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PUBLIC HEARING

before

COMMISSION ON SEX DISCRIMINATION IN THE STATUTES

Discrimination in Education

July 13, 1989
Room 334
State House Annex
Trenton, New Jersey

MEMBERS OF COMMISSION PRESENT:

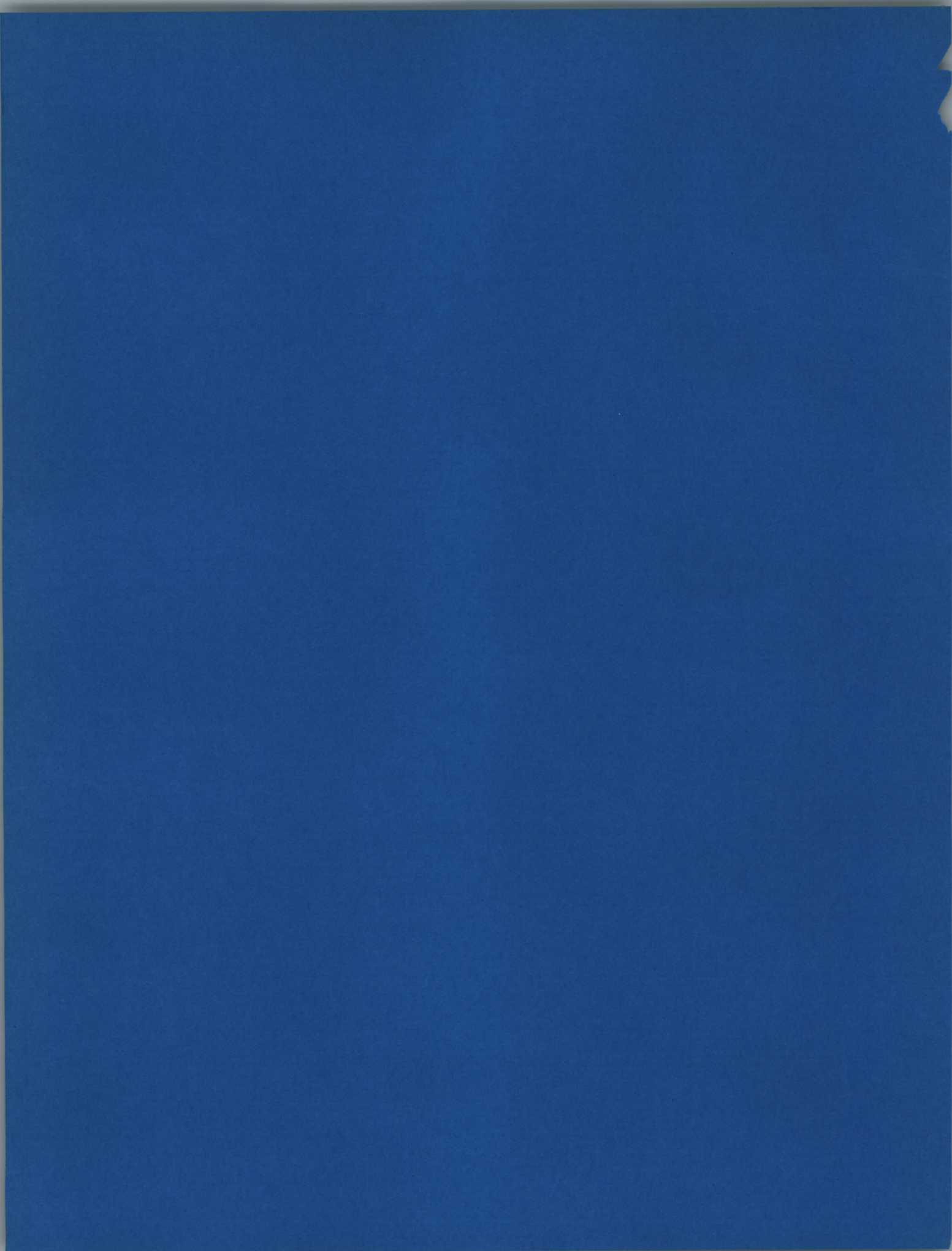
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Senator Wynona M. Lipman, Vice-Chair
Assemblyman Alan J. Karcher
Mary E. Singletary
Frankie O'Meally
Phoebe Seham, Esq.
Lydia J. Valencia
Viola E. Van Jones, Ph.D.
Kate Lynch Wertheimer

ALSO PRESENT:

Melanie S. Griffin
Executive Director
Commission on Sex Discrimination
in the Statutes

* * * * *

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State of New Jersey
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IN THE STATUTES

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NOTICE OF PUBLIC HEARING

The Commission on Sex Discrimination in the Statutes will hold a public hearing on Thursday, July 13, 1989 at 12:00 noon in Room 334 of the State House Annex.

The purpose of this public hearing is to discuss discrimination in education, and is expected to focus on the following areas:

- Adolescent Pregnancy/School Based Health Clinics
- Adult Education
- Athletics
- Day Care
- Drug Education
- Employment in Elementary/Secondary Education
- Guidance and Counseling
- Higher Education
- Sex Role Stereotyping in Curricular Materials
- Sexual Harassment in Educational Institutions
- Teacher Training and Certification
- Treatment of Students
- Vocational Education

Anyone wishing to testify should contact Ariel Perelmutter, Assistant Director of the Commission on Sex Discrimination in the Statutes at (609) 633-7098.

Anyone wishing to submit written testimony to the Commission is requested to bring 10 copies to the hearing.

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dmw: 1-75
mjz: 76-108

SENATOR DONALD T. DiFRANCESCO (Chairman): I'd like to get started.

First, let me introduce myself. My name is Don DiFrancesco. I'm a State Senator from District 22, Chairman of the Commission of the Commission on Sex Discrimination in the Statutes. To my left is Kate Lynch Wertheimer from Westfield, who's a public member on the Commission; Dr. Viola Van Jones -- who's about to sit down -- to my right, who's from Essex County. Some of the other members of the Commission will drift in, but we wanted to start. Melanie Griffin, our Executive Director, is seated further to my right. Ariel Perelmuter is in the back, who is very involved in putting this hearing together.

I just wanted to mention to you that, the purpose, of course, is to record some public testimony with regard to this particular area of interest to the Commission. If you have further comments to submit, or if anyone has further comments to submit, we will receive testimony in writing within 10 days following this hearing. It will become part of the transcript that will be prepared for the Commission and for whomever else would be interested in reviewing the transcript. Then, of course, the Commission will begin to work on this particular area of interest

This is the fifth area that this Commission has addressed. Employment, marriage and family, and economic equity in the criminal area, were all previously addressed in reports and legislation that was prepared as a result of those reports. The Commission felt strongly that the education area should be addressed at this time, due to the fact that there is a strong feeling that children -- young people, perhaps -- are susceptible to being counseled or taught in a manner that would conflict with our goals, mainly to eliminate sex discrimination in the education area. I think that's about all I really wanted to say.

I believe the first witness that's scheduled is here, Mr. James J. Farrelly, of the North Hunterdon Regional High School district.

J A M E S J. F A R R E L L Y: Thank you, ladies and gentlemen of the Commission for allowing me time to present observations and experiences related to discrimination against female athletes in New Jersey's school athletic programs.

I direct my comments to State education statutes, specifically, N.J.S.A. 18A:36-20 which establishes a policy of non-discrimination against public school pupils. Such law encouraged the development of State Administrative Code -- specifically, N.J.A.C. 6.4-1.1 et seq. -- which together, sets standards for the participation of school-aged males and females in interscholastic athletic programs.

Once implemented through scheduling by the New Jersey State Interscholastic Athletic Association, large numbers of female athletes are denied the opportunity to participate in athletics. More specifically, equal opportunity between the sexes is not encouraged by the existing statute.

Discrimination is taking place by not effectively accommodating the interests and abilities of female athletes. Specifically, the number of interscholastic sports opportunities are more limited for female athletes than male athletes, as evidenced by the total number of sports which girls actually participated in during the past four school years, up to and including, the 1988-89 school year: males, 17 sports per year, females 16 sports per year.

Several interscholastic--

SENATOR DiFRANCESCO: Can I just interrupt you for a second?

MR. FARRELLY: Sure.

SENATOR DiFRANCESCO: Where was that statistic taken from?

MR. FARRELLY: It was taken from the annual report of the New Jersey State Interscholastic Athletic Association.

Several interscholastic opportunities provided to female athletes, do not accommodate either their interests or abilities, as evidenced by lack of participation. In specific example, although no females participated during the 1988-89 school year in baseball, football, wrestling, or ice hockey since these are considered to not accommodate their interests or abilities, they are still considered an opportunity, and are seen as contributing to equity in athletics. Similarly, although fewer than 150 females, statewide, participate in golf, the letter of the law is met through provision of the opportunity to participate.

Discrimination is taking place by not scheduling interscholastic sports seasons, so as to provide an equal opportunity for female athletes. Specifically, the winter sports season for girls provides two fewer interscholastic teams than boys. The fall sports season for girls provides for two more interscholastic teams than boys, overcrowding the interscholastic fall opportunities for girls, and limiting their choices in the winter season.

Perhaps the best statistical indication of this provision, is the fact that during the 1987-88 school year -- which is the most recent year for which compilation of participation data is available -- the movement from the fall to the winter sports schedule, resulted in the following changes in participation rates: males, a 10% reduction; females, a 38% reduction.

During the 1987-88 school year, approximately 15,500 female varsity athletes had an interest in sports, as evidence provided by the count from the New Jersey State Interscholastic Athletic Association. During the winter sports season, nearly 6000 of these athletes are prevented, because of discriminatory practices, from continuing in an interscholastic athletic program. Considering sub-varsity athletic programs, the total number of female athletes prevented because of discriminatory

practices from continuing in interscholastic athletic programs is over 10,000 females.

Discrimination is taking place by not providing females with equal practice and competitive facilities. Specifically, winter sports activities requiring a gymnasium are provided to both boys and girls in basketball, fencing, and track. But girls have no equal facilities comparable to that which boys use for wrestling. All three discriminating practices outlined above are in violation of United States Title IX regulations.

I believe that such practices are also in violation of both the letter and the spirit of New Jersey law. Reasons for athletic inequity follow:

- 1) A disproportionate number of sports activities for girls are scheduled in the fall;

- 2) Scheduling of another winter indoor activity, which would accommodate the interests of a large number of female students -- as wrestling accommodates a large number of male students -- would require either a sharing of time in already constructed locker rooms and practice/competitive facilities, or would require the construction of new locker rooms and practice/competitive facilities;

- 3) The total number of interscholastic opportunities are limited for female athletes, as one sees the pattern of participation over a four-year period.

In summary then, United States Title IX requires that the selection of sports effectively accommodates the interests and abilities of members of both sexes. And that scheduling of games, practice time, and provision of locker rooms, practice, and competitive facilities, provide for equal opportunity. My assumption is that New Jersey statutes should provide protection necessary to ensure such equal opportunity. Equal opportunity between the sexes is not being promoted in New Jersey interscholastic athletics.

Thank you for the opportunity of making this presentation, made to you on behalf of our Superintendent of Schools, Robert E. Neuman.

I do have copies, Senator, which I can leave--

SENATOR DiFRANCESCO: If you do, we would like copies. I have a couple of questions. Kate, do you have questions?

MS. WERTHEIMER: No, not at this time.

SENATOR DiFRANCESCO: First, I didn't write down, or hear your title.

MR. FARRELLY: My name is James J. Farrelly, I'm assistant to Dr. Robert Neuman, Superintendent of Schools.

SENATOR DiFRANCESCO: Did you have an incident in your district that received a lot of publicity, or do I have the wrong district?

MR. FARRELLY: Yes, we had an incident several years ago which received some publicity involving a female football player.

SENATOR DiFRANCESCO: Right, so that's what I thought. Okay. Do you feel that funding is primarily the major problem with developing a -- or the major excuse for not developing a more equitable program of athletics for women?

MR. FARRELLY: Funding is certainly related, Senator, but I think more in terms of facility development than it is in directing funding to the programs. To ensure equity, particularly during the winter season, additional facilities would have to be used in order to avoid triple scheduling of current sports. In our district we have had two recent referenda to do just that soundly defeated, so certainly money would be an issue in terms of building new facilities.

SENATOR DiFRANCESCO: Yes. And did you mean to say that although women are offered the opportunity to compete, that the type of sports teams that are offered are not necessarily conducive to women participating in, or being

interested to participating in? Is that one of the things you're implying also?

MR. FARRELLY: Yeah, I would say so. I would agree with that and I--

SENATOR DiFRANCESCO: You mentioned football, basketball, baseball, and wrestling--

MR. FARRELLY: Yeah, and ice hockey.

SENATOR DiFRANCESCO: Now are they offered to women?

MR. FARRELLY: They are open to women and they are counted as working toward equal opportunity, simply because women can participate on those teams. The fact that women don't, seems to indicate that, perhaps, some other opportunities should be developed for female athletes. We'd like to see actual participation, rather than simply the opportunity to participate.

SENATOR DiFRANCESCO: Do you have coed phys ed -- this is not related -- but do you have coed physical education programs?

MR. FARRELLY: Yes, we do.

SENATOR DiFRANCESCO: Do you have a personal opinion on whether or not it should be mandatory for physical education, or shouldn't I ask you that question?

MR. FARRELLY: I don't believe it's related to the topic.

SENATOR DiFRANCESCO: Okay, I knew you were going to say that.

Well, I thank you very much, and I certainly appreciate you coming here on such a lousy day--

MR. FARRELLY: Thank you, sir.

SENATOR DiFRANCESCO: --and giving us your testimony.

MR. FARRELLY: Thank you.

SENATOR DiFRANCESCO: The next scheduled witness I don't think -- here, Rebecca White-Johnson. But Rebecca Lubetkin is here. Hi, are you from Rutgers?

P R O F E S S O R R E B E C C A L . L U B E T K I N: Yes.

SENATOR DiFRANCESCO: Do you have a prepared statement?

PROFESSOR LUBETKIN: I do. It's in--

Good afternoon, my name is Rebecca Lubetkin and I'm a Professor at Rutgers in New Brunswick, and Executive Director of the Consortium for Educational Equity at Rutgers since 1975. The Consortium was established in 1975, right about the time that Title IX and New Jersey Title VI were passed -- established by the Federal Office of Education in order to provide training and technical assistance to school districts in their efforts to provide equal opportunity.

Today, 15 years later, we're part of the Equity Assistance Center, which is a joint collaboration of Rutgers, NYU, and Columbia, working to assist school districts not only in gender issues, but also in race, national origin, issues of disability, socioeconomic status, and so on.

Issues of equity in general are dealt with in this Region -- Region II: New York, New Jersey, Puerto Rico and the Virgin Islands -- by this Joint Equity Assistance Center.

As you know, New Jersey was one of the pioneers in passing a law and a regulation to ensure that students had equal opportunity. The law was passed in 1974 -- early in 1974 -- and our regulation, New Jersey Administrative Code 6:4 was adopted in 1975. So we were ahead of almost every State, and in fact, we developed our regulation even before Title IX was passed. As a result, we distinguished ourselves in many ways. We were looked on for leadership in many ways. But the down side of that is that there were some areas that were not considered at that time -- that couldn't have been anticipated -- that are problems for us now. So that's what I'd like to talk about.

First, areas of the law that we probably would have covered, had we anticipated the changes that would be made: I'd like to talk about problems of implementation of the

existing law. Then I would like to talk about areas that were not covered at all -- under the existing law -- that we need to cover now.

Starting with the inadequacies in the existing law, you have to remember that when we think back to 1975, there was a lot of optimism -- and, I think, this generally true of equal opportunity laws -- that if you simply proscribe certain kinds of practices, the kind of opportunities that are needed would automatically follow. So, if you look at N.J.A.C. 6:4, you'll see that what is called for, is getting rid of policies and practices that deny opportunity. Most schools have very successfully done that.

In 1975, the women's movement -- the civil rights movement was in full swing. It was fairly easy for the public to come to terms with the fact that if we have 32 athletic teams for boys and 10 for girls, that there's something unequal about that, and maybe we should do something about it. That if girls are required to take home economics, and boys to take industrial arts, that that was pretty recognizable to most people as an impediment to equal opportunity at the very least, and for most people, counterproductive in terms of the needs that students would have as adults.

So, the public was very responsive to the regulation, and there were immediate and dramatic changes in school districts. I mean, it's hard for us to recognize that only 15 years ago there were very specific practices that literally limited girls and boys from doing certain kinds of things, from exercising certain kinds of opportunities, in public schools. Most of those things are gone. We had hoped that would be all that was necessary, but in fact, in many districts, differential participation in courses -- in differential achievements -- persist based upon students', parents', and teachers' adherence to very traditional gender differentiated patterns.

Even though we've opened the door, our assumption that that was all that was necessary, was faulty. These patterns handicap students in preparing them for the demands of the real world. Yet educators are often reluctant to intervene. Many educators prefer to think that these are choices: That students exercise their choices when they decide on their electives for high school; when students decide that they will not take algebra, because it's not necessary; when students decide whether physics is something that's for them or for someone else; or whether they decide to drop out; whether they decide to participate in extracurricular activities, and so on.

These are not seen by most educators as areas in which intervention should take place, but these are choices that students make and besides, we can't deal with the fact that the patterns are reinforced by every other element in society, the media, parents, and so on. So the problem is, if you look at N.J.A.C. 6:4-1.5a, b., and d., you see that the regulation is framed in language that prohibits denial of access. It prohibits differential requirements based on race, color, creed, religion, and so on.

But what we need is not simply the prohibition. What we need are positive steps to integrate students. The notion that you could unbind the feet of a little girl and expect that the next day she could run the marathon or that she'd even be interested in working out, was simply faulty. It takes a lot more than simply opening the door to make sure that the opportunities are really there.

One specific area that I'd like to talk about, because it fits into this problem that we have, is the area of opportunities for children with special needs. In some schools, special programs for children with special needs, is a way of removing disruptive children from the classroom. It frees the teacher to teach. The problem is that what we find in those schools are special education classes that are

overwhelmingly male, and often overwhelmingly minority. That boys may be referred to these classes--

SENATOR DiFRANCESCO: Well, does that trigger-- In your mind, does that mean there's some problem with--

PROFESSOR LUBETKIN: There's a problem with classification, yes. I think there's a problem with grouping. We're using faulty measures, and we're using measures that do have differential impact on students.

In the case of special education, what we see are boys, sometimes put into special education, who may need very different kind of treatment. And sometimes we see--

SENATOR DiFRANCESCO: What do you mean by that? What do you mean by very different? Do you have an example what you would--

PROFESSOR LUBETKIN: Acting out in the classroom. The kinds of behavior the teachers can't control or deal with in the classroom, may very well be dealt with by providing a special program for a boy that may not be the program that he needs.

On the other hand, there are girls with special educational needs who remain in the classroom because they're docile, they're passive, they're not disruptive, and the teacher feels that she or he can deal with that child. So there are situations in which children are not getting their special needs met, based upon behavioral measures, rather than based on educational measures.

SENATOR DiFRANCESCO: I don't mean to press you on this, but--

PROFESSOR LUBETKIN: That's okay.

SENATOR DiFRANCESCO: --I did read that before, in your statement before you said it. But is there some-- How did you come to this conclusion?

PROFESSOR LUBETKIN: Well, we've done studies of some of the districts in our region, for instance, the City of

Buffalo. An overwhelming number of students in classes -- educable classes -- are minority males. And then we've started to look at what kinds of indicators are there of that need. And what we found is that, in looking at classes for let's say, the neurologically impaired versus the educable, that there are, in some cases, visible differences in who is placed where, and that that difference appears to be related to something other than the educational need of the child.

SENATOR DiFRANCESCO: This is not an area that I'm familiar with. Who does the classifying?

PROFESSOR LUBETKIN: Child study teams, schools.

SENATOR DiFRANCESCO: And schools--

PROFESSOR LUBETKIN: Most schools--

SENATOR DiFRANCESCO: A child study team is--

PROFESSOR LUBETKIN: --have not really looked at--
Let me just add this. This comes as a surprise to schools, because in many cases they really haven't looked at their population in special education. They've never looked at it for that. They assumed that the instruments they've used, and that the procedures they've used, have been fair in terms of gender and race, and so on. They assume that they're scientifically based on the educational needs. What I'm suggesting is, that we need to look at that, because there's a lot of evidence that that's not necessarily true.

Another place that we see this is in the gifted and talented, which in some cases, is overwhelmingly male and white. We need to look again at what are the measures that we use, and to what degree might they have differential--

SENATOR DiFRANCESCO: Does that vary with each school district?

PROFESSOR LUBETKIN: Yes.

SENATOR DiFRANCESCO: Even the special education-- Forget the gifted and talented-- Even the special education classes, does the classification vary with each district?

PROFESSOR LUBETKIN: Each school district controls--

SENATOR DiFRANCESCO: Depending who's on the--

PROFESSOR LUBETKIN: What we need-- Pardon?

SENATOR DiFRANCESCO: --child study team, basically?

PROFESSOR LUBETKIN: Well, depending upon the kinds of measures that are being used. What we need are to look for bias free assessments and procedures. I think that most schools think that they have that, now. I think if you go to most schools, they say, "She's crazy, we have that now." What we need to start looking at, is looking at the population we're dealing with and then looking at the measures to see if they have differential impact. And if they do, looking for other ways to be doing the same thing.

DR. VAN JONES: Have you found that once they're tracked into, say, for example, remediation, they remain in that area, you know, throughout?

PROFESSOR LUBETKIN: Well, that tends to be true. Yes, there are ways in which children are grouped, and their initial grouping does have a long-range effect, yes. I think we need to--

SENATOR DiFRANCESCO: Do you have any studies in New Jersey that you've done that would be helpful to us?

PROFESSOR LUBETKIN: Sure, individual school districts have done that.

MS. SINGLETARY: You know, I'd be real interested in seeing some of the supportive data for that.

PROFESSOR LUBETKIN: Another area that wasn't covered under the existing law, and I think, whose breadth and seriousness is just now being taken seriously, is the area of sexual harassment.

There's nothing in the law that recognizes the very, very serious issue we have in schools of inflammatory harassing, victimizing behavior -- usually victimizing girls, but not always; sometimes by adults, sometimes by peers, and sometimes by adults to adults in terms of employment situations.

SENATOR DiFRANCESCO: Don't they have laws against that now? Adult to adult?

PROFESSOR LUBETKIN: What? We do. In the employment area, I'm not sure we need anything additional, because I feel pretty satisfied with the Title VII. But certainly in the area of adults to children, and children to children, we need to look at that.

I'd like to talk a little bit about implementation. The State law is inadequately implemented, partly because the State puts minimal funding into it. Most of the compliance for equal education opportunity laws is based upon Federal money. The message to school districts is that this is not a State priority and that the State doesn't intend to follow through on its commitment, even though it expects school districts to follow through on theirs.

The other problem with the Federal funds, is that they have been systematically reduced through the '80s, and the result has been staff cutbacks in the Office of Equal Educational Opportunity.

There are some technical problems with implementation, one of which I mention here. The State review and evaluation in 6:4 is a three-year review, when in fact, districts are currently monitored every five years. That needs to be brought into line.

The other thing that I would like to say about State implementation is that while the State has made some attempt to provide an affirmative action commitment in employment, at the level of the State Department of Education, there's been very little effort to do anything beyond employment. The State Department of Education needs to have an affirmative action officer, so that it can make the same assurances to school districts that it expects school districts to make to their own communities, so that we can be sure that materials that are produced by the Department of Education are themselves, not

biased. And we can make sure that instruments and procedures that are required by the State Department of Education have been looked at for possible stereotyping and bias.

One other thing I'd like to add about implementation, and that is the State did a very good job in one area which was way ahead of itself. That was, if you look at N.J.A.C. 6:4-1.3e, the State requires that each Board of Education shall adopt and approve courses of study, instructional materials, and programs designed to eliminate discrimination and promote understanding and mutual respect between children of different races, colors, creeds, religions, sexes, ancestries, national origins, or social or economic status.

What's interesting about that requirement, is that it's a very positive one. It's what I called for in my earlier statement. What it's really saying is, it's not enough to eliminate the bias, but you must take positive steps to be inclusive of a multicultural approach. We are a multicultural society and we're overwhelmingly a multicultural State. The earlier we recognize that, and start providing the kinds of programs that the State regulation calls for, the better off our children are going to be, not only in terms of equal educational opportunities, but in terms of quality education.

Well, if there are no questions on that, I'll go on to my third section.

SENATOR DiFRANCESCO: I know the third section deals with, perhaps, new areas. Just out of curiosity, this really is not that important, but we have a certain number of school districts throughout the State -- and I don't know what that number is--

PROFESSOR LUBETKIN: Five-hundred-and-eighty-nine.

SENATOR DiFRANCESCO: Five-hundred-and-eight-nine. Would you happen to have information, or could you get me information on how many of the superintendents are males and how many are females?

PROFESSOR LUBETKIN: Oh, I can get that. That information is kept by the Office of Equal Educational Opportunity. It's kept for race, ethnicity, and gender.

SENATOR DiFRANCESCO: Okay. Would you include all--

PROFESSOR LUBETKIN: So you're looking for superintendents?

SENATOR DiFRANCESCO: Yeah.

PROFESSOR LUBETKIN: Okay.

SENATOR DiFRANCESCO: Well, I don't know enough to go beyond that-- I mean, I'd hate to say administrators because there's millions of those people--

PROFESSOR LUBETKIN: Yes. I'd be happy to.

SENATOR DiFRANCESCO: --and I don't know if that's relevant. I'm just curious.

Kate, do you have any questions?

By the way, Frankie O'Meally, another member of our Commission from Monmouth County, has joined us. Questions, up unto this point I think--

If you have questions about any of the areas that she has spoken to, I think she would prefer to have those questions now, before she gets into review -- areas not covered under existing law.

PROFESSOR LUBETKIN: Or I could go on, and then we could get into questions.

SENATOR DiFRANCESCO: Kate, do you have any questions?

MS. WERTHEIMER: No, not right now.

SENATOR DiFRANCESCO: Okay.

PROFESSOR LUBETKIN: Okay. Then I'd like to talk briefly about areas that are not covered under the existing law, that are necessary to deal with now.

The most outstanding area is higher education. Our regulation covers public schools, K-12. There is no comprehensive State law which protects students and staff in higher education in the same way as we protect students and staff in public schools, K-12.

