Review*, vol. 55, no. 4, 2007, pp. 473–489., Cleveland State University,

engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1193&context=clevstlrev.

<sup>&</sup>lt;sup>20</sup> Alexander, Kerri Lee. "Bernice Sandler." National Women's History Museum. 2019.

www.womenshistory.org/education-resources/biographies/bernice-sandler.

<sup>&</sup>lt;sup>21</sup> Sandler, Bernice R. "Title IX: How We Got It and What a Difference It Made." *Cleveland State Law Review*, vol. 55, no. 4, 2007, pp. 473–489., Cleveland State University,

engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1193&context=clevstlrev.

<sup>&</sup>lt;sup>22</sup> Sandler, Bernice R. "'Too Strong for a Woman'—The Five Words That Created Title IX." *About Women on Campus*, 1997, www.bernicesandler.com/id44.htm.

<sup>&</sup>lt;sup>23</sup> Ibid.

faculty?<sup>24</sup> It wasn't until her husband defined the incident as "sex discrimination," a new, unfamiliar notion, that Sandler took action.<sup>25</sup>

To start, Sandler researched laws associated with discrimination in employment, and not long after, she discovered that both Titles VI and VII of the Civil Rights Act had left female faculty entirely vulnerable to discrimination.<sup>26</sup> While Title VI only prohibited discrimination on the basis of race, color, and national origin in institutes receiving federal financial assistance, faculty was exempted from Title VII, which specifically banned discrimination in employment; additionally, the Equal Pay Act of 1963 held the exemption of all professional women.<sup>27</sup> It was a perfect storm united against female faculty. But even more surprisingly, Sandler soon stumbled across another piece of legislation: Executive Order 11375, signed by President Lyndon Johnson in 1968, had amended earlier Executive Order 11246—of which prohibited discrimination in employment on the basis of race, color, religion, and national origin—to include "on the basis of sex."<sup>28</sup> Evidently, hundreds of colleges and universities were in continual violation of a little-known federal law.

<sup>&</sup>lt;sup>24</sup> Ibid.

<sup>&</sup>lt;sup>25</sup> Ibid.

 <sup>&</sup>lt;sup>26</sup> Sandler, Bernice R. "Project on the Status and Education of Women." Received by Professor Eric F. Goldman, *Alexander Street*, ProQuest, 25 Feb. 1976, documents.alexanderstreet.com/d/1005577059.
<sup>27</sup> Ibid.

<sup>&</sup>lt;sup>28</sup> Sandler, Bernice R. "Title IX: How We Got It and What a Difference It Made." *Cleveland State Law Review*, vol. 55, no. 4, 2007, pp. 473–489., Cleveland State University,

engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1193&context=clevstlrev.

#### A Means to an End of Sex Discrimination in Academia

Bernice Sandler soon joined the Women's Equity Action League,<sup>29</sup> (WEAL) an organization dedicated to battling sexism through legislative action.<sup>30</sup> She became its chairman of the Action Committee for Federal Contract Compliance in Education<sup>31</sup>—and its one and only committee member.<sup>32</sup> Embarking on her pursuit to right higher education's wrongs, Sandler contacted the Office of Federal Contract Compliance at the Department of Labor, where she was put on the line with Director Vincent Macaluso.<sup>33</sup> Immediately, Macaluso explained to Sandler how he had been awaiting a call like hers, well-aware of the nationwide Executive Order violation, and discreetly instructed her to file complaints regarding the Executive Order to his very office.<sup>34</sup>

Sandler heeded Macaluso's advice. In the fall of 1969, she composed a report regarding sex discrimination at her university and submitted it to WEAL; the report examined the University of Maryland's imbalance between sexes in faculty and the UMD women's struggle to receive promotions and equal salaries.<sup>35</sup> The following January, WEAL filed its first administrative class-action complaint against every college and university in the country that received federal funding, claiming that they were all in violation of Federal Order 11246, as

<sup>&</sup>lt;sup>29</sup> Ibid.

<sup>&</sup>lt;sup>30</sup> Steenbergen, Candis. "Women's Equity Action League." *Encyclopædia Britannica*, Encyclopædia Britannica Inc., 18 Dec. 2015, www.britannica.com/topic/Womens-Equity-Action-League.

