

NATIONAL WOMEN'S LAW CENTER
2006–2007 ANNUAL REPORT



Our Mission

Since 1972, the National Women's Law Center has expanded the possibilities for women and girls in this country. The Center uses the law in all its forms: getting new laws on the books and enforced; litigating groundbreaking cases all the way to the Supreme Court; and educating the public about ways to make the law and public policies work for women and their families. An experienced staff takes on the issues that cut to the core of women's and girls' lives in education, employment, family economic security, and health—with special attention given to the needs of low-income women and their families.





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Message from the Chair



Dupont Photography

Brooksley Born

Throughout the past year, the National Women's Law Center has been a stalwart champion for women and their families, securing important victories and working to mitigate losses when they have occurred. I am pleased to share with you some of the results of the important work of the Center over the past year. This year, the Center:

- Secured improvements for women in the workplace by working with a broad coalition of organizations, individuals, and policymakers to gain the first increase in the minimum wage in ten years and to win introduction of the Lilly Ledbetter Fair Pay Restoration Act of 2007, to redress the limitations on pay discrimination claims in the Supreme Court's decision in *Ledbetter v. Goodyear Tire and Rubber Co.*
- Scored a decisive victory on behalf of girls and women in Michigan by prevailing in court—including by convincing the Supreme Court to let the legal victory stand—in a long-running case against the Michigan High School Athletic Association, which the lower courts found had discriminated against female athletes by scheduling six girls' sports, but no boys' sports, in disadvantageous off-seasons.
- Secured a federal budget that authorizes the first real increases in several years in numerous programs critical to women and their families by leading broad national coalitions and educating policymakers

about unmet needs, and worked to close tax loopholes, expand tax assistance to low-income families, and make the tax system fairer.

- Worked with state-based advocates to secure child care improvements in Missouri and Arizona, drawing on the Center's annual report on child care assistance policies, and in New York, drawing on the Center's new report on unionizing child care workers.
- Launched a major initiative to frame a new national discourse on reproductive rights, based on national polling conducted on behalf of the Center showing that voters want policies that encourage broad access to contraception, support *Roe v. Wade*, and oppose abstinence-only education in schools that excludes broad-based information on contraception.

These achievements come as the result of the hard work of the talented and dedicated staff of the Center and the investment from its generous donors. I am so pleased to be able to share some of these successes with you, and I look forward to the coming year as the Center continues to expand the possibilities for women and their families.

Brooksley Born
Board Chair

Message from the Co-Presidents

As we celebrate the 35th anniversary of the Center's founding, we are energized by the successes of the past year—and galvanized to further action by the challenges ahead.

During the coming year, we will press to make the investments authorized in the new federal budget a reality and for reform of a tax system that advantages the wealthiest at the expense of everyone else. And we will continue our groundbreaking effort to develop and promote, with a broad coalition of advocates, a new national agenda for child care and early education.

Another high priority is improving women's health, by increasing the numbers of women and their families with access to high-quality, affordable health insurance, and health care that meets all of their needs, especially in the states, where health care reform is beginning to take place. And we will work to hold the line on efforts to curtail access to essential reproductive health services, whether in the pharmacy, the hospital, or any other venue where women and their families receive care.

Recognizing that education is key to achievement in so many aspects of women's lives, we will continue our work to ensure that girls and women receive a high-quality, safe, and supportive educational experience at every level. We will build on our research into the drop-out crisis for high school girls, and work with states and school districts to implement supportive policies. And we will ensure that the landmark, 35-years-young Title IX law

remains strong, and that its full promise is realized.

We also know that because of the dramatic shifts in the courts, we have important work to do to shore up legal protections and fundamental rights. The past year saw numerous decisions from the Supreme Court that will weaken legal protections for women in employment, health care, and education. We will work to find legislative solutions to these problems where possible, and pursue other legal and policy strategies where appropriate. We will also work to frame these setbacks as part of a larger discussion of the importance of judicial nominations in protecting fundamental legal rights.

Finally, in a year in which Presidential election campaigning has already begun in earnest, we will work to ensure that the issues that matter most to women are being addressed, by engaging the public in a wide-ranging discussion of national priorities and developing and pressing broad new proactive agendas in education and employment, family economic security, and health and reproductive rights.

We will bring our unique talents to bear to ensure that women's voices are heard in all of these debates. With your continued support, we know that we can continue to expand the possibilities for women and their families for another 35 years.

Nancy Duff Campbell
Marcia D. Greenberger
Co-Presidents

Claire Flanders Photographs



Nancy Duff Campbell

Connie Reider Photography



Marcia D. Greenberger

ADVANCING EQUITY FOR WOMEN

The Center tackled the daunting challenges young women still face in classrooms and on playing fields across the country.

Title IX, the law that has propelled the advancement of girls and young women in education, turned 35 in 2007. As a result of Title IX's mandate of equal educational opportunity, the number of women going to college today has exploded. In some fields once dominated by men, such as law and medicine, women now receive a substantial proportion of degrees. And the number of women who participate in high school and college athletics has increased exponentially since 1972.

