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IX: Story About the Law of Non-Discrimination - Documentary

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IX: Story About the Law of Non-Discrimination - Documentary

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Journalism

by

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ABSTRACT

The purpose of this project is to provide historical awareness for how Title IX, the anti-gender discrimination law in education, evolved to where it is today and the impact it has on universities in the United States. Strong-willed individuals sought change in the late 1960s and 1970s to prevent gender discrimination in education, thus beginning the creation of the law and making it a powerful tool for women's rights. As Title IX expanded its reach, universities have been shaped by gender discrimination in athletics, sexual assault, harassment and rape. This project outlines the evolution of Title IX through research based on documentation of events and personal stories from the 1960s to now. This project seeks to dissect Title IX's struggles of today, with the hopes of bringing understanding and possible ideas to the viewers that can spark a change within the culture of college campuses.

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First and foremost, this project could not have been completed without God. So, as you read this thesis or watch the documentary, I hope you see a reflection of him in these works. I would like to thank everyone who has helped me through this healing process. It has been a very tough road for me to say the least. But with your support, I'm able to say that I'm become a stronger man who deepen his faith in Christ. Special thanks to my mother, sister, my true friends and true family members who have been vulnerable enough to be genuine to me. To those who sacrifice their time to help a deeply wounded child of God. Such sacrifices and authenticity will not be remiss in my eyes. And to whoever is reading this, thank you for having an open heart to this project. Glory to God.

TABLE OF CONTENTS

I.	INTRODUCTION.....	5
II.	LITERATURE REVIEW.....	8
III.	PRODUCTION NARRATIVE.....	12
IV.	BIBLIOGRAPHY.....	23
V.	APPENDIX	26

I. INTRODUCTION

Prior to my senior year at Camden Fairview High School, I made the decision to attend the University of Arkansas, to major in computer science at the beginning of Fall 2011. I wanted to be far away from Camden, Arkansas, because I detested the mindset of many around me, letting ignorance take lead to paralyzing our personal development. My ninth-grade basketball coach called it “Camden America,” because we didn’t know the world outside of Camden. Even though I had never been out of southern Arkansas, I knew there had to be more to life. In hopes of being better than my surroundings, I decided to become a beloved Razorback.

But during my time as an undergraduate at the University of Arkansas, I was raped on multiple occasions, resulting in many years of mental and emotional misery. I remember my initial feelings of hopelessness, helplessness, rage, pain, fear, shock, and disbelief all striking me simultaneously. Because of these traumatic events, I suffer from Post-Traumatic Stress Disorder. There are times where sudden fear overwhelms me, which causes me to have panic attacks.

Seeking to replace my pain and loneliness with justice and empathy, I transferred to the University of Arkansas at Little Rock (UA Little Rock) to complete my undergraduate degree. It was there I decided to be open and file a Title IX complaint. I didn’t understand the full scope of Title IX; I only knew that it dealt with sexual harassment and rape on college campuses so I filed a complaint in desperate need of a right and just correction to my situation. Before and after filing the Title IX complaint, I felt as if there was no way that the law could help me because I had no evidence to support my claim; it was just my words against theirs. And it turned out that I was right; there was not enough evidence.

After obtaining my undergraduate degree from UA Little Rock, I returned to the University of Arkansas to earn a Master of Arts degree in Journalism with my concentration in

Documentary Productions. I came into my master's program knowing that my thesis film would be on Title IX. I wanted to find the flaws within Title IX to prove that the law shouldn't allow universities to deal with sexual assault, harassment and rape. In my research, I discovered that Title IX is like a Swiss Army knife: it deals with many other issues outside of sexual assault, harassment and rape.

The Catalyst for Title IX

Before Title IX, female students experienced a lot of discrimination. In interviews with Margaret Dunkle, the first chair of the National Coalition for Women and Girls in Education, and Bernice Sandler, the former chair of the Action Committee for Federal Contract Compliance of the Women's Equity Action League (also known as the "Godmother of Title IX"), I learned about the obstacles that women faced such as being required to take certain classes, needing higher test scores than men in order to get accepted into college and having limitations on scholarships. There was also discrimination against female faculty. Sandler was denied a job three times in 1969 after obtaining her doctorate degree from the University of Maryland (Sandler, 2007). Sandler was told that she came on "too strong for a woman" and was "not really a professional", but "just a housewife who went back to school." One interviewer told Sandler he wouldn't hire women because they stayed home from work when their children were sick (Sandler, 2007). Sandler recalled these events in her last filmed interview (B. Sandler, personal communication, 2018).

The discrimination that Sandler faced would not only change her life but would also change the lives of many other women because it led her to conduct research which would result in the passage of Title IX. When Sandler began to read more about the law and sex discrimination, she came across the Presidential Executive Order 11375, which amended

Executive Order 11246 in 1967. Executive Order 11246 prohibits federal contractors from discriminating on the basis of race, color, religion, national origin and sex. With many universities being federal contractors, Sandler filed administrative charges of sex discrimination against nearly 250 universities and colleges through an organization called the Women's Equity Action League (WEAL) (Sandler, 2007). One notable person who sat on the League's advisory board was Congresswoman Edith Green, a Democrat from Oregon, who was interested in sex discrimination in education and had the power to create a legislation prohibiting it.

Title IX Becomes Law

Green chaired a U.S. House Education subcommittee and held hearings on sex discrimination in 1970 and 1971. She hired Sandler to set up the hearings as a means to document discrimination in education and introduced the bill which would be later known as Title IX. Sandler would also testify at the hearings about being discriminated against in higher education. Senator Birch Bayh, a Democrat from Indiana who was also on the WEAL's advisory board, was a chief sponsor of the bill. On June 23, 1972, Title IX was signed into law by President Richard Nixon in 1972 as part of the Education Amendments. It states:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance” (20 U.S.C. sec. 1681).

Title IX applies to all educational programs and activities that receive federal funding. This includes all public K-12 schools, colleges, universities and many private schools.

Title IX Meets Athletics

Dunkle recalled the mood among supporters upon passage of the landmark law, especially how it addressed “the huge disparities in intercollegiate athletics. And that's when Title IX really hit the front pages,” she said (M. Dunkle, personal communication, 2018).

Sandler said because the word “sports” appears nowhere in the bill, the college athletic establishment simply had no idea that Title IX existed or that it would affect them at their very core (Sandler, 2007). During the mid-1970s, Dunkle said there was no data to show sex discrimination in athletics. Because of this lack of information, Dunkle along with others visited college campuses documenting the sex discrimination in athletics and published the findings in a project called *What Constitutes Equality For Women in Sport?* (Dunkle, 1974). Dunkle discovered budgets in women’s sports before Title IX were 1 percent to 2 percent of a total university sports budget (Dunkle, 1974). Some schools, however, were reluctant to comply with Title IX and this led to numerous complaints of sex discrimination across the nation. The struggle to get athletics programs to comply with the new law remained a challenge for the next decade, particularly with funding of women’s athletics. Bev Lewis, former associate vice chancellor at the University of Arkansas, described a double standard in men’s and women’s athletics, from the uniforms and equipment to funding for travel (B. Lewis, personal communication, 2019). In 1989, Lewis became the Women's Athletic Director at the University of Arkansas, which gave her the power to increase the funding of the women’s athletic program and add more sports and facilities. With Title IX having an effect on athletic programs all over the nation, Lewis’s story resonates with many female athletes, coaches and athletic directors.

Title IX applies to Sexual Misconduct

While intercollegiate athletics remained at the forefront of Title IX, the law continued to evolve and began to encompass sexual harassment on campus. In 1980, *Alexander v. Yale* (1980) became the first major federal court decision to interpret sexual harassment cases under Title IX. It was a decision by the U.S. Court of Appeals for the Second Circuit. Other cases throughout the past decades such as *Franklin v. Gwinnett County Public Schools* (1992), *Davis v. Monroe*

County Board of Education (1999) and *Kelly v. Yale University* (2003) established sexual assault as a form of sexual harassment and made schools liable for sexual harassment among the students, faculty and staff. According to the 2010 report released by the Center of Public Integrity, many universities have struggled in their responses to student complaints, resulting in mishandled cases (Center of Public Integrity, 2010). In an interview, University of Arkansas Chancellor Joseph Steinmetz said there was very little talk about sexual harassment on campus after Title IX expanded and how that situation did not change until the Obama Administration released the April 2011 “Dear Colleague Letter” (J. Steinmetz, personal communication, 2018). The letter says that institutions must adhere to a three-part protocol: disseminating a notice of nondiscrimination to students, employees, and others on campuses, designating a Title IX coordinator to oversee complaints, and adopting and publishing grievance procedures that provide “prompt and equitable resolution” of complaints (Department of Education, 2011). Dr. Kristen Harrell, Associate Director for Student Life at Texas A&M University, said in an interview that the “Dear Colleague Letter” basically told universities, “You're not doing a good enough job. Here are the things you really need to have in place. And if you're not doing these things, potentially, you are in violation of Title IX” (K. Harrell, personal communication, 2018). The “Dear Colleague Letter” required universities to use the preponderance of evidence when dealing with Title IX cases (Department of Education, 2011). As a result, the accused could be found in violation of Title IX with the evidence only needing to be 50.01% likely that they have committed the violation.

A Title IX investigation can be viewed through three dominant perspectives: the complainant, the respondent and the university. In my thesis documentary film, I was able to obtain perspectives from the complainant and the university with hopes of bringing

understanding to the viewers of the different sides. I personally went through the Title IX process with the “2011 Dear Colleague Letter” guidelines set in place. In the film, I describe the process and the effects of dealing with the outcome when the accused is not found responsible for the attack. The film also highlights the challenges that universities face in dealing with Title IX complaints and provides insight as to why some universities mishandle complaints. The university perspective tells a story about how universities are always stuck in the middle of Title IX cases with either the complainant or the respondent mad about the outcome. Because of this situation, universities are vulnerable to complaints by the Office of Civil Rights (OCR) and potential litigation alleging violation of due process. Speaking about the Title IX investigation process, Dr. Harrell said, “There’s a lot of hurt, fear & pain interwoven in it. And that makes it complicated” (K. Harrell, personal communication, 2019).

