

What Is Title IX? Toward a Campus-Based Pedagogy to Study Inequality

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Abstract

In this article, we propose a campus-based pedagogy to teach sociology. We offer the example of a project designed to critically assess university Title IX policy and situate it within existing sociological research on gender-based inequalities and violence. Students engage in sociological research regarding issues such as sexual harassment and assault, intimate partner violence, consent, and rape culture, among others, and develop a tool to create greater awareness among the student body of university policy in these areas. Drawing surveys and focus group interviews with students who completed the project, we found that students acquire a historical and sociological understanding of gender-based violence and institutional sexism and consequently adopt a critical lens toward university Title IX policy regarding these issues. By situating students as central to the process of analyzing and critiquing university policy, this exercise fosters an intellectual efficacy among students to embark on sociologically informed interventions in their university's campus culture.

Keywords

critical pedagogy, discrimination, gender, active learning, Title IX

In 2016, a team of female softball players at Lake Oswego High School in Oregon filed a Title IX lawsuit alleging that the local school district was not in compliance with Title IX because they disproportionately invested in boys' baseball facilities and equipment, neglecting the girls' softball facilities. The lawsuit, which was eventually settled approximately a year and a half later after considerable resistance from the school district, was led by Lauren Working, the only nonminor on the softball team at the time of the lawsuit (Jacabo 2016). Lauren, who is now an undergraduate college student, reflected on how difficult it was to advance the lawsuit in part because very few people in her community were aware of Title IX and its purview to prevent sex discrimination in educational institutions: "Right off the bat, we had many people who just didn't understand. . . . They didn't know what Title IX is and the basis of Title IX." In her transition to college, she observed that this lack of knowledge persisted among students:

A lot of people don't realize—maybe more so now than in my freshman year in college—but Title IX is such a big umbrella. . . . So I really kind of had to step in and educate and kind of really push the people who I was around to make sure that they know that *ignorance is not bliss*. I keep saying that but that was the *true* definition of what I was going through. It was that people didn't know what was going on and didn't want to take the time to figure it out.¹

The uncertainty around and unfamiliarity with Title IX to which Lauren attests pervades multiple

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levels of educational institutions, from students to administrators. Whereas training about Title IX for students, faculty, and staff varies by campus, the responsibilities related to Title IX are also vague for the very people who enforce Title IX. Title IX coordinators, two-thirds of whom overall have been in their positions for less than three years, have “described living in a constant state of uncertainty, in which new federal guidance, state laws, or court rulings could abruptly upend the status quo” (Brown 2019). It is clear that Title IX is a policy characterized by significant uncertainty in part because it is situated at the center of political debate.

In this study, we take the uncertainty of Title IX policy as a point of departure for an undergraduate class project. As a policy that brings together issues concerning inequality, power, gender, and politics, Title IX provides an instructive foundation upon which to instruct students about histories of institutional sexism and inequality and to foster in students the ability to situate policies within historical contexts and to critically analyze them. By examining the effects of policy and the issue of gender inequality on the campus itself, students partake in what we call a *campus-based pedagogy* style of learning. As a result, they are poised to recognize how institutional inequities have tangible implications for their everyday lives.

CAMPUS-BASED PEDAGOGY

In the discipline of sociology, instructors frequently draw upon C. Wright Mills’s (1959) conception of the sociological imagination, which enables students to “grasp history and biography and the relations between the two within society” (p. 6). This approach encourages students to see connections between individual behavior and social structures to foster critical thinking about taken-for-granted premises in the study of human behavior predicated on individual choice, freedom, or agency. Numerous studies concerning sociology pedagogy, specifically as it relates to gender, have focused on the extent to which course assignments and foci effectively foster this imagination (Huisman 2010; Picca, Starks, and Gunderson 2013; Sargent and Corse 2013; Moloney and Pelehach 2014)

Pedagogical approaches that have gained currency in sociology classrooms to further develop student sociological imaginations include active learning in the classroom (Giuffre, Anderson, and Bird 2008; Picca et al. 2013; Sargent and Corse 2013); experiential activities, such as breaching experiments outside the classroom (Edwards

2010); and community-engaged or service learning projects (Huisman 2010; Rondini 2015). Each of these approaches demonstrates a different mode of engagement—ranging from the familiarity of the classroom to communities with which students may have little direct exposure—and represents different approaches to facilitate student observations of social mores, norms, and stratification in society. A less examined site for the development of a sociological imagination is direct engagement with the college campus itself. Notable exceptions in the field of sociology include the work of Burke and Banks (2012), who developed a first-year campus orientation program to foster sociological and critical approaches to diversity among incoming students, and Donley and Paige (2018), who explicitly explored Title IX and sexual assault on college campuses through a course-administered survey instrument with students enrolled in sociology and social work research methods courses.