But much remains to be done to achieve true gender equity in education. One in four young women fails to graduate from high school with a regular diploma in the standard four-year period. Young women who enroll in career and technical education continue to be steered toward training for lower-paying, traditionally female trades. Women remain underrepresented in science, technology, engineering and math. And despite tremendous gains in athletics, young women still too often fail to receive the quantity and quality of athletics



AND GIRLS IN EDUCATION

opportunities afforded young men. With these realities in mind, the Center continued its work toward improving educational opportunities for girls and young women.

Upholding and Extending Title IX

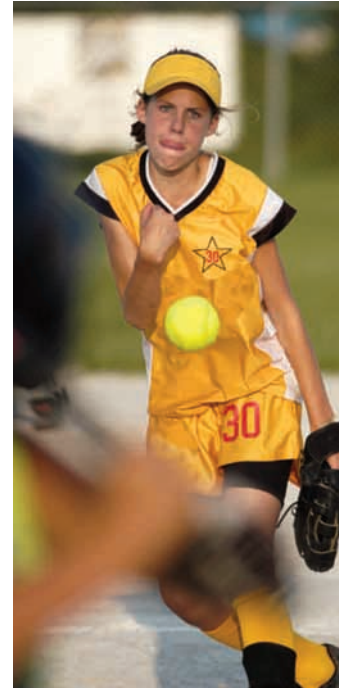
This year, the Center's work resulted in a number of important victories in promoting compliance with Title IX's requirements for equality of opportunity, particularly in the context of athletics programs offered at the K-12 level. These athletics victories opened the door for thousands of young high school women to enjoy the full benefits of sports participation. Importantly, moreover, the victories made clear that Title IX's requirements for equal athletics opportunities, developed largely in the context of intercollegiate athletics programs, are fully applicable to high school sports. And they served to illuminate and expand basic principles of equality that underlie the application of Title IX in other aspects of education.

One of these victories occurred in the long-running case brought by the Center and its co-counsel on behalf of Communities for Equity, an advocacy group formed by parents seeking equity in their schools' athletics programs, against the Michigan High School Athletic Association (MHSAA). The case challenged MHSAA's statewide practice of scheduling six girls' sports—but no boys' sports—in disadvantageous off-seasons, resulting in inequities for girls such as the inability to play for college recruiters or to compete in club sports. The merits of the case were so unambiguous that

every court to hear the case agreed with the Center and Communities for Equity that MHSAA's actions violated the United States Constitution, Title IX, and Michigan state law. Despite these uniform rulings, however, MHSAA pursued a dilatory appeals strategy seemingly designed simply to delay justice for Michigan girls.

But the Center persevered and worked with Communities for Equity and its co-counsel to pursue fairness for girls in Michigan. In April 2007, justice finally prevailed. Based on arguments made by the Center, the U.S. Supreme Court effectively shut down MHSAA's appeals strategy and delivered a knock-out victory for girls when it declined to hear the Association's final appeal. The Court's determination means that this and future generations of Michigan girls will have more equitable athletic opportunities than did the girls on behalf of whom the suit was filed. As the fiscal year came to a close, the Center continued to work to ensure that MHSAA promptly implements a court-approved remedial plan to provide female athletes across the state equal access to play in traditional seasons.

The Center's final victory in its case against MHSAA followed its success in negotiating a groundbreaking settlement with the Board of Education of Prince George's County, Maryland—the 18th largest school district in the nation. In an agreement that serves as a model for parents and advocates across the nation, the Center and the County agreed to implement system-wide remedies to address athletics inequities for the County's female



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ADVANCING EQUITY FOR WOMEN AND GIRLS IN EDUCATION

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students, including the substandard conditions of girls' softball fields compared with boys' baseball fields. The case started when the Center teamed up with a softball umpire who brought to the Center's attention the significant safety hazards posed by school softball fields across the County and the fact that softball fields lacked dugouts, bleachers, scoreboards and other amenities routinely accorded to boys' baseball teams. The Center investigated the claims, identified pervasive inequities to which female athletes in the County were subjected, and negotiated a settlement that requires the County to improve opportunities for girls at each middle and high school in the County. To facilitate replication of this agreement, the Center also engaged in extensive

outreach to disseminate information about the settlement and to train advocates in local jurisdictions across the country about means to promote voluntary compliance in their schools.

Despite these precedent-setting wins, ensuring equal opportunities for girls in education requires continued vigilance as is demonstrated in a comprehensive report, *Barriers to Fair Play*, which the Center released for the 35th anniversary of Title IX in June 2007. To prepare this report, the Center conducted a thorough review of Title IX athletics complaints filed

with the Department of Education's Office for Civil Rights from January 2002 through December 2006. The investigation revealed that discrimination against girls and women in sports remains widespread. For example, athletics complaints challenged discrimination against girls and women 11 times more frequently than they challenged discrimination against males.

To help remedy these inequities, the Center developed *Breaking Down Barriers*, a manual for lawyers that offers step-by-step legal advice for addressing Title IX violations, along with model documents for preparing and launching Title IX compliance actions. In addition, the Center worked with partners throughout the country to launch the website www.fairplaynow.org. The website is a resource for students, parents, attorneys and other advocates who want to ensure that all students are receiving equal opportunities in the classroom and on the field.

