

# **Funding Futures: Understanding Changes to Sex and Gender-Based Scholarship Programs**

**April 15, 2025**

# Meeting Goals

- **Decode the Legal Landscape:** Understand changes affecting sex and gender-based scholarships.
- **Redesign with Compliance:** Create scholarship programs that align with mission while meeting legal requirements.
- **Expand Support Strategies:** Discover alternatives beyond scholarships to support women in higher education.
- **Address Regional Challenges:** Troubleshoot specific issues affecting different branches and states.

*Disclaimer: The information presented is for educational purposes only and does not constitute legal advice. Please consult qualified legal counsel for advice on your specific situation.*

# Understanding Sex and Gender-Based Scholarships



## Definition

Financial awards limited to applicants of a specific sex (biological characteristics) or gender (social identity), historically designed to address educational disparities.



## Legal Framework

Governed by Title IX, which prohibits sex discrimination in educational programs but historically allowed exceptions for affirmative efforts to increase representation.



## Administrative Structure

How funds are organized matters legally - direct administration by your branch/state versus establishing a fund at an educational institution creates different compliance requirements.

The distinction between sex and gender has become increasingly important in scholarship administration, with sex referring to biological attributes and gender encompassing social and cultural identity expressions.



# Scholarship Administration Matters

## **Branch/State Administered**

Scholarship programs directly managed by your branch/state, where you have control over scholarship application criteria, application review and award selection.

## **Institution Administered**

Funds established at educational institutions that manage candidate identification, application process, awardee selection and fund distribution.



# The Evolving Legal Landscape



## Title IX Reinterpretations

Recent Office for Civil Rights guidance has narrowed exceptions previously allowing women-only scholarships, emphasizing broader non-discrimination requirements.



## Institutional Compliance Shifts

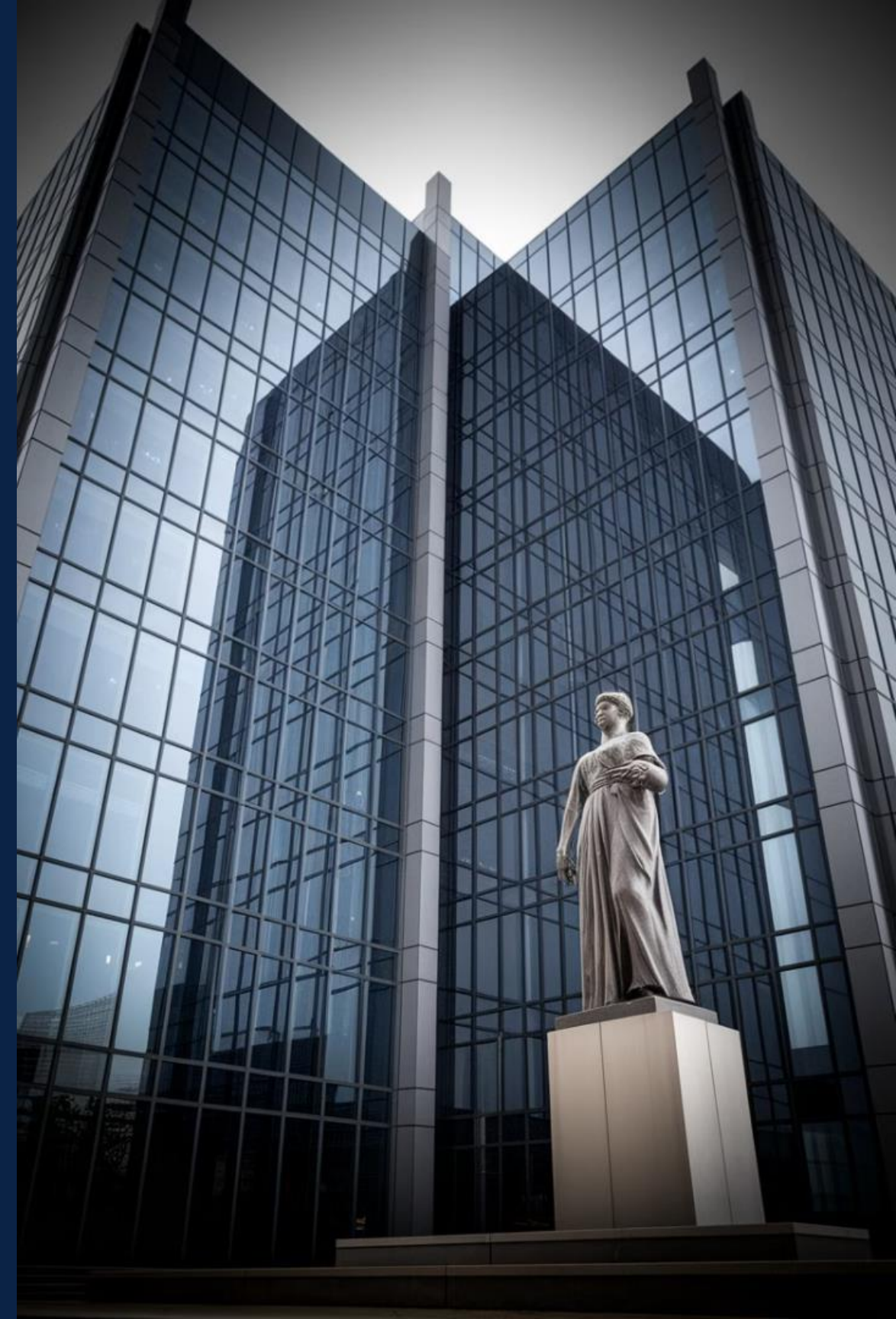
Universities are applying stricter scrutiny to gender-restricted funding, often requiring broader eligibility criteria regardless of the funding source.