In this article, we propose campus-based pedagogy as an approach that centers the campus as a dynamic and accessible site through which to learn about structural inequality and sociological phenomena. We see this approach as an important mode of not only fostering a sociological imagination but also having the potential to create more egalitarian policies and practices on a college campus. We draw theoretically on critical pedagogy to inform campus-based engagements. Critical pedagogy as an approach attempts to link knowledge “to the issue of power, which suggests that educators and others must raise questions about its truth claims as well as the interests that such knowledge serves” (Giroux 1988:8). From this perspective, the classroom—and by extension the campus—is a significant site in which to develop critical perspectives about questions of power and the social construction of knowledge itself. Critical pedagogy also shares with sociology concerns about the impact of gender, racial, and economic stratification on institutions, like education. Critical pedagogy is well suited to informing a campus-based pedagogy because the college campus as a whole, especially in university settings, is a pivotal site for education and knowledge acquisition beyond the immediate context of the classroom itself. The campus is a microcosm through which students can analyze social life and observe social stratification. A campus-based pedagogy encourages them to interrogate the very subcultures of which they are a part on a college campus.

According to Rondini (2015:138), critical pedagogy as a theoretical approach “has long been used

to advance social justice understandings through scholarship that links participatory action to reflective process,” and “sociological inquiry lends itself to critical pedagogical approaches.” However, as Braa and Callero (2006:357) argue, “so little attention has been devoted to the application of critical pedagogy to the sociology classroom.” Although the reason for this inattention is unclear, instructors teaching about social issues frequently contend with student perceptions that social inequalities and harm are merely individual-level phenomena (Kleinman and Copp 2009) and/or the coursework has a political “bias” (Applebaum 2009). Instructors must often confront student resistance that follows from these perceptions. Thus, it is imperative that instructors integrate into coursework critical perspectives on institutions and their presumed neutrality or objectivity. As Feagin and Vera (2001:3) remind us, existing systems—such as education systems—are not themselves neutral and instead reflect the interests of those in positions of power: “Commitments to alleviating human suffering—or to peace, social justice, and democracy—politicize the practice of sociology no more than the commitments that assert indifference, value-free methods, or neutral knowledge.” Accordingly, a campus-based pedagogy is an accessible and compelling approach to recognize how structures that govern a college campus reflect interests of those in power, such as alumni, and to critically question these structures from sociological perspectives to reimagine their possibilities, as students did in the Title IX project.

TITLE IX: A SITE TO STUDY GENDER AND POLITICS

Title IX is a compelling site to study gender and politics given the history of its promulgation and its ongoing relevance for the climate of sexual misconduct on college campuses. Title IX is a federal law of the 1972 Educational Amendments, which were designed to address institutional sex discrimination at all schools, universities, and educational training programs that utilized federal funding. The law emerged out of the larger context of the 1964 Civil Rights Act and assumed a separate framework—Title IX—after Representative Edith Green proposed the change to ensure that the amendments would not weaken coverage of existing titles (Valentine 1997). As a federal law specifically designed to “avoid the use of federal money to support sex discrimination in educational programs

and to provide individual citizens effective protection against those practices,” Title IX has broad purview across a range of sites in educational settings (United States Department of Justice 2015). In general, Title IX is most frequently discussed in the context of ensuring equal access to athletics and eradicating gender inequality in sports, in which significant progress has been made over the course of the past several decades, although serious shortcomings to gender equality in athletics remain (Brake 1999; Cooky and Messner 2018; Nadeem et al. 2017; Valentine 1997).

However, on college campuses in particular, Title IX policies address a range of inequalities on the basis of sex, including sexual harassment, sexual assault, and intimate partner violence, among other behaviors that concern sex-based discrimination. Although the original language of the Title IX amendments pointedly requires “nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance,” subsequent guidelines issued to schools detail the range of discrimination that can occur on the basis of sex (United States Department of Education 2000). For instance, in the “Title IX Resource Guide” issued by the U.S. Department of Education (2015:15) to educational institutions, several types of sex-based harassment are outlined, and *all* are deemed “forms of sex discrimination prohibited by Title IX”:

Title IX prohibits several types of sex-based harassment. Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form sexual harassment and refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the student’s age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Gender-based harassment is another form of sex-based harassment and refers to unwelcome conduct based on an individual’s actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not

necessarily involving conduct of a sexual nature.

These issues fall under the purview of Title IX because they specifically threaten the ability of individuals to equally and safely access an education.

This scope of Title IX policy has been further affirmed in a letter, popularly referred to as the “Dear Colleague” letter, issued by the Office for Civil Rights of the United States Department of Education in 2011 during President Barack Obama’s administration. The letter unequivocally identified educational institutions as responsible for addressing sexual misconduct and cited National Institute of Justice statistics regarding the probability that one in five women endure attempted or completed sexual assault during their time in college (United States Department of Education 2011). Although the 2011 directives focused on students, Title IX policies apply widely to all members of a university community, including faculty, staff, administrators, and any entities with contractual arrangements with a university.

Despite the impact of the “Dear Colleague” letter in providing guidance for the scope and procedures of Title IX implementation on college campuses, the guidance was rescinded in 2017 by Department of Education Secretary Betsy DeVos. The new proposed interim changes raised the evidentiary standards in sexual assault cases on college campuses from a “preponderance of evidence” to “clear and convincing,” the latter of which is a higher standard (Zamudio-Sauréz 2017). In effect, this new directive, among other changes, makes it more difficult to find students liable for sexual misconduct in university proceedings, which already had lower standards than criminal cases (Zamudio-Sauréz 2017). These recent changes to the Title IX directive illustrate how Title IX remains a highly politicized site of debate regarding gender inequality and institutionalized sexism. It is, accordingly, a productive site to examine the relationship between gender and politics, which has been a burgeoning field of sociological study for the past several decades.