Helping Girls Expand Their Horizons and Stay in School

This year, the Center continued its groundbreaking work to address girls' under-representation in career and technical education programs that are nontraditional for their gender. Creating opportunities for young women in traditionally male programs is especially important for girls who may not be college bound and for whom career and technical education that leads to high-skill, high-wage jobs can be an important path to economic self-sufficiency. To serve this goal, the Center followed up on its innovative *Tools*



JACK MOWATT

In 2002, I took pictures of softball fields at 21 high schools in Prince George's County, MD, to point out the unsafe conditions girls faced when they hit the field for a game. I knew something just wasn't right when I discovered that the girls had to worry about bolts sticking out of backstops and pipes in the grass instead of where the ball was flying.

I've been umpiring softball for nearly 50 years, and the situation for girls at each of the high schools was simply not acceptable. I thought the photos I took would be all the County would need to convince them to make the changes. But I was wrong.

It wasn't until I called the National Women's Law Center that things finally began to turn around. The Center asked me to take pictures of the boys' baseball fields as well. Together, we found startling inequities—the boys had fields of dreams while the girls were playing on fields that could cause injury. The Center told me that the girls' inequitable treatment violated Title IX, the law that says boys and girls must have equal opportunities in education. Armed with my photos and their legal expertise, the Center led negotiations with the Prince George's County Board of Education over the next year and a half. In the end, the County agreed to improve the softball fields and athletics programs for girls at every middle and high school in the County, and to guarantee that girls and boys receive equal quality of uniforms, training and support.



The Center helped me prove that anyone can right a wrong. I—and all the girls of Prince George's County—were so fortunate to have the support of the Center staff to make sure that girls are treated fairly in the schools.

— Jack Mowatt

of the Trade report, issued in the Fall of 2005, to implement the state-based strategies recommended in that report for improving recruitment and retention of girls in nontraditional programs. For example, in New Jersey, the Center worked with the New Jersey Department of Education to initiate Title IX compliance reviews of career and technical education programs across the state and prepared a model investigative plan to guide the state's review.

To further ensure that schools address the needs of girls and provide the support necessary for them to be successful in school, the Center launched a new project to identify and respond to the factors that lead girls to drop

out of high school. As an initial step, the Center began research to explore the extent of the high school dropout problem for girls, including discerning reasons why an alarming number of girls fail to complete high school on time. Once the Center completes this research, it will use the information in its advocacy work to ensure that state and federal policymakers address the distinct needs of girls in their policy decisions. This is a critical time to engage in this work, since the upcoming reauthorization of the No Child Left Behind Act, and the policy focus on high school reform, necessitate action to ensure that the needs of all students, both girls and boys, are effectively addressed.



EXPANDING WOMEN'S EMPLOYMENT

ENT OPPORTUNITIES

The Center worked to combat pay disparity, gaps in job benefits and other services, and other systematic and persistent barriers to employment for women.

Although America's workplaces have opened their doors more widely to greater numbers of women in the last few decades, the struggle to ensure workplaces are free of gender discrimination remains. Women's wages continue to lag behind those of men, with the average woman earning only 77 cents for every dollar earned by men; women remain the vast majority of minimum-wage workers across the country; and sexual harassment on the job remains a constant challenge that women must face. The Center is working to ensure that the barriers women often face are exposed, that the laws ensuring a nondiscriminatory workplace are effective and enforced, and that the nation adopts policies and programs that assist women to balance workplace and family demands.

Advancing Equal Pay

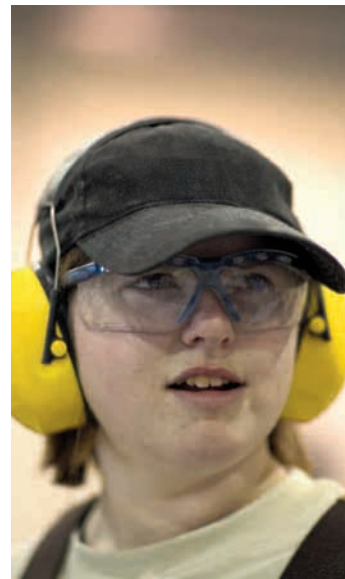
Much of the Center's work during this year focused on improving women's ability to enforce their right to equal pay. That right suffered a significant setback in May, when the Supreme Court issued a decision that effectively prevents women from holding their employers accountable for sex-based wage discrimination. In *Ledbetter v. Goodyear Tire and Rubber Co.*, the Court—reversing decades of precedent—ruled that employees have only

180 days after their first discriminatory paycheck to file a government complaint. According to the Court, employees who fail to act within this time period are barred from challenging the discrimination at any point in the future, even when the discriminatory paychecks persist into the present and when employers continue to receive a windfall from paying the employees less than the amount to which they are entitled.

The Center filed a friend-of-the-court brief in the case, and immediately after the decision launched a major campaign explaining how seriously the Court's decision weakened worker protections and remedies against wage discrimination. Lawmakers responded promptly, introducing the aptly named Ledbetter Fair Pay Act of 2007, which would restore the common-sense way the law had been interpreted for decades, treating every discriminatorily reduced paycheck as a new act of discrimination. At the close of this fiscal year, this legislation was still pending.