In 2017, the Trump administration brought further changes to Title IX. On September 7, 2017, U.S. Secretary of Education Betsy DeVos rescinded the “Dear Colleague Letter” policies and put into place a new interim guidance policy for Title IX (Department of Education, 2017). And on November 16, 2018, DeVos released controversial proposed regulations to Title IX that “would require schools to address sexual misconduct by assisting and protecting victims of sexual misconduct, while affording due-process protections to those accused.” (DeVos, 2018). The regulations provided universities guidelines on how to properly handle complaints. In addition, the proposed regulations narrowed the definition of sexual harassment from the Obama-era standard of “unwelcome conduct of a sexual nature” to a less restrictive test that classifies conduct as:

So “severe, pervasive and objectively offensive that it effectively denies a person equal access to the school’s education program or activity; allows cross-examination amongst accused students by bringing in lawyers, installs a higher standard of evidence in order to

prove guilt and gives universities the right to only investigate incidents that occur on campus” (Department of Education, 2018).

Harrell, the Texas A&M official, said the pros and cons of the new regulations involve “very clear expectations for how cases must be resolved... So it gives them clear guidelines for what the government is going to say is acceptable and not acceptable in relationship to how we resolve complaints of sexual violence” (K. Harrell, personal communication, 2019). As for the cons, Harrell said it “might have a chilling effect on complainants willing to come forward. Some requirements in relationship to direct cross-examination by individuals and advisors are going to make that process a lot harder on all of the students involved in these cases or faculty and staff if that should be the case that is in front of us.”

Sexual assault victims’ advocates see these proposed regulations as a huge pendulum swing towards the rights of the alleged attackers and universities. Shiwali Patel, Senior Counsel at the National Women’s Law Center, Patel said, “The Department of Education is also proposing to tilt the scales in favor of accused students in the grievance procedures” (S. Patel, personal communication, 2018). The new proposal would allow schools to either use the preponderance of the evidence standard for their investigations and hearings.

“And that's concerning because preponderance of the evidence is the most equitable standard, right? And to use clear and convincing evidence, they're basically tilting the standard. They're in favor of the accused student by making it a higher standard for the complainant, for the survivor, to be able to prove their allegations” (S. Patel, personal communication, 2018).

Most of the filmed interviews were shot when the proposed changes were going through a 60-day comment period. As of this writing, schools and universities are awaiting to see what provisions will be finalized. I want this thesis project, “IX: The Law of Non-Discrimination,” to

pay homage to the creators and implementers of the law who had a vision of creating an equal and equitable world, providing awareness by showcasing Title IX's complete power, and create a powerful dialogue among universities, lawmakers, students and citizens of the United States with the hopes of finding an Title IX investigation process through which every entity involved receives due process.

II. LITERATURE REVIEW

Enforcement of Title IX for athletic programs revolves around a three-part test formulated in the department's 1979 "policy interpretation." An institution can demonstrate compliance with Title IX if the male-to-female ratio of athletes at an institution is "substantially proportionate" to the male-to-female ratio of undergraduate enrollment, if the university has a "history of continuing practice of program expansion" for women, or it is "fully and effectively" accommodating the interests and abilities of women (Department of Education 2003, 15). The enforcement and evolution of Title IX were controversial, which resulted in the law being portrayed incorrectly in the news media (Walton, 2003, Hogshead-Makar, 2002, Rosenthal, 2008, Betancourt, 2001). A review of framing theory developed by Erving Goffman in his book *Frame Analysis* (1974) provides some insight on this inaccurate portrayal.

Framing happens when aspects of a perceived reality are selected and made more salient in a communication text to promote a problem definition, a causal interpretation, a moral evaluation, and possibly a treatment recommendation (McCombs, 1997). In other words, framing theory suggests that how something is presented to the audience influences the choices people make about how to process that information. Frames work to structure message meaning. Media coverage which may contain several different frames at a time. Goffman claims that people

interpret what is going on around their world through their primary framework, so named because it is taken for granted by the user (Goffman, 1977).

Theory: Framing Title IX in Athletics

A particular frame in media coverage of Title IX is known as the “Conservative right frame” because Title IX appeared to be discriminating against men’s non-revenue sports (Rosenthal, 2008). A textual analysis of Title IX coverage between 1972 and 2002 which discovered that media accounts often offered a “simplistic analysis” of Title IX, which created the misleading, negative framing of Title IX as a law that’s unfair to men (Walton, 2003). School officials began complaining that they were being forced to divert money away from “revenue” sports (such as football and basketball) to meet Title IX requirements to fund women’s sports (Betancourt, 2001). Because of these requirements, some universities started cutting into men’s non-revenue sports programs to comply with the law.

In 2002, *60 Minutes* aired a Title IX episode that focused on a lawsuit filed by a group of coaches from men’s non-revenue sports, such as wrestling, gymnastics, and diving, that claimed that Title IX created sexual harassment against men, accusing the law of destroying their sports (Hogshead-Makar, 2002). Nancy Hogshead-Makar, a former Olympic champion in swimming who now is a strong advocate for girls and women in sports, took CBS to the task for allowing an assertion that Title IX was a “gender quota law” to go unchallenged. “Such framing of Title IX”, she argued, “was inaccurate and loaded with negative imagery” (Hogshead-Makar, 2002). When Title IX is depicted as a quota law through news report, this news frame is “Conservative right frame,” as it’s known for fostering reverse discrimination and encouraging too much government interference in social life and roles (Rosenthal, 2008).

In the article, “The Gender War in U.S. Sport: Winners and Losers in News Coverage of Title IX” (Hardin, Simpson, Whiteside, Garris, 2007), the authors argue that journalists need to better understand Title IX and the impact that it has on high school and collegiate athletics. In other words, these authors don’t believe that Title IX is being framed correctly through the news. They believe that Title IX is being negatively framed through the news as a law that is unfair to men, mainly their non-revenue sports. Scholars and women’s sports advocates, however, have argued that media coverage of Title IX has the potential to bring far-reaching changes to the law (Walton, 2003).

With news framing, certain frames can be identified by the way sources are presented through the use of racial, gender, or occupational labels. This is a factor that can impact the perceived credibility of sources because these labels may have negative connotations that can cause a certain frame to be perceived negatively. The feminist frame of Title IX, for example, focuses on the continuing necessity to promote equality of rights, to overcome historic sex discrimination, and to eliminate societal inequality (Rosenthal, 2008). Title IX can be understood as a liberal feminist initiative, which is important for analyzing the frames that have been used in media coverage (Boutilier, SanGiovanni, 1994; Hargeaves, 1994). Liberal feminists theorize that changes in institutions, including academics and sports, are essential to achieving gender equity and that media play a critical role in shaping the public’s understanding of these changes (Steeves, 1987).

This frame sometimes attacks "radical" conservative groups for undermining the law (Rosenthal, 2008). In *How Media Frames Moves Public Opinion*, Terkildsen and Schnell report that a feminist frame of an issue, including the use of sources identified as feminists or as associated with the women’s rights movement, elicited negative responses from readers in

relation to gender equality issues (Terkildsen and Schnell, 1997). Other research indicates that feminism has been defamed by the press, and women known as feminists and their advocates have been framed as unattractive, deviant, and out-of-touch (Lind & Salo, 2002; Rivers, 1996). According to Lind and Salo's content analysis of 35,000 hours of ABC, CNN, PBS, and NPR news, this research found that women who were identified as feminists were often trivialized and demonized in relation to non-feminist women (Lind & Salo, 2002). The feminist frame, however, supports Title IX because this law fights for equality and the rights of anyone who faces discrimination, which primarily happens to be female students in education, female athletes in the sports world and female victims of sexual harassment since the majority of the victims are female.

Framing Title IX in Sexual Misconduct

Title IX isn't only being reported in the media through female sports; it is also being described through the issue of sexual harassment and assault on college campuses using the feminist frame. In 1977, silence surrounded incidents of sexual violence (Suran, 2014). But we now live in an era where sexual assault has become synonymous with Title IX. U.S. Senator Kirsten Gillibrand, Democrat of New York, said sexual assault on college campuses was an epidemic, driven by what some have called a rape culture (Toffee, 2014). This has brought Title IX into a new generation of activism focused on sexual assault and harassment on college campuses. For example, the student-led groups SurvJustice and Know Your IX were among the mediators in the rule-making process for the 2013 Campus Sexual Violence Elimination Act (SaVE Act), which amended the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking (U.S. Congress, 2011). These organizations and their work are examples of feminist approaches

to sexual assault; they emphasize systems advocacy by endeavoring not just to change individual women's lives but also to reform policies and procedures to better meet the needs of all survivors (Nichols, 2014a, 2014b). Some even suggest that today's college students will associate Title IX more with consent and gender identity than with athletics (Nadeem, 2017). As campuses began instituting formal procedures in the 1980s that allowed students to file complaints about sexual harassment and assault, many undergraduates said colleges often minimized such complaints, botched investigations, and ultimately failed to protect young women from the men they said had assaulted them (Wilson, 2014). In today's generation, student survivors of sexual assault have seized the platform of the Internet in an effort to change public perception of sexual violence, turning Title IX into a social referent far more powerful than the 1972 Congress could have imagined (Suran, 2014).

Conclusion

Looking at how Title IX is framed in the news media, the law is vulnerable to much inaccurate portrayal because it deals with multiple issues. While many may see Title IX as just a law that deals with athletics, or a law that only deals with sexual assault, or maybe even a law that only helps women, the nature of Title IX encompasses the broad concept of preventing sex discrimination of any kind in higher education. This frame unmask the many faces of sex discrimination. Title IX tends to be misunderstood because it is so vast: it is a law that is still continuing to evolve.

III. PRODUCTION NARRATIVE

My research on Title IX started in fall of 2017, in my journalism theory class. In spring of 2018, I began to write a research proposal and I drafted a structure for my film. The original title I had was called "The IXth Title." I intended on surveying students, faculty and staff at the

University of Arkansas to get their personal framing of Title IX. The end of the film would discuss issues with the law and what needs to be done to make the law more efficient or that the law a failed system that can't be repaired in the realm of sexual harassment. The goal was to shoot in-depth interviews with Title IX directors from different universities and notable journalists from the *Chronicle of Higher Education* newspaper who cover Title IX, and also shoot multiple group panel interviews with students, journalists, faculty and staff members from universities. I planned to begin shooting in Fall 2018 and end shooting in February 2019. The style of this project would change throughout time.

Preproduction|Summer 2018

The initial plan for this film was to gather different perspectives of Title IX from the history of the law, its application to sports and its evolution in dealing with sexual assault. I intended to find a student who went through the investigation process and a journalist who reports on sexual assault on campus. In the summer of 2018, I spoke with Professor Dale Carpenter, former documentary teacher at the University of Arkansas. We had several talks that led me to conduct more research about the topic in order to write an outline for the film.

