



SINGLE-SEX EDUCATION

SEPARATION SERVES NO ONE

SEPARATING BOYS AND GIRLS IN the classroom may seem like a good way to ensure that the needs of both groups are being met, but in fact separation serves neither group well. Evidence of the benefits of single-sex education is sketchy at best, while the stereotyping that typically accompanies teaching in separate classrooms can create an environment that stifles learning for both boys and girls.

Both the U.S. Constitution and Title IX limit the separation of students by gender in publicly funded educational programs and activities. Although Title IX regulations issued by the U.S. Department of Education in 2006 opened the door to some single-sex education, gender separation requires a strong justification, and discrimination based on sex is still unlawful.

Single-sex programs often violate the law by failing to offer equal educational opportunity. Moreover, the rationale for separation is often based on flawed notions about gender differences in brain development and learning. Schools and districts that are thinking about single-sex education as a means of improving teaching and learning should be mindful of the pitfalls of such programs, as well as of their limited value.

Schools' Obligations Under the Law

One of the primary purposes of Title IX was to put an end to educational practices that separated boys and girls on the basis of stereotypes about their interests and capabilities. A widespread example was steering girls into home economics classes and boys into wood shop. Because of this history of educational inequity, as well as the continued risk of sex stereotyping, both Title IX and the U.S. Consti-

tution include safeguards to ensure that educational programs do not classify students on the basis of sex in a discriminatory manner.

LEGAL HISTORY OF TITLE IX AND SINGLE-SEX EDUCATION

Although it permits some single-sex schools, Title IX prohibits separation of boys and girls within coeducational schools except under certain narrow circumstances. Moreover, the Constitution requires that any gender-based classification (whether in a coeducational school or a single-sex school) have an “exceedingly persuasive justification,” and be “substantially related” to an important governmental objective.¹

The Supreme Court has limited when gender classifications are justified under the Constitution, noting that such classifications must be “determined through reasoned analysis rather than through the mechanical application of traditional, often inaccurate, assumptions about the proper roles of men and women.” The Court has further clarified that “overbroad stereotypes” about the typical talents, capacities, and preferences of men and women are an impermissible basis for separation of the sexes.²

In 2002, the Department of Education issued a notice that it intended to relax regulatory restrictions on single-sex programs. This move was spurred by provisions in the education reform law known as No Child Left Behind that permitted funding of “innovative” programs, including single-sex education “consistent with applicable law.”³ In preparation, the Department commissioned a study to survey existing research on the efficacy of single-sex education. The study found that such research generally failed to meet accepted standards for design and methodology and that even the better-designed studies had “equivocal” results.

KEY FINDINGS

- 1. Single-sex education programs have no sound basis in research.** Studies by neuroscientists and child development experts have consistently found that cognitive abilities and learning needs differ more within groups of boys or girls than between the sexes. Moreover, separating boys and girls has not been shown to improve education outcomes for either group.
- 2. Single-sex programs often differentiate teaching based on stereotypes that limit learning**—for example, social studies instruction that focuses on maps and technical details for boys and on the arts for girls. These stereotypes can keep all students from learning the full range of skills necessary for future success.
- 3. In public schools, the circumstances under which students can be separated by sex are limited** by the Constitution and Title IX. Schools must meet a host of legal requirements before separating students by sex; few meet these safeguards.
- 4. Many schools have abandoned single-sex programs** after challenges revealed that their practices violated the law by incorporating sex stereotypes, providing unequal resources, or failing to ensure that participation is voluntary.
- 5. Recent clarifying guidance from the Department of Education has not succeeded in closing the door to discrimination** opened by weaker regulations issued in 2006. Federal and state agencies, school districts, and local stakeholders should be aware of schools' obligations and demand accountability when programs fail to meet those obligations.

Nonetheless, over the objections of a wide coalition of education advocates, in 2006 the Department of Education issued Title IX regulations that eased restrictions. While they lowered the bar, the regulations still required that single-sex classes satisfy a host of conditions before being implemented.

RECENT REGULATORY GUIDANCE

Because the 2006 conditions have been frequently misunderstood, in 2014 the Department of Education issued a lengthy guidance explaining what is allowed and under what conditions.⁴ Under the 2006 regulations, schools can exclude boys or girls from a class only if that exclusion is justified on the basis of one of two objectives: 1) improving the educational achievement of students through established policies of providing diverse educational options, or 2) meeting the particular, identified educational needs of students. Critically, as both the 2006 regulations and the 2014 guidance state, these objectives serve as a justification only if “the single-sex nature of the class or extracurricular activity is substantially related to achieving that objective.”