Raising Pay for Workers

The Center also continued to focus on improving supports for all workers in the workplace. The Center joined a broad coalition of advocates for low-income Americans and pushed Congress to pass a long-overdue



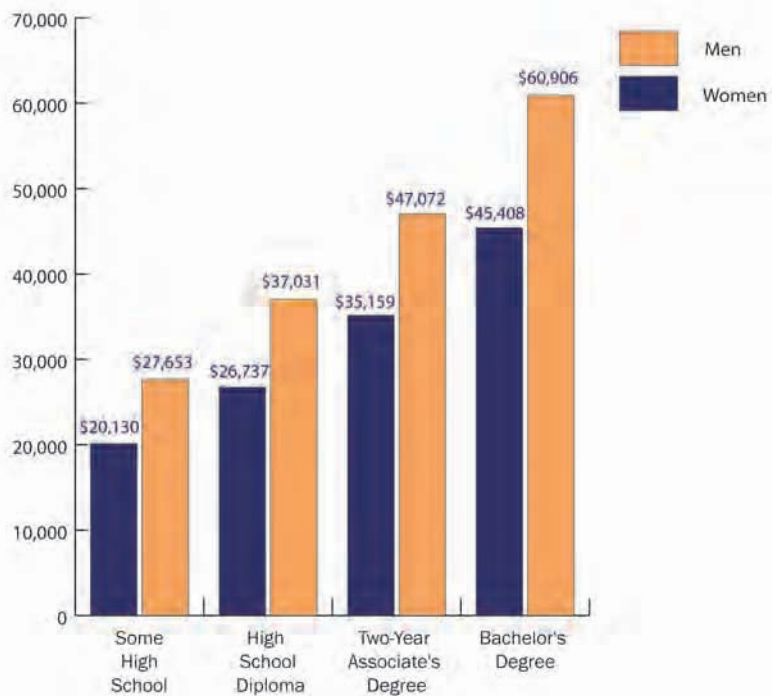
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EXPANDING WOMEN'S EMPLOYMENT OPPORTUNITIES

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THE WAGE GAP PERSISTS FOR WOMEN AT EVERY LEVEL OF EDUCATION

Median Annual Earnings by Educational Attainment for Full-Time, Year-Round Workers 25 and Older, 2006



Source: U.S. Census Bureau data for earnings in 2006, for year-round full-time workers

Women at every level of educational attainment face a persistent wage gap. In fact, it is not until an average woman has some college education that she makes as much as an average male high school dropout.

increase in the minimum wage. Prior to this year, Congress had failed to increase the minimum wage for a decade, pushing the wage to its lowest level, accounting for inflation, in 50 years. Women were particularly hard-hit by this failure, since they comprise nearly two-thirds of all minimum-wage workers and are the vast majority of workers in some of the lowest-paying jobs in our nation—cleaners, food servers, cashiers, and child care workers. The Center highlighted women's concerns as a central component of the debate and educated the public about the economic stakes at issue. In the end, millions of women received a sorely needed income boost after Congress authorized an increase in the hourly minimum wage from \$5.15 to \$7.25.

But illustrating the continuing challenges women face in the workplace, the Supreme Court delivered a blow to working women by issuing a decision, shortly after Congress increased the minimum wage, that excludes some of the nation's lowest-paid women from key wage protections. In *Long Island Care at Home v. Coke*, the Court upheld a Department of Labor regulation that excludes workers who provide in-home care for elderly or disabled people from the Fair Labor Standards Act's wage and hour protections. The regulation approved by the Court allows profit-making companies to pay home care workers deplorably low wages or deny them just compensation for overtime. In response, the Center launched an effort to persuade the Department of Labor to reconsider this damaging regulation.

LILLY LEDBETTER

As an employee at Goodyear Tire & Rubber Company, I worked hard and I was good at my job. But when I received an anonymous note and discovered that I was being paid far less than my male co-workers for doing the same work, I decided to fight for justice.

Less than a month after I received the note, I filed a discrimination charge with the Equal Employment Opportunity Commission and then I sued Goodyear in a federal district court under Title VII of the Civil Rights Act. The jury awarded me \$3 million in damages.

Even though a jury ruled in my favor, I could not match Goodyear's resources. The company appealed, and in the Spring of 2007, the Supreme Court upheld an appellate court ruling that declared I should have filed my claim within 180 days of receiving my first discriminatory paycheck—even though I had no way of knowing I was a victim of pay discrimination when it began. Salaries at Goodyear are confidential, so the company was able to keep its discrimination quiet for almost two decades.

The Court's ruling set a dangerous precedent, but the National Women's Law Center has helped me fight back. Along with its allies, we are working to push for a bill that identifies each discriminatorily reduced paycheck as a new act of discrimination. My case is over, and I will never be compensated for all those years of lesser pay than my male colleagues, but I am so grateful that members of the House introduced the Ledbetter Fair Pay Act of 2007. The measure will extend needed protections to other women and minorities in the workplace, and give them legal recourse when employers fail to pay them what they deserve.



—Lilly Ledbetter

Assisting Work and Family Balance

The Family and Medical Leave Act (FMLA) has provided important assistance to working families, but in recent years has been subject to efforts to weaken its provisions. The Center urged the Department of Labor to maintain strong protections for employees who need to take leave to address the birth or adoption of children or their own or their families' serious health conditions. Under the FMLA, covered employers must allow employees to take unpaid time off for these purposes. But employers have complained that the law is burdensome and overly broad, and the Center

weighed in with the Department of Labor to rebut these claims and to urge that regulations protecting employees' rights to leave be maintained intact. The Center also advocated for enactment of the Healthy Families Act, which would fill a major gap in the protections of the FMLA by ensuring that full-time workers receive at least seven days of paid sick leave each year. Nearly 80 percent of the nation's lowest-paid workers receive no paid sick leave, and the unavailability of paid leave is a significant reason that many employees have been unable to take advantage of the FMLA's protections.