Given that Title IX represents a challenge to institutional sexism and attempts to remediate years of unequal access to education, close examination of the policy is enriched by the theoretical contributions of scholars of gender in the discipline of sociology and beyond. Connell (1986) offers a productive theoretical framework from which to consider the origins and implementation of Title IX policy. According to Connell (1986), all institutions are characterized by a sexual politics that

often subordinates women. As she states, “gender relations are present in *all* types of institutions,” and she terms the “state of play in gender relations in a given institution” as an institution’s “gender regime” (Connell 1986:120). MacKinnon (1989) elaborated on these points in her study of states to argue that institutions, like the state, are male in that they institutionalize male perspectives within law and policy. MacKinnon (2007b) also offered powerful critiques of “consent” as a framework that risks reinforcing gender inequality and heterosexual hierarchy by casting men as agents and women as subjects from whom “consent” is acquired by (or elicited from) men.

These interventions offer frameworks to theoretically inform Title IX policy as a site at the intersection of structures related to education, state, and gender. Recent discussions about the role of universities in seeking to conceal incidents (and patterns) of sexual violence—whether by students, faculty, or parties associated with the university—attest to the ongoing relevance of “gender regimes” as a framework to understand Title IX policies and their (lack of) implementation (Denhollander 2019; Grossman and Brake 2011; Luther 2016; MacKinnon 2018). These theoretical frameworks thus, provide students with critical lenses from which to understand Title IX policy historically and to analyze axes of power that characterize its implementation.

CLASS CONTEXT AND ASSIGNMENT

The Title IX project is regularly assigned in a course called “Gender Politics: International Perspectives,” which provides sociological approaches to gender as an important system that influences rights and responsibilities in the political sphere. In this course, *gender politics* is understood as the ways by which politics is shaped by gender and, in turn, how gender shapes politics. In the first section of the course, students examine basic sociological findings about the significance of gender to social life and explore the role of gender in processes of colonialism and imperialism to understand how it emerged as a key category in the establishment in contemporary states.² In the second section of the course, students explore how states have institutionalized gendered rights and responsibilities, including policies related to parental leave and fertility.³ Lastly, students learn about the development of policies, often initiated by female political leaders, and social movements to advocate for different approaches to gender politics.⁴

The purpose of the Title IX project is for students to examine closely a policy that has been designed to prevent institutional sexism and inequality and to understand the historical context for its emergence. This exercise is designed to illustrate to students, who work collaboratively, that federal policies are not remote from their everyday lives but instead profoundly shape their campus environment and culture on a day-to-day basis. Drawing on Bloom's (1956) taxonomy of learning objectives (hereafter referred to as Bloom's taxonomy), this course project is designed to facilitate learning across several levels of the six enumerated categories of knowledge, comprehension, application, analysis, synthesis, and evaluation. In recent revisions to Bloom's taxonomy, Anderson and Krathwohl (2001) introduced more fluid language to convey the dynamism of learning as a culminating process from the first classification of knowledge to the last classification of evaluation. Specifically, the Title IX project is designed to foster learning at two levels: (1) cognitive learning (consistent with the foundational levels of remembering and understanding in the revised taxonomy) and (2) praxis learning (consistent with applying and analyzing levels in the revised taxonomy).

At the cognitive level, the Title IX project specifically seeks to establish foundational factual and conceptual knowledge of the Title IX policy so that students comprehend the policy and are poised to negotiate higher levels of learning. Thorough knowledge of Title IX policy is fostered through course reading material about Title IX, an in-class activity related to Title IX, and a group research paper about a specific aspect of Title IX policy. On the praxis level, the Title IX project facilitates a higher level of learning that requires students to design an intervention tool that helps other students understand the Title IX gender-based inequality or violence that is the focus of their research. The "Title IX tool" requirement is closely aligned with the approach of critical pedagogy because students themselves contribute to knowledge construction about Title IX from their perspectives as students. Although all aspects of the Title IX project are critical to student learning, the creation of the Title IX tool is an essential aspect of the project because it represents an opportunity for students to apply their knowledge to communicate creatively with one another and articulate their critical readings of the policy and research surrounding it.

To foster the first level of cognitive learning, course material specifically draws on the work of MacKinnon (1989, 2007a, 2007b, 2018) and her

critiques of gender within the law. Students also read excerpts from Dick and Ziering's (2016) book, *The Hunting Ground: The Inside Story of Sexual Assault on American College Campuses*, which followed the release of the documentary they wrote and directed in 2015 called *The Hunting Ground*. The assignment itself is organized in response to an in-class activity that requires students to answer several questions about their specific university Title IX policy across a series of stations. The stations are organized around questions concerning key features of the Title IX policy, such as the reporting process, the difference between confidential resources and mandatory reporters, and what constitutes sexual assault, among others. On the basis of this exercise, students are asked to list the topics that are of most interest to them and are subsequently organized into groups of approximately five students who share similar interests.

In the Title IX project paper, each group is required to investigate different dimensions of their issue, with each group member becoming an expert in one of five dimensions: (1) the history of the issue and its legal recognition, (2) the existing sociological research as it relates to the issue, (3) university-specific policy and culture related to the issue, (4) state or federal policy related to the issue, and (5) ongoing debates and contemporary social movements related to the issue. Collectively, group members conduct research on each dimension to craft together a research paper on their theme.