Despite clear guidelines, many schools persist in establishing single-sex classes that fail to meet Constitutional or regulatory requirements.

Few schools have attempted to—or could—demonstrate that superior student achievement is substantially related to sex separation. But even if justified, participation in the classes must be entirely voluntary. In addition, substantially equal coed classes must be available; no student may be denied a coeducational class.

By making it clear that sex separation is very hard to implement and should be used with something akin to surgical precision in a

coeducational school, the Department of Education’s regulatory guidance has both helped school districts understand the law and improved enforcement. For example, when a high school in Lawrence, Kansas, planned to assign ninth graders to sex-separated classrooms because the principal believed that boys and girls have different learning needs, it took only an hour for the superintendent to shut down the program after receiving a complaint letter from the American Civil Liberties Union (ACLU) citing portions of the guidance. Administrative complaints to the Department of Education about sex separation at schools in other states across the country have similarly resulted in school districts terminating single-sex programs.

Despite these clear guidelines, many schools and districts persist in establishing single-sex classes that fail to meet Constitutional or regulatory requirements, often without any attempt to provide adequate justification. In addition to harming both boys and girls, these practices open schools and school districts to legal action by the Department of Education, the Department of Justice, state education agencies, and private citizens. (See the Challenging Discrimination section for examples of programs that have faced legal challenges.) For that reason, the 2014 guidance recommends that schools “consult with legal counsel prior to offering single-sex classes” to ensure compliance with both the Constitution and federal law.



The Flawed Rationale for Separating Boys and Girls

The “reasoned analysis” for single-sex programs required by the Supreme Court and Department of Education regulations is often notably absent from the rationale for separate programs, particularly when scientific claims are examined carefully. Many single-sex programs are based on the notion that boys’ and girls’ brains are so fundamentally different that they need to be taught not only separately but also using different methods, even though neuroscientists and experts in child development and education have discredited these assertions. Rather than sound science, such conclusions often rest on stereotypes about the interests and abilities of boys and girls.⁵

Claims that differences in boys’ and girls’ brains warrant different teaching methods have been overwhelmingly debunked by reputable scientists.

THE CLAIMS

Advocates for single-sex education often argue that separation by sex is necessary because of purported hard-wired differences in the brains of girls and boys. In his book *Why Gender Matters*,⁶ Leonard Sax—a physician and psychologist who founded the National Association for Single Sex Public Education and runs teacher training sessions nationally—makes these claims, among others:

- Girls’ hearing is far more sensitive than boys’, so teachers should speak softly to girls but yell at boys.
- When girls are under stress blood rushes away from their brains, while stress causes blood to rush to boys’ brains, thus priming them to learn.

- Boys should receive strict, authoritarian discipline and respond best to power assertion. Boys may be spanked, while girls may not.
- A boy who likes to read, does not enjoy contact sports, and does not have a lot of close male friends should be firmly disciplined, required to spend time with “normal males,” and made to play sports.

Michael Gurian, author and founder of the Gurian Institute, which also trains teachers, propounds similar theories. For instance, according to Gurian:⁷

- Boys are better than girls in math because their bodies receive daily surges of testosterone, while girls have equivalent mathematics skills only during the few days in their menstrual cycle when they have an estrogen surge.
- Boys are by nature abstract thinkers and so are naturally good at things like philosophy and engineering, while girls are by nature concrete thinkers.
- Full female participation in athletics is not “neurologically or hormonally realistic.”

THE REALITY

Claims that differences in boys’ and girls’ brains warrant different teaching methods have been overwhelmingly debunked by reputable scientists. For example, the Association for Psychological Science recently selected six independent cognitive experts to examine sex differences in learning math and science. These experts concluded, “None of the data regarding brain structure or function suggests that girls and boys learn differently or that either sex would benefit from single-sex schools.”⁸

Other research abounds. Neuroscientist and Chicago Medical School professor Lise Eliot, who has explored gender differences and their biological and social causes, concludes, “the argument that boys and girls need different educational experiences because ‘their brains are different’ is patently absurd. The same goes for arguments based on cognitive abilities, which differ far more *within* groups of boys or girls than *between* the average boy and girl.”⁹

Psychologist Janet Shibley Hyde, another recognized expert on gender differences and similarities, further notes: “Educators should be wary of arguments for single-sex education that rest on assumptions of large psychological differences between boys and girls. These assumptions are not supported by data.”¹⁰ A 2011 *Science* article by an interdisciplinary group of researchers, “The Pseudoscience of Single-Sex Schooling,” concludes that single-sex education “is deeply misguided, and often justified by weak, cherry-picked, or misconstrued scientific claims rather than by valid scientific evidence.”¹¹

“A loud, cold classroom where you toss balls around...might be great for some boys, and for some girls, but for some boys, it would be a living hell.”

