

COMPARISON IN TERMS OF THE LEGAL  
FRAMEWORK OF GENDER EQUALITY IN  
EDUCATION BETWEEN MALAYSIA AND UNITED  
STATES

HAN HAW ZE

BACHELOR OF INTERNATIONAL BUSINESS  
(HONOURS)

UNIVERSITI TUNKU ABDUL RAHMAN

FACULTY OF ACCOUNTANCY AND  
MANAGEMENT

DEPARTMENT OF INTERNATIONAL BUSINESS

DECEMBER 2023

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FRAMEWORK OF GENDER EQUALITY IN EDUCATION  
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BY

HAN HAW ZE

A final year project submitted in partial  
fulfilment of the requirement for the degree of

BACHELOR OF INTERNATIONAL  
BUSINESS(HONS)

UNIVERSITI TUNKU ABDUL RAHMAN

FACULTY OF ACCOUNTANCY AND  
MANAGEMENT  
DEPARTMENT OF INTERNATIONAL  
BUSINESS

DECEMBER 2023

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Name of student:

Student ID:

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Han Haw Ze

19UKB03764



Date: 14 December 2023

## **ACKNOWLEDGEMENTS**

I would like to acknowledge that legal systems of both Malaysia and the United States for providing the groundwork for my study on gender equality in education. The laws and frameworks in both countries were crucial in shaping this comparative analysis.

I am deeply thankful to Dr. Angelina Anne Fernandez, my supervisor, whose unwavering guidance, and insightful advice shaped this study. Her invaluable recommendations played a crucial role in refining the research, and I am genuinely thankful for her invaluable support.

Both my family and Universiti Tunku Abdul Rahman (UTAR) provided me with a great environment, offering invisible support and encouragement. I am also very grateful to them for making this research progress smoothly.

Special gratitude is reserved to the interviewees whose generous participation and expertise added invaluable insights, greatly enhancing the depth and credibility of this research.

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## LIST OF ABBREVIATION

AWAM	All Women's Action Society
AAUW	American Association of University Women
CLP	Certificate in Legal Practice
DSLP	Diploma in Shariah Law and Practice
G4G	Girls 4 Girls
IIUM	International Islamic University Malaysia
JAG	Joint-Action Group for Gender Equality
LL. B	Bachelor of Laws
MCL	Master of Comparative Law
MGGI	Malaysia Gender Gap Index
MNU	Maldives National University
MSU	Management and Science University
NCWO	The National Council for Women's Organisations Malaysia
OCR	Office for Civil Rights
SSIs	Semi-Structured Interviews
TA	Thematic Analysis
UN	United Nation
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNISSA	Sultan Sharif Ali Islamic University

UTAR	Universiti Tunku Abdul Rahman
STEM	Science, Technology, Engineering and Mathematics
WAO	Women's Aid Organisation

## **PREFACE**

The UKMZ3016 Research Project aims to foster critical thinking and intellectual curiosity among students. This initiative aims to harness students' skills and capacities in utilizing theoretical concepts effectively. As part of the final year students of the Bachelor of International Business (HONOURS), students are tasked to complete this research project to complete undergraduate studies. The title of this project is Comparison in terms of the Legal Framework of Gender Equality in Education between Malaysia and United States.

The research is having the purpose of analyzing the legal frameworks surrounding gender equality in education in both Malaysia and the United States. In this research, it seeks to understand the history, policies, progress, and organisations of both countries contribute to addressing the disparities problem in education, regardless gender. The research can uncover how these legal frameworks impact gender equality in education in Malaysia and United States and their effects on society.

## **ABSTRACT**

This study aims to analyze the legal frameworks for gender equality in education, comparing Malaysia and the United States. The qualitative method was used in this research involved conducting interviews with four specialists in the laws and regulations associated with gender equality in education.

Utilizing a purposive sampling method, interviews were conducted to gather professional insights from the selected specialists. The research uses thematic analysis to extract important insights, this method allows for a comprehensive understanding of the interview sessions. Then, their recommendations were proposed for improving gender equality programs in Malaysia's education system.

## **CHAPTER 1: INTRODUCTION**

### **1.0 Introduction**

This chapter is divided into seven sections: introduction, research background, research problem, research objective, research questions, research significance, and chapter summary for this study.

### **1.1 Research Background**

Gender equality has a long and rich history. The postwar strengthening and broadening of the women's rights movement is an important component of this story. The appreciation for women's equal rights with men grew significantly due to their valuable contributions during wartime, such as their work in factories and other war-related tasks (Paqueo & Orbeta, 2019). Gender equality is the practice of treating men and women equally and equitably. To achieve this goal, strategies and actions must be implemented to overcome the obstacles that have hampered equal opportunities for men and women in society (Kibui, Athiemoolam, & Mwaniki, 2015). According to the study conducted by Islam and Asadullah (2018), supporting women's education is widely seen to benefits society in many ways, both economically and in other important aspects. With proof showing that educating women benefits individuals and communities, as well as the influence of global agreements and local efforts, it's understandable that many developing countries

have made progress in reducing gender inequality in school attendance over recent years.

Malaysia highlights the importance of true support for women's advancement as the celebration of International Women's Day (IWD) approaches on March 8th. The country's poor score in the 2022 Global Gender Gap Index, 103rd out of 140, reveals major gender inequalities that must be addressed. While there have been positive steps towards assisting women, these successes have taken time and effort. Recent legislative changes, such as updates to the Employment Act of 1955 and new rules against sexual harassment, demonstrate that Malaysia is working harder to achieve gender equality. However, much work remains to be done to attain true gender equality, notably in education (Teoh, 2023).

Similarly, progress has been made in women's education in the United States, which contributes to advances in gender equality. There have been policies and plans established to ensure that everyone has equal educational opportunities. However, there are still difficulties, particularly for groups of people who face greater difficulties. The COVID-19 pandemic has highlighted these issues by exposing digital inequalities and exacerbating gender inequalities in education. The disruption to traditional schooling also resulted in setbacks for girls' education and worsened gender-based disparities. As the United States commemorates the 100th anniversary of the 19th Amendment and the world commemorates the 25th anniversary of the Beijing Platform for Action, it is critical to consider its role in global gender equality. The United States government has significantly increased its emphasis on promoting girls' education, a significant step towards fostering gender equality on a larger scale to serve as an inspiration globally (Kwauk, 2020).

In conclusion, Malaysia and the United States share a common aim in advancing gender equality in education. Thus, this study investigates both Malaysia and the United States in relation to gender equality in education.

## **1.2 Research Problem**

This section delves into three issues: gender stereotype in STEM education, gender inequality in educational leadership and Lack of Gender Equality in Education Research between Malaysia and the United States.

### **1.2.1 Gender Stereotypes in STEM Education**

Gender stereotype threat emerges when people face situations that align with negative stereotypes about their group. Research shows that women, especially in fields like engineering, can perform poorly due to the pressure of confirming these stereotypes (Cadaret et al., 2017). According to the study conducted by Alam et al. (2021), which explored the factors influencing Malaysian high school female students' inclinations to pursue STEM education, it is evident that women in patriarchal societies like Malaysia, women often encounter limitations that hinder their ability to reach their full potential. With societal expectations for women to play key roles in the family, many women choose to prioritise family responsibilities over career goals. As a result, this societal framework contributes to a significant imbalance, especially in STEM fields like technology and engineering. This under-representation of women in these fields could be attributed to deeply embedded gender stereotypes, in which traditional roles and perceptions shape career decisions and available opportunities.

Similarly, pervasive gender stereotypes significantly affect women's participation in STEM fields within the U.S. educational landscape. These biases materialize within colleges and universities, creating less favourable



conditions that hinder women's advancement. This challenge gets worse by the phenomenon of stereotype threat, which is particularly prevalent in subjects such as computer science. The importance of investigating the implications of stereotype threat within educational contexts is obvious, as these biases can extend to perceptions of women's mathematical abilities, influencing their career aspirations and choices in STEM (Blackburn, 2017). A comprehensive effort to address these issues is critical to encouraging an equitable STEM education environment that empowers and supports women in their pursuit of excellence.

### **1.2.2 Gender Inequality in Educational Leadership**

In both Malaysia and the United States, gender inequality poses significant challenges to educational leadership. In Malaysia, deeply entrenched gender stereotypes and cultural biases pose significant barriers to women aspiring to leadership positions in academic institutions (Almaki et al., 2016). These stereotypes create an unwelcoming environment for women in positions of leadership, hindering their professional advancement. Furthermore, a lack of women in senior positions causes the problem through restricting female representation in decision-making processes and perpetuating traditional gender norms that hinder progress towards gender equality in educational leadership. Similarly, the United States faces its own set of gender disparities in educational leadership. Despite significant advances in women's education, women continue to be underrepresented in positions of power, particularly as college and university presidents (Hannum et al., 2015). This underrepresentation not only demonstrates an unequal distribution of leadership power, but it also hinders the development of a diverse and inclusive leadership landscape in academia. In the end, in both

Malaysia and the United States, gender imbalance limits educational leadership.

### **1.2.3 The Research Gap in Gender Equality in Education between Malaysia and the United States**

An important piece is missing in understanding how gender equality plays out in education: there hasn't been enough research comparing how laws support this idea in Malaysia and the United States. Because this area has been overlooked, there is an opportunity to learn something new and important.

This research aims to fill this gap by closely examining the laws that help ensure equity in education for all students, regardless of their gender, in both Malaysia and the United States. This research will shed light on how these two countries approach gender equality in education, identify any differences, and see how it all affects students by doing so.

## **1.3 Research Objectives**

1. To examine the concept on gender quality and education
2. To examine the laws on the gender equality and education
3. To examine the laws on gender equality and education in united states

4. To provide suggestions on how to improve gender equality and education in Malaysia

## **1.4 Research Questions**

1. What is the concept on gender equality and education?
2. What are the laws on gender equality and education in Malaysia?
3. What are the laws on gender equality and education in United States?
4. How to improve the laws on gender equality and education in Malaysia?

## **1.5 Research Significance**

This study is significant because it investigates and compares gender equality in education between Malaysian and United States. The study's findings are expected to provide significant benefits to a variety of parties, including:

### **Government and Policy Makers:**

The study's findings will provide crucial information to policymakers regarding the status of gender equality in education in Malaysia and the United States. Policymakers can make informed decisions to improve gender-inclusive education systems by examining each country's policies, practises, and challenges. This can

lead to the development of specific policies that promote equal educational opportunities for all students, regardless of gender.

### **Educational Institutions and Administrators:**

The research findings can serve as a road map for educational institutions in assessing their efforts to achieve gender equality. Administrators can identify successful strategies and best practises for creating inclusive learning environments by comparing the educational landscapes of two countries. This may entail implementing mentorship programmes, providing equal access to leadership roles, and cultivating a diverse and accepting environment.

### **Students and Future Generations:**

The study's findings on gender equality in education have the potential to improve students' experiences and future job chances. Educational institutions can foster a generation of young minds that value equality and diverse leadership by addressing gender disparities and stereotypes. This helps to shape a more inclusive society in which all people, despite their gender, can pursue their educational and professional goals.

## **Conclusion**

This chapter provided an overview of the research, highlighting its importance and relevance. The background explored the historical context of gender equality, emphasizing the progress made and the challenges that persist. The research problem section identified three key issues: gender stereotypes in STEM education, gender inequality in educational leadership, and the lack of gender equality in

education research between Malaysia and the United States. The research's significance was stated with potential benefits for policymakers, educational institutions, and future generations. Policymakers can gain insights to inform inclusive policies, institutions can improve their approaches, and students can benefit from improved learning environments.

