

# MISSISSIPPI TOOLKIT

## MISSISSIPPI FACTS

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**91%**

of students enrolled in CTE courses that are traditional for women are girls.

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**14%**

of students enrolled in CTE courses that are nontraditional for women are girls.

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**1,139**

girls are enrolled in child care courses, compared to 65 boys.

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**176**

girls are enrolled in automotive mechanic courses, compared to 1,512 boys.

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**89%**

of health services students are girls.

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**7%**

of welding students are girls.

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Source: Enrollment data are for the 2003-2004 school year and were obtained from the Mississippi Department of Education.

The National Women's Law Center released a Report in October 2005 entitled "*Tools of the Trade: Using the Law to Address Sex Segregation in High School Career and Technical Education.*" The Report analyzes enrollment data for career and technical education (CTE) programs in twelve geographically dispersed states—including Mississippi—as well as laws that can be used to open doors for girls and women to nontraditional training and careers.

The data show a stark pattern of under-representation of girls in nontraditional CTE courses in every region of the country. These numbers, along with evidence of barriers faced by female students, show the continued gender inequities that limit girls' enrollment in nontraditional courses. These limitations, in turn, affect girls' opportunities to attain economic self-sufficiency in the workforce.

The "Tools" in the Report are provisions of federal and state laws that can be used to address gender inequities in CTE, drawing on examples of laws from the twelve states in our sample. To enable advocates in these twelve states to immediately utilize the legal tools available in their states, we have created twelve state-specific toolkits that contain CTE enrollment data, legal analysis of applicable state laws, and targeted suggestions for how advocates in the state can work to improve gender equity in CTE programs. We have also developed a general toolkit that can be used as a model for advocates in other states.

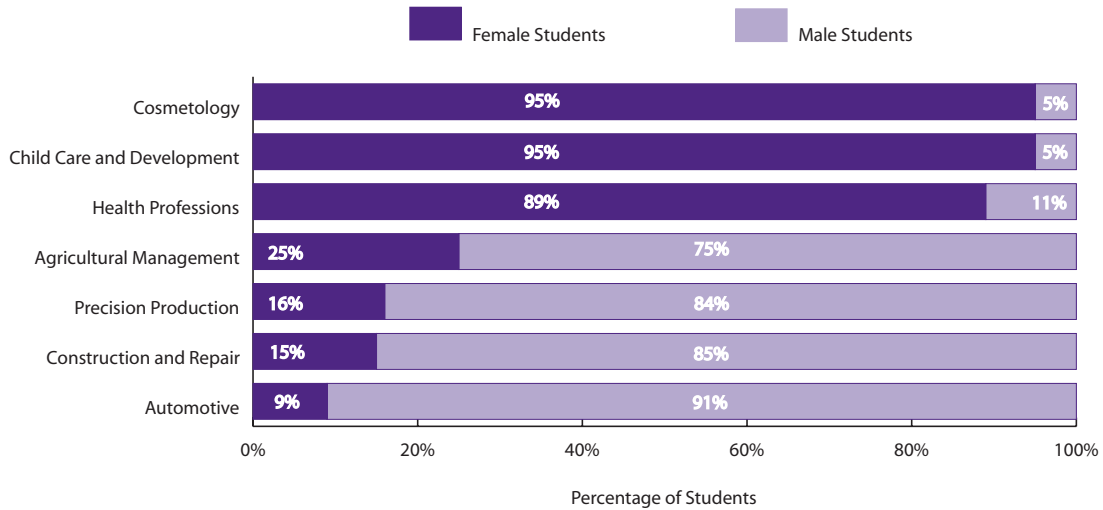
This fact sheet addresses Mississippi data and laws. Toolkits for the other states in our sample, the general toolkit, and the full Report are available online at <http://www.nwlc.org>.

## MISSISSIPPI CTE ENROLLMENT DATA

### **GIRLS ARE THE VAST MAJORITY OF STUDENTS IN TRADITIONALLY FEMALE CAREER AND TECHNICAL EDUCATION COURSES AND THE MINORITY IN NONTRADITIONAL COURSES IN MISSISSIPPI**

The National Women's Law Center's analysis of Mississippi statewide CTE course enrollment data from 2003-2004 shows that girls make up 91 percent of students in traditionally female courses and just 14 percent of students in non-traditional courses. The chart below shows the gender imbalances in enrollment in specific course categories.