DIANE F. HALPERN, PROFESSOR OF PSYCHOLOGY,
CLAREMONT MCKENNA COLLEGE

MORE EVIDENCE

In addition to the flawed scientific rationale for single-sex education, evaluations of single-sex programs have failed to demonstrate real benefit. A research review conducted at the time of the 2006 regulation changes found that half a century of research across Western



countries has shown no dramatic or consistent advantages for single-sex education, either for boys or for girls.¹²

Although there is no doubt that some single-sex education programs have enjoyed successful outcomes, no rigorous studies have linked their successes to the single-sex structure rather than to other factors.¹³ For example, studies that have claimed to demonstrate a causal relationship between the single-sex structure and improved outcomes have failed to control for variables such as class size, socioeconomic status, or student ability. Most studies do not have comparable control groups in coed programs, making it impossible to draw any meaningful comparisons at all.

In 2014, the American Psychological Association published a National Science Foundation-funded meta-analysis of 184 studies, representing testing of more than 1.6 million K–12 students, looking at the impact of single-sex versus coeducational schooling across a range of outcomes. The authors conclude that when proper controls are used, studies show that single-sex education provides no benefits over coeducational schooling.¹⁴

THE UPSHOT

In the absence of evidence of either gender-based learning differences or benefits from single-sex schooling, there is little basis for

separating girls and boys without relying on stereotypes—and separation based on gender stereotyping is not only unlawful but also potentially harmful. For example, the assumption that boys need active, loud environments focused on abstract thinking skills and girls need quiet activities that emphasize concrete

thinking makes it *less* likely that the classroom will meet the varying learning needs of all students. Teaching to these stereotypes limits opportunities for both boys and girls and keeps both groups from learning the full range of skills necessary for future success in school, work, and life.

How Sex Separation Can Stifle Learning

Most single-sex programs in public education started after 2000, relying on the flawed and stereotyped-laden rationales described earlier. By 2011–2012, more than 1,000 coeducational public schools included at least some single-sex programming at the K–12 level, including academic classes. In addition, it is estimated that the U.S. has more than 100 all-girl or all-boy public schools, including public charter and magnet schools.¹⁵

Many such programs either flout the spirit of or outright fail to comply with the legal standards set forth in Title IX, the Constitution, and the 2006 Department of Education regulations. These programs often reinforce gender

stereotypes, fail to offer comparable subjects for boys and girls, provide no comparable option for students who prefer coeducation, or allocate fewer resources for girls' programs.

Publicly available information and litigation surrounding single-sex programs strongly suggest that these programs often force boys and girls into gender stereotypes that serve neither group. For example,

boys-only classes often focus on sports and leadership themes, while girls-only programs teach manners and cooperation.

Following are just a few of many examples. This information comes mostly from press reports, as there is often little public oversight or debate regarding the initiation of these programs, and few schools even indicate publicly that they operate sex-separated classes. The ACLU has also collected examples from schools across the country, drawn from open records requests.¹⁶

- A single-sex kindergarten program in Pittsburgh taught boys vocabulary using basketball and relay races, while teachers read girls stories about fairies and used wands and tiaras as learning incentives.¹⁷
- In single-sex first-grade classes at a charter school in Lansing, Michigan, boys drew monsters and played games with balls, while girls had tea parties to teach social skills and manners.¹⁸
- A sex-separated middle school in South Carolina allowed boys to move around and toss a ball to determine whose turn it was to talk, while girls had to raise their hands to talk in a room that smelled like flowers, and “were taught to cooperate in different ways.”¹⁹
- At a school in Tacoma, Washington, where boys and girls were separated in sixth-grade academic courses, boys played catch to help learn multiplication, while girls could “do what girls do: talk at great length about their subjects.”²⁰

“Segregating boys and girls didn’t make things any better for our children. In fact they made things worse. Our kids were basically being taught ideas about gender that come from the Dark Ages.”