At the second praxis level of learning, the intervention tool, which represents an application of the critical knowledge acquired from undertaking the research, is the product of group collaboration and students are granted creative freedom to design a tool that they regard as facilitating greater awareness and understanding of Title IX among students. There is growing recognition that education regarding Title IX is lacking on college campuses and in other educational settings; in fact, students, scholars, and activists across the country have recently started developing educational material about Title IX in a vein similar to that expected of students as part of the Title IX project outlined here. These educational resources include the website, Know Your Title IX, developed by Advocates for Youth, and the "It's Not Just Personal" guide developed by designers Flora Chan and Abby Chen, the Center for Urban Pedagogy, and Black Women's Blueprint (Nadeem et al. 2017).⁵

The collaborative nature of the group research paper and intervention tool offers students the opportunity to learn from each other and creatively

communicate their knowledge to the larger campus community. One of the challenges to the Title IX project, however, is that individual students in the class or their close friends may have personally experienced a Title IX violation and/or reported a Title IX incident. Accordingly, students may have experienced different outcomes in the Title IX reporting process, with some seeing it as a productive process and others seeing it as a deeply traumatic experience. It is important, therefore, to be forthright at the outset of the class that the project will involve close study of Title IX policies and issues and to invite modes of participating that accommodate and are sensitive to students' personal experiences. The project, in this way, is uniquely poised to offer students important opportunities to reframe and recreate engagements with Title IX on their terms and from critical perspectives.

STUDENT ASSESSMENTS OF THE TITLE IX PROJECT

To assess student perceptions of the Title IX project, students were given the option of participating in a focus group to discuss the project or to complete an open-ended qualitative survey about the Title IX project. All students who took and completed the course in the Spring 2018 and 2019 semesters were invited to participate in this study and share their perceptions of the Title IX project and how it impacted their knowledge on topics related to gender and politics. Accordingly, a total of 58 students—30 students from Spring 2018 and 28 students from Spring 2019—were invited to participate. More women were enrolled in the course than men, and this is reflected in the demographics of study participants.

With regard to focus groups, a total of nine students volunteered to participate in a focus group, and two focus groups were convened: a focus group of students who took the class in the Spring of 2018 and a focus group of students who took the class in the Spring of 2019.⁶ In terms of the focus group demographics, the Spring 2018 focus group included five female participants and was led by one male and three female coauthors; the Spring 2019 focus group included one male and three female participants and was led by three female coauthors. The focus groups, including facilitators and participants, were predominantly composed of women, with only one man present in each setting. Existing findings suggest that this gender dynamic, in which focus group interviews primarily involve facilitators and participants of the same sex, may

have fostered more frank and critical conversations, particularly regarding sensitive topics such as those associated with Title IX (Catania et al. 1996; Padfield and Procter 1996).

More students elected to respond to the qualitative survey, which was modeled directly after the focus group questions and administered via email. A total of 18 students completed the survey, including 14 females and 4 males. The response rate across the focus groups and the surveys together was 46.6 percent. All focus group and survey research were conducted after final grades had been determined, and all students were provided with information about the context of the study to ensure their informed consent. All direct quotations provided here from focus groups or surveys use a pseudonym for the student interviewee or respondent. Grounded theory and inductive reasoning informed the coding process (Glaser and Strauss 1967). Surveys and focus group transcripts were openly coded, line-by-line, by all coauthors, who subsequently met to review coding procedures and then engaged in axial coding of the surveys and focus group transcripts in light of key themes emergent across the data.

To assess whether student perceptions of Title IX changed in the course of conducting sustained research about the policy, students in the Spring 2019 course were asked about their familiarity with and understanding of Title IX as a policy on the first day of class, before any formal introduction to Title IX. Students provided written responses to this question, and their responses represented several different levels of familiarity with Title IX (see Table 1 for all student responses).

As these responses attest, it is clear that a majority of students (16/21) were aware that Title IX related in some way to sex or gender and was designed to prevent discrimination and that a minority of students had no awareness of the Title IX policy at all. Beyond this familiarity, however, most students were not aware of the range of issues addressed by Title IX before completing the project.⁷ As data from focus groups and surveys reveal, the Title IX project influenced student understandings of Title IX policy and its connection to broader social issues related to gender.

Learning Title IX

In focus group conversations and student surveys, the majority of students reported little interaction with or knowledge of Title IX before learning about it in the class. Most students stated that their only knowledge of the policy was that it related, in

Table 1. Student Responses to “What Is Title IX?”

 Responses that emphasize “discrimination”

“Title IX protects from gender based discrimination including sexual violence”

“Title IX → cannot discriminate [*sic*] against students (race, gender, etc.)”

“Title IX enforces some degree of gender equality to prevent or address discrimination, harassment, and other race/gender related causes”

“Title 9 is a law regarding gender, sex, & racial discrimination in the workplace & in schools”

“Title IX is federal legislation that legally states [that] discrimination should not interfere with a student’s education and provides resources & support to prevent the discrimination.”

“Title IX is something put in place [at the university] that protects students from all harassment and discrimination.”

“Title IX has to deal with non-discriminatory behaviors towards students (sexual violence & race, etc.)”

“A university policy that has guidelines for discrimination and sexual violence”

“I think it forbids discrimination based on sex, gender, race, ethnicity, disability, gender expression, etc.”