<sup>&</sup>lt;sup>31</sup> United States. Cong. House. Special Subcommittee on Education of the Committee on Education and Labor. *Discrimination Against Women*. Hearings, June 17, 19, 26, 29, 30, 1970. 91st Cong. 2nd session. Google Books, books.google.com/books?id=WUGjxXucCWQC&printsec=frontcover#v=onepage&q&f=false.

<sup>&</sup>lt;sup>32</sup> Dunkle, Margaret. Telephone interview. 10 Feb. 2020.

<sup>&</sup>lt;sup>33</sup> Boschert, Sherry. The Godfather of Title IX. YouTube, 23 June 2015,

<sup>/</sup>www.youtube.com/watch?v=Npf-CTr3Rwk.

<sup>&</sup>lt;sup>34</sup> Ibid.

<sup>&</sup>lt;sup>35</sup> Sandler, Bernice R. "Sex Discrimination at the University of Maryland." A Report Prepared for The Women's Equity Action League, 1969, ERIC, files.eric.ed.gov/fulltext/ED041565.pdf.

amended by President Johnson.<sup>36</sup> In the coming months, Sandler submitted over 250 data-backed charges against various colleges and universities to the federal government, as would numerous other female faculty and students who had been discriminated against.<sup>37</sup>

This massive influx of charges against the colleges and universities of America snared the attention of House of Representative member Edith Green, a long-time advocate of women's equality.<sup>38</sup> In response to Sandler, WEAL, and thousands of other women, Green, as chair of the Special Subcommittee on Education, introduced a bill and held the first-ever congressional hearings on women's employment and education over seven days in June of 1970.<sup>39</sup> Later described as "horror stories" by Sandler,<sup>40</sup> the testimonies of dozens, beginning with Sandler herself, painted a startling portrayal of the injustices occurring on campus: on the stand, one female professor explained that while she worked alongside her husband at a university, she did so without pay because the institution could only afford to compensate one of them.<sup>41</sup>

The passage of the bill from Green's hearings was a quiet revolution over the next two years. Coauthored by Green and Patsy Mink, a fellow Congresswoman who had struggled to find equity in her education,<sup>42</sup> the bill that later became Title IX prohibited sex discrimination in

<sup>&</sup>lt;sup>36</sup> Busch, Elizabeth Kaufer, and Thro, William E. *Title IX: The Transformation of Sex Discrimination in Education*. Routledge, Taylor and Francis Group, 2018.

<sup>&</sup>lt;sup>37</sup> Dunkle, Margaret. Personal interview. 10 Feb. 2020.

<sup>&</sup>lt;sup>38</sup> "*Title IX - The Nine*." American Civil Liberties Union, www.aclu.org/other/title-ix-nine.

<sup>&</sup>lt;sup>39</sup> Kiernan, Denise. "The Little Law That Could." Ms. Magazine, 2001, pp. 19–25.

<sup>40</sup> Ibid.

<sup>&</sup>lt;sup>41</sup> United States. Cong. House. Special Subcommittee on Education of the Committee on Education and Labor. *Discrimination Against Women*. Hearings, June 17, 19, 26, 29, 30, 1970. 91st Cong. 2nd session. Google Books, books.google.com/books?id=WUGjxXucCWQC&printsec=frontcover#v=onepage&q&f=false.

<sup>&</sup>lt;sup>42</sup> PublicResourceOrg. *Interview With Congresswomen Martha Griffiths and Patsy Mink.* YouTube, National Commission on the Observance of International Women's Year 1975, 1974, www.youtube.com/watch?v=AYpbLCC 2dI.

federally funded institutions, amending the Civil Rights Act.<sup>43</sup> Despite the bill's controversial nature, most boards of higher education turned a blind eye to it, deeming it inconsequential when sex discrimination was apparently "nonexistent on campus."<sup>44</sup> And so it went. Green and Mink pushed the bill through the House, and influential Democratic Senator Birch Bayh soon tacked on his support.<sup>45</sup> (see Appendix A) Bayh's endorsement was especially key as he led the bill through the Senate with little pushback; it was only asked by a Senator that women be excluded from playing football before the bill was passed by the Senate.<sup>46</sup> And at last, two years after the hearings, President Richard Nixon signed Title IX of the Education Amendments of 1972 into law, having no inkling of how far Title IX would go in breaking barriers for women.<sup>47</sup>

#### The Consequences of Title IX in the Seventies

Although Title IX was a quiet little law before its passage, it was hardly without impact: overnight, it made former hiring and admissions practices of higher education illegal.<sup>48</sup> With the law's passage, the Department of Health, Education, and Welfare (HEW) was created for the very purpose of seeing Title IX's implementation through.<sup>49</sup> HEW's extensive regulations and

engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1193&context=clevstlrev.

engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1192&context=clevstlrev. <sup>46</sup> Ibid.

