



PROMOTING EQUITABLE LEARNING ENVIRONMENTS ON CAMPUSES

EDUCATION AND CAREER ADVANCEMENT

Federal Policy Solutions to Advance Gender Equity | February 2025

OVERVIEW

Educational attainment is essential to promoting economic equity and mobility for women. Within educational spheres, civil rights protections with added considerations for race, national origin, immigration status, disability, age, and pregnancy are important to ensure that campuses are safe and accessible learning environments for all students. The Office of Civil Rights (OCR) at the Department of Education is tasked with ensuring that laws prohibiting discrimination—including those around sex and gender—are enforced nationwide. However, much more work is needed to close the gaps in educational equity.

Title IX of the Education Amendments Act of 1972, commonly known simply as Title IX, establishes protections against discrimination based on sex in any educational program or activity that receives federal funds. Among other

types of institutions, Title IX applies to approximately 5,000 colleges and universities, and it confers responsibilities in a wide range of sectors, ranging from recruitment and admissions to athletic programs to responding to sexual assault and harassment. It also provides protections for pregnant and parenting students, as well as LGBTQI students.

Nationwide, a range of factors, including the rollback of campus diversity programs and affirmative action admissions, barriers to students accessing basic needs support, and ongoing gaps in Title IX protections, present opportunities for policymakers to ensure all students can thrive in postsecondary educational settings. Promoting educational equity is a multilayered effort that must encompass a full analysis of how intersecting identities and issues intertwine.

9,489

In FY 2022, over half of the nearly 19,000 complaints received by the Department of Education's Office of Civil Rights involved Title IX issues.

WHAT THE RESEARCH SAYS

- **Over 60 percent of college students experience sexual harassment, and one in four women is sexually assaulted during her postsecondary education.** One in seven women faces dating violence in college. Rates of violence and harassment are higher for members of marginalized communities.
- **According to a 2023 IWPR survey, a majority of adults think diversity in higher education is important** and that the Supreme Court's decision to strike down affirmative action will impact access to higher ed, diversity on college campuses, and the quality of higher education.
- **Data from previous state-level affirmative action bans** illustrate that rolling back affirmative action policies led to significant reductions in enrollments of students of color.
- **According to a Government Accountability Office (GAO) report, in 2020, 3.8 million college students experienced food insecurity, and over two-thirds of students who were likely eligible for the Supplemental Nutrition Assistance Program did not receive benefits, including 59 percent of students who were both likely eligible and reported experiencing food insecurity.** Bridging the gap between college students and their basic needs is essential to their success and to maintaining the diversity of students in higher education. Without access to basic needs such as food, students' academic success is negatively impacted.

HBCUs are responsible for graduating **40%** of all Black engineers, **50%** of all Black teachers, **70%** of all Black doctors and dentists, and **80%** of all Black judges.

- **Reports indicate that many low-income students lacked access to internet connectivity through computers compared to students from families who earned over \$100,000 annually.** Since the start of the COVID-19 pandemic, student access to the internet has become more crucial than ever for their engagement in education.
- **A 2024 White House proclamation cites statistics showing that HBCUs are responsible for graduating 40 percent of all Black engineers, 50 percent of all Black teachers, 70 percent of all Black doctors and dentists, and 80 percent of all Black judges.**
- **In FY 2022, the Department of Education's Office of Civil Rights received 18,804 complaints,** the highest in the agency's history, and resolved 16,515 of those complaints (also the highest number in history). Of the complaints received, 9,498 involved Title IX issues.



WHY IT MATTERS

Safe and supportive educational environments are fundamental to student success. While recent Title IX regulations **extended critical protections**, including an expansion of the definition of “sex-based” harassment to include gender identity, sexual orientation, and sex characteristics, the regulation has faced ongoing legal challenges and was struck down by a federal judge. The new Title IX rules included a number of critical provisions, such as extending protections to all students—including transgender, nonbinary, and intersex students—to enable them to participate in classes and school activities in a manner that is consistent with their gender identity. Additionally, the Biden Title IX regulation offered specifications around preventing discrimination against pregnant and parenting students, including through **defining covered discrimination** to explicitly include lactation as well as “current, potential, or past” pregnancy and related conditions and by expanding the protections available to pregnant and **parenting students**. The judicial ruling striking down this regulatory overhaul is a disappointing setback in the fight to ensure that campuses are safe for all students.

Historically black colleges and universities (HBCUs), tribal colleges and universities (TCUs), and other minority-serving

institutions (MSIs) have long been engines of upward mobility for students who have had limited access to higher education options due to systemic racism and discrimination. Despite being **historically underfunded**, HBCUs provide more access to higher education for lower-income students than predominantly white institutions (PWI) and foster greater upward mobility than most US colleges.