## **CHAPTER 2: LITERATURE REVIEW**

### **2.1 Definition of Gender Equality**

Gender equality is a fundamental human right that is essential for building peaceful societies and long-term prosperity. It recognizes both genders' equal rights, opportunities, and treatment and is critical for health and economic success (Shannon et al., 2019). Despite its recognition, gender equality remains complex due to misconceptions around the term "gender," often confused with biological sex or limited to women, thereby excluding transgender and non-binary individuals. This perspective underscores the holistic impact of gender equality on societal progress. In the context of education, gender equity plays a critical role. Gender equity ensures equal access and opportunities for all genders in economic, social, cultural, and political aspects (Esteves, 2018). Importantly, gender equality benefits societies by producing educated individuals and fostering economic growth. Gender equality in education contributes to peace, prosperity, and a more inclusive future (Sahin, 2013). Women's activities in the 1970s historically resulted in the United Nations Decade for Women (1975-85) and subsequent UN conferences in the 1990s. Violence against women was deemed a human rights and public health issue in the 1993 World Conference on Human Rights. At the 1995 Fourth World Conference on Women, global support was achieved for a Platform for Action addressing women's rights in a variety of spheres, including education, health, the economy, and politics (Gupta et al., 2019). Moreover, Gupta et al. (2019) highlights the significant role of gender in shaping health risks, introducing the concept of intersectionality. They reveal that gender intersects with other social markers of power to create clustered disadvantage and power hierarchies among individuals of different genders. Additionally, UNESCO's World Atlas of Gender Equality in

Education, as discussed by David (2015), serves as a testament to global efforts to achieve gender equality in education. This comprehensive atlas provides crucial statistical insights into worldwide gender participation in education, emphasizing the central role of education in modern economies.

## **2.2 History of Gender Equality in Malaysia**

In pre-colonial Malaysia, women held a relatively higher status compared to many other regions. They actively participated in household decision-making, and played prominent roles in public life, particularly in commerce. Women were active traders and some even negotiated with European merchants. Additionally, premarital sexual relations were viewed leniently, and divorce was relatively easy, encouraging harmonious marriages. Despite gender disparities, women in Malaysia engaged in a variety of economic activities, including rice cultivation, gardening, weaving, and commerce. Women have a higher standing in Malaysia than in other locations (Hirschman, 2016).

During the British colonial era in Malaysia, female education began to emerge. European missionaries and British authorities played a role in founding English girls' schools, which initially focused on basic literacy and domestic skills. These schools later expanded their curriculum to include subjects like mathematics, literature, and geography, along with vocational training. Concurrently, the ethnic Chinese community established Chinese girls' schools, influenced by Western models, but maintaining a Chinese cultural orientation. These schools offered a modern, competitive alternative to English girls' schools, and both received support from immigrants in the region. However, women remained a small minority in the overseas Chinese population during this period (Teoh, 2017).

There was growing awareness of the importance of educating women before Malaysian independence in 1957. The period following independence marked a turning point, with Tan Sri Fatimah Hashim's appointment as a Cabinet member, serving as the Minister for Welfare from 1969 to 1973. This period saw the culmination of efforts to establish gender equality in education. With the introduction of the National Education Policy, which granted equal educational opportunities to both boys and girls, women gained substantial access to education (Musa & Husin, 2018). Furthermore, the Government's National Policy on Women, adopted in 1989, played an important part in ensuring equal resource sharing and development possibilities for men and women, while including women into all areas of development based on their abilities and needs. The inclusion of a Women in Development (WID) chapter in the 6th Malaysia Plan (1991-1995) was a visible result of this strategy, highlighting and addressing issues and concerns related to WID that required additional attention, such as gender disparities in education and social norms affecting women's roles and status in society and the labor market (AHMAD, 1998).

In contemporary Malaysia, gender equality in education is still difficult despite nearly all girls attending preschool and primary schools. At the secondary and tertiary levels, female dropout rates are on the rise, driven by socioeconomic factors and intersecting factors like age, ethnicity, poverty, and disability. Inequalities result from the contrast between compulsory primary education and optional secondary enrolment. Although it is suggested that school hours be flexible to help struggling students, there are still gender disparities in political and economic opportunities. Free sanitary pads are one initiative that aims to support marginalised girls, but stateless, refugee, and migrant children continue to face difficulties. As education's effectiveness is assessed and its long-term benefits are considered, it is also crucial to close the digital gap and put gender equality laws into practise. The importance of overcoming financial obstacles, the role of school counsellors, and the necessity of allowing pregnant girls to continue their education cannot be overstated.



Malaysia may foster economic growth, neighbourhood development, and social progress by empowering girls through education and ending the cycle of poverty and child marriage (RAJAENDRAM, 2023).

## **2.3 History of Gender Equality in the United States**

The first wave of feminism, which arose in the late nineteenth and early twentieth century, was a critical turning point in the United States. It all started with the 1848 Seneca Falls Convention, commonly known as the "First Women's Rights Convention," where campaigners like Elizabeth Cady Stanton fought for women's suffrage. This movement intersected with broader social issues, including abolitionism and temperance. Women activists challenged societal norms by engaging in public demonstrations and debates, often challenging the 'cult of domesticity.' These early feminists contended that women's participation in politics would improve public behaviour and governance. As a result, discussions about women's rights, including voting and political participation, reshaped perceptions of gender roles and women became more active in various political parties and began pursuing careers and education (Rampton, 2015).

The second wave of feminism in the United States, which lasted from the 1960s through the 1990s, was an important turning point in the pursuit of gender equality in education. This wave coincided with other major social movements, such as the anti-war and civil rights movements, creating a climate of increased social consciousness and activism. Within the second wave, diverse feminist groups advocated for different approaches to achieving what they termed 'women's liberation'. ). Liberal feminists focused on legal reforms and sought to reform institutions like schools, churches, and the media to promote gender equality. In contrast, radical feminists viewed patriarchy as the core cause of women's

inequality and tackled pressing concerns such as violence against women, especially domestic abuse, and sexual assault. Socialist feminists, on the other hand, contended that a combination of patriarchy and capitalism perpetuated women's oppression. One of the landmark achievements of this era was the introduction of Title IX of the Education Amendments of 1972 and Title VI of the Civil Rights Act of 1964 (Title VI). These legislative acts were pivotal in advancing gender equality in education, as they mandated the elimination of gender-based discrimination in educational programs and activities (Rampton, 2015).

The third wave of feminism emerged in the mid-1990s. New viewpoints influenced this period, calling into question long-held notions about what it meant to be a "universal woman," traditional views of the body, gender, and sexuality, and what was deemed normal. What distinguished this wave was how younger feminists embraced empowerment and redefined beauty in their own terms, even using symbols such as lipstick and high heels that were once considered tools of male oppression. The internet was crucial in this era, providing platforms for "girlie feminism" and creating spaces such as e-zines. Third-wave feminism embraced transversal politics that recognised the dynamism of differences, whether in terms of ethnicity, class, or sexual orientation. This wave fundamentally altered perceptions of gender equality in education, as well as understanding of gender roles and expectations (Rampton, 2015).

The fourth wave of feminism, it continues to be an evolving and captivating force in the ongoing narrative of gender equality in United States. While it is not yet fully formed, it has gained attention and raised important questions about what the previous waves accomplished. Some have questioned whether the second and third waves achieved anything meaningful because the social and economic gains appeared to be more superficial than substantive. There is also debate about whether women began to prioritise their careers and personal development over equal rights. However, the second wave succeeded in a number of goals, such as boosting

women's sexual autonomy and increasing their representation in leadership positions in business, politics, and education. Additionally, it promoted public understanding of women's rights and helped feminism, gender, and sexuality studies become legitimate academic disciplines. In the United States, the fourth wave of feminism is still developing and promoting gender equality (Rampton, 2015).

## 2.4 Legal Framework of Gender Equality in Malaysia

### 2.4.1 Laws

**Federal Constitution:** Article 8(1) of Malaysia's Federal Constitution states that all Malaysians are equal before the law and are entitled to equal protection under the law. Gender discrimination is prohibited under Malaysia's Federal Constitution. Article 8(2) specifies that "there shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender" (Tan, 2020).

**National Women's Policy and Action Plan:** The National Women's Policy and Action Plan is a continuation of the 1989 National Women Policy that considers current concerns as well as the future environment. It is in accordance with the Federal Constitution, the Rukun Negara principles, and the National Social Policy. This policy aims to promote gender equality and the development of a balanced and sustainable country (NATIONAL WOMEN'S POLICY and WOMEN'S DEVELOPMENT ACTION PLAN, n.d.). The strategy includes initiatives to encourage the private sector to

embrace flexible working arrangements, hence increasing women's labour-force participation (Lim, 2019).

**Education Act 1996 (Section 29A):** In 2002, Malaysia's Education Act 1996 was amended to introduce Section 29A, which brought about a significant change in the country's education system. This amendment, effective from January 1, 2003, made primary education compulsory for all children in Malaysia, starting at the age of six. The policy's objective is to ensure that every child, regardless of gender, socio-economic background, or place of residence, has the right to primary education. Malaysian parents are required by law to enrol their children in primary school when they reach the age of six, or at the start of the school year in which their child turns six. Section 29A of the Education Act makes it a legal obligation for parents to provide a basic education for their children. Failure to meet this responsibility may result in penalties such as fines of up to 5,000-ringgit, imprisonment for up to six months, or both. This change underlines the government's commitment to ensuring that all Malaysian children, including those with physical disabilities, have equitable access to primary education (Kamaruddin et al., n.d.).

#### **2.4.2 Cases**

After her appointment as a temporary teacher was terminated due to her pregnancy, Noorfadilla Ahmad Saikin filed a lawsuit against the government in the case *Noorfadilla binti Ahmad Saikin v. Chayed bin Basirun & Ors* in 2010. She sought to determine that this action was illegal and violated the rights of women under Article 8(2) of the Federal Constitution. Despite Malaysia's failure to ratify the Convention on the Elimination of All Forms

of Discrimination Against Women (CEDAW), the High Court upheld her claim, highlighting the importance of gender equality as a human right. The Court based its definition of gender discrimination on the Convention on the Rights of the Child, stating that pregnancy discrimination is a sort of gender discrimination. Noorfadilla was paid, but the sum was lowered because she did not reveal her pregnancy during the employment interview. This case highlights the importance of the court in defending fundamental rights, as well as the need for Malaysia to pass anti-gender discrimination legislation in order to promote and protect gender equality (Zakaria, n.d.).

### **2.4.3 Statistics**

According to historical statistics (Tienxhi, 2017), the gender gap in Malaysian public universities have started. In 1980, the combined gross enrolment ratio favored men at 53%-56.9%. However, by 1990, parity was achieved, and women's enrolment ratio surpassed men since 2000, reaching 65.3%-64.3% in recent years. This historical perspective highlights the transition from male dominance in higher education to gender parity and, eventually, a higher enrolment ratio for women.

In 2020, the enrolment data (AZLI AZRI, 2021) indicated a significant gender disparity in public higher institutions. There was an enrolment of approximately 234.08 thousand male students and 358.6 thousand female students. This data illustrates the global trend of more women than males enrolling in higher education. It is critical to note that, despite changes, the gender difference in enrolment continues to favour women.

Women's achievements in educational attainment are evident in the Malaysia Gender Gap Index (MGGI). Women have surpassed males in the Educational Attainment sub-index, with a score of 1.060, according to (Bernama, 2022). The Department of Statistics Malaysia (DOSM) also reported higher gross enrolment rates for women at primary (98.4%) and secondary (94.5%) levels compared with men. At the tertiary level, women's gross enrolment rate remained higher at 46.9%, while men's enrolment rate was 33.3%. These statistics underscore the achievements of women in various educational stages.