FIGHTING FOR FAMILY

The Center fought to reduce women's poverty and improve their family economic security, promoting fair and adequate tax and budget policies, working to improve child care, and fighting off threats to Social Security.

After years in which the Center had to focus on staving off threats to programs vital to the well-being of low-income women and their families, a changed political environment this year allowed the Center to take a more proactive stance and work to reverse the distorted priorities of the past few years. The Center advanced policies to increase investments in domestic needs and promote tax fairness, expand access to high-quality child care and early education, and increase retirement security.

Promoting Fair Tax and Budget Policies

In January 2007, the 110th Congress took office

with a promise to change direction. The Center focused on assuring that the needs of women and their families were central to these policy discussions.

One of the first challenges faced by the 110th Congress was adopting a continuing resolution to finance domestic government programs for the remainder of the 2007 fiscal year. Based on a Center strategy to focus on redressing unmet needs in a few critical program areas, the Center and its coalition partners achieved some modest increases in funding for services for low-income families, including housing subsidies, Head Start, and Pell Grants.

ECONOMIC SECURITY

As Congress turned to the budget for the 2008 fiscal year, the Center and its allies launched a public education campaign in support of increased investments in programs to promote opportunity and economic security for women and their families and progressive tax policies to raise the needed revenue and ensure that everyone pays a fair share. The budget adopted by Congress authorized a significant increase in some critical programs, including the State Children's Health Insurance Program and Food Stamps, and the first real increases in several years in many health, human services, early childhood, education, and employment services. The Center also successfully urged Congress to adopt new budget rules to restrain the unpaid-for tax cutting of the last few years that has significantly contributed to increased deficits and insufficient revenues for domestic programs.

Securing a congressional budget that established new priorities was an important step. But, to implement those priorities, legislation would have to be approved by Congress and signed by the President, or a two-thirds majority would have to vote to override his veto. With the President opposed to many of the initiatives, the Center worked with its allies to build sufficient support among policy makers and the public to achieve them. The debates were still unresolved in mid-2007.

The Center continued its Tax Credits Outreach Campaign to ensure that low-income families take advantage of tax credits

that help them care for their children and make ends meet. This campaign included preparation of user-friendly, state-specific materials, intensive work with advocates in seven states, and a variety of activities with advocates in other states. Thanks in part to the campaign efforts, more tax filers are now claiming these benefits. Between tax year 2004 and 2005, for example, IRS data show that claims for the Child and Dependent Care Tax Credit increased by almost 150,000 and tax filers received about \$107.5 million more in assistance.

Increasing Access to Affordable, Quality Child Care and Early Education

The Center pursued multiple strategies to improve federal and state child care and early education policies.

Research and related advocacy were key strategies. The Center published its annual report on state child care assistance policies, *State Child Care Assistance Policies 2006: Gaps Remain, With New Challenges*, and two new reports on strategies to improve home-based child care, *Close to Home: State Strategies to Strengthen and Support Family, Friend and Neighbor Care* and *Getting Organized: Unionizing Home-Based Child Care Providers*. Using these reports and related outreach efforts, Center staff provided technical assistance to federal and state advocates and policymakers on strategies to secure increased public investments in child care, to improve program quality, to promote collaboration and to improve provider working



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FIGHTING FOR FAMILY ECONOMIC SECURITY

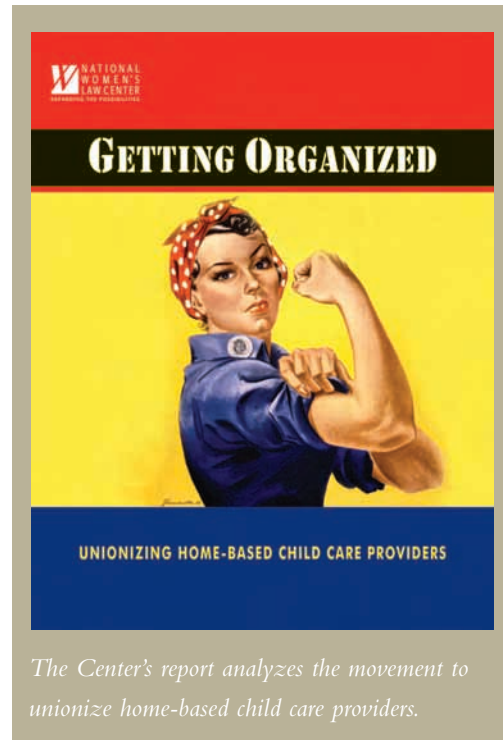
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conditions. For example, Missouri advocates used the Center's analyses to obtain a modest increase in the state's income eligibility limit for child care assistance and an increase in provider reimbursement. And Arizona advocates obtained an additional \$9 million in state funding to support a child care reimbursement rate increase for fiscal year 2008. Policy makers in New York cited the analysis in the Center's report on unionizing home-based child care workers as one of the reasons the Governor authorized union recognition in that state.

