



## Title IX: What Students Think They Know

*Students often hold a misconception or are completely uninformed as to what is Title IX. Currently, under Title IX, all students have the right to receive an education in an environment free from sex discrimination. Furthermore, it is the responsibility of the institution to take the necessary measures to comply with any student who chooses to file a report of gender discrimination. Title IX was implemented as a memorandum to promote gender equality, but over the years it has developed into not only a law but also an important piece of educational rights and standards. It is important to assess gender discrimination in relation to Title IX, because equality is the basis for this law.*

Each October, Chipotle, the chain southwestern burrito restaurant, offers a holiday special: come to any location dressed in a costume and receive a \$3 burrito. My friends and I, broke college students at the time, quickly began coordinating lunch plans to take advantage of this unbeatable offer. However, of all the members in the group who were free at noon that day, I was not one of them. I remember sitting with my friends and politely declining the lunch date invitation and explaining how I interned until 2:00 p.m. that day. My friend then asked me where I interned, and I simply replied, “Oh. Title IX, on-campus.” My friend Erica then asked me the question that launched this research. Her head tilted to one side, Erica looked at me and said “What’s that? Like, parking services?”

Parking.  
Services.

My close friend, who I had considered a well-educated and keen woman, had just asked me a question that left me speechless and dumbfounded. My college-aged friend had absolutely no knowledge on Title IX and even thought it was transportation related. Our small exchange, and my discovery that many like Erica lack knowledge about Title IX, became a catalyst for this project. This paper is a brief overview of Title IX with discussion of its purpose and intent as part of a liberal feminist agenda.

### **History of Title IX**

On June 23, 1972, the United States Congress enacted Title IX, a portion of the United States Education Amendment of 1972 (Appendix A). Essentially, under Title IX all students have the right to receive an education in an environment free from sex and gender discrimination. Title IX was implemented to promote gender equality, and over the years it has developed into an important law contributing to educational rights and standards. “Victims of sexual assault are more likely to suffer academically and from depression, post-traumatic stress disorder, to abuse alcohol and

drugs, and to contemplate suicide” (U.S. Department of Education Office for Civil Rights, 2011, para. 4). This notion that victims of sexual violence suffer academically due to the trauma of rape and other malicious sexual acts is concerning. The policies under Title IX ensure student victims of sexual harassment and/or assault can continue their education at a school and feel safe, protected, and heard.

In 2011 the United States Department of Education and Office for Civil Rights issued a “Dear Colleague letter.” This letter states that Title IX must and will be used as a law to combat and handle sexual violence within educational institutions. The Letter states that sexual violence is an umbrella term that includes rape, sexual battery, sexual assault, and sexual coercion. As many institutions, especially within higher education, begin to comply with Title IX’s statutes, an emergence of high standards and codes are being put into place to ensure best practices. Furthermore, it is the responsibility of the institution to take the necessary measures to work with any student who chooses to file a report of gender discrimination.

The College at Brockport, State University of New York (SUNY), has added an entire section to its Code of

Student Conduct (CSC) that pertains to Sexual Misconduct in relation to Title IX. Additionally, The College at Brockport's Title IX Compliance Program is a campus effort which brings in several departments and resources on campus that provide education, prevention, and response to sexual violence. Some of the cases that come under Title IX campus compliance are important to note.

### **Lisa Simpson, et al. v. University of Colorado**

It was a typical December evening in 2001 for Lisa Simpson, an undergraduate at the University of Colorado. She and several friends had been drinking in her off-campus apartment when several of the members of the University's football team had arrived. The players brought with them recruits, high school aged men that were prospective students of the University. Many of these men were intoxicated. Lisa Simpson shortly after retreated to her bedroom to go to sleep however, later that night she woke up to two recruits removing her clothing. Lisa reported that she was sexually assaulted by numerous recruits and football players and also recalls seeing a fellow friend of hers in the room being assaulted. The following morning, Lisa

Simpson went to the local hospital, reported the incident to authorities, and two days later received a rape kit examination (Kearl, 2005). Her roommate reported the incident to the Vice Chancellor for Student Affairs and the director of the university's Office of Victim's Assistance. The University charged several players with code of conduct violations, but they never removed the students from the team or the institution. Furthermore, the football coach continued recruiting an alleged assailant (Kearl, 2005). In February 2004, Lisa Simpson dropped out of college (Kearl).