So we need a comprehensive law. We need it to cover employment. We need it to cover educational practices. And we need to make sure, that in addition to those areas that parallel the law covering public schools, we need to eliminate gender bias in admissions, practices, in job placement, in housing, in financial aid, and in medical care. We need to cover child care and sexual harassment at the higher education level.

We must require colleges and universities to establish and enforce sexual assault policies, and to educate students about sexual assault, including date and acquaintance rape.

I'd like to say something about admissions practices, because I know that you've read a great deal in the press regarding the question of whether the SAT is gender biased -- biased in other ways. I would suggest that we prohibit any undergraduate institution in this State that's under the jurisdiction of the Department of Higher Education, from requiring standardized test scores as a condition for determining eligibility for admission. Rather than go into great detail on this, I would like to offer this recent publication, "The SAT Gender Gap, Identifying the Causes" by Phyllis Rosser of the Center for Women Policy Studies. Phyllis Rosser is a New Jersey resident.

MS. O'MEALLY: There have been many, many justifications for prohibiting the SAT as admission requirement, but what would you offer as justification for that?

PROFESSOR LUBETKIN: For prohibiting it?

MS. O'MEALLY: Yes, in summary.

PROFESSOR LUBETKIN: The main problem with the SAT -- without going into the technical details of how the test is put together is that it under--

MS. O'MEALLY: I'm talking now specifically in terms of gender bias, not racial bias.

PROFESSOR LUBETKIN: Right. The SAT under predicts the first year college performance of females. The SAT purports to be a test to predict first year college grades -- not success in life, not success in college -- but first year college grades. It does not do that adequately for females. Females grades are higher than what would have been predicted by their SAT scores, and male grades are lower.

Without discussing whether this is bias, whether there is anything that can be done about it, whether it's intentional or not intentional, it really isn't necessary to deal with that here, although it's been dealt with in other places. What we need to do, is to recognize that if females get better grades than their SATs predict, then requiring the SAT is unfair.

SENATOR DiFRANCESCO: Well, you said that you would like to see the SAT requirement-- In other words, you are required to take the SAT if you want to go to Rutgers University.

PROFESSOR LUBETKIN: Yes.

SENATOR DiFRANCESCO: I assume that that's probably true.

PROFESSOR LUBETKIN: You need to present your scores.

SENATOR DiFRANCESCO: You can also take the ACT, is that?

MS. O'MEALLY: ACT.

PROFESSOR LUBETKIN: Yes.

SENATOR DiFRANCESCO: ACT in its place, right?

PROFESSOR LUBETKIN: Right.

SENATOR DiFRANCESCO: Kids take them anyway, because if they apply to five of six schools they're going to take the SAT. There are some schools that do not require the SAT, I think, Bates might be one, or Colby in Maine. But, if they take them anyway and they are--

PROFESSOR LUBETKIN: Well, what I'm suggesting is that--

SENATOR DiFRANCESCO: --and the results are communicated, are you suggesting you don't utilize the scores, or you don't require them?

PROFESSOR LUBETKIN: Well what I'm suggesting is that it be optional. If the student wants to put forth his or her scores, fine, but that it shouldn't be something that is required.

MS. O'MEALLY: Or perhaps, less emphasis should be put on that, as you look at the total transcript, the total person.

PROFESSOR LUBETKIN: The College Board itself, which owns the SAT, recognizes that the best single predictor of first year college performance, is high school record. That high school record with the SAT improves the prediction, but the single measure alone would be high school record.

I'd like to add to that issue of requirement of SAT scores, that they not be required as the sole criterion for determining eligibility for scholarships and loans. That issue has already been decided by Judge Walker in New York State. The Empire State Scholarships were awarded based on a student's score on the PSAT and the Judge said, "No, because it hasn't been established that the SAT/PSAT is without bias, the State may no longer use that as the sole criterion."

SENATOR DiFRANCESCO: That was in New York?

PROFESSOR LUBETKIN: In New York State. Yes, in February.

SENATOR DiFRANCESCO: Do we do that?

PROFESSOR LUBETKIN: No, we don't. Our Garden State Scholarships are a very good combination of high school record and SAT. However, individual institutions may very well be using measures that I'm not familiar with.

Unless the standardized tests such as the SAT, are comprehensively overhauled to eliminate bias, to eliminate predictive inaccuracies and coachability-- And I think that's very important to recognize that the SAT is eminently

coachable, and as long as it is, it gives students an unfair advantage based upon socioeconomic status. Until we eliminate the biases, the predictive inaccuracies, and the coachability, these tests should not be required as part of the admissions or scholarship selection process.

I'd like to go on to some other areas that are not covered in the existing law, but that need to be looked at. One is we need to ensure that female inmates receive the same opportunity to participate in training programs as male inmates do. Related to that, women and girls with special needs in residential programs in the State -- in State institutions -- need to receive the same opportunities for training and for education that males do.

We need to look at all of our licensing examinations for professional licenses and make sure that they adhere to professional testing standards, and make sure that they're reviewed for fairness in regard to race, ethnicity, and gender.

Just as we need to look at the fact that higher education was left out of our State law, we also need to make sure that we include preschool programs and after school programs; that what happens in schools, at whatever level, is critical to us as a community, and it is critical that we make sure that it ensures equal opportunity for all students.

As I mentioned, along with my written testimony, I'm submitting a copy of "The SAT and the Gender Gap." I've submitted written copies of my testimony. Our library at the Consortium for Educational Equity at Rutgers can be very helpful to you in providing further material. I will be happy to get answers to these questions that you've asked, and to pass them on.

SENATOR DiFRANCESCO: Questions? (no response)

Well, I found this to be very interesting, like the first witness, I found also that to be very interesting. You might want to give a copy of your testimony to the woman that

walked in who's the liaison from the Department of Education, the Commissioner's Office. It's too bad she wasn't here 15 minutes earlier, but-- I'm only teasing you. Anyway, thank you very much.

PROFESSOR LUBETKIN: Thank you.

SENATOR DiFRANCESCO: Is Rebecca White-Johnson here?

MS. GRIFFIN: No.

SENATOR DiFRANCESCO: No, okay. Nadine Shanler.

P R O F E S S O R N A D I N E S H A N L E R: Yes.

SENATOR DiFRANCESCO: You are a Professor at Trenton State College?

PROFESSOR SHANLER: Yes, I am.

SENATOR DiFRANCESCO: Do you have a prepared statement, by any chance?

PROFESSOR SHANLER: Yes, I do, and there are copies.

My name is Nadine Shanler, I'm a Professor of Education at Trenton State College and a member of the Women's Studies faculty at the College.

Nearly two decades ago, as a representative of the ACLU of New Jersey, I authored, and delivered to the New Jersey State Board of Education testimony supporting a newly enacted statute, N.J.S.A. 18A:36-20, prohibiting discrimination on the basis of race, color, creed, sex, or national origin, in all the public schools of this State. In addition, I was directly, but unofficially involved, both as an individual and as a Chair of a special committee of the Board of Trustees of the ACLU of New Jersey, in writing a significant portion of the Administrative Code to implement this statute, and also to implement the resolution of the State Board of Education that was promulgated subsequent to its public hearings.

The State Board of Education resolution went well beyond the categories named in the statute. Becky Lubetkin made reference to one of the more important sections of equality in educational programs in the Administrative Code --

section e. Sections e and f, in particular, are the sections that, I think, are particularly important, and they're also the sections, I think, that are not honored very much.

For those who don't know, section f says, "The local school district shall evaluate courses of study and instructional materials already in use to determine whether they are designed to achieve the objectives set forth in e, and shall supplement them as necessary where they are not so designed.

"As the use of such courses and materials is discontinued in the normal course of events, the local school districts shall replace them with courses and instructional materials designed to meet the objectives set forth in e."

Now what this does, is go well beyond Title IX. I suspect many others in this room attempted to get the Federal government to include in Title IX, a section that would deal with curriculum. We failed because they argued that this would be a denial of the First Amendment rights -- infringe on First Amendment rights. Our argument, however, was that not to include the history of people, not to include material about people other than white men, is a denial of First Amendment rights, particularly the right to know. In any case, this made it into New Jersey guidelines, but as we all know is not in Federal guidelines.

My experiences, both as a Professor in the School of Education at Trenton State College for more than 20 years and as a member of the Women's Studies faculty since the group's inception over 16 years ago, have convinced me that sex bias is in 1989, still endemic at all levels in our New Jersey schools. This is so despite the existence of a large body of research based knowledge and theory as well as proven strategies and curricula designed to eliminate sex bias in the classroom.

I shall not discuss research that demonstrates sex bias as it exists today in our schools, or the specific ways of

ameliorating or eliminating sex bias in schools. I assume you have, or will receive, a good deal of written testimony on these subjects. Instead, I will share some of my own conclusions and insights. These are based on my direct observations as a student teaching supervisor in New Jersey public schools and on my experiences in the college classroom with numerous -- at least 2000 -- undergraduate and graduate students of all ages, many of whom are also teachers and/or parents.

There is an incident that I want to convey, that I think is typical of how women and people of color are excluded from our curriculum.

Three months ago, when I was visiting one of my best student teachers in a middle school in a suburban Mercer County district, I stopped as I often do, to look at a hallway display. I ask you to picture a glass enclosed case in which there is a variety of printed material on the War Between the States. In it are 12 copies of a magazine called "Civil War Times," six books and a copy of "Harper's History of the Great Rebellion," which was opened to show a two-page black and white picture of a battle that took place in June 1862. I didn't count the soldiers, but there must have been about 100 shown in this two-page picture. All the soldiers are white men.

Of the 12 copies of "Civil War Times," 11 have covers depicting only white men. One cover shows an arrangement of weapons and announces a feature entitled, "One Woman's Story -- Slaves No More." No African-American is pictured and the only female depicted, clearly a young white southern lady -- I realize white and southern lady are redundant -- occurs on the jacket of a novel along with romanticized drawings of three white men. This, "educational" display had been mounted by the cooperating teacher and my student teacher.

I invited both teachers to look at the display with me and tell me what they saw. Then I asked that they tell me

what they didn't see. My student teacher's expression changed dramatically. She realized the importance of what was not there and said, "There are no women, no slaves, no children." Sadly, the cooperating teacher's response to the display was still, "But that is what the Civil War is about."

In this view there are no players -- excuse me, no other players -- at least none of significance. Not the mothers, slave or free, who worried about their sons or grieved the sons who were killed or maimed. Not the wives left alone to take care of farms and children and deal with invading armies who commandeered their food or destroyed their crops. Not the women, black or white, who found daughters or themselves raped by enemy soldiers or soldiers from their own side. Not the children or the aged, black or white, who starved or contracted diseases that inevitably accompany war.

For this teacher, it was a bloodless, sanitized war; a high stakes game, played out by white men. Many other teachers also view history, as well as literature, math, and sciences, in this kind of way -- what we call, in terms of the traditional canons. They assume that there is a basic core of knowledge that all of us should know, and they do not notice that this traditional core is white, western, and male. They have internalized an ideology that results in their students as well as themselves, not recognizing the diversity of experience that occurs among women and men of different social classes, races, ages, and cultures. Neither the teachers nor the students realize that this unconsciously held ideology results in their viewing in Adrienne Rich's terms, "Only certain kinds of lives as valuable and deserving of a history."

Moreover, many teachers tend to imagine that their courses are free of gender and racial bias if they offer a few references or read a few paragraphs on women or black people. Thus, it is rare for anyone to pose questions that challenge the structure of power and the arrogance of the people who

determine through their policies, the institutional contexts in which we learn, work, and live. So we continue to indoctrinate in the name of "education" and to reinforce in each generation the values and orientations that allow inequities of the past to continue, albeit in modified and sometimes more subtle forms, and we continue not seeing what is not there. This, at the same time we are beginning to refer to our planet as a "global village."

I would be more inclined to see these teachers as relatively few if I had not heard so often the statement, "I don't see race or sex. I see children." Or if more cooperating teachers would discuss with their student teachers the importance of including material on gender, race, and social class, not only for the personal, social, and economic welfare of each student, but for the life and health of our communities, and the global community.

Not until our own consciousness is raised, do we begin to see how we are oppressed and how we contribute, without consciously intending it, to the oppression of others. From my experience with hundreds of teachers in our public schools, I have come to believe that nearly all are sincere when they say that they want to help each child develop his or her best potentials -- though "her" is often not articulated, or it is offered as an afterthought.

I also believe that the hierarchical structure of our public schools and the unconscious patriarchal, often racist, ideology that probably all of us have internalized to some extent, conflict with this desire to help children. Thus, teachers unwittingly sabotage the intellectual, psychic, and moral growth of their students, and by doing so, strongly influence their students' economic and social futures as well as the future of this nation.

I will conclude here with a list of common situations, including gender bias, that I have observed in classrooms in

our public schools as well as situations that feminist-oriented teachers and parents -- both female and male -- have also witnessed or have learned about from conversations with their own children and their children's classmates.

Let me indicate that I do not believe the teachers know what they are doing in some of these instances; that is, they don't know that they are doing what they are doing and if they realized the significance, I believe, that almost all of them would work to eliminate them.

One: Allowing boys to play only with "boys' toys" and girls to play only with "girls' toys," and not structuring play situations where each is encouraged to play with both manipulative toys that help develop spatial perception and socially oriented toys that tend to encourage language skills and possibly nurturing tendencies.

Boys are much more likely to be praised for their academic work and criticized for their behavior. Girls are more likely to be praised for neatness and looking feminine than for their academic accomplishments; very clearly, a double standard that reinforces boys positively in an important area of learning and girls in a trivial pattern.

Teachers are more likely to attribute lack of achievement by boys to immaturity, thus allowing for them to grow, but rarely attribute girls' lack of achievement to immaturity. Apparently girls are, at whatever stage, already mature.

Boys are more likely to be encouraged to think through a problem when they give an incorrect answer. Thus, they are expected to succeed. When a girl answers a problem incorrectly, teachers are more likely to solve the problem for her or call on another student, thus reinforcing her sense of helplessness and lack of confidence. May I remind you that these are incidents that I have observed repeatedly and that have been reported to me by parents and teachers in the schools.

Ignoring girls and recognizing boys: Teachers tend to reward aggressive behavior in boys when they call out answers without first being recognized by the teacher and to ignore girls who are more likely to follow the rules and wait to be recognized, thus encouraging aggressiveness and a sense of superiority in boys and low self-esteem in girls.

Use of sex biased language: Some people don't think this is very important, but the linguists understand that the language we have reflects the values and power structures in our society. They also understand that the language that we use creates the future as it continues to reinforce the existing power structures in society.

We regularly see the exclusionary use of masculine nouns, such as "fireman," and so-called generic nouns, such as "mankind," and generic pronouns. The use of these terms make females invisible. Generic nouns and pronouns are also ambiguous because they are sometimes specific to the male sex, and sometimes purportedly include females as well. Since they are ambiguous, they create confusion. The famous statement: "All men are created equal," even when offered, that didn't include all males. It certainly didn't include black males. It didn't include native American males. And when offered, it didn't include any women: "All men are created equal." So we sort of think we're included if we're female, but we're not. We don't see that the legal structure, for example, all the opportunities for women are not equal to that of men.

The lack of importance of females relative to males, is further reinforced when teachers do not convey the expectation that students will express themselves in sex neutral language unless there is a valid reason for the specification. I rarely find teachers who do use and expect students to use sex fair language.

And then there's another problem with language; the use of unparallel terms. If we take a look at the terms "Miss,

and Mrs.," it becomes very clear that this discloses the female's marital status, and in doing so, violates her right to decide whether to make her marital status public. On the other use of "Mr." allows this right to the men, and we don't know, unless he tells us specifically whether he's married. This says something about the relative status between women and men in our society.

Another area: Adding a lesson or two on women or African-Americans or Latins, and believing that this meets the requirements for academic respectability and fairness and the requirements of equality in educational programs, sections e and f.

Not testing on information about the experience of women or not giving substantial assignments concerning women. Not calling on boys to responding to questions about women's political condition or ignoring whispered comments of boys who are uncomfortable with discussions about women's oppression and lack of legal equality.

There's another side of this. When teachers make mention of women's legal and political inequality today, many girls behave in a way that I would call embarrassed. They're very uncomfortable. However, when teachers explore at length with the class women's political and legal status, the girls who often sit there passive, tend to become alive. You could see it in their faces and you can see it with their hands in the air and occasionally, you even can see it on speaking out. When the girls become that way, the boys get very quiet. It's very interesting, but I have witnessed this several times, particularly with my student teachers, because I hold them accountable.

There's the use of readers -- like "Basil Readers" -- and literature, where major characters are disproportionately male, where there are very few females in nontraditional roles and even fewer or no males in nontraditional roles. It's

actually more okay for women to be in nontraditional roles, than males to be in nontraditional roles for them. So we have the use of the readers there, but that by itself is not such a big problem. The problem is not dealing with these inadequacies. Teachers rarely take the time to deal with these inadequacies through the use of supplemental materials and activities that would help students detect the biases and evaluate their impact.

The use of science texts where females account for less than 25% of the total references to people and are depicted on the whole as passive and uncreative, while males are shown as leaders and problem solvers and not addressing the problem of sex bias through discussion, supplemental materials and guest speakers who could function as role models. All of these by the way, or most of these, can be found in research literature, including this one. But this one was highlighted for me when a young man in one of my courses, this past semester, evaluated two science books currently in use -- science books in biology -- currently used in an inner city high school. I wasn't sure to believe it. I asked him to bring the books in. He did. I believe it. He did item analysis, all kinds of counting, and in those books, less than 25% of the total references were to people -- references to people who were female. Females were almost exclusively depicted as passive and uncreative.

Encouragement of boys to take advanced math and science courses: Little encouragement of girls to take these "unfeminine" courses, making it unlikely that they will choose more advanced courses in these areas, thereby reducing their career options. No encouragement of boys to explore courses and careers that are "unmasculine" even though their real interests and talents may be more compatible with traditionally "feminine" careers, for example, a nursery school teacher, a nurse.

Access to computers: As a consequence in part of the early use of manipulative toys and the prevalence of male-oriented computer games, boys have developed much greater interest than girls in using computers. With the limited number of computer classes offered in those schools, there has been little effort to recruit girls. Boys dominate these courses. Unless teachers actively encourage girls to take computer classes and assist them in becoming comfortable with the technology, boys will continue to have disproportionate access to computers. This has serious repercussions for girls in terms of careers.

Differential perceptions about the future: Teachers not dealing with the tendency of many -- maybe most girls -- to approach course and career choices from the assumption that they will have primary responsibility for domestic labor in their families and not dealing with boys' expectations that domestic work will be taken care of by others. Thus, girls limit themselves; and boys distance themselves from responsibility for homemaking and child care. Only fathers speak of baby-sitting their own child.

Girls' unrealistic perception of marriage: Not confronting the lack of realism, many girls who believe they do not need to take "hard" courses because they will marry and be taken care of financially for the rest of their lives. None of them believe they're going to be in the 50% who get divorced; none of them believe that this love will not last forever, and so we have this as a factor in the increasing feminization of poverty.

Before I go on to several recommendations, I want to make a comment. Over the years, since the law was passed and equality in educational programs was written, I have tried to convince parents of children who were receiving a traditional sex biased, white male-oriented, education, and who were bothered about this, to use the law in New Jersey to try to

stop this. I have told them that I can arrange to get free legal counsel that will not cost them anything out-of-pocket -- they may have to take a day off from work; it will cost some aggravation and lots of time, but will not cost them for legal counsel -- to file a complaint. I have never been able to convince parents to do that. The only area where we have seen significant challenges to practices in schools, has been in the area of physical education and athletics.

And in fact, I was involved in the first case that used equality in educational programs under this law, the Sharon Pinkham (phonetic spelling) case in South River, New Jersey -- as an expert witness. The reasons they give -- and this is very sad. I don't even think that it's for the reason they give -- the primary reason-- And I don't even think it's realistic -- is that they are afraid. The parents are afraid that if they "make trouble" by challenging what is being taught and how it is being taught, in terms of the lack of fairness in regard to sex -- particularly in regard to sex and gender -- that the "school" -- that's the term that they usually use, they rarely say teachers -- that the school will take it out on their children. No doubt, it sometimes happens. I know it sometimes happens. But I also know--

SENATOR DiFRANCESCO: You're not surprised that they feel that way?

PROFESSOR SHANLER: No, I'm not surprised that they feel that way. I am, but it's interesting that--

SENATOR DiFRANCESCO: You are surprised that everybody you've tried to convince feels that way?

PROFESSOR SHANLER: Yes, that's true. But I'm also surprised that they can't come off of that when I ask them, "Do you think that your child's teacher will take it out on them?" They say, "No." They have great confidence in the teachers, in terms of treating their children decently. That generally is warranted, so there's a contradiction here. They are afraid,

and I think that this is a real problem. So I have been ineffective in this, I wish I had been effective.

Some recommendations: Now, I'm glad that Becky mentioned higher education. Incidentally, many of these incidents observed in the public schools in New Jersey can also be observed in a number of classrooms at Trenton State College and at other colleges and universities.

The first recommendation involves student teaching. We need to restructure the student teaching experience so that student teachers will be placed only with teachers who demonstrate the willingness to struggle to free themselves of ideologies that limit healthful human growth.

What this is likely to mean is that instead of the one-to-one correspondence we have now, a cooperating teacher in schools will supervise two or three students simultaneously. Now I realize that this will probably involve changes in the State regulations, and we will have to supply increased remuneration for cooperating teachers.

For years I have argued, and I have been told that the law says you have one student teacher to one cooperating teacher. I have said, "What is the point of putting student teachers with cooperating teachers, mentors, who will simply reinforce them in exactly what they experienced throughout schools that were not particularly effective or desirable, rather than putting students with teachers from whom they can learn a great deal that would be positive?" I think that this is an area that needs to be looked at, and I would hope that the Department of Higher Education and the Department of Education will do this, and will get together and agree on a better system than we now have.

The other recommendations have to do with the public schools. We need -- I know it's back in the '60s -- we need consciousness raising workshops. They should be designed cooperatively by teachers and consultants who have the

knowledge and skills to assist teachers and administrators and other personnel, to confront their own beliefs that bias their professional activities in unacceptable ways.

Classroom teachers should play a primary role in the process to reconstruct the curriculum so that it educates females and males in a sex-fair way.

Teachers should be trained to address issues of gender, race, and social class in math, science, computer, and vocational courses, as well as in courses where opportunities for integrating these concerns are more obvious. If students are to make intelligent decisions about what they want to conserve and what they don't want to conserve, they must understand the ways in which their choices are very much embedded in the social organization of gender, race, and class.

The cost of consultants and other support, should be borne mainly by the State. This includes remuneration for teachers for time spent creating the new curricula.

And last, administrators and teachers should be held accountable for having a sex-fair and race-fair environment.

SENATOR DiFRANCESCO: Thank you. Questions? Does anyone have any questions? (no response) We've been joined by two more members of our Commission -- I thought we had been joined by two more members. Okay, Phoebe Seham is here, of course, from Bergen County and Mary Singletary, Director of the Division on Women, is walking towards the table. Are you an attorney, by the way?

PROFESSOR SHANLER: Pardon?

SENATOR DiFRANCESCO: Are you an attorney?

PROFESSOR SHANLER: No, I'm not.

SENATOR DiFRANCESCO: I thought you said you did some work for the ACLU, that's why--

PROFESSOR SHANLER: Yes, I was on the State board. I've been an expert witness in philosophy of education, which is my discipline.

MS. O'MEALLY: You know, I do have a question. I suppose Don probably saw it coming, that's why he looked this way.

The problem is so pervasive and you have here in your recommendations that teachers should be trained to address issues of gender, race, class, and so on. If the teachers, themselves-- And as you talked I recalled a graduate seminar at Rutgers where Civil War was taught and blacks were not dealt with, so it's very pervasive.

What would you recommend as a way of dealing with teachers who are indeed seasoned, you know, they've arrived, they are scholars, they think, in their own right? How do you gently tap them on the shoulder and say, "Look, there's still more we can do here, in this particular area"?

PROFESSOR SHANLER: This is particularly troublesome, especially at the college. The DAG, of course, has an emphasis now, and I think maybe a few of us will be talking about this to some extent. No?

UNIDENTIFIED MEMBER OF AUDIENCE: No.

PROFESSOR SHANLER: Okay, we'll talk about something else.

UNIDENTIFIED MEMBER OF AUDIENCE: I can mention it.

MS. O'MEALLY: I mean, when you're talking Associate Professors, full Professors, or for that matter, even educators at the secondary level who've been out there for 15 and 20 years. I mean, they sometimes feel that there's not very much left for them to learn.

PROFESSOR SHANLER: Well, one of the things that's happening as more and more works by women and works about women are getting published, generally written by women-- As more and more of this is going on, it's become more respectable to do feminist studies or have women studies. More men are getting into the act.

We also have occasional feminist students and sometimes they're male -- not often, but sometimes they're male -- who'll push teachers. Many do not, because they feel isolated and teachers still ridicule them; some of them.

There are gender integration projects going on at many colleges. There's one going at Trenton State College. The fact is, that not enough money is allocated. Not enough release time is allocated, so that we can get a good cross section of faculty -- not just the women studies -- to work together and devise ways-- They have to be voluntary, but make it very, very attractive for seasoned teachers or professors to start including this material in their courses.

I think another way, which is somewhat coercive of course, is to put into the requirements for promotion and requirements for tenure, a criterion that indicates that they must, indeed, show that they understand that there is more than one way of looking at the world, more than one perspective. And that it is not respectable, it's not scholarly to omit the experiences of more than 50% of the world's population. So, I think there's an issue of academic respectability too, which has to be faced. There is no easy way. We jealously guard our academic freedom, but academic freedom is not license, and teaching that the world is flat is not a matter of academic freedom. There are criteria for making judgments about what is valid. It's not that easy.

MS. O'MEALLY: Thank you. I'm sorry.

PROFESSOR SHANLER: I've been trying.

MS. O'MEALLY: Okay.

SENATOR DiFRANCESCO: Anyone else?

PROFESSOR SHANLER: Thank you.

SENATOR DiFRANCESCO: Ms. West?