Universities are also prohibited from advertising gender-restricted scholarships.



## Insurance Considerations

Branch/state insurance coverage is important may be impacted by non-compliant scholarship practices, creating additional organizational risk.



# Common Challenges for Scholarship Programs

## Promotional Limitations

Educational institutions may no longer advertise externally funded scholarships with gender restrictions

## Mission Alignment Concerns

Balancing legal compliance while maintaining original equity-focused mission



## Eligibility Criteria Conflicts

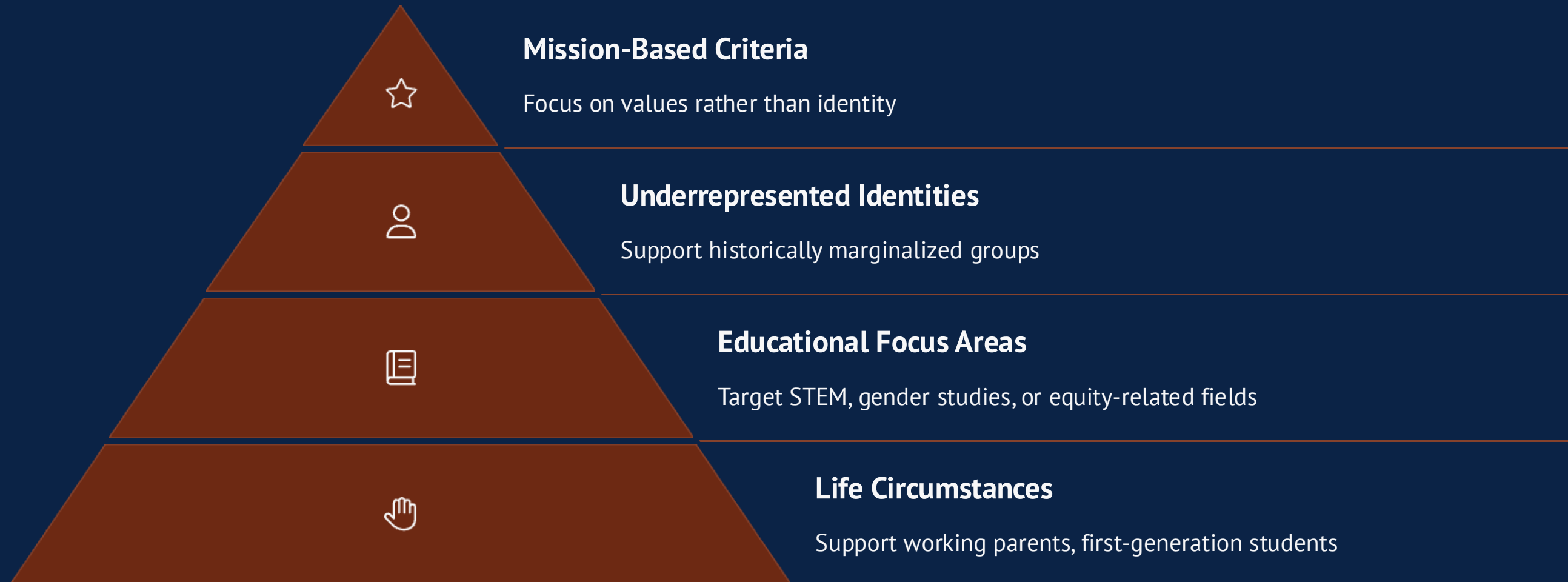
Historical scholarship requirements may conflict with current institutional policies