### **Title IX, Simpson, and Colorado**

The first task in Title IX compliance is education and outreach. The institution is responsible for coordinating training seminars, teaching staff and faculty how to respond to reports of gender discrimination and also enable them with skills on how to respond to a situation. Training officials on how to identify and respond to a complaint is the foremost action. Secondly, Kearl (2005) points out that schools must respond in a prompt manner upon receiving a complaint that falls under Title IX. An investigation must begin no later than sixty calendar days after a complaint has been filed.

Schools that delay investigations are in direct violation of Title IX. It is an extreme violation of Title IX for any school to retaliate against a victim. Victims must be offered the option to report to the police. Additionally, the Know Your IX website states that a hearing through the school "...must determine whether a complaint of sex discrimination is 'more likely than not' to have occurred or 51% likely to have occurred" (para 16, 2015). This standard applies for all complaints of sex discrimination. Lastly, an annual publishing of a campus security act with descriptions of all crimes committed on or around the campus is a piece of Title IX compliance.

The Central Baptist College website states that "The Clery Act, originally known as the Campus Security Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)), is the landmark federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses" (n.d.). Some specific actions the Clery Act mandates is the creation of a public crime log, disclosure of crime statistics for incidents that occur on or around campus, and implementation of an emergency

response, notification, and testing policy. Each sexual assault or harassment case, whether pending or closed, is reported annually. More so, Kearn (2011) tells that Simpson also argued during her trial that she learned of several collegian women who reported to Colorado officials that they were sexually assaulted by football players and recruits but never had their reports investigated. She argued that the University of Colorado fostered a sexually hostile environment. Both the Chancellor of Student Affairs and Office of Victim's Assistance were notified by her roommate that December of 2001, but the University took no action to assist Lisa Simpson in remedying her tragic situation, and this subsequently led to Simpson leaving higher education all together. In 2007, the University of Colorado at Boulder agreed to a \$2.5 million settlement (Kearn, 2005).

### **Title IX and Women and Gender Studies**

Liberal feminism seeks to assimilate women into social institutions by implementing equal opportunity through legal and social reforms (Tong, 1989). Society upholds the principles of democracy and creates a fair playing ground on which both sexes can excel.

Title IX can be labeled as a liberal feminist action because it combines women, equal opportunity, and the institution. Many first wave feminists such as Elizabeth Cady Stanton and Lucy Stone fought for legal rights and governmental practices to advance women's rights. Much like liberal feminism, Title IX contributes to women's equality by creating memorandums and processes that will help facilitate sexual violence sanctions within educational institutions. As informed by liberal feminism, Title IX legislation is rooted in legal reform as a measure to ensure women's equality.

Women like Stanton and Stone fought for suffrage and women's rights during the late 19<sup>th</sup> century. They demanded that women be included in legal affairs, social equality, and be granted the right to vote. Stanton, the lead author of *Declaration of Sentiments*, signed in 1848, included a list of sixteen sentiments which highlight main areas of women's oppression (Appendix B). One hundred attendees, including 32 men, signed this document at the first Women's Rights Convention in Seneca Falls, New York. This document created over a century ago was a statement against the patriarchal system and called for equality among sexes in America. However, more than a century

has passed since The Declaration of Sentiments was authored and many of the sentiments have still not been realized. Specifically, in relation to Title IX, listed below are two of the sixteen Sentiments which we can see are still relevant to Title IX workings today:

He has created a false public sentiment by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society, are not only tolerated but deemed of little account in man...

He has endeavored, in every way that he could to destroy her confidence in her own powers, to lessen her self-respect, and to make her willing to lead a dependent and abject life. (Appendix B).