D R. G U I D A W E S T: My name is Guida West. I am the Special Projects Administrator at Rutgers University's Institute for Research on Women. I'm a political

sociologist who has spent the last 15 years working in higher education in New Jersey, as a Coordinator of Continuing Education for Women at Rutgers, as an Assistant Professor in the Department of Sociology, and now as administrator and researcher at the Institute for Research on Women. I want to add that as Coordinator of Continuing Education for Women, I received a Federal grant and helped to set up the first training institute to eliminate sexism in the public schools, in 1975, that was directed, and is directed, by Rebecca Lubetkin and known as the Consortium for Educational Equity now.

I also serve on one of the University's affirmative action committees. I'm also Issues Chair for the Women's Agenda of New Jersey, a nonpartisan coalition of women and women's organizations devoted to study and action on policy issues, including higher education.

This afternoon I want to address some areas of sex discrimination within higher education, highlighting national patterns and trends. My data were compiled from the research and publications of the Project on the Status and Education of Women, and a telephone interview with Dr. Bernice Sandler, who directs this project. I have also drawn on my own personal experience in academia during the last 20 years as a graduate student, a professor, a researcher, and an administrator at Rutgers.

After describing some of the problem areas, I will summarize and present some recommendations to help eliminate sex discrimination in higher education.

Just as a general overview, the legislation under Title IX of the Education Amendments of 1972, focused on eliminating sex discrimination in all activities and programs of education institutions receiving Federal funds, and after being substantially narrowed by the Grove City decision of the Supreme Court, was restored under the Civil Rights Restoration Act of 1987. I should spell out also that in 1975 when we were

awarded the Federal grant at Rutgers to eliminate sexism in the public schools, it came as a result of the Civil Rights Act of 1964. I think it was Title IV or Title V. Title IX did not-- The regulations for Title IX did not come out yet, and at that time we also had -- or shortly after -- we had Title VI. I think it's an administrative order or code -- whatever it's called of the New Jersey State -- that helped us establish the programs in New Jersey and were extremely helpful. The support of the State in trying to do what we did in '75 was extremely helpful, and that's why I'm pleased to testify today; hoping the same thing will continue.

While there are signs of some improvements in higher education since 1972, overall, many of the same problems that we addressed in the '70s still exist. There's a recent report on women in higher education that states that women on college campuses are still treated as second-class citizens. They are excluded from the curriculum, they are put down in the classroom, and they are underrepresented in the major leadership roles.

I want to address, and I'm going to skip over the writing, in the interest of time-- I want to address, basically, the problems of women as workers and women as students in education institutions. Some of these are similar problems, some of them are very different problems, and some of them are problems that affect women as women, not in particular roles.

For example, when we look at faculty administrators and particularly faculty, the problems -- the basic concern is still hiring, promotion, and tenure. Fewer women are hired, promoted, and tenured in comparison to men. This pattern continues today. Race and age discrimination further compounds this problem for women of color and women who are older. Nationally, in 1980 69% of the male faculty were tenured compared to 46% of the women faculty. This percentage of

female tenured professors was the same in 1988 as it was in 1975, while the percentage of male tenured professors increased 5% from 1975. That is depressing.

A report prepared by the American Association of Professors states that what is even more troubling is the fact that women are disproportionately relegated to nontenure track positions; 18% of full-time female faculty members are currently in nontenure track positions, compared to only 7% of full-time male faculty members. Furthermore, these figures obscure the heavy concentration of women in part-time positions. Being relegated to part-time positions without choice, is another source of employment discrimination against women in academe. For women of color, the gap is even more dramatic, reflecting the intersection of racism and sexism in hiring, promotion, and tenure practices.

Sex discrimination against women administrators in higher education is also reflected in their employment patterns within academia. They do not move up as fast, and the more prestigious the institution, the slower the progress and the fewer the opportunities. At the top, for example, the numbers are still startling. Although the number of women college presidents has doubled since 1975, the rate of growth has slowed considerably since 1974 according to 1988 data from the American Council on Education. The appointment of only 10 women presidents in three years, may indicate that the women's access to senior administrative positions is declining. The average college president is still white and male.

As of December 1987 women headed 296 higher education institutions, approximately 10% of the 2880 accredited institutions in the United States. Twenty-nine percent -- or the number 86 -- of these women presidents were members of religious orders and 14% -- a number of 40 -- were members of a minority group. Of these 40, twenty-two were black women, and thirteen were Hispanic women, four were American Indian women,

and one was an Asian American woman. Altogether they represent an increase of 54% from 1984.

Data on salaries also reflect continuing sex discrimination within academia. Average salaries for faculty men in 1985-86 were still considerably higher than for women, according to the United States Department of Education. At all ranks, men earned more than women, but the salary gap was largest at the rank of professor. Men's average salaries, in constant 1985-86 dollars, were \$4600 higher than women in 1976-77 and \$4500 higher in 1985-86. When all ranks are averaged together, men earned \$6100 more in 1976-77 and \$6700 more in 1985-86. This gap is larger than the gaps at other faculty ranks because of the distribution of men and women among the faculty.

For example, in 1985-86, 12.3% of professors were women and 87.7% were men; 38.4% assistant professors were women; and 61.6% were men. According to the American Association of University Professors, the trend continues.

At the other end of the job hierarchy, when we're looking at employment practices I think we tend to focus on faculty administrators. We forget that women comprise the majority of workers at the lower levels, and the support services in the clerical staffing and are also suffering from continuing patterns of sex discrimination, especially in differential wages and promotions, and higher concentrations of women in part-time work.

Now turning quickly to students, we find -- and I'm just going to touch on these issues, and just put them in the record-- We find sex discrimination in recruiting, admissions procedures, counseling services, financial aid, health care services, insurance, as well as employment and extracurricular activities even though women are now 53% of the undergraduate population in the country. These issues that were identified early in the '70s and were highlighted in Title IX, are still issues that we need to contend with.

I want to talk about financial aid policies and practices, especially as they distribute scholarships, loans, grants-in-aid, work study programs, and fellowships -- and all of these -- how they discriminate against women.

Dr. Bernice Sandler told me, for example, that women get loans, while men get grants. Women get teaching assistantships -- what they call TAs, while men get research assistantships, RAs. The net result is that women have to spend many more hours for the money that they need to pay for the education. They have to work to pay back their loans. The men have the grants. They don't have to pay it back. More often, they are the ones -- women are the ones -- who have to work to repay loans or to carry a teaching versus research load. In research assistantships, men can combine their work with publishing, thus gaining additional benefits.

Another aspect of sex discrimination in financial assistance -- and this is not in Title IX, this is something new that I want to raise -- is reflected in the problems of single women with dependent children, especially those who are dependent on AFDC, Aid to Families with Dependent Children.

Smith College, the University of Wisconsin, and Goddard College in Vermont are the first educational institutions to recognize and try to address this problem. Smith College received a foundation grant to test a pilot program for support of education of welfare mothers. Similarly, the University of Wisconsin has called on the state legislature to develop a strategy to enable single mothers to enter and finish their college careers; not just two years, four years. Goddard College, with a grant from the Fund for the Improvement of Post-Secondary Education, is establishing a national association of institutions interested in the education of single parents. Twenty-five colleges are already involved; it just was established this year. The association will collect and disseminate current information about single

parent education, assist colleges and universities and welfare agencies in forming cooperative agreements, and generally promote the concept of offering higher education opportunities to single parents.

I want to bring in an example from my own teaching experience. I taught for two years. I've taught both at the evening school at Rutgers, and the day school. Since I have been involved in-- I did my doctoral research on Women in Poverty in the Welfare Rights Movement, and I've lectured substantially on it in my teaching career. Once the students recognize that I was favorably inclined to supporting women who are poor, many of the women who were poor came up and identified themselves to me, and shared with me the problems that they were having in school, in staying in college. It was devastating. I felt very helpless. We don't have the time to go into it, and I'm going to make a recommendation at the end about this issue, because it's one of the critical issues that needs to be addressed. It is being addressed across the country in different ways by this association and by individual colleges. I think it would be a great for New Jersey to address.

But one of the things that one woman said to me, and it's reflected -- it was something that I didn't know about -- was that every time a woman who is receiving AFDC gets a grant to go to school, it was subtracted from her welfare -- in some way subtracted. So if she got money for her books, her grant was reduced; if she got money for this, it was reduced; if she got money for this, it was reduced. So it ended up I was lending books; I was getting desk copies; students were there without textbooks. It's no way for women to go through school.

Smith College devised the most astute plan I have ever seen. It is a magnificent pilot plan. It's successful, and I think it should be reproduced in every state in the Union.

In health care services and insurance for students, women are still discriminated against, according to the latest data compiled by the Project on the Status and Education of Women. Much of the health insurance available at educational institutions does not cover pregnancy. However, an additional fee is added and sometimes policies are offered only to married women. Recently, the United States Department of Education sent around a letter saying that if an institution offers these programs -- this insurance -- it must provide pregnancy benefits just as it does cover any other temporary disability.

SENATOR DiFRANCESCO: You're at Rutgers, does Rutgers--

DR. WEST: It does have it.

The current Title IX does not cover abortion. Institutions, under the Restoration Act of 1987 are neither required to, nor prohibited from, providing or paying for any benefit or service including the use of facilities related to abortion. Institutions need not include abortion under insurance plans or provide the abortion procedure itself, but complications of abortions must be covered. This has serious implications for women, especially those that are the most economically disadvantaged who want an abortion, especially in light of Webster, but have no coverage while working or studying in institutions of higher learning.

There are issues of sex discrimination on campus that affect women both as workers and as students, as women in general. I will mention only three: child care, family leave, and sexual violence.

According to Dr. Bernice Sandler, child care is an enormous problem for women on campus. And what I mean by that is still -- and is being recognized as one of the biggest problems for women on campus. Women as the traditional caretakers in our society, generally have the responsibility for aging parents, for sick children, and for infants. So it's not just young children, but sick children and aging parents.

Without adequate support, these responsibilities have serious impact on the performance on women workers and students. Few educational institutions provide for family leave and few for child care, even though this trend is changing. It is still not required by law, yet it has serious implications for women's work and study in higher education.

Sexual harassment and sexual violence on campus are pervasive and present in many forums and arenas. This reflects a system of controls that instills fear and intimidation in women and denies them their rights to work and gain an education on the same basis as men. Recently, President Bush, in his address to the American Association of University Women, stated that the war against women had to stop. He emphasized, "No matter how equal the opportunities in our schools and workplace, women will never have the same opportunities as men if a climate of fear leaves them justifiably concerned at walking to the campus library at night, or reluctant to work late hours for fear of getting out of a parking lot safely. All too often," he added, "violent crime also means crime against women. I am angered and disgusted by the crimes against women and by the archaic and unacceptable attitudes that all too frequently contribute to those crimes."

Data today document that rape continues to be a major issue on many campuses and one that increasingly mobilizes students to action. Dr. Sandler pointed out that 15% to 25% of women college students will be raped by a man they know before finishing or dropping out of college: stranger rape, date, rape, acquaintance rape, and gang rape. And one of the interesting aspects -- tragic though it may be -- that the more differentiation we have of a concept, such as rape, the more we recognize -- the more we're starting to recognize a problem. We used to just talk about rape. Now we're differentiating stranger rape, date rape, acquaintance rape, gang rape. It's showing our consciousness is raising, and that's important.

They are forms of violence against women on campus that have lasting and devastating impact on rape survivors and all women. This violence creates a climate of fear, and thus constrains women's rights to equal education. Sexual harassment, peer harassment -- from verbal insults to overt sexual propositions to physical molestation -- is one of the most serious problems affecting women's educational opportunities today.

Let me share with you two experiences at Rutgers. One of my students, a number of years ago, was raped on her way to an evening class. Despite our efforts and support, she dropped out. The incident also disrupted the rest of the semester's course work as we tried to work through in class what had happened and our general fear as women in a college setting. That one tragedy affected all our lives and our efforts to carry out our responsibilities at Rutgers.

A second rape occurred about three years ago in a building close to where I work. The rape, we found out, occurred at lunchtime, in the middle of the day. She was a counselor and she never returned to Rutgers. As we learned the details of this crime, we gathered to share our fear of being left alone not only in the late afternoon if we had extra work, but also during the day. Again, not only were there devastating consequences for the rape survivor, but also for us on campus who have to live with this knowledge. Rutgers is not unique. In many ways, I understand, it is one of the most advanced universities in trying to eliminate violence against women on campus. The reality is that more needs to be done.

SENATOR DiFRANCESCO: Can I stop you there for a second? In many universities and colleges, there are half men and half women students. At some colleges there are actually more women than men today, because of-- I assume that these colleges are not concerned about having 50% one and 50% the other, which was not true at least 25 years ago when State

universities has a much smaller percentage of women. I also assume -- and I'm making all of these assumptions, I don't really study these issues like I should -- but I'm mostly assuming that there are a great many more professors and administrators at these schools -- female -- than there were 25 years ago.

DR. WEST: Not too many.

SENATOR DiFRANCESCO: What?

DR. WEST: Not too many.

SENATOR DiFRANCESCO: Not too many more?

DR. WEST: No.

SENATOR DiFRANCESCO: Like the Legislature, right?

DR. WEST: Yes. Very slow.

SENATOR DiFRANCESCO: And I should have asked Ms. Lubetkin the same-- I should have really addressed this then. But, forget the gang rape, forget the violent rape, but-- I've read some of this, with two girls in college. Of course now I'm reading all of these college newspapers. Date rape--

DR. WEST: Yeah.

SENATOR DiFRANCESCO: It's true the consciousness has been raised. I can tell by the letters and by the articles. They talk a lot about it, but it doesn't appear to me that there is much more done about it than there was, perhaps, 25 or 30 years ago. Meaning you gave a couple of examples I think, more in terms of violent rape, but--

DR. WEST: I could give you some--

SENATOR DiFRANCESCO: The administrations still are not able to implement rules in such a fashion that the female comes out with equity. I don't know any other way to say that, but at least that's what I glean from reading the letters, reading the newspapers, talking to my daughters, and other students that I've talked to. That's pretty disturbing, because as I said, here we have situations where half of the student body are women, and the administration you would think,

would be a lot more receptive to these problems in terms of implementing rules that they can enforce in situations where they know they should enforce them. But it doesn't seem to be-- It really doesn't seem to be happening.

DR. WEST: Yeah, I agree with you. I think that things are at a standstill. We still have some changes. Dr. Van Jones is at Rutgers too, and she knows like I do, that there has been an effort to make changes; like consciousness raising, penalizing fraternity houses, and increasing the penalties. But they're almost like slaps on the hand. I think that the problem is -- and you as a father with two daughters, I think, would be as concerned as my father was when I went to college -- that the environment has to be changed and the protection and the freedom for women in the college has to be improved. How's this to be brought about? One of the ways is for the university officials to take this more seriously and to give it more priority.

When I taught social problems, for example, we dealt with violence; violence against women, and violence in many aspects in society. In order to prepare for a class on rape, I called the university police, and I said I'd like some statistics on rape within the university. They said they're not available. This was in '78, ten years ago. I think, coincidentally, the next week there was an issue of "Time" magazine that came out saying that Rutgers had the highest rape rate in the country, or something. They denied it. They said that they had more statistics. They turned in their statistics, and that's why Rutgers was at the top.

SENATOR DiFRANCESCO: It's probably true.

DR. WEST: Yes, which is probably true. As a result, my students tried to call universities around the country to get information on rape. They could not get it. And 10 years ago, part of the problem was the administration of universities around the country were squelching this data. So,

one of the things we have to do is bring it out into the open. This is one of the things, as parents-- I know one set of parents have taken this on as a crusade. They don't want their children and their daughters going to a college unless they know what the crime conditions are there. They are organizing and going from college to college demanding the freedom of the right to know: "What is the condition on your campus? Because we have a right to know as parents what the conditions are."

I think we have to deal with that situation frankly and openly and have a university's report on it. I think it's not going to solve the problem, but I think it's going to make the administration and those responsible face up to their reality. When my student was raped, there was nothing in the papers. Nothing. It was just hush-hush.

Let me just take a few minutes to skip over to my recommendations. They're kind of general -- and some of them are specific -- but certainly I would want legislation, if possible, to focus on requiring family and parental leave for workers and students even like stopping the clock for tenure. This is something that some colleges and universities are saying--

SENATOR DiFRANCESCO: Say that again.

DR. WEST: For tenure. They call it stopping the clock. You have six years to get tenure. It may work fine for men but for women, if you are in the process of having one child or two children, and you have to take time out to go through pregnancy, delivery, and infant care, you've lost several months.

SENATOR DiFRANCESCO: Are you talking about higher education?

DR. WEST: Yeah, higher education.

SENATOR DiFRANCESCO: Or public education?

DR. WEST: In higher education. In some colleges -- and I think that some departments even at Rutgers

are trying this, I'm not sure. But they're giving women special leaves -- women and men who have special problems in the family-- They'll stop the clock, if you make a formal request. I think that's important. We have to make work and family life intersect more closely, because that's a reality for all of us as workers in higher education.

I would like to see a review of the whole financial aid system to eliminate discrimination against older women. I found that to be the case. I was a returnee and I found out that the State scholarships -- when I went back to school to get my doctorate at the age of 40 -- that the scholarships were only available for those up to 25. I don't know if that has changed, but I think that we should look into that. I certainly would ask the State, if possible, to set up a task force--

SENATOR DiFRANCESCO: It depends on what your SATs were, I guess.

DR. WEST: What? (laughter) Yes, I didn't even take them. I was so old.

I would like to see a State task force on violence against women on the campus. I would love to be on that task force, because I see there are many, many ways that we can work to change that. I think we have a lot of ability in the State to address that problem. I would like the Legislature also to encourage and support the women's centers that exist in educational institutions in the State, because they're the ones who are trying to build and maintain and attract women of color, nontraditional women, and women less able to complete their education. I also want to suggest that we think of what we mentioned earlier -- of following in Smith College, University of Wisconsin, and Goddard College's footsteps, and find a way of linking up with welfare agencies so that we can protect the financial benefits of these women in poverty and

single parents. I would also want more support for women's studies programs, and gender, race, class, and integration projects, to help change attitudes and behavior.

I am thoroughly convinced that some of these projects that we have been involved with-- And certainly at the Institute for Research on Women we have had for the past three-and-one-half years a \$300,000 grant from the State to help integrate gender into the curriculum throughout the State-- The feedback, even though it is not official data-- The feedback seems to be that there is a significant trend in changing attitudes and behavior. The experience seems to be very productive in that respect.

I feel that the investment of women in higher education, as I'm sure you all do too, is critical, especially at this place and time in history. We need every single woman and her talents, in order to address these problems.

I want to thank all the Committee members for this opportunity to share my views. I'll be glad to answer any questions, if I can.

SENATOR DiFRANCESCO: Thank you. Any questions, starting from my left?

MS. SEHAM: Yes, thank you very much. I guess you don't want to take time for it now, but I would love to know what the Smith College plan is.

DR. WEST: I will be glad--

MS. SEHAM: Maybe you could give us that information for our Commission.

DR. WEST: Yes, I will be glad to get it for you. I'm thrilled somebody's picking up that. Thank you.

MS. SEHAM: Thanks.

SENATOR DiFRANCESCO: Okay. Judith Savage?

J U D I T H E. S A V A G E: Thank you very much, Senator DiFrancesco and members of the Committee. I'm Judy Savage, and

I'm the Legislative Liaison for the Department of Education. I appreciate the opportunity to testify for you today on behalf of the Commissioner of Education.

SENATOR DiFRANCESCO: Judy, you don't have anything prepared, I assume, do you?

MS. SAVAGE: Pardon me?

SENATOR DiFRANCESCO: Do you have anything prepared?

MS. SAVAGE: No, I don't have any written testimony.

Education is a very broad area, and I'm going to touch upon a number of topics today, including employment issues, curriculum, vocational education, teen pregnancy, and also athletics.

I'd like to start out with a general statement. We're pleased to report that while there are isolated occurrences of gender bias and discrimination, the Department of Education does not believe that there are widespread problems that require statutory revision. We're not aware of any incidents of gender bias in Title 18A which is specific to education.

I'm sure you've heard before, and from speakers on other topics, that there are statutory references all throughout the statutes which are solely masculine in nature, and those certainly should be addressed at some point.

I'd like to talk a little bit about what the Department of Education is doing -- both in terms of monitoring and training -- in the area of gender discrimination. The Department has an Office of Equal Educational Opportunity, or OEEO. Through that Office we provide affirmative action training to local district personnel to help them eliminate any potential for discrimination on the basis of sex, race, or national origin. Our training focus is on classroom practices, employment practices, and vocational and career education. One thing that's usually addressed during this type of training are the social barriers, expectations, and biases which may be common among certain immigrant groups. That's one area

where we do see some problems. It's somewhat of a difficult one to address when children are coming to school from homes and cultural backgrounds where the expectations may be totally different than mainstream expectations in the public schools.

Through regular monitoring of school districts, the Department seeks to ensure that all districts have bias-free curriculum materials. Recent textbooks and classroom materials are sensitive to gender bias. While they may not go quite as far as some might like towards compensating for long-term inequity, educational publishers are keenly aware of the need for gender-neutral material.

When older textbooks are in use, the Department does require districts to modify and adapt the course of study to ensure that the educational program is bias-free. Districts are also monitored to ensure that students don't face discrimination in terms of guidance, course selection, physical education and athletics, and extracurricular activities. We also examine each district's employment practices and staff training. If problems are identified in any of these areas, we require the district to develop a plan for correcting their deficiencies. Through that process, we work with them to provide technical assistance and training to help them meet the State regulations.

One impediment to our efforts in this area, are reductions in Federal funding for OEE0. Our staff and our ability to provide services to districts, has been reduced, as a result of Federal budget cuts in this area.

I'd like to move now onto some specific topic areas; identifying problems which exist, and when possible, what the Department is doing to address them.

We'll begin with the area of employment in school districts. Most school districts seem to have exemplary affirmative action and equal opportunity employment practices and policies. However, all public employers, including local

school districts, must be consistently required to advertise job opportunities externally, particularly in the case of administrative and supervisory positions. We require all districts to establish goals for hiring women and minorities. We monitor them to make sure that they're making progress toward meeting their goals.

The number of female administrative and supervisory employees in school districts has increased significantly, still the majority of school district administrators and supervisors are male. The current percentage is 71.5% male in supervisory and administrative positions. However, that's a significant improvement since 1982, when 80% of those jobs were held by men.

SENATOR DiFRANCESCO: Say that again, now. Seventy-one percent of the administrative and supervisory positions from K-12--

MS. SAVAGE: Right, are held by males.

SENATOR DiFRANCESCO: K-12 are held by males.

MS. SAVAGE: Right. In 1982, 80% were held by males. So women are making progress. The majority of teachers, however, are female. Right now 70% of the teachers in our schools are female.

SENATOR DiFRANCESCO: That's because of the pay, right?

MS. SAVAGE: That's because of the high pay, that's right.

Occasionally we get cases brought to the Department of discrimination against school employees. Such cases also would come before the Division of Civil Rights. The cases are relatively few and don't establish any kind of pattern to indicate specific areas of vulnerability. As a previous speaker testified, there may be many more incidents than are actually brought to the attention of the Commissioner or the Director of the Division on Civil Rights. That may well be so, but we would have no way of knowing in what areas they were, or

the extent of the problem, because we have no direct knowledge of these cases.

I would like to move now to the area of vocational education. Sex equity efforts in vocational education come under the authority of Federal vocational educational laws. Federal law requires the Department of Education to have a full-time sex equity coordinator on our staff. The Federal law focuses on strengthening opportunities for women by requiring vocational programs which are specifically targeted to single parents and to homeowners. Set-aside programs and special grants ensure that Federal vocational educational dollars will go towards these targeted groups of women.

Despite many strides that have been made in recent years, problems of gender equity remain in the vocational area. Social barriers, female participation in certain vocational programs such as those in the technical trades still remain. We've come a long way since the days when it was unheard of to see a boy in home ec. class or a girl in wood shop. But in many cases, biases still do exist against a young woman participating in such traditional male dominated programs as auto mechanics or the heating trades.

While guidance and counseling are an area which the Department monitors and provides training in, individual biases can sometimes affect counseling as well. For example, course selection and career counseling could be affected by an individual counselor's gender, stereotypes, and expectations. Such an individual, even without realizing it, could suddenly steer a woman away from nontraditional pursuits. However, there's no indication that this is a widespread problem. Continued training efforts will help to eliminate these biases; or at the very least, make counselors more aware of their own attitudes and how they can unconsciously affect students.

Another area about which concerns were often raised, is testing. Recent legal cases and media reports have raised

the issue of bias in standardized tests; specifically, the SAT. However, no such questions surround New Jersey's main standardized test, the High School Proficiency Test. The High School Proficiency Test, or HSPT, is carefully reviewed by an external team to ensure against any racial, ethnic, or gender bias. Any test item which causes discrepancy in performance by males and females, is eliminated from the test.

Adolescent pregnancy is another area of concern. Pregnant and parenting teens present very difficult educational challenges. These students require special support, including counseling and child care, if they are ever to be able to complete their education to have a full range of opportunities. School districts are required to provide pregnant and parenting teens with educational programs which do address their special needs. They should not separate these students from the mainstream educational setting.

The Department of Education is now preparing materials and organizing training conferences on teenage pregnancy which we hope will help districts to examine sex role stereotypes and become more aware of how they can help both male and female students prevent pregnancy in the first place, and become responsible parents.

The final area I would like to address is that of athletics. As most of you probably know, an important precedent was set several years ago, when the Commissioner and State Board of Education ruled that a female student must be allowed to go out for the North Hunterdon Regional High School football team. That district had a no cut policy. The Commissioner ruled that the district could not discriminate against the student by disallowing her to play on the football team because of her sex. Girls' rights in school athletics were further affirmed in a subsequent decision in which the Commissioner ruled that a male should not be allowed to go out for women's field hockey. While he conceded that this was

indeed discriminatory, the Commissioner ruled that the State might discriminate in order to protect an important State interest. In this case, the State had an interest in ensuring girls' rights to participate in team sports. The case was clearly precedent setting, and the Commissioner felt that if boys were allowed to join girls' teams, they might displace female athletes.

SENATOR DiFRANCESCO: When was that decision?

MS. SAVAGE: That was in, I believe--

SENATOR DiFRANCESCO: Was it recent?

MS. SAVAGE '85 or early '86. It came right after the football decision.

SENATOR DiFRANCESCO: Yeah, a fellow from North Hunterdon testified. The first witness was from North Hunterdon district.

