

Research Spotlight on Single-Sex Education and the Challenging Entailments

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Abstract

Schools are considered as a momentous phase in children's life as they exemplify an extensive rite of passage for active learners craving for education and educational success. Recently, the dynamics of the contemporary schools has been subjected to a plethora of adjustment policies in order to reconcile educational regulations and concomitant objectives. Single-sex education is one of the controversial issues that not only arouses diverging views but also conduces to the remodeling of the educational system. Conflicting opinions about the matter of contention ultimately stirs up turmoil, a dispute that can be alleviated only through law and the concurrent amendments.

Keywords: Single-sex education; Amendment; School; Law; Detractors; Proponents.

I/ Introduction:

School life is one of the most dynamic aspects of life. But in today's society, the school system is undergoing many vicissitudes and is therefore being labeled as a hectic annex of the societal development and changes.

Teaching boys and girls separately was an anachronous concept that has been gaining more prominence nowadays. It has long existed in private schools but it has become a new issue for public schools.

According to the National Association for Single-Sex Public Education: in 1998, only 4 public schools offered single-sex classes compared to 540 in 2010.

In Dallas, Texas, Irma Rangel Young Women's Leadership School was the first single-sex public school for girls to be founded in 2004, followed by 140 public schools on a national scale during the same year. Then, the Barack Obama Male Leadership Academy was the second single gender school for boys to open its door in 2011 in the same state.

The controversial issue has been fueled by opposing views and inevitably debate heated up. While detractors of the initiative maintain that these new endeavors cultivate gender stereotypes, ironically, supporters of these programs argue that gender stereotypes would be quelled by those very same single-sex programs.

II/ Single-Sex Education from a legal perspective:

Title IX is a codified section of the U.S Education Amendments of 1972, enacted by the 92nd U.S Congress, made effective on June 23rd, 1972, and enforced by the U.S Department of Education's Office for Civil Rights. It is a federal law that formally forbids discrimination on the basis of sex in education programs or activities that are financially funded on a federal level. It goes as the following: "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."¹

The Title IX Amendments of the Civil Rights Act of 1964 were passed in 1972 to ensure equal access, participation and opportunity regardless of gender. Most feminists stood up for this law to ban sex discrimination from any educational program funded by the government.

Initially, the Title IX allowed separate classes between boys and girls for certain areas of studies, for example for physical education or sex education classes. The new regulations stipulate that schools offering single-sex classes can be funded by the government only if these programs are voluntary and not compulsory.

In the 1996 case of *United States v. Virginia*, a milestone case through which the Supreme Court revoked the Virginia Military Institute's authorization to offer male-only admission policy, the Supreme Court ruled single-sex public education constitutional only if comparable classes and services are equally provided for both sexes.

After 30 years of policy that prohibits gender discrimination in public schools, the Bush administration aimed at reforming the 1972 Education Act which prohibits gender

¹ 20 U.S. Code § 1681 - Sex

discrimination in public schools, through a federally subsidized education programs in order to supply educators with the needed freedom to set up single-sex classes and schools and promote same-sex schooling.

Bush wanted to provide American education authorities with more power and freedom to initiate single-sex education programs.

Bush's supporters were mainly conservative educational traditionalists and feminists who claimed that single-sex education enhances girls' self-esteem and boosts girls' academic achievements in subjects like math and science.

Hence, the Education Department firmly intended to amend the Title IX regulations (Education Act, 1972) in order to expand public school alternatives, enhance educational attainment, and endow parents with the right to opt for what is most suitable for their children: single-sex or coeducational classes.

In this context, Educational Secretary Rodney Paige stated the following: "Our goal is to provide schools with as much flexibility as possible to offer students programs that meet their needs."²

In due course, Bush approved and signed the Congress' Education Bill which legally stipulated school districts' rights to receive federal funding. Some funds of Bush's No Child Left Behind education plan would be used to promote single-sex classes programs and to establish single-sex schools and classes provided that analogous educational training and amenities are accessible to both girls and boys.