Obtaining the History Perspective|Summer 2018

During my research during summer 2018, I discovered Bernice Sandler, whom many call the Godmother of Title IX. I contacted her by telephone about my project and she responded, "Oh I can tell you a lot about Title IX!" I then spoke to her caretaker, who informed me that Sandler had Alzheimer's. The caretaker asked for my contact information telling me that she would pass it on to another person who is also knowledgeable about the law. A day or two later, I received a phone call from Margaret Dunkle, who worked for Bernice Sandler during the time

of Title IX's expansion. Dunkle provided background about the legislative history of Title IX, including her academic study, *What Constitutes Equality for Women in Sport?*

Obtaining the University Perspective|Summer 2018

As I looked to describe the perspective of the university, I received information about a Title IX consortium at Arkansas State University from Dr. Karen Hodges, former faculty and staff member at the University of Arkansas who knew I was doing a film on Title IX because of our close relationship. Through this process, I contacted Dr. Kristen Harrell, Associate Director in the Offices of the Dean of Student Life at Texas A&M University.

I also set up a meeting with Tyler Farrar, Title IX coordinator at the University of Arkansas to talk about the prominent court cases that involved Title IX and dealt with sexual misconduct.

Obtaining the Journalist Perspective|Summer 2018

Looking for a journalist, I sought the *Chronicle of Higher Education* newspaper because of the excellent reporting by Robin Wilson, a senior writer. Wilson no longer works there but I was able to contact Sara Lipka, senior editor. Lipka provided background articles documenting the evolution of sexual misconduct being under Title IX (Lipka, 2015). Lipka would also refer me to two former journalists at the *Chronicle of Higher Education* who could tell the athletic side of Title IX.

Obtaining the History Perspective|Fall 2018

In early September, Dunkle emailed me photos of her, Edith Green, Bernice Sandler and Richard Nixon after a brief phone call where we scheduled a time to conduct a filmed interview in Washington D.C.

After the phone call, I spoke with Professor Foley, department chair of the Lemke Journalism Department at the University of Arkansas about receiving funding for the trip. I created a budget proposal requesting \$1200 for the trip and was offered \$750. I would also email the budget proposal to the division of student affairs at the University of Arkansas where I was offered \$1200.

On my first full day at Washington D.C., I went around the nation's capital taking pictures and capturing footage to possibly use for b-roll. The next day I went to Arena Stage to watch the play called "Actually" that deals with Title IX. At Arena Stage, I met Margaret Dunkle, Bernice Sandler, Fatima Goss-Graves (CEO of the National Women's Law Center), Marty Langelan (first and former president of the DC Rape Crisis Center) and many other notable people who helped implement Title IX. During the play, I sat beside the husband of the woman who took care of Bernice Sandler. After the play, I was encouraged to do a filmed interview with Bernice Sandler. Now upon coming to DC, the only person I thought of interviewing was Margaret Dunkle. I never thought I would have the opportunity to interview the woman known as the Godmother of Title IX because she was diagnosed with Alzheimer's disease. After leaving Arena Stage, I ate dinner at a restaurant with it being held by Margaret Dunkle. During the dinner, I received a lot of contacts from notable people and engaged in a meaningful conversation with Marty Langelan.

When the next day came, I went to the National Women's Law Center to conduct my first filmed interview for this project with Dunkle. A couple of minutes after Dunkle, I did a filmed interview with Shiwali Patel, senior counsel at the National Women's Law Center. I shot both interviews using only one camera. While I was preparing to leave, I contacted Marty

Langelan through email and by phone. We scheduled to do a filmed interview the next morning at the residence of Bernice Sandler.

When I arrived, Sandler and Langelan greeted me with open arms. As I was setting up, I remember Mrs. Sandler saying, “This might be my last interview.” When she said that I just remember hearing Mrs. Langelan consoled Sandler, urging her not to get too emotional. I proceeded by setting up two cameras with the main camera capturing audio. After successfully conducting the interviews with Mrs. Sandler and Mrs. Langelan, I returned to Fayetteville.

Obtaining the University Perspective|Fall 2018

In the Fall 2018, I contacted the University of Arkansas Chancellor Joseph Steinmetz and we met for about an hour in the second week of October. He agreed to do a filmed interview. In late November and December, I scheduled to conduct filmed interviews with Dr. Kristen Harrell and Chancellor Joseph Steinmetz in early January.

Finding the Right Character to Discuss the Sports Angle|Fall 2018

It was very difficult for me to find someone to tell this story of Title IX’s impact in sports at the beginning stages. I was looking for either a female student athlete, coach or athletic director during the time Title IX was making a major impact in sports. During this whole time, I had also been looking for documents and archival images for my film at the university of Arkansas Special Collections library department. When I was looking through the archives of the University of Arkansas former women’s athletic director, Ruth Cohoon, I was fascinated by the collection materials that related to Title IX. I contacted Mrs. Cohoon and requested an interview about being an athletic director while Title IX was making an impact. She declined because of personal reasons, but she gave me various contacts of people who would be willing to talk about Title IX in the sports world.

Dr. Melissa Harwood-Rom, Dean of Students at the University of Arkansas, would play a vital role in helping me fulfill this role in my film. She gave me the contact information of former vice chancellor Bev Lewis, former women's athletic director at the University of Arkansas. Lewis was a former track athlete at Central Michigan as well as a former track coach. Lewis and I would talk in the middle of December as she agreed to do a filmed interview.

Failed to obtain Journalist and a Student Survivor Perspective|Fall 2018

Due to schedule conflicts, I was unable to conduct filmed interviews with journalists such as Sara Lipka, senior editor of the *Chronicle of Higher Education*. Similarly, I was unable to get responses from several students and so I also decided to stop pursuing the student survivor perspective. I concluded that this perspective is too emotional and puts a lot of unwanted pressure on a student to tell their story.

Trip to Texas A&M|Spring 2019

I traveled to Texas A&M early January to film an interview with Dr. Harrell. I shot the interview using one camera having an audio recorder external from the camera to capture sound. I would capture b-roll footage of the college campus later that day and visit the Cushing Memorial Library and Archives on the Texas A&M campus. At the library, I was introduced to a collection on the history of women who attended Texas A&M. In the collection, I selected photos and newspaper clippings of women in class, women playing sports and anything related to the admissions of women and Title IX.

The Passing of Bernice Sandler|Spring 2019

As I arrived back to Fayetteville, I learned that Bernice Sandler had passed away. I was shocked to learn of her death because she would not get a chance to see this film. I recalled the moment when she said that her interview might be her last. Within me, there has always been a

deep pride to not only create great work but to be the best and standout in my field. The passing of Bernice Sandler really put things into perspective. It destroyed any selfish ambition and pride within myself about making this film. In other words, I realized that I couldn't make this film to show how great I was. I had to create a great film to uphold the legacy of a woman who changed the way women lived in the United States.

Obtaining the University Perspective|Spring 2019

A couple of days later after hearing about the passing of Mrs. Sandler, I filmed Chancellor Joseph Steinmetz. This was my first shoot during this project where I had assistance from Whitney Winkler and Ambrosia Johnson. We filmed the interview in his office using a two-camera setup using an audio recorder external from the camera to capture sound. Winkler set up the side camera and Johnson monitored the main camera and audio. Because I forgot to transfer my footage from my trip to Texas A&M onto my hard drive, I had to use different memory cards that had little memory. This caused us to stop recording for five minutes. This also caused the side camera to record inconsistently throughout the whole interview once we began recording again. My main camera successfully recorded the whole interview, but the video file of the second recording was corrupted due to a flaw in the camera. On the positive side, we successfully recorded the audio and the first 10 minutes of video with the main camera. The side camera captured bits and pieces throughout the whole interview. So, I still had something to work with in post-production.

When I was leaving the Chancellor's office, he asked me if I had interviewed Tyler Farrar, Title IX coordinator at the University of Arkansas. Every time the thought of interviewing Farrar came to my mind, I would reject it and not take it seriously because he had dealt with my Title IX case even though he was open to doing a filmed interview. Don't get me

wrong: I didn't think negatively about Farrar but with him being very close to an issue that involved me, I didn't want any close remembrances of that Title IX case in my mind. But after hearing the Chancellor ask me that question, I became open to the idea as I convinced myself that it wouldn't make sense to do a film about Title IX without the perspective of a Title IX coordinator. I contacted Farrar to set up a meeting, asking him if he was still open to doing and he agreed. A couple weeks after interviewing Chancellor Joseph Steinmetz, I successfully conducted a filmed interview with Tyler Farrar using a two-camera setup using an audio recorder external from the camera with Winkler helping monitoring both cameras.

Interviewing Bev Lewis|Spring 2019

The interview with Bev Lewis was conducted in late January. This interview was, by far, the best shoot in my short film career. The film location was at the Bev Lewis Center, the facility used for women athletes. Inside the facility was a giant mural painting of all the women sports which became the perfect place to interview Lewis. I brought Ambrosia Johnson with me an hour and a half early before the scheduled time Lewis would arrive to setup. Because of the mural painting size, the original interview angle I had blocked out to interview Lewis wouldn't work. But it turned out to be amazing as I found a better angle using a two-camera setup and using an audio recorder external from the camera to capture the sound. Johnson monitored the side camera and audio. The interview was successfully recorded from a technical and cinematic standpoint. After the interview, we captured b-roll footage of the giant mural painting with one of them being a wide shot of Bev in front of the mural.

Coming to the Realization that my Story Matters|Spring 2019

Throughout this whole time, I still couldn't find the right character to tell the perspective of a student survivor nor a journalist who is knowledgeable about Title IX for the film. These

failures help me realized that I was that person all along. I truthfully felt like my story necessarily didn't matter nor would it be believed because the results of my case. I was looking for someone to be a spokesperson for me, but I was the only one who can tell my story. As a result, I made the decision to interview myself. I invited a close friend, Michael Day to set up the cameras and gave him a list of questions that I wanted to ask myself. I realized as well that I never needed to interview a journalist who was knowledgeable about Title IX, because I am that journalist who can serve as a narrator throughout the film.