MS. SAVAGE: Did he speak specifically about that case?

SENATOR DiFRANCESCO: He spoke about athletics. No, he didn't speak about the case.

MS. SAVAGE: Oh, okay.

SENATOR DiFRANCESCO: Judy, perhaps I'm wrong, but one of the messages I seem to be getting -- at least myself from the first one, two, three, four, five witnesses -- has been that we do have a great many laws in New Jersey. We do have a lot of regulation dealing with discrimination. What we haven't done, apparently, is in any way, make a commitment to aggressively try to attack the problems that had been there with respect to the goals people would like to have in terms of discrimination or reversing some of the longtime discrimination in the educational system.

In other words, we have plenty of laws, we have plenty of regulations, but it hasn't done a lot to really address the primary problem of discrimination. I think this woman in the front row addressed that particularly. So we would have somewhat of a dilemma in terms of trying to address that

ourselves, without recommending new laws and new regulations, and perhaps, funding, and new positions, and the way people are taught to teach, etc. as you heard from the last few witnesses.

This Commission will -- after this public hearing -- continue talk to people from the Department of Education and other areas to gather research through the staff for the Commission to look at in order to determine whether or not we should make recommendations in certain areas. We're going to need the cooperation of the Department of Education in order to do this. And so, we will probably call upon you and your resources, and perhaps, various people within the Department to meet with us from time to time in order to gather the information we're looking at -- in order to ask questions -- quite often to ask a lot of questions about programs, about statistics -- you know, that they've compiled, because you would be a great resource for us, so I would hope that-- And I don't know if you've met Melanie Griffin before, have you?

MS. SAVAGE: We haven't formally met, no.

SENATOR DiFRANCESCO: Okay, Melanie is our Executive Director. I would hope that she would be able to call you, and she'd get your cooperation and the Commission's cooperation. Some people cooperate readily, and some don't. I don't mean to say that you wouldn't, because I know you pretty well. Does anyone have any questions?

MS. SINGLETARY: I would like to know how many of the teen pregnancy programs do you have across the State under the Board of Education? How many of those programs do you have?

MS. SAVAGE: Right now, at the State level we're working on our first statewide teen pregnancy program which is going to be in terms of materials and statewide conferences. Certain individual districts do have some programs that I understand are very good. I'd be happy to do a little research and get some information as to which districts those are, you know, in terms of numbers they are serving, but off the top of my head I don't really know.

MS. SINGLETARY: So, what do you think is the intention of your program? Are you going to have conferences or something to establish the--

MS. SAVAGE: We're starting off small. It's an area where we would like to do more. We're really constrained by the budget and lack of funds. But what we're going to be doing is going from the Department level to districts, making district administrators more aware of the problems and providing training both to administrators and to individual teachers. In effect, helping them get their own programs off the ground.

MS. SINGLETARY: So you haven't really done anything about it yet?

MS. SAVAGE: Not yet. We're in the process of developing the materials right now. When those are ready, I would be happy to provide them to the Commission.

SENATOR DiFRANCESCO: Phoebe, do you have any questions?

MS. SEHAM: No, I have no questions.

SENATOR DiFRANCESCO: No? Viola?

DR. VAN JONES: No.

SENATOR DiFRANCESCO: Melanie?

MS. GRIFFIN: No. Oh, I do have one question. I remember-- This is kind of off the wall because I don't really remember what it was -- but I remember a few years ago there was some legislation passed, I believe, or a rule passed that took away teaching experience requirement for principals or superintendents. Do you recall that?

MS. SAVAGE: Yes.

MS. GRIFFIN: Have you seen an impact of that on women?

MS. SAVAGE: It's too soon to tell. That regulation was just passed in the fall and essentially strives to open up the ranks of the principalship to those that don't necessarily come through that educational hierarchy. It's really just

beginning now, so over the next couple of years, we may in fact see more women coming into the principalship, but it's too soon to hazard a guess.

MS. GRIFFIN: I was thinking maybe less women.

SENATOR DiFRANCESCO: Less women?

MS. GRIFFIN: Yeah, because women are teachers that they can promote without having the teaching experience. It cuts out that kind of natural progression to a lot of women.

MS. SEHAN: What was the rationale for that change, do you know?

MS. SAVAGE: The Commissioner felt that the principalship was, first of all, somewhat of a closed club and that there were a lot of talented people out there that were automatically excluded because they didn't want to come into the school district as a new teacher, put in their three years, and move into the principalship. We have had great success with an earlier program that opened up the ranks of teaching and allowed people who didn't complete the traditional teacher college programs to come in. We were finding that we could put a lot of mid-career people -- a lot of outstanding college graduates into education who never before would have considered it. So the idea is being that there's an essential body of knowledge that you need to know to be a principal, and that there are other ways get that besides teaching for three years. We will be seeing how it works.

SENATOR DiFRANCESCO: Well, I voted for that, and I think that's true.

MS. SAVAGE: Yes.

SENATOR DiFRANCESCO: But let me ask you this question. Since that's become law, would you be able to tell us how many -- in light of these two questions -- how many people are now in supervisory positions that are not teachers?

MS. SAVAGE: Well the new principal program is just now in the process of taking effect--

SENATOR DiFRANCESCO: Oh, it's--

MS. SAVAGE: Nobody has come in under that.

SENATOR DiFRANCESCO: Oh, you mean it's brand new; that brand new?

MS. SAVAGE: It is that brand new, yes.

SENATOR DiFRANCESCO: Even though it's been quite a while since we--

MS. SAVAGE: Well, it was passed last fall and requires--

SENATOR DiFRANCESCO: Yeah, I'm familiar with that.

MS. SAVAGE: --a whole process of mentorship and study and so forth.

SENATOR DiFRANCESCO: Yeah.

MS. SAVAGE: So those people will be coming in within the next year or so. Okay, thank you very much.

SENATOR DiFRANCESCO: Thanks, Judy. I appreciate it.

MS. SAVAGE: I look forward to working with you in the future and putting you in touch with whatever experts I can.

SENATOR DiFRANCESCO: Thanks. Meredith Flynn? Meredith Flynn is from the Gloucester County Vocational School, is that correct?

M E R E D I T H F L Y N N: Good afternoon. I am pleased for this opportunity to speak to you this afternoon concerning my personal observations and professional experiences in vocational education.

My name is Meredith Flynn. I am the Director of Special Services at the Gloucester County Vocational Technical School in Sewell. I have been a guidance counselor and a vocational educator for the past 15 years. Additionally, I currently operate -- for the past three years -- a successful vocational equity program funded under the Department of Education. For the past four years, I have operated successful single women displaced homemakers' programs that deal specifically with nontraditional career opportunities, again funded through the Department of Education.

For the past five years, I've been in administration in three different positions. My current responsibilities include supervision of a child study team, guidance department, public relations, and institutional research and development. As a woman in vocational education, I have found my work to be extremely challenging and very rewarding. I experience daily, the opportunity to see young people and adults learn new skills which allow them to enhance their self-esteem and begin rewarding careers.

For many of these students, school has not been a particularly positive or rewarding experience. But the unique environment and the content of vocational education seems to encourage them to overcome past failures and reestablish a positive self-image.

I believe that vocational education, through its dual identity with the business community as well as the education community, can be more responsive to the educational needs of students, both female and male. The vocational teacher goes into education after he or she has been successful in their trade, which for the most part translates into a qualified and dedicated professional. I have found these teachers to be extremely receptive to nontraditional students in their classes. Some have required assistance on how to address day-to-day issues which arise with nontraditional students, but I have found many take the opportunity and the individual initiative to seek out my support or the support of other administrators in dealing with these problems.

Unfortunately the number of young women who select vocational education is not reflective of their numbers in education, and are still, for the most part, limited to the traditionally female occupations of cosmetology, office occupations, and health fields. For those who select nontraditional fields, they tend to be very strong and independent, which are personal qualities which serve them well

in their vocational programs as well as on the job. We have found, however, that entry level employment is difficult without the assistance of cooperative vocational education to ease the transition for the student worker as well as the employer.

I strongly believe that guidance counselors must have a better understanding of the world of work and the process of career decision-making in order to assist students more effectively when selecting a career option, which will include vocational education.

SENATOR DiFRANCESCO: Can I ask you a question? I don't want to interrupt your--

MS. FLYNN: Certainly.

SENATOR DiFRANCESCO: --thought, but, do you have to be a teacher to be a guidance counselor?

MS. FLYNN: Yes, you do. Three years.

SENATOR DiFRANCESCO: Okay, go ahead, I'm sorry.

MS. FLYNN: My experience has been that most guidance counselors still focus their attention upon getting high school students accepted to college, to the neglect of those who do not wish to attend, or with disregard to those whose probability of success in college is marginal.

The U.S. Department of Labor statistics state that by the year 2000, 10% of all available jobs will require a baccalaureate degree, while 85% will require technical or skilled training. With this reality facing our children, guidance counselors should be required to become more familiar with not only the labor market and its requirements, but also the principles of career decision-making in order to more effectively counsel students when they make their career decisions, and also to work with their parents. All too often we neglect the parents in career decision-making, and statistics again show us that the biggest decision-maker for students in careers are their parents.

I believe that either present certification for counselors requires only one course in career education. I believe that either this should be increased to two courses minimum, or the content of the course should be more specifically defined to ensure that counselors are prepared to do career counseling. Practicing counselors as well should be required to up-date their professional awareness in career development, perhaps through seminars, dually conducted by the Departments of Education and Labor.

From personal experience in vocational education administration as well, I feel there is a need for an internship experience which will allow us to obtain firsthand experience in the nature of the trades and technologies we supervise. It appears that through their life experiences, men are more apt to have an understanding of the nature of carpentry, welding, or auto mechanics. But I found my personal life experience to be lacking in these areas, requiring me to learn through other resources, which included supportive teachers and students who shared their knowledge and experiences with me informally. A formalized internship program would benefit all administrators who enter vocational education without prior teaching experience in the field, both male and female. I found that when I sought information and experience in the skills taught in the vocational programs I supervised, I was a more effective administrator, could communicate better with my teachers, and was better able to share mutual respect.

I am heartened by the number of women becoming vocational education teachers in nontraditional occupations. This type of role model is critical if we are to encourage young women to select these careers, as well as just support them in their training.

Women in vocational education administration are increasing as well, which will also provide positive role

models. But we are certainly not reflective of our numbers in the work force or in education in general. As more women find success in nontraditional employment, we can only hope that they will elect to share their skills, knowledge, and experience by becoming teachers in vocational education. Thank you.

SENATOR DiFRANCESCO: Okay, any questions?

MS. SINGLETARY: Did you say you worked with displaced homemakers? Is that what you said?

MS. FLYNN: One of my responsibilities is supporting a displaced homemakers program. Yes, I'm project director.

MS. SINGLETARY: What do you mean support it? You mean you--

MS. FLYNN: I mean, I write the grant, I get it funded, and I oversee the operation thereof.

MS. SINGLETARY: And you monitor to make sure that--

MS. FLYNN: --that our women are coming in at the sufficient numbers, that our women are receiving the training in the manner in which they require, and that they are finding the employment in the careers that they've opted. The program that we just completed -- which was women in construction, supported by the Women in Construction Task Force -- boasted a 98% placement rate in the unions. Ninety-eight percent of our women received apprenticeships.

MS. SINGLETARY: How many did you have?

MS. FLYNN: How many did we have? (laughter) Beg your pardon? Unfortunately, those women obtained apprenticeships in Pennsylvania.

MS. SINGLETARY: Yeah, but how many women did you have in your program that you--

MS. FLYNN: We started with 54.

MS. SINGLETARY: Yeah.

MS. FLYNN: We graduated 21.

MS. SINGLETARY: Oh, and all 21--

MS. FLYNN: No, we have one woman who--

SENATOR DiFRANCESCO: One, the lady in the back.

MS. FLYNN: --is pregnant and right now waiting. She has her union card, but she has not begun her apprenticeship because she is currently pregnant.

MS. SINGLETARY: Okay.

SENATOR DiFRANCESCO: Excuse me, but is part of the point you're trying to make that guidance counselors steer men in one direction and women in another direction?

MS. FLYNN: No, guidance counselors steer everybody in one direction, and that's college.

SENATOR DiFRANCESCO: Oh, okay.

MS. FLYNN: And I don't think it's appropriate.

SENATOR DiFRANCESCO: Well, yeah you said that to her. But--

MS. FLYNN: I think that college is not a--

SENATOR DiFRANCESCO: In terms of sex discrimination?

MS. FLYNN: College is not an end. And I think all people-- A lot of times young men were steered toward college, and we find an awful lot of young women saying, "I don't need to worry about that, I'm going to get married. I'm going to be a mother. I am a mother." And unfortunately--

SENATOR DiFRANCESCO: They do say that, really?

MS. FLYNN: Yes. Yes. I had a young woman say it to me yesterday. Unfortunately, I think a lot of times guidance counselors will say, "Oh, okay." I found it to be my personal experience and the experience of others. We need to have a better understanding of career options.

SENATOR DiFRANCESCO: Thank you very much.

MS. FLYNN: Thank you.

SENATOR DiFRANCESCO: Elizabeth Hickey from the New Jersey Education Association? Do you need that other woman up front with you? (laughter)

E L I Z A B E T H H I C K E Y: Sure.

MS. FLYNN: I'm a spectator.

SENATOR DiFRANCESCO: She's used to this table.

MS. HICKEY: She's my mentor. (laughter) She's just going to sit back there and pull the strings.

SENATOR DiFRANCESCO: That what she always does.
(laughter)

MS. HICKEY: She does it pretty well, too.

SENATOR DiFRANCESCO: Old boys' club?

MS. HICKEY: Well, she needed it to be spiced up a little.

I want to thank you for the opportunity to testify. I would just like to tell you that in my role in NJEA, I work with two committees, primarily, the Minority Involvement Committee and the Women in Education Committee. They would have me testify in every one of the issues, if we had the time, that you're looking at. We're really appreciative of the fact that you're sitting down and taking a look at some of those issues. We've chosen to zero in on three topics: current procedures under Title VI, the Educational Equity Programs, and need for parental and day-care leave, which we feel is critical. But we feel all the topics that you're looking at are of vital concern.

SENATOR DiFRANCESCO: Is that a commercial of some kind? (laughter) By the way, as I mentioned to Judy Savage, we also will be-- I think, we will need you in the future. This is one hearing, but in order to really do the job that we want to do, we're going to have to talk to you and to other people from the organization at length, about some of these problems.

MS. HICKEY: We'd be delighted to help you with that. I know our committees do a lot of that work for us, and help us put together the information that we have.

In spite of several recent Supreme Court decisions, we feel affirmative action is an area that still requires closer examination. Currently each school district in New Jersey is required to file affirmative action reports with the Office of Equal Educational Opportunity, which is under the Department of Ed. This procedure was established in 1975 under Title VI, Equity in Educational Programs. We have had over 10 years to examine the development and implementation of the two affirmative action plans established in these regulations.

One area of continued ongoing concern is the procedure used to establish the hiring goals used by each local school district. Because the hiring goals are based on the county work force population, there's a great disparity from county to county.

Let me just explain, if I might, a little bit about that. Basically, what I'm saying is that when a district establishes their affirmative action hiring goals -- which they're required to do under Title VI -- they must look at the surrounding county work force and use that percentage as their goal that they are attempting to obtain. Let's look at that realistically.

If you're a district in Essex County, you could have a percentage of 35.3% for women or minorities; if you're a district in Cape May, you might have .06. So even though I assume the idea was originally to look at one of equity, the reality is that a district can continue to have a very low goal, and that's continued on by the process of looking at the surrounding work force and using that. It seems to me that it needs to be an area that you look into. Otherwise, what will that do? That will continue to allow those counties that employ a vast majority of males or white people, to continue to have those as their goals. So a county that might only employ .06% women in managerial positions-- Even if the school

district met that goal, what does that say? That that would be the percentage that they would always live with and the rest of the work force would continue to represent something else.

Statistics verify that there was a need to further strengthen the concept of affirmative action in the educational arena. Women of minorities are still not moving into administrative positions. I've included some statistics, one of which came from the National Center of Educational Information, which we quote and say, "Probably nowhere in America is there a larger bloc that gives more credence to the phrase 'Old Boys' Club' than public school administrators."

SENATOR DiFRANCESCO: Not even in the Senate?
(laughter)

MS. HICKEY: Well, it's close, it's close.

Public school principals it's a little-- If we would say that 50% of the population was female, or thereabouts, then we could assume that 50% should be eventually in the Senate and Congress. But when you look at the educational work force--

SENATOR DiFRANCESCO: Boy, I didn't-- Wait a minute, wait a minute. We're talking about-- That's not in your testimony. (laughter)

MS. HICKEY: Sixty-nine percent of the work force in education is female. So it's even higher. And therefore, we would expect an even higher percentage to be female. It simply is not true. Public school principals are 76% male, 90% white; and superintendents are 96% male, and 97% white.

If you look at the statistics in New Jersey, the statistics are not much better, all right? Statistics compiled by the State Department of Education show that 5.3% are superintendents and 17.1% are principals. Statistics are not much better for minorities.

SENATOR DiFRANCESCO: That's women?

MS. HICKEY: Right, are women, are female. All right? Statistics are not very closely parallel to those for

minorities. So what you're looking at is a work force that is vastly represented by females, but yet is not represented in administrative ranks in anywhere near that percentage.

You would ask the question about the alternate route for administrators. Since it's a new procedure and it's not in place, it's hard to say what effect that will have. It was our feeling that it would have an adverse impact on women, because what you're talking about is, with that statistic, about 70% of teachers being female. Therefore, they're the ones that currently have gone through the procedures, have gotten their certification, and have had their three years of teaching experience.

Who is out there looking to come in to be an administrator that didn't want to start, perhaps, at that lower paid job, is the male that's employed in the labor market as a manager already, now has the access to a market where we see very few of our members already being promoted that are female and moving up through the ranks. Now that may not prove to be, but that was our feeling on that particular question.

I think there's another problem about that. We talked--

SENATOR DiFRANCESCO: You know, wait a minute, wait a minute. Seventeen percent now are females, and 70% of the teachers are females.

MS. HICKEY: So, it seems to me that there's a lot of room for improvement.

SENATOR DiFRANCESCO: Right, which was not happening under the old system.

MS. HICKEY: Absolutely. So if it's not happening under the old system--

SENATOR DiFRANCESCO: Then you couldn't be any worse off.

MS. HICKEY: We might not be any worse off, maybe, but if what it does is allow an access to a market which is already being closed out--

SENATOR DiFRANCESCO: Who determines who the principal is?

MS. HICKEY: Either hired by-- Recommended by the superintendent, and hired by the school boards.

SENATOR DiFRANCESCO: Ninety-five percent of superintendents are males?

MS. HICKEY: Absolutely. We talk a little bit about that-- There's another problem that I think exists.

SENATOR DiFRANCESCO: Go ahead.

MS. HICKEY: I'll talk about it now or when I get to it in the testimony.

In addition, the procedure for monitoring the implementation of these reports needs to be examined. The filing of a written report does not necessarily ensure that the data presented is actually being carried out in the individual schools of each district. Teachers have shared with us the following concerns: some districts are still using sexist textbooks; meaningful in-service programs are often nonexistent; many girls are still opting to not enroll in math/science programs; many technical vocational programs are still underutilized by female students; many educational opportunities are not available to pregnant teenagers; and women in history is often covered, if at all, as an addendum in March.

If I have time, I'd just like to tell you two or three short stories that I know, which either members that I work with have shared with me or that I personally experienced just this past year.

I know, for instance, when the Department of Ed. is going to come in and monitor a school district, a new recent concern had come up about following affirmative action guidelines. Some procedures that districts have used, is to insist that our teacher members memorize the name of the affirmative action officer who nobody ever knew before, and

have their students memorize the name, so that when the Department comes in and asks a question, they can tell them the name of the person who they never knew existed, nor know the job that they do, all right?

In-service is required right now. Ongoing in-service is required. I want to share with you an experience I had just this past spring.

I do a lot of training for NJEA. I train on affirmative action and explain what the State Department's regulations say, and how districts should be implementing them. I had a phone call to do an in-service training from another staff person who couldn't do it. Would I fill in and go into this school? I said yes. It was an affirmative action. When I called the school and tried to get a handle on what they wanted, it was very nebulous. So my gut reaction was, "Okay, they're worried about passing monitoring, and they want to do something."

So I gathered up my boxes, ran off handouts, arrived in the school on a very hot Friday afternoon. Nobody in the school office even knew who I was, or what I was supposed to be doing. I went to the bathroom finally. And as I was sitting in the bathroom, I heard over the loudspeaker an announcement that said, "A reminder to all staff, Betty Hinkley, from the Department of Education will be here to provide our mandatory in-service on affirmative action," which was held in a room of about 105 degrees, from 2:30 to 3:00 on a Friday afternoon. I was supposed to then go and do something to encourage our members to be enthusiastic about multicultural infusement or stamping out sexism in the curriculum. It was an absolute joke.

I was offended for myself; I was offended for our membership. They deserve more than that. That's not what the spirit of the law requires. I'm glad to see the districts are beginning to want to do some in-servicing, but that's not the way it should be done. This is a highly sensitive area, and

unless you give it the time and energy it deserves, you can't change people's attitudes. You can't get them on board because all they're interested in is, when they're going to be able to walk out of this room.

MS. SEHAM: Excuse me for interrupting you. But since you mentioned-- Since you brought up this incident, how would you think that could have been remedied?

MS. HICKEY: Well, I've made a personal commitment into the limited way I do training, that I'm going to ask a lot of questions and really insist that districts attempt -- if they're going to use my services free of charge, which they do -- that they're going to provide a meaningful environment for their employees to have the in-servicing in.

Now that has to be looked at. Part of the problem I see is that-- To be fair to the Office of Equal Educational Opportunity, they have lost many employees. They're not up to their ranks of employees. They lost a lot of funding from the Federal government, so if their job has become one of simply looking at a report in writing, districts have become very clever at writing reports that say-- You heard the Department of Ed. say, "We have great reports." Great reports do not make for great in-servicing; do not make for meaningful hiring practices within a district. We have to go out and actually look at what is being done.

I think to be fair-- Well for one thing, if the Department of Ed. through its OEO did the training and was able to do more training-- In 1981, they employed 25 people, 18 of which-- This was not in my report, because I didn't think it was my job to testify for the Department of Ed., but I just want to give the OEO a pitch. All right, in 1981 they had 25 employees, 18 of which were trainers. In 1989, they have 11 employees, six of which are trainers. So the training is just not available. I think again if they were up to snuff on the amount of trainers they had, they would be doing the same thing

that NJEA is doing and saying, "We want this to be meaningful for the people that are going to have the training experience." Because let's be realistic: The regs talk about eliminating prejudice. Do you know how hard it is to really go in and work with people to understand the nature of prejudice and give them enough training to turn around and work with kids?

It's just unbelievable. It's a very sensitive topic. It's very difficult. When we talk about-- Members tell me the women on Women in Education Committee-- It's just appalling the number of female students that just don't opt for the math and science courses. I know for a fact-- Before I worked for NJEA -- this is my fourth year -- I was a teacher for 16 years. I taught a good part of that time. I taught eighth-graders, gifted and talented. Part of my job was teaching algebra in the eighth grade. It used to tear up my heartstrings to have these girls go through my course, get straight As, and when I'd say to them, "Okay, you're ready for the advanced math courses," they'd say, "No, I'm not comfortable."

It's not so much the counselor, it's how they feel about themselves. Where I would have a boy who got Cs, and I would say, "You can't go on, in my opinion, in the advanced course. You need to go and take algebra I again." "Not me, Mrs. Hickey, I'm going to be an engineer." And the parents would support him in that attitude. Whereas, girls would many times opt to repeat when they could have gone forward.

So it's not enough to say that the counselor says-- Which I believe they do; I believe many times the counselor says, "Here are the opportunities." But it's very frustrating then, and more ongoing work needs to be done. It is how you work with the individual student to build up her confidence, so they're not shy of the math.

The Rutgers Consortium had a very good program for awhile that was helping, which was a Futures Unlimited

Program. It was geared to working with minority students -- female students -- to get over, to show role models and to get over some of that.

But again, a lot of these programs are a funding problem. When the funds aren't available to continue the program, or when Rutgers Consortium says, "Well let's try to get the local districts to work on this," it's done on a very piecemeal basis.

The same thing with teen pregnancy programs. One place might have a great one, another place might not have anything. I know from our members that, in fact, some school districts still have programs going on where boys on the roll are being mixed in phys ed classes. But as soon as that's done, boys go one way, girls go another.

The same thing is also true of the teen programs. I know from members. They tell me that their school districts have segregated programs. And what are we talking about? We're talking about the female student here. The boy certainly contributes to the girl becoming pregnant, but we're talking about the female student. She is the one that bears the burden of having that child. Then to be put in a place where they're treated and segregated in such a way that they're not offered the same courses-- I think -- it's in the testimony -- one of the real problems with that, is the complaint procedure, all right? -- that's used in Title VI.

The OEO has a complaint procedure which says, "All complaints must first be referred to the district affirmative action officer," who's usually the superintendent. I would like to ask the State Department of Ed. what percentage of affirmative action officers are not an administrator or not the superintendent? Because it seems hard for me to believe, if you as a member or a student have a complaint--

Let's take a look at it from our point of view -- the employee point of view. Suppose you felt you applied for an

administrative job and you felt you were discriminated against. Who interviewed you for that job? The superintendent. So now you go to the superintendent to complain. I mean, you have got to be one courageous person. You've got to feel that you've got an awful lot of people standing behind you to ensure that you have a chance to have your complaint fairly heard.

Let's say it wasn't the superintendent, but another school administrator. It seems to me you'd have to be an awful forceful school administrator to turn around and say to your superintendent, "Excuse me there, Mr. Superintendent" -- which is usually the case, Mr. -- "you made a big mistake here when you hired so and so for this job, and this woman was qualified." So the complaint procedure itself, bars--

The State Department of Ed. just testified, there were a few complaints. Our members tell us there were a few complaints because they don't even know, in many cases, who the affirmative action officer is. The complaint procedure clearly specifies how they must start at the local level; they must go to a local affirmative action officer. As soon as they find out who it is, they really become reluctant to go forward from that point on. Then you get into a very cumbersome local process. Then even if you're courageous enough to go to the affirmative action officer, and they file--

My members tell me that very seldom has a complaint they have taken on the local level ever been given credence. It's either pooh-poohed, or this is what happens: The woman is pulled aside and they say, "Do you ever want to get ahead in this district? Let's talk about the reality. You're not going to get ahead by complaining, honey. You're going to get ahead by waiting your turn. And we'll-- Trust us, we'll find something for you." But it isn't the top level positions. So what you're talking about is a procedure which, I think, in fact inhibits people from really coming forward and

complaining. I think you really need to look at that. And if, in fact, the OEO is going to handle complaints, there needs to be a way for people to have access, directly, to call the Office of Equal Educational Opportunity from day one, so that they feel that they're at least getting someone to advise them.