<sup>&</sup>lt;sup>43</sup> "Title IX." The United States Department of Justice, 6 Aug. 2015,

www.justice.gov/crt/title-ix#1.%20Overview%20of%20Title%20IX:%20Interplay%20with%20Title%20VI,%20Sec tion%20504,%20Title%20VII,%20and%20the%20Fourteenth%20Amendment.

<sup>&</sup>lt;sup>44</sup> Sandler, Bernice R. "Title IX: How We Got It and What a Difference It Made." *Cleveland State Law Review*, vol. 55, no. 4, 2007, pp. 473–489., Cleveland State University,

<sup>&</sup>lt;sup>45</sup> Bayh, Birch. "Personal Insights and Experiences regarding the Passage of Title IX." *Cleveland State Law Review*, vol. 55, no. 3, 2007, pp. 463-471., Cleveland State University,

<sup>&</sup>lt;sup>47</sup> Kiernan, Denise. "The Little Law That Could." Ms. Magazine, 2001, pp. 19–25.

<sup>&</sup>lt;sup>48</sup> Meyers, Marian. Women in Higher Education: The Fight for Equity. Hampton Press INC., 2012.

<sup>&</sup>lt;sup>49</sup> Fishel, Andrew. "Organizational Positions on Title IX: Conflicting Perspectives on Sex Discrimination in Education." *The Journal of Higher Education*, vol. 47, no. 1, 1976, pp. 93-105, Ohio State University Press, www.jstor.org/stable/1978716?origin=JSTOR-pdf&seq=1.

investigations led to significant reform when institutions were pressured and federally ordered to change their practices.<sup>50</sup> Furthermore, Sandler and WEAL continued lobbying for change and began providing institutions with instructions on how to bring about these new opportunities for women.<sup>51</sup> Issues included anything from treatment of faculty to admissions and financial aid to female pregnancies on campus.<sup>52</sup> Title IX also made it possible for women to sue and take up cases against colleges and universities when discriminated against, whereas before they had held no legal leverage to do so.<sup>53</sup> As these improvements took hold on the country, new practices regarding faculty gradually surfaced, including the use of unbiased hiring committees—made up of both men and women<sup>54</sup>—and more equal gender pay and promotions.<sup>55</sup>

The feminist movement was making great advances with career equality for women.<sup>56</sup> In the late 1970s, more groups would continue breaking down discrimination using Title IX, including the U.S. Commission on Civil Rights, which was able to revoke federal funding from institutions that didn't follow the law.<sup>57</sup> WEAL continued its fight, not only publishing guides but also extensive studies dealing with women's numbers at colleges and universities.<sup>58</sup> New activist groups, big and small, became exceedingly involved in the seventies as light shed on

<sup>&</sup>lt;sup>50</sup> Ibid.

<sup>&</sup>lt;sup>51</sup> Dunkle, Margaret, and Sandler, Bernice. Sex Discrimination Against Students: Implications of

Title IX of the Education Amendments of 1972. *Association of American Colleges*, Carnegie Corp. of New York, 1975, ERIC, files.eric.ed.gov/fulltext/ED119586.pdf.

<sup>&</sup>lt;sup>52</sup> Ibid.

<sup>&</sup>lt;sup>53</sup> Melnick, R. Shep. *The Transformation of Title IX: Regulating Gender Equality in Education*. Brookings Institution Press, 2018, E-book.

<sup>&</sup>lt;sup>54</sup> Tsai, Bilin. Personal interview. 17 Feb. 2020.

<sup>&</sup>lt;sup>55</sup> Deneen, Linda. Personal interview. 12 Feb. 2020.

<sup>&</sup>lt;sup>56</sup> Hannon, Sharron. "1970 Study of Chicago Career Women." Received by Bernice R. Sandler, Schlesinger Library, Radcliffe Institute, Harvard University, 11 September 1970, Boston, Massachusetts.

