

## **U.S. Department of Education Finds Middleton School District's Single-Sex Classrooms Violate Federal Law**

*School District agrees to end program and remain under federal supervision through 2020*

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BOISE, Idaho- The United States Department of Education's Office for Civil Rights has found Middleton School District in violation of federal law for segregating students into single-sex classrooms at Middleton Heights Elementary School. The federal agency's finding came in response to a complaint from the American Civil Liberties Union and ACLU of Idaho (ACLU), documenting violations of Title IX, a federal law that prohibits gender discrimination in education, at Middleton Heights Elementary School.

Through information obtained as part of the ACLU's "Teach Kids, Not Stereotypes" campaign, the ACLU documented how Middleton Heights Elementary segregated students into a single-sex classrooms based on the theory that boys and girls learn differently and thus need to be separated in class and taught using radically different methods. In findings released last week, the Department of Education's Office for Civil Rights concluded that the single-sex classrooms at Middleton Heights Elementary violated Title IX.

Middleton Heights Elementary had been segregating students on the basis of sex in second through fourth grades for a decade, from 2006 through 2015, based on the debunked theories of Michael Gurian and Leonard Sax, two private education consultants who have written popular books espousing the theory that boys' and girls' brains are fundamentally different. The District adopted these theories and implemented them in the classroom, explaining to parents that "boys and girls learn differently" and that their purpose was "to educate according to those differences." The school did this by, for example, providing boys with more space to move around, asking boys questions about actions in English class and girls questions about characters' emotions, and emphasizing competition for boys and cooperation for girls.

During the investigation, the school district's stated rationale for the segregation was that boys were reading at a lower level than girls, and therefore needed teaching more directed at boy students. However, the Department of Education concluded that the District had not adequately justified separating the boys from the girls for all subjects in all grades. The Department of Education further found that the boys' classrooms had lower student-to-teacher ratios than its girls' and coed classrooms, in all instances except one. Similarly, although the District's stated objective for single-sex instruction for girls was to "improve math and science interest and proficiency among girls," the Department of Education found that the District "provided no data showing that girls attending MHES were

underachieving in math and science.” In both cases, the Department found that the school had failed to provide justification for single-sex instruction across all subjects and for different grade levels.

“We are pleased that Middleton Heights Elementary will return to a coeducational model,” said Galen Sherwin, senior staff attorney with the ACLU’s Women’s Rights Project. “School children in Middleton Heights Elementary deserve educational improvements, but there is no evidence that single-sex classrooms are effective in improving outcomes. Strategies for improving instruction should be based on solid evidence, not pseudoscience and stereotypes about the way boys and girls learn and behave.”

As a result of the ACLU’s complaint and the Department of Education’s investigation, Middleton Heights Elementary School has agreed to return to coeducational classrooms beginning with this school year. Under a Resolution Agreement with the Department of Education, signed by Middleton School District’s Superintendent on October 31, 2016, the District will institute training for administration and staff related to Title IX, and will remain under Department of Education supervision at least through the end of the 2019–2020 school year.

“It took the Department of Education several years to conclude its investigation, but we are glad to see that it has been resolved to the benefit of students,” commented Leo Morales, ACLU of Idaho Executive Director. “Moving forward, we hope the school will honor the unique learning styles of each individual student, as opposed to letting gender stereotypes dictate teaching methods.”

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