NJEA tries to encourage our local associations to become proactive in this, to support the members when they have a problem. But we know that the information isn't always readily available. Members tell me that they've gone to boards of education's public meetings and asked, "Who is the affirmative action officer?" And the board doesn't know. They've asked for copies of the procedures. They haven't been updated since-- What they get, anyway, it may not be what the Department of Ed. gets, but what they're handed is dated 1976; something that was put in place a year after the regulations first took place.

I'm sorry to take up so much time. I'll be real quick. The rest of it is dealing with two vital topics: the need for day-care and the need for parental leave legislation.

The 1988 statistics show that about 60% of the labor market is female. Of that 60%, 60.1% are working women with children under six. The reality is that we have to take a look at what we do with these children. We have got to provide adequate facilities. We've got to look at what goes on in those facilities.

Other statistics show that most stereotypic views are ingrained in children by the age of three. So we need to know that not only is adequate day-care being provided, but what is being taught in that day-care facility is that which expands the horizons of the young child, not continues to reinforce the limit. So we need to make sure, not only that facilities are available, but that we have a handle on what is going on. There has to be some standardization. Women can continue to enter the labor market. In order for them to do their jobs, they need to know that they have a support system.

I'm a working parent. Today, since my daughter isn't in school-- Everyday for me it's a matter of finding someone or someplace for my daughter to go while she's not in school in the summertime. It is difficult, and I know a lot of you have gone through this. You go to work and worry about where your child is, and is your child being adequately supervised. It is very heartwrenching. I believe that women are a valuable asset on the labor market. We have skills and bring insight that simply are needed, but it happens to be a burden that realistically often falls on us. We need to know that there's a place for our children. I want to know that when my daughter enters the labor market, that there's going to be a place for my grandchildren.

The last thing is parental leave. Public educational employees are often covered under pretty comprehensive local agreements. But they differ, so one place may provide parental leave, another place may not provide extended parental leave, because it's bargained. So if one place says yes, and another place says no-- One place a teacher may have, or a secretary may have a year, and another place they may have two or three years. That needs to be looked at.

I think that in New Jersey we can no longer wait for what the Federal government is going to do. I mean we've been waiting and waiting for the parental leave bill. We've waiting and waiting for the ABC bill. What's happening is, every year they come up, every year compromises are made, the bills are watered down. I'd like to see New Jersey take a real proactive role in those bills. I don't think we can afford to wait any longer and see what the Federal government is doing, because I'll be surprised if they come out with a bill that New Jersey would be proud of.

I think in New Jersey, for instance in Title VI-- New Jersey's bill is far superior to Title VI, we did a really good

job there. It needs to be tightened up on how it's enforced, but I don't think we can wait for the Federal government to decide what we should be doing on these issues in New Jersey.

MS. SEHAM: Thank you very much. Jill Zahniser. We will be talking to you, I am sure, as we will with everyone who has testified here today.

D R. J I L L Z A H N I S E R: Good afternoon. My name is Jill Zahniser. I am the Director of the Northwest New Jersey Regional Women's Center, located at Centenary College in Hackettstown. We are the only regional women's center in the State, and we are primarily a community center serving Hunterdon, Morris, Sussex, and Warren Counties.

First of all, I would like to say that I applaud the interest of the Commission on Sex Discrimination in examining sex discrimination in education. The Northwest New Jersey Center was established in 1987 with seed money from the State Legislature. In line with our mission to address women's needs with regard to education, the Women's Center has developed a major outreach campaign to K-12 schools in Hunterdon, Morris, Sussex, and Warren Counties. We sponsor an extensive Women's History Month celebration each winter, which deals a lot with contests for K-12 students -- essay and poster contests -- and we also have begun to offer, in the last year, in-service trainings both on-site and at the Women's Center, for educators seeking resources on gender equity and multicultural awareness. Our work always assumes that multicultural awareness and gender equity go hand in hand.

I would like to share with you today primarily my impressions of the state of K-12 education in Northwest Jersey as pertains to sex discrimination.

Women's Center programing for the K-12 schools is founded on the belief that self-esteem is critical to a successful school experience. Students need to understand and appreciate themselves, their family, and their particular

culture, in order to feel good about themselves. Most psychologists would agree that feeling good about one's self is the first step to understanding empathizing with others. The role models students encounter in school, and in school materials, are an important part of the development of self-esteem. The country and New Jersey need citizens who look at our changing culture as an opportunity, not as an insult. Whether or not families inculcate values related to gender and multicultural equity, schools must preach and practice them.

What is happening in Northwest Jersey schools on gender equity? Very little, as far as our outreach has been able to determine. There is considerable resistance, even hostility in many cases, to discussions about classroom climate -- the more subtle part of sex equity, I think -- and gender-fair materials themselves. Many teachers and administrators do not consider sex equity important. They are apparently ignorant of the fact that lack of attention to such concerns constitutes de facto discrimination against both boys and girls.

How does a junior high school girl or boy choose a vocational path, when counselors only provide information about traditional occupations for both sexes, and when the counselors themselves may well believe that reinforcing conventionally rigid sex roles is completely acceptable? How does a boy or girl encounter a full range of role models, when classroom materials typically show men as leaders, thinkers, and doers, and women as caretakers? Although there are excellent materials available at all levels on equity and diversity, even interested teachers and counselors are usually unaware of them. We do a lot of passing out of catalogs when we do in-services, simply because teachers have come to us and said, "I have no idea-- I am interested in doing this, but I have no idea of where to get materials to even begin to educate

myself." We have found that the lower the grade level, the less interest there is and the less awareness of materials, or even the issues involved.

As always, the overwhelming obstacle to eliminating discrimination is ignorance. I am not aware of any teacher in the area we serve who has participated in our in-service programs who has received information on gender equity and multicultural awareness as a part of their teacher training. The lack of teacher and administrator training on these issues only reenforces the notion that gender equity is a frill, or a trend. If we are truly concerned about excellence, opportunity, and achievement in our schools, teachers must understand the ways in which their classroom climate -- the way they teach and the way they interact with students -- and the curriculum materials may significantly decrease students' ability to achieve at their maximum potential.

I would like to urge the Commission today to consider legislation mandating that New Jersey's prospective teachers and administrators develop expertise in gender equity and multicultural awareness. The training should be hands-on and experiential, so that teachers can see and feel how classrooms are experienced differently by girls and boys, minority and non-minority students.

For teachers in the schools now, their time and lack of accessibility of resources deter even the interested professionals from evaluating and changing classroom climate and materials in their own classrooms. Incentives should be provided to encourage schools to be progressive on equity and diversity issues. Now, many teachers reluctantly attend mandated affirmative action in-services with closed minds and closed ears.

It is my understanding that the State of Minnesota has mandated school districts to submit district-wide plans by the spring of 1990 to accomplish gender fairness. Without release

time, however, for teachers and administrators to allow enthusiasm and even creativity to flourish, without financial incentives, most mandates from the state are simply burdens to the majority of instructors. We must not make K-12 teaching any more difficult than it already is, and it is extremely difficult right now. I encourage the Commission to draft legislation which will inspire and encourage schools to give the best possible education to students of both genders and all races and cultures.

Thank you.

MS. SEHAM: Thank you. We have another member of the Commission who has arrived. Assemblyman Alan Karcher.

Does anyone have any questions of Dr. Zahniser? (no response) Thank you very much. We are really getting back on schedule. This is great.

Is Suzy Chichester here? (affirmative response from audience) Great.

S U Z Y C H I C H E S T E R: Commissioners, elected officials, guests: My name is Suzy Chichester, and I am Legislative Aide to Assemblyman John E. Rooney. The Assemblyman would have been with you today but, unfortunately, a conflict in his schedule prevented that. He is extremely appreciative of the opportunity to have his legislation -- A-4040 -- discussed by the Commission, as he feels that the program that would be created through his bill could do much for the economic well-being of its participants, and provide industry with talented and trained workers.

Assembly Bill No. 4040 would establish within the county college system a single-parent and low-income individual educational program that would combine a course of study in specific areas of high technology with a one-year salaried internship related to that area and professional development skills studies. His bill is drafted in a sex-neutral manner.

The legislation is based on a successful program that has been in existence at the University of New Mexico since 1981. The UNM program was the recipient of the American Association of University Women's first Progress in Equity Award. This award is given annually to a program or initiative that demonstrates an institution's commitment to equity for women in higher education, and that has resulted in significant progress toward such equity.

In 1981, armed with a \$3000 grant from the National Science Foundation to initiate the program, the Los Alamos Women's Center, the League of Women Voters, and a branch of the AAUW conducted a needs assessment survey to ascertain the demand for specific types of employees, and a separate survey to determine the employment needs and levels of academic training of local women.

The employers' survey found that major companies in the area were experiencing difficulty in hiring qualified employees in certain technical fields. The potential employees' assessment revealed that, of those responding to questions concerning education level, approximately 85% had earned some college credits, yet only 55% had actually received degrees at any level. Of those degreed, almost all had been earned in liberal arts and were not marketable in scientific or technical areas where needs and jobs existed.

Utilizing this data, a work study reentry program for women interested in reentering the job market and willing to be retrained in the scientific or technical areas that appealed to the local job market was initiated.

Early in the program's existence, funding was obtained from grants from various foundations and organizations. Between 1986 and 1989, the program operated under funding from the New Mexico State Department of Education's Technical-Vocational Division. As of this month, the program is to be funded via the internship contract the project has signed with the Los Alamos National Laboratory.

The 1987 figures showed that of the more than 100 women who participated in the reentry program, 85% of those who completed the associate level program became employed full-time, and the average annual salary of the program's students at \$9600 increased to \$26,000 when they obtained full-time employment.

Including the current class, 150 women have completed the program: 92 are employed full-time; 17 are still in the internship phase; and several have left the area and have not informed the program of their status.

Quoting the program's brochure: "Women who were once teachers, nurses, sales clerks, waitresses, bank tellers, cosmetologists, artists, and homemakers, ranging in age from 23 to 57, with children from newborns to age 28, have completed the program. They have had incomes ranging from nothing to \$12,000 per year. Their incomes have grown to from \$28,000 to \$40,000 a year."

The program that Assemblyman Rooney envisions for New Jersey is geographically more diverse, in that our State has a well-developed and vital county college system currently offering a wide range of associate degree programs. Utilizing this existing foundation, each county college is to develop a plan to provide a program in areas of high technology as identified by the State Department of Labor. The plan must include a one-year salaried internship with a local employer, and a two-term professional development course in which students learn skills such as resume writing, interviewing techniques, salary negotiation, professional ethics, and time and stress management.

As amended by the Assembly Higher Education Committee, each single-parent and low-income individual job reentry program participant is to receive a tuition aid grant equal to the difference between the tuition at the county college and

all other available State and Federal student tuition aid grants received by that student. The student must apply for all available tuition aid grants.

Fewer dollars in a woman's paycheck, although inequitable in itself, has far-reaching ramifications in the ability to obtain credit, purchase insurance, and in retirement benefits in pensions and Social Security, all of which are based on income. Throughout history, women's economic status has taken a secondary role. That must end now because of changing economic conditions in our country and throughout the world. We must begin to understand and value each individual's contribution to society.

Lack of training and educational opportunities contributes to salary and job discrimination for women and poor individuals of both sexes, resulting in economic inequities that ultimately deprive society of human potential, and all of us are the poorer for it.

I would be happy to answer any questions you might have about the legislation.

MS. SEHAM: Thank you. Does any member of this Commission have any questions?

MS. WERTHEIMER: Will we get copies of the legislation?

MS. CHICHESTER: Pardon?

MS. WERTHEIMER: Will we get copies of the legislation?

MS. CHICHESTER: Yes. I can run downstairs now to the Bill Room and bring up copies for you, if you would like that.

MS. WERTHEIMER: Thank you.

MS. CHICHESTER: May I just add that the legislation is currently in the Government Operations Subcommittee of the Appropriations Committee. I would urge the Commission to please back it, and urge its quick passage.

Thank you.

MS. SEHAM: We do have a question.

MS. CHICHESTER: Yes?

MS. GRIFFIN: Suzy, I'm sorry. We had a witness earlier who said something about AFDC women. When they get grants at community colleges for things like books, the welfare office immediately deducts those grants from their welfare grant. I don't know if this would not impact on that, or--

MS. CHICHESTER: I am under the impression that there was legislation that corrected that, and that they cannot do that anymore in figuring the grant. I may be laboring under a misapprehension, but I would check out the current statutes.

MS. GRIFFIN: Yes, okay.

DR. VAN JONES: May I ask one question? The REACH Program-- Has there been any collaboration and linkage with Governor Kean's, you know, REACH Program, with this new idea?

MS. CHICHESTER: Well, hopefully, there can be; hopefully, there can be.

DR. VAN JONES: But nothing has been done?

MS. CHICHESTER: Nothing formal in that, because many of the goals are the same. However, in the REACH Program, you are definitely going to be targeting those women with very, very low incomes -- those with practically zero. In this particular program, the idea is to take not just those women who have no income at all, but those women whose incomes are lower than what they should be, and provide them with the ability to earn a decent, respectable, living wage for their families, enough so that they can go out and really economically participate in society, in terms of buying houses, cars, and things like that.

DR. VAN JONES: Thanks.

MS. SEHAM: Thank you.

MS. CHICHESTER: Thank you.

MS. SEHAM: We are scheduled to adjourn this session at four o'clock. We have another session beginning at 5:30, with two people scheduled to testify at that time. Since it

isn't four o'clock yet, I wonder if there is anyone here who is not scheduled to testify at 5:30, or after, who would like to address the Commission on any of these issues? (no response) Okay. Then I guess we can start our meeting a little bit early.

Thank you all for coming. We will be getting in touch with you, I'm sure, as we study these issues.

(RECESS)

AFTER RECESS:

SENATOR LIPMAN: May I have everyone's attention? Is Ms. Joyce Vuocolo here?

J O Y C E V U O C O L O: Yes.

SENATOR LIPMAN: Oh, that's you, all right. We are going to begin this session. Ms. Vuocolo has kindly stated that she does not mind our eating while she is speaking. Ms. Vuocolo is a Library Science Specialist.

MS. VUOCOLO: My name is Joyce Vuocolo. I taught library science in elementary schools for several years, before resigning and becoming a free-lance librarian.

While I was a children's librarian, there were many instances -- many books I would read to the children that I really felt were sexist. There is no way you can just go into a library and clear them all out, so I always felt that the thing to do, after you read that story, was to kind of go into it and say, "Well, who would you rather have been? Would you rather have been the giant or the princess?" You know, that kind of thing. That was my own way of coping with it.

When I went to school -- I went to Kean College in the '70s -- this was a very hot item -- sexism in literature -- and there were courses given. I was going to be a teacher of library science, and I took a course something along the lines of sexism in literature. It was great. It made me aware of

what was going on, more so than-- I think if you do not take a course like that, or if you are not made aware, you just kind of loll along, and don't see anything wrong with the books.

I chose a couple of examples: This particular one -- "Oliver Button is a Sissy," by Tommy DePaola (phonetic spelling)-- The title sounds good. This was written, by the way, in 1979. It is about a little boy who doesn't like to do the things that boys are supposed to do. The very first page -- that is what it says. He didn't want to play ball and be rough and tumble, and so forth and so on. What he does like to do is dance. All the pictures throughout the book show him as the only boy who is dancing. His peers, naturally, tease him, make fun of him, and his parents do, in the beginning of the book, but by the end of the book they are kind of reconciled to the fact that he is going to be a tap dancer.

At the very end -- the children in the story supposedly had written on the school wall -- "Oliver Button is a sissy" was crossed out, and they put, "star." That is just not the way it is. Just because they saw him tap dance, they are not going to all of a sudden think that he is wonderful and exciting.

The career books were the worst offenders. Most of the children's libraries I talked to have pulled these kinds of books from their shelves. Very traditional -- traditional, I say. One book is all about a little boy who, if he could work -- if he didn't have to go to school what he would do. Obviously, he does not choose to do anything, other than be a fire fighter, a bus driver, a carpenter, an inventor -- those kinds of things, all masculine.

This one should be a very good book, "Sonya's Mommy Works." This was written by Alan Alda's mom -- mom, excuse me, his wife. It should be a good book, but there are portions of it that just send me crazy. At one part, Sonya has to get herself dressed in the morning, in the clothes she picked out

the evening before. Sonya wishes that her mother would help her. It sounds so much like, "Oh, woe is me. My mom is not helping me pick out my clothes." It just-- I would think that if I were a five- or six-year-old -- and this is the way they are going to feel; children feel this way-- This just reenforces it, like, that rotten mother is not there helping this child to pick out her clothes.

Also, Sonya's mom works with public relations. They never say what Sonya's dad does. Sonya's mom has to go away on a five-day business trip. Sonya's mom immediately calls in her mother to take care of Sonya. Now, when I think in terms of the roles of Sonya's mom, or myself -- chauffeur-- We are more chauffeur. The majority of chauffeurs are men. Cooking -- cooks, chefs -- the majority are men. Even cleaning services, the majority of them are men. Doctors, the majority of them are men. But Sonya's dad couldn't cope with a five-year-old for five days, so Sonya's grandmother had to come. As I said, they never said what Sonya's father did. I assume he was probably a pediatrician. (laughter)

It should have been a good book; it could have been a good book, but there are those little instances in there. There is someone who takes care of Sonya after school. That person was not going away, but for some reason Sonya's dad could not cope with Sonya.

One of my all-time favorites -- and I would like to point out that this was written in 1953-- It is called, "Madeline's Rescue." This was one of the few feminist books. Madeline goes to an all girls school. She is not afraid of mice; she is not afraid of the dark, and so forth and so on. This is one of the few books where Madeline is a tomboy, but does not get criticized for it. Usually, girls will try to break out of their stereotyped role, but they get criticized for it: "Stop doing that; don't do that." This book from 1953 is really great. She is not criticized at all for not being afraid of things.

One of the last books I brought is, "White Snow, Bright Snow." This is a Caldecott. That is why I chose it. Caldecott is the award for the best picture books. There are two chosen each year. There is an original and a runner-up. In this story, naturally, the men are doing all these wonderful things. A policeman buttons up his coat, and his wife makes sure she has a cough mixture in the cabinet. These are books that got the biggest award in children's literature. The policeman got his feet wet and had to soak them in a tub of hot water. His wife put a mustard plaster on his chest so he wouldn't catch cold -- those kinds of things. The policeman had a chill and stayed in bed. His wife sat in a rocker and knitted him a long, woolen scarf. It is kind of frightening knowing that this policeman-- If it weren't for her, I don't know what shape he would be in. (laughter)

Those are just examples. There are many, many. I would like to note, too, that I spent a lot of time in the children's section of the library this last couple of weeks. There were no little boys there, as there are no boys here tonight. There were many children -- girls with their parents.

Some other information that means a lot to me: We talk about education. I recently read this article about television. Television is probably the one of the most influential sources of education we have. I got a kick out of this one statistic: "More American homes have television than have heat or indoor plumbing." (laughter) That sounds a bit rash, but that is what it says.

This was interesting, too: By the time a child graduates from high school, he or she will have spent less than 12,000 in front of a teacher, and more than 22,000 hours in front of a television set. By the age of 17, each child has seen 350,000 commercials. Commercials are probably one of the absolute worst when it comes to educating. They are not

something we have a choice in. You can be watching the most educational show there is, but when the commercial comes on, you have no choice. Of course, you can walk away at the time.

"Sesame Street" and the "Electric Company"-- I was very surprised. Those two have always been forerunners. "Sesame Street" had a three to one ratio of males to females when they looked over their statistics. I was surprised. The "Electric Company" was two to one. A sample of "Sesame Street" -- and this was very interesting-- Susan says, "Maybe I can get my husband to take me to the movies tonight," suggesting that she is financially or physically incapable of going herself. What they suggest is that you reverse it and give Gordon the line; have Gordon say, "Maybe I can get my wife to take me to the movies," and see how really ridiculous it sounds. But these are the things that the children are seeing. "Sesame Street" is two-, three-, four-year-old children. It's education.

We see the women being pitted against dirt. This is their goal in life, to keep their husband's shirts sparkling clean, and to keep dirt out of the bathrooms and such. A beautiful dinner party is destroyed because they found spots on the glasses. You know, this is education. These kids are sitting in front of this television, day after day, hour after hour, and this is what they are seeing: "My goal in life is to have my stemware clean, so that my bridge party will be a success."

This is cute: "A housewife who successfully tames dirt still runs the risk of disaster at mealtimes. Her mother-in-law might find her spaghetti sauce thin; her kids might not like her green beans; and, worst of all, her husband might commit coffee infidelity by accepting a second cup of coffee from another woman's pot." (laughter) This was a very funny article.

They talked a little bit more about commercials. This particular one says: "Airlines are the wings of man," but they offer "Take me along" rates for wives. I get a kick out of those.

I have other articles here, but I am not going to go into them. There is one thing that bothers me: I can't believe that this is almost the 1990s, and we are still having these kinds of discussions. I mean, this is ridiculous. I thought we solved all of this. This should not be. We should not have to still-- Everybody knows this; they must. But, they don't; they don't. They don't see it, because they are not aware of it. We have to get our colleges to have programs for teachers, to make them aware. You can't take all the fairy tales in the world off bookshelves just because the women are desirable because they are pretty. But at least make the teachers aware of it, so they can read the stories and then go into it and explain, so they don't have boys' books and girls' books. Girls read boys' books; boys don't want to read girls' books because of peer pressure, because we channel them that way. We have to stop it, and the only way to stop it is to get teachers to understand not to do it. Girls can take out garbage as successfully as boys. They should.

Let's see-- That is basically what I have. I will tell you that when I went to the library Literature Index-- They index thousands and thousands of periodicals. From 1987 to now, there were three on sexism in literature -- in children's literature -- three. The majority of them were from the '70s, most often 1972.

I appreciate your having me here. If you have any questions, if you want to ask me anything, I would be happy to answer them.

SENATOR LIPMAN: Okay. Feel free, everybody.

MS. GRIFFIN: I would just like to know: We hope to make legislative recommendations. What kinds of laws do you

think would have to change before-- Are there any legal ways to get this changed, or are you mostly talking about societal attitudes? Would it be training for teachers?

MS. VUOCOLO: That is the only thing I-- I don't see how-- It is not something you can legislate. You can't just say, "Don't do this." There are a lot of books that have the traditional sex roles in them that are valuable in many respects, but if the teachers-- I really believe it has to start with the teachers. These teachers are teaching children who will someday be parents. It is not something-- You are not going to take a child who is 15 or 16 years old now and change the attitude. You can change them by teaching them, but they were brought up with that attitude. You can make them aware so that they can change themselves.

What I am hoping for is for our colleges to offer these programs, and maybe even make them mandatory. You should have to take something to make you aware of it, so that you don't-- I saw it so much in the schools. Sexism is there in the science and the math. Of course, in elementary schools, it is a little bit different, because sometimes the girls are better at science and math in the early years. It is not until they get into high school that they tend to want to hide their intelligence.

Education, to me, is the only way you are going to do it. I don't think there is ever going to be a time when you are going to be able to say, "As of July 18, this is over. There will be no more sexism." It is going to take time. However, it has already been 10 years. I can't believe we are still in the same spot 10 years later. I think education is the solution to it. Perhaps we should require people who are already teachers to take some kind of courses. It doesn't have to be something-- Mine was one week.

MS. GRILLEN: Do you think this is something that could be incorporated in, like, "Family Life," or whatever it is called in the curriculum?

MS. VUOCOLO: I don't know. Well, yeah, I guess it could be. Then it would probably be a sidebar rather than a main issue. The main issues are going to be pregnancy and sex, and contraception. I think that would take a back seat if you put it there. I think it needs to be something on its own -- an awareness of the fact that this does exist.

SENATOR LIPMAN: Anyone else? (no response) I think you have touched on what the Commission is really interested in -- how to change, using your word, "traditional" stances. I think it may encounter a lot of difficulties. Even the writers have to change their minds, too.

MS. VUOCOLO: I found that the writers in the '70s -- '75, let's say, after the real uproar-- The publishers, naturally, were then aware that they could not have these kinds of books. They were very aware of sexism. So they allowed the most trashy books you ever read in your life, just because they were not sexist. You know, there was a rash of them. As a librarian, when you order books, you read book reviews. Sometimes they are a paragraph; sometimes a half a page perhaps, which is enough for a book this size. (demonstrates) Sometimes a teen-age book could use a little bit more. You order the books due to the bidding procedures for purchasing books for public schools. You get that book, and it's yours. You can send it back, but half of the time in sending it back, it costs more. There should be provisions for books on approval. There was a time when you could do that. You could order books, read them, and decide whether you wanted them or not. Nowadays -- and I don't know if it is this way in all of the public school systems in New Jersey -- where I am from, you cannot order books on approval. You order them through a bidding system, and that's it. Once you have received them-- As I said, you can return them, but if you return an \$8.00 book, it cost you \$4.50, and you never see that \$8.00 again either. It doesn't go back into your budget; it goes someplace else.

The publishers were putting out books that were literally trash. They were not sexist, but they were awful. They were very poorly written, but not sexist. It reminds me of the time when we were talking about racism. All of a sudden, all the textbooks-- They took all of the children and they just colored their faces. That's all they did. They didn't change anything about their life-styles or their manner of speaking; nothing. They just colored their faces a different color. That was their answer to--

DR. VAN JONES: "Jack and Jill."

MS. VUOCOLO: Yes, you know. I found that that was similar to the sexism issue. They just came out with a rash of books that were trash.