This is where the liberal feminist paradox of Title IX comes into play. Liberal feminists of the 1800s fought for gender equality within institutions and this has been a long ongoing battle since. Even the liberal feminists of today are fighting to eliminate gender discrimination from our educational institutions. Women like Gloria Steinem or Naomi Wolf use their voices to create social reform. But yet, it seems as though the war against the establishment on achieving sex and even gender equality is a centuries old

one. Since the inception of the women's right to vote, liberal feminism has achieved many successes. Single women now have property rights, marriage equality laws allow same sex couples to marry, and women are able to join the military. However, there is still much more room for improvement and a lot more work to be done by liberal feminists. The work toward gender equality in terms of policies and laws has been merely band aids for the issue. We have been working toward this for almost two centuries now, but how much progress has been made? It is 2015 and yet the Sentiments that Stanton drafted in 1848 still have a contemporary relevance. It makes one wonder what Stanton and the other 99 attendees of the Seneca Falls Convention would say today about the state of gender equality and the need for Title IX.

### **Personal Interest**

In fall 2014 I was given the opportunity to intern under Dr. Karen Logsdon, the College at Brockport Title IX Deputy Coordinator for students. It was during my time at the Title IX Compliance Program that I realized that my friends and fellow classmates knew little about my internship, and that they had very little knowledge of what Title

IX is. Even my Women and Gender Studies classmates were minimally informed. I found during my interactions with friends and peers that they believed Title IX was about cheerleading, women's athletics, or parking services. So in my Feminist Research Methods course, I set out to discover where the knowledge of Title IX, specifically on The College at Brockport campus, is coming from and why students are uninformed. I believe educational outreach is the most important piece to Title IX. To study and explore the level of knowledge students currently have on Title IX and where they are receiving this information is essential to improving Title IX programming and outreach. Ultimately, this could specifically help The College at Brockport increase student understanding of their rights and responsibilities concerning sexual discrimination in education. Campus circumstances around Title IX and sexual assault education efforts also inform my research.

In the fall of 2014 The College at Brockport hosted the author and feminist activist Jackson Katz. Katz is the author of *The Macho Paradox: Why Some Men Hurt Women and How All Men Can Help* (2006), Katz lectures on masculinity and violence. At

Brockport, he spoke to over 1,000 students about bystander violence intervention. Roughly two-thirds of the attendees at the lecture were athletes who were mandated to attend as part of the athletic department requirement. Many students attending the lecture assaulted Katz with harsh words and insults such as "no one cares" or "shut up". Students broadcasted offensive rape and sexual assault comments over *Yik Yak*, an anonymous social media application. Many who attended and witnessed the attitudes of students at the Jackson Katz lecture felt assaulted by the crowd. The Jackson Katz lecture confirms that rape culture, defined as societal thinking where sexual violence is normalized or excused, at Brockport still runs deep. The "Jackson Katz lecture fiasco" as I like to call it, is the perfect example of why Title IX education needs to be improved upon at The College at Brockport.

### **Universities**

The media hold significant influences in developing the opinion of the public. The same is true in developing attitudes towards Title IX. While researching, I found that the majority of newspaper editorials and opinion articles published regarding Title IX usually address sports or athletic related concerns. Up

until about 2011, Title IX was interpreted as an athletic based memorandum. So Title IX being about more than just sports is a relatively new concept. Only four or five years ago Title IX transcended athletics to also cover sexual violence. I observed in conversation with peers regarding Title IX that they felt that it was a piece of legislation focusing on sports and women rather than on gender discrimination. I found this very interesting, particularly since my personal experience within the Title IX offices showed administrators making powerful and revolutionary policy toward achieving gender equality in higher education.