“Prevents discrimination against students in a university setting - by profs. (coaches) staff etc.”

“Policies written with a focus to end gender & sexual discrimination and promote equality”

 Responses that emphasize “protection” from “misconduct”

“Rules and regulations to uphold an inclusive and (generally) socially just campus. Protects students of all backgrounds”

“I’ve only heard of it referenced in cases involving sexual misconduct. An academic investigatory board for student well-being.”

“Title IX – sexual harassment protection”

“Regards to conduct involving sexual misconduct”

 Responses that emphasize gender equality

“Policy about making sure men and women given the same.”

“Title IX is based on the equality between men and women?”

 Responses that indicate little to no awareness or understanding of Title IX

“I can’t remember”

“IDK” [I don’t know]

“I don’t really know”

“I do not know Title IX”

some way, to athletics. As one student stated, “Prior to enrolling in the course, my understanding of Title IX was very limited in that I was under the impression that it only pertained to athletes. But after the completion of this project I came to understand that Title IX is pertinent to everyone in an institution.” Other students noted that their understandings were limited to headlines. Ron, a member of one of the focus groups, stated that his understanding of Title IX before the course was only “what I had gleaned from headlines here and there. Usually, talking heads going back and forth, yelling at each other about how it’s wrong or how it’s necessary.” Given how highly politicized Title IX has become in recent years, media represents a key site of socialization for students about Title IX.

The consensus of the students, however, was that the course deepened their understanding of Title IX as a whole and broadened their horizons as to what was included in its scope, particularly its

relevance on a college campus. As Rose recalled in a focus group conversation:

[I previously had] just a brief understanding [of Title IX], especially with the Harvey Weinstein case coming to light in 2017. I think that really opened my eyes. I also didn’t know it [sex-based discrimination] was—I mean, I guess this is kind of silly—but I didn’t know it was present, like, in college. Um, I just always associated it [with the] corporate world and just going into the world [of working] and so, uh, knowing that it was present here [on campus] and actually having the [Title IX assistant director] come in and talk to us about it really opened my eyes.

As this student articulates, the project expanded students’ preexisting understandings by highlighting how issues related to sex-based discrimination

had direct relevance to the college campus. This research process also elicited a host of emotional responses from students, including the sense of being surprised or shocked at the scope of the policy. Like Rose, several students expressed that the project was “eye-opening” and facilitated new ways of seeing. One commented: “After completing this project, I now will *see* those same instances [of “gender issues”] and I am fortunately able to recognize the gender *inequality*” (emphasis added).

In reflecting on the course as a whole, students identified several aspects of the course structure that particularly enriched their understandings of Title IX. Namely, students emphasized the international scope of the course material as important because it fostered ways of understanding the sociology of gender and politics from comparative perspectives. As Sakina stated:

I liked being able to talk about different policies within the global community . . . towards the end of the semester, we brought up France and the secularization movement and how that, in many ways, actually negatively impacts populations of people [even though] that’s supposed to be a neutral policy. . . . I think that worked really well when we then ended up doing our group [Title IX] projects at the end of the semester because that’s exactly what we were doing. [We were] then evaluating a policy that was already happening on our own campus. And so we have these tools beforehand of understanding how to critique [its implementation on campus].

She also highlighted the group work as an important aspect of learning about Title IX, a sentiment that was shared among other students. Maria, who was in a group of five, found it particularly powerful that the projects focused on “different aspects of Title IX and these are all coming from students and we’re here, present, experiencing, interacting on a student-base[d] level.” The student-to-student learning was important to student experiences of the Title IX project.

In addition to the international focus of the course, students cited the significance of regular class discussion. As one student remarked, “The dialogue within the class forced you to take a step back from your own beliefs and biases and personal understandings of gender and politics or policy.” It was through class discussions, which were led by different students on a weekly basis, that students recognized a diversity of perspectives on issues

related to gender and policy, including Title IX. As Shellie expressed in a focus group conversation:

Doing this project specifically helped illustrate. . . also the invisibility of the prevalence of, sexual harassment, sexual assault, and all of that. Because you see the statistics [and] people have awareness rallies on campus and events like that, but having the open classroom discussion on Fridays after reading articles that shared personal stories really helped me see how invisible the issue actually was because there were so many people that could speak on their own experience in college or an experience with a friend within that circle on a weekly basis.

These conversations, particularly when students shared their own experiences, allowed them to appreciate the diversity of how gender is socially constructed and experienced not only around the world but also on their own campus. According to students, these discussions prepared them well to investigate Title IX as a policy and recognize its complexity as well as the shortcomings in how it is implemented on college campuses.

Drawbacks of Title IX Policy and Implementation

As students delved deeply into Title IX policy, they learned that its scope is very broad and that the policy itself is far from simple and straightforward. As one student recounted:

I think doing this project reinforced the fact that Title IX is more convoluted. . . than we [typically] come to understand it. I think a lot of people are like, “Title IX? What is it?” And they’re like, “It’s about sports. It’s about assault.” And you just move on and everyone thinks, “Oh yeah, it’s this clear-cut, easy definition.”