I think I was telling a friend about a book that I ordered that was called something to the effect of-- It was feminist fairy tales, or folklore. It had a good write-up because it was supposed to be feminist. After I got it, the book was not very well written at all. The stories were old stories that they retold, and they did a very poor job of it. And on the cover of the book was a naked woman. It was really made to be nice. (indiscernible responses here from various members of the Commission)

SENATOR LIPMAN: What kind of recommendation would you make to this Commission about how we could help with this kind of -- persuasion, I guess -- how we could change minds? Would you recommend, as you said a little while ago, just the education of the teachers, to make them more conscious, more aware of what they are actually doing? The strongest objection, I think, would be parents, who think that maybe their kids are not being told whether they are male or female. Parents want strong emphasis. That's why you see girls with dolls and boys with trains. They want you to know that he is doing what he should be doing, and that she is doing what she

should be doing. Boys never play with dolls. They might like to, but they don't have a chance. What kind of suggestions could we make?

MS. VUOCOLO: I would tend to be kind of cut and dry about that, and say, "Too bad. If that is the way you feel about it, fine, but don't attend these classes, don't be aware. I'm sorry for your children." I am not saying that we should all of a sudden turn all of our little boys into doll-playing children, or all our little girls into carpenters or truck drivers, not at all. I also don't advocate taking all of these books off the shelves that are, to my way of thinking, sexist. They have a great deal of interest. There just should be both offered to the children.

I don't think just educating teachers. It would be nice to have community programs also. This is kind of a-- Oh, here it is. The title of this book -- and I did some reading of it -- is, "Growing Up Free: Raising a Child in the '80s." This was very well written. It hit on every single aspect and how it could be approached.

There are going to be people who don't want -- who want, again, that word-- When I say "traditional," I am being somewhat facetious.

SENATOR LIPMAN: I know. It is traditional.

MS. VUOCOLO: There are going to be people who are that way. There is always going to be someone who objects. That's okay; they have a right to object to it.

SENATOR LIPMAN: I think, well, I don't know-- We agree with you, but how do we get that over to the public? That is what we are supposed to do. This is really a hard one.

MS. VUOCOLO: Is there objection to having classes in college again?

SENATOR LIPMAN: No.

MS. VUOCOLO: Mine was an elective. Personally, I think they should be required, but that is my own thought.

DR. VAN JONES: Do they still offer that at Kean College?

MS. VUOCOLO: No, they don't.

DR. VAN JONES: Do you know anything about why?

MS. VUOCOLO: I called Kean to see if they-- It was the money. It was no longer going to be financed. As I say, this was in the '70s. I called Jersey City to see what their story was. They sent me from one person to the next and to the next and to the next. Finally, I got a woman from Modern Languages, and I said, "No, forget it."

DR. VAN JONES: That was the idea, hoping you would stop calling.

MS. VUOCOLO: "Forget it. I can't cope with this." I called New Brunswick and Newark for Rutgers. I got the telephone number out of the Legislative Manual. They told me the phone number had been changed to an unpublished number -- (laughter) the number for Rutgers, I guess. I'm assuming it was a misprint -- I don't know -- but they told me it was changed to an unpublished number, so I couldn't check out Rutgers. I wanted to check Douglass. I was curious to see if they had anything, but I could not get through to them. I know that Kean is no longer offering it, and I know it was because of the money that was taken away from the program. It was an excellent program.

It is just a matter of awareness. I am not saying they should be taught to teach the children this; just more for themselves as a self-enrichment tool, to make themselves aware of what we all do, day in and day out, that forms the attitudes of our children.

SENATOR LIPMAN: Any more questions? (no response)
All right. Thank you so much for coming and for bringing us all those marvelous books to see.

I guess we should see if Ms. Kathy Nicholls is here.

K A T H Y N I C H O L L S: That's me.

SENATOR LIPMAN: Oh, that's you.

MS. NICHOLLS: We met already.

SENATOR LIPMAN: We sure did. We won't say where. Kathy is Director of Operations for the Greentree Learning Center.

MS. NICHOLLS: Whenever you're ready.

SENATOR LIPMAN: Okay, we're ready.

MS. NICHOLLS: Okay. Good evening. It is nice to be here -- better than I thought. This is a good act to follow, because actually I learned that a librarian has some things to tie into some of the issues that I would like to talk to you about on child care.

My name is Kathy Nicholls. I am the head of operations at the Greentree Learning Center. Greentree is a group of centers -- eight centers -- in South Jersey. We have been in business since 1974, and I have been with Greentree for six years. I came up through the ranks. I started as a teacher. I taught the four-year-olds. Part of the reason I was there was because of my own daughter. I am a single parent, and I wanted time to be able to be with her and to be able to have her come to school with me on her vacation days and her days off. So, it worked very well for me. Teaching is something my mother also does. It is something I did out of college. So I am now getting into the business end of things

I am here tonight to talk to you about child care and the fact that it is the issue -- one of the big issues of the '80s, as everyone is aware. It has become, and should be of great importance to all of us -- a great concern to all of us -- because what we need to do is provide for our children the highest quality of child care that we can possibly deliver, in order to grow them into the best leaders of tomorrow; in order to help them to become the people we want them to be; the people they want themselves to be.

What used to be provided at home by a mother or a father or an extended family is no longer. It is not the wave of the '80s. It has grown. Child care has grown rapidly. In 1988, 51% of women were working outside the home. So that leaves children under six-- This is mothers of children under six years of age, and they need to be cared for by someone. It can't be just any somebody. It has to be quality. I want to be able to define that, my feeling about quality and how we can attain that for all of our children -- the children who are from single-parent homes, children from low-income homes. Those are the ones I think we need to worry about most of all, because to afford quality child care these days is not easy. It takes a great percentage of people's salaries.

So, I think that for all of our boys and girls, to look out for their futures, we really have to take a look at how we can help to maintain quality for the children. To my way of thinking, quality of child care exists when, first of all, there is a safe, clean, sanitary environment. That has to be something that is a priority. The environment itself has to be suited to the needs of the children. They need to have an area that is conducive to learning, to growing, to playing, to interacting with their peers; to be comfortable, and to feel loved in, and to feel secure in.

Quality child care also exists when there are developmentally appropriate programs for the children that meet the needs of their ages and their stages; that are appropriate and that are helpful and that are geared to allowing them to grow at their own speed at an individual rate, as you are looking at the child as an individual and trying to help him, knowing how he or she is going to grow best; by preparing yourself for these ages and stages, by knowing what is going to be coming. Certainly that can help you to help the child.

Quality child care exists absolutely where there are warm, loving, trained individuals, who are helping in

facilitating the growth of a child, and caring for that child, because children need to be nurtured and well tended, and be able to feel safe and secure in order to develop not only socially and emotionally, but intellectually and physically, and even spiritually.

They need all of this to become -- to attain their uniqueness, their individual best. Whatever it is for them, whatever their full potential is, is what they need to be helped to do.

Quality child care also exists when children are encouraged to interact well with one another, to love one another, to think, to plan, to make choices, to feel secure, and feel successful. We feel that children's work is their play, and their play is their work. They learn through that. More than anything you can say, that you can give to a child, is the ability to discover the world himself or herself through play, through making all the choices you make: "Yes, today I am going to play in the dramatic arts area. Yesterday I dressed up, and today I will play with Sam. And today I will put on a hat. And today I will share something. Yes, it is not easy, but today I will wait those five minutes, and when the time goes off, I will be able to have that toy."

A child needs to believe that you are there to care for and protect him, and for you to care for and protect her. Each of those children depend on you to be consistent, to be fair, to be just. That may not be what they get in the rest of the world, but that is what they want and hope for from us. One of the things we do with children is to teach them to use their words, instead of being physical with one another. One of my friend's daughters is at our school. Her name is Ashley. She is real cute, but she had a tendency to bite. After a while, she was kind of growing out of it, and we would always say to her: "You need to use your words. You need to tell her, or him, 'I don't like that. You have to stop doing that.'"

One day she came in and was sitting on the Director's lap because she had bitten again. She sat and was asked what happened. Ashley said, "Well, I used my words, and I told Miss Brenda, but she didn't stop, and I finally bit her." We thought that was really good, because she did really attempt to go through the hierarchy of-- I thought that was pretty good. I probably would have bitten, too. I don't know.

The choices that children make-- They also need to know that they can have fun. They need to know that they can learn from just about anything. They need to be safe enough to ask questions. That is part of what quality child care is. Through their play they also discover the world and learn how later on in the world they are going to address questions and issues and people. I feel very strongly that it is in those years -- those early years, those first five years -- that they learn more than they probably ever do in any other five years. There are studies on it. I am not sure if we are ever going to be conclusive in our feeling about it, but if you take a look at an infant and see how far they have come when they reach five, I think it is clear that whatever is impacting on them at that point in their lives is incredibly important. Our children-- All of our children, all of our boys and girls, have to be important.

If you look at the public schools, if you look at the private schools, you see that they are regulated. They are mandated by law for certain curriculum and issues and so on, the time that they have to be outside, that kind of thing. Why then do we not take that and extend it down? I think we need to. I think we are coming to a point where there needs to be some regulation, and that is difficult. That is one of the things I want to talk about. That is mostly my thrust here in talking about early childhood, quality child care, and how we can get there.

Quality child care also exists when we have teacher-selected and child-directed activities, so that there is a balance in their day. "Some of the time, I am going to choose what you do, because I am going to be able to set up a way to help you to grow, and some of the time you may be able to choose what you want to do."

In that setting -- in the quality child care setting -- we need to encourage problem solving, self-reliance, exploration, taking turns, sharing, self-discipline, self-esteem. So with all of these things you can hear at least-- As I sat and listed and thought, it grew larger even for me, and I have been in this for a good long time. I realized how very important all of these things are for these children, all that we are trying to do. We are not just trying to toilet train; we are not just trying to help them with their pre-reading skills. We are helping them through their lives.

You all know how quickly the years go, and that they can never be recaptured. That is the risk we run if we don't look out for our children now. The needs of these young children are many. The responsibilities we have to them are grave. How can we ensure that all of our children have the opportunity to grow, and grow well in these formative years?

Well, I know we are trying to work toward it. I know, and you know, that we have bills pending to legislate for us. We have committees such as yourselves interested in looking into this further and trying to understand what needs are out there. Parents are encouraged more and more to become a part of their child's school, the sort of thing we do in public schools with PTA and that kind of thing. It is a two-way street. I say to the parents: "It is not only the teachers' responsibility to talk to you, or the caregivers' responsibility to come to you. You must go to them. Know who they are. They are taking care of your child. You have the responsibility. You should want to know that you can walk away for eight hours and be able to do your job well. You need to know that person."

What else can we do? Well, one of the things I thought about -- and I'm sure everyone else knows this -- was that in child care we need to start paying a living wage. I am told that it is the "new women's ghetto." But that is another story, and I will come back next time, if you want, and talk about that. That I won't be able to handle now, but I certainly think it is an issue that needs to be looked at.

The issue I am choosing to talk about right now is licensing. Licensing is something that child care centers do. Through the State, we are inspected. We send for a license; we pay a fee. We get a certificate of occupancy for a building, or a continuing certificate of occupancy for an old building. We go through fire inspections, electrical inspections, and plumbing inspections -- inspections upon inspections -- health pre-inspections and then post-inspections, and life safety and programs. That is what a center goes through. That is what I have become very conversant with -- the licensing procedure. It's fine, and it's necessary, because, again, if we are talking quality child care, you can't have it if the building isn't safe. You can't have it if there are no exits close by to get out of, or if there is asbestos in the walls.

So, we go through a battery of tests in order to be licensed. One of the problems I see is that family day-care is not mandatorily licensed. Many, many people are licensed; many of them are. They voluntarily go and do this, and I am sure it is not easy for them. I don't think they do through quite the same battery of inspections that we do. I hope not. I hope they don't have to pay the same kind of money we do. I have even ended up paying a \$2 license to one of the townships for being a restaurant, which I am not, but I had to do it anyway because they said I had to do it.

What I want, what I would think we need, is some way of licensing the family day-cares. Now, family day-care-- No one can agree on an exact definition of it, so I can't help you

with it. I can only say that for the most part, in some instances, it is considered more than three children and less than five in a non-relative situation. So, the children are not with a grandmother, they are not with an aunt. It is someone else who is minding them for the day. The age span may vary from six weeks or zero -- almost zero -- to six years. The problem I see is that I think, in some instances, those children are probably very well cared for. In many, many instances, they are probably well taken care. I would like to hope that; I would like to think that. They are probably nurtured; they are probably loved; they are probably taken out for fresh air. They probably have someone who is very interested in them. They may have someone who doesn't know a lot about children, but maybe enough, or appears to know enough. I think that love is mostly what you need, and then you can have training.

Some of those children are probably with people who are just having them sit in front of a TV, as the librarian was saying, looking at the violence and the commercials, going out to the movies. I have seen little children at the movie, "Aliens." Some people are not making good choices for these children. How do we handle that? Well, I know licensing sounds, to some people like an overwhelming, monumental task, and that may be. I am not sure logistically of all the ways that we can monitor everyone, but I think that if we offer a tax exemption, a benefit, a support system, a resource for these people-- If there were a reason for them to come and voluntarily say, "Yes, okay, I will be licensed," and they don't have to go through hassles, red tape, and a great deal of money, but truly just pare back to the bare necessity of looking over their program and their house to make sure that the children are safe and are taken care of well--

I guess, from everything I have said, and from what I have read now that I have looked into it further-- I looked

It says: "All I ever really needed to know I learned in kindergarten," but I make it nursery school, too. "Most of what I really need to know about how to live and what to do and how to be, I learned in kindergarten. Wisdom was not at the top of the graduate school mountain, but in the sandbox at the nursery school. These are the things I learned: Share everything; play fair; don't hit people; put things back where you found them; clean up your own mess; don't take things that are not yours. Say you're sorry when you hurt someone; wash your hands before you eat; flush; warm cookies and cold milk are good for you; live a balanced life; learn some and think some and draw and paint and sing and dance and play, and work some every day. Take a nap every afternoon. When you go out into the world, watch for traffic. Hold hands and stick together. Be aware of wonder. Remember the little seed in the plastic cup. The roots go down and the plant goes up, and nobody really knows how or why. But, we are all like that. Goldfish and hamsters and white mice and even little seeds in plastic cups all die, and so do we. And remember the book about Dick and Jane and the first word you learned, the biggest word of all -- look." Everything you need to know is there somewhere -- the golden rule and love and basic sanitation, ecology and politics, and sane living. Think of what a better world it would be if we all -- the whole world -- had cookies and milk at three o'clock every afternoon, and then laid down with our blankets for a nap, or if we had a basic policy in our nation and other nations to always put things back where we found them and clean up our own messes.

"It is still true, no matter how old you are. When you go out into the world, it is best to hold hands and stick together."

DR. VAN JONES: May we have copies?

MS. NICHOLLS: I made them for you. I thought you would like it.

I would be happy to answer any questions you may have for me, if I can.

SENATOR LIPMAN: Okay, who is going to start?

MS. GRIFFIN: May I?

SENATOR LIPMAN: Yes.

MS. GRIFFIN: Kathy, when you talk about licensing family day-care, one of the things that I always get caught up in when I am in discussions with people about this is, "Well, then, when are they going to start licensing mothers to stay at home?" I get that from both sides. I get that from people who say, "You shouldn't license, because it restricts the free enterprise of women who want to work by having children in their homes. They make little enough as it is." I get that from people who think there shouldn't be day-care at all. It is just the State intruding that makes women have day-care anyway.

But it does come down to a point where you have to draw the line about, where does the State get involved? If a mother can stay home and have her kids laying around watching TV, why can't a day-care? I would just like to get that on the record.

MS. NICHOLLS: That is not something I know how to address, except that we certainly don't want the "Big Brother" routine. We don't want televisions in, monitoring everyone's household. I know what you are talking about with free enterprise and that kind of thing. However, what my suggestion was, though, was a tax break. I wanted to benefit that woman. I do not want to put anyone out of work, especially coming from big child care centers. That is the risk I run when even saying anything. But I wanted to benefit that person, and ultimately benefit the children. That is my bottom line.

I don't know. We would have to take a good, hard look at it. How many are too many? How many make you family day-care? I don't know. As I say, they are still playing with

that, too. The people who are talking about it -- about family day-care -- are still not sure. Is it three, is it five, is it over this, is it over that? It is a tough issue. I know what you're saying, and I have already thought out all of the things that you have mentioned. But I only have the one answer about it, a tax break, or something to benefit that person, not take away money.

MS. GRIFFIN: Kathy, what do you see as the prime benefit to licensing family day-care?

MS. NICHOLLS: I think the safety of the children and the well-being of the children are what I see as the prime benefits for licensing.

MS. GRIFFIN: How do you see that in terms of, for example, the woman who takes in the children from her neighbors so they can work? With licensing, will that put on certain -- in your mind and in your vision of what licensing is -- requirements or qualifications and the like that this average woman who takes in her neighbor's kids may not be able to meet?

MS. NICHOLLS: I would hope that it would be a broad enough spectrum to allow someone who is very capable, as I think I mentioned. Love, warmth, and caring are really the most important issues in my mind. When I look to hire, those are the first things I want. I can train how to teach. I can tell you how to do certain things. I can give you the tools for it. I cannot give you that caring, that love, that warmth. So, those are things I think should be looked for. Definitely, the family day-care centers must be licensed a totally different way than a child care center.

I spend a great deal of time with people, and it is beneficial to us and is definitely what I want to do with the licensing. However, I wouldn't want that to happen to one single person who is in her house. No, I think that-- Again I'm thinking just pared back, just really looking at, are there exits? Can we get a fire extinguisher for this person? Is

there adequate space? And then provide training. Why not provide training? Go in free; help out with it. You know, give suggestions on curriculum in just a pared down way. "Here, you can do this, this, this, and this." We have done it in our centers and we do training on an ongoing basis. It kind of rejuvenates people. I think that that lone woman in that room with, you know, all those children sometimes must feel very stressed, very alone, and not know where to turn. I think we could offer that as a benefit as well -- a support system.

SENATOR LIPMAN: Where is the Greentree Learning Center?

MS. NICHOLLS: Greentree is in Mount Laurel. It started in Mount Laurel. It was a home in '74. Now we have three in Mount Laurel, two in Cherry Hill -- no, three in Cherry Hill -- and two in Voorhees. I just opened our third one in Cherry Hill two weeks ago.

DR. VAN JONES: What are the qualifications for a woman who wants to use your center? What are the qualifications? Do you have an income eligibility, and all of that? What is the criteria?

MS. NICHOLLS: I guess mostly it is whether we provide the right program, if they decide to choose us after they come and tour with us and ask all their questions. Affordability is definitely something in a private business such as we have. However, this year we have extended to taking REACH children. I am very happy about that. It is something that I helped to implement. I feel a moral obligation to do those kinds of things. I think you have to put back into the community. But again, there is no way I can hide the fact that we are definitely a business. So, we are always trying for that balance, the same kind of thing I felt when I did fund-raising. I got very involved in that. I thought, "Gee, my mother would not-- That is not what she raised me to do," so I went and I did "Toys for Tots," and I did baskets for

Thanksgiving, and I did that kind of thing to try to bring the balance back again.

DR. VAN JONES: So, how does it work with the REACH program? Do you have referrals, or how are they referred to you?

MS. NICHOLLS: REACH calls us to see if we have openings in the area where they need the care. Then, if we do, we just accept their pay scale and accept the children. We also accept the fact that they are going to pay us three weeks down the line each time, and that's fine.

DR. VAN JONES: REACH pays you?

MS. NICHOLLS: Yes. We had triplets one time, so the mother could go to work.

SENATOR LIPMAN: How old are the children in your day care?

MS. NICHOLLS: We take them from six weeks to six years.

SENATOR LIPMAN: This is real day-care.

MS. NICHOLLS: This is a child care center business, yes. That is what our centers take.

SENATOR LIPMAN: From six weeks on?

MS. NICHOLLS: Yes.

SENATOR LIPMAN: And you are considered a total day care center, not family planning, not day-care?

MS. NICHOLLS: We have nursery; we have kindergarten; we have full-day; we have infant and toddler components.

SENATOR LIPMAN: Up to six years old?

MS. NICHOLLS: Up to six, yes.

DR. VAN JONES: There are not that many day-care centers that provide service for-- (indiscernible) six months, seven months, or whatever.

MS. NICHOLLS: It's the new wave, and it is necessary.

Yes. It used to be two-and-a-half and up, but it is what is necessary at this point.

DR. VAN JONES: It's usually two years or more?

DR. VAN JONES: Absolutely. It's critical.

MS. NICHOLLS: It is. I guess the first one I opened that took infants-- Last year, I opened in Voorhees, and it scared me. I sat up in the middle of the night thinking, "Fire drill -- how do I get them out?" I mean, I sat there, and I said, "Oh, okay, a wheelbarrel," and I went back to sleep. That was it because-- That was so critical to me that I worried about them. As soon as I-- You know how you are, in a fog, so wheelbarrow sounded good then. So I went back to sleep. The next morning, I did better than that, but, you know--

DR. VAN JONES: But, you were thinking.

MS. NICHOLLS: --that allowed me to go to sleep.

DR. VAN JONES: Including the triplets and all, right?

MS. NICHOLLS: Everybody -- out the door.

DR. VAN JONES: Especially the triplets. (laughter)

SENATOR LIPMAN: Thank you so much--

MS. NICHOLLS: You're welcome.

SENATOR LIPMAN: --for enlightening us. Do any of the rest of you want to chip in here? (no response)

I just have one more question about the family day-care and regular day-care.

MS. NICHOLLS: Yes?

SENATOR LIPMAN: You say the wave of the future is in licensing family day-care. Don't you need another name by now?

MS. NICHOLLS: We might.

SENATOR LIPMAN: I think so. I would be very interested if you would come back and talk to us about the new ghetto for day-care workers.

MS. NICHOLLS: Oh, boy, I'm hooked. Okay. Thank you so much.

SENATOR LIPMAN: All right. That's it. I didn't mean to cut you ladies off. (laughter)

(HEARING CONCLUDED)

APPENDIX

TESTIMONY OF ROBERT E. NEUMANN

SUPERINTENDENT, NORTH HUNTERDON REGIONAL HIGH SCHOOL DISTRICT

COMMISSION ON SEX DISCRIMINATION IN THE STATUTES

JULY 13, 1989

Thank you, Ladies and Gentlemen of the Commission, for allowing me time to present my observations and experiences related to discrimination against female athletes in New Jersey school athletic programs. I direct my comments to state education statutes (specifically NJSA 18A:36-20) which establishes a policy of non-discrimination against public school pupils. Such law encouraged the development of state administrative code (specifically NJAC 6.4-1.1 et seq.) which together, set standards for the participation of school-aged males and females in interscholastic athletic programs. Once implemented through scheduling by the New Jersey State Interscholastic Athletic Association, large numbers of female athletes are denied the opportunity to participate in athletics. More specifically, equal opportunity between the sexes is not encouraged by the existing statute.

DISCRIMINATION IS TAKING PLACE BY NOT EFFECTIVELY ACCOMMODATING THE INTERESTS AND ABILITIES OF FEMALE ATHLETES, specifically:

- a. The number of interscholastic sports opportunities are more limited for female athletes than male athletes as evidenced by the total number of sports in which girls actually participated during the past four (4) school years, up to and including the 1988-89 school year:

Males: 17 sports per year

Females: 16 sports per year

(Not for reading: Please refer to Exhibits A-D for display of this data provided by the New Jersey State Interscholastic Athletic Association.)

- b. Several interscholastic opportunities provided to female athletes do not accommodate either their interests or abilities, as evidenced by lack of participation. In specific example, although no females participated during the 1988-89 school year in baseball, football, wrestling or ice hockey since these sports do not accommodate their interests or abilities, they are still considered an opportunity and are seen as contributing to equity in athletics. Similarly, although fewer than 150 females state-wide participate in golf, the letter of the law is met through provision of the opportunity to participate.

DISCRIMINATION IS TAKING PLACE BY NOT SCHEDULING INTERSCHOLASTIC SPORTS SEASONS SO AS TO PROVIDE AN EQUAL OPPORTUNITY FOR FEMALE ATHLETES, specifically:

- a. The winter sports season for girls provides for two (2) fewer interscholastic teams than boys.
- b. The fall sports season for girls provides for two (2) more interscholastic teams than boys, overcrowding the interscholastic fall opportunities for girls and limiting the choices in the winter season. Perhaps the best statistical indication of this provision is the fact that, during the

1987-88 school year (the most recent year for which compilation of participation data is available), the movement from the fall to the winter sports schedule resulted in the following changes in participation rates:

Males: 10% reduction (21,577 to 19,361 participants)

Females: 38% reduction (15,511 to 9,649 participants)

During the 1987-88 school year, approximately 15,500 female varsity athletes had an interest in sports, as evidenced from the count provided by the New Jersey State Interscholastic Athletic Association. During the winter sports season, nearly 6,000 of these athletes are prevented, because of discriminatory practices, from continuing in an interscholastic athletic program. Considering sub-varsity athletic programs, the total number of female athletes prevented because of discriminatory practices, from continuing in an interscholastic athletic program is over 10,000.

DISCRIMINATION IS TAKING PLACE BY NOT PROVIDING FEMALES WITH EQUAL PRACTICE AND COMPETITIVE FACILITIES. Specifically, winter sports activities requiring a gymnasium are provided to both boys and girls in basketball, fencing, and track but girls have no equal facility to use comparable to that which boys use for wrestling.

All three discriminating practices outlined above are in violation of United States Title IX regulations. I believe that such practices are also in violation of both the letter and spirit of New Jersey law.

Reasons for athletic inequity follow:

1. A disproportionate number of sports activities for girls are scheduled in the fall.
2. Scheduling of another winter indoor activity, which would accommodate the interests of a large number of female students, as wrestling accommodates the interests of a large number of male students, would require either a sharing of time in already constructed locker rooms and practice/competitive facilities or would require the construction of new locker rooms and practice/competitive facilities.
3. The total number of interscholastic sports opportunities are limited for female athletes as one sees the pattern of participation over a four year period.

In summary, United States Title IX requires that the selection of sports effectively accommodates the interests and abilities of members of both sexes and that scheduling of games, practice time and provision of locker rooms, practice and competitive facilities provide for equal opportunity. My assumption is that New Jersey statutes should provide protections necessary to ensure such equal opportunity. Equal opportunity between the sexes is not being promoted in New Jersey interscholastic athletics.

THANK YOU FOR THE OPPORTUNITY OF MAKING THIS PRESENTATION.

