



**SB887 PRIMARY AND SECONDARY EDUCATION - TITLE IX - POLICIES AND PROCEDURES (HEAR OUR VOICES ACT OF 2022)**

March 2, 2022

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

**LETTER OF INFORMATION**

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Anne Arundel County Public Schools (AACPS) is submitting a letter of information on **SB887 Primary and Secondary Education - Title IX - Policies and Procedures (Hear Our Voices Act of 2022)**. This bill requires the State Board of Education, by March 31, 2023, to develop policies and procedures for reporting, administering, investigating, and resolving complaints related to incidents of sexual misconduct and violations of Title IX of the Education Amendments of 1972. It also authorizes a person to bring a civil action against a local system that fails to comply with certain policies and procedures and to recover damages, reasonable costs, and attorney's fees.

The proposed legislation is unnecessary as it seeks to duplicate much of what is already required by the federal Title IX law. The bill also includes a reporting mandate as well as a provision that permits an individual to bring a civil action against a local school system for “failure to comply with the policies and procedures developed under this section.” The U.S. Department of Education, in its review of cases filed pursuant to the Title IX law, already has the authority enter a finding against a local school system for failure to comply with regulations. Families/individuals are not prohibited from filing lawsuits pursuant to the federal law and many have done so as there is a plethora of case law forming the basis of the definitions of sexual harassment, sexual discrimination and sexual violence in education. It is unnecessary for the law to specifically state that civil actions can be brought for violations of the law, as this already widely understood and covered by the existing Title IX law.

Thank you for consideration of this information regarding SB887.