Post-Production|Spring 2019

The post-production began right after the last interview in early February. Now looking back, I wished I would have started editing right after the first interview. This whole process consisted of me gathering archival materials from various libraries, constructing a script so I see the story, editing and finishing the film. I would gather archival images and documents from the special collections department of many universities and various sources. I began obtaining them from the University of Arkansas where I found a lot of still images that can show the lives of female students during the 1960s and 1970s. As I looked through Ruth Cohoon's (former athletic director at the University of Arkansas) archive collection, I found various news clippings that documented the impact of Title IX in sports, athletic budgets of a couple of division 1 schools and a surprising photo of Ruth Cohoon with Margaret Dunkle. I would also gather a couple of photos and newspaper clippings about women and Title IX at the Cushing Memorial Library and Archives at Texas A&M. Nearly all of the images that I obtain of Bernice Sandler came from the Harvard Library. From the Harvard Library, I would also obtain archival photos that documented the campus life in the 1950s through the 1980s, photos of congresswoman Edith Green, and two photos taken by the American photojournalist Bettye Lane. From the special collections

department of Grove City College, I obtain archival video footage of news anchor Judy Woodruff talking to Charles S. MacKenzie, past president of Grove City College and short soundbite interviews of students from Grove City College supporting their university's stance on Title IX. I would use newspaper clippings from university newspapers of Penn State and Texas A&M. For obtaining visuals for Bev Lewis, I obtained a photo from Central Michigan and multiple photos and videos from the University of Arkansas special collection and athletic department. There were some visuals that I took from outside of universities collections. I would gather licensed free vintage footage of college campuses from YouTube, the 2011 Dear Colleague letter from the U.S. Department of Education website, and reports of sexual assault on campus from the Center of Public Integrity's website.

When it came to writing the script, I would construct it by editing and putting all the key audio soundbites that would possibly be in the film together to get them transcribed. After the audio was transcribed, I began typing out the script. I emailed the script to professor Dale Carpenter after I was finished to get it revised. After the revision of the script, I began finishing the film by adding creativity with the use of music, animation, narration and lively visuals with the hopes of keeping the viewer entertained.

Final Thoughts

I made a lot of mistakes throughout this entire project. There were times where I didn't put in my full effort, moments where I waited for something to happen instead of taking the initiative. But I've seen myself grow in my craft. When it came to filming the interviews, I noticed the mistakes I made in asking the same question that was just worded differently and the technicality issues in recording good audio, good footage and choosing the right locations. With me noticing these issues, I progressed from each interview capturing quality soundbites. The

biggest thing I've learned is that I need to stay more grounded and balance if I want to do great things in this field because this required sacrificing more time during the day than I expected. My biggest hopes are hoping that this project is seen as something of high quality, something that Bernice Sandler would love, something that informs and educate people to have a valid opinion about the timely issue, and lastly, something that can bring healing and closure to the horrific pain that victims of campus sexual assault suffered.

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V. APPENDIX**APPENDIX A: IRB APPROVAL LETTER**

To: Denzel Jenkins
BELL 4188

From: Chair, Douglas James Adams
IRB Committee

Date: 01/18/2019

Action: **Review Not Required**

Action Date: 01/18/2019

Protocol #: 1809142560

Study Title: IX: Story About The Law of Non-discrimination

Please keep this form for your records. Investigators are required to notify the IRB if any changes are made to the referenced study that may change the status of this determination. Please contact your IRB Administrator if you have any questions regarding this determination or future changes to this determination.

APPENDIX B: OUTLINE

Program Narrative

Discrimination has many faces, especially in education during the 1960s and 70s. Such as being required to take a certain class, getting rejected to a university, and not receiving funding all because of your sex. With frustration mounting from discrimination during this time, Strong-willed individuals sought after change. Edith Green, a democrat in Oregon, held hearings on discrimination against women. All hearings focused on discrimination on employers, colleges, & universities. This resulted in the creation of Title IX of the Education Amendments of 1972, a law that prevents discrimination on the basis of sex under any education program or activity receiving Federal financial assistance.

Title IX applies to the entirety of an institution. This allows the law to not only affect education but athletics within an institution as well. When Title IX was enacted, some institutions and the NCAA were unwilling to change their policies to accommodate the law. As women held fundraisers to fund their own team while receiving leftover equipment and facilities, voices began to cry out injustice, helping create the 847 percent growth in women sports from 1971 to 2001.

“Women in sports before Title IX was 1-2% compared to Men in sports. Women had to practice at the least desirable times and one team held bake sales to fund their travel.”

- Margaret Dunkle, First Chair of National Coalition for Women

Title IX’s reach doesn’t stop in education and athletics. The law would evolve into granting universities full authority in handling sexual assault and harassment cases by court rulings. On September 22, 1980 a federal appellate court, in *Alexander v. Yale U.*, upheld female students’ argument which allowed sexual harassment to be considered a form of discrimination

under Title IX. And on February 26, 1992 the U.S. Supreme Court, in *Franklin v. Gwinnett County Public Schools*, establishes sexual assault as a form of sexual harassment. Later court cases would make schools liable for student-on-student assault (if school officials have knowledge about the assault) and giving schools an ultimatum, as schools cannot equivocate students' allegations.

Throughout the years that Title IX has been enacted, there have been numerous complaints that colleges haven't responded adequately to sexual assaults reported on campuses. In 2010, the Center of Public Integrity released a report that contain results from a survey conducted in the previous year dealing with sexual assaults at four-year public universities. The report contains several personal stories of students who experience sexual assault on campus as they struggle to find justice. With the report having such a serious effect, the U.S. Department of Education's Office for Civil Rights issued a "Dear Colleague" letter (April 2011) to Universities under the Obama Administration. The letter gives specific examples of school's responsibilities relating to sexual harassment and violence. The letter made it the responsibility of colleges "to take immediate and effective steps to end sexual harassment and sexual violence", by requiring universities to hold disciplinary review board hearings and the use of a comparatively low legal standard in deciding whether an assault occurred.

"Dear Colleague:

Education has long been recognized as the great equalizer in America. The U.S. Department of Education and its Office for Civil Rights (OCR) believe that providing all students with an educational environment free from discrimination is extremely important. The sexual

harassment of students, including sexual violence, interferes with students' right to receive an education free from discrimination and, in the case of sexual violence, is a crime."

- Department of Education's Office for Civil Rights, 2011 Dear Colleague Letter

The 2011 Dear Colleague letter led to many concerns that of which are still a concern today. Concerns if institutions can fulfill the burdens of acting as mini-criminal justice systems, how universities treat complaints/victims of assault, how evidence is collected and assessed along with the length of investigations. As the epidemic of sexual assault on campuses catches media attention, there is intense pressure on universities to meet every expectation in this realm.

"There's a lot of hurt, fear & pain interwoven in it. & that makes it complicated." -

Kristen Harrell, Ph.D. Associate Director in the Offices of the Dean of Student Life at Texas A&M University referring to the Title IX investigation process

Today, Title IX can be easily associated as a law that only deals with sexual assault and rape. With most cases being regarded as a male college student assaulting the female college student, the law can easily be portrayed as a law that only helps women. The purpose of this documentary is to provide awareness of the law in providing historical facts and how the law evolved to where it is today. To objectively and subjectively dissect Title IX's Investigation process with the hopes of bringing understanding, clarity, and possible ideas to the viewers that can spark a change within the culture on college campuses. And to bring understanding to the viewer that Title IX is a law that prevents discrimination on the basis of any sex.

Production Plan

The film contains archival visuals from the 1960s to now, to help capture the atmosphere. The national archives, library of congress, public domain, universities special collections and the cast in the film will be a good source for archival images and videos.

The story will be told from personal stories about the creation of the law to today's outlook on the law. Some of these will include:

Bernice Sandler – Received Doctorate from the University of Maryland. Known as the Godmother of Title IX, experienced sex discrimination which led her to file administrative charges to nearly 250 universities

Bev Lewis - the athlete who experienced gender discrimination in the 1970s, former athletic director at the University of Arkansas who has vivid stories of the inequities in the athletic sector.

Joseph Steinmetz - Chancellor at the University of Arkansas who can provide the universities perspective when dealing with Title IX from sexual harassment and speak about the effect of the 2011 Dear Colleague Letter

Kristen Harrell - Ph.D. Associate Director in the Offices of the Dean of Student Life at Texas A&M University who has been involved in Title IX investigation cases

Margaret Dunkle – First Chair of the National Coalition for Women and Girls in Education. Worked on Title IX June 1972. Also was one of the first to report on gender discrimination in athletics

Shiwali Patel - Senior Counsel at the National Women's Law Center

Tyler Farrar - Title IX coordinator at the University of Arkansas

ACT I: Life Before Title IX - A historical timeline from the mid 1960s to 1972

- The reason behind the creation of the law
- The process of Title IX becoming a law

1. The treatment of women led to frustrations

Some Examples of discrimination against women in education

- In high school, girls were required to take home economy & boys were required/prohibited to take shop (certain classes)
- In the university realm, Women had limitations for scholarships. University had the choice
- In the University of Virginia women were rejected admission while no men were rejected

- Women couldn't get accepted into law school (due to quotas, exclusion, subtle discrimination)
- Women in sports before Title IX was 1 to 2% of the money compared to Male sports
- **Title IX was a stealth operation - American council of education decline to testify**
 - **Patterned after Title VI, Title VI was limited to education**

2. The Creators of Title IX

- Edith Green, Democrat in Oregon
 - Had power in congress
 - Held hearings on discrimination against women
 - All hearings focus on discrimination on employers, colleges & universities
 - Used reauthorization of the higher education act in 1972
- Birch Bayh, Indiana
 - Senator that sponsored Title IX
- Bernice Sandler
 - Worked for the hearings that Edith Green held
 - Filed complaints against universities

Implementors

- Margaret Dunkle - helped Title IX become reality
- Holly Knox - Peer (Project on Equal Education Rights)
- Margot Polivy - Attorney for Intercollegiate athletics
- Alexandra Buek - Worked at the office for Civil Rights
- Cindy Brown - Was involved in the beginning, worked for office of civil rights, soon became deputy

2. The process of the law getting created and passed

- **Title IX was a stealth operation being patterned after Title VI, which didn't include education**

After Title IX was passed, how long did it take to make an impact?

ACT II Part 1

- The effects of the law, the shift from education to athletics
 - gender equity in athletics was originally not considered during debates, leading up to the passing of Title IX because the focus was on getting women in graduate and professional schools.
 - since the law applied to the entirety of an institution receiving federal funds, not just a specific program, athletics fell under its jurisdiction and therefore needed to be addressed. Athletics was litigated later.