Hence, the Congress approved to provide \$450 million for what they considered as ground-breaking instructive agenda despite the resentments of the ACLU (American Civil Liberty Union) and the AAUW (American Association of University Women) who claimed that focus should be laid on improving education and not lingering on futilities that reinforce stereotypes and drive the education officials' attention away from the primary purpose: leaving no child behind.

Prior to 2006 Title IX regulations, detractors of single-sex education condemned the latter and claimed that it violated the U.S Constitution and more specifically the equal protection clause of the 14th Amendment to the U.S C constitution.

In 2006, The Department of Education issued new Title IX regulations requested by a provision in the No Child Left Behind Act which conferred exceptional limberness upon the educational institutions which receive federal financial assistance. The primary objective is to provide single-sex classes and extra-curricular activities which apply to non-vocational classes in both public and private elementary and secondary schools.

Education Secretary Margaret Spellings moderated the federal regulations, an action that paved the way for new federal rules which authorise districts to offer single-sex schools and classes only if some conditions such as voluntary participation and the availability of comparable courses to both sexes are met.

Hence, according to NASSPE, coeducational public schools are allowed to provide single-sex classrooms only if the schools shall:

"1) provide a rationale for offering a single-gender class in that subject. A variety of rationales are acceptable, e.g. if very few girls have taken computer science in the past, the school could offer a girls-only computer science class;

² Collins, Dan. «Bush Push For Single-Sex Schools.» CBS (2002).

2) provide a coeducational class in the same subject at a geographically accessible location. That location may be at the same school, but the school or school district may also elect to offer the coeducational alternative at a different school which is geographically accessible. The term "geographically accessible" is not explicitly defined in the regulations.
3) conduct a review every two years to determine whether single-sex classes are still necessary to remedy whatever inequity prompted the school to offer the single-sex class in the first place."³

The new regulations also approve the establishment of single-sex classes in independent schools, not necessarily within the coeducational institutions. Thus, single sex-schools are excused from the first and third requirements and charter schools are excused from all the above requirements. Hence, single-sex is legal as long as school administrators abide by these regulations.

Therefore, under the newly revised Title IX, the very same federal law that prohibits sex discrimination in education, public schools are allowed to provide single-sex classes if they meet the criteria delineated in the above mentioned new regulations. The classes' objectives lie in the reformation of the teaching strategies so that educational reforms would be achieved. The single-sex classes must also be voluntary, and an equivalent coed opportunity must be provided for students in the same school. The law did not make single-sex education compulsory but it authorized schools to consider the options as long as options are the same between boys and girls.

III/ Single-sex education: The Dissentious Debate

1/ The Exponents' Standpoint

Some parents prefer enrolling their children in single-sex schools because of the distraction of the opposite sex. They reckon there would be neither pressure nor stress for girls to compete with boys in subjects like mathematics and science (generally referred to as male-dominated subjects). On the other hand, there would be no pressure for boys who can unreservedly attend, and be more motivated to attend, courses like music and poetry (commonly labeled as female-dominated subjects).

From another perspective, advocates of single-gender education maintain that better achievements and increase in graduation rates are contingent on the establishment of single-sex classes. Besides, disciplinary and behavioural issues are solved because there are learning and behavioural differences between boys and girls. Some argue that female brains develop differently, so they should be educated separately for better teaching and learning. They also make a sweeping assumption about the needs of each sex: While boys need space, girls are more inclined to engage in group discussion.

In his 2011 article, Study: Single-sex education may do more harm than good, Michael Alison Chandler (an education journalist at the Washington Post, also covering D.C. schools) denounces what a group of psychologists, child development specialists, and a neuroscientist specialized in gender claimed regarding single-sex education.

³ Retrieved April 2, 2008 from <http://www.singlesexschools.org/legal.html>

He condemns their assertions when they agree that "there is no empirical evidence that single-sex schools success stems from their single-sex organization."⁴ Actually, they rather contend that success is rather related to the preeminence of the learners, the curriculum, and the motivating teaching techniques and that sex separation reinforce sexism and gender stereotypes. They even vainly appealed to President Obama to revoke the 2006 regulations enacted on the 2002 No Child Left Behind Law which enabled the establishment of numerous single-sex classes in public schools. The writer firmly castigates their contentions which he deemed inconsistent with the prevailing educational desideratum.