<sup>&</sup>lt;sup>57</sup> Nuñez, Louis. "Enforcing Title IX: A Report of the United States Commission on Civil Rights." U.S. Commission on Civil Rights, Thurgood Marshall Law Library, University of Maryland School of Law, 1980, Baltimore, Maryland, www2.law.umaryland.edu/marshall/usccr/documents/cr12en27.pdf.

<sup>&</sup>lt;sup>58</sup> Mickelson, Susan. "Women Graduates. A Statistical Survey of the Proportion of Women Earning Degrees in Higher Education in the U.S." WEAL, Aug. 1975, ERIC, files.eric.ed.gov/fulltext/ED116517.pdf.

higher education revealed disparities at schools that simply had not been noticed before.<sup>59</sup> While Sandler's original intent had been to end discrimination in employment, many activists noted the problems women faced in other areas—namely athletics.<sup>60</sup> Title IX was utilized particularly well in this aspect due to its ability to be easily proved: virtually no girls played varsity sports nor did they obtain athletic scholarships.<sup>61</sup> Thus, Title IX quickly became a law widely associated with women in sports, though it was written for something entirely different.<sup>62</sup> Even so, commissions—and Sandler, a truly relentless woman—continued their fight, but simply on multiple playing fields.

### Title IX's Legacy

Title IX made age-old practices illegal but also changed the way that young girls perceived their futures.<sup>63</sup> Formerly, girls were often restricted to housewifery and low-level careers, but Title IX allowed girls to become the masters of their fates, with higher education required to treat them equally.<sup>64</sup> In 1972, women received just seven percent of law degrees and nine percent of medical degrees; in 2002, thirty years later, women earned nearly half of them.<sup>65</sup> Furthermore, from 1968 to 2008, the number of women aged 25-34 with college degrees tripled,

<sup>&</sup>lt;sup>59</sup> Raffel, Norma K. "The Women's Movement and Its Impact on Higher Education." WEAL, Jan. 1973, ERIC, files.eric.ed.gov/fulltext/ED074886.pdf.

<sup>&</sup>lt;sup>60</sup> Kane, Mary Jo. Telephone interview. 18 Feb. 2020.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>&</sup>lt;sup>63</sup> United States. Cong. Senate. Committee on Health, Education, Labor, and Pensions. *Forty Years and Counting: The Triumphs of Title IX*. Hearings, June 19, 2012. 112th Cong. 2nd session. Print.

<sup>&</sup>lt;sup>64</sup> Ibid.

<sup>&</sup>lt;sup>65</sup> United States. Cong. Senate. Committee on Health, Education, Labor, and Pensions. *Title IX: Building on 30 Years of Progress*. Hearings, June 27, 2002. 107th Cong. 2nd session. Print.

that number still steadily climbing today.<sup>66</sup> As stated before, the more degrees awarded to women, the more female professors available. In 1970, less than twenty percent of college faculty were women, and a mere three percent were college presidents; in 2006, percentages in faculty had doubled and female college presidents had increased by tenfold.<sup>67</sup> (see Appendix B)

In the 1980s, Title IX began combatting sexual harassment on campus as institutions began developing policies against it.<sup>68</sup> Debatably the facet of discrimination that has the farthest to go, sexual harassment covers threats, slanders, and assaults, the latter of which is a criminal offense.<sup>69</sup> Along with faculty, admissions, and athletic discrimination, many organizations today take on harassment in higher education, whether it be at the school or in court.<sup>70</sup>

Described as "the legislative equivalent of a Swiss Army knife,"<sup>71</sup> Title IX boasted an impact that nobody could've imagined in 1972. With the initial barrier of employment inequity in higher education broken, and the multiple fissures from that, women of the twenty-first century can enjoy all of the benefits that being a man brought fifty years ago—or at least in theory.<sup>72</sup> Though opportunities in employment have been greatly expanded by Title IX, some

<sup>&</sup>lt;sup>66</sup> United States Department of Justice. "Equal Access to Education: Forty Years of Title IX." June 23, 2012, www.justice.gov/sites/default/files/crt/legacy/2012/06/20/titleixreport.pdf.

<sup>&</sup>lt;sup>67</sup> "The Triumphs of Title IX." *Ms. Magazine*, Fall 2007, pp. 42-47, Feminist Majority Foundation, www.feminist.org/education/TriumphsOfTitleIX.pdf.

