

Dear Senate Education, Energy and the Environment committee,

I am unable to attend the upcoming March 22 hearing on HB16, so I am emailing you directly.

HB16, Hear Our Voices Act, has recently been referred to the Senate Education, Energy, and the Environment committee. This bill has a critical flaw and we ask that you either amend the language of the bill, or reject the current version.

HB16 mandates each Maryland public school, "shall provide information to students, faculty, staff and parents regarding (3) the support measures that are in place **for an individual who files a sexual misconduct complaint** and how to access the support measures."

The requirement to only provide information regarding support measures to an individual who files a sexual misconduct complaint is a problem since it is a failure of the Title IX regulations which state that BOTH the accuser (complainant) and alleged accused student (respondent) must be given supportive measures.

- 34 CFR 106.30(a) "Supportive measures": Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge **to the complainant or the respondent** before or after the filing of a formal complaint or where no formal complaint has been filed.

Until there has been an adjudication, both the individual who filed the sexual misconduct complaint and the student alleged to have conducted the sexual misconduct are students at the school. To only give information to the individual who files the sexual misconduct complaint denies the respondent student his/her due process and equal protection rights, and puts the school out of compliance with the federal Title IX regulations.

Please amend the language of the bill, or reject the current version of HB16.

Respectfully submitted,

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*Stop Abuse For Everyone (SAFE) is a Section 501(c)(3) nonprofit organization. We develop programs and disseminate educational materials, provide access to resources and best practices, foster public awareness, and promote an inclusive process to recognize all forms of abuse and all victims of abuse, including under-served victim populations.*