In the 2012 article A right to choose single-sex public education, Kay Bailey Hutchison (a Republican, the senior senator from Texas) and Barbara Mikulski (a Democrat, the senior senator from Maryland) expressed their contempt for people who aimed at stamping out single-sex alternatives in public schools in Virginia, West Virginia, Alabama, Mississippi, Maine, and Florida. Their main goal was to make it legal for school districts to allow single-sex education in public schools. The writers have been working hard for this cause so they were shocked to see all their efforts stymied by detractors, namely the Civil Libertarians who claim that single-sex initiatives are discriminating and illegal programs that foster segregation and inequality within school vicinities.

Back in 2001, the writers along with senator Hilary Clinton and senator Susan Collins fought and struggled to authorize single-sex classes in public schools. They also introduced a provision in the 2002 No Child Left Behind Act which endorsed innovative single-sex classes in order to smoothen the progress of the development of single-sex education in public schools. "We know that single-sex schools and classes can help young people, boys and girls, improve their achievement."⁵

According to them, some studies have demonstrated that boys want to show off for girls and reading books isn't an emblem of manhood. On the other hand, girls are more inclined to study, learn and engage in pedantic exchange in classrooms without boys. The following study makes their claims more obvious:

Time	3 years study in the mid-2000s
Place	Florida's Stetson University
Test	Florida Comprehensive Assessment Test
Results	Boys: 37% from mixed schools compared to 86% in all-boys classes achieved proficiency Girls: 59% from mixed schools passed it while 75% in single-sex schools were proficient.

⁴ Chandler, Michael Alison. «Study: Single-sex education may do more harm than good.» The Washington Post (2011).

⁵ Sommers, Christina Hoff. «A Necessary Option.» nytimes (2011).

2/ The dissenters' Dispositions

In order to improve educational achievements, some schools resorted to the single-sex program. Notwithstanding, a recent study (in science journal) has indicated that there is no evidence that single-sex education improves academic results. On the contrary, kids are rather prone to gender stereotypes and to become sexist since boys and girls lack the appropriate opportunity to confabulate and study with the opposite sex.

Some psychologists claim that gender separation leads the pupils to deduce segregational differences with the opposite sex. For example, boys wonder whether they are as competitive as girls in some artistic and literary subjects. It also fosters the assumption that girls lack the characteristics of cooperative learning and cannot fit in a mixed learning environment even though neuroscientists have debunked the theory that boys' and girls' brains develop differently and respond differently to different teaching techniques.

Added to that, dissentients believe that segregation leads to prejudice, limits the students' social skills and ability to work and co-exist with the opposite sex (in the outside real world) and deteriorates the students' communicative savvy. Single-sex classes deprive students of any preparation for the real world where communication with the opposite sex contribute to the development of social skills. On the other hand, coeducational schools promote interaction with the opposite sex and eliminate sexism while it is alleged that single-sex education restricts oral communication skills and fosters discrimination.

a/ Case study: The Alabama and Idaho School Districts Case

In 2012, the ACLU (The American Civil Liberties Union) filed legal suits against Middleton Heights Elementary in Middleton, Idaho and Huffman Middle school in Birmingham, Alabama with the federal Department of Education's Office of Civil Rights (OCR). These schools adopted illegitimate single-sex educational programmes because they did not clearly state that single-sex classes are optional and not compulsory while parents should be aware that they have the possibility to opt in or opt out.

In Idaho (Middleton's program), the program started in 2006 and boys and girls were separated and taught differently. On the one hand, boys were more encouraged to extend their personalities in exercises and movements. Competitive boys should not make eye contact and should be seated shoulder-to-shoulder. Boys were also supposed to identify with male teachers models. The stereotypical image conveyed through this procedure portrayed men as independent and active agents of society. On the other hand, girls were set in a quiet environment and disposed face-to-face. They were therefore defined as passive and dependent.