- Institutions actively fought to keep their policies in the realm of Athletics. Example, Tower hearings of athletics. (Tower attempt to exclude Title IX and produce revenue producing sports was not enacted.) Title IX kept its regulations
- Yale 19 in 1976.
- Examples of Sex Discrimination: (Women team held fundraisers to support their team, women received leftover equipment and facilities, Yale 19 in 1976 etc.)
- The NCAA opposing the law, (had Women's AIAW) then coming to terms (NCAA took over AIAW)
- Stats showing the growth in women's sports

ACT II Part 2

- How the law gradually moved over into handling cases about sexual harassment (why colleges are handling sexual assault)
 - September 22, 1980 A federal appellate court, in *Alexander v. Yale U.*, upholds female students' argument that sexual harassment may be considered discrimination under Title IX
 - February 26, 1992 The U.S. Supreme Court, in *Franklin v. Gwinnett County Public Schools*, establishes sexual assault as a form of sexual harassment.
- How universities treated sexual harassment and assault cases before and after the courts established them as a form of discrimination under Title IX
 - Controversies led the Center of Public Integrity releasing a report in 2010
- Center of Public Integrity 2010 Report
 - report contains several stories about sexual assault on campus
 - report contains troubling discrepancies in Clery Act Numbers
 - A year later, the Obama Administration sent out a Dear Colleague letter.
- 2011 Dear Colleague letter Effect
 - ***Previous Dear Colleague letters may be expressed in this section**
 - Letter gives specific examples of school's responsibilities relating to sexual harassment and violence
 - Letter discusses proactive efforts schools can take to prevent sexual violence and educate employees and students
 - Letter provides examples of the types of remedies schools and the OCR may use to respond to sexual violence
 - Letter made it the responsibility of colleges "to take immediate and effective steps to end sexual harassment and sexual violence."
 - Letter requires universities to hold disciplinary review board hearings and the use of a comparatively low legal standard (the preponderance of evidence standard) in deciding whether an assault occurred
 - Letter led to many concerns: that institutions simply cannot fulfill the burdens of acting as mini-criminal justice systems, how universities treat complaints/victims of assault, how evidence is collected and assessed and the length of investigations
- The pressure that the universities face when dealing with cases (College Reputation vs Students Safety)
- The structure of the investigation process.

- Spark the question is Title IX a failed system (when it comes to sexual assault) that can be improve in the realm of sexual harassment or does colleges need to stop handling sexual assault

ACT III

- The Trump Administration
 - Betsy DeVos rescinded the Dear Colleague letter in Fall 2017
 - DeVos is preparing new policies on campus sexual misconduct
 - This will bolster the rights of students accused of assault, harassment or rape, reduce liability for institutions of higher education and encourage schools to provide more support for victims.
- From the beginning, when Title IX was created to now, how impactful has this law been and is there room for growth to ensure that this is law is fulfilled?

APPENDIX D: INTERVIEW QUESTIONS

Questions for Margaret Dunkle and Bernice Sandler

- Overall, what was Life like for female students in the 1960s? Can you describe to me the environment for female students in the United States?
- How were women discriminated in education?
- Can walk me through the creation of Title IX? From the creators to the implementers?
- Can you describe me the personality of Edith Green, Birch Bayh and Bernice Sandler? What was it like working with Bernice Sandler?
- Title IX was passed in 1972, what year did the law become fully effective?
- Would you consider the Tower Amendment a serious threat to repeal the law?
- After Title IX passed, where there any other possible threats to repeal the law?
- What all did Title IX cover? Can you name some examples of how the law was effective?
- What were required of universities in order to comply to Title IX?
- Why were colleges reluctant to install Title IX on their college campuses?
- In what ways were universities still discriminating against gender?
- In what ways did notable people like yourself and others fight back?
- Did you guys expect Title IX to make an impact in women's sports?
- Did you ever think Title IX would make such an impact?
- When you look at Title IX now, and how it has evolved, what are your thoughts?

Questions for Bev Lewis

- When did you first hear about Title IX?
- Talk about your time as a student athlete at Central Michigan. Was there anything your team did to raise money.

- What were the double standards that you saw in Men and Women athletics? (All of the struggles that female athletes faced from the budget, facilities used, equipment, scholarships etc.)
- Were there any full time workers in the Women's Athletic department part-time only?
- What year did collegiate female athletes begin receiving scholarships?
- What changes did you see when Title IX became effective?
- Did you notice any resistance from the University or universities unwilling to comply with Title IX?
- Were you aware of the Tower Amendment? If so, can you tell what it is and did you do anything to help keep Title IX's regulations?
- With Title IX effective, were there any Men's non-revenue sports cut because of it?
- Throughout the past decades of Title IX existence, the law has been expanding by resolutions in court cases. Were Universities alerted whenever court cases expanded Title IX regulations? Were there any notable court cases that stuck out to you?
- Grove City v. Bell case in 1984, The Supreme Court concludes that Title IX only applies to specific programs (i.e. Office of Student Financial Aid) that receive federal funds. Under this athletic departments are not necessarily covered. Did you notice any changes within the university or around the nation when this came into effect?
- The Civil Rights Restoration Act of 1987 reenacted athletics must comply with Title IX. Did you notice any changes within university or around the nation?
- Can you talk about your experience with women's sports being under AIAW?
- Was there a struggle for money to fund your team as a track coach? If so, can you talk about that experiences for your as a track coach?
- When you became athletic director, what things did you noticed that needed to be changed in women's athletics?
- What were the sports that you added?
- Can you talk more about the plan you had with Dan Ferritor to help put together a fully funded women's program?

- Looking back at Women collegiate sports from the 1960s to now, what are your thoughts?

Questions for Chancellor Steinmetz and Dr. Kristen Harrell

- When did you first hear about Title IX?
- A lot of the media coverage focused on Title IX in relation to college athletics. Did you notice any media coverage focusing on Title IX in relation to sexual harassment? If so, when?
- Throughout the past decades of Title IX existence, the law has been expanding by resolutions in court cases. Were Universities alerted whenever court cases expanded Title IX regulations? Were there any notable court cases that stuck out to you?
- How did universities handle sexual harassment on campus and primarily sexual assault and rape during this time?
- When did it occur to Universities that this may be a major problem?
- Can you describe to me the atmosphere within the universities before and after the Obama Administration released the Dear Colleague Letter?
- What is the 2011 Dear Colleague Letter?
- When it comes to the 2011 Dear Colleague Letter, it mentions that it supplements the 2001 guidance. What did the 2011 Dear Colleague Letter take from the letter in 2001?
- What positive impact would you say that the 2011 Dear Colleague Letter had on universities?
- What negative impact would you say that the 2011 Dear Colleague Letter had on universities?
- When it comes to how Title IX is regulated in this realm, how does the process affect the victims and the respondents?
- What are Universities doing to provide a safe learning place for the victims and respondents?
- What pressure do universities face when dealing with such cases?

- In August 2018, Texas A&M changed their Title IX policy. What effects were there in the old policy that led to this? And how will the new policy be affected under Betsy DeVos Proposed Changes?
- When it comes to Betsy DeVos Proposed Changes, what do you see as the pros and cons to the new rulings?
- What direction do you see Title IX going under Betsy DeVos Proposed Changes to Title IX?
- Looking at Title IX over the years, what are your thoughts?

Questions for Tyler Farrar

- When did you first hear about Title IX?
- What spark your interest in Title IX?
- Throughout the past decades of Title IX existence, the law has been expanding by resolutions in court cases. Were Universities alerted whenever court cases expanded Title IX regulations? Were there any notable court cases that stuck out to you?
- What spark your involvement to becoming a Title IX Coordinator?
- Can you describe your experience as a Title IX Coordinator?
- What would you say is the reason for universities mishandling Title IX complaints?
- What challenges do you come across when dealing with a Title IX complaint?
- What is the 2011 Dear Colleague Letter?
- What impact would you say that the 2011 Dear Colleague Letter had on universities?
- When it comes to how Title IX is regulated in this realm, how does the process affect the victims and the respondents?
- What pressure do universities face when dealing with such cases?
- When it comes to Betsy DeVos Proposed Changes, what type of impact do you think it will have on universities if it becomes law?

- What direction do you see Title IX going under Betsy DeVos Proposed Changes to Title IX?
- Looking at Title IX over the years, what are thoughts?

APENDIX E: SCRIPT

Writer/Producer: Denzel Jenkins	Graduation Date: May 2019
Estimated time: 33 mins 30 sx	Status:
Version: 1	Revised:

Production notes: IX: The Law of Non-Discrimination defend May 2019
The University of Arkansas School of Journalism and Strategic Media.
Master Thesis May 2019.

<u>Scene</u>	<u>Video</u>	<u>Audio</u>
1	<p>Black Screen:</p> <p>Lower third: Prologue</p> <p>Black Screen fades into establishing shot of Denzel interview</p> <p>Lower third: Denzel Jenkins</p> <p>Lower third: Graduate Student University of Arkansas</p> <p>Fade to Black</p> <p>Lower Third: 1960s</p>	<p>Dramatic music plays in the background(from Motion Array)</p> <p>Denzel:</p> <p>This documentary film is my thesis project and it's special because... it's special because I was raped here at the University of Arkansas during my time as an undergrad. and because of that, I came into the graduate program knowing that I was going to do a film on Title IX. With the reason being, that I felt like I didn't get justice when I filed a Title IX complaint as I went through the investigation process. But as I started doing the research on Title IX, I realize that this law doesn't only deal with sexual assault, harassment and rape. But it's something much deeper than that</p> <p>Dramatic music fades in</p> <p>Film reel fades in and fades out to the background</p> <p>Sound Bites(off camera)</p>