PRESENTED TO THE COMMISSION ON SEX DISCRIMINATION IN THE STATUTES BY JAMES J. FARRELLY,
ASSISTANT TO THE SUPERINTENDENT, ON BEHALF OF SUPERINTENDENT ROBERT E. NEUMANN.

2x

SPORTS PARTICIPATION FIGURES FOR 1985/86

SPORT	Boys Participation			Girls Participation		
	V	IV	F	V	IV	F
Baseball	6063	5703	4337			
Basketball	4407	4290	4500	3752	3332	2179
Bowling	1485	546	13	931	394	6
Cross-Country	4273	1153	696	2514	552	235
Fencing	393	107	50	211	81	10
Field Hockey				3243	3080	1539
Football	11640	6772	3704			
Golf	2549	520	56	68	30	1
Gymnastics	231	73	64	1185	183	90
Ice Hockey	887	335	37			
Lacrosse	660	661	460	563	542	463
Skating	179	76		125	16	
Soccer	6283	5302	3466	3379	2410	473
Softball				5419	4871	2515
Swimming and Diving	2299	198	33	2311	328	45
Tennis	3512	1557	156	2804	1094	145
Track and Field (Indoor)	4345	612	472	3031	320	198
Track and Field (Outdoor)	10419	1705	1477	8281	1373	646
Volleyball				1150	949	133
Wrestling	4907	3704	2289			

THE CENTRAL OFFICE OF NJSIAA WILL BE OPEN
FROM 9:00 A.M. TO 1:00 P.M. DURING THE MONTHS
OF JULY AND AUGUST.

SPORTS PARTICIPATION FIGURES FOR 1986/87

SPORT	Boys Participation			Girls Participation		
	V	JV	F	V	JV	F
Baseball	5987	5496	4230			
Basketball	4251	3934	4231	3676	3169	1815
Bowling	1331	519	22	771	296	20
Cross-Country	3941	1165	565	2412	489	239
Fencing	327	112	47	212	81	13
Field Hockey				2842	2545	1199
Football	10657	5549	7806			
Golf	2530	1051	59	73	11	1
Gymnastics	205	279	21	1003	151	63
Ice Hockey	791	322	30			
Lacrosse	650	653	487	562	528	345
Skiing	203	79		107	3	
Soccer	6203	5233	3117	3307	2457	534
Softball				5075	4483	2494
Swimming and Diving	2036	294	70	2288	298	81
Tennis	3398	994	225	3037	941	141
Track and Field (Indoor)	4020	727	487	2314	291	158
Track and Field (Outdoor)	9419	1557	1254	7205	1011	676
Volleyball				1140	923	158
Wrestling	4722	3203	1817			

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SPORTS PARTICIPATION FIGURES FOR 1987/88

SPORT	Boys Participation			Girls Participation		
	V	JV	F	V	JV	F
Baseball	6019	5586	5582			
Basketball	4446	4257	4241	3762	3222	1838
Bowling	1509	628	37	900	398	19
Cross-Country	4196	954	548	2706	541	244
Fencing	402	145	25	237	117	9
Field Hockey				3253	3016	1448
Football	10724	6498	2497			
Golf	2614	368	94	83	28	9
Gymnastics	261	43	22	1122	153	44
Ice Hockey	979	335				
Lacrosse	741	633	461	571	600	402
Skiing	213	68		136	1	
Soccer	6396	5492	3267	3608	2592	583
Softball				5490	4621	2783
Swimming and Diving	2301	206	27	2353	266	65
Tennis	3568	1131	160	3481	574	144
Track and Field (Indoor)	4511	765	411	2261	412	137
Track and Field (Outdoor)	9977	1244	1243	7533	923	491
Volleyball				1314	1016	245
Wrestling	5000	3524	1912			

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SPORTS PARTICIPATION FIGURES FOR 1988/89

	BOYS PARTICIPATION					GIRLS PARTICIPATION				
Sport	9th	10th	11th	12th	Total	9th	10th	11th	12th	Total
Baseball	5632	4338	3694	2987	16651					
Basketball	4956	3478	3061	2535	14030	3501	2307	1789	1469	9066
Bowling	580	620	629	621	2450	317	381	407	347	1452
Cross-Country	1577	1441	1803	1752	6573	874	923	845	737	3379
Fencing	199	145	130	103	577	128	86	156	90	460
Field Hockey						2513	2002	1814	1480	7809
Football	10966	4921	4630	4487	25004					
Golf	750	756	895	824	3225	31	39	50	27	147
Gymnastics	95	82	66	72	315	345	326	365	212	1248
Ice Hockey	308	380	395	351	1434					
Lacrosse	550	453	431	315	1749	580	415	345	243	1583
Skiing	113	116	114	124	467	38	41	54	61	194
Soccer	4569	3707	3427	3041	14744	1941	1842	1713	1309	6805
Softball						4431	3583	2892	2114	13020
Swimming/Diving	677	738	759	690	2864	798	773	592	553	2716
Tennis	1317	1246	1404	1159	5126	1139	1130	1143	931	4343
Track and Field (Indoor)	1269	1420	1837	1354	5880	845	873	777	577	3072
Track and Field (Outdoor)	3154	3060	3100	2673	11987	2619	2456	2228	1832	9135
Volleyball						754	702	677	466	2599
Wrestling	3114	2764	2692	2131	10701					



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COMMENTS OF
REBECCA L. LUBETKIN
Before the
COMMISSION ON SEX DISCRIMINATION IN THE STATUTES
Regarding
SEX DISCRIMINATION IN EDUCATION
July 13, 1989
Trenton, New Jersey

Good afternoon. My name is Rebecca Lubetkin and I am a professor at Rutgers in New Brunswick as well as the Executive Director of the Consortium for Educational Equity. As you know, the Consortium was established in 1975 with funds awarded by the U.S. Department of Education to provide training and technical assistance to public schools as they make the changes needed to eliminate sex bias and discrimination. Today, as part of the Equity Assistance Center, the Consortium provides assistance to schools in New York, New Jersey, Puerto Rico and the Virgin Islands. The Consortium focuses on gender issues, in partnership with programs at NYU and Columbia, in race desegregation and national origin issues respectively.

New Jersey was one of the pioneers in prohibiting discrimination in education, with the law covering public schools, K-12, enacted early in 1974, and the Regulation, N.J.A.C. 6:4, adopted in 1975. As a result, in many respects we distinguished ourselves early in our progress toward assuring equal opportunity for all students. Because we were early, however, we neglected some areas which we did not anticipate would become problems.

Due to time limitations, I would like to confine my remarks to:

I. inadequacies in the existing law for public schools; areas which were not covered fifteen years ago.

II. inadequacies in implementation: problems in monitoring and compliance.

III. areas not covered under existing state law, i.e., higher education, professional licensing, pre-school and after-school programs, programs for the institutionalized.

I. Inadequacies in the Existing Law.

Regarding school and classroom practices, the current Regulation is couched in terms that require only the absence of overt discrimination. Most schools have very successfully eliminated those policies and practices that blatantly discriminate. And yet, in many districts differential participation and achievement persist based upon

Under N.J.A.C. 6:4-1.4, the Commissioner is required to provide technical assistance to districts in their development of policy, procedures and in-service training. Actually, with 589 districts, the State is not funded adequately to deliver on its obligations; and most of what is there is federal, not state, money.

If equal opportunity is not seen as a priority by the State, and if the State does not follow through on its commitment, the districts see little need to meet what the State has imposed on them. With limited State funds and commitment, the districts' programs most often range from superficial to non-existent.

The State Review and Evaluation in 6:4-1.8 should be brought into line with statewide monitoring. Since districts are currently monitored every 5 years, requirements of Commissioner review every 3 years are clearly not being implemented.

The Department of Education, itself, needs its own affirmative action officer to function for the Department as it expects the districts' affirmative action officers to function for the schools. Who is assuring that educational materials produced by the State, itself, are not biased? Who can assure that the procedures of the Department, itself, are equitable?

Finally, the Department needs to reinforce 6:4-1.3(e); although a very important requirement, it has met very superficial compliance levels. It requires that each Board of Education shall adopt and approve courses of study, instructional materials, and programs designed to eliminate discrimination and promote understanding and mutual respect between children of different races, colors, creeds, religions, sexes, ancestries, national origins, or social or economic status.

III. Areas Not Covered Under Existing Law.

1. Higher Education is not covered at all under the existing Regulation. We need a comprehensive law covering employment and educational practices. In addition to many of the areas covered under the Regulation for public schools we need to eliminate gender bias in admissions practices, job placement, housing, financial aid, medical care; and we need to cover child care and sexual harassment.

2. We must require colleges and universities to establish and enforce sexual assault policies and to educate students about sexual assault, including date and acquaintance rape.

3. We must prohibit any undergraduate institution under the jurisdiction of the Department of Higher Education from requiring standardized test scores as a condition for determining eligibility for attendance.

4. We must prohibit any undergraduate institution under DHE from requiring standardized test scores as the sole criterion for awarding scholarships or loans.

Unless the standardized tests, such as the SAT, are comprehensively overhauled to eliminate biases, predictive inaccuracies and coachability, they should not be required as part of the admissions or scholarship selection process.

5. We need to assure that female inmates receive the same opportunity to participate in training programs that male inmates do.

6. We need to assure that women and girls with special needs in residential programs in N.J. institutions receive the same opportunities for education and training that males do.

7. We need to assure that any licensing examination prepared and administered by a state agency adhere to professional testing standards and be reviewed to ensure fairness in regard to race, ethnicity, and gender.

8. We need to extend N.J.A.C. 6:4 to include pre-school and after-school programs.

Along with my written testimony I submit a copy of the recent book by Phyllis Rosser, The SAT and the Gender Gap, published by the Center for Women Policy Studies. In addition, our library at the Consortium for Educational Equity, Rutgers, can be helpful in providing further material.

I will be happy to answer any questions.

TESTIMONY BEFORE THE COMMISSION ON SEX DISCRIMINATION IN THE STATUTES
ON SEX BIAS IN SCHOOLS

by Nadine B. Shanler
Professor
Trenton State College

July 13, 1989

I AM DR. NADINE B. SHANLER, PROFESSOR OF EDUCATION AT TRENTON STATE COLLEGE AND MEMBER OF THE WOMEN'S STUDIES FACULTY. I AM HERE TODAY TO DISCUSS SEX BIAS IN SCHOOLS.

NEARLY TWO DECADES AGO, AS A REPRESENTATIVE OF THE ACLU OF NEW JERSEY, I AUTHORED AND DELIVERED TO THE NEW JERSEY STATE BOARD OF EDUCATION TESTIMONY SUPPORTING A NEWLY ENACTED STATUTE (N.J.S.A. 18A:36-20) PROHIBITING DISCRIMINATION ON THE BASIS OF RACE, COLOR, CREED, SEX OR NATIONAL ORIGIN IN ALL THE PUBLIC SCHOOLS OF THIS STATE. IN ADDITION, I WAS DIRECTLY BUT UNOFFICIALLY INVOLVED, BOTH AS AN INDIVIDUAL AND AS THE CHAIR OF A SPECIAL COMMITTEE OF THE BOARD OF TRUSTEES OF THE ACLU OF NJ, IN WRITING A SIGNIFICANT PORTION OF THE GUIDELINES TO IMPLEMENT N.J.S.A. 18A:36-20 AND THE RESOLUTION OF THE STATE BOARD OF EDUCATION PROMULGATED SUBSEQUENT TO ITS PUBLIC HEARINGS.

MY EXPERIENCES BOTH AS A PROFESSOR IN THE SCHOOL OF EDUCATION AT TRENTON STATE COLLEGE FOR MORE THAN TWENTY YEARS, AND AS A MEMBER OF THE WOMEN'S STUDY FACULTY SINCE THE GROUP'S INCEPTION OVER SIXTEEN YEARS AGO, HAVE CONVINCED ME THAT SEX BIAS IS, IN 1989, STILL ENDEMIC AT ALL LEVELS IN OUR NEW JERSEY SCHOOLS. THIS IS SO DESPITE THE EXISTENCE OF A LARGE BODY OF RESEARCH BASED KNOWLEDGE AND THEORY AS WELL AS PROVEN STRATEGIES AND CURRICULA DESIGNED TO ELIMINATE SEX BIAS IN THE CLASSROOM.

I SHALL NOT DISCUSS THE RESEARCH THAT DEMONSTRATES THE SEX BIASES THAT EXIST TODAY IN OUR SCHOOLS, OR THE SPECIFIC WAYS OF AMELIORATING OR ELIMINATING SEX BIAS IN SCHOOLS. I ASSUME THAT YOU HAVE OR WILL RECEIVE A GOOD DEAL OF WRITTEN TESTIMONY ON THESE SUBJECTS. INSTEAD, I WILL SHARE SOME OF MY OWN CONCLUSIONS AND INSIGHTS. THESE ARE BASED ON MY DIRECT OBSERVATIONS AS A STUDENT TEACHING SUPERVISOR IN NEW JERSEY PUBLIC SCHOOLS AND ON MY EXPERIENCES IN THE COLLEGE CLASSROOM WITH NUMEROUS -- AT LEAST 2,000 -- UNDERGRADUATE AND GRADUATE STUDENTS OF ALL AGES, MANY OF WHOM ARE ALSO TEACHERS AND/OR PARENTS.

THREE MONTHS AGO, WHEN I WAS VISITING ONE OF MY BEST STUDENT TEACHERS IN A MIDDLE SCHOOL IN A SUBURBAN MERCER COUNTY DISTRICT, I STOPPED, AS I OFTEN DO, TO LOOK AT A HALLWAY DISPLAY. PICTURE A GLASS ENCLOSED CASE IN WHICH THERE IS A VARIETY OF PRINTED MATERIAL ON THE WAR BETWEEN THE STATES. IN IT ARE 12 COPIES OF A MAGAZINE CALLED CIVIL WAR TIMES, SIX BOOKS, AND A COPY OF HARPER'S HISTORY OF THE GREAT REBELLION WHICH IS OPENED TO SHOW A TWO PAGE BLACK AND WHITE PICTURE OF A BATTLE THAT TOOK PLACE IN JUNE 1862. ALL THE SOLDIERS ARE WHITE MEN. OF THE 12 COPIES OF CIVIL WAR TIMES, ELEVEN HAVE COVERS DEPICTING ONLY WHITE MEN. ONE COVER SHOWS AN ARRANGEMENT OF WEAPONS AND ANNOUNCES A FEATURE ENTITLED "ONE WOMAN'S STORY -- SLAVES NO MORE." NO AFRICAN-AMERICAN IS PICTURED AND THE ONLY FEMALE DEPICTED, CLEARLY A YOUNG WHITE SOUTHERN LADY, OCCURS ON THE JACKET OF A NOVEL ALONG WITH ROMANTICIZED DRAWINGS OF THREE WHITE MEN. THIS "EDUCATIONAL" DISPLAY HAD BEEN MOUNTED BY THE COOPERATING TEACHER AND MY STUDENT TEACHER.

I INVITED BOTH TEACHERS TO LOOK AT THE DISPLAY WITH ME AND TELL ME WHAT THEY SAW. THEN I ASKED THAT THEY TELL ME WHAT THEY DIDN'T SEE. MY STUDENT TEACHER'S EXPRESSION CHANGED DRAMATICALLY; SHE REALIZED THE IMPORTANCE OF WHAT WAS NOT THERE AND SAID, "THERE ARE NO WOMEN, NO SLAVES, NO CHILDREN." SADLY, THE COOPERATING TEACHER'S RESPONSE TO THE DISPLAY WAS STILL, "BUT THAT IS WHAT THE CIVIL WAR WAS ABOUT!"

IN THIS VIEW THERE ARE NO OTHER PLAYERS, AT LEAST NONE OF SIGNIFICANCE. NOT THE MOTHERS — SLAVE OR FREE -- WHO WORRIED ABOUT THEIR SONS OR GRIEVED FOR SONS WHO WERE KILLED OR MAIMED. NOT THE WIVES LEFT ALONE TO TAKE CARE OF FARMS AND CHILDREN AND DEAL WITH INVADING ARMIES THAT COMMANDEERED THEIR FOOD OR DESTROYED THEIR CROPS. NOT THE WOMEN —BLACK OR WHITE — WHO FOUND THEIR DAUGHTERS OR THEMSELVES RAPED BY ENEMY SOLDIERS OR SOLDIERS FROM THEIR OWN SIDE. NOT THE CHILDREN OR THE AGED -- BLACK OR WHITE -- WHO STARVED OR CONTRACTED THE DISEASES THAT INEVITABLY ACCOMPANY WAR.

FOR THIS TEACHER IT WAS A BLOODLESS, SANITIZED WAR, A HIGH STAKES GAME PLAYED OUT BY WHITE MEN. MANY OTHER TEACHERS ALSO VIEW HISTORY AS WELL AS LITERATURE, MATH AND THE SCIENCES IN TERMS OF THE TRADITIONAL CANONS. THEY ASSUME THAT THERE IS A BASIC CORE OF KNOWLEDGE THAT ALL OF US SHOULD KNOW, AND THEY DO NOT NOTICE THAT THIS TRADITIONAL CORE IS WHITE, WESTERN AND MALE. THEY HAVE INTERNALIZED AN IDEOLOGY THAT RESULTS IN THEIR STUDENTS AS WELL AS THEMSELVES NOT RECOGNIZING THE DIVERSITY OF EXPERIENCE THAT OCCURS AMONG WOMEN AND MEN OF DIFFERENT SOCIAL CLASSES, RACES, AGES, AND CULTURES. AND NEITHER THE TEACHERS NOR THE STUDENTS REALIZE THAT THIS UNCONSCIOUSLY HELD IDEOLOGY RESULTS IN THEIR VIEWING "ONLY CERTAIN KINDS OF LIVES AS VALUABLE AND DESERVING OF A HISTORY." Adrienne Rich, "Resisting Amnesia," Ms., March 1987 (66).

MOREOVER, MANY TEACHERS TEND TO IMAGINE THAT THEIR COURSES ARE FREE OF GENDER AND RACIAL BIAS IF THEY OFFER A FEW REFERENCES OR READ A FEW PARAGRAPHS ON WOMEN OR BLACK PEOPLE. THUS IT IS RARE FOR ANYONE TO POSE QUESTIONS THAT CHALLENGE THE STRUCTURE OF POWER AND THE ARROGANCE OF THOSE WHO DETERMINE, THROUGH THEIR POLICIES, THE INSTITUTIONAL CONTEXTS IN WHICH WE LEARN, WORK AND LIVE. SO WE CONTINUE TO INDOCTRINATE IN THE NAME OF "EDUCATION" AND TO REINFORCE IN EACH GENERATION THE VALUES AND ORIENTATIONS THAT ALLOW INEQUITIES OF THE PAST TO CONTINUE, ALBEIT IN MODIFIED AND SOMETIMES MORE SUBTLE FORMS. AND WE CONTINUE NOT SEEING WHAT IS "NOT THERE." THIS, AT THE SAME TIME WE ARE BEGINNING TO REFER TO OUR PLANET AS A "GLOBAL VILLAGE."

I WOULD BE MORE INCLINED TO SEE THESE TEACHERS AS RELATIVELY FEW IF I HAD NOT HEARD SO OFTEN THE STATEMENT "I DON'T SEE RACE OR SEX; I SEE CHILDREN." OR IF MORE COOPERATING TEACHERS WOULD DISCUSS WITH THEIR STUDENT TEACHERS THE IMPORTANCE OF INCLUDING MATERIAL ON GENDER, RACE AND SOCIAL CLASS, NOT ONLY FOR THE PERSONAL, SOCIAL AND ECONOMIC WELFARE OF EACH STUDENT, BUT FOR THE LIFE AND HEALTH OF OUR COMMUNITIES — AND THE GLOBAL COMMUNITY.

NOT UNTIL OUR OWN CONSCIOUSNESS IS RAISED DO WE BEGIN TO SEE HOW WE ARE OPPRESSED — AND HOW WE CONTRIBUTE, WITHOUT CONSCIOUSLY INTENDING IT, TO THE OPPRESSION OF OTHERS. FROM MY EXPERIENCE WITH HUNDREDS OF TEACHERS IN OUR PUBLIC SCHOOLS, I HAVE COME TO BELIEVE THAT NEARLY ALL ARE SINCERE WHEN THEY SAY THAT THEY WANT TO HELP EACH CHILD DEVELOP HIS OR HER BEST POTENTIALS (THOUGH "HER" IS OFTEN NOT ARTICULATED, OR IT IS OFFERED AS AN AFTERTHOUGHT). I ALSO BELIEVE THAT THE HIERARCHICAL STRUCTURE OF OUR PUBLIC SCHOOLS AND THE UNCONSCIOUS PATRIARCHAL, OFTEN RACIST, IDEOLOGY THAT PROBABLY ALL OF US HAVE INTERNALIZED TO SOME EXTENT CONFLICT WITH THIS DESIRE TO HELP CHILDREN. THUS, TEACHERS UNWITTINGLY SABOTAGE THE

INTELLECTUAL, PSYCHIC AND MORAL GROWTH OF THEIR STUDENTS, AND BY DOING SO STRONGLY INFLUENCE THEIR STUDENTS' ECONOMIC AND SOCIAL FUTURES AS WELL AS THE FUTURE OF THIS NATION.

I WILL CONCLUDE HERE WITH A LIST OF COMMON SITUATIONS INVOLVING GENDER BIAS THAT I HAVE OBSERVED IN CLASSROOMS IN OUR PUBLIC SCHOOLS AS WELL AS ONES THAT FEMINIST-ORIENTED TEACHERS AND PARENTS -- BOTH FEMALE AND MALE -- HAVE ALSO WITNESSED OR HAVE LEARNED ABOUT FROM CONVERSATIONS WITH THEIR OWN CHILDREN AND THEIR CHILDREN'S CLASSMATES:

1. ALLOWING YOUNG BOYS TO PLAY ONLY WITH "BOYS TOYS" AND GIRLS TO PLAY ONLY WITH "GIRLS TOYS," AND NOT STRUCTURING PLAY SITUATIONS WHERE EACH IS ENCOURAGED TO PLAY WITH BOTH MANIPULATIVE TOYS THAT HELP DEVELOP SPATIAL PERCEPTION AND SOCIALLY ORIENTED TOYS THAT TEND TO ENCOURAGE LANGUAGE SKILLS AND POSSIBLY NURTURING TENDENCIES.
2. BOYS ARE MORE LIKELY TO BE PRAISED FOR THEIR ACADEMIC WORK AND CRITICIZED FOR THEIR BEHAVIOR. GIRLS ARE MORE LIKELY TO BE PRAISED FOR NEATNESS AND LOOKING FEMININE THAN FOR THEIR ACADEMIC ACCOMPLISHMENTS. A DOUBLE STANDARD THAT REINFORCES BOYS POSITIVELY IN AN IMPORTANT AREA OF LEARNING AND GIRLS IN A TRIVIAL PATTERN.
3. TEACHERS ARE MORE LIKELY TO ATTRIBUTE LACK OF ACHIEVEMENT BY BOYS TO "IMMATURITY," THUS ALLOWING FOR THEM TO GROW, BUT RARELY ATTRIBUTE GIRLS' LACK OF ACHIEVEMENT TO "IMMATURITY." APPARENTLY GIRLS ARE ASSUMED TO HAVE ALREADY ATTAINED MATURITY.
4. BOYS ARE MORE LIKELY TO BE ENCOURAGED TO THINK THROUGH A PROBLEM WHEN THEY GIVE AN INCORRECT ANSWER. THUS, THEY ARE EXPECTED TO SUCCEED. WHEN A GIRL ANSWERS A PROBLEM INCORRECTLY, TEACHERS ARE MORE LIKELY TO SOLVE THE PROBLEM FOR HER OR CALL ON ANOTHER STUDENT, THUS REINFORCING HER SENSE OF HELPLESSNESS AND LACK OF CONFIDENCE.
5. IGNORING GIRLS AND RECOGNIZING BOYS: TEACHERS TEND TO REWARD AGGRESSIVE BEHAVIOR IN BOYS WHEN THEY CALL OUT ANSWERS WITHOUT FIRST BEING RECOGNIZED BY THE TEACHER AND TO IGNORE GIRLS, WHO ARE MORE LIKELY TO FOLLOW THE RULES AND WAIT TO BE RECOGNIZED, THUS ENCOURAGING AGGRESSIVENESS AND A SENSE OF SUPERIORITY IN BOYS AND LOW SELF ESTEEM IN GIRLS.
6. USE OF SEX BIASED LANGUAGE: THE EXCLUSIONARY USE OF MASCULINE NOUNS (FIREMAN) AND SO-CALLED GENERIC NOUNS (MANKIND) AND PRONOUNS MAKES FEMALES INVISIBLE. GENERIC NOUNS AND PRONOUNS ARE ALSO AMBIGUOUS AND CREATE CONFUSION ("ALL MEN ARE CREATED EQUAL"). THE LACK OF IMPORTANCE OF FEMALES RELATIVE TO MALES IS FURTHER REINFORCED WHEN TEACHERS DO NOT CONVEY THE EXPECTATION THAT STUDENTS WILL EXPRESS THEMSELVES IN SEX-NEUTRAL LANGUAGE UNLESS THERE IS A VALID REASON FOR THE SPECIFICATION. THE USE OF UNPARALLEL TERMS e.g. MISS AND MRS. VIOLATES THE RIGHT OF THE FEMALE TO CHOOSE WHETHER TO MAKE HER MARITAL STATUS PUBLIC, WHEREAS THE TITLE MR. ALLOWS THE MALE THE OPTION OF NOT INDICATING HIS MARITAL STATUS. HENCE, THE VALUE OF MS. FOR A WOMAN OF ANY AGE AND MARITAL STATUS.
7. ADDING A LESSON OR TWO ON WOMEN (OR AFRICAN-AMERICANS OR LATINS) AND BELIEVING THAT THIS MEETS THE REQUIREMENTS FOR ACADEMIC RESPECTABILITY AND FAIRNESS, AND THE REQUIREMENTS OF N.J.A.C. 6:4-1.3 e AND f.