PARENT OF A MIDDLE SCHOOL STUDENT IN MOBILE, ALABAMA

- A Wisconsin superintendent justified a plan to create single-sex high school science classes based on “research data” showing that boys like “creative hands-on projects that culminate in something with a different level of understanding,” while girls “may not even understand what happened in the science lab, but they got the right answers.”²¹

Practices like these not only reinforce stereotypes, they also create inflexible learning environments that fail to serve students’ individual needs and learning styles and that can be particularly harmful to students who do not conform to gender stereotypes. Neither boys nor girls thrive in such environments.

In addition, research has shown that separating students by gender keeps boys and girls from gaining valuable opportunities to learn from

each other.²² Spending time together not only promotes mutual understanding, it also influences interests and behaviors that can affect academic performance.²³ For example, girls who spend time with boys tend to be more interested in sports and building activities than those who don’t, while boys who spend time and space with girls develop better verbal and reading skills.²⁴



TEACHING TO STEREOTYPES

Following are examples that highlight how attempts to cater to illusory differences between boys and girls result in stereotyping that can hamper learning for all students.

Wisconsin’s Beloit Area School District put boys and girls in separate academic classes and gave teachers training materials that stated:

- “Do NUMBERS for numbers’ sake” for boys and “demonstrate RELEVANCE to the real world” for girls when teaching math.
- In social studies, “focus on REAL men” and “highlight technical details and use maps” when teaching boys, but use “art/music/literature” with girls.
- Form “teams” and use “hierarchy” and “competition” to motivate boys, while

getting girls to “care” because they are motivated by “being accepted, liked, loved.”

Teachers in Florida’s Broward, Volusia, and Hernando Counties received training from Stetson University’s Hollis Institute, whose training documents include this advice:

- Reassure a girl who is struggling with math that “when her brain is ready she’ll be ready.”
- Use a “commanding” voice for boys’ classes but not for girls, as it would be “too loud or assertive for an all girls’ class.”

These examples also demonstrate that challenging practices can result in change. In 2015, Beloit Area School District agreed to abandon single-sex elementary classrooms. Broward County has agreed to end sex separation of students; investigations in the other Florida counties are ongoing.

Challenging Discrimination

When sex stereotypes guide educational programming, discrimination is at the program's root. Discrimination can play out in practices that violate students' civil rights, such as involuntary assignment to single-sex classrooms, failure to provide coed options in addition to the single-sex classes, and inequitable use of resources. Such practices in a public school setting are unlawful under Title IX. The ACLU, on behalf of parents and students, has successfully challenged sex separation in school districts throughout the country by filing complaints in federal court, state agencies, and the Department of Education's Office for Civil Rights (OCR).

Schools and school districts need to make informed decisions about sex separation in order to serve their students' best interests—and to avoid violating the law. The resources

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required to develop separate classes and teaching strategies for boys and girls are almost certainly better spent elsewhere, especially if these practices will need to be reversed following a challenge. Conversely, students and parents in schools with inequitable programs should know that they can challenge these programs on legal grounds.

Following are several recent examples of single-sex programs that were abandoned after being successfully challenged. In many cases, information brought out through a challenge reveals the stereotypes that underlie single-sex programs as well as the failure of such programs to comply with the law.

- In Wood County, West Virginia, boys and girls were separated for all core curriculum classes, with no coed option. Among other differences, girls were asked to discuss their feelings about books while boys discussed the action; boys were allowed to move around freely while girls were expected to stay in their seats; and boys were rewarded with outdoor play after tests, while girls got stickers.

A District Court rejected the sex separation because it was not voluntary. The Court also noted that “teaching techniques based on stereotypes and lacking any scientific basis may very well be harmful to students.” Even the school's expert witness agreed that claims of sex differences in brain development were based on pseudoscience and suggested that many schools were “led astray” by the teachings of Leonard Sax.²⁵

- In Vermilion Parish, Louisiana, boys and girls were separated into different classes and students were given different assignments based solely on gender. The program was ultimately abandoned in the wake of a decision from the United States Court of Appeals for the Fifth Circuit that pointed out the detailed requirements of the Department of Education's regulations. The ruling also noted the applicability of the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution to public schools.²⁶
- A middle school in Birmingham, Alabama, separated boys and girls for all core curriculum classes on the theory that “hard-wired” differences between boys' and girls' brains require different teaching methods, and that such methods would lead to better results. Birmingham's own testing researchers found “no definitive proof that the percentage of students scoring proficient is significantly impacted by students being taught in

same-gender classroom settings.” The district agreed to abandon single-sex classes after an ACLU challenge.²⁷