**Enrollment Data Show Gender Disparities in Mississippi Career and Technical Education Courses that are Traditional or Nontraditional for Females**

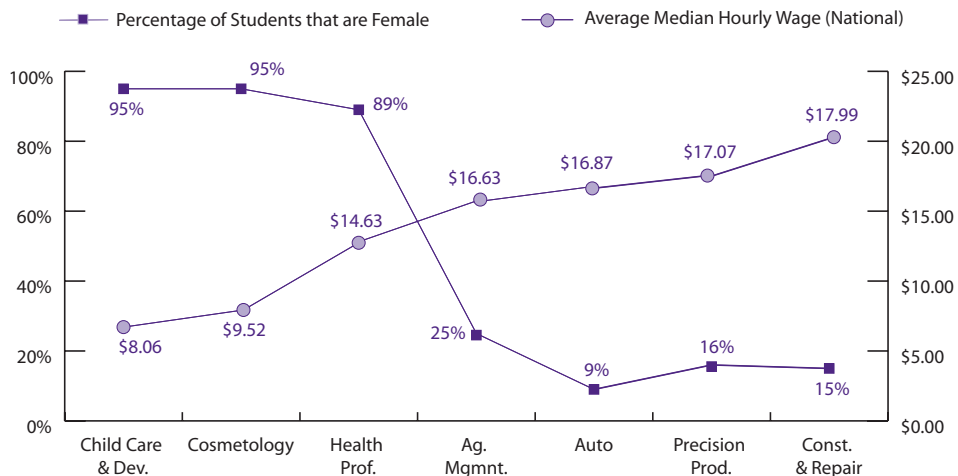


Source: Mississippi Office of the Superintendent of Public Instruction

**SEX SEGREGATION IN CAREER AND TECHNICAL EDUCATION LIMITS GIRLS’ EARNING POTENTIAL AND DISADVANTAGES THEM IN THE LABOR FORCE**

Sex segregation in CTE courses has critical implications for girls’ economic security as adults. This is because the traditionally female fields into which large numbers of girls are being funneled pay substantially lower wages than nontraditional fields. As the chart below shows, in general, the level of girls’ representation in training programs in a field decreases as wages rise.

**Fields with a Higher Median Wage Have Fewer Female Career and Technical Education Students in Mississippi**



Sources: Mississippi Office of the Superintendent of Public Instruction; U.S. Bureau of Labor Statistics

## MISSISSIPPI TOOLS FOR GENDER EQUITY IN CAREER AND TECHNICAL EDUCATION

The following sections explain provisions of Mississippi law that can be used to address girls' under-representation in nontraditional CTE courses in the state, and offer suggestions for action steps that you can take based on those state laws.<sup>1</sup> For a description of tools based on federal law, see the *Tools of the Trade* Report at <http://www.nwlc.org>.

### UNDERSTANDING MISSISSIPPI LAW

- *The Mississippi Constitution provides for the establishment and maintenance of free public schools.*

The Mississippi Constitution mandates that schools be established and maintained by the state for the education of Mississippi children. In addition, the Mississippi Technical Institute Law encourages the establishment of technical institutes to increase the number of state residents trained in the “technical, scientific, and engineering fields.”

- *State-funded career and technical educational programs may not discriminate on the basis of sex in providing education and services.*

To receive financial assistance from the Office of Vocational and Technical Education, educational agencies must provide an Assurance of Compliance with the Vocational Education Program Guidelines of March 21, 1979, including that the educational institution does not discriminate in its CTE programs on the basis of race, color, national origin, sex, disability, age or religion. The Office of Vocational and Technical Education monitors compliance by evaluating “a minimum of twenty percent of all educational agencies annually and by responding to any request for specific assistance.” Forms of monitoring include state level reviews, site reviews, analyses of program syllabi, and follow-up on previously reviewed programs.