The Center continued to lead the Child Care Now coalition and urge increased federal investment in high-quality, affordable child care and early education. With Congress debating the reauthorization of Head Start, the Center and its partners advocated for significantly strengthening this valuable program by

increasing access to Early Head Start for infants and toddlers; bolstering the quality of Head Start programs by expanding teacher education requirements, increasing funds targeted to quality and training and technical assistance, and other measures; and encouraging coordination among programs serving young children. As the fiscal year came to a close, reauthorization seemed likely.

In addition, the Center launched



The Center's report analyzes the movement to unionize home-based child care providers.

a new, collaborative effort to advance a bold, long-term National Agenda for Child Care and Early Education. The Center brought 70 national and state early childhood leaders together to begin to develop this agenda and worked with them thereafter to refine it.

Preserving Retirement Security

Because women face special challenges to achieve economic security at all stages of their lives, the Center has long worked on Social





Security and other retirement issues.

In recent years, the Center has played a leading role in highlighting women's issues in the ongoing debate on pension reforms, since women are more likely to be poor in retirement and have a longer life expectancy than men. In August, the President signed the Pension Protection Act into law. Thanks to work by the Center and its allies, the bill included improvements to the Saver's Tax Credit and improved pension rights for surviving spouses and divorced spouses.

Although the Center and its allies effectively thwarted efforts by the Administration to privatize Social Security in 2005, the issue remains alive. In the Center's analysis of the

Administration's 2007 budget proposal, it called attention to renewed proposals to privatize Social Security. And, keeping in mind that Social Security is likely to remain a prominent policy topic for years to come, the Center continued to shore up its education efforts to ensure the public remains aware of the importance of Social Security to women and families, the fundamental soundness of Social Security, and options for improving Social Security benefits for low-income women and families.

STANDING UP FOR



WOMEN'S HEALTH

The Center worked to improve women's access to affordable, comprehensive health services, including reproductive health care, and increase women's overall well-being.

With an increasing number of uninsured Americans and rising health care costs, finding ways to improve health care access has become an even more urgent priority for the federal government and the states. Health care reform is especially crucial for women, who, even when they have health insurance, are more likely than men to forgo or delay necessary care because they cannot afford it. To make matters worse, two important safety nets for low-income women and families, Medicaid and the State Children's Health Insurance Program, have been threatened with severe cuts to federal funding. Women's access to reproductive health care, which is often segregated from women's overall health care, is particularly compromised—excluded from insurance plans, denied at the pharmacy, and undermined in the courts.

On the ground, in the courts, and on Capitol Hill, the Center made important strides this year in its efforts to protect existing public health insurance programs and expand women's access to reproductive health care.

Improving Medicaid and Health Care Access

This year, the Center targeted its efforts to enable women's advocates to be key participants in the health care reform movement and to improve women's access to comprehensive

health care that includes reproductive health services.

The Center provided assistance to state-based advocacy groups working on Medicaid reform, given that states faced onerous federal cuts to the Medicaid program, which provides care to over 12 million U.S. women of reproductive age and is the largest provider of public funding for family planning services. The Center convened a two-day conference, Medicaid Access for Women and Their Families, for advocates from 12 states representing a range of organizations. These advocates gained a better understanding of the importance of Medicaid for low-income women and their families and developed key advocacy skills for protecting and expanding coverage for these vulnerable populations.

The Center also worked to ensure the needs of women were heard as Congress worked on reauthorizing the State Children's Health Insurance Program (SCHIP), which provides health care for low-income, uninsured children, and some pregnant women and parents, as a supplement to Medicaid. The Center worked to make sure that policymakers understood what was at stake for women and their families—highlighting the potentially devastating results of scaling back this cost-effective program that provides essential coverage when 47 million Americans are uninsured. As the year came to a close, Congress

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STANDING UP FOR WOMEN'S HEALTH

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was engaged in a significant debate on the extension of the program.

Improving Access to Reproductive Health Services

The Center also made real progress this year in securing equitable access to, and coverage for, contraceptives and expanding access to comprehensive and affordable reproductive

campaign to inform lawmakers and the public about the ramifications of the decision and to underscore the importance of preserving a woman's access to medically necessary services.

Despite this challenging time, the Center made significant inroads in expanding access to crucial family planning services and supplies. In the fall of 2006, the Food and Drug Administration approved Plan B® as an over-the-counter product for women ages 18 and over, a major victory for contraceptive access. This decision followed years of efforts by the Center and its allies, using science-based research and legal analysis to demonstrate that Plan B® was safe for over-the-counter purchase.

In addition, the Center successfully moved forward in its fight for equitable insurance coverage for contraception. For example, in Michigan, the Center and over twenty of its allies petitioned the state's Civil Rights Commission to establish that the denial of contraceptive coverage in an insurance plan that covers other prescriptions is unlawful sex discrimination. The Commission quickly responded by voting unanimously that it is a violation of civil rights law for employers to cover other prescriptions under their insurance plans but to fail to cover contraceptives.

