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**TO:** The Honorable Vanessa Atterbear  
Chair, Ways and Means Committee

**FROM:** Hannibal G. Williams II Kemerer  
Chief Counsel, Legislative Affairs, Office of the Attorney General

**RE:** HB 0016 – Primary and Secondary Education – Title IX – Notice (Hear Our  
Voices Act) – Support

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The Office of Attorney General (the “OAG”) urges this Committee to favorably report House Bill 16. This legislation, sponsored by Del. Jazz Lewis would require public schools to provide Title IX information to students, faculty, staff, and parents. This information includes the Title IX Coordinator for the school, the process for filing a complaint, and how to access support measures for filing a complaint.

Under current law, any public school that receives federal financial assistance is subject to the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), prohibiting discrimination on the basis of sex.<sup>1</sup> Regulations implementing Title IX require each school to notify students, parents or legal guardians, and employees of the school’s policy not to discriminate on the basis of sex,<sup>2</sup> the contact information for the school’s Title IX Coordinator,<sup>3</sup> and the school’s process for filing and responding to complaints.<sup>4</sup> While a Title IX Coordinator must inform and make available supportive measures to any complainant once notified of sexual harassment,<sup>5</sup> it is not required for schools to disseminate such information prior to notification to the Title IX Coordinator.

The U.S. Department of Education Office of Civil Rights has identified wide publication of a school’s policies, grievance procedures, and help available to complainants as a best practice

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<sup>1</sup> See 20 U.S.C. §§ 1681(a), (c).

<sup>2</sup> 34 C.F.R. § 106.8(b).

<sup>3</sup> 34 C.F.R. § 106.8(a).

<sup>4</sup> 34 C.F.R. § 106.8(c).

<sup>5</sup> 34 C.F.R. § 106.44(a).

in preventing sexual harassment in schools.<sup>6</sup> This bill would ensure all necessary information is widely distributed throughout the school community, as well as create an affirmative duty for schools to notify students, parents or guardians, and employees that supportive measures are available to them.

For the foregoing reasons, the Office of the Attorney General urges a favorable report on House Bill 16.

cc: Members of the Ways and Means Committee

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<sup>6</sup> See U.S. DEP'T OF EDUC., *Sexual Harassment: It's Not Academic* (Sep. 2008), [https://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.html#\\_t3h](https://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.html#_t3h).