## Legacy Fund Adaptation

Challenges modifying established scholarship funds with donor-specified gender requirements

These challenges require thoughtful navigation to preserve your organization's impact while adapting to new requirements. The next sections will provide practical strategies to address these concerns.

# Redesigning Scholarship Programs



When redesigning scholarship criteria, consider language like: "Preference will be given to students who demonstrate a commitment to advancing equity for women and girls." This approach maintains your mission focus while complying with evolving requirements.

Engage university representatives early in your redesign process to ensure your new criteria will be accepted and properly administered within their institutional guidelines.

# Compliant Language and Documentation

## Problematic Language

Words and phrases that may create compliance issues:

- "Limited to women/females only"
- "Exclusively for women's education"
- "Female applicants only"
- "Girls' scholarship fund"

## Compliant Alternatives

Mission-focused language that maintains equity goals:

- "For students advancing gender equity"
- "Supporting diversity in [field]"
- "For historically underrepresented students in [area]"
- "Preference for demonstrated commitment to women's advancement"

## Documentation Updates

Key materials requiring review:

- Application forms
- Marketing materials
- Website descriptions
- Agreements with educational institutions

When updating your documentation, ensure all public-facing materials consistently reflect your revised criteria. Consider consulting with legal counsel specializing in educational equity to review your redesigned materials before implementation.



# Beyond Scholarships: Alternative Support Strategies

## Mentoring Programs

Establish structured mentoring relationships between professional women and students pursuing higher education. These programs can provide career guidance, networking opportunities, and personal development support without gender-based eligibility restrictions.

## Campus Childcare Support

Fund childcare services or subsidies that disproportionately benefit student parents (who are often women) while remaining accessible to all eligible students. This addresses a significant barrier to degree completion for many student parents.

## Academic Program Support

Provide funding to women's studies, gender studies, or intersectional academic programs that advance understanding of gender equity issues. These institutional investments benefit the broader campus community.

## Professional Development Funds

Establish grants for conference attendance, research opportunities, or internship support in fields where women remain underrepresented. These can be designed around mission-based criteria rather than gender restrictions.

These alternatives often have fewer regulatory constraints while still advancing your organization's equity goals. They can complement redesigned scholarship programs as part of a comprehensive approach to supporting educational access.

**Share your story or issue**

# Next Steps and Resources

## Audit Current Programs

Review existing scholarship materials, criteria, and agreements with educational institutions to identify potential compliance issues. Document areas requiring updates and establish a timeline for revisions.

## Engage Stakeholders

Consult with university representatives to ensure alignment on your objectives and any proposed program changes. Transparency about legal requirements can help maintain support through the transition.

## Implement Changes

Develop and roll out revised criteria, documentation, and marketing materials.

## Monitor and Adapt

Track outcomes of revised programs to ensure they continue advancing your mission. Be prepared to make further adjustments as legal interpretations and institutional practices evolve.

Today's discussion is just the beginning. We invite you to share specific challenges your organization is facing so we can collaborate on solutions. Our goal is to help you maintain effective, mission-aligned educational support programs while navigating this changing landscape.

**Contact Us!**

**[executive@aauw.org](mailto:executive@aauw.org)**