

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1464

To amend the Elementary and Secondary Education Act of 1965 to ensure gender equity in education, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15 (legislative day, SEPTEMBER 7), 1993

Mr. SIMON (for himself, Mr. KENNEDY, Mr. HARKIN, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mr. SARBANES, Mr. INOUE, Mrs. BOXER, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to ensure gender equity in education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Women’s Educational  
5 Equity Restoration Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF THE OFFICE OF GENDER**  
2 **EQUITY.**

3 (a) OFFICE OF GENDER EQUITY.—The Department  
4 of Education Organization Act (20 U.S.C. 3401 et seq.)  
5 is amended—

6 (1) by redesignating section 215 as 216; and

7 (2) by inserting after section 214 the following  
8 new section:

9 **“SEC. 215. OFFICE OF GENDER EQUITY.**

10 “(a) There shall be in the Department, an Office of  
11 Gender Equity, to be administered by a Director of Gen-  
12 der Equity, who shall be appointed by the Secretary. The  
13 Director shall—

14 “(1) promote, coordinate and evaluate gender  
15 equity programs;

16 “(2) disseminate information, provide technical  
17 assistance, and coordinate research activities, re-  
18 garding gender equity;

19 “(3) administer gender equity grant programs;

20 “(4) report directly to the Secretary; and

21 “(5) perform such additional functions as the  
22 Secretary shall prescribe.

23 “(b) The Director shall, not later than September 30  
24 of each fiscal year, submit a report to the President and  
25 the Congress setting forth descriptions and evaluations of  
26 the programs and activities assisted under the Women’s

1 Educational Equity Act of 1993, and provide for the dis-  
2 tribution of such report to all interested groups and indi-  
3 viduals.”.

4 (b) ORGANIZATIONAL ENTITY.—For purposes of sec-  
5 tion 413(a) of the Department of Education Organization  
6 Act, the Office of Gender Equity shall be considered to  
7 be an organizational entity established under such Act and  
8 shall not be subject to the reorganization authority of the  
9 Secretary of Education under such section or any other  
10 provision of law.

11 **SEC. 3. GENDER EQUITY IN EDUCATION.**

12 Part A of title IV of the Elementary and Secondary  
13 Education Act of 1965 (20 U.S.C. 3041 et seq.) is amend-  
14 ed to read as follows:

15 **“PART A—WOMEN’S EDUCATIONAL EQUITY ACT**

16 **“SEC. 4001. SHORT TITLE.**

17 “This part may be cited as the ‘Women’s Educational  
18 Equity Act of 1993’.

19 **“SEC. 4002. FINDINGS AND STATEMENT OF PURPOSE.**

20 “(a) FINDINGS.—The Congress finds and declares  
21 that—

22 “(1) educational programs in the United States  
23 are frequently inequitable as such programs relate to  
24 women and girls;

1           “(2) such inequities limit the full participation  
2 of all individuals in American society; and

3           “(3) efforts to improve the quality of public  
4 education also must include efforts to ensure equity  
5 in education programs for all women and girls.

6           “(b) PURPOSE.—It is the purpose of this part—

7           “(1) to provide gender equity in education in  
8 the United States;

9           “(2) to provide financial assistance to enable  
10 educational agencies and institutions to meet the re-  
11 quirements of title IX of the Educational Amend-  
12 ments of 1972; and

13           “(3) to provide equity in education to women  
14 and girls who suffer multiple forms of discrimination  
15 based on sex, race, ethnic origin, limited English  
16 proficiency, disability, or age.