#### **2.4.4 Agencies**

##### **The National Council for Women's Organisations Malaysia (NCWO)**

The National Council for Women's Organisations Malaysia (NCWO), with a history spanning over 50 years, is dedicated to promoting women's rights in Malaysia. Their vision is of a just society devoid of discrimination, in which women at all levels enjoy equality and have their human rights respected. Their mission includes ensuring equitable access for women, advocating for their full participation, promoting sustainable development, and protecting women's rights (Vision, Mission, Shared Values – National Council of Women's Organisations Malaysia (NCWO), n.d.).

##### **Women's Aid Organisation (WAO)**

WAO was established in 1982 as Malaysia's first domestic violence shelter and has since evolved to become the country's leading supplier of domestic abuse survivors' services. Their mission is to create a society that supports substantive equality principles and ensures that all women have equal

access to human rights in all sectors. Their aim is to advocate and create equal rights for women, as well as to strive toward the abolition of discrimination against women, particularly violence against women. WAO's primary objectives include providing temporary shelter to women and children facing various forms of violence and empowering them to shape their own destinies. They offer emotional and social support to all women in need, conduct research on factors that contribute to gender inequality, advocate for reforms through legal and policy channels, and raise awareness about issues of violence against women and underlying inequalities (About Us, n.d.).

### **Girls 4 Girls (G4G)**

G4G Malaysia was created in 2019 and is directed by Izzana Salleh. It is an international NGO with the goal of training one million future leaders by 2025. To equip young women with the courage, vision, and skills required for public leadership, they seek to empower and educate women in a variety of fields such as politics, finance, and so much more. They hope to inspire women to pursue not only leadership roles, but also new ventures (Malaysia | Girls for Girls, 2022).

## **2.5 Legal Framework of Gender Equality in the United States**

### **2.5.1 Laws**

#### **Title IX of the Education Amendments of 1972**

Title IX, as established in the Education Amendments of 1972 (20 U.S.C. 1681-1688), is a critical federal statute aimed at prohibiting any type of sex-based discrimination within educational programs or activities funded by the federal government. The Department's Office for Civil Rights (OCR) oversees Title IX oversight and enforcement. The US Department of Education's Office of Civil Rights (OCR) has made a significant change in defining the scope of Title IX protection. Previously, it was stated that Title IX did not explicitly cover sexual orientation and gender identity issues, despite its longstanding reputation for protecting the rights of all students, including those who identify as lesbian, gay, bisexual, transgender, or non-conforming to traditional gender norms. However, the landmark decision in *Bostock v. Clayton County* by the United States Supreme Court in 2020 altered the landscape. This decision upheld that discrimination based on sexual orientation and gender identity is inherently sex-based, affecting sectors other than work, such as education. As a result, the OCR's most recent position emphasizes that Title IX indisputably extends its prohibition on sex discrimination to cases of discrimination based on sexual orientation and gender identity. The OCR's actions (Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County*, 2021) reinforce this alignment with the statute's explicit language and the OCR's enforcement mandate.

### **Title VI of the Civil Rights Act of 1964 (Title VI)**

Title VI prohibits discrimination based on race, colour, or national origin in federally financed programs and activities that include educational institutions and state bodies. It also gives federal agencies the authority to create regulations to carry out this prohibition. The U.S. Department of Education has passed regulations prohibiting the use of policies or practises, such as those that have disparate impact, by organisations that receive federal funding. Regarding racial bias in student assignments, course



offerings, academic programmes, and disciplinary actions, Title VI serves as vital in combating various forms of discrimination. All states that accept federal education funding are required to abide by Title VI, making it a vital tool in the fight against discrimination in public schools (Jenkins Robinson, 2021).

### **2.5.2 Cases**

#### **Grove City College v. Bell (1984)**

Grove City College, a Pennsylvania institution that opposed direct government help in order to maintain its educational independence, was the subject of this lawsuit. However, a disagreement occurred in 1976 when the Department of Education ordered the college to comply with Title IX since some of its students received federal money. The main issues revolved around whether the college had to adhere to Title IX regulations and whether the grants could be terminated for non-compliance. The Supreme Court ruled that Title IX applied specifically to programs or activities benefiting from federal grants, not the entire institution, clarifying this aspect of Title IX's scope (Grove City College v. Bell - Facts and Case Summary, 2019).

#### **Davis v. Monroe County Board of Education (1999)**

This is a landmark judgment in which the United States Supreme Court decided 5-4 that school boards might be held liable under Title IX for failing to address student-on-student sexual harassment in certain circumstances. LaShonda Davis, a fifth-grade girl in Monroe County, Georgia, was sexually harassed for months by a classmate, G.F. Despite Davis' regular allegations of G.F.'s misconduct to instructors and her mother's appeals for assistance,

school officials took no effective action. Harassment included inappropriate touching and nasty statements, creating a hostile educational environment. G.F. was eventually charged with sexual violence and pleaded guilty. The lawsuit sought injunctive remedies as well as monetary damages, alleging that school officials were aware of the harassment yet did nothing to stop it. After lower courts dismissed board liability, the litigation reached the Supreme Court. Justice Sandra Day O'Connor wrote in her majority opinion that school boards might be held accountable where administrators were purposefully inattentive to harassment, as long as the harassment was serious, pervasive, and had the systemic impact of denying the victim equal access to education. This decision was a significant step forward in holding schools accountable for dealing with student-on-student sexual harassment and maintaining a safe learning environment (DeMitchell, 2023).

### **2.5.3 Statistics**

According to a report on the gender gap titled "The Gender Gap in Educational Attainment in the United States, 2023." In 2022, there was a gender gap in educational attainment among adults aged 25 and up in the United States. In comparison to their male counterparts, who made up 36.2% of the population in this age group, 39% of the female population had at least a bachelor's degree. The data showed that while 10.2 million men had master's degrees, about 13.7 million women had the same accomplishment. Despite signs of closing in recent years, men still hold a significant advantage in professions like law, medicine, and dentistry, where 1.87 million men have professional degrees compared to 1.58 million women. In addition, men held the majority of doctoral degrees, 2.64 million men compared to 2.2 million women, despite the fact that women had been steadily earning more doctorates, helping to close the gender gap in this

category overall. The data collection also disclosed educational attainment information in factors such as marital status, citizenship, occupation, and industry, indicating the changing backdrop of gender equality in education.

#### **2.5.4 Agencies**

##### **American Association of University Women (AAUW)**

Regardless of their racial or ethnic backgrounds, the AAUW is a leading proponent of gender equity, and works tirelessly to improve educational opportunities for women. They provide financial support for women's studies through scholarships and financial awards, advocate for policies aimed at reducing student loan debt, particularly among women, who make up a significant portion of federal student loan borrowers, and actively promote STEM career opportunities for girls and women across the country (Neela-Stock & DiBenedetto, 2022).

##### **Girls Inc.**

Girls Inc. is a non-profit organization with 350 locations in the United States and Canada to address the stark gender disparities in science and engineering professions, particularly among women of colour. They provide extensive, year-round programmes designed for girls between the ages of six and eighteen, with a focus on getting them interested in STEM fields. Notably, 89 percent of the girls enrolled in Girls Inc. programmes indicate a greater interest in science and mathematics (Neela-Stock & DiBenedetto, 2022).

## **CHAPTER 3: Research Methodology**

### **3.1 Research Design**

#### **3.1.1 Qualitative Method**

In qualitative research methods, non-numerical data such as words and observations are employed to examine and comprehend phenomena. When comparing gender equality in education laws in Malaysia and the United States, qualitative methods are required. They allow this research to delve into the complexities of legal frameworks, revealing new insights into how gender equality is perceived, implemented, and experienced in these settings. This research can capture details, perspectives, and motivations that quantitative data may overlook, resulting in a more rich and comprehensive understanding of the research (Busetto, Wick, & Gumbinger, 2020; Hamilton & Finley, 2019).

#### **3.1.2 Doctrinal Legal Research**

According to Mohamed (2016) and Al Amaren et al. (2020), doctrinal legal research is a foundational approach for comprehending legal phenomena. This method involves a detailed examination of legal rules, statutes, court decisions, and regulations (Al Amaren et al., 2020). It focuses on providing

a coherent and accurate portrayal of legal doctrines while remaining separate from external societal influences (Mohamed, 2016). Despite criticism, doctrinal research is still a popular technique in legal academia due to its emphasis on consistency and coherence in legal interpretation, which aids in ensuring legal continuity and predictability. Additionally, this method is crucial in addressing client issues, resolving judicial conflicts, and investigating the effects of legal principles on various scenarios (Al Amaren et al., 2020). Furthermore, doctrinal research helps legal scholars understand substantive law, evaluate legal rules, and explore potential improvements to the existing legal system (Mohamed, 2016). The doctrinal legal research method could provide valuable insights into the analysis of legal doctrines and their implications within the legal frameworks of Malaysia and the United States in the context of this research on gender equality in education laws.

## **3.2 Data Collection Method**

### **3.2.1 Semi-Structured Interviews**

Semi-structured interviews (SSIs) are useful in qualitative research because they allow for a more flexible and balanced approach to data collection. SSIs, which fall somewhere between standardised surveys and open-ended discussions, offer a more nuanced method of capturing depth and detail. SSIs engage people in conversations that include both closed and open-ended questions, providing a comprehensive lens for understanding complex topics (Adams, 2015). This method shows how it can help with understanding the complexities of irrigation practises (O'Keeffe et al., 2016).

Participants in SSIs can share their experiential insights, resulting in a large amount of qualitative data. When traditional quantitative methodologies run into roadblocks, researchers can gain invaluable insights by combining direct questions with open-ended exploration. Finally, including SSIs could enrich this research by providing a thorough understanding of the legal landscape and its implications in the context of gender equality in education in Malaysia and the United States.

### **3.3 Sampling Design**

#### **3.3.1 Purposive Sampling**

Purposive sampling, also known as subjective or judgement sampling, is a popular non-probability sampling technique in research (Obilor, 2023). Furthermore, as opposed to random sampling, purposive sampling focuses on individuals or groups with specific characteristics who can provide valuable insights into the research (Etikan et al., 2016). Participants are chosen by the researcher based on specific qualities or characteristics that are aligned with the research objectives (Obilor, 2023). This method is particularly useful in qualitative research when the goal is to delve deeply into a specific phenomenon rather than make broad statistical generalisations. It is particularly suitable for cases involving a small and specific population.

Purposive sampling is important because it relies on the researcher's judgement and familiarity with the research context. It is critical to have

clear criteria and a rationale for inclusion when creating a successful purposive sample. Purposive sampling can help to filter out irrelevant responses that do not align with the research context and reduces the margin of error in data collection if it done correctly (Obilor, 2023).

Purposive sampling also has several advantages in research. Because it relies on the researcher's expertise to select sample members who best fit the study while excluding irrelevant population members, it is a cost-effective approach (Obilor, 2023). This not only saves time spent on selecting each member of the population, but it also ensures that the data sources closely match the research context, resulting in highly relevant outcomes. However, it is critical to understand the limitations of purposeful sampling. One significant disadvantage is the potential for sampling bias and the exclusion of certain important subgroups from the sample (Obilor, 2023). Furthermore, it is not the most effective method of collecting data from a large population.

Purposive sampling is critical in qualitative research because it identifies and selects individuals or groups with the required knowledge, experience, availability, willingness to participate, and ability to effectively communicate their experiences and opinions about the research phenomenon (Etikan et al., 2016). This method allows researchers to concentrate on cases with a lot of information while making the best use of the available resources.