Unfortunately, even when contraception is equitably covered by insurance, affordable, or even available without a prescription, women's access can still be impeded by pharmacists' refusal to fill prescriptions. The Center provided assistance in some of the first Plan B®-related pharmacy refusal incidents. For example, in Washington State, the Center provided information, research, and legal



health services—a task that has become all the more important following a 2007 Supreme Court decision, *Gonzales v. Carhart*, that significantly undermined the security of *Roe v. Wade*.

In *Gonzalez v. Carhart*, the U.S. Supreme Court upheld, by a narrow 5-4 margin, a federal ban on a medically approved abortion procedure that fails to include an exception when a woman's health is at risk. The decision compromises women's health, undermines a core principle of *Roe v. Wade*, and opens the door for a wave of state bans on specific abortion procedures. Immediately following the decision, the Center began an intensive

analysis to advocates and the governor's office when the state faced a proposed Board of Pharmacy rule that failed to adequately protect women from pharmacists who refuse to dispense birth control based on personal beliefs. The Board ultimately adopted a favorable policy that prohibits pharmacists from refusing to fill contraceptive prescriptions or otherwise impeding access to emergency contraception.

The Center also undertook major efforts to expand family planning services under the Medicaid program over the course of the year. The Center provided in-depth analysis and assistance to state advocates and family planning officials to seek federal waivers that would expand access to family planning services under Medicaid. Additionally, the Center spearheaded efforts to illustrate the potential positive impact of the pending "Unintended Pregnancy Reduction Act," (UPRA) a federal initiative to enhance states' capacity to provide family plan-

ning services for women at the same higher income level as they provide prenatal care services under Medicaid.

Shifting the Public Debate

The Center also launched its Reproductive Rights Public Education Research Project to inform the public debate surrounding issues of reproductive health. Working with Peter D. Hart Research Associates, who conducted comprehensive public opinion research on reproductive health-related issues, the Center found that an overwhelming, and diverse, majority of Americans support policies that provide contraceptive access, reliable health information, and comprehensive sex education. The Center worked to engage and educate policy makers and other key constituencies about the Project's findings, to create a climate in which proactive, pro-choice public policy can flourish.



ENSURING WOMEN'S ACCESS TO COMPREHENSIVE HEALTH COVERAGE

The Center this year released *Women and Health Coverage: The Affordability Gap*, a report that finds that although men and women face some similar challenges with regard to health insurance, women confront unique barriers to becoming insured. More significantly, women have greater difficulty affording health care services even when they have health coverage. This report explores why women are in greater need of comprehensive health care but often obtain coverage that is inadequate for their needs—or simply fall through the cracks of our current health system entirely.

Specifically, the report finds that 38 percent of women are struggling with medical bills compared with 29 percent of men. In fact, 33 percent of insured women and 68 percent of uninsured women do not get the health care they need because they cannot afford it, due to the high cost of health services and premiums. In contrast, 23 percent of insured men and 49 percent of uninsured men do not get the health care they need because of cost.

Based on this research, the Center released a companion piece, *Women and Health Coverage: A Framework for Going Forward*, which provides a set of policy recommendations developed to help shape public debates on health care reform. The Center worked to ensure policymakers consider plans that result in meaningful, affordable, and equitable access to comprehensive health care for everyone and that take into account women's unique health care needs.



WORKING FOR A FAIR AND

The Center demonstrated the importance of the judiciary throughout the year, when the new Supreme Court heard numerous cases addressing fundamental legal protections for women and their families.

The Center has a long history of contribution to the public debate on judicial nominations. Its work is driven by the conviction that a fair and balanced judiciary is necessary to protect women's legal rights and requires impartial judges who will respect precedent and fairly interpret the law. At stake for women are hard-won legal gains, especially in the areas of constitutional rights to privacy and equal protection and the federal statutory protection of women's rights in employment, education, health, safety, and social welfare.

In the fall, the recently reconstituted Supreme Court convened its first full term with Chief Justice Roberts at the helm and Justice Alito on the Court in place of Justice

O'Connor. This year, the Center harnessed its legal and communications expertise to inform and enhance the public discourse on the ramifications of the Court's decisions, analyzing key holdings and illustrating why judicial nominations matter in concrete ways to all Americans, and most particularly to women.

Just prior to the opening of the Supreme Court's 2006-2007 term, the Center published *The Supreme Court and Women's Rights: Gathering Storm Clouds*, an analytic report that examined decisions from the first term of the Roberts Court, looked at cases the Court agreed to hear during the current term that affected women in the areas of health, employment, and education, and analyzed how the Court's decisions in these cases could affect

BALANCED JUDICIARY

women's lives. The report sounded the alarm that women's legal protections could be severely eroded and, unfortunately, the Court did issue important decisions that undermined women's key legal gains.

In *Gonzalez v. Carhart*, by a 5-4 vote, the Court in effect reversed a ruling made just seven years before, and seriously eroded a key principle of *Roe v. Wade* requiring that any government-imposed abortion restriction must have a provision to protect a woman's health. In *Ledbetter v. Goodyear Tire and Rubber Co.*, again by a 5-4 vote, the Court weakened an employee's right to recourse when she has suffered pay discrimination. In *Long Island Care at Home v. Coke*, the Court upheld a Department of Labor regulation that excludes workers who provide in-home care for elderly or disabled people from the Fair Labor Standards Act's wage and overtime protections. And in *Meredith v. Jefferson County Board of Education* and *Parents Involved in Community Schools v. Seattle School District*, the Court struck down the reasonable use of race in these school districts' efforts to desegregate their classrooms.

