

**From:** Gregory Zenion  
**Sent:** Thu, 10 Jun 2021 18:02:07 -0400  
**To:** T9PublicHearing  
**Subject:** Written Comment: Title IX Public Hearing

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

**Comments to U.S. Department of Education, Public Hearing  
Title IX  
June 10, 2021**

Good afternoon. My name is Gregory Zenion, and I am the principal of Chariho Middle School in Wood River Junction, Rhode Island. I appreciate the opportunity to speak before you as the U.S. Department of Education reviews its regulations under Title IX of the Education Amendments of 1972.

I join the National Association of Secondary School Principals and others in asking ED to immediately rescind the 2020 amendments to the Title IX regulations and replace them with nonbinding guidance for K-12 schools, technical assistance, and best practices to ensure the fair, prompt, and equitable resolution of reports of sexual harassment and other sex discrimination. The 2020 amendments are unworkable and harmful.

During the summer of 2020, I was provided with a 2-hour training from my District's attorney on the 2020 amendments to Title IX. Although it was a good overview of the changes it was not enough. I have had two Title IX investigations in my middle school of about 1,000 students this year. Both cases ended with informal resolutions but the first one required over 30 hours of staff time and the second one required over 20 hours. Public schools do not have the personal in place to conduct these kinds of investigations.

Our experience with the 2020 amendments is that we are unable to swiftly remove students from harmful educational environments because of paperwork, evidence and notice requirements in the regulation. In the past, we relied on previous federal Title IX guidance to develop and solidify procedures to ensure that all Title IX complaints were addressed in an efficient fashion that offered fair

protections for both the accuser and the accused. However, the new multi-layered process is an overwhelming undertaking for staff and can take 80-90 days to complete. There is also a striking difference in how school leaders can discipline students for incidents of sexual harassment versus any other school infractions, which has infuriated parents, led to further traumatization of students, and greatly frustrated our staff who want to effectively address potential Title IX violations quickly.

We are also frustrated by the staffing required to conduct an investigation of sexual harassment. In addition to having a Title IX coordinator in each school building, there are various roles that must be assigned to other trained personnel on a case by case basis who are all free of “bias” towards or against victims and accused students. While the provision requiring neutrality with respect to the process generally is quite appropriate, mandating that every individual tasked with responsibility in a Title IX case be unbiased, and therefore viewed by *parents as neutral* with respect to the individual complainant and respondent in every case, may not be practical in many smaller or more rural K-12 schools. Any individual likely tasked with the responsibility either of conducting an investigation or rendering a decision, either at the initial stage or appellate stage, will be someone who has experience and/or prior responsibility in a building where they connect with the students involved.

Thank you for the opportunity to provide comments to ED on this very important issue.