<p>Rolling Frame transition to archival footage of male professor teaching a class</p> <p>shot of Female student in classroom</p> <p>archival footage of male students walking to class</p> <p>Lower Third: 1970s</p> <p>Rolling Frame transition to newspaper clipping saying “Title IX goes into effect”</p> <p>newspaper clipping saying “Universities charged with sex discrimination in athletics</p> <p>text in document saying “Athletic Department - Breakdown of Operating Budget”</p> <p>Lower Third: 1980s</p> <p>Rolling Frame transition to newspaper clipping saying “After Grove City”</p> <p>Lower Third: 1990s - 2010</p> <p>Rolling frame transition to newspaper clipping saying “Schools may be responsible for rape”</p> <p>newspaper clipping “Sexual Assault on Campus shrouded in Secrecy”</p> <p>Lower Third: 2011</p>	<p style="text-align: center;">Bernice Sandler</p> <p>there was a lot of discrimination against women in colleges and universities at all levels.</p> <p>A lot of schools simply didn't take women.</p> <p style="text-align: center;">Margaret Dunkle</p> <p>We're talking a really big issue here, we're talking rethinking what women and men can do, should do.</p> <p style="text-align: center;">News Reporter</p> <p>Dr. Mckenzie, why is Grove City so opposed to Title IX?</p> <p style="text-align: center;">Chancellor Joseph Steinmetz</p> <p>to publicly read or hear on campus about sexual assault was a rarity. You didn't hear about it very often.</p>
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	<p>text in document saying “Office of Civil Rights”</p> <p>Rolling frame transition to text in document saying “Dear Colleague”</p> <p>Lower Third: 2018</p> <p>Rolling frame transition to still of Betsy DeVos</p> <p>Still of Betsy DeVos</p> <p>Rolling frame transition to</p> <p>Title Page: IX</p> <p>Dissolving into Title Page: The Law of Non-Discrimination</p>	<p style="text-align: center;">Dr. Kristen Harrell</p> <p>Institutions of higher education read this letter and said, "Oh my goodness, we need to change some things."</p> <p style="text-align: center;">Betsy DeVos</p> <p>Survivors, victims of a lack of due process and campus administrators have all told me that the current approach does a dis-service to everyone involved</p> <p style="text-align: center;">Tyler Farrar</p> <p>With all other federal laws and guidance that affects the university, I think Title IX is certainly the one that is the most complex than any other law.</p> <p>Music fades out</p>
2	<p>Dissolve from black to map</p> <p>Lower Third: “I - A Man’s World”</p> <p>Fade to Video: Establishing shot of a college campus in the 1960s</p> <p>Establishing shot of students walking on campus</p> <p>Students in sitting at a table with teacher</p> <p>Male & Female student looking at books</p> <p>Students in sitting at a table studying</p>	<p style="text-align: right;">TRT</p> <p>02:25sx</p> <p>Music: “Born to Become – Maya Johanna”</p>

<p>Female chemist student with male chemist teacher</p> <p>Female student searching through archives</p> <p>Female students walking on campus</p> <p>Dissolving to Students in library studying</p> <p>cut to Margaret Dunkle Interview</p> <p>Lower Third: Margaret Dunkle - First Chair of the National Coalition for Women and Girls</p> <p>Archival footage male students graduating</p> <p>Male Science teacher teaching</p> <p>Margaret Dunkle interview</p> <p>Still of High students sitting at their desk working</p> <p>Still of Boys in shop class</p> <p>Still of Girls in home economics class</p> <p>Still of Multiple female students in home economics class</p> <p>Still of 2 female students cooking</p> <p>Still of Home economics teacher teaching students</p>	<p>Music fades to the background</p> <p>Margaret Dunkle: Life for female students in the 1960's before Title IX was so different that I'm not sure today's students could really understand it.</p> <p>There were no female road scholars.</p> <p>If there was an advanced science class, they could say, "It's for boys only. No girls admitted."</p> <p>If you were in high school, in many schools, boys were required to take shop. Girls were required to take home economics and there was no choice. That's what you did.</p> <p>Music fades in</p>
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<p>Still of Women decorating</p> <p>Still of Female students sewing</p> <p>Still of Female students using typewriters</p> <p>Still of Students sitting down at a table as a female student is looking off in the distance</p> <p>cut to Bernice Sandler Interview</p> <p>Lower Third: Bernice Sandler</p> <p>Still of Female student buying something at a store</p> <p>Still of Female student registering for classes</p> <p>Lower Third: Godmother of Title IX</p> <p>Still of 3 female students studying in library</p> <p>Margaret Dunkle Interview</p> <p>Still of 2 female students studying in library</p> <p>Still of female student studying by herself</p> <p>Still of female student studying</p> <p>Still of black male students</p> <p>Still of female student taking notes from male professor</p>	<p>Music fades into background</p> <p>Bernice Sandler: Yeah, there was a lot of discrimination against women in colleges and universities at all levels.</p> <p>Many of the colleges had a quota, if they took women.</p> <p>It was the co-ed schools, almost all of them, had quotas for women. They would only take so many women no matter how many applied, no matter how bright they were.</p> <p>Margaret Dunkle: In terms of graduate admissions and undergraduate admissions in colleges, almost always, female students had to have higher graders, higher test scores, better recommendations than their male counterparts. And even then, they didn't get accepted.</p> <p>Bernice Sandler: A lot of schools simply didn't take women. They began taking African Americans, but not African American women.</p>
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	<p>Vintage still of female student</p> <p>Vintage still of Bernice Sandler</p> <p>Vintage still of Bernice Sandler with people</p> <p>Vintage still of Bernice Sandler with people</p> <p>Bernice Sandler Interview</p> <p>Still of Bernice Sandler</p>	<p>Bernice “Bunny” Sandler, was turned down of a teaching job three times after obtaining a doctorate degree at the University of Maryland.</p> <p>Sandler was told that she came on too strong for a woman and “Not really a professional”, but “Just a housewife who went back to school.”</p> <p>Bernice Sandler: they were very open about it, they said, "We just don't take too many women." And then they paused, especially married women, and then they paused again, especially married women with children... I mean nobody thought that was wrong. That all made sense.</p> <p>Music fades out</p> <p>Narrator: The discrimination that Mrs. Sandler faced would not only change her life but would also change the lives of many other women.</p>
3	<p>Lower Third: II - The Eureka Moment</p> <p>Bernice Sandler Interview</p> <p>Animation showing the executive order</p> <p>Bernice Sandler Interview</p>	<p style="text-align: right;">TRT: 6:40sx</p> <p>Bernice Sandler: Well I suddenly realized we had a way to file sex discrimination cases if they were violating this executive order.</p> <p>This executive order, which said if you had a federal contract of any sort, you were a school, you were a business, or whatever. But if you had a federal contract, which many colleges and universities did, you couldn't discriminate on the basis of race, color, religion, national origin, and sex. That was the eureka moment.</p> <p>And I realized that colleges had contracts with universities to do various projects. And that therefore they were covered by the executive order.</p>

	<p>Vintage still of Bernice Sandler in a meeting</p> <p>Vintage still of Bernice Sandler in a meeting</p> <p>Still of Edith Green</p> <p>Margaret Dunkle Interview Still of Edith Green</p> <p>Margaret Dunkle Interview Still of Edith Green</p> <p>Margaret Dunkle Interview Still of Bernice Sandler</p> <p>Still of Bernice Sandler Still of Bernice Sandler</p> <p>Bernice Sandler Interview</p> <p>Margaret Dunkle Interview</p>	<p>So I started filing charges. And everybody said, "Don't do that. You don't get your degree if you do that." And I figured I wasn't gonna get a degree ... they weren't gonna give me a degree anyway cause I was a troublemaker. And so I began filing charges. If anybody ever counted, I probably have filed more charges of sex discrimination than anybody else in the country.</p> <p>Music Under (Motion Array Library)</p> <p>Narrator: Bunny Sandler filed administrative charges of sex discrimination against nearly 250 universities & colleges through an organization called the Women's Equity Action League.</p> <p>Catching the attention of Congresswoman Edith Green, who sat on the League's advisory board</p> <p>Margaret Dunkle: Edith Green was the congresswoman from Oregon who had been elected on her own, unlike most women in congress. She had the stature, the power to hold hearings in 1970, '71 about women in higher education, discrimination against women.</p> <p>Bunny Sandler, had taken a part time job working with Edith Green on the hearings on sex discrimination in 1970, '71.</p> <p>Bernice Sandler: I was practically the only person who was working on that issue. And so they held the hearings and I testified that there was discrimination in education. And everyone said, "What?" And I said, "Yes." And then they began changing the laws.</p> <p>Margaret Dunkle: After the hearings she had, she put in what originally started as Title X and then became Title IX.</p>
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	<p>Still of Vintage College Campus</p>	<p>all public K-12 schools, colleges, universities & many private schools.</p> <p>Some notable institutions such the Ivy League Colleges were exempted from this law in regards to undergraduate admissions, but had to provide equal opportunity for graduate admissions.</p> <p>& Title IX would gain nationwide attention by making an unexpected impact outside of the classroom</p> <p>Music fades out</p>
4	<p>Lower Third: III - Unveiling the Mask</p> <p>Margaret Dunkle Interview</p> <p>Newspaper clip saying “Bolstering of Title IX urged” dissolving to</p> <p>Newspaper clip saying “Will Title IX affect Ags?” dissolving to</p> <p>Newspaper clip saying “Penn State Pushing for Title IX revisions” dissolving to</p> <p>Newspaper clip saying “62 colleges charged with sex bias in Athletics” intertwined with</p>	<p>TRT:</p> <p>11:09sx</p> <p>Margaret Dunkle: Once Title IX was passed, one of the areas that became the tail that wagged the Title IX dog was the huge disparities in intercollegiate athletics.</p> <p>Music fades in (Motion Array Library) And that's when Title IX really hit the front pages.</p>

