

## Ezra MacLeod Towne

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### **Testimony Favorable to HB1204: County Boards and Public and Nonpublic Prekindergarten Programs and Schools – Discrimination – Prohibition (The Inclusive Schools Act)**

February 25, 2020

Delegate Kaiser, Chair; Delegate Washington, Vice Chair; and esteemed members of the Ways and Means Committee:

My name is Ezra Towne, and my pronouns are they/them/theirs. I am a parent of two children (ages 7 and 12) who attend Montgomery County Public Schools [MCPS], and am also a nonbinary transmasculine person. **I submit this testimony today in favor of HB1204: County Boards and Public and Nonpublic Prekindergarten Programs and Schools – Discrimination – Prohibition (The Inclusive Schools Act).**

I am pleased to have the opportunity to review this critical piece of legislation and to submit written testimony in support of it – though shocked to learn that Maryland does not currently have legally codified protection against discrimination on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation and gender identity in our schools. This is simply unacceptable.

Maryland needs this bill – while it is commonly understood that discrimination against members of the above categories is prohibited via federal law, federal legislation does not specifically extend legal protections for discrimination on the basis of sexual orientation and gender identity. HB1204 would set Maryland above the bar and give anti-discrimination protections to another segment of our most vulnerable students, whose safety and educational enrichment are all of our responsibility.

At present, the Maryland State Department of Education has “guidelines” for protecting LGBTQ students from discrimination. Guidelines are not enough – they are left to the individual schools and their districts to enforce. Sadly, not all of the schools do. MCPS has even stronger guidelines that protect LGBTQ students – but even here they are not fully enforced.

Here is just one example of the limitations of school guidelines at MCPS.

A neighbor of mine, whose son has long hair, was bullied and accused of being effeminate, gay, and/or trans. His bullies were not making comments in passing, but intentionally and repeatedly shaming and dehumanizing my neighbor’s son. His mother even took off from work and kept him home from school periodically because of the bullying. When I learned this was happening, I informed her that MCPS’s gender identity guidelines granted protections for her son, and guided her through filing a complaint with his elementary school. She filed one bullying form

after another, and eventually gave up. The school administration claimed not to find any evidence of bullying. The principal said “boys will be boys” more than once in response to her complaints. This parent followed all of the appropriate channels for MCPS, and the problem was left unresolved.

If the protections that are codified in HB1204 were already in place, my neighbor would have had a clear process to file a complaint beyond MCPS. Instead, she enrolled him in Catholic School, where the same thing occurred. Both her son’s public elementary school, and the Catholic school she moved him to, could have been held accountable in this case and required to address problems like this one.

Discrimination against LGBTQ students in schools is well documented. For example, a 2017 Schools Climate Survey of from GLSEN shows the following about LGBTQ student experiences in Maryland:<sup>(1)</sup>

- 66% of students experienced verbal harassment due to sexual orientation, 24% experienced physical harassment, 10% experienced physical assault.
- 56% experienced verbal harassment due to gender expression, 23% experienced physical harassment, and 8% experienced physical assault.
- 52% experienced verbal harassment due to gender, 21% experienced physical harassment, and 8% experienced physical assault.
- Only 29% of students who reported incidents said it resulted in effective staff intervention.
- Fewer than 1 in 5 (18%) attended a school with a comprehensive anti-bullying/harassment policy that included specific protections based on sexual orientation and gender identity/expression.
- Fewer than 1 in 5 (17%) had a policy or official guidelines to support transgender or gender nonconforming (trans/GNC) students.

This bill will make it clear that discrimination against LGBTQ students will not slide idly by – and provides a clear path of reconciliation and enforcement for students, staff, and administration when needed. The bill simply codifies existing MSDE guidelines, and gives students and parents the ability to seek a resolution via the legal process when schools fail to support their LGBTQ kids.

**I urge the Ways and Means committee to file a favorable report for HB1204: County Boards and Public and Nonpublic Prekindergarten Programs and Schools – Discrimination – Prohibition (The Inclusive Schools Act).**

Sincerely,



Ezra Towne

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<sup>(1)</sup> GLSEN, “2017 National School Climate Survey: Maryland Snapshot,” [https://www.glsen.org/sites/default/files/2019-11/Maryland\\_Snapshot\\_2017\\_1.pdf](https://www.glsen.org/sites/default/files/2019-11/Maryland_Snapshot_2017_1.pdf)