Recent data shows nearly 4,000 reported incidents of sexual battery and over 800 reported rapes occurring in our nation's public high schools (U.S. Department of Education Office for Civil Rights, 2011, para. 2) and acts of sexual violence are vastly under-reported (Karjane, Fisher, & Cullen, 2005.) This data tells us that within our educational systems, many victims remain silent. Many institutions that close their door on reports of sexual violence perpetrated against a student do so due to fear of bad press or fear of tarnishing a school's reputation. Title IX policy reporting mandates aim to

counteract institutional cover-ups so victims of assault are protected. Outsiders can see through when a college or university is exposed for mishandlings of discrimination cases. In fact, the bad press surrounding a mishandling of a reported case of sexual assault is far worse than if the institution had handled a reported conflict appropriately. Fortunately, Title IX protects victims of sexual assault, and one goal is to restore the victim's safety and security and encourage them so that they can continue seeking their education. Title IX encourages more victims of sexual assault and harassment to come forward than ever before since the legislation allows the victim to report privately and free from perceived threats to exposure.

Not all victims of sexual assault are as overt and adamant on making a statement on their experience as Emma Sulkowicz, the Columbia University student who began the "Carry That Weight" campaign. Carry That Weight began in April 2013 as Sulkowicz' senior performance art project, sparked from her experience as a rape survivor. According to the "Carry That Weight" (n.d.) website:

[Sulkowicz] reported a male student for raping her to the college administration... After a protracted,

demeaning, and grossly mishandled process which concluded in the university finding the male student she reported for rape "not responsible," Emma began a performance art piece titled *Mattress Performance: Carry That Weight*. The project entails that she is carrying a standard issue dorm mattress with her everywhere that she goes on campus as a symbol of the weight she carries as a rape survivor.

What started as a project at one university has grown into a statement and campaign across college campuses everywhere. Carry That Weight advocates and encourage victims of sexual assault to make silent statements by carrying a mattress or pillow with them all day, using April 13<sup>th</sup> of each year to mark this event (*Carry The Weight Together*, 2013). While the campaign has brought greater awareness about voices of victims of sexual assault, it is important to remember the many victims still have not come forward.

Emma Sulkowicz and Lisa Simpson have similar experiences and stories of being sexually assaulted while in college, reporting to administration and having no justice imposed for them. Not only did the universities fail them, but the policies set in place to help them failed as well. These two women are two examples of many who have also been

failed by the system. In May 2015, The Department of Education released the names of 55 colleges around the country that are being investigated for not following Title IX rules and investigation procedures.

### **Going Forward**

It is critical that we – college administrators, faculty, and students – don't use Title IX as a safety net. Similarly, we must not turn a blind eye to issues such as dating violence or sexual harassment in hopes that administrators will delegate professionals to deal with and handle these situations and cases. We also must remember that no matter what legislation is passed, there will still be victims. We must continue to place large emphasis on prevention education

and continue working to end rape culture.

Liberal feminism and its ideas to change the existing system is a hard battle to fight, especially when that system is working within patriarchal codes. To go forward, Title IX needs to continue to end gender oppression and ensure women remain in school and receive education. We as a human race must end sexual violence and rape culture. We as liberal feminists must persevere in the fight toward women's rights. We as individuals need to carry the message that gender discrimination is unacceptable and take the responsibility of reporting any instances of such behavior.

### **References**

CARRY THAT WEIGHT. (n.d.). *Why a mattress or a pillow? And who is Emma Sulkowicz?*

Retrieved from

[http://www.carryingtheweighttogether.com/why\\_a\\_mattress\\_or\\_a\\_pillow\\_and\\_who\\_is\\_emma\\_sulkowicz](http://www.carryingtheweighttogether.com/why_a_mattress_or_a_pillow_and_who_is_emma_sulkowicz)

CLERY ACT. (n.d.). Retrieved from the Central Baptist College website,

[http://cbc.edu/current\\_students/student\\_life/campus\\_services/campus\\_safety/campus\\_crime\\_statistics\\_and\\_clery\\_act.aspx](http://cbc.edu/current_students/student_life/campus_services/campus_safety/campus_crime_statistics_and_clery_act.aspx)

Clery Center for Security on Campus. (2012). Summary of the Jeanne Clery Act.

Retrieved from <http://clerycenter.org/summary-jeanne->

*History*. New York: Charles Scribner and Sons.