<p>the list of colleges rolling down or across the frames</p> <p>Newspaper clip: "Education Department says CUNY's Brooklyn College Discriminates Against Female Athletes and Coaches" dissolving to</p> <p>Newspaper clip saying "Women's and Men's Athletics invite inevitable comparison"</p> <p>Margaret Dunkle Interview</p> <p>Newspaper clip: "Texas women get share" dissolving to</p> <p>Newspaper clip saying "Women's Athletics find new home in Aggieland" dissolving to</p> <p>Front page of the Report "What Constitutes Equality for Women in Sport" Easing in on the Title rolling cut to</p> <p>Margaret Dunkle Interview</p> <p>Vintage still of a Women's sports team Vintage still of a Men's sports team</p> <p>Vintage still of student athlete swimming Vintage still of Female coach coaching Vintage still of Male coach Vintage still of Women playing on the field</p> <p>Margaret Dunkle Interview</p>	<p>Bernice Sandler: We weren't very aware one, how important athletics was. Most of us were not athletes, we were intellectuals. So we were not athletes and not interested in athletics at all. So it wasn't something we were taking notice of. And didn't recognize the impact that it would have.</p> <p>Margaret Dunkle: We're talking a really big issue here, we're talking rethinking what women and men can do, should do. What their dollar should pay for, what their parents dollar should pay for.</p> <p>Narrator: As people started to look at athletics, Margaret Dunkle would conduct the first research documenting what constitutes equality for women in sport.</p> <p>Margaret Dunkle: So because we couldn't get data, we got all the examples we could of what women's programs and men's programs looked like and compared them.</p> <p>No scholarships, coaches that weren't paid where the male coaches were paid. Having to use the fields only when the male teams didn't want them. These are huge differences, these are not little things." So sports became the engine of Title IX.</p>
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<p>Front page of the Report “What Constitutes Equality for Women in Sport”</p> <p>dissolving to Newspaper clip: “Tower Amendment Would Protect Bigtime Football from Title IX”</p> <p>Margaret Dunkle Interview Still of Senator John Tower Still of College football Still of Senator John Tower</p> <p>Margaret Dunkle Interview</p> <p>Vintage Still of Women playing basketball</p> <p>Margaret Dunkle Interview</p> <p>Newspaper clip: “Football is Unique”</p> <p>Newspaper clip: “Football cannot be excluded”</p> <p>Margaret Dunkle Interview</p> <p>Newspaper clip: “Women’s athletics is a real good diversification investment for schools”</p> <p>Newspaper clip: “Chancellor is ‘Re-Sensitized””</p> <p>Margaret Dunkle Interview</p>	<p style="text-align: center;">Narrator:</p> <p>And a month after Margaret Dunkle released the research, Title IX would face serious threats from a legislation proposed by a senator from Texas</p> <p style="text-align: center;">Margaret Dunkle:</p> <p>Senator Tower of Texas was joined at the hip with big time college football. He kept coming up with amendments to exclude athletics from Title IX in different kinds of ways. So different amendments. And some of his amendments were kind of word salad, you couldn't quite figure out what they were saying, but then when you figured it out, you said, "Oops, this is not so good." Because athletics is important because it shows ... it has the potential to show strong competent women with visible achievement. And that became a metaphor for Title IX.</p> <p>So the efforts to take athletics out would have seriously weakened Title IX in other areas.</p> <p>One of the things that was interesting back then was that you never knew who your best friends were going to be. You couldn't necessarily tell by political party. Because the issue of gender discrimination was so personal to everybody, which often transcended party.</p> <p>So it made sense to talk to everyone and that was eventually the approach that drew back the Tower Amendment effectively</p>
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	<p>Newspaper clip that says “Tower Amendment rejected” dissolving to</p> <p>Newspaper clip: “Universities charged with sex discrimination in athletics under Title IX”</p> <p>Fade to Black</p>	<p>Narrator: But keeping Title IX alive was just half the battle.</p> <p>There was a struggle in getting athletic programs to comply with the law as the fight revolved around one thing, money.</p> <p>Music fades</p>
<p>5</p>	<p>Lower Third: IV - Show us the Money</p> <p>Zoomed in on the words “The Ohio State University Athletic Department: Breakdown of Operating Budget 1977-1978”</p> <p>text saying: “Men’s Sports - (1)\$3,780,386.00 Women’s Sports - 445,989.00 Other - 710,855.00”</p> <p>text saying “University of Southern California Intercollegiate Athletics”</p> <p>text saying: “Men’s budget - \$860, 995.00 Women’s budget - \$128,006.00”</p> <p>text saying: “Princeton University Princeton, N.J.”</p> <p>text saying: “Total Number Sports Programs”</p> <p>text saying: “Varsity</p>	<p>TRT: 14:35sx</p> <p>Sound of slide projector fading in (in relation to video transitions)</p>

	<p>Male - 17 Female - 8”</p> <p>text saying: “University of Arkansas Summary of Athletic Scholarship Information”</p> <p>text saying: “Full Scholarship No. Men - 155 Women - 0”</p> <p>Newspaper clip saying “UA women’s AD says budget too small”</p> <p>dissolve to</p>	<p>Sound of slide projector fades out</p>
<p>6</p>	<p>Lower Third: V - A Woman’s Life in Sports</p> <p>Medium shot of Bev Lewis Center</p> <p>Medium shot of Lady Razorback basketball players painting on mural</p> <p>Lady razorbacks golf players painting on mural</p> <p>Medium shot of Lady razorbacks volleyball players painting on mural</p> <p>Lower Third: V - A Woman’s Life in Sports</p> <p>Medium shot of Lady razorbacks gymnastic players on mural</p>	<p style="text-align: right;">TRT: 15:25sx</p> <p style="text-align: center;">Bev Lewis:</p> <p>I was in high school back in the '70s. Just very interested in sports when I was a young child and in high school. And then I heard about Title IX coming into being and it was just an exciting time cause I was just in high school in that time period when it was just coming into existence. And so for me, I got the opportunity to participate in high school track in '74 and '75 cause our old high school added it because of Title IX.</p>

<p>Medium shot of Lady razorback player graduating painting on mural</p> <p>Medium shot of Bev Lewis painting on mural</p> <p>Bev Lewis Interview shot Lower third: Bev Lewis - University of Arkansas Former Women's Athletic Director</p> <p>Still of Bev Lewis as track coach</p> <p>Bev Lewis Interview</p> <p>Still of Bev Lewis as track coach</p> <p>Bev Lewis Interview</p> <p>Still of Bev Lewis as track coach</p> <p>Bev Lewis Interview Still of Girl in Van Bev Lewis Interview Still of Mens team traveling in airplane</p> <p>Bev Lewis Interview</p> <p>Newspaper clip: "UA women's AD says budget too small" dissolving to</p> <p>Newspaper clip: "Grove City's Impact: A setback in Pennsylvania"</p>	<p>Music Under: "When the Sky – Maya Johanna"</p> <p>I came to Arkansas in 1981 to be the head women's track coach. At that time, all of the women's coaches were not full time. We were all on nine-month contracts and we were all half time. I think when I first came I was teaching five classes, and then head coach, and had a graduate assistant coach. And that was it at the time. And we were having to try and get some fundraising and raise some money for our team. And back then, coaches were doing all the support services themselves.</p> <p>When I was here coaching we didn't have a lot of funding, I had to select which means I was going to go to. We'd have to ... we had a little van, like a 22 passenger bus. We called it the hog hauler. And we'd hop into that, the coaches would drive, and we'd drive all the way down to Houston or Austin for a meet. And the men's team would fly in. And we'd stay four to a hotel room just because we didn't have the funding. So it was a difficult time.</p> <p>Music fades out</p> <p>Narrator:</p> <p>And as the fight for equity in women's sports programs remained, a major supreme court case ruling would stall the efforts of many.</p> <p>Music fades in (Motion Array Library)</p> <p>The private coeducational Christian school refused state and federal financial assistance but a large number of their students received federal funding,</p>
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<p>Newspaper clip: "Equity in College Sports Eludes Women's Programs"</p> <p>Newspaper clip: "Progress slowed"</p> <p>Newspaper clip: "Equal Opportunity left in limbo"</p> <p>Archival footage of Grove City College students</p> <p>Newspaper clip: "Future dim for women in sports" cut to</p> <p>Newspaper clip of Donna DeVarona quote on the Supreme Court Decision</p> <p>Newspaper clip of a different quote opposing the supreme court ruling</p> <p>Vintage Interview of Dr. Mckenzie(Grove City College former President)</p> <p>Lower Third: Dr. Mckenzie - Grove City College Former President</p>	<p>subjecting Grove City to comply with Title IX</p> <p>News Reporter: About 50 Grove City College students took the day off from school and came to Washington to show their school colors, and school spirit.</p> <p>Heather King (Grove City Student): We don't want the Government hands in a private college and we think it does a very good job of running itself</p> <p>Elizabeth Lichy (Grove City Student): That's what Grove City was founded upon. religious and Christian ideals and to take those away, Grove City wouldn't be the same anymore</p> <p>Narrator: And in 1984, the court case decided in their favor. The decision removed Title IX from affecting athletic in schools by stating only programs or activities that receive direct federal financial assistance be held under the umbrella of Title IX</p> <p>Judy: Dr. Mckenzie, why is Grove City so opposed to Title IX?</p> <p>Dr. Mckenzie: Actually we're really not opposed to Title IX, Judy. In principle, and we're very supportive of the intention of Title IX. But we are very much opposed to signing a compliance form, which in essence, would give the federal government jurisdiction over a private college that accepts not one penny of direct federal funding.</p> <p>Bev Lewis: I think in Grove City v. Bell, that kind of suspended Title IX since it only applies to what</p>
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<p>Dissolve to Newspaper clip saying “After Grove City” Bev Lewis Interview</p> <p>Newspaper Clip saying “Title IX has lost its clout on campuses” cut to</p> <p>Dissolve to Dan Rather Reporting</p> <p>Newspaper clip saying “Women’s Athletics: A Clouded Forecast” dissolving to</p> <p>Bev Lewis Interview</p> <p>Newspaper clip: “Spirit of Title IX remains a force at schools”</p> <p>Bev Lewis Interview</p> <p>Newspaper clip: “Colleges Pressured to Add Women’s Sports”</p> <p>Newspaper clip: “Men’s Programs Victims of Cuts”</p> <p>Bev Lewis Interview</p> <p>Newspaper clip saying “Wrestling Programs threatened by Title IX”</p>	<p>programs directly get federal financial aid. I think during that time it did stall the growth of women's sports a little bit.</p> <p>Dan Rather: President Reagan tonight vetoed a major civil rights bill, one that would have expanded federal protection against discrimination. Many in congress believe they have the votes to override the president's veto.</p> <p>Narrator: In 1988, Title IX’s power in athletics would be fully restored with the Civil Rights Restoration Act</p> <p>Bev Lewis: The civil rights restoration act was so important because there had been some cases that had tried to take the teeth out of Title IX and I think it's really important that congress went back and emphasize, this is the law of the land and it's going to apply across the board and not rule college athletics out of it. And then you saw institutions really starting to put money into Title IX and really funding it.</p> <p>Music fades out</p> <p>there were some schools that were forced to add women's sports that didn't have them in the past</p> <p>you saw a lot of men's wrestling, men's swimming, and some of men's gymnastics programs cut because they were trying to get money to fund some of the women's programs.</p> <p>I always felt like it was an excuse, to blame the women for being here, for having women's sports.</p>
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<p>Newspaper clip saying “Title IX hurting men’s gymnastics”</p> <p>Bev Lewis Interview</p> <p>Archival video of Bev Lewis as track coach and athletic director</p> <p>Bev Lewis crouch down talking to student athlete cut to</p> <p>Bev Lewis interview</p> <p>Bev Lewis sitting down at the table talking</p> <p>Bev Lewis talking in behind podium in Bud Walton</p> <p>Bev Lewis introducing Lady Razorbacks new logo cut to</p> <p>Bev Lewis with a construction hat on with a shovel in hand cut to</p> <p>Students athletes in softball practice</p> <p>Student athletes in basketball practice</p> <p>Bev Lewis interview</p> <p>Medium shot of softball players on mural painting</p>	<p>And really to protect the rep of football and men's basketball from having any kind of cuts at all.</p> <p>Music under: “Born to become – Maya Johanna”</p> <p>Bev Lewis: I think having coached here, I was able to see all the differences and all of the things that needed to be changed.</p> <p>And I was able to sit down to draw, okay, here's the four or five year plan, this is what we need to do.</p> <p>We were able to create a plan for facilities, for practices, for support staff, for coaches and coaches salaries. Really able to create, four, five, six year long-term plan that kept rolling over each year to try to build a women's program.</p> <p>It was a real fun for me to be the women’s athletic director during that time of expansion.</p> <p>It was really fun and it was real fun to watch each of the programs go on to become nationally competitive.</p>
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<p>Lady razorbacks tennis players on mural painting Lady razorback soccer players on mural painting</p> <p>to track players on mural dissolving to</p> <p>Montage of Lady Razorbacks competing</p> <p>Student athlete long jumping</p> <p>Student athletes jogging</p> <p>Student athlete pole vaulting</p> <p>Student athletes swimming</p> <p>Student athletes playing basketball</p> <p>Student athletes playing softball</p> <p>Students playing volleyball</p> <p>Student playing golf</p> <p>Student gymnast</p> <p>Bev Lewis Interview cut to</p> <p>Lady razorbacks competing against other teams (NEED)</p> <p>still photo of little girl playing baseball cut to</p>	<p>NATS under Music fading in</p> <p>Music under</p> <p>we were able to add softball to the program, volleyball to the program ,women's golf and women's gymnastics.</p> <p>I think having grown up as a young girl wanting to play sports and having to fight to be able to do it, it's nice now to look at young women and see that they have participation opportunities.</p> <p>you see young girls now playing soccer, playing softball, for little girls now, they don't know any different. They don't know that that wasn't the norm years ago and they wouldn't have been able to do that if they had grown up 40 years earlier.</p> <p>And again, that goes back to Title IX just the growth in sports opportunities for women in the nation.</p> <p>NATS Up Music fading out</p>
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	<p>Bev Lewis Interview cut to</p> <p>Students playing Volleyball</p> <p>Fade to black</p>	<p style="text-align: center;">Narrator:</p> <p>But while intercollegiate athletics remained at the forefront of Title IX, the educational amendment continued to evolve into another problematic area.</p>
<p>7</p>	<p>Lower Third: VI - The Quiet Storm</p> <p>Animation showing a moving timeline starting from 1972 the timeline stops at the year</p> <p>September 22, 1980, revealing text saying “<i>Alexander v. Yale University</i> - Became the first sexual harassment case under Title IX”.</p> <p>February 26, 1992, revealing text saying “<i>Franklin v. Gwinnett County Public Schools</i>, establishes sexual assault as a form of sexual harassment”.</p> <p>May 24, 1999, revealing text saying “<i>Davis v. Monroe County Board of Education</i>, makes schools liable for student-on-student sexual harassment if officials know about it and fail to stop it”.</p>	<p style="text-align: right;">TRT: 21:40sx</p> <p>& it all started in the year 1980 with the court case Alexander v. Yale University</p> <p>Supreme court cases established sexual assault as a form of sexual harassment & made schools liable for sexual harassment amongst the students faculty & staff.</p>