### **3.4 Data Analysis**

### 3.4.1 Thematic Analysis

Thematic analysis (TA) is a useful qualitative research method that unveils important patterns, known as ‘themes’, within data, as it is providing valuable insights across various research (Clarke, Braun, & Hayfield, 2015). This method can be particularly useful for gaining a deeper understanding of the themes related to gender equality in education between Malaysia and the United States. There are 6 phases in thematic analysis:

**Phase 1: Familiarization with Collected Data:** Begin by reading through the collected data several times. This step tries to build an in-depth understanding of the material as well as the larger context. Taking notes, highlighting key areas, and recording early thoughts are all important throughout this process (Chin, 2023).

**Phase 2: Generating Initial Codes:** To begin the coding process, evaluate the data carefully and begin labelling concepts or ideas discovered in the text. Depending on whether you are working with pre-existing hypotheses or allowing themes to arise from the data itself, this coding process might take an inductive or deductive approach (Chin, 2023).

**Phase 3: Searching for Themes:** Group the coded material into prospective topics after the initial coding step. By evaluating patterns and linkages between the codes, the idea is to find repeating underlying themes or concepts (Chin, 2023).

**Phase 4: Reviewing the Themes:** Carefully evaluate the identified themes to ensure they accurately represent the data and maintain internal alignment



and logical relationships. Themes may need to be refined or adjusted as more data is obtained as the study advances (Chin, 2023).

**Phase 5: Defining and Naming Themes:** Once themes are identified and reviewed, provide clear definitions and appropriate names that capture the core of each theme. It may also be useful to describe and explain the major aspects of each subject (Chin, 2023).

**Phase 6: Preparing the Analysis Report:** Create a comprehensive report outlining how the themes were selected and analysed in the final phase. Provide an overview of the findings, accompanied by data examples. Discuss any restrictions or potential biases that were established during the analysis process (Chin, 2023).

## 3.5 Profile of Interviews

### 3.5.1 Ms. Lee Sim Kuen

Ms. Lee Sim Kuen is an expert in international business at UTAR's Faculty of Accountancy and Management. Her expertise is in international business, with a focus on law. Ms. Lee has a Bachelor of Arts degree from City of London Polytechnic, which she has reinforced with a professional qualification in CLP, firmly establishing her position as a legal specialist. Ms. Lee Sim Kuen's academic and professional experience, as well as her expertise as an international business specialist, make her an invaluable resource for our gender equality research.

### **3.5.2 Dr. Abdul Mohaimin Bin Noordin Ayus**

Dr. Abdul Mohaimin Ayus is a distinguished academic affiliated with the Faculty of Law at Multimedia University, Melaka Campus, Malaysia. He earned his LL.B (Hons.) in 1987, MCL in 1989, and DSLP in 1995 from the International Islamic University Malaysia (IIUM). In 1993, he received his Ph.D. in Law from the University of Aberdeen, Scotland. Since 1988, Dr. Ayus has taught Private and Public Law, as well as Shariah courses at IIUM, Maldives National University, and Sultan Sharif Ali Islamic University (UNISSA), Brunei Darussalam. Throughout his career, Dr. Ayus has held various academic leadership roles, including Deputy Dean, Director of the Law Center, and Dean of Ahmad Ibrahim Kulliyah of Laws at IIUM. He has also served as an Adviser to the Faculty of Shariah and Law at MNU and held leadership positions at UNISSA. Driven by a passion for contract law, he authored a comprehensive 3-volume book titled "Law of Contract Law in Malaysia." Additionally, his scholarly interests extend to Shariah-in-context matters, leading him to write papers, deliver lectures, and publish articles nationally and internationally, particularly in Brunei Darussalam and Malaysia.

### **3.5.3 Ms. Lahveenya A/P Panchalingam**

Ms. Lahveenya Panchalingam is a dedicated academic with a passion for embodying the true essence of humanity. She holds a law degree from the University of London and a master's in medical law from Northumbria University, UK. Ms. Lahveenya joined the Faculty of Law at Multimedia University, Malacca, in September 2021. With nearly 10 years of academic and management experience, she previously taught Business Law,

Criminal Law, Tort Law, and Medical Law at Brickfields Asia College, Kuala Lumpur. Ms. Lahveenya has authored and co-authored numerous articles in the Current Law Journal in Malaysia. Currently, she lectures and tutors in subjects such as Contract Law, Company Law, Consumer Law, Sports Law, Equity and Trust Law. Her primary research areas include Medical Law, Sports Law, and Legal Education. Ms. Lahveenya serves as the lecturer adviser for the Multimedia University Law Society and MMU Flying Discs Club.

#### **3.5.4 Dr Siti Fazilah Binti Abdul Shukor**

Dr. Siti Fazilah Abdul Shukor is an Assistant Professor in the Faculty of Business and Finance at the Department of Business and Public Administration of UTAR, where she also holds the position of Head of Department. With a Doctor of Philosophy from the International Islamic University Malaysia, a Master of Comparative Laws from the same institution, and a bachelor's in law and commerce (Hons) from Management and Science University (MSU), she brings a wealth of academic expertise. Dr. Siti Fazilah specializes in Industrial Relation Law, Law of Dismissal, Employment Law, and Human Rights Law.

## **CHAPTER 4: DATA ANALYSIS**

### **1. What are the history on policies and legislations on gender equality and education in Malaysia?**

Ms. Lee	The Federal Constitution states in Article 8(2) that there shall be no discrimination against citizens on the basis of religion, race, descent, place of birth, or gender in any law, in the appointment of any official to a public office, or in the administration of any law pertaining to the purchase, holding, or disposition of property, or in the establishment or conduct of any trade, business, profession, vocation, or employment, unless specifically permitted by this Constitution.
Dr. Mohaimin	Before the independence of Malaya, access to education for the female population was limited, especially more so to the young females in the rural or kampung areas. The early policies of the States under the Sultans/Rulers and the subsequent British intervention and influence (where Residents were sent by the British government to advise the Sultan/Rulers in the Federated Malay States: Perak, Selangor, Pahang, and Negeri Sembilan; and Advisers to the Unfederated Malay States: Perlis, Kedah, Kelantan, Terengganu, and Johor) had not changed much as it was influenced by a mixture of religious, racial or cultural, and colonial factors. Changes did occur in town or urban areas among minority ethnic communities. The movement for gender equality gained momentum in the post-independence era and right through the formation of Malaysia as the country continued to develop and evolve its approach to women's empowerment, hence the progress in gender equality.

<p>Ms. Lahveenya</p>	<p>Due to the lack of a clear definition on gender-based discrimination, courts have interpreted the rule narrowly. In <i>Beatrice Fernandez v. Sistem Penerbangan Malaysia and Anor</i> (2005), one of the first instances citing Article 8(2), the Federal Court decided that since this provision only applied to public entities, private sector employers were free to fire pregnant workers.</p> <p>In the <i>Air Asia Bhd v. Rafizah Shima Mohamed Aris</i> (2014) case, the Court of Appeal advanced a similar defense nearly 10 years later, namely that private organizations were not covered by the constitutional guarantee under Article 8(2). The female plaintiffs' right to sexual and bodily autonomy was violated by both rulings, which also served to uphold the subjugation of women.</p>
<p>Dr. Siti</p>	<p>Adopt Article 3 of the 1948 Universal Declaration of Human Rights (UDHR), which states that every person has the right to freedom, equality, and dignity from birth. Although the UDHR is not a treaty, it does represent moral authority and provide a shared benchmark for success for all peoples and nations. Since 1824, Malaysian education systems have undergone reforms. The formal framework of these systems dates back to the British Colonial era. When Malaysia was still known as Malaya, four educational streams—English, Malay, Tamil, and Chinese—were developed in accordance with the "Divide and Rule Policy."</p>

**2. What are the history on policies and legislations on gender equality and education in United States?**

<p>Ms. Lee</p>	<p>Title VII of the Civil Rights Act of 1964 banned discrimination based on race, color, religion, sex, or national origin. In 1972, United States have an important advancement</p>
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	<p>with the Title IX. Title IX narrowed the gender gap in sports. Despite facing early resistance and enforcement issues, the adoption of Title IX led to a sharp rise in girls' participation in high school sports, and steadier, continuous growth over the next several decades. In addition, the United States has since taken action to close the gender gap and end gender discrimination. The Equal Pay Act was passed in 1963 and the Civil Rights Act was passed the following year, both of which made it illegal to discriminate in any way, including on the basis of sex.</p>
<p>Dr. Mohaimin</p>	<p>The history of policies and legislations on gender equality and education in the United States is primarily dictated by federal laws and regulations, and court decisions. These legal frameworks ensure that the educational institutions and system do not discriminate based on gender but promote equal educational opportunities for all students. Among the legislation passed by the legislature were the Title IX of the Education Amendments of 1972 which prohibits sex-based discrimination in federal government funded education programmes and activities, which covers issues, among others, admissions, athletics, and sexual harassment. The Equal Pay Act of 1963 eliminates wage disparities based on gender, including in professions within the education sector. Title II of the Americans with Disabilities Act prohibits discrimination based on disability, ensuring that individuals with disabilities have equal access to public services, including education. The Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, colour, or national origin in programs and activities that receive federal financial assistance, including educational institutions. Title VII of the Civil Rights Act of 1964, though focused on employment, it also addresses sex discrimination and</p>

	<p>harassment in the workplace, impacting educational institutions and workplaces. The Education for All Handicapped Children Act of 1975 (Now IDEA) guarantees that children with disabilities have access to a free and appropriate public education. Importantly, the Gender Equity in Education Act of 1984 addresses gender disparities in education and promote gender equity. It highlighted the need to eliminate bias in educational materials, provide equal opportunities, and encourage the participation of both genders in all fields of study.</p> <p>These legislations, among others, shows the ongoing efforts in the United States to eliminate gender-based discrimination in education. This would in turn create a more inclusive and equitable educational system for all. Challenges, however, persist, and there is continued advocacy for gender equality within the educational system.</p>
Ms. Lahveenya	<p>Many states and localities have implemented their own policies and initiatives to address gender equality in education. These include efforts to close gender gaps in STEM education, promote inclusive curricula, and address gender-based violence in schools.</p>
Dr. Siti	<p>Following the 1920 ratification of the United States of America's Constitution, which granted women political rights, a proposed amendment to the document was made to ensure equal rights for women. Early America had very little formal education. In addition to requiring bigger cities to build elementary schools where students studied religion, reading, and writing skills, the Puritans of what is now Massachusetts mandated that parents educate their children to read during the colonial era. However, education was often not mandated in the colonies, and only 10% of children—</p>

	typically the wealthiest ones—went to school, with the remainder choosing to become apprentices.
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### 3. What are the agencies on gender equality and education in Malaysia?