- KARJANE, H., FISHER, B., & CULLEN, F. T. (2005). Sexual assault on campus: What colleges and universities are doing about it. *NIJ Research for Practice*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/205521.pdf>
- KATZ, J. (2006). *The macho paradox: Why some men hurt women and how all men can help*. Naperville, IL: Sourcebooks Inc.
- KEARL, H. (2005). Court case: Lisa Simpson, et al. v. University of Colorado. Retrieved from <http://www.aauw.org/resource/lisa-simpson-et-al-v-university-of-colorado/>
- KNOW YOUR IX. (2015). *Title IX in detail*. Retrieved from <http://knowyourix.org/title-ix/title-ix-in-detail/>
- SMITH, H. (2003). Declaration of sentiments. In S. I. Kutler (Ed.) *Dictionary of American History, vol. 9*. Thomson Learning.
- TONG, R. (1989). *Feminist thought: A comprehensive introduction*. Boulder, CO: Westview Press.
- U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS. (2011). Fact sheet: Sexual violence statistics and effects. Retrieved from: <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201104.html#ftn5>

## Appendix A

Title IX, Education Amendments of 1972

(Title 20 U.S.C. Sections 1681-1688)

Section 1681. Sex

(a) Prohibition against discrimination; exceptions. 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, except that:

(1) Classes of educational institutions subject to prohibition

in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;

(2) Educational institutions commencing planned change in admissions

in regard to admissions to educational institutions, this section shall not apply (A) for one year from June 23, 1972, nor for six years after June 23, 1972, in the case of an educational institution which has begun the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education or (B) for seven years from the date an educational institution begins the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education, whichever is the later;

(3) Educational institutions of religious organizations with contrary religious tenets

this section shall not apply to any educational institution which is controlled by a religious organization if the application of this subsection would not be consistent with the religious tenets of such organization;

(4) Educational institutions training individuals for military services or merchant marine

this section shall not apply to an educational institution whose primary purpose is the training of individuals for the military services of the United States, or the merchant marine;

(5) Public educational institutions with traditional and continuing admissions policy

in regard to admissions this section shall not apply to any public institution of undergraduate higher education which is an institution that traditionally and continually from its establishment has had a policy of admitting only students of one sex;

(6) Social fraternities or sororities; voluntary youth service organizations

this section shall not apply to membership practices --

(A) of a social fraternity or social sorority which is exempt from taxation under section 501(a) of Title 26, the active membership of which consists primarily of students in attendance at an institution of higher education, or

(B) of the Young Men's Christian Association, Young Women's Christian Association; Girl Scouts, Boy Scouts, Camp Fire Girls, and voluntary youth service organizations which are so exempt, the membership of which has traditionally been limited to persons of one sex and principally to persons of less than nineteen years of age;

(7) Boy or Girl conferences

this section shall not apply to--

(A) any program or activity of the American Legion undertaken in connection with the organization or operation of any Boys State conference, Boys Nation conference, Girls State conference, or Girls Nation conference; or

(B) any program or activity of any secondary school or educational institution specifically for--

(i) the promotion of any Boys State conference, Boys Nation conference, Girls State conference, or Girls Nation conference; or

(ii) the selection of students to attend any such conference;

(8) Father-son or mother-daughter activities at educational institutions

this section shall not preclude father-son or mother-daughter activities at an educational institution, but if such activities are provided for students of one sex, opportunities for reasonably comparable activities shall be provided for students of the other sex; and

(9) Institutions of higher education scholarship awards in "beauty" pageants

this section shall not apply with respect to any scholarship or other financial assistance awarded by an institution of higher education to any individual because such individual has received such award in any pageant in which the attainment of such award is based upon a combination of factors related to the personal appearance, poise, and talent of such individual and in which participation is limited to individuals of one sex only, so long as such pageant is in compliance with other nondiscrimination provisions of Federal law.

(b) Preferential or disparate treatment because of imbalance in participation or receipt of Federal benefits; statistical evidence of imbalance.

