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Tudy-FY/

THE WHITE HOUSE
WASHINGTON
2-/16/76

TO: JIM CANNON

FROM: JIM CONNOR

Jim, Dick Cheney says
to "forget about this"--the
President won't make any
reference to it in the meeting.

encl.
memo from Cannon on National
Association of Secondary School
Principals Title IX Issue

THE WHITE HOUSE

DECISION

WASHINGTON

February 16, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON

SUBJECT: National Association of Secondary School
Principals--Title IX Issue

This is to present you with an option for announcing an Administration decision in your remarks to the principals.

BACKGROUND

Some low-level HEW officials have ruled that schools could not participate in the American Legion Boys' State and Girls' State programs because participation would violate Title IX anti-sex discrimination requirements. The issue has received press attention.

In a decision approved by Secretary Mathews and to be announced tomorrow, HEW will say it has decided to consider participation in the American Legion programs to be permissible under the Bayh Amendment exemption for the membership policies of youth service organizations. Granting academic credit (which few schools do) would not be permitted. A number of women's groups will be highly critical of HEW's decision.

Secretary Mathews has tried to treat this issue as low key as possible. His staff who have worked on the issue do not believe you should announce the decision and become the lightning rod for the criticism of the women's groups.

RECOMMENDATION

I recommend you not make any reference to this issue, as it will detract from the general high level tone of your remarks.

DECISION

- Option 1: Insert reference to the decision in your speech. Language approved by Bob Orben is at Tab A.

- Option 2: Have HEW handle the decision announcement, but White House staff will alert the American Legion and officials of the National Association of Secondary School Principals.

PROPOSED INSERT AFTER FIRST FULL PARAGRAPH ON PAGE 6

Speaking of red tape, I note from the newspapers that you have expressed concern about a possible HEW interpretation of Title IX rules that would bar your cooperating with the American Legion Boys' State and Girls' State programs. I think you will be pleased to know that HEW has decided that it is perfectly permissible for schools to select students to participate in these programs and that decision will be made formal tomorrow.