17 **“SEC. 4003. PROGRAMS AUTHORIZED.**

18           “‘The Director of the Office of Gender Equity (here-  
19 after in this part referred to as the ‘Director’) is author-  
20 ized—

21           “(1) to promote, coordinate and evaluate gen-  
22 der equity policies, programs, activities and initia-  
23 tives in all Federal education programs and offices;

1           “(2) to develop, maintain, and disseminate ma-  
2           terials, resources, analyses and research relating to  
3           education equity for women and girls;

4           “(3) to provide information and technical as-  
5           sistance to assure the effective implementation of  
6           gender equity programs;

7           “(4) coordinate gender equity programs and ac-  
8           tivities with other Federal departments and agencies  
9           that have jurisdiction over education and related  
10          programs;

11          “(5) to provide grants to develop model equity  
12          programs;

13          “(6) to provide funds for the implementation of  
14          equity programs in schools throughout the Nation;  
15          and

16          “(7) to coordinate or provide any other activi-  
17          ties consistent with achieving the purposes of this  
18          part.

19   **“SEC. 4004. LOCAL IMPLEMENTATION GRANTS.**

20          “(a) AUTHORITY.—The Secretary is authorized to  
21          make grants to, and enter into contracts with, public agen-  
22          cies, private nonprofit agencies, organizations, and institu-  
23          tions, including student and community groups, for activi-  
24          ties designed to achieve the purposes of this part at all  
25          levels of education, including preschool, elementary and

1 secondary education, higher education, adult education  
2 and vocational and technical education, for the establish-  
3 ment and operation, for a period not exceeding 4 years,  
4 of local programs—

5           “(1) to ensure educational equity for women  
6           and girls;

7           “(2) to ensure equal opportunities for both  
8           sexes; and

9           “(3) that conduct activities incident to achiev-  
10          ing compliance with title IX of the Education  
11          Amendments of 1972.

12          “(b) AUTHORIZED ACTIVITIES.—An entity described  
13 in subsection (a) may use funds under this part for—

14               “(1) introduction into the curriculum and class-  
15               room of curricula, textbooks, and other material de-  
16               signed to achieve equity for women and girls;

17               “(2) implementation of preservice and inservice  
18               training with special emphasis on programs and ac-  
19               tivities designed to provide educational equity for  
20               women and girls;

21               “(3) evaluation of promising or exemplary  
22               model programs to assess the ability of such pro-  
23               grams to improve local efforts to advance edu-  
24               cational equity for women and girls;

1           “(4) implementation of programs and policies  
2           to address sexual harassment and violence against  
3           women and girls and to ensure that educational in-  
4           stitutions are free from threats to the safety of stu-  
5           dents and personnel;

6           “(5) implementation of guidance and counseling  
7           activities, including career education programs, de-  
8           signed to ensure educational equity for women and  
9           girls;

10           “(6) implementation of nondiscriminatory tests  
11           of aptitude and achievement and of alternative as-  
12           sessments that eliminate biased assessment instru-  
13           ments from use;

14           “(7) implementation of programs to increase  
15           educational opportunities, including higher edu-  
16           cation, vocational training, and other educational  
17           programs for low-income women, including under-  
18           employed and unemployed women and women receiv-  
19           ing Aid to Families with Dependent Children;

20           “(8) implementation of programs to improve  
21           representation of women in all levels of educational  
22           administration;

23           “(9) implementation of comprehensive health  
24           education programs, including pregnancy and AIDS  
25           prevention for women and girls; and

1           “(10) planning, development and initial imple-  
2           mentation of—

3                   “(A) comprehensive plans for implementa-  
4                   tion of equity programs in State and local edu-  
5                   cational agencies and institutions of higher edu-  
6                   cation, including community colleges;

7                   “(B) innovative approaches to school-com-  
8                   munity partnerships for educational equity; and

9                   “(C) innovative approaches to equity pro-  
10                  grams addressing combined bias, stereotyping,  
11                  and discrimination on the basis of sex and race,  
12                  ethnic origin, limited English proficiency, or  
13                  disability.