Ms. Lee	<ul style="list-style-type: none"> <li>• Joint-Action Group for Gender Equality (JAG)</li> <li>• Reproductive Rights Alliance of Malaysia (RRAAM)</li> <li>• All Women’s Action Society (AWAM)</li> <li>• Association of Women Lawyers Malaysia (AWL)</li> </ul>
Dr. Mohaimin	<p>There are many government agencies, and non-governmental organizations (NGOs), as well as international organizations that have been involved in promoting gender equality and education in Malaysia. They have put in their initiatives and efforts in ensuring equal educational opportunities are given to all genders. The agencies, among others, are as follows:</p> <ul style="list-style-type: none"> <li>- Ministry of Education Malaysia; Ministry of Women, Family and Community Development,</li> <li>- National Council of Women Organisations (NCWO); Malaysian Association of Women Educators (MAWE);</li> <li>- United Nations Development Programme (UNDP) Malaysia,</li> <li>- UN Women Malaysia,</li> <li>- United Nations Children's Fund (UNICEF) Malaysia.</li> </ul> <p>Other organisations are:</p> <ul style="list-style-type: none"> <li>- Malaysian Academic Movement (MOVE),</li> <li>- Sisters-in Islam (SIS).</li> </ul>
Ms. Lahveonya	<ul style="list-style-type: none"> <li>• Joint Action Group for Gender Equality</li> <li>• Reproductive Rights Advocacy Alliance Malaysia</li> <li>• Gabungan Bertindak Malaysia</li> </ul>



Dr. Siti	A coalition of civil society organizations (CSOs) dedicated to promoting gender equality is called the Joint Action Group for Gender Equality (JAG). When JAG was initially established in 1985, it was known as the All Women's Action Society (AWAM) and the Joint Action group Against VAW (Violence Against Women).
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**4. What are the agencies on gender equality and education in United States?**

Ms. Lee	<ul style="list-style-type: none"> <li>• Association of Women Lawyers Malaysia (AWL)</li> <li>• Girls Inc.</li> <li>• Student Leadership Network</li> <li>• National Center for Women &amp; Information Technology (NCWIT)</li> </ul>
Dr. Mohaimin	<p>The agencies and organizations which play crucial roles in advancing gender equality in education, from policy development and advocacy to research and program implementation, among others, are as follows:</p> <ul style="list-style-type: none"> <li>- US Department of Education (ED) is a federal agency responsible for overseeing education policies and program to ensure equal access to quality education for all students, regardless of gender as provided under the federal laws, such as Title IX.</li> <li>- Office for Civil Rights (OCR), U.S. Department of Education enforces civil rights laws, including Title IX, including investigating complaints related to sex discrimination in federal funded educational institutions.</li> <li>- Women's Bureau, U.S. Department of Labor deals with issues relating to women in the workforce, including education and training opportunities.</li> </ul>

	<ul style="list-style-type: none"> <li>- National Women's Law Center (NWLC), a non-profit organization that advocates for gender justice and works on issues affecting women, including education.</li> <li>- American Association of University Women (AAUW) is also a non-profit organization that promotes equity and education for women and girls, and provide scholarships, conduct research on gender equity, and advocate for policies that support women's education and career advancement.</li> <li>- Women in Engineering ProActive Network (WEPAN) worked on advancing gender equity in engineering professions. While not specific to education, their initiatives aim to promote inclusivity and diversity in STEM education and careers.</li> </ul>
Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Save the Children</li> </ul>
Dr. Siti	The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) is the UN agency dedicated to gender equality

**5. What are the policies and legislations on gender equality and education in Malaysia?**

Ms. Lee	<p>Equality under Article 8(1): Everyone is entitled to equal protection under the law and is equal before the law under Article 8(1) of the Federal Constitution. Unfortunately, even though Article 8(1) was intended to spur constitutional development, it is still one of the least used clauses in the document.</p> <p>Article 8(2) – Non-Discrimination: In 2001, our Constitution was revised to include a ban on gender-based discrimination in certain (but not all) fields.</p>
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Dr. Mohaimin	<p>Over the years, several policies and legislations have been formulated and introduced to address gender equality and education. The aim of the policies is (1) to safeguard equal educational opportunities for all, regardless of gender, and (2) to address issues such as access to education, prevention of gender-based discrimination, and promotion of a gender-sensitive learning environment. The related policies and legislations are:</p> <ol style="list-style-type: none"><li>(1) National Education Policy (NEP) which outlines the government's vision and strategies for the equal opportunities education system for all Malaysians.</li><li>(2) Education Act 1996 which governs the education system and educational framework in Malaysia, generally, regardless of gender.</li><li>(3) Malaysian Plan of Action for the Advancement of Women (1998-2005), providing measures to promote gender equality in various sectors, including education.</li><li>(4) National Policy on Women (2009) which outlines the government's commitment to advancing the status and role of women in Malaysia, including promoting equal opportunities for women in various fields.</li><li>(5) Gender Equality and Women's Empowerment Policy (2019-2030) relates to policy which focuses on advancing gender equality and empowering women across different sectors, including education, and to outline specific measures and initiatives for implementation over certain period.</li><li>(6) Education Blueprint (2013-2025) outlines the government's strategic plans for the development of the education system, addressing various aspects of education which emphasized inclusivity and equal opportunities for all.</li></ol>
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	<p>(7) Anti-Bullying Policies in Schools aims to create a safe and supportive environment for all students, especially on the issue of gender-based harassment.</p> <p>(8) Child Act 2001 provides the protection of children's rights in creating a conducive environment for gender equality in education.</p> <p>(9) Internationally, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Implementation aims at aligning national policies and practices with the principles outlined in CEDAW, including education.</p>
Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Domestic Violence Act</li> <li>• The Ministry of Women, Family and Community Development (MWFCD) is the national organization in charge of implementing the laws that support gender equality and prohibit discrimination against women in Malaysia. These laws include the Domestic Violence Act. It is also in charge of keeping an eye on the effects of this framework. The corresponding state departments of women's development—in this case, the Jabatan Pembangunan Wanita Perak and Terengganu—provide significant subnational assistance for these initiatives.</li> </ul>
Dr. Siti	<p>Under Article 8(1) of the Federal Constitution -All persons are equal before the law and entitled to the equal protection of the law. Article 8(2) - Except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender in any law or in the appointment to any office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition</p>

	<p>of property or the establishing or carrying on of any trade, business, profession, vocation or employment. Article 12 of the Federal Constitution - (1) Without prejudice to the generality of Article 8, there shall be no discrimination against any citizen on the grounds only of religion, race, descent or place of birth— (a) in the administration of any educational institution maintained by a public authority, and, in particular, the admission of pupils or students or the payment of fees; or (b) in providing out of the funds of a public authority financial aid for the maintenance or education of pupils or students in any educational institution (whether or not maintained by a public authority and whether within or outside the Federation).</p>
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**6. What are the policies and legislations on gender equality and education in United States?**

Ms. Lee	<p>Building on the Universal Declaration of Human Rights and subsequent international covenants aiming at eliminating discrimination on the basis of gender, the Convention on the Elimination of All Forms of Discrimination Against Women, or CEDAW, focuses on elevating the status of women to that of men in the area of human rights.</p>
Dr. Mohaimin	<p>There are several policies and legislations in the United States which address gender equality in education. These laws and policies aim to eliminate gender-based discrimination, ensure equal opportunities for all students, regardless of gender. The objective is to create a safe and inclusive learning environment for all. (For further points, see the answer to Question 2, above.)</p>

Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Equal Pay Act of 1963</li> <li>• Women's Educational Equity Act (WEEA)</li> <li>• Carl D. Perkins Career and Technical Education Act</li> </ul>
Dr. Siti	<p>The Act on Equality Between Man and Women: The purpose of this Act is to uplift women's standing, especially in the workforce, by preventing gender-based discrimination and promoting equality between men and women. Employers are not allowed to treat you less favorably or differently because of your sex, which is defined as pregnancy, sexual orientation, and gender identity under Title VII of the Civil Rights Act. Additionally, it is against the law to base hiring decisions on unfair or false preconceptions about the skills and characteristics associated with a person's gender.</p>

**7. What is the meaning of gender equality in terms of education according to your expert opinion?**

Ms. Lee	<p>Equal opportunities for both gender in all aspects of Freedom and Liberty under God.</p>
Dr. Mohaimin	<p>The meaning of gender equality in education, in my opinion, evolves around the concept of equal access to education and equal participation in educational opportunities for all genders. All students, regardless of their gender, shall have the same and equal opportunities to join and enrol in any schools or educational institutions of their choice, as well as equal opportunities for learning at all levels. They should have equal rights and resources to education. There is also the need to eliminate discrimination and stereotyping based on gender. Gender equality is not only confined to opportunities in education but must extend to leadership roles within any educational institutions, where women too shall have equal</p>

	opportunities to assume leadership positions, such as deans of faculties in universities, headmistresses or principals at schools, as well as school or university administrators, and educators.
Ms. Lahveenya	Parents should encourage their children their children to enroll in educational institutions at all levels irrelevant of their gender. For example, parents should not follow cultural norms in deciding their children’s future.
Dr. Siti	Gender equality and education plays important role in every human aspect. Education can provide better equality if it is portrayed or delivered to pupils by emphasizing the importance and empowerment of gender equality.

**8. What are the challenges we face in Malaysia to improve on gender equality in education in Malaysia?**

Ms. Lee	Main challenge is gender discrimination, and social norms and unfair practices on girls for example, child marriage, teenage pregnancy, child domestic work, poor education and health, sexual abuse, exploitation, child trafficking and violence.
Dr. Mohaimin	Although much has changed and progressed towards promoting and putting gender equality in place within our educational system, several challenges persist along the way. They reflect wider societal issues across different states, areas, and communities within Malaysia. Firstly, stereotypes and gender bias persist in the choice of educational curricula, and societal perceptions. We need to address wider career choices.  Secondly, there are still inequalities in enrolment and retention rates between genders in some regions or communities. Some girls may face difficulties in having equal

	<p>opportunity to continue their studies and access to higher education, particularly in certain fields or disciplines.</p> <p>Thirdly, there is still gap in girls' involvement in Science, Technology, Engineering, and Mathematics (STEM) fields. To close the gap, girls should be encouraged to engage in STEM subjects in addressing gender stereotypes within STEM.</p> <p>Fourthly, religious, regional, and cultural factors are influencing gender roles and expectations. Such influence should be minimised or else the promotion of gender equality remains a challenge.</p>
Ms. Lahveenya	Political bureaucracy
Dr. Siti	Economic participation and opportunities, violence against women, marriage and family

**9. What are the opportunities we have to improve on gender equality and education internationally?**

Ms. Lee	The opportunities to enhance gender equality in education internationally include expanding educational access for girls, preventing early marriages, empowering young women for employment, combating gender-based violence, engaging young men as allies, and leveraging youth engagement to drive societal progress
Dr. Mohaimin	Several opportunities are available for us to improving gender equality and education internationally. Among other opportunities, a collaborative and multi-faceted approach involving governments, organizations, communities, and individuals is one of the opportunities to work on. To improve gender equality in education globally, we need (1) Policy Reforms and Implementation. Policies can be formulated, and



	<p>laws can be enacted, but they must be effectively implemented. It is imperative upon governments to enforce policies and laws that promote gender equality in education strictly and consistently. Laws without implementation and enforcement would not change anything. (2) All the governments internationally must invest sufficiently to improve educational infrastructure, including schools and facilities which can enhance access to quality education for all, irrespective of gender. This includes providing safe and accessible transportation, sanitation facilities, and technology. (3) Teacher Training and Gender Sensitization is crucial in recognizing and addressing gender biases in the classroom. Gender-sensitive teaching methodologies and programmes are required in creating a more inclusive and supportive learning environment. (4) Curriculum too need to be revised to eliminate gender stereotypes and biases in order to create a more equitable education system.</p> <p>These opportunities and initiatives, if they are implemented, would make significant strides in advancing gender equality in education. These efforts have to be comprehensive, sustainable, and to address the specific needs and contexts of the different communities of the world.</p>
Ms. Lahveenya	We must educate the public on equality.
Dr. Siti	Education reform, healthcare access, equitable employment, and peace and security.