<p>March 26, 2003 revealing text saying “<i>Kelly v. Yale U.</i>, a federal court says a university is responsible for responding to allegations of student-on-student sexual assault”. Rolling frame transition to</p> <p>Fade to black</p> <p>Front page document text saying “Campus Sexual Assault Statistics Don’t Add Up”</p> <p>Front page document text saying “Sexual Assault on Campus Shrouded in Secrecy”</p> <p>Front page document text saying Front page document text saying “Lax Enforcement of Title IX in Sexual Assault Cases”</p> <p>Front newspaper clipping text saying “This must stop” cut to</p> <p>Chancellor Steinmetz interview Lower Third: Joseph Steinmetz - Chancellor at the University of Arkansas</p> <p>Newspaper clip: “Should I report?”</p> <p>Newspaper clipping “Unreported Sexual Assaults worry groups”</p> <p>Chancellor Joel interview cut to</p>	<p>As Title IX expanded more in this realm, sexual assault on college campuses became the dominant issue</p> <p>Chancellor Steinmetz: I think to publicly read or hear on campus about sexual assault was a rarity. You didn't hear about it very often.</p> <p>For one thing, the reported incidences of sexual assault, sexual harassment were fairly low in numbers in places that I had been.</p> <p>And so I think I did not hear much about Title IX as it relates to sexual harassment and sexual</p>
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<p>Dear Colleague Letter Document, Zoom in to</p> <p>text saying “April 4, 2011” moving to text saying “Dear Colleague” Zooming out to text saying “United States Department of Education”</p> <p>text in document saying “The statistics on sexual violence are both deeply troubling and a call to action for the nation”</p> <p>Dr. Harrell Interview Lower third: Dr. Kristen Harrell - College Administrator</p> <p>text in document saying “Schools’ Obligations to Respond to Sexual Harassment and Sexual Violence” text in document saying “Procedural Requirements Pertaining to Sexual Harassment and Sexual Violence”</p> <p>text in document saying “Thus in order for a school’s grievance procedures to be consistent with Title IX standards, the school must use a preponderance of the evidence standard...”</p> <p>Cut to Dr. Harrell interview cut to</p> <p>Campus shots</p>	<p>misconduct until after 2011. I believe that was the year that the Dear Colleague letter came up.</p> <p style="text-align: center;">Dr. Harrell:</p> <p>The Dear Colleague letter comes out of the Department for Education, Office for Civil Rights.</p> <p>And it basically says, "You're not doing a good enough job. Here are the things you really need to have in place. And if you're not doing these things, potentially, you are in violation of Title IX."</p> <p>Institutions of higher education read this letter and said, "Oh my goodness, we need to change some things."</p> <p>For some people, it changed the standard of evidence that they were using to make decisions around sexual violence, sexual harassment cases. Dear Colleague letter required us to use honor of information, which is more likely than not that something happened or a 50.01% that something occurred.</p> <p>So there were some of those little things that people really put into place and it became a much greater focus for a lot of institutions and a relationship to making sure we were addressing these issues on our campuses effectively.</p>
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	<p>Dr. Harrell Interview</p> <p>Students walking on campus</p> <p>Chancellor Steinmetz interview</p> <p>Students walking on campus</p> <p>Close up of leaves on trees (on campus)</p>	<p>in the community who are impacted by these issues.</p> <p>And in the meantime, we as an institution are trying as hard as possible to stay in the middle, which means no one is happy with us. We're vulnerable to complaints to the OCR, we're vulnerable to litigation, even as we do everything that we can to make sure that we're doing right by all of our students.</p> <p style="text-align: center;">Chancellor Steinmetz:</p> <p>This kind of problem or issue, it goes very deep to core of the individuals. It affects individuals like nothing else I've ever seen at a university.</p> <p>I think they have deep lasting effects on both of these parties that are involved in any one of these cases.</p>
9	<p>ALL B-Roll shots are out of focus</p> <p>Unfocused shot on campus of female student</p> <p>Lower Third: VIII - A Survivor's Narrative</p> <p>Denzel Interview</p> <p>Campus shots(out of focus)</p> <p>Denzel Interview</p> <p>Cut to campus shots</p>	<p style="text-align: right;">TRT 26:57sx</p> <p>NATS under</p> <p style="text-align: center;">Denzel:</p> <p>It was the Fall semester of 2013. And during that time, I was a victim of sexual assault and raped.</p> <p>Three years after the incident, I finally had the strength to file a Title IX complaint.</p> <p>I filed it during the summer and it took, I feel like it took maybe a couple months for it to actually start</p>

	<p>Denzel Interview</p> <p>Campus shots</p> <p>Denzel Interview</p> <p>Campus shots</p> <p>Denzel Interview</p> <p>Campus shots</p> <p>Denzel Interview</p> <p>Fade to black</p>	<p>beginning ... the process to begin. I think during the time, the university, they had a shift in their Title IX coordinators. And once the investigation started, I was studying abroad during the time so all of the communication was done by email</p> <p>And since there was no evidence to support my claim, the case just really turned out to be my word against theirs so as a result, the respondents weren't found liable.</p> <p>And because of the circumstances, I kind of knew what the results was gonna be. But I wanted my situation to be justified so I placed expectations on Title IX and the university. But in the end, it just intensified the hopelessness feeling that I had.</p> <p>And with me feeling that, I struggled in finding outlets to cope with the pain</p> <p>And when it comes to my situation, I think even if things went my way during this investigation process, there would still be pain from my past that I would have to deal with personally. So, I believe that true justice comes with forgiveness. And that's something that I want to encourage all survivors to do is just to let go or at least begin on the path of letting go, because even after this investigation case, there's still healing that we have to do.</p>
<p>10</p>	<p>Lower Third: IX</p> <p>Fade In Footage of News reporter</p>	<p style="text-align: right;">TRT: 30:06sx</p> <p style="text-align: center;">News Reporter #1:</p> <p>Proposed rules by education secretary Betsy DeVos obtained by the New York Times could strengthen protections for students accused of sexual misconduct and reduce the potential liability of schools. It comes, of course, at a time where a number of major universities are dealing with serious abuse allegations.</p> <p style="text-align: center;">News Reporter #2:</p>

	<p>Campus shots</p> <p>shots of students hanging outside</p> <p>shots of students laying in a hammock</p> <p>shot of backpack</p> <p>shot of students walking on campus</p> <p>shot mini-flag that says: “1 is too many!”</p> <p>Fade to black</p>	<p>Among the changes, the rules narrow the definition of sexual harassment to conduct that is severe, pervasive, and objectively offensive. The prior guidelines defined it as unwelcome conduct of a sexual nature. Accused students could bring lawyers to misconduct hearings and would have the right to cross-examine, although the parties couldn't question each other directly. It also gives schools more flexibility and limits the number of cases they have to investigate.</p> <p>News Reporter 3:</p> <p>It's also true that colleges have messed up on due process in a number of cases. I don't think you can say due process isn't an issue, the question is, can you have due process in ways that also encourage victims to come forward?</p> <p>News Reporter 2:</p> <p>DeVos says the proposed rules are grounded in the principles of due process</p> <p>Piano music with strings fades in (Motion Array Library)</p>
<p>11</p>	<p>Credits</p>	