- *School boards may assign students to schools or to classrooms within a school based on sex.*

The board of any school district in Mississippi may assign or reassign students to schools or classrooms within schools based on sex if the board decides that such an assignment will “promote or preserve the public peace, order, or tranquility of the school district, or the health, morals, or education of the students.”<sup>2</sup>

- *The public policy of Mississippi aims to ensure that no person is “denied the opportunity to succeed and make positive contributions to Mississippi’s quality of life because of gender.”*

Mississippi law expresses the basic policy of the state as set forth above. The Mississippi Commission on the Status of Women was created to help guarantee that each resident, male and female, is given “unobstructed access” to opportunities available to Mississippians. The Commission may conduct research, hold hearings, and publish reports on issues concerning women in the state and may assess state programs and their effects on women. In addition, the Commission is specifically empowered to study “women’s educational and employment problems, needs, and opportunities.” Many Mississippi state agencies, including the state Department of Education and Board for Community and Junior Colleges, are required to report to the Commission on issues affecting women and the agencies’ efforts to improve the status of women in the state.

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<sup>1</sup> While this legal fact sheet is, to the best of the authors’ knowledge, current as of October 2005, there may well be subsequent developments, including legislative initiatives or court cases, which could alter the information provided here. This fact sheet does not constitute legal advice; individuals and organizations considering legal action should consult with their own counsel before deciding on a course of action.

<sup>2</sup> This provision may conflict with federal law and thus must be used, if at all, with caution.

## RESOURCES FOR LEARNING MORE ABOUT MISSISSIPPI LAW

*To learn more about Mississippi law, you may wish to read some of the statutes and regulations described in this fact sheet or to contact the Mississippi Department of Education.*

Mississippi statutes can be found online at <http://www.sos.state.ms.us/pubs/MSCode/>

Mississippi vocational education policies can be found at <http://www.mde.k12.ms.us/vocational/OVTE/PDF/Policies.pdf>

Mississippi Department of Education  
Central High School  
P.O. Box 771  
359 North West Street  
Jackson, MS 39205  
<http://www.mde.k12.ms.us/>  
601.359.3513

- *The Mississippi University for Women aims to provide for the moral and intellectual development of the girls and women of Mississippi.*

Although the Mississippi University for Women now accepts men, the statute establishing the University states that its mission is the education of women. The statute focuses heavily on traditionally female academic pursuits, such as bookkeeping, typewriting, drawing, painting, and needlework. *Id.* The University website, on the other hand, highlights academic and leadership development for women, and no longer focuses on the subject areas for which the University was established.

- *Individual vocational programs must perform self-evaluations on a yearly basis to ensure compliance with all State Board policies.*

Each CTE program must perform annual reviews to ensure that it is following all State Board of Education regulations.

- *Local vocational and technical education administrators must periodically evaluate career and technical education programs to ensure that they are providing opportunities for all students to prepare for employment.*

Local CTE administrators control the CTE programs in their districts and centers. The administrators must regularly analyze CTE programs to ensure that they provide adequate opportunities for all interested students.

- *School districts must maintain a database that includes student data on the basis of race, sex and disability.*

The State Board of Education requires the local school districts to collect and maintain a database on student and financial information and to submit to the Board enrollment and other pertinent student data, including data on student race, sex, and disability.

- *The Attorney General's Office of Mississippi assigns two attorneys to the Department of Education to respond to citizen questions and complaints.*

The Mississippi Attorney General's Office responds to citizen questions and complaints regarding the Department of Education. If a Mississippi resident has a concern about discrimination in CTE programs, the Attorney General's office fields the complaint.

## USING MISSISSIPPI LAW TO PROMOTE GENDER EQUITY IN CAREER AND TECHNICAL EDUCATION

To address under-representation of, or sex discrimination against, girls in nontraditional CTE, you can use both Mississippi and federal laws. For a description of these important federal tools, please see the *Tools of the Trade* Report available at <http://www.nwlc.org>. The following scenarios describe examples of potentially illegal sex discrimination and discuss some of the options for remedying the problems using Mississippi law.

