

Now, I ask you, is this human dignity for women, black, white, or domestic?

### PHYLLIS GRABER

#### *Discrimination in High School Sports*

**H**igh school student Phyllis Graber formally complained to the New York City Commission on Human Rights that she was not permitted to play tennis at her school because she was a girl, and there was no girls' team. In 1970 education authorities were legally within their rights in preventing Graber from competing on a team with boys. But the following year the New York City Board of Education voted to allow high school girls to compete with boys in noncontact sports. And a year after that, a federal bill prohibiting discrimination on the basis of sex in any educational program or activity receiving federal financial assistance—Title IX of the Education Amendments of 1972—was skillfully shepherded through Congress by Representative Edith Green, Democrat of Oregon.

Although Title IX had broad applicability, it was in the area of athletics that the public felt its impact most forcefully. A storm of outrage accompanied the realization that funds would have to be diverted from high-profile male intercollegiate sports competitions to establish equity for women's sports programs. Schools were under pressure to offer more athletic scholarships to women, upgrade women's teams, and in general recast the face of physical education in U.S. high schools and colleges. The agency charged with enforcement of Title IX, the Office of Civil Rights (OCR), was at first every bit as recalcitrant as the EEOC had been in complying with the sex provisions of Title VII. However, the demands of individual women and girls within their own schools and communities eventually forced substantial progress.

The record of women's sports at Syracuse University, a New York State school that regularly fields strong men's football and

basketball teams, is illustrative. The school had had a Women's Athletic Association since 1905, but not until 1971 did it inaugurate an intercollegiate athletic program for women. Initially there were five varsity women's teams, with a total budget of \$7,500. Twenty years later, the university was supporting nine varsity women's sports—each team with a full-time head coach and assistant, and funds allotted for travel and scholarships. However, around the nation, full compliance with Title IX is still evaded: The average ratio of men to women participating in sports remains a lopsided 70 percent to 30 percent.<sup>1</sup>

Excerpts from Graber's spirited testimony follow.

I ATTEND JAMAICA HIGH SCHOOL [in New York City] as a junior. I entered Jamaica High School as a sophomore and I have a great interest in tennis. I have been playing tennis since I was nine years old, and I have been taking lessons for some time.

Upon entering Jamaica, I immediately inquired about a girls' tennis team and I was told there was no girls' team, but there was a girls' club. I found out that the girls' club consisted mostly of beginners and I was not interested in helping beginners, which was what the club primarily did. I was interested in competition to improve my own game.

I found out about a boys' team and I was told that the team started tryouts in March. I then met Mr. Ron Ettus [the coach] and asked him if I could try out for the team. I was aware that it would be difficult because of my sex. Mr. Ettus wasn't sure of the Public School Athletic League rules, but he said yes, I could try out, and he would proceed to find out the rulings. I made the team, but he also found out that the PSAL rules would not allow girls to compete with boys in any kind of school teams. Thus I was completely prevented from competition because of my sex.

<sup>1</sup>Andrea C. Marsh, "Fair Play," *Syracuse University Magazine*, December 1992, p. 46.

This is the same kind of ridiculous discrimination as if I were not allowed to play because I was black or had red hair. I was completely prohibited from playing. . . .

Granted the Board of Education has its rules, but it hasn't given me any legitimate reasons for the rules, and I have not received one bit of evidence for my ineligibility for the team. And Mr. Ettus . . . and the New York Civil Liberties Union have inquired and their inquiries have been answered with the most ambiguous reasons.

As to my ability, there is no question of it, and I quote from Mr. Ettus, "Phyllis Graber cannot play on the Jamaica High School tennis team because she is a girl. Phyllis has the ability to qualify for the team, and I am sure she would do well in competition."

The New York City Board of Education responded that I might be good enough to make the team, but once I reached the top, the cream of the crop in the boys' competition, I might fall out. Well, I might fall out but it would be because I was beaten by a better player, not because I was a girl. There is no educational reason for girls not being allowed to play in non-contact sports. . . . I quote the *New York Post* of September 14, 1970: "The State Education Department says preliminary results show its experimental integration of women into high school interscholastic sports was a success. The department said yesterday that educators and medical authorities agree that girls can compete with men in many non-contact sports where they were previously barred. The department's experiments consisted of entering women students in such sport events as tennis, golf and bowling in selected school districts last semester. The results to date showed negative results only in the area of social acceptance of the idea." . . .

At this point I have been trying for five or six months to change the policy of the Board of Education with the help of the New York Civil Liberties Union, and all of these efforts have been in vain. And I would like to file a formal complaint with the Commission against the Board of Education for arbitrary and gross discrimination because of sex.

I think that the Board of Education's sexist policies are only one of many discriminations that women and girls must en-

counter in society today, and I came here to speak about the tennis team matter. I don't want to use this as a rhetorical springboard, but I detest having my rights as a human being stepped on because of my sex and specifically I don't see why the Board of Education should have the right to impose its judgment upon me without offering any legal or valid arguments for its opinion.

## BELLA ABZUG

### *Women in Elective Office*

Only two women were elected to seats in the U.S. Senate in the forty years after women won the vote, and no woman was elected governor of a state on her own merits in all that time.<sup>1</sup> Moreover, no independent "women's vote" on any issue had emerged. The dream of a distinct female voice in politics had inspired the suffragists; and with the revival of feminism in the sixties, the dream revived. But political power for women was still only a gleam in feminists' eyes in 1970, when attorney and peace activist Bella Abzug (b. 1920) spoke at the New York City Commission on Human Rights hearings.

By the next year, Abzug herself was one of those who had begun to effect hopeful changes in the political scene. Elected to the U.S. House of Representatives from New York City, she was one of fourteen winning women candidates. She was returned to the House three times by her constituents and afterward served in appointive positions, most notably as presiding officer of the national commission for International Women's Year, which staged the historic Houston, Texas, conference in November 1977.

In the 1980s, there developed at long last a significant separate women's vote on specific issues and candidates—tagged the

<sup>1</sup>The senators were Hattie W. Caraway of Arkansas and Margaret Chase Smith of Maine. The first woman elected governor of a state in her own right (not the widow of a former governor, for example) was Ella Grasso, Democrat of Connecticut, in 1974.