**10. How can we improve gender equality and education by using United States as our framework?**

<p>Ms. Lee</p>	<p>Adopt a Feminist Foreign Policy: align the foreign policy with gender equality objectives, focusing on girls' education and sexual and reproductive health.</p> <p>Increase Official Development Assistance (ODA) for Gender Equality: Advocating for increased funding dedicated to gender equality as a principal objective in aid distribution.</p> <p>Promote Gender Transformative Leadership: Encouraging transformative leadership at various levels to drive progress in gender equality and education.</p>
<p>Dr. Mohaimin</p>	<p>The framework polices and legislation are similar and carry universal values. It is a commendable goal to improve gender equality in education. However, we need to realise that the United States and Malaysia are having different contexts. We are similar in policy reforms the existing education policies similarly promote gender equality. Both US and Malaysia prohibit sex-based discrimination in government-funded education programmes. Currently, STEM Education encouraging girls to pursue Science, Technology, Engineering, and Mathematics subjects are happening in Malaysia too. Teacher Training provides training also for educators on gender sensitivity and inclusivity to create a more supportive and equal learning environment.</p> <p>Parental Involvement which encourages parents to support their children's education regardless of gender is similarly happening in Malaysia. Our current societal parental values are more responsive and supportive towards this goal.</p> <p>Scholarships and Grants specifically for girls pursuing higher education, especially in fields where they are underrepresented is also available in Malaysia.</p>

	<p>In order to successfully formulate, enact and implement the policies and legislation, Malaysia is not required to simply follow the US models, but Malaysia has to tailor her own strategies to fit the country's specific cultural, religious, social, and economic context. All stakeholders, including educators, parents, policymakers, and NGOs, have to be involved in the planning and execution of these initiatives.</p>
Ms. Lahveenya	<p>The Malaysian government and public needs to understand that gender equality is an integral part of our lives. Awareness and proper policy has to be established in order to achieve equality in the country.</p>
Dr. Siti	<p>No comment.</p>

## **CHAPTER 5: DISCUSSION, CONCLUSION, AND IMPLICATION**

### **5.1 Discussion**

This research study is to compare the legal framework of gender equality in education between Malaysia and the United States. Based on the research results above, both Malaysia and the United States owns rich histories and diverse strategies in their pursuit of achieving gender equality within educational frameworks.

In Malaysia, rural females faced limited education prior to independence, and female education has only gained momentum because of colonial legacies and post-independence policies. Malaysia's educational system has been reformed since colonial times, and various language-based mediums such as English, Malay, Tamil, and Chinese have been introduced. In Malaysia, a variety of groups, including the Joint-Action Group for Gender Equality (JAG) and the All-Women's Action Society (AWAM), have been actively promoting gender equality and education. In addition, discrimination on the basis of religion, race, descent, or place of birth is prohibited in the administration of educational institutions and the disbursement of financial aid, as stated in Article 12 of the Malaysia Federal Constitution. Article 8(1) and (2) of the Constitution prohibit discrimination in education, and this clause protects against it.

In the United States, important legislation such as Title IX of the Education Amendments of 1972 was aimed at eliminating gender discrimination in federally funded education programs. Other federal laws, such as the Equal Pay Act of 1963

and various titles under the Civil Rights Act of 1964, ensured equal access to education and addressed gender inequalities. In addition, states and municipalities launched initiatives to close gender gaps in STEM education and combat gender-based violence in schools. US Department of Education (ED) is one of the organizations from United States to protect female's empowerment.

Comparatively, the United States and Malaysia in their policies promoting gender equality in education are similar. For Malaysia, there are opportunities in policy changes, better infrastructure and inclusive education can close the gaps of gender inequalities. For example, interviewees recommended strategies like aligning foreign policy with gender goals, boosting aid for gender equality, fostering leadership change, and encouraging parental support. Lastly, primary conclusion is that comprehensive, context-specific initiatives involving all parties involved are required to effect meaningful change in Malaysia's educational landscape toward greater gender equality.

## **5.2 Limitations**

Throughout the research process, various constraints were identified. One of the difficulties is locating and engaging experts from different universities, particularly those specializing in different fields. The lack of specialists in the field constituted a challenge, making it difficult to acquire opinions and insights.

Moreover, as there are limited communication channels barrier, primarily relying on email to communicate with potential interviewees. As this is an indirect mode of communication, it led difficulties to get responses. Even if initial contact was done, there will have possibilities that respondents did not provide further communication.

Furthermore, time constraints are considered as one of the challenges. As the limited time in identifying and securing potential interviewees, sometimes led to scheduling conflicts for meetings with the respondents. Their busy schedules added to the difficulty, leading to arranging of suitable interview slots within the limited time available.

### **5.3 Recommendations**

There is a possible consideration for future research with applying quantitative approaches in this type of comparison research. Quantitative approaches could offer a more systematic and data-driven analysis of legislative elements influencing gender equality in education. Statistical analysis and numerical data could provide further insight into the effectiveness of certain regulatory frameworks.

Furthermore, allocating an extended period is another suggestion. There will be more time for identifying and engaging with possible responses as more time is available. A flexible timeline allows researchers to connect more effectively with respondents.

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## APPENDIX

### Appendix A: Interview Questions

1. What are the history on policies and legislations on gender equality and education in Malaysia?
2. What are the history on policies and legislations on gender equality and education in United States?
3. What are the agencies on gender equality and education in Malaysia?
4. What are the agencies on gender equality and education in United States?
5. What are the policies and legislations on gender equality and education in Malaysia?
6. What are the policies and legislations on gender equality and education in United States?
7. What is the meaning of gender equality in terms of education according to your expert opinion?
8. What are the challenges we face in Malaysia to improve on gender equality in education in Malaysia?
9. What are the opportunities we have to improve on gender equality and education internationally?
10. How can we improve gender equality and education by using United States as our framework?

Appendix B: Interview Answers

**1. What are the history on policies and legislations on gender equality and education in Malaysia?**

Ms. Lee	According to the Federal Constitution Article 8(2), except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender in any law or in the appointment to any office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition of property or the establishing or carrying on of any trade, business, profession, vocation or employment
Dr. Mohaimin	Before the independence of Malaya, access to education for the female population was limited, especially more so to the young females in the rural or kampung areas. The early policies of the States under the Sultans/Rulers and the subsequent British intervention and influence (where Residents were sent by the British government to advise the Sultan/Rulers in the Federated Malay States: Perak, Selangor, Pahang, and Negeri Sembilan; and Advisers to the Unfederated Malay States: Perlis, Kedah, Kelantan, Terengganu, and Johor) had not changed much as it was influenced by a mixture of religious, racial or cultural, and colonial factors. Changes did occur in town or urban areas among minority ethnic communities. The movement for gender equality gained momentum in the post-independence era and right through the formation of Malaysia as the country continued to develop and evolve its approach to women's empowerment, hence the progress in gender equality.

Ms. Lahveenya	<p>This lack of definitional clarity with regards to gender-based discrimination has given rise to narrow court interpretations of the law. In one of the earliest cases invoking Article 8(2), Beatrice Fernandez v. Sistem Penerbangan Malaysia and Anor (2005), the Federal Court ruled that this law only applied to public authorities, and hence private sector employers had the right to terminate their pregnant employees.</p> <p>Almost a decade later, the Court of Appeal made a similar argument in the Air Asia Bhd v. Rafizah Shima Mohamed Aris (2014) case, i.e., the constitutional guarantee under Article 8(2) did not extend to private entities. Both judgments infringed on the right of the female plaintiffs to sexual and bodily autonomy, and further perpetuate women’s subordination.</p>
Dr. Siti	<p>Adopt Art.3 of the Universal Declaration of Human Rights, 1948 (UDHR) declares that all human beings are born free and equal in dignity and rights. The UDHR is not a treaty but it embodies a moral authority and sets out a common standard of achievement of all peoples and nations. Malaysian Education Systems have reformed since 1824, and during the British Colonialism, the schooling systems begin to be structured. Malaysia was known as Malaya and four streams of education medium were established based on “Divide and Rule Policy” such as English Medium, Malay Medium, Tamil Medium and Chinese Medium.</p>

**2. What are the history on policies and legislations on gender equality and education in United States?**

Ms. Lee	<p>Title VII of the Civil Rights Act of 1964 banned discrimination based on race, color, religion, sex, or national origin. In 1972, United States have an important advancement with the Title IX. Title IX narrowed the gender gap in sports.</p>
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	<p>Despite facing early resistance and enforcement issues, the adoption of Title IX led to a sharp rise in girls' participation in high school sports, and steadier, continuous growth over the next several decades. In addition, the United States has since taken action to close the gender gap and end gender discrimination. The Equal Pay Act was passed in 1963 and the Civil Rights Act was passed the following year, both of which made it illegal to discriminate in any way, including on the basis of sex.</p>
<p>Dr. Mohaimin</p>	<p>The history of policies and legislations on gender equality and education in the United States is primarily dictated by federal laws and regulations, and court decisions. These legal frameworks ensure that the educational institutions and system do not discriminate based on gender but promote equal educational opportunities for all students. Among the legislation passed by the legislature were the Title IX of the Education Amendments of 1972 which prohibits sex-based discrimination in federal government funded education programmes and activities, which covers issues, among others, admissions, athletics, and sexual harassment. The Equal Pay Act of 1963 eliminates wage disparities based on gender, including in professions within the education sector. Title II of the Americans with Disabilities Act prohibits discrimination based on disability, ensuring that individuals with disabilities have equal access to public services, including education. The Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, colour, or national origin in programs and activities that receive federal financial assistance, including educational institutions. Title VII of the Civil Rights Act of 1964, though focused on employment, it also addresses sex discrimination and harassment in the workplace, impacting educational</p>



	<p>institutions and workplaces. The Education for All Handicapped Children Act of 1975 (Now IDEA) guarantees that children with disabilities have access to a free and appropriate public education. Importantly, the Gender Equity in Education Act of 1984 addresses gender disparities in education and promote gender equity. It highlighted the need to eliminate bias in educational materials, provide equal opportunities, and encourage the participation of both genders in all fields of study.</p> <p>These legislations, among others, shows the ongoing efforts in the United States to eliminate gender-based discrimination in education. This would in turn create a more inclusive and equitable educational system for all. Challenges, however, persist, and there is continued advocacy for gender equality within the educational system.</p>
Ms. Lahveenya	<p>Many states and localities have implemented their own policies and initiatives to address gender equality in education. These include efforts to close gender gaps in STEM education, promote inclusive curricula, and address gender-based violence in schools.</p>
Dr. Siti	<p>After the 1920 ratification of the Nineteenth Amendment to the Constitution of the United States of America, which empowered women with political rights, there was a proposed amendment to the Constitution to guarantee equal rights for women. Education in early America was hardly formal. During the colonial period, the Puritans in what is now Massachusetts required parents to teach their children to read and also required larger towns to have an elementary school, where children learned reading, writing, and religion. In general, though, schooling was not required in the colonies, and only about 10% of colonial children, usually just the</p>

	wealthiest, went to school, although others became apprentices
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### 3. What are the agencies on gender equality and education in Malaysia?