Many students shared this perspective and described the policy as “complex,” “multi-faceted,” and possessing “many dimensions.” For students, this complexity was a drawback of Title IX policy because it was not easy to understand compared to other policies yet was of serious importance to their well-being on campus. Students were particularly intrigued by the scope and jurisdiction of the policy, including what is specifically addressed in the policy and to whom it applies: “I

learned about the different dimensions of Title IX. I also learned that we have a lot to do with educating our students on how to access resources in regards to reporting Title IX issues.”

With regard to reporting, several students noted that the process for how to report was not clear to them and that it was difficult to access information about what to expect when one makes a report. Diane, a member of one of the focus groups, emphasized the accessibility of the policy:

I didn't even know we had a Title IX [education] coordinator or anything. And I think that speaks volumes in itself, and like, I probably wouldn't have known unless something had happened, if I hadn't taken this course. And also, like, how to access that information [through the university] when I was doing my research, um, sometimes it was...it was sometimes difficult to find the information...so it just opened my eyes to—I would say—to education on the topic and accessibility for students.

Although several universities are attempting to increase accessibility of Title IX reporting on their campuses, the evidence from this study suggests that few students are aware of the meaning of Title IX, which reduces their literacy about what resources to seek out to make a report.

In connection to ambiguities around reporting, the issues of sexual violence and consent in particular were emphasized by students as important topics about which they acquired new knowledge and understandings. Several students were not familiar with how a university's Title IX policy may be incongruent with state law. In her group project, Rose worked with other students to develop an infographic tool that identified the differences between the university's Title IX definition of sexual assault and the definition according to state law:

Our tool had [it] split down the middle and so we talked about the Texas state law, the Texas [law] side of it, and then the [university] policy. And so putting it next to each other could just kind of show the differences. Because eventually we're not going to be here [on campus]. Right? Like, we're gonna [*sic*] graduate....So, then there's, like, this other side of it when you do face it [sexual violence] outside of here.

Rose and her group members discovered significant differences between university Title IX policy and

Texas state law definitions of sexual assault, namely, that state law has historically narrowly defined sexual assault in terms of “penetration” rather than as “any sexual act” without a person's consent, as it is defined in many university Title IX policies. Students found the tool enlightening because it helped them understand how reporting a Title IX violation is fundamentally different from filing a criminal report; this is a difference that was not clear to some students who initially perceived Title IX as a site of criminal arbitration rather than a mechanism to protect civil rights. We attribute this perception, in part, to the increasingly legal language that universities use to articulate their Title IX policies (i.e., referring to an individual who makes a report as a “complainant” and someone who is accused as a “respondent”).

In a similar vein, students emphasized how the Title IX project demonstrated to them the complexity of “consent.” As a legal conception and a point of social negotiation, students expressed how the Title IX project illuminated the multiple dimensions of consent:

One thing that I learned during this project that really stuck with me was that there are many different factors that work together to produce consent... Consent is not simply a verbal “yes,” but, rather, a combination of body language, verbal expression, and the physical and mental state of *both parties* [emphasis added].

Other students echoed that their previous education had primarily emphasized consent in terms of “yes” or “no”: “I obviously knew that ‘no means no’ but learning about all of the other ways that an individual cannot give consent was eye opening and sometimes hard to learn about.” The role of coercion in cases of sexual assault, particularly along axes of marginality and vulnerability as MacKinnon (2007b) outlines, is seldom introduced to university students in Title IX training regarding sexual violence and, from their perspectives, should be more explicitly addressed in a university's Title IX policy.

Equipped with these nuanced understandings of the Title IX policy, some students developed a critical approach to Title IX and perceived it to have drawbacks insofar as it is implemented on a college campus. They began to question, in various ways, how power influenced the reporting process. In one survey, a female student stated:

The Title IX project highlighted some of the areas where [the university] could do better. For example, there is essentially a “chain of

command” for reporting a sexual assault at [the university] and many of the members of this chain are male RAs, hall directors, or staff. Essentially being forced to discuss sexual misconduct with men, I believe, really lowers the chance that a campus that is majority female is adequately providing means of help for its student body.

This student noted that the project helped her notice areas in which universities could improve in regard to their Title IX policies and procedures. Specifically, she became aware of the gender dynamics embedded within the bureaucratic process of reporting sexual misconduct and how the absence of females in the reporting process may hinder the university from being capable of providing sufficient protection for female students.

Whereas some students noticed issues with the reporting process, others noted the disparities between *reported* incidents of rape and the national *statistics* of rape on college campuses. As Ron articulated in a focus group:

I think [it] was the most recent uh survey done where 91% of all universities that receive federal funding reported [that] they had zero instances of rape on the campus. Um, so, again if we understand that one in five women will experience this kind of thing [on a college campus] then simultaneously you report that the overwhelming majority of campuses have no rape [then] something here is not congruent. It’s not lining up.

Throughout the duration of the project, the students came to realize that there are serious discrepancies between institutional reports of sexual assault on college campuses and its prevalence, suggesting systemic underreporting of sexual violence on college campuses. These discrepancies in reporting caused students to question whether a key drawback in Title IX policy was its lack of enforcement even when buttressed by a federal statute such as the Clery Act.⁸

Whereas many students became aware of procedural issues, gendered dynamics, and statistical disparities within the reporting process, other students developed critical approaches toward who Title IX is meant to serve. In one of the focus group conversations, students discussed how Title IX—as it is implemented on many campuses—“appears more as, like, liability protection.” In the words of yet

another student in the same focus group, Title IX is “not protecting the individual, it’s protecting the institution.” For students, a key drawback of the Title IX policy, and the Clery Act specifically, is that their enforcement is limited by the concern of the institution to protect its interests, which include its reputation as a safe campus to prospective students and their families. This point has been echoed in critiques of the corporatization of higher education and increasing concerns about institutional liability as it relates to student safety (Brodsky and Deutsch 2015).

