

Stop Abuse For Everyone urges you to oppose House Bill 472 - Primary and Secondary Education - Title IX - Policies and Procedures.

HB472 is an unnecessary bill that will only cause confusion for Maryland's primary and secondary institutions of education.

HB472's attempt to put the State Board in control of the policies and procedures used by Maryland's primary and secondary institutions of education to address incidents of sexual misconduct will put Maryland's schools in conflict with federal law.

All of Maryland's primary and secondary schools receiving federal financial assistance must comply with the U.S. Department of Education's current Title IX regulations. These regulations protect the interests of all parties involved in incidents of sexual misconduct. The Title IX regulations clearly require the designation of a Title IX Coordinator and the schools to notify students, faculty and staff of the name, office address, electronic mail address and phone number of that person. The Title IX regulations also require each school to prominently display the Title IX Coordinator's contact information and how to file a sexual misconduct complaint.

The creation of a statewide database for administrators to upload sexual misconduct *complaints* of allegations that have not been properly investigated nor adjudicated is troubling. Maryland's schools currently must comply with the Title IX regulation's strict record keeping requirements regarding each sexual harassment investigation and their response to formal complaints.

The Title IX regulations provide an "exercise of rights by parents or guardians" which states, "nothing in this part may be read in derogation of any legal right of a parent or guardian to act on behalf of a "complainant," "respondent," "party," or other individual ... including but not limited to filing a formal complaint."

Any individual who believes a Maryland school or local school system has failed to comply with the Title IX regulations may file an OCR complaint with the U.S. Department of Education's Office for Civil Rights. Individuals may also choose to file litigation against institutions of education. Legislation that encourages civil action against Maryland's local school systems should be avoided.

HB472 is misguided legislation that is preempted by the federal Title IX law and should be opposed.

Respectfully,

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Stop Abuse For Everyone (SAFE) is a non-profit human rights agency recognizing the importance of ensuring that all populations, including the underserved, are protected against injustice.