

Testimony of Delegate Jazz Lewis
Regarding Primary and Secondary Education – IX – Policies and Procedures
(Hear Our Voices Act of 2022)
Before the Ways and Means Committee

To Chair Atterbeary, Vice Chair Washington, and members of the Ways and Means Committee:

I am in strong support of HB472. The Hear Our Voices Act requires the State Board of Education 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 by March 31, 2023. It also authorizes a person to bring a civil action against a local school system that fails to comply with certain policies and procedures and to recover damages, reasonable costs, and attorney's fees. These policies and procedures would require the Department of Education to develop a database for administrators to upload sexual misconduct claims.

This bill would also require a public school to notify the parent or a guardian of a student who files a sexual misconduct complaint and collect that data in a yearly report to the Board of Education. All students, faculty, and staff would also be notified of who serves as the Title IX coordinator for the school and how to file a sexual misconduct complaint.

The U.S. Department of Education released a data collection of sexual violence in K-12 Schools in October 2020.¹ This data showed a disturbing trend for Maryland. Between the 2015-16 and the 2017-18 school year we rose from the 6th highest-ranking state for sexual assault to the 4th. And from the 4th highest-ranking state for rape or attempted rape to the 1st.

Our schools should be known for its high-ranking academics and extracurricular activities, not high-ranking sexual assault, and rape. We must do more to protect our children. The way we are handling these claims are a great disservice to our students.

In a study done in 2017, participants across five K-12 schools districts gave these recommendations to address the challenges of current Title IX elements:²

1. Have clear, written policies, especially around technology and social media use, and provide guidelines for appropriate behaviors.
2. Be proactive in reporting suspicious behavior, encourage accountability, and improve district leadership.
3. Offer annual, in-person staff, student, and parent trainings and include real-world examples.
4. Have clear guidance for reporting and encourage staff, students, and parents to make reports.
5. Proactively develop collaborative relationships with criminal justice and child welfare and consider the use of school safety officers on school campuses.

¹ <https://www2.ed.gov/about/offices/list/ocr/docs/sexual-violence.pdf>

² <https://www.ojp.gov/pdffiles1/nij/grants/252484.pdf>

6. Provide support to staff, parents, and students; develop protocols for proper responses to an incident; and establish accountability measures.

These policies and procedures would change the culture of our schools. A database of sexual misconduct complaints would allow us to pinpoint where we are failing so that we may protect our students proactively. It's time we take more systemic and active measures to protect our students from sexual assault and hold accountable those who perpetuate this violence. With the Hear Our Voices Act, we are doing just that.

For these reasons, I urge members of this committee to give a favorable report.