

From: Jordan Zabel
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Attachments: Title IX.docx

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Attached is my submission for changes and updates to Title IX.
Thanks!

Jordan Zabel
Sexual Assault Campus Advocate
Pronouns: he/him/his

"Unless someone like you cares a whole awful lot, nothing is going to get better. It's not." - The Lorax



318 21st Avenue East
Superior, WI 54880
715-392-3136 (phone)
715-392-8463 (fax)
715-969-4382 (Cell)

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Hello everyone,

My name is Jordan and I am the Sexual Assault Campus Advocate for the University of Wisconsin-Superior and Wisconsin Indianhead Technical College in Superior WI. My employer is the non-profit Center Against Sexual and Domestic Abuse, also in Superior. The last Administration damaged Title IX, DeVos's changes to the Title IX rule only further sweep sexual harassment under the rug by requiring schools to ignore many reports of sexual harassment and to use uniquely burdensome procedures for sexual harassment that aren't required for any other type of student or staff misconduct, like non-sexual assault. The DeVos rule discourages students from reporting sexual assault and other forms of sexual harassment, creating an environment based in fear, not support. When schools fail to respond effectively, the impact of sexual harassment and assault can be devastating. Many students won't speak up about sexual harassment or assault at all if they don't believe their school will do anything to help. DeVos's changes were challenged by 18 states, numerous advocacy agencies, student survivors, teachers, principals, mental health professionals and many more.

So what can the Biden-Harris Administration do to help?

Prior to DeVos, the Department's longstanding guidance led to greater and more meaningful action by institutions to address sex-based harassment and support victims, an increase in reporting by victims to their schools and the Department, and greater accountability when institutions failed to comply with Title IX. However, much remains to be done to protect students who are sexually harassed, as too many experience it with little protection. To effectuate Title IX's purpose as a broad remedial statute, the Department must reinstate its decades-old view and explain that sex-based harassment includes sexual harassment, dating violence, domestic violence, and sex-based stalking and harassment based on sexual orientation, gender identity, gender expression, parental status, pregnancy, childbirth, termination of pregnancy, or related conditions and define sexual harassment as unwelcome sexual conduct. The Administration can also implement robust protections for survivors against their abuser or any form of retaliation. Title IX prohibits retaliation against those who complain of sex discrimination. Yet student survivors, especially survivors of color, students with disabilities, and LGBTQ survivors, continue to face punishment when they turn to their schools for help. Some are disciplined for rule-breaking that they must divulge in order to report. Others are punished for sexual contact on school grounds, even when this contact included their own sexual assaults. Student survivors, primarily those in higher education, have also increasingly faced retaliation from their assailants, who file baseless cross-complaints in an effort to dissuade and punish victims.

Lastly Title IX should require all Title IX coordinators to become Trauma informed as to not re-trigger any survivor of sexual violence.