The critical approaches developed throughout the project allowed students to observe power hierarchies and dynamics within the policies and institution that did not always favor the well-being of all students, inciting them to call for institutional change and a prioritization of student well-being.

Actionable Awareness of Title IX

In reflecting on the Title IX project, students expressed an awareness of Title IX issues that influenced their everyday actions on three levels: a personal level, campus level, and broader community level. On a personal level, students learned how to engage with Title IX as individuals. Ron stated that it was empowering to be able to put a name to injustice he was seeing in the world. For some female students, the project felt relevant in a more specific sense: “Everything I know about Title IX is because of this course. I am now able to understand the purpose, guidelines, restrictions, and reporting mechanisms of Title IX. If I ever need to utilize Title IX in the future, I know I have enough knowledge about it to do so.” This student indicated that the project provided her with the knowledge to utilize Title IX for herself. Similarly, another student stated that the project showed her the limits of Title IX to help “in a given situation if it crosses the fine line between what is and isn’t covered under the policy.”

Other students stated that one of the things they found most valuable about the Title IX project was that they became aware of and could empathize with other students’ experiences: “you just walk around and interact with people on campus and it doesn’t even seem like it’s happening because nobody’s really addressing it.” Through the project, students recognized the invisibility of fellow students enduring violations and saw the utility of understanding Title IX for one’s self: “the Title IX policy should be spoken about more throughout each year [in college] so that everyone will know where they can find resources if they are in trouble

or if they see someone in trouble.” In this sense, the project equipped students with knowledge not only about what to do themselves but also to think broadly about what it means to be a proactive bystander, including on campus.

Students who demonstrated a newfound awareness of gender issues on campus provided examples of how the Title IX policy could be better communicated to the campus community. Rose, who participated in one of the focus groups, stated:

So I think this project...helps students see all of that [what Title IX encompasses] and then understand that this also affects the community that they're a part of and...evaluate what's going on and say "OK, you know, this is a problem. This is something we need to be working on." Unfortunately, I, like I was pointing out earlier, I'm a graduating senior so there's not as much I can do after doing a project like this. But, I'm hoping that so many of the undergrads who were in this class will take that with them and then want to actually make this campus safer when it comes to sexual assault.

Rose's hopeful call to action of her fellow classmates reflects similar remarks made by other students, who believe that this change must begin by educating their peers about Title IX and making resources available to students who feel unsafe in their relationships and surroundings. Specifically, students suggested that there were gaps in student knowledge of Title IX and a disconnect between student and administrative perceptions of Title IX. For many, the tools that they created were an important starting point for developing more student-centered education on campus about Title IX.

Additionally, even though Rose is graduating and will not necessarily benefit from a reformed campus culture and Title IX policy, she pointed to the idea that students, after becoming aware of Title IX issues, are interested in leaving a legacy. This sentiment was articulated by another student who remarked, “[Be]cause I think that at the end of it all, whenever we were discussing different aspects [of Title IX policy], this was something huge to the point that we were like, ‘Why are we not telling anyone *beyond ourselves* about this?’” (emphasis added).

The notion of taking the research findings “beyond ourselves” was expressed by numerous students, who wanted to extend awareness to a broader community level. As one student remarked,

through the project, she began recognizing that the gender inequality she experienced in daily life was connected to larger social institutions in society: “I would always examine these experiences [of inequality] at a micro level and personal to me, but the truth is [that] these actions and thoughts exist on a macro level in our society. My experiences are not unique. I believe many women have a similar story.” In this sense, the Title IX project helped students draw connections between microlevel experiences and broader institutional-level inequalities. As a male student remarked, “I was much more aware of gender issues not only on campus after this class but in society in general. I vividly remember seeing gender issues nearly *everywhere* I looked after the class” (emphasis added).

Some students endeavored to share the information they learned from their research to reach a broader audience: “After every time I learned more about this policy, I would share with my friends and peers more about Title IX, about which people should know.” In this sense, students felt empowered to make small interventions as bystanders by educating peers about the issues addressed in the Title IX policy, extending the reach of the project beyond the class and campus context: “During this research I had to look into other universities and their struggles with Title IX [and this] has really allowed me to be educated and also to educate others.” In this sense, the Title IX project fulfills a key aspect of critical pedagogy, where “knowledge would have to provide a motivational connection to action itself” (Giroux 1988: 8). The students express acquiring a knowledge that they can apply beyond their local context to improve their lives and those of others.