Nothing contained in subsection (a) of this section shall be interpreted to require any educational institution to grant preferential or disparate treatment to the members of one sex on account of an imbalance which may exist with respect to the total number or percentage of persons of that sex participating in or receiving the benefits of any federally supported program or activity, in comparison with the total number or percentage of persons of that sex in any community, State, section, or other area: Provided, that this subsection shall not be construed to prevent the consideration in any hearing or proceeding under this chapter of statistical evidence

tending to show that such an imbalance exists with respect to the participation in, or receipt of the benefits of, any such program or activity by the members of one sex.

(c) Educational institution defined.

For the purposes of this chapter an educational institution means any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education, except that in the case of an educational institution composed of more than one school, college, or department which are administratively separate units, such term means each such school, college or department.

Section 1682. Federal administrative enforcement; report to Congressional committees

Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 1681 of this title with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made, and shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or (2) by any other means authorized by law: Provided, however, that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

Section 1683. Judicial Review

Any department or agency action taken pursuant to section 1682 of this title shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 1682 of this title, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, United States

Code, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of section 701 of that title.

#### Section 1684. Blindness or visual impairment; prohibition against discrimination

No person in the United States shall, on the ground of blindness or severely impaired vision, be denied admission in any course of study by a recipient of Federal financial assistance for any education program or activity; but nothing herein shall be construed to require any such institution to provide any special services to such person because of his blindness or visual impairment.

#### Section 1685. Authority under other laws unaffected

Nothing in this chapter shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

#### Section 1686. Interpretation with respect to living facilities

Notwithstanding anything to the contrary contained in this chapter, nothing contained herein shall be construed to prohibit any educational institution receiving funds under this Act, from maintaining separate living facilities for the different sexes.

#### Section 1687. Interpretation of "program or activity"

For the purposes of this title, the term "program or activity" and "program" mean all of the operations of --

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such State or local government that distributed such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(A) a college, university, or other postsecondary institution, or a public system of higher education; or

(B) a local educational agency (as defined in section 2854(a)(10) of this title, system of vocational education, or other school system;

(3)(A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship --

(i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2) or (3);

any part of which is extended Federal financial assistance, except that such term does not include any operation of an entity which is controlled by a religious organization if the application of section 1681 if this title to such operation would not be consistent with the religious tenets of such organization.

**Appendix B**  
**Declaration of Sentiments**  
**Stanton, Elizabeth Cady (1848) cited in Smith (2003).**

1. When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course.
2. We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled.
3. The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world.
4. He has never permitted her to exercise her inalienable right to the elective franchise.
5. He has compelled her to submit to laws, in the formation of which she had no voice.
6. He has withheld from her rights which are given to the most ignorant and degraded men--both natives and foreigners.
7. Having deprived her of this first right of a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides.
8. He has made her, if married, in the eye of the law, civilly dead.
9. He has taken from her all rights of property, even to the wages she earns.

10. He has made her, morally, an irresponsible being, as she can commit many crimes with impunity, provided they be done in the presence of her husband. In the covenant of marriage, she is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master--the law giving him power to deprive her of her liberty, and to administer chastisement.
11. He has so framed the laws of divorce, as to what shall be the proper causes, and in case of separation, to whom the guardianship of the children shall be given, as to be wholly regardless of the happiness of women--the law, in all cases, going upon a false supposition of the supremacy of man, and giving all power into his hands.
12. After depriving her of all rights as a married woman, if single, and the owner of property, he has taxed her to support a government which recognizes her only when her property can be made profitable to it.
13. He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration. He closes against her all the avenues to wealth and distinction which he considers most honorable to himself. As a teacher of theology, medicine, or law, she is not known.
14. He has denied her the facilities for obtaining a thorough education, all colleges being closed against her.
15. He allows her in church, as well as state, but a subordinate position, claiming apostolic authority for her exclusion from the ministry, and, with some exceptions, from any public participation in the affairs of the church.
16. He has created a false public sentiment by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society, are not only tolerated, but deemed of little account in man.
17. He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and to her God.
18. He has endeavored, in every way that he could, to destroy her confidence in her own powers, to lessen her self-respect, and to make her willing to lead a dependent and abject life.
19. Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation--in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of the United States.
20. In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition

the State and National legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of Conventions embracing every part of the country.