8. NOT TESTING ON INFORMATION ABOUT THE EXPERIENCE OF WOMEN OR GIVING SUBSTANTIAL ASSIGNMENTS CONCERNING WOMEN. NOT CALLING ON BOYS TO RESPOND TO QUESTIONS ABOUT WOMEN'S POLITICAL CONDITION OR IGNORING "SOTTO VOCE" COMMENTS OF BOYS WHO ARE UNCOMFORTABLE WITH DISCUSSIONS ABOUT WOMEN'S OPPRESSION AND LACK OF LEGAL EQUALITY.
9. USE OF READERS AND LITERATURE WHERE MAJOR CHARACTERS ARE DISPROPORTIONATELY MALE, WHERE THERE ARE VERY FEW FEMALES IN NON-TRADITIONAL ROLES AND EVEN FEWER OR NO MALES IN NON-TRADITIONAL ROLES, AND NOT DEALING WITH THESE INADEQUACIES THROUGH THE USE OF SUPPLEMENTAL MATERIALS AND ACTIVITIES TO HELP STUDENTS DETECT THE BIASES AND EVALUATE THEIR IMPACT.
10. USE OF SCIENCE TEXTS WHERE FEMALES ACCOUNT FOR LESS THAN 25% OF THE TOTAL REFERENCES TO PEOPLE AND ARE DEPICTED ON THE WHOLE AS PASSIVE AND UNCREATIVE, WHILE MALES ARE SHOWN AS LEADERS AND PROBLEM SOLVERS AND NOT ADDRESSING THE PROBLEM OF SEX BIAS THROUGH DISCUSSION, SUPPLEMENTAL MATERIALS AND GUEST SPEAKERS WHO COULD FUNCTION AS ROLE MODELS.
11. ENCOURAGEMENT OF BOYS TO TAKE ADVANCED MATH AND SCIENCE COURSES. LITTLE ENCOURAGEMENT OF GIRLS TO TAKE THESE "UNFEMININE" COURSES, MAKING IT UNLIKELY THAT THEY WILL CHOOSE ADVANCED COURSES IN THESE AREAS, THEREBY REDUCING THEIR CAREER OPTIONS. NO ENCOURAGEMENT OF BOYS TO EXPLORE COURSES AND CAREERS THAT ARE "UNMASCULINE" EVEN THOUGH THEIR REAL INTERESTS AND TALENTS MAY BE MORE COMPATIBLE WITH TRADITIONALLY "FEMININE" CAREERS.
12. ACCESS TO COMPUTERS: AS A CONSEQUENCE IN PART OF THE EARLY USE OF MANIPULATIVE TOYS AND THE PREVALENCE OF MALE-ORIENTED COMPUTER GAMES, BOYS HAVE DEVELOPED MUCH GREATER INTEREST THAN GIRLS IN USING COMPUTERS. WITH THE LIMITED NUMBER OF COMPUTER CLASSES OFFERED IN MOST SCHOOLS, THERE HAS BEEN LITTLE EFFORT TO RECRUIT GIRLS. BOYS DOMINATE THESE COURSES. UNLESS TEACHERS ACTIVELY ENCOURAGE GIRLS TO TAKE COMPUTER CLASSES AND ASSIST THEM IN BECOMING COMFORTABLE WITH THE TECHNOLOGY, BOYS WILL CONTINUE TO HAVE DISPROPORTIONATE ACCESS TO COMPUTERS. THIS HAS SERIOUS REPERCUSSIONS FOR GIRLS IN TERMS OF CAREERS.
13. DIFFERENTIAL PERCEPTIONS ABOUT THE FUTURE: NOT DEALING WITH THE TENDENCY OF MOST GIRLS TO APPROACH COURSE AND CAREER CHOICES FROM THE ASSUMPTION THAT THEY WILL HAVE PRIMARY RESPONSIBILITY FOR DOMESTIC LABOR IN THEIR FAMILIES AND NOT DEALING WITH BOYS' EXPECTATIONS THAT DOMESTIC WORK WILL BE TAKEN CARE OF BY OTHERS. THUS GIRLS LIMIT THEMSELVES; AND BOYS DISTANCE THEMSELVES FROM RESPONSIBILITY FOR HOME-MAKING AND CHILD CARE. ONLY FATHERS SPEAK OF "BABY-SITTING" THEIR OWN CHILD.
14. GIRLS' UNREALISTIC PERCEPTION OF MARRIAGE: NOT CONFRONTING THE LACK OF REALISM IN MANY GIRLS WHO BELIEVE THEY DO NOT NEED TO TAKE "HARD" COURSES BECAUSE THEY WILL MARRY AND BE TAKEN CARE OF FINANCIALLY FOR THE REST OF THEIR LIVES — A FACTOR IN THE INCREASING FEMINIZATION OF POVERTY.

RECOMMENDATIONS:

1. RESTRUCTURE THE STUDENT TEACHING EXPERIENCE SO THAT STUDENT TEACHERS WILL BE PLACED ONLY WITH TEACHERS WHO DEMONSTRATE THE WILLINGNESS TO STRUGGLE TO FREE THEMSELVES OF IDEOLOGIES THAT LIMIT HEALTHFUL HUMAN GROWTH. THIS

MAY MEAN THAT A COOPERATING TEACHER WILL SUPERVISE 2 OR 3 STUDENTS SIMULTANEOUSLY. CHANGES IN STATE REGULATIONS MAY BE REQUIRED AND INCREASED REMUNERATION FOR COOPERATING TEACHERS WILL BE NECESSARY.

2. CONSCIOUSNESS RAISING WORKSHOPS SHOULD BE DESIGNED COOPERATIVELY BY TEACHERS AND CONSULTANTS WHO HAVE THE KNOWLEDGE AND SKILLS TO ASSIST TEACHERS AND ADMINISTRATORS (AND OTHER PERSONNEL) TO CONFRONT THEIR OWN BELIEFS THAT BIAS THEIR PROFESSIONAL ACTIVITIES IN UNACCEPTABLE WAYS.
3. CLASSROOM TEACHERS SHOULD PLAY A PRIMARY ROLE IN THE PROCESS TO RECONSTRUCT THE CURRICULUM SO THAT IT EDUCATES FEMALES AND MALES IN A SEX-FAIR WAY.
4. TEACHERS SHOULD BE TRAINED TO ADDRESS ISSUES OF GENDER, RACE AND SOCIAL CLASS IN MATH, SCIENCE, COMPUTER AND VOCATIONAL COURSES AS WELL AS IN COURSES WHERE OPPORTUNITIES FOR INTEGRATING THESE CONCERNS ARE MORE OBVIOUS. IF STUDENTS ARE TO MAKE INTELLIGENT DECISIONS ABOUT WHAT THEY WANT TO CONSERVE AND WHAT THEY DO NOT WANT TO CONSERVE, THEY MUST UNDERSTAND THE WAYS THEIR CHOICES ARE EMBEDDED IN THE SOCIAL ORGANIZATION OF GENDER, RACE AND CLASS.
5. THE COST OF CONSULTANTS AND OTHER SUPPORT SHOULD BE BORNE MAINLY BY THE STATE. THIS INCLUDES REMUNERATION FOR TEACHERS FOR TIME SPENT CREATING THE NEW CURRICULA.
6. ADMINISTRATORS AND TEACHERS SHOULD BE HELD ACCOUNTABLE FOR HAVING A SEX-FAIR (AND RACE-FAIR) ENVIRONMENT.

TESTIMONY PRESENTED BEFORE THE SEX DISCRIMINATION IN EDUCATION
HEARINGS BEFORE THE COMMISSION ON SEX DISCRIMINATION IN THE
STATUTES, ON THURSDAY, JULY 13, 1989, STATE HOUSE ANNEX,
ROOM 334, TRENTON, NEW JERSEY.

Guida West, Special Projects Administrator,
Institute for Research on Women, Rutgers University

My name is Guida West. I am the Special Projects Administrator ^{at} the Rutgers Institute for Research on Women. I am a political sociologist who has spent the last 15 years working in higher education in New Jersey as the Coordinator of Continuing Education for Women at Rutgers, as an assistant professor in the Department of Sociology and now as an administrator and researcher with the Institute for Research on Women. I also serve on one of the University's Affirmative Action committees.

I am also the Issues Chair of the Women's Agenda of New Jersey, a non-partisan coalition of women and women's organizations devoted to study and action on policy issues, including higher education.

This afternoon I want to address some areas of sex discrimination within higher education, highlighting national patterns and trends. My data were compiled from the research and publications of the Project on the Status and Education of Women (PSEW), and a telephone interview last week with Dr. Bernice Sandler, its director. I have also drawn on my own personal experience in academia during the last 20 years as a graduate student, a professor, a researcher and an administrator at Rutgers.

After describing some of the problem areas, I will summarize

and present some recommendations to help eliminate sex discrimination in higher education.

A General Overview of the Problem

The legislation under Title IX of the Education Amendments of 1972 focused on eliminating sex discrimination in all activities and programs of education institutions receiving federal funds and, after being substantially narrowed by the Grove City decision of the Supreme Court, was restored under the Civil Rights Restoration Act of 1987. While there are signs of some improvements in higher education since 1972, overall many of the problems addressed by Title IX still persist. A recent report on Women in Higher Education, entitled "The New Agenda of Women for Higher Education," states that women on college campuses are still treated as "second-class citizens". They are "excluded from the curriculum, are put down in the classroom, and are underrepresented in the major leadership roles in higher education."

Sex Discrimination in Higher Education - Problem Areas

I want to begin by discussing the problems of women as workers and as students in institutions of higher learning. Some problems are very specific to women as workers; others, only to women as students; and some overlap both categories, affecting women in educational settings.

For women faculty and administrators, employment practices are still a central concern in terms of discrimination. More specifically, the problems for women faculty are in the areas of:

- * hiring
- * promotion and
- * tenure.

Fewer women are hired, promoted, and tenured in comparison to men. This pattern continues today. Race and age discrimination further compounds this problem for women of color and women who are older. Nationally, in 1988, 69 percent of the male faculty members were tenured, compared to 46 percent of the women faculty. The percentage of female tenured professors was the same in 1988 as it was in 1975, while the percentage of male tenured professors increased 5 percent from 1975. [These data appear in "Academic Women and Salary Differentials," in July/August, 1988 issue of Academe.] A report prepared by the American Association of University Professors, states that what is even more troubling is the fact that women are disproportionately relegated to non-tenure track positions: 13 percent of full-time female faculty members are currently in non-tenure track positions, compared to only 7 percent of full-time male faculty members. Furthermore, these figures obscure the heavy concentration of women in part-time positions. Being relegated to part-time positions without choice is another source of employment discrimination against women in academe. (See PWEW 18, No.3/Winter 1989:7-8 and No.4/Spring 1989:9). For women of color the gap is even more dramatic, reflecting the intersection of racism and sexism in hiring, promotion, and tenure practices. (See Slipping through the Cracks: The Status of Black Women, edited by Margaret C. Simms and Julianne M. Malveaux, Transaction Books, Rutgers University, New Brunswick, NJ 08903).

Sex discrimination against women administrators in higher education is also reflected in their employment patterns within academia. They do not move up as fast, and the more prestigious the institution, the slower the progress and the fewer the opportunities. At the top, for example, the numbers are still startling. Although the number of women college presidents has doubled since 1975, the rate of growth has slowed considerably since 1974, according to 1988 data from the American Council on Education (ACE) Office of Women in Higher Education (WHE). The appointment of only ten women presidents in three years (1984-87) may indicate that women's access to senior administrative positions is declining (PSEW Vol.18 No.1/Spring 1988:7). The average college president is still white and male.

As of December 1987 women headed 296 higher education institutions -- approximately 10 percent of the 2,880 accredited institutions in the U.S. Twenty-nine percent (N=86) of these women presidents were members of religious orders and 14 percent (N=40) were members of a minority group. Of these forty, twenty-two were Black women, thirteen were Hispanic women, four were American Indian Women; and one was an Asian-American woman; altogether they represented an increase of 54 percent from 1984.

Data on salaries also reflect continuing sex discrimination within academia. Average salaries for faculty men in 1985-86 were still considerably higher than for women, according to the U.S. Department of Education. At all ranks, men earned more than women, but the salary gap was largest at the rank of professor: men's average salaries (in constant 1985-86 dollars) were \$4600

higher than women in 1976-77 and \$4,500 higher in 1985-86. When all ranks are averaged together, men earned \$6,100 more in 1976-77 and \$6,700 more in 1985-86. This gap is larger than the gaps at other faculty ranks because of the distribution of men and women among the faculty. For example, in 1985-86, 12.3 percent of professors were women and 87.7 percent were men; 38.4 percent assistant professors were women and 61.6 percent were men. According to the American Association of University Professor, the trend continues. (PSWE Vol.17 No.4/Spring 1988:9).

At the other end of the job hierarchy, the support services and clerical staffing, we also find continuing patterns of sex discrimination, especially in differential wages, and high concentration of women in part-time work.

TURNING NOW TO STUDENTS:

We find sex discrimination in recruiting, admissions procedures, counseling services, financial aid, health care services, insurance, as well as employment and extra-curricular activities.

* The data continue to reveal that, while women now represent 53 percent of the undergraduate population in the nation, discrimination continues in recruiting, admissions and counseling. The processes of discrimination, however, have become more subtle and harder to identify.

*Financial aid policies and practices that distribute scholarships, loans, grants-in-aid, workstudy programs and fellowships discriminate against women. Dr. Bernice Sandler underscores, for example, that women get "loans" while men get "grants;" women get "teaching assistantships" (TAs) while men

get "research assistantships" (RAs). The net result is that women have to spend many more hours for the money they need to pay for their education. More often they are the ones who have to work to repay loans or to carry a "teaching" versus "research" load. In research assistantships, men can combine their work with publishing, thus, gaining additional benefits.

* Another aspect of sex discrimination in financial assistance is reflected in the problems of single women with dependent children, especially those who are dependent on AFDC (Aid to Families with Dependent Children). Smith College, the University of Wisconsin and Goddard College in Vermont are the first educational institutions to recognize and try to address this problem. Smith College received a foundation grant to test a pilot program for support for education of welfare mothers. Similarly, the University of Wisconsin has called on the state legislature to develop a strategy to enable single mothers to enter and finish their college careers. Goddard College, with a grant from the Fund for the Improvement of Post Secondary Education, is establishing a national association of institutions interested in the education of single parents. Twenty-five colleges are already involved. The association will collect, disseminate current information about single parent education, assist colleges and universities and welfare agencies in forming cooperative agreements and generally promote the concept of offering higher education opportunities to single parents. (PSEW Vol. 18 No. /Spring:1)

* In health care services and insurance for students, women

are still discriminated against, according to the latest data compiled by the Project on the Status and Education of Women (June 1989 - Telephone Conversation with Dr. Bernice Sandler). Much of the health insurance available at education institutions does not cover pregnancy. Sometimes an additional fee is added and sometimes policies are offered only to married women. Recently the U.S. Department of Education sent a letter to presidents of higher education institutions, stating that although schools are not required to provide health or accident insurance to students, those that do must offer pregnancy coverage on the same basis as coverage for other temporary disabilities. The letter warned that policies that exclude pregnancy benefits or charge a higher premium for them are in violation of Title IX (PSEW Vol.18 No.4/Spring 1989:5).

The current Title IX does not cover abortion. Institutions under the Restoration Act of 1987 are neither required to nor prohibited from providing or paying for any benefit or service, including the use of facilities, related to abortion. Institutions need not include abortion under insurance plans or provide the abortion procedure itself. But complications of abortions must be covered. This has serious implications for women -- especially those that are the most economically disadvantaged -- who want an abortion, but ~~are~~ have no coverage while working or studying in institutions of higher learning.

There are issues of sex discrimination on campus that affect women both as workers and as students. I will mention only three: child care, family leave, and sexual violence on campus.

*According to Dr. Bernice Sandler, child care is an

Data today document that rape continues to be a major issue on many campuses and one that increasingly mobilizes students to action. (PSEW Vol.18 No.4/Spring 1989:4). Dr. Sandler points out that 15 to 25 percent of women college students will be raped by a man they know before finishing or dropping out of college. Stranger ~~rape~~ ^{date}, date rape, acquaintance rape and gang rape are forms of violence against women on campus that have lasting and devastating impact on rape survivors and all women. This violence creates a climate of fear thus constrains women's rights to equal education. Sexual harassment, peer harassment -- from verbal insults to overt sexual propositions to physical molestation -- is one of the most serious problems affecting women's educational opportunities today.

Let me share with you two experiences at Rutgers. One of my student a number of years ago was raped on her way to an evening class. Despite our efforts and support, she dropped out. The incident also disrupted the rest of the semester's course work as we tried to work through in class what had happened and our general fear as women in a college setting. That one tragedy affected all our lives and our efforts to carry out our responsibilities at Rutgers.

A second rape occurred about three years ago in a building close to where I work. The rape, we found out, occurred at lunch time -- in the middle of the day. She was a counsellor and she never returned to Rutgers. As we learned the details of this crime, we gathered to share our fear of being left alone not only in the late afternoon, if we had extra work, but also during the day. Again, not only were there devastating consequences for the

rape survivor but also for us on campus who have to live with this knowledge. Rutgers is not unique. In many ways I understand it is one of the most advanced universities in trying to eliminate violence against women on campus. The reality is that more needs to be done.

Summary and Recommendations

To summarize, I have discussed some general issues of sex discrimination in higher education, such as hiring, promotion, and tenure for faculty and the employment problems of administrators and women workers at all levels. I pointed out how discrimination directly and indirectly relegates women to part-time work, denying them benefits of full-time work. I highlighted problem areas for students such as admissions, recruiting, counseling, financial aid, health care services and insurance. I listed, but did not describe the problems of discrimination in math, science and computers, or discrimination in athletics and sports. This does not diminish their importance.

I focused on child care and family leave, and sexual violence against women as examples of problems that cut across all groups of women on campus. Women are penalized as the traditional caretakers in our society because education and other institutions have failed to provide them with the needed support systems. I reported on the climate of fear and intimidation that is the result of the pervasive and outrageous violence against women on campus and in all parts of society.

These are the some of the problems. Many others could be delineated. I offer in conclusion a few recommendations:

* Enact state legislation to require that education institutions and programs provide some kind of family /child care leave and child care provisions, if receiving state monies;

* Review all state scholarships and grantfunding programs to eliminate age restrictions that tend to discriminate against older women returning to school;

* Set up a state task force on violence against women on campus to eliminate the climate of fear and intimidation in education. Explore ways to change attitudes and behavior of men and where necessary increase the penalties for sexual harassment and assaults on campus.

* Encourage and support existing agencies on campus, such as women's centers, that are trying to build and maintain support systems for women of color, non-traditional women students, less able women to help them to complete their education.

* Increase supportive policies to enable economically disadvantaged women -- especially single parents with dependent children -- to enter higher education and complete four-years of post secondary education.

* Support funding for women's studies programs and gender, race, and class integration projects to help change attitudes and behavior within educational structures.

Our investment today in women's education is critical. Our society needs the talent of every woman to address the myriads of national and global problems. Sex discrimination in education -- or anywhere -- continues to weaken us as state and as a nation. I think there is a lot that still can and must be done.

I want to thank all the Committee members for this opportunity to share my views with you this afternoon.

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PUBLIC HEARINGS ON SEX DISCRIMINATION IN EDUCATION

Testimony Given By
Meredith M. Flynn, Director of Special Services
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P.O. Box 186, Tanyard Rd., Sewell, NJ 08080

Good afternoon, ladies and gentlemen. I am pleased for this opportunity to speak to you this afternoon concerning my personal observations and professional experiences in vocational education. My name is Meredith Flynn. I am the Director of Special Services at the Gloucester County Vocational Technical School in Sewell. I have been a vocational educator for the past 15 years, beginning as a guidance counselor. For the past 5 years I have been in administration in 3 different positions. My current responsibilities include supervision of the child study team, guidance department, public relations and institutional research and development.

As a woman in vocational education, I have found my work to be extremely challenging and very rewarding. I experience daily the opportunity to see young people and adults learn new skills which allow them to enhance their self esteem and begin rewarding careers. For many of these students, school has not been a positive or rewarding experience, but the unique environment and content of vocational education seems to encourage them to overcome past failures and re-establish a positive self-image.

I believe that vocational education, through its dual identity with the business community as well as the educational community, can be more responsive to the educational needs of its students, both female and male. The vocational teacher goes into education after he or she has been successful in their trade, which for the most part translates into a qualified and dedicated professional. I have found these teachers to be extremely receptive to non-traditional students in their classes. Some have required assistance on how to address day to day issues which arise with non-traditional students, but I have found that many take the initiative to seek me or other administrators out for support and direction.

Unfortunately, the number of young women who select vocational education is not reflective of their numbers in education and are still, for the most part, limited to the traditionally female occupations of cosmetology, office occupations and health fields. Those who select non-traditional fields tend to be strong and independent, which are personal qualities which serve them well in their vocational programs as well as on the job. We have found, however, that entry level employment is difficult without the

assistance of Cooperative Vocational Education to ease the transition for the student worker as well as the employer.

I strongly believe that guidance counselors must have a better understanding of the world of work and the process of career decision making in order to assist students more effectively when selecting a career option which will include vocational education. My experience has been that most counselors still focus their attention upon getting high school students accepted to college, to the neglect of those who do not wish to attend or with disregard to those whose probability of success in college is marginal. U.S. Department of Labor statistics state that by the year 2000 only 10% of all available jobs will require a baccalaureate degree while 85% will require technical or skilled training. With this reality facing our children, counselors should be required to become more familiar with not only the labor market and its requirements but also the principles of career decision making in order to more effectively counsel students as well as work with their parents in this most crucial of decisions. Present certification for counselors requires one course in career education. I believe that either this should be increased to 2 courses minimum or the content of the course should be more specifically defined to assure that counselors are prepared for career counseling. Practicing counselors as well should be required to update their professional awareness of career development, perhaps through seminars dually conducted by the Departments of Education and Labor.

From personal experience in vocational education administration as well, I feel there is a need for an internship experience which will allow us to obtain first hand experience in the nature of the trades and technologies we supervise. It appears that through their life experiences men are more apt to have an understanding of the nature of carpentry, welding or auto mechanics, but I found my personal experience to be lacking in these areas, requiring me to learn through other resources, which included supportive teachers and students who shared their knowledge and experiences with me informally. A formalized internship program would benefit all administrators who enter vocational education without prior teaching experience in this field, both male and female. I found that when I sought information and experience in the skills taught in the vocational programs I supervised, I was a more effective administrator, could communicate better with my teachers and was better able to share mutual respect.

I am heartened by an increase in the number of women becoming vocational education teachers in non-traditional occupations. This type of role model is critical if we are to encourage young women to select these careers as well as to support them through their training. Women in vocational education

administration are increasing as well, which also provide positive role models, but we are certainly not reflective of our numbers in the work force or in education in general. As more women find success in non-traditional employment we can only hope that they will elect to share their skills, knowledge and experiences by becoming teachers in vocational education.

Thank you for your time and attention. Does anyone have any questions of me?



TESTIMONY FOR SEX DISCRIMINATION IN THE STATUTES

JULY 13, 1989

Thank you for the opportunity to speak on the issue of sex discrimination in the statutes concerning education. All of the areas on which you have decided to focus are of importance to NJEA and its members; however, we have decided to offer testimony on several critical areas.

In spite of several recent Supreme Court decisions, we feel that affirmative action is an area that still requires a closer examination. Currently, each school district in New Jersey is required to file affirmative action reports with the Office of Equal Educational Opportunity. This procedure was established in 1975 under Title VI, Equality in Educational Programs. We have had over ten years to examine the development and implementation of the two affirmative action plans established in these regulations. One area of continued ongoing concern is the procedure used to establish the hiring goals used by each local school district. Because the hiring goals are based on the county workforce population, there is a great disparity from county to county.

Statistics verify that there is need to further strengthen the concept of affirmative action in the education arena. Women and minorities are still not moving into administrative positions.

The National Center of Education Information issued a comprehensive report in January of 1988. This document, entitled "Profile of the School Administrators in the U.S.," said "probably nowhere in America is there a larger block that gives more credence to the phrase 'old boy's club' than public school administrators." This study used the following statistics to support their conclusion: "Public school principals are 76% male and 90% white and superintendents are 96% male and 97% white." Contrasting this data are the current statistics for public school teachers which show that women make up 69% and minorities 11% of this labor market.

In New Jersey's educational community, the statistics closely resemble those on the national level. Vital education statistics compiled by the New Jersey State Department of Education show that only 5.3% of superintendents and 17.1% of principals are female. This same document also indicates that the employment status for top level education positions held by ethnic minority staff in New Jersey closely parallels the situation on the national level. In 1986-87 only 11.1% of all administrators and supervisors were minorities.

In addition, the procedure for monitoring the implementation of these reports needs to be examined. The filing of a written report does not necessarily insure that the data presented is actually being carried out in the individual schools of each district. Teachers have shared the following concerns with us:

- 1) some districts are still using sexist textbooks;
- 2) meaningful in-service programs are often non-existent;
- 3) many girls are still opting to not enroll in math and science programs;
- 4) many technical vocational programs are still underutilizing by female students;
- 5) many educational opportunities are not available to pregnant teenagers;
- 6) women's history is often covered as an addendum in March.

The complaint procedure established in Title VI may also require examination. All complaints must first be referred to the district Affirmative Action Officer, who is usually the superintendent. An employee may be reluctant to bring complaints to the chief school administrator, especially if it involves hiring practices. Individuals may need to be able to communicate directly with OEE0 before initiating a complaint at the local level.

In addition to a re-examination of Title VI, we would urge this Commission to examine the need for both day care and parental leave legislation. Much has been written about the need for both of these programs; however, little real progress has been made. 1988 Statistics show that 55.9% of the labor force is

female and 60.1% of these working women have children under six who need day care. Adequate facilities must be established to meet this need and there must be some commitment made insuring that all of these facilities provide quality early childhood programs. Studies have shown that many stereotypic attitudes are developed in children by the age of three. Therefore, it is essential that adequate day care centers be provided and that a quality non-sexist program is being offered.

Many public education employees are covered by comprehensive local contracts which have both maternity and extended parental leave provisions. However, these provisions differ from district to district and this benefit is certainly not available to the vast numbers of working women in America.

To working parents, a leave of one year or several years to care for small children still seems a distant dream. Many American employers allow only 6 or 8 weeks of leave upon the birth of the baby and there is often no assurance that the employee will be able to return to the job she held before the birth of the child.

Both day care and family leave concerns have been discussed and re-discussed at the federal level through proposed legislation, but neither bill has been adopted! We need to begin addressing these concerns as they affect working women in New Jersey and not continue to wait for pending action on the material level.