DISCUSSION

As findings from the surveys and focus groups demonstrate, the Title IX course-long project fostered among students a critical approach to the policy that influenced their perceptions of gender inequality in their personal lives, on campus, and in society more generally. The particular requirement for students to develop tools to create greater awareness of Title IX as a policy was an integral part of the assignment and situated students as the teachers rather than the learners in a productive way. Students produced a range of tools, including interactive maps detailing the jurisdiction of the policy and a video that recorded key stakeholders on campus, including the chancellor, reading the Title IX policy and emphasizing its significance. These tools, according to students, simplified Title IX policy in ways that were accessible to them and normalized discussions of

Title IX on campus. For instance, in the video featuring stakeholders on campus reading from the policy, students felt that seeing campus leaders articulating support for the policy was significant in symbolizing that the policy is conferred with respect and is enforced. Several students suggested that the ideas generated in the class should be further developed in future classes with the support of campus administrators and leadership.

Following the conclusion of their projects, students in the class initiated conversations with campus administrators about how to improve student education around Title IX. Some of the proposals emerging from projects included proposing a requirement that students engage in a group discussion surrounding the topics explored in online training modules about sexual violence and consent, which have significant limitations (June 2009), so that the complexity of the topics can be explored interactively. In addition, students proposed to the Title IX education coordinator that the modules be required each year that a student is enrolled to ensure that students stay informed and transfer students are included in the training.

Students have also proposed changes to the ways by which the university campus police announce instances of sexual violence on campus, which are often accompanied by general tips regarding safety that presume that sexual violence occurs between strangers rather than, as is more often the case for women, between acquaintances, friends, or romantic partners (U.S. Department of Justice 2014). Lastly, drawing on critical approaches to consent offered by scholars such as MacKinnon (2007b), students have proposed a change to the ways by which students are socialized into understandings of consent through a video that is shown during first-year student orientations called the “tea video,” which attempts to convey the dynamics of consent through drawing an analogy between sex and preparing tea. Students who have participated in the Title IX project have indicated that the video overlooks important power dynamics associated with the negotiation of consent, diminishing its significance and serving as an inadequate tool for fostering critical conversations about consent in contemporary society.

These interventions, among many others, attest to the efficacy of the Title IX project in drawing students into critical conversations about their campus culture and university policies that are sociologically informed and prepare students, in C. W. Mills’s (1959:7) words, “to grasp what is going on in the world, and to understand what is happening to themselves as minute points of the intersections of

biography and history within society.” For students, the campus as a site to connect to the larger structures and histories that shape individual lives is an available but often overlooked site of exploring the sociological underpinnings of contemporary sexism, racism, and classism, among other vectors of social inequality. Campus-based pedagogy centers the campus as a productive site from which students can learn about gender in particular, just as the demography of college campuses is changing—universities increasingly enroll a larger share of female students to male students—but the gender regimes and inequalities, especially concerning sexual violence, persist.

Campus-based pedagogy is not limited to courses examining questions of gender and politics but has applicability to many types of sociology courses. Policies connected to the Civil Rights Act of 1964, in particular, have ongoing relevance on a college campus, informing a host of issues ranging from the demography of the student body to student accessibility. As a microcosm of society and a site where many students are socialized in significant ways into what it means to be an independent adult, an intimate partner, a worker, and a leader, college campuses are fruitful sites to critically engage sociological imaginations.

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NOTES

1. Interview with Lauren Working, conducted by Amina Zarrugh and Suzanne Yost on November 6, 2019, in Fort Worth, TX.

2. For texts to use in the classroom to learn about colonialism and gender, see Ahmed (1993), Charrad (2001), and Deer (2015).
3. For texts to use in the classroom to learn about gendered citizenship and policy, see Connell (1986), MacKinnon (1989), and Roberts (1998).
4. For texts to use in the classroom to learn about women's engagements in politics and social movements, see Moraga and Anzaldúa (2015) and Paxton and Hughes (2017).
5. The Know Your Title IX website is a very informative resource for students to learn about Title IX policy at the collegiate and high school levels and provides information on current political debates regarding the legislation (see <https://www.knowyourix.org>). The "It's Not Just Personal" guide features information about Title IX, the Jeanne Clery Act, and processes of reporting a Title IX violation. The guide is available free to download and to purchase (see <http://welcometocup.org/Projects/MakingPolicyPublic/ItsNotJustPersonal>). It could serve as a source of inspiration in the classroom to develop university-specific guides for students that could be distributed widely during orientation sessions and throughout a student's tenure at a university.
6. Two students from the Spring 2019 class participated in the Spring 2018 focus group due to scheduling conflicts. In addition, three of the coauthors of this article participated in the focus groups before any data analysis.
7. A greater familiarity with Title IX as a policy was echoed in a study by Donley and Paige (2018), who developed a survey instrument with students enrolled in sociology and social work methods courses. The students in the course, who surveyed other students enrolled at the university about Title IX and their understandings of sexual violence and misconduct, emphasized how much they had learned about Title IX in the process of developing and administering the survey: "Many students commented this was the *most important* thing they learned because they were previously unaware of what Title IX did for students and universities, or the frequency of sexual assault and misconduct on college campuses" (p. 54).
8. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly referred to as the Clery Act) is a federal statute that was signed in 1990 and requires institutions that receive federal aid to prepare annual reports detailing information about crimes, including sexual violence, that are reported on and around the campus of the institution. The act is named after Jeanne Clery, a student who was sexually assaulted and murdered at Lehigh University in 1986. Lehigh University had recorded several violent crimes around the time Clery attended the university, and her parents alleged that if such information had been public, their daughter would never have attended the

university; they subsequently led efforts to require institutions to make transparent information about crimes on their campuses.

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