14           “(c) APPLICATION; PARTICIPATION.—A grant may be  
15           made, and a contract may be entered into, under this part  
16           only upon application to the Secretary, at such time, in  
17           such form, and containing or accompanied by such infor-  
18           mation as the Secretary may prescribe. Each such applica-  
19           tion shall—

20                   “(1) provide that the program or activity for  
21                   which assistance is sought will be administered by or  
22                   under the supervision of the applicant and in co-  
23                   operation with appropriate educational and commu-  
24                   nity leaders, including parent, teacher and student  
25                   organizations, educational institutions, business

1 leaders, community-based organizations serving  
2 women, and other significant groups and individuals;

3 “(2) describe a program for carrying out the  
4 purposes described in section 4002(b) which is likely  
5 to make a substantial contribution in attaining such  
6 purposes;

7 “(3) describe plans for continuation and institu-  
8 tionalization of the program with local support fol-  
9 lowing completion of the grant period and termi-  
10 nation of Federal support under this part; and

11 “(4) establish policies and procedures which en-  
12 sure adequate documentation and evaluation of the  
13 activities described in the application.

14 “(d) CRITERIA; PRIORITIES; CATEGORIES OF COM-  
15 PETITION.—The Secretary shall establish criteria, prior-  
16 ities, and categories of competition for awards under this  
17 part to ensure that funds under this part are used to  
18 achieve the purposes of this part.

19 “(1) CRITERIA.—The criteria shall address the  
20 extent to which—

21 “(A) the program addresses the needs of  
22 all targeted participants, including those who  
23 suffer multiple discrimination based on sex,  
24 race, ethnic origin, or age;

1           “(B) the program meets locally defined  
2 and documented educational equity needs and  
3 priorities, including compliance with the re-  
4 quirements of title IX of the Education Amend-  
5 ments of 1972;

6           “(C) the program is a significant compo-  
7 nent of a comprehensive plan for educational  
8 equity and for compliance with the require-  
9 ments of title IX of the Education Amendments  
10 of 1972 in the particular local educational  
11 agency, institution of higher education, voca-  
12 tional-technical institution, or other educational  
13 agency or institution; and

14           “(D) the program implements an institu-  
15 tional strategy with long-term impact that will  
16 continue as a central activity of the applicant  
17 entity after the grant is completed.

18           “(2) PRIORITY.—The Secretary shall give prior-  
19 ity in awarding grants under this part to applica-  
20 tions describing projects which—

21           “(A) demonstrate adherence to research-  
22 based principles for improving gender equity  
23 and incorporate multiple strategies for achiev-  
24 ing gender equity; and

1           “(B) effectively address the educational  
2 needs of all women and girls, including women  
3 and girls who suffer multiple or compound dis-  
4 crimination based on sex and on race, ethnic or-  
5 igin, disability, or age.

6           “(3) CATEGORIES OF COMPETITION.—The Sec-  
7 retary shall ensure that the total of grants awarded  
8 under this part in each fiscal year address—

9           “(A) all levels of education, including pre-  
10 school, elementary and secondary education,  
11 higher education, vocational education, and  
12 adult education;

13           “(B) all regions of the United States, in-  
14 cluding at least 1 grant in each of the 10 Fed-  
15 eral education regions; and

16           “(C) rural, suburban, and urban edu-  
17 cational institutions.

18           “(e) USE OF FUNDS LIMITATION.—Not less than 50  
19 percent of the funds awarded under this part shall be used  
20 to support activities or projects involving users at the level  
21 of elementary and secondary education.

22 **“SEC. 4005. RESEARCH AND DEVELOPMENT GRANTS.**

23           “(a) AUTHORITY.—The Secretary is authorized to  
24 make grants to, and enter into contracts with, individuals,  
25 public agencies, private nonprofit agencies, organizations,

1 and institutions, including student and community groups,  
2 for activities designed to achieve the purpose of this part  
3 at all levels of education, including preschool, elementary  
4 and secondary education, higher education, adult edu-  
5 cation, and vocational-technical education, to develop  
6 model policies and programs, and to conduct research to  
7 address and ensure educational equities for women and  
8 girls, including—

9           “(1) the development and evaluation of gender-  
10 equitable curricula, textbooks, software, and other  
11 educational material and technology;

12           “(2) the development of model preservice and  
13 inservice training programs for educational person-  
14 nel with special emphasis on programs and activities  
15 designed to provide educational equity;