Ms. Lee	<ul style="list-style-type: none"> <li>• Joint-Action Group for Gender Equality (JAG)</li> <li>• Reproductive Rights Alliance of Malaysia (RRAAM)</li> <li>• All Women’s Action Society (AWAM)</li> <li>• Association of Women Lawyers Malaysia (AWL)</li> </ul>
Dr. Mohaimin	<p>There are many government agencies, and non-governmental organizations (NGOs), as well as international organizations that have been involved in promoting gender equality and education in Malaysia. They have put in their initiatives and efforts in ensuring equal educational opportunities are given to all genders. The agencies, among others, are as follows:</p> <ul style="list-style-type: none"> <li>- Ministry of Education Malaysia; Ministry of Women, Family and Community Development,</li> <li>- National Council of Women Organisations (NCWO); Malaysian Association of Women Educators (MAWE);</li> <li>- United Nations Development Programme (UNDP) Malaysia,</li> <li>- UN Women Malaysia,</li> <li>- United Nations Children's Fund (UNICEF) Malaysia.</li> </ul> <p>Other organisations are:</p> <ul style="list-style-type: none"> <li>- Malaysian Academic Movement (MOVE),</li> <li>- Sisters-in Islam (SIS).</li> </ul>
Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Joint Action Group for Gender Equality</li> <li>• Reproductive Rights Advocacy Alliance Malaysia</li> <li>• Gabungan Bertindak Malaysia</li> </ul>

Dr. Siti	The Joint Action Group for Gender Equality (JAG) is a coalition of civil society organisations (CSOs) working towards gender equality. When JAG was first formed in 1985, the group referred to themselves as the Joint Action group Against VAW (Violence Against Women), also All Women’s Action Society (AWAM).
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**4. What are the agencies on gender equality and education in United States?**

Ms. Lee	<ul style="list-style-type: none"> <li>• Association of Women Lawyers Malaysia (AWL)</li> <li>• Girls Inc.</li> <li>• Student Leadership Network</li> <li>• National Center for Women &amp; Information Technology (NCWIT)</li> </ul>
Dr. Mohaimin	<p>The agencies and organizations which play crucial roles in advancing gender equality in education, from policy development and advocacy to research and program implementation, among others, are as follows:</p> <ul style="list-style-type: none"> <li>- US Department of Education (ED) is a federal agency responsible for overseeing education policies and program to ensure equal access to quality education for all students, regardless of gender as provided under the federal laws, such as Title IX.</li> <li>- Office for Civil Rights (OCR), U.S. Department of Education enforces civil rights laws, including Title IX, including investigating complaints related to sex discrimination in federal funded educational institutions.</li> <li>- Women's Bureau, U.S. Department of Labor deals with issues relating to women in the workforce, including education and training opportunities.</li> </ul>

	<ul style="list-style-type: none"> <li>- National Women's Law Center (NWLC), a non-profit organization that advocates for gender justice and works on issues affecting women, including education.</li> <li>- American Association of University Women (AAUW) is also a non-profit organization that promotes equity and education for women and girls, and provide scholarships, conduct research on gender equity, and advocate for policies that support women's education and career advancement.</li> <li>- Women in Engineering ProActive Network (WEPAN) worked on advancing gender equity in engineering professions. While not specific to education, their initiatives aim to promote inclusivity and diversity in STEM education and careers.</li> </ul>
Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Save the Children</li> </ul>
Dr. Siti	The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) is the UN agency dedicated to gender equality

**5. What are the policies and legislations on gender equality and education in Malaysia?**

Ms. Lee	<p>Equality under Article 8(1): Under Article 8(1) of the Federal Constitution all persons are equal before the law and entitled to the equal protection of the law. Regrettably, Article 8(1) remains one of the least utilised provisions of the Constitution though it was meant to be a catalyst for constitutional development.</p> <p>Article 8(2) – Non-Discrimination: In 2001, our Constitution was amended in Article 8(2) to outlaw discrimination on the ground of gender in some (though not all) fields.</p>
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Dr. Mohaimin	<p>Over the years, several policies and legislations have been formulated and introduced to address gender equality and education. The aim of the policies is (1) to safeguard equal educational opportunities for all, regardless of gender, and (2) to address issues such as access to education, prevention of gender-based discrimination, and promotion of a gender-sensitive learning environment. The related policies and legislations are:</p> <ol style="list-style-type: none"><li>(1) National Education Policy (NEP) which outlines the government's vision and strategies for the equal opportunities education system for all Malaysians.</li><li>(2) Education Act 1996 which governs the education system and educational framework in Malaysia, generally, regardless of gender.</li><li>(3) Malaysian Plan of Action for the Advancement of Women (1998-2005), providing measures to promote gender equality in various sectors, including education.</li><li>(4) National Policy on Women (2009) which outlines the government's commitment to advancing the status and role of women in Malaysia, including promoting equal opportunities for women in various fields.</li><li>(5) Gender Equality and Women's Empowerment Policy (2019-2030) relates to policy which focuses on advancing gender equality and empowering women across different sectors, including education, and to outline specific measures and initiatives for implementation over certain period.</li><li>(6) Education Blueprint (2013-2025) outlines the government's strategic plans for the development of the education system, addressing various aspects of education which emphasized inclusivity and equal opportunities for all.</li></ol>
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	<p>(7) Anti-Bullying Policies in Schools aims to create a safe and supportive environment for all students, especially on the issue of gender-based harassment.</p> <p>(8) Child Act 2001 provides the protection of children's rights in creating a conducive environment for gender equality in education.</p> <p>(9) Internationally, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Implementation aims at aligning national policies and practices with the principles outlined in CEDAW, including education.</p>
Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Domestic Violence Act</li> <li>• The Ministry of Women, Family and Community Development (MWFCD) is the national body responsible for enforcing the legal framework that upholds gender equality and non-discrimination against women in Malaysia. It is also responsible for monitoring this framework's impact. In these efforts, it is largely supported at the subnational level by the respective state departments of women's development, in this case, the Jabatan Pembangunan Wanita Perak and Terengganu</li> </ul>
Dr. Siti	<p>Under Article 8(1) of the Federal Constitution -All persons are equal before the law and entitled to the equal protection of the law. Article 8(2) - Except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent, place of birth or gender in any law or in the appointment to any office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition</p>

	<p>of property or the establishing or carrying on of any trade, business, profession, vocation or employment. Article 12 of the Federal Constitution - (1) Without prejudice to the generality of Article 8, there shall be no discrimination against any citizen on the grounds only of religion, race, descent or place of birth— (a) in the administration of any educational institution maintained by a public authority, and, in particular, the admission of pupils or students or the payment of fees; or (b) in providing out of the funds of a public authority financial aid for the maintenance or education of pupils or students in any educational institution (whether or not maintained by a public authority and whether within or outside the Federation).</p>
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**6. What are the policies and legislations on gender equality and education in United States?**

Ms. Lee	<p>The Convention on the Elimination of All Forms of Discrimination against Women, or CEDAW, focuses on elevating the status of women to that of men in the area of human rights, building on the Universal Declaration of Human Rights and subsequent international covenants aiming at eliminating discrimination on the basis of gender.</p>
Dr. Mohaimin	<p>There are several policies and legislations in the United States which address gender equality in education. These laws and policies aim to eliminate gender-based discrimination, ensure equal opportunities for all students, regardless of gender. The objective is to create a safe and inclusive learning environment for all. (For further points, see the answer to Question 2, above.)</p>

Ms. Lahveenya	<ul style="list-style-type: none"> <li>• Equal Pay Act of 1963</li> <li>• Women's Educational Equity Act (WEEA)</li> <li>• Carl D. Perkins Career and Technical Education Act</li> </ul>
Dr. Siti	<p>The Act on Equality Between Man and Women: The objectives of this Act are to prevent discrimination based on gender, to promote equality between women and men, and thus to improve the status of women, particularly in working life. Title VII of the Civil Rights Act prohibits an employer from treating you differently, or less favorably, because of your sex, which is defined to include pregnancy, sexual orientation, and gender identity. This law also prohibits employment decisions based on stereotypes (unfair or untrue beliefs) about abilities and traits associated with gender</p>

**7. What is the meaning of gender equality in terms of education according to your expert opinion?**

Ms. Lee	<p>Equal opportunities for both gender in all aspects of Freedom and Liberty under God.</p>
Dr. Mohaimin	<p>The meaning of gender equality in education, in my opinion, evolves around the concept of equal access to education and equal participation in educational opportunities for all genders. All students, regardless of their gender, shall have the same and equal opportunities to join and enrol in any schools or educational institutions of their choice, as well as equal opportunities for learning at all levels. They should have equal rights and resources to education. There is also the need to eliminate discrimination and stereotyping based on gender. Gender equality is not only confined to opportunities in education but must extend to leadership roles within any educational institutions, where women too shall have equal</p>



	opportunities to assume leadership positions, such as deans of faculties in universities, headmistresses or principals at schools, as well as school or university administrators, and educators.
Ms. Lahveenya	Parents should encourage their children their children to enroll in educational institutions at all levels irrelevant of their gender. For example, parents should not follow cultural norms in deciding their children's future.
Dr. Siti	Gender equality and education plays important role in every human aspect. Education can provide better equality if it is portrayed or delivered to pupils by emphasizing the importance and empowerment of gender equality.

**8. What are the challenges we face in Malaysia to improve on gender equality in education in Malaysia?**

Ms. Lee	Main challenge is gender discrimination, and social norms and unfair practices on girls for example, child marriage, teenage pregnancy, child domestic work, poor education and health, sexual abuse, exploitation, child trafficking and violence.
Dr. Mohaimin	Although much has changed and progressed towards promoting and putting gender equality in place within our educational system, several challenges persist along the way. They reflect wider societal issues across different states, areas, and communities within Malaysia. Firstly, stereotypes and gender bias persist in the choice of educational curricula, and societal perceptions. We need to address wider career choices.  Secondly, there are still inequalities in enrolment and retention rates between genders in some regions or communities. Some girls may face difficulties in having equal

	<p>opportunity to continue their studies and access to higher education, particularly in certain fields or disciplines.</p> <p>Thirdly, there is still gap in girls' involvement in Science, Technology, Engineering, and Mathematics (STEM) fields. To close the gap, girls should be encouraged to engage in STEM subjects in addressing gender stereotypes within STEM.</p> <p>Fourthly, religious, regional, and cultural factors are influencing gender roles and expectations. Such influence should be minimised or else the promotion of gender equality remains a challenge.</p>
Ms. Lahveenya	Political bureaucracy
Dr. Siti	Economic participation and opportunities, violence against women, marriage and family

**9. What are the opportunities we have to improve on gender equality and education internationally?**

Ms. Lee	The opportunities to enhance gender equality in education internationally include expanding educational access for girls, preventing early marriages, empowering young women for employment, combating gender-based violence, engaging young men as allies, and leveraging youth engagement to drive societal progress
Dr. Mohaimin	Several opportunities are available for us to improving gender equality and education internationally. Among other opportunities, a collaborative and multi-faceted approach involving governments, organizations, communities, and individuals is one of the opportunities to work on. To improve gender equality in education globally, we need (1) Policy Reforms and Implementation. Policies can be formulated, and

	<p>laws can be enacted, but they must be effectively implemented. It is imperative upon governments to enforce policies and laws that promote gender equality in education strictly and consistently. Laws without implementation and enforcement would not change anything. (2) All the governments internationally must invest sufficiently to improve educational infrastructure, including schools and facilities which can enhance access to quality education for all, irrespective of gender. This includes providing safe and accessible transportation, sanitation facilities, and technology. (3) Teacher Training and Gender Sensitization is crucial in recognizing and addressing gender biases in the classroom. Gender-sensitive teaching methodologies and programmes are required in creating a more inclusive and supportive learning environment. (4) Curriculum too need to be revised to eliminate gender stereotypes and biases in order to create a more equitable education system.</p> <p>These opportunities and initiatives, if they are implemented, would make significant strides in advancing gender equality in education. These efforts have to be comprehensive, sustainable, and to address the specific needs and contexts of the different communities of the world.</p>
Ms. Lahveenya	We must educate the public on equality.
Dr. Siti	Education reform, healthcare access, equitable employment, and peace and security.