In Alabama Huffman Middle school, the programme was initiated in 2010. Boys and girls were separated for class activities, lunch breaks and any other supposed conjoined activity. While school curriculum for boys' classes laid emphasis on manly behaviour since as reported by the Gurian Institute's founder, Michael Gurian: " boys are better than girls in math

because their bodies receive daily surges of testosterone, while girls have similar skills only "a few days per month" when they experience "increased estrogen during the menstrual cycle"⁶. Students who wanted coeducation had to be reassigned to another school.

Conversely, according to Olivia Turner, executive director of the ACLU of Alabama: "Every individual child learns differently, and no child should be forced to conform to one theory of how he or she should learn...Assuming that boys and girls learn according to their hormones is just an old-fashioned stereotype."⁷

The first objection of the ACLU revolved around the fact that the law requires the programme designers to inform parents that the programme is voluntary and not compulsory. Actually, to comply with Title IX, parents should consent to the enrolling of their kids by signing a mandatory written document.

In Middleton schools, parents were not aware that they could have the choice. A conducted survey in 2012 revealed that 48.6% of parents assumed that they could not commit themselves and choose the suitable classroom type for their children.⁸ In Huffman middle school, there was no coeducational alternative; students were compelled to take separate classes, a venture that transgressed Title IX's regulations on single-sex education.

The ACLU also denounced the unavailing efforts for an academic agenda that brought about no actual improvement. In fact, the ACLU members rejected the assumption that kids learn better separately. "no evidence exists showing that single-sex education is 'better' than coeducation for students."⁹

On these accounts, The ACLU required the OCR (Office for Civil Rights) to make these schools comply with Title IX Regulations which, among other things, state that single-sex programs are allowed only on the premises of academic achievements and that the law doesn't allow sex stereotypes as those applied in those schools.

b/ Case study: The Breckinridge Ruling

In 2008, the ACLU filed a suit stating that Breckinridge County Middle School's (Kentucky) initiative to offer single-sex classes was illegal and discriminatory. It argued that (even though the school did not compel any student to attend single-sex classes) it

⁶ Funcheon, Deirdra. «Broward Schools Teach Boys and Girls Separately Because of "Testosterone" and "the Menstrual Cycle," ACLU Complaint Says.» Broad Palm Beach, NY Times (2014).

⁷ Retrieved from <https://www.aclu.org/news/aclu-asks-dept-education-investigate-single-sex-programs-rooted-stereotypes>

⁸ Ibid

⁹ Susan Morse, American Association of University Women. Educational Foundation. Separated by sex: a critical look at single-sex education for girls. The Foundation, 1998.

transgressed numerous state and federal laws which comprised Title IX and the equal Educational Opportunities Act.

In its arguments, the ACLU equated racial segregation with gender segregation and denounced the harmful ramifications of exposing students to single-sex classrooms environment even though those very same students were attending coed classrooms.

The United States District Court for the Western District of Kentucky ruled in favor of the Breckinridge County Middle School and Judge Charles Simpson concluded that the ACLU's contention ". . . finds no support either in law or in the record of this case. No legal authority supports the conclusion that optional single-sex programs in public schools are ipso facto injurious to the schools' students. Unlike the separation of public students by race, the separation of students by sex does not give rise to a finding of constitutional injury as a matter of law... The Supreme Court has never held that separating students by sex in a public school - unlike separating students by race - or offering a single-sex public institution is per se unconstitutional. [Judge Simpson then cites three Supreme Court decisions: *US v. Virginia*; *Mississippi Univ. for Women v. Hogan*; and *Vorchheimer v. School District of Philadelphia* , in support of this point.] (p. 6-7)¹⁰

As a result, the Breckinridge ruling released eventually in June 2011 ratified the lawfulness of the Title IX 2006 regulations.

c/ Case Study: The Wood County Ruling

In consideration of some detractors' claims that very few teachers are trained to apply gender-specific didactic procedures and instructive methodologies, Leonard Sax, founder of the National Association for Single-Sex Public Education (NASSPE 2002) conducted in 2010 a two-days training workshops to train teachers and develop their teaching methods into motivational strategies to implement single-sex classes. He believed that academic attainment can be boosted if educators apply some educational strategies and techniques adapted to the specific development of their students (boys or girls) in order to expand educational perspectives.