- *Young women represent only a small percentage of the students enrolled in traditionally male career and technical education courses.*

The under-representation of young women in traditionally male CTE courses is evidence that discrimination may be at work, even absent any intent to harm young women or limit their opportunities. Even if you don't know the specific causes of the under-representation, you can take steps to address it:

- ▶ Ask your school or school district to investigate the reasons for the under-representation. Remind your school that, under Mississippi law, each CTE program must perform annual reviews to ensure that it is in compliance with all state Board of Education regulations; CTE administrators are also required to analyze CTE programs to ensure that they provide adequate opportunities for all interested students. Explain to your school that it should include the information listed at p. 24 of the *Tools of the Trade* report, available at <http://www.nwlc.org>, in its investigation.
- ▶ Ask the state Department of Education or the state Attorney General's Office to investigate the reasons for the under-representation. Remind the Department that its Office of Vocational and Technical Education must evaluate a minimum of 20% of educational agencies annually, through state level reviews, site reviews, or other steps. Also tell the Department and the Attorney General's Office that the U.S. Department of Education requires all states to conduct periodic compliance reviews of selected schools to determine whether they are engaging in unlawful discrimination under Title IX. (See the *Tools of the Trade* Report, available at <http://www.nwlc.org>, for more information on this federal law requirement.)
- ▶ The Mississippi Commission on the Status of Women is authorized to address women's educational and employment problems, needs, and opportunities in the state. Ask the Commission to hold a hearing and/or undertake a research project on the reasons for the under-representation.
- ▶ Ask your school, school district, or state enforcement agency to take proactive steps to reduce under-representation. Make sure that your school district has in place required anti-discrimination and anti-harassment policies and ask whether the district adequately trains school personnel in how to recognize and prevent discrimination. You also can ask your school, school district, or state enforcement agency to take specific steps you think would help—for example, engaging in targeted outreach and recruitment activities to encourage girls to enroll in nontraditional programs; requiring that counselors and other school personnel provide full information to CTE students about nontraditional options and the wages they can expect to earn in different fields; or sponsoring programs for parents to acquaint them with nontraditional CTE options for their children. For additional proactive steps that can help to reduce under-representation, see pp. 25-26 of the *Tools of the Trade* report, available at <http://www.nwlc.org>.

## USE FEDERAL TOOLS TOO!

*Regardless of the types of protection and remedies afforded by your state's laws, federal protections and remedies are available for use in any public school and in any other educational program in the state that receives federal funds.*

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*For example:* Federal law requires each school and school district in your state to have a grievance procedure for responding to sex discrimination and harassment. You can use these procedures to protest discrimination.

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Federal law also requires your state to collect relevant data and evaluate schools' compliance with civil rights laws. You can ask your state to make sure it is fulfilling these responsibilities and get the information that the state has compiled.

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In addition, you may file a complaint of sex discrimination with the Office for Civil Rights of the U.S. Department of Education or file a lawsuit under Title IX, the federal law that prohibits sex discrimination in education, and/or the U.S. Constitution's Equal Protection Clause.

- ▶ Make sure that discriminatory practices or other violations of applicable laws are addressed, through additional legal action if necessary. See some examples below.
- *A female student told her guidance counselor she wanted to take computer networking courses, but the guidance counselor urged her to enroll in cosmetology instead.*
- *The teacher and students in an auto-body course sexually harass female students in the class and make disparaging comments about women based on gender stereotypes.*

Steering students to classes because of their gender, sexual harassment, and gender stereotyping are sex discrimination.

Ask to see your school district's anti-discrimination and anti-harassment policy and make sure that it prohibits sex discrimination and is being enforced. If your school does not voluntarily correct the discrimination, you can consider filing a complaint with your school district using its own policy.<sup>3</sup> You also can ask the Department of Education or the state Attorney General's Office to ensure that your school or school district corrects the discrimination and complies with the law.

Affected students and their parents also have the option of filing a lawsuit alleging that the sex discrimination violates federal law, as described in the *Tools of the Trade* Report, available at <http://www.nwlc.org>.

- *A pregnant student is forced to take a child care class rather than the information technology course she prefers.*

Preventing pregnant students from enrolling in nontraditional CTE courses is sex discrimination. You can consider filing a complaint using the procedures set forth in your school district's sex discrimination policy. You can also, as described in the above example, report the sex discrimination to the Mississippi Board of Education or the State Attorney General's Office and/or consider the option of filing a lawsuit under federal law.