<sup>&</sup>lt;sup>68</sup> Sandler, Bernice R, and Shoop, Robert J. Sexual Harassment on Campus. Allyn and Bacon, 1997.

<sup>&</sup>lt;sup>69</sup> Boschert, Sherry. Bernice Sandler on Title IX at Fresno State. YouTube, 24 Jan. 2015,

www.youtube.com/watch?v=dhXnVvXZgis.

<sup>&</sup>lt;sup>70</sup> Chaudhry, Neena. Telephone interview. 28 Feb. 2020.

 <sup>&</sup>lt;sup>71</sup> Seelye, Katharine Q. "Bernice Sandler, 'Godmother of Title IX,' Dies at 90." The New York Times, The New York Times Company, 8 Jan. 2019, www.nytimes.com/2019/01/08/obituaries/bernice-sandler-dead.html.
<sup>72</sup> BlackChen, Marsha. "To Lead or Not to Lead: Women Achieving Leadership Status in Higher Education." *Advancing Women in Leadership*, vol. 35, 2015, pp.153-159, Semantic Scholar,

pdfs.semanticscholar.org/1818/849611e155287f6c4d1b0d1913d65879487a.pdf.

women still experience discrimination in something known as the "Chilly Climate."<sup>73</sup> Essentially, the euphemism describes the negative atmosphere that can surround females in a male-dominated environment.<sup>74</sup> With a majority of higher education faculty still being male, some female professors of today are met by disparaging attitudes and ingrained beliefs, and hence labor to find their place at work.<sup>75</sup> Nonetheless, Title IX has and will continue to make great strides in women's equity in higher education, as it and its wielders fight to break down more discriminatory barriers.

Inspired by Bernice Sandler's unjust experiences at the University of Maryland, Title IX forever transformed women's opportunities in higher education. Although meant strictly to change the ways of employment, Title IX had unimaginable effects in its application. From the ability to go to school to the right to play the same sports as men to targeting sexual harassment, the Educational Amendment broke down numerous barriers preventing women from the same freedom of opportunity that men possessed. While women still face discrimination in modern-day society, Sandler's Title IX acts as a bright light to a better future that women have persevered in fighting for—or as Sandler, the Godmother of Title IX would say, "We've come a long way, baby, but not far enough."<sup>76</sup>

 <sup>&</sup>lt;sup>73</sup> Sandler, Bernice; Silverberg, Lisa; and Hall, Roberta. *The Chilly Classroom Climate: A Guide to Improve the Education of Women*. The National Association for Women in Education, 1996.
<sup>74</sup> Ibid.

<sup>&</sup>lt;sup>75</sup> Sandler, Bernice R. "About Women on Campus." National Association for Women in Education, vol. 7, no. 1, Winter 1998, ERIC, files.eric.ed.gov/fulltext/ED432207.pdf.

<sup>&</sup>lt;sup>76</sup> Creighton University. *We've Come a Long Way, Baby, but Not Far Enough: Progress and Problems of Women in Higher Education*. YouTube, 13 Mar. 2013, www.youtube.com/watch?v=BbbYBCgauWM.

# Appendix A



Bernice Sandler, (middle) commonly nicknamed "Bunny," and friends greet Senator Birch Bayh (right). Bayh's support and push for Title IX would greatly advance the bill's movement through Congress, as it in turn made it to the desk of President Richard Nixon.

"Bunny with Birch Bayh." National Women's Hall of Fame, www.womenofthehall.org/ women-of-the-hall/voices -great-women/bernice-resnick-sandler/bunny-w-birch-bayh/.

**Appendix B** 



As illustrated, since Title IX's passage in 1972, female faculty numbers have drastically risen as women continue to advance their status as educators, particularly in STEM fields; previously, women were largely barred from learning and teaching these subjects. On the other hand, as their percentages are all under half, such statistics prove we still have a ways to go.

National Science Foundation. "Women as a Percentage of Science & Engineering Doctorate Holders Employed Full Time in Academia, by Academic Rank, 1973–2013." *The National Coalition for Women and Girls in Education*, 2016, www.ncwge.org/TitleIX45/Title% 20IX%20at% 2045-Advancing%20Opportunity%20through%20Equity%20in%20Education.pdf.