According to Leonard Sax, girls turn into high achievers when they are set in a quiet classroom and are called by their first names, and boys excel when they are challenged with rapid-fire questions and are called by their last names. Leonard Sax also presumed that there are psychological differences between boys and girls because when consorted together, boys tend to be aggressive and violent while when girls team up they rather accept gender stereotypes.

Hence, Mackenzie Lackey, a 6th grade teacher at Van Devender, in Parkesburg, West Virginia, observed that it was frequent among her male students to disregard reading books because they would consider that emasculating. Her innovative gender-specific strategy consisted in separating boys from girls and then dividing all-boys groups into teams to foster competition. Unlike girls who do not appreciate competition and challenges with their friends

¹⁰ United States District Court, W.D. Kentucky, at Louisville. CIVIL ACTION NO. 3:08-CV-4-S. (W.D. Ky. Jun 14, 2011)

(in the opposing team), boys are mostly known for their natural urge for competition that inherently triggers aspiration and motivation. Boys participated in a reading incentive program called 'Battle of the Books' and as a result, Lackey's 6th grade all-boys groups defeated all the other groups of the school (inclusive of the 7th and 8th graders).

Howbeit, a federal judge ruled that single-sex classes in Van Devender Middle School should be reconstructed into a coeducational pattern. In fact, a mother and her daughters, supported by the ACLU, filed a complaint against the school on the presumption that the educational methods used to teach boys and girls in the single-sex classes were based on pseudoscience and forging gender stereotypes. They also claimed that the supposedly innovative teaching techniques negatively affected their academic attainment and infringed their civil rights.

One of the complaining mother's daughters who were diagnosed with attention-deficit disorder was always scolded for being agitated while boys, on the other hand, were incited to be active and openly move around the classrooms. Her other daughter who was legally blind, asservated that the classrooms were not adequately luminous since the teachers assumed that girls' responsiveness depended on the different types of light.

On account of this, the Wood County school districts rebuffed those overments and insisted they were acting in a bona fide way. "Wood County district officials deny the allegations, and one single-sex education expert who testified on behalf of the school agrees, saying she thought the approaches in the classroom were thoughtful, rather than based on stereotypes."¹¹

Uteriorly, Chief Judge Joseph Goodwin of the US District Court for the Southern District of West Virginia agreed with the complainants and acknowledged that the program was not unequivocally independent and even claimed that Sax's approach rested on pseudoscience and stereotypes.

The Wood County ruling released in august 2012 confirmed the authority of the Title IX 2006 regulations but also insisted on the voluntary characteristics of the programme. Parents or guardians should sign a written consent form without which their children cannot be admitted to single-sex classrooms in coeducational public schools. The ruling is legally prescribed in the West Virginia circuit only. Hence, despite the fact that the ruling is binding only in the state of West Virginia, it could incite various school districts all over the country to endorse an opt-in policy for single-sex classes.

¹¹ Khadaroo, Stacy Teicher. «Judge Stops W. Va. Single-Sex Classes: Were They a Success or Psuedoscience? .» [abcnews](#) (2012).

IV/ Concluding Thoughts

Both federal court rulings, the Breckinridge ruling and the Wood County ruling upheld the constitutionality of the 2006 Title IX regulations but also aimed at clearing up the vagueness that revolved around the 2006 regulations and the implementation of 34 CFR 106.34 (Implementing Title IX of the Education Amendments of 1972) which prohibits discrimination on the basis of sex in all education programs or activities that receive federal financial assistance and which applies only to coeducational schools, not to single-sex schools.

One ironical and plausibly inadvertent outcome of these rulings lies in the fact that American single-sex public schools currently enjoy a more straightforward legal and official status, and are much less susceptible to be exposed to lawful challenges than single-sex classrooms in coeducational schools.

To conclude, single-sex education is not definitely best-for-all but it is preferable for some, and it is the parents' right to opt for what is best for a child in order to determine childhood development and educational attainment.

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