## IMPROVING MISSISSIPPI LAW TO PROMOTE GENDER EQUITY IN CAREER AND TECHNICAL EDUCATION

The following is a non-exhaustive list of tools for enhancing gender equity in CTE programs. Mississippi could:

- ▶ **Enhance the explicit prohibitions of state law:** The Mississippi legislature could explicitly prohibit all forms of sex discrimination in K-12 and post-secondary education, including but not limited to sexual harassment, sex and gender stereotyping, pregnancy discrimination, sexual orientation discrimination, and practices that result in inequitable treatment of female students regardless of discriminatory intent. It also could eliminate or modify provisions of Mississippi law, such as those providing for single sex education, where they conflict with federal laws and regulations.
- ▶ **Enhance legal obligations for schools and state agencies to take proactive steps:** Mississippi could require and provide technical assistance to each school district to:
  - Develop materials, programs, and counseling techniques that encourage students to explore and participate in courses that are non-traditional for their gender.
  - Provide anti-harassment and anti-discrimination training.

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<sup>3</sup> Contacting your school about sexual harassment is important in order to preserve all federal remedies for the harassment. Under federal courts' interpretation of Title IX, a school may not be held liable for monetary damages if the school did not have notice of the harassment.

- Design and implement community outreach and education programs to encourage female enrollment in nontraditional CTE programs.
- Develop, and regularly update, comprehensive equity plans to identify and address discriminatory practices and artificial barriers.
- Enhance requirements for collection, and broad dissemination, of comprehensive data on enrollment and retention in, and graduation from, CTE programs, broken down by race, gender, national origin and other criteria.
- Encourage school districts to serve as statewide models for enhancing gender equity by documenting their investigations and proactive steps so that their efforts can be replicated in school districts throughout the state.
- Consider requiring other proactive steps, such as those outlined at pp. 25-26 of the *Tools of the Trade* Report, available at <http://www.nwlc.org>.

▶ **Enhance enforcement and other mechanisms to address gender equity in career and technical education:** To improve enforcement of current or new gender equity and anti-discrimination laws, Mississippi could:

- Confirm that individuals may recover damages and attorneys' fees in suits to enforce their rights under state law.
- Appoint a CTE gender equity coordinator charged with ensuring that all CTE programs comply with relevant state laws.

For suggestions for improving states' gender equity in education laws generally, please see the *Tools of the Trade* Report available at <http://www.nwlc.org>.

## IMPROVING ENFORCEMENT OF CURRENT LAW

*Ensuring enforcement of current law is an important method of improving girls' treatment in CTE. To improve enforcement of current Mississippi law, you can take some of the steps set forth in the "Using the Law" section above. You can also consider:*

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Using the Mississippi public records law to request information about (a) the number of incidents of discrimination and harassment that have been reported to the Department of Education over the last several years and (b) the response to those reports and the Department's plan to enforce the law. If the records reveal inadequate enforcement, consider contacting your state Attorney General's office or taking other legal action.

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Publicizing the problems of under-representation through letters to the editor or guest columns in local media.

## CONTACT THE NATIONAL WOMEN'S LAW CENTER

*The National Women's Law Center may be able to provide advice or assistance regarding your state's laws.*

*Please contact us if:*

- you believe you have been subjected to sex discrimination that has prevented you from participating in or fully benefiting from CTE classes;
- you want to take action to address the under-representation of female students in CTE in your school or state;
- you feel your state laws prohibiting sex discrimination in education are not being properly enforced; or
- you would like help improving your state's laws to protect students from sex discrimination in education and to raise enrollment of female students in non-traditional CTE courses.

National Women's Law Center  
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Washington, DC 20036  
202-588-5180  
info@nwlc.org

**This toolkit is one of twelve state toolkits created by the National Women's Law Center in conjunction with its report, *Tools of the Trade: Using the Law to Address Sex Segregation in High School Career and Technical Education*. Toolkits are available for Arizona, California, Florida, Illinois, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, North Carolina, and Washington. A general toolkit for other states is also available. All toolkits and the *Tools of the Trade* report can be accessed at [www.nwlc.org](http://www.nwlc.org).**

**The National Women's Law Center is a non-profit organization that has worked since 1972 to advance and protect women's legal rights. The Center focuses on major policy areas of importance to women and their families, including education, employment, health and reproductive rights, and family economic security—with special attention given to the needs of low-income women.**