**10. How can we improve gender equality and education by using United States as our framework?**

<p>Ms. Lee</p>	<p>Adopt a Feminist Foreign Policy: align the foreign policy with gender equality objectives, focusing on girls' education and sexual and reproductive health.</p> <p>Increase Official Development Assistance (ODA) for Gender Equality: Advocating for increased funding dedicated to gender equality as a principal objective in aid distribution.</p> <p>Promote Gender Transformative Leadership: Encouraging transformative leadership at various levels to drive progress in gender equality and education.</p>
<p>Dr. Mohaimin</p>	<p>The framework polices and legislation are similar and carry universal values. It is a commendable goal to improve gender equality in education. However, we need to realise that the United States and Malaysia are having different contexts. We are similar in policy reforms the existing education policies similarly promote gender equality. Both US and Malaysia prohibit sex-based discrimination in government-funded education programmes. Currently, STEM Education encouraging girls to pursue Science, Technology, Engineering, and Mathematics subjects are happening in Malaysia too. Teacher Training provides training also for educators on gender sensitivity and inclusivity to create a more supportive and equal learning environment.</p> <p>Parental Involvement which encourages parents to support their children's education regardless of gender is similarly happening in Malaysia. Our current societal parental values are more responsive and supportive towards this goal.</p> <p>Scholarships and Grants specifically for girls pursuing higher education, especially in fields where they are underrepresented is also available in Malaysia.</p>

	<p>In order to successfully formulate, enact and implement the policies and legislation, Malaysia is not required to simply follow the US models, but Malaysia has to tailor her own strategies to fit the country's specific cultural, religious, social, and economic context. All stakeholders, including educators, parents, policymakers, and NGOs, have to be involved in the planning and execution of these initiatives.</p>
Ms. Lahveenya	<p>The Malaysian government and public needs to understand that gender equality is an integral part of our lives. Awareness and proper policy has to be established in order to achieve equality in the country.</p>
Dr. Siti	<p>No comment.</p>

## Appendix C: Ms. Lee Sim Kuen PDPA Consent Form

### **PERSONAL DATA PROTECTION NOTICE**

Please be informed that in accordance with Personal Data Protection Act 2010 ("PDPA") which came into force on 15 November 2013, Universiti Tunku Abdul Rahman ("UTAR") is hereby bound to make notice and require consent in relation to collection, recording, storage, usage and retention of personal information.

1. Personal data refers to any information which may directly or indirectly identify a person which could include sensitive personal data and expression of opinion. Among others it includes:
  - a) Name
  - b) Identity card
  - c) Place of Birth
  - d) Address
  - e) Education History
  - f) Employment History
  - g) Medical History
  - h) Blood type
  - i) Race
  - j) Religion
  - k) Photo
  - l) Personal Information and Associated Research Data
2. The purposes for which your personal data may be used are inclusive but not limited to:
  - a) For assessment of any application to UTAR
  - b) For processing any benefits and services
  - c) For communication purposes
  - d) For advertorial and news
  - e) For general administration and record purposes
  - f) For enhancing the value of education
  - g) For educational and related purposes consequential to UTAR
  - h) For replying any responds to complaints and enquiries
  - i) For the purpose of our corporate governance
  - j) For the purposes of conducting research/ collaboration
3. Your personal data may be transferred and/or disclosed to third party and/or UTAR collaborative partners including but not limited to the respective and appointed outsourcing agents for purpose of fulfilling our obligations to you in respect of the purposes and all such other purposes that are related to the purposes and also in providing integrated services, maintaining and storing records. Your data may be shared when required by laws and when disclosure is necessary to comply with applicable laws.
4. Any personal information retained by UTAR shall be destroyed and/or deleted in accordance with our retention policy applicable for us in the event such information is no longer required.

5. UTAR is committed in ensuring the confidentiality, protection, security and accuracy of your personal information made available to us and it has been our ongoing strict policy to ensure that your personal information is accurate, complete, not misleading and updated. UTAR would also ensure that your personal data shall not be used for political and commercial purposes.

**Consent:**

6. By submitting or providing your personal data to UTAR, you had consented and agreed for your personal data to be used in accordance to the terms and conditions in the Notice and our relevant policy.
7. If you do not consent or subsequently withdraw your consent to the processing and disclosure of your personal data, UTAR will not be able to fulfill our obligations or to contact you or to assist you in respect of the purposes and/or for any other purposes related to the purpose.
8. You may access and update your personal data by writing to us at \_\_\_\_\_.

**Acknowledgment of Notice**

- I have been notified and that I hereby understood, consented and agreed per UTAR above notice.
- I disagree, my personal data will not be processed.

*skloo*

.....  
Name: Miss Sim Kuen Lee  
Date: 11.12.2023

Appendix D: Dr. Abdul Mohaimin Bin Noordin Ayus PDPA Consent Form

**PERSONAL DATA PROTECTION NOTICE**

Please be informed that in accordance with Personal Data Protection Act 2010 ("PDPA") which came into force on 15 November 2013, Universiti Tunku Abdul Rahman ("UTAR") is hereby bound to make notice and require consent in relation to collection, recording, storage, usage and retention of personal information.

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  - f) Employment History
  - g) Medical History
  - h) Blood type
  - i) Race
  - j) Religion
  - k) Photo
  - l) Personal Information and Associated Research Data
2. The purposes for which your personal data may be used are inclusive but not limited to:
  - a) For assessment of any application to UTAR
  - b) For processing any benefits and services
  - c) For communication purposes
  - d) For advertorial and news
  - e) For general administration and record purposes
  - f) For enhancing the value of education
  - g) For educational and related purposes consequential to UTAR
  - h) For replying any responds to complaints and enquiries
  - i) For the purpose of our corporate governance
  - j) For the purposes of conducting research/ collaboration
3. Your personal data may be transferred and/or disclosed to third party and/or UTAR collaborative partners including but not limited to the respective and appointed outsourcing agents for purpose of fulfilling our obligations to you in respect of the purposes and all such other purposes that are related to the purposes and also in providing integrated services, maintaining and storing records. Your data may be shared when required by laws and when disclosure is necessary to comply with applicable laws.
4. Any personal information retained by UTAR shall be destroyed and/or deleted in accordance with our retention policy applicable for us in the event such information is no longer required.



5. UTAR is committed in ensuring the confidentiality, protection, security and accuracy of your personal information made available to us and it has been our ongoing strict policy to ensure that your personal information is accurate, complete, not misleading and updated. UTAR would also ensure that your personal data shall not be used for political and commercial purposes.

**Consent:**

6. By submitting or providing your personal data to UTAR, you had consented and agreed for your personal data to be used in accordance to the terms and conditions in the Notice and our relevant policy.
7. If you do not consent or subsequently withdraw your consent to the processing and disclosure of your personal data, UTAR will not be able to fulfill our obligations or to contact you or to assist you in respect of the purposes and/or for any other purposes related to the purpose.
8. You may access and update your personal data by writing to us at \_\_\_\_\_.

**Acknowledgment of Notice**

[  ] I have been notified and that I hereby understood, consented and agreed per UTAR above notice.

[  ] I disagree, my personal data will not be processed.



Name: Prof. Dr. Abdul Mohaimin bin Noordin Ayus  
Date: 11/12/2023

Appendix E: Ms. Lahveenya A/P Panchalingam PDPA Consent Form

**PERSONAL DATA PROTECTION NOTICE**

Please be informed that in accordance with Personal Data Protection Act 2010 ("PDPA") which came into force on 15 November 2013, Universiti Tunku Abdul Rahman ("UTAR") is hereby bound to make notice and require consent in relation to collection, recording, storage, usage and retention of personal information.

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  - f) Employment History
  - g) Medical History
  - h) Blood type
  - i) Race
  - j) Religion
  - k) Photo
  - l) Personal Information and Associated Research Data
2. The purposes for which your personal data may be used are inclusive but not limited to:
  - a) For assessment of any application to UTAR
  - b) For processing any benefits and services
  - c) For communication purposes
  - d) For advertorial and news
  - e) For general administration and record purposes
  - f) For enhancing the value of education
  - g) For educational and related purposes consequential to UTAR
  - h) For replying any responds to complaints and enquiries
  - i) For the purpose of our corporate governance
  - j) For the purposes of conducting research/ collaboration
3. Your personal data may be transferred and/or disclosed to third party and/or UTAR collaborative partners including but not limited to the respective and appointed outsourcing agents for purpose of fulfilling our obligations to you in respect of the purposes and all such other purposes that are related to the purposes and also in providing integrated services, maintaining and storing records. Your data may be shared when required by laws and when disclosure is necessary to comply with applicable laws.
4. Any personal information retained by UTAR shall be destroyed and/or deleted in accordance with our retention policy applicable for us in the event such information is no longer required.

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**Consent:**

6. By submitting or providing your personal data to UTAR, you had consented and agreed for your personal data to be used in accordance to the terms and conditions in the Notice and our relevant policy.
7. If you do not consent or subsequently withdraw your consent to the processing and disclosure of your personal data, UTAR will not be able to fulfill our obligations or to contact you or to assist you in respect of the purposes and/or for any other purposes related to the purpose.
8. You may access and update your personal data by writing to us at \_\_\_\_\_.

**Acknowledgment of Notice**

- I have been notified and that I hereby understood, consented and agreed per UTAR above notice.
- I disagree, my personal data will not be processed.

Lahveenya

Name: Lahveenya Panchalingam

Date: 15.12.2023

## Appendix F: Dr Siti Fazilah Binti Abdul Shukor PDPA Consent Form

### **PERSONAL DATA PROTECTION NOTICE**

Please be informed that in accordance with Personal Data Protection Act 2010 ("PDPA") which came into force on 15 November 2013, Universiti Tunku Abdul Rahman ("UTAR") is hereby bound to make notice and require consent in relation to collection, recording, storage, usage and retention of personal information.

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  - f) Employment History
  - g) Medical History
  - h) Blood type
  - i) Race
  - j) Religion
  - k) Photo
  - l) Personal Information and Associated Research Data
2. The purposes for which your personal data may be used are inclusive but not limited to:
  - a) For assessment of any application to UTAR
  - b) For processing any benefits and services
  - c) For communication purposes
  - d) For advertorial and news
  - e) For general administration and record purposes
  - f) For enhancing the value of education
  - g) For educational and related purposes consequential to UTAR
  - h) For replying any responds to complaints and enquiries
  - i) For the purpose of our corporate governance
  - j) For the purposes of conducting research/ collaboration
3. Your personal data may be transferred and/or disclosed to third party and/or UTAR collaborative partners including but not limited to the respective and appointed outsourcing agents for purpose of fulfilling our obligations to you in respect of the purposes and all such other purposes that are related to the purposes and also in providing integrated services, maintaining and storing records. Your data may be shared when required by laws and when disclosure is necessary to comply with applicable laws.
4. Any personal information retained by UTAR shall be destroyed and/or deleted in accordance with our retention policy applicable for us in the event such information is no longer required.

5. UTAR is committed in ensuring the confidentiality, protection, security and accuracy of your personal information made available to us and it has been our ongoing strict policy to ensure that your personal information is accurate, complete, not misleading and updated. UTAR would also ensure that your personal data shall not be used for political and commercial purposes.

**Consent:**

6. By submitting or providing your personal data to UTAR, you had consented and agreed for your personal data to be used in accordance to the terms and conditions in the Notice and our relevant policy.
7. If you do not consent or subsequently withdraw your consent to the processing and disclosure of your personal data, UTAR will not be able to fulfill our obligations or to contact you or to assist you in respect of the purposes and/or for any other purposes related to the purpose.
8. You may access and update your personal data by writing to us at\_\_\_\_\_.

**Acknowledgment of Notice**

- I have been notified and that I hereby understood, consented and agreed per UTAR above notice.
- I disagree, my personal data will not be processed.



.....  
Name: Siti Fazilah Abdul Shukor  
Date: 11/12/2023