In each of these important cases, the Center worked on behalf of broader women's rights and civil rights coalitions to write friend-of-the-court briefs, and the Center and its allies used the analyses in the briefs to inform the media and the public at large about the importance to women's rights of both the Court generally and judicial nominations specifically.

The Center immediately sprang to action after each decision. For example, in the aftermath of the Court's 2007 *Carhart* decision, the Center widely disseminated materials describing and contrasting that decision with the earlier 2000 *Carhart* decision, written by Justice O'Connor, which struck down virtually the same abortion procedure ban because it had no provision protecting a woman's health. The Center also widely disseminated materials it prepared addressing the adverse impact of the Court's *Ledbetter* ruling and the damage done by the Court's decision in *Parents Involved in Community Schools*, their specific effect on women, and the connections between the narrow margins deciding the cases and the judicial nomination process.

After the Court's decisions, the public debate broadly reflected the Center's messages, delivered in concert with its coalition partners, that the courts do matter, that court decisions have enormous impact on the lives of Americans, and that even one vote by an individual judge or justice can make all the difference in the outcome of a case and the continued existence of core legal protections and principles.



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The victories won on behalf of women and their families would not have been possible without the support that many individuals and organizations provided to the Center. The Center deeply appreciates these contributions and looks forward to continuing to work together to expand the possibilities for women and their families in the years to come. The following lists the Center's supporters in the fiscal year ending June 30, 2007.

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A \$10 million, two-to-one challenge grant from the Ford Foundation will help establish a \$15 million endowment for the Center and allow it to sustain and build on its history of working to improve the lives of women and girls. The Center gratefully acknowledges the following donors who made gifts to the Center's \$5 million matching campaign in its first two years. Their collective generosity will help ensure the continuation of the Center's work in defending hard-won achievements and creating and pursuing new avenues for progress.

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For the Year Ended June 30, 2007

	Unrestricted Total	Temporarily Restricted	Permanently Restricted	2007 Total
REVENUE AND SUPPORT				
Grants	\$59,900	\$7,330,181	\$4,485,868	\$11,875,949
Contributions	1,086,333	115,000	769,690	1,971,023
Investment income	1,437,354	—	418,992	1,856,346
In-kind contributions	43,359	—	—	43,359
Other	9,845	—	—	9,845
Publication and other program income	5,750	—	—	5,750
Net assets released from restrictions:				
Satisfaction of time restrictions	761,684	(761,684)	—	—
Satisfaction of program restrictions	4,237,490	(4,237,490)	—	—
TOTAL REVENUE AND SUPPORT	7,641,715	2,446,007	5,674,550	15,762,272
EXPENSES				
Program Services				
Health and Reproductive Rights	1,710,063	—	—	1,710,063
Family Economic Security	1,629,497	—	—	1,629,497
Education and Employment	1,085,755	—	—	1,085,755
Women's Legal Rights	655,385	—	—	655,385
Total Program Services	5,080,700	—	—	5,080,700
Supporting Services				
Development	666,416	—	—	666,416
Administration	625,646	—	—	625,646
Total Supporting Services	1,292,062	—	—	1,292,062
TOTAL EXPENSES	6,372,762	—	—	6,372,762
Change in Net Assets	1,268,953	2,446,007	5,674,550	9,389,510
NET ASSETS, BEGINNING OF YEAR	4,315,876	3,324,015	6,982,948	14,622,839
NET ASSETS, END OF YEAR	\$5,584,829	\$5,770,022	\$12,657,498	\$24,012,349

STATEMENT OF FINANCIAL POSITION

June 30, 2007

	<u>June 30, 2007</u>
ASSETS	
Current Assets	
Cash and cash equivalents	\$257,511
Short-term investments	3,079,692
Grants and contributions receivable, current portion	4,907,979
Accounts receivable	2,239
Prepaid expenses	146,038
Total Current Assets	<u>8,393,459</u>
Long-term investments	14,026,585
Grants and contributions receivable, net of current portion	1,825,386
Net property and equipment	533,279
Security deposits	<u>25,386</u>
TOTAL ASSETS	<u>24,804,095</u>
LIABILITIES AND NET ASSETS	
Current Liabilities	
Accounts payable and accrued expenses	\$257,708
Current portion of deferred rent and incentive allowance	11,374
Total Current Liabilities	<u>269,082</u>
Deferred compensation	188,580
Deferred rent and incentive allowance	<u>334,084</u>
TOTAL LIABILITIES	<u>791,746</u>
Net Assets	
Unrestricted	5,584,829
Temporarily restricted	5,770,022
Permanently restricted	12,657,498
TOTAL NET ASSETS	<u>24,012,349</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$24,804,095</u>

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FY 2006–2007



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Jodi Michael
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Carolyn Rutsch
Foundation Relations Writer

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Accounting Assistant

*Departed during fiscal year
**Fellowship ended during fiscal year

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(continued)

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Rose O'Malley
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JoAnn Smith*
Administrative Services Manager

Desmond Strasser-King
Staff Accountant

*Departed during fiscal year

**Fellowship ended during fiscal year

