
BILL NO: House Bill 16
TITLE: Primary and Secondary Education – Title IX – Policies and Procedures
(Hear Our Voices Act of 2023)
COMMITTEE: Ways and Means
HEARING DATE: January 24, 2023
POSITION: **SUPPORT**

House Bill 16 requires the State Board of Education to develop a uniform policy for schools to follow when investigating and resolving Title IX complaints related to incidents of sexual misconduct. The policy would include a statewide database of complaints and would require schools to notify faculty and students of who their Title IX coordinator is and how to file a misconduct complaint. As a leading advocate for the physical safety, economic security, and bodily autonomy for women – as well as a legal services provider for victims of intimate partner violence – the Women’s Law Center of Maryland supports this legislation.

Unlike colleges, primary and secondary schools are not required to report sexual assault statistics, but available data show that sexual assault is a serious issue faced by middle and high school students, and the rate of incidents has been increasing dramatically in recent years. According to U.S. Department of Justice statistics, nearly 20% of girls ages 14 to 17 were sexually victimized.¹ In 2012, the Centers for Disease Control and Prevention (CDC) found that nearly 30 percent of female rape victims were first raped between the ages of 11 and 17.² And the U.S. Department of Education found a fifty percent increase in the number of reports of sexual violence at schools in the 2017-2018 school year compared to the two years prior³.

HB 16 would provide clarity for students and school administrators in sexual misconduct cases. Confusion over Title IX procedures jeopardizes students’ future and wellbeing. Schools have obligations under Title IX to stop sex discrimination, including sexual harassment and sexual violence, and to have grievance procedures that provide for a prompt and equitable resolution when incidents occur. However, without clear guidance in place, schools often treat serious sexual assaults as mere “bullying” incidents, abrogate their responsibility to investigate to local law enforcement, or implement disciplinary action against survivors for engaging in sexual conduct on campus. Without Title IX protections, student survivors are more likely to suffer mental harm, be truant, or fail classes.

Enacting these policies will help keep schools in compliance with the law and help improve the response to survivors. As such, the WLC urges a favorable report on HB 16. The WLC recognizes that there are friendly amendments proposed regarding notification requirements and the WLC would support those as well.

The Women’s Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.

¹ See U.S. News & World Report, “High Schools and Middle Schools Are Failing Victims of Sexual Assault,” March 5, 2015, <http://www.usnews.com/news/articles/2015/03/05/high-schools-and-middle-schools-are-failing-victims-of-sexual-assault>

² “Sexual Violence,” Facts at a Glance, Centers for Disease Control and Prevention, 2012, <http://www.cdc.gov/violenceprevention/pdf/sv-datasheet-a.pdf>.

³ Washington Post, “Sexual assault reports sharply increased at K-12 schools, numbering nearly 15,000, Education Department data shows”, October 15, 2020, <https://www.washingtonpost.com/education/2020/10/15/sexual-assault-k-12-schools/>