- In Middleton, Idaho, one elementary school taught boys and girls separately in grades 2–4, ostensibly to improve boys’ reading scores, among other goals. In 2016, OCR concluded that the district was unable to explain how separating boys and girls would meet its stated learning objectives and therefore had not justified the separation. Moreover, the district had put in place

practices that led to unequal opportunity, such as higher student-to-teacher ratios for girls. The district agreed to return to coeducational classrooms, to institute Title IX training for administration and staff, and to remain under Department of Education supervision through 2019–2020.²⁸



The Problem with Single-Sex Schools

LIMITED OVERSIGHT

Perhaps because it is clear that separating students by gender in coeducational schools is generally unlawful and fraught with pitfalls, several school districts have recently chosen to create single-sex schools instead. Admissions policies at single-sex elementary and secondary schools are not covered under Title IX, as only a handful of single-sex public schools existed when Title IX legislation was enacted. Consequently, these schools receive less oversight.

Although many single-sex schools have faced no federal scrutiny, the Department of Education does have the authority to act when the creation of single-sex schools favors one group (either girls or boys) over the other, or when the rationale for such schools is based on sex stereotypes. The Department also has some discretion when a district requests federal funding under the Magnet School Assistance Program; it has declined to fund at least one proposed single-sex magnet school on the grounds that its proposal did not satisfy the requirements of the Equal Protection Clause.

AN UNSOUND CHOICE FOR CLOSING THE ACHIEVEMENT GAP

In a disturbing trend, most of these new schools are targeted at minority students in

an attempt to address the gap in educational outcomes between minority students and their white counterparts. While the desire to find innovative ways of closing the achievement gap is understandable, a method that has failed to

RESOURCES FOR UNDERSTANDING TITLE IX AND SINGLE-SEX EDUCATION

Questions and Answers on Title IX and Single-Sex Elementary and Secondary Classes and Extracurricular Activities. U.S. Department of Education, Office for Civil Rights, 2014. Available at <https://www2.ed.gov/about/offices/list/ocr/docs/faqs-title-ix-single-sex-201412.pdf>.

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Find Your Title IX Coordinator. American Association of University Women (AAUW). Available at <http://www.aauw.org/resource/find-your-title-ix-coordinator/>.



produce evidence of success while inevitably reinforcing sex stereotypes is an unfortunate choice.

Inspired by President Obama's My Brother's Keeper initiative, many school districts have pledged to help black males with special programs. The proposals for these programs frequently fail to consider the equally pressing needs of black girls, who are presumed to be doing well despite

evidence to the contrary. For example, the Washington, DC, Public Schools have created an Empowering Males of Color initiative that includes mentoring and tutoring for males in coeducational schools and the creation of an all-boys college preparatory high school. Yet the district's own data demonstrates that both girls and boys of color need the interventions planned just for boys.²⁹

Although the initiative refers to "Males of Color," its programs are open to all boys regardless of race. The initiative's attempt at inclusiveness does not, however, extend to female students. Vigilance and advocacy will be required to ensure that girls of color, already too often overlooked, are not once again left behind.

NCWGE Recommendations

- Teachers and school administrators should look to evidence-based practices to meet the needs of all students without relying on sex stereotypes that limit learning.
- Sex separation should not be instituted for administrative convenience or for any other reason without an exceedingly persuasive justification. Furthermore, sex separation must be based on valid evidence that it will be effective in achieving a stated educational purpose, and should be instituted only as a last resort, after other methods have been attempted.
- School districts with single-sex programs should increase transparency by fully informing parents of the rationale and curricula for these programs and by making such information publicly available. Parents and other stakeholders should seek greater accountability by demanding that schools disclose program data, including evaluation outcomes, for all single-sex programming.
- Federal and state education agencies, school boards, and school administrators (including Title IX coordinators) should improve monitoring and enforcement of Title IX compliance to prevent discriminatory practices such as reliance on sex stereotypes or unequal allocation of resources.
- School districts should ensure that educational programs aimed at addressing the racial achievement gap benefit male and female students equally.
- The Department of Education should act to stop sex separation in school districts against which complaints are pending.

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