16           “(3) the development of guidance and counsel-  
17 ing activities, including career education programs,  
18 designed to ensure gender equity;

19           “(4) the development and evaluation of non-  
20 discriminatory assessment systems;

21           “(5) the development of policies and programs  
22 to address and prevent sexual harassment and vio-  
23 lence to ensure that educational institutions are free  
24 from threats to safety of students and personnel;

1           “(6) the development and improvement of pro-  
2           grams and activities to increase opportunity for  
3           women, including continuing educational activities,  
4           vocational education, and programs for low-income  
5           women, including underemployed and unemployed  
6           women, and women receiving Aid to Families with  
7           Dependent Children;

8           “(7) the development of instruments and strate-  
9           gies for program evaluation and dissemination of  
10          promising or exemplary programs designed to im-  
11          prove local efforts to achieve gender equity;

12          “(8) the development of instruments and proce-  
13          dures to assess the presence or absence of gender  
14          equity in educational settings; and

15          “(9) the development and evaluation of various  
16          strategies to institutionalize gender equity in edu-  
17          cation.

18          “(b) APPLICATION.—A grant may be made, and a  
19          contract may be entered into, under this part only upon  
20          application to the Secretary, at such time, in such form,  
21          and containing or accompanied by such information as the  
22          Secretary may prescribe. Each such application shall—

23                 “(1) provide that the program or activity for  
24                 which assistance is sought will be administered by or  
25                 under the supervision of the applicant;

1           “(2) describe a plan for carrying out 1 or more  
2 research and development activities described in sub-  
3 section (a), which is likely to make a substantial  
4 contribution toward attaining the purposes of this  
5 part; and

6           “(3) set forth policies and procedures which en-  
7 sure adequate documentation, data collection, and  
8 evaluation of the activities intended to be carried out  
9 under the application, including an evaluation or es-  
10 timate of the potential for continued significance fol-  
11 lowing completion of the grant period.

12           “(c) CRITERIA AND PRIORITIES.—

13           “(1) IN GENERAL.—The Secretary shall estab-  
14 lish criteria and priorities to ensure that funds  
15 under this part are used for programs that most ef-  
16 fectively achieve the purposes of this part.

17           “(2) SPECIAL RULE.—The criteria and prior-  
18 ities described in paragraph (1) shall be promul-  
19 gated in accordance with section 431 of the General  
20 Education Provisions Act.

21           “(3) NUMBER.—In establishing priorities pur-  
22 suant to paragraph (1) the Secretary shall establish  
23 not more than 4 priorities, 1 of which shall be a pri-  
24 ority for a program which addresses the educational  
25 needs of women and girls who suffer multiple or

1 compound discrimination based on sex and on race,  
2 ethnic origin, disability, or age.

3 “(d) SPECIAL RULE.—The Secretary shall ensure  
4 that the total of grants awarded under this part in each  
5 fiscal year address all levels of education, including pre-  
6 school, elementary and secondary education, higher edu-  
7 cation, vocational education, and adult education.

8 “(e) DISTRIBUTION RULE.—The Secretary shall give  
9 due consideration to distributing grants among—

10 “(1) institutions of higher education, nonprofit  
11 organizations, State and local educational agencies,  
12 and elementary and secondary schools; and

13 “(2) all regions of the United States.

14 “(f) LIMITATION.—Nothing in this part shall be con-  
15 strued as prohibiting men and boys from participating in  
16 any programs or activities assisted under this part.

17 **“SEC. 4006. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) SECTION 4004.—There are authorized to be ap-  
19 propriated \$20,000,000 for the fiscal year 1994, and such  
20 sums as may be necessary for each of the fiscal years  
21 1995, 1996, 1997, and 1998, to carry out the provisions  
22 of section 4004 of this part.

23 “(b) SECTION 4005.—There are authorized to be ap-  
24 propriated \$10,000,000 for the fiscal year 1994, and such  
25 sums as may be necessary for each of the fiscal years

1 1995, 1996, 1997, and 1998, to carry out the provisions  
2 of section 4005 of this part.”.

○