Another essential factor in supporting all students is enhancing access to basic needs assistance. Programs such as the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Housing Choice Voucher Program (Section 8), and Medicaid can close the gap between students and their essential needs by providing them with access to food, supplemental income, health care, and housing. Yet many public benefit programs include specific rules and burdens that restrict student eligibility and create substantial administrative burdens and barriers to applying. Restrictions in these programs, such as age limit requirements for eligibility and work-first requirements, pose hurdles that prevent students in need from receiving the benefits they are entitled to and deter them from academic success and degree attainment.



POLICY SOLUTIONS

Congress must prioritize the success and development of all students, giving full consideration to how gender, race, ethnicity, immigration status, and other factors influence students' ability to attend and succeed in college. Policymakers can alleviate some of the existing burdens and promote environments where all students thrive and succeed through several policy interventions, **including:**

Increasing support for HBCUs, TCUs, and other MSIs. In recent years, federal support for HBCUs has grown significantly, including direct grants and awards to institutions, federal aid and benefits for HBCU-enrolled students, and institutional support for HCBUs, and this investment should continue to expand. HBCUs play a key role in promoting economic mobility and have an outsize impact on graduating Black professionals across a wide range of fields. Federal resources can play a critical role in closing the historic underfunding and endowments gap of HBCUs.

Promote an intersectional lens in higher education admission policies. Particularly in the wake of the 2023 Supreme Court decision in *Students for Fair Admissions v. Harvard/UNC*, which overturned affirmative action in collegiate admissions, policies should support admissions initiatives that promote diversity on campus and create avenues for students from marginalized communities and other disadvantaged backgrounds to access quality higher education. In 2023, the Department of Education issued a **paper outlining** potential strategies for colleges and universities to utilize to promote campus diversity following the Supreme Court's decision. Federal policymakers should continue to support the ability of colleges and universities to consider a student's entire

background—including any disadvantage or adversity they may have overcome—in admissions decisions.

Improve students' access to social benefit programs, such as SNAP, TANF, and Section 8, as well as tax benefits that reduce basic needs insecurity and the cost of higher education. Policymakers should remove restrictions that prevent students from enrolling in social benefit programs, including limitations on eligibility such as age restrictions, work-first requirements, and time restrictions or expirations. In addition, students are often eligible for public and tax benefit programs (including the American Opportunity Tax Credit, Child Tax Credit, and Earned Income Tax Credit) but cannot access them due to factors like bureaucratic hurdles or lack of outreach and awareness. Policymakers should pursue policies that aim to connect students with programs for which they may already be eligible, including promoting outreach and awareness campaigns, scaling up data-sharing initiatives, creating on-campus application resources, appointing benefits liaison staff, working to streamline and coordinate applications and eligibility requirements for students, and other mechanisms for reducing barriers and providing support to students seeking to enroll in existing basic needs programs.



Enforce existing protections—and expand implementation—of Title IX. The January 2025 federal court ruling striking down the 2024 Title IX regulations drastically undermines efforts to improve and implement the policy in support of all students. Despite this ruling, policymakers should seek opportunities to increase protections for survivors of campus sexual harassment and assault, expand protections to include sexual orientation and gender identity, and add parameters regarding pregnant and parenting students.



KEY LEGISLATION

Enhance Access to SNAP (EATS) Act:

Legislation to expand student eligibility for SNAP by removing restrictions, including burdensome “work-for-food” requirements.

Student Food Security Act: Legislation to increase low-income college students’ ability to access SNAP. The bill would also improve data collection on student hunger and poverty to reduce food insecurity and create a new grant program to help colleges and universities support their students to reduce food and housing insecurity, assist students experiencing homelessness, and help students meet their basic needs.

Funding for Basic Needs for Postsecondary Students (BASIC) Act: Legislation to authorize funding to help students access nutritious food, safe and secure housing, mental and physical health care, high-quality and affordable child care, technology, transportation, personal hygiene, and other necessities. The bill also directs the federal government to streamline data sharing across agencies to help qualifying students access aid.

Opportunity to Address College Hunger Act: A bill that would require institutions of higher education (IHEs) that receive federal or state grants to operate work-study programs and to notify students receiving work-study assistance that they may be eligible for participation in SNAP.

Food for Thought Act: Legislation to authorize the Secretary of Education to make grants to institutions of higher education to provide free meals to low-income students through existing on-campus meal programs.

Housing for Homeless Students Act: Legislation to allow full-time students to access Low-Income Housing Tax Credit housing and **extend** eligibility to homeless youth and veterans who are full-time students.

Emergency Grant Aid for College Students Act: A bill that would establish a program that provides emergency grants to college students to help them get through unanticipated emergencies.

Affordable Connectivity Program Extension Act: Legislation to provide funding for the Affordable Connectivity Program, which provided affordable high-speed internet options to tens of millions of low-income households across the United States before it was shuttered on June 1, 2024, due to a lack of funding. The ACP was a critical resource for over **one million** college students.