

**From:** Voices Of TBLS  
**Sent:** Fri, 11 Jun 2021 16:42:01 -0400  
**To:** T9PublicHearing  
**Subject:** Written Comment: Title IX Public Hearing (Strides for Survivor Justice)

**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.**

This message is sent on behalf of the  
**Strides for Survivor Justice (SSJ),**  
a New York City-based  
Coalition of High School Survivors & Allies.

New York City is the largest public school system in the United States. There are many issues with this system: NYC has high rates of poverty, houselessness, and mental health issues. Under these conditions, sexual assault and discrimination against non-men aligning people is commonplace. Often, there are no repercussions and very little accountability when civil rights under Title IX are violated. We are writing to the Department of Education Office of Civil Rights to address the need for Title IX reform, especially in regards to K-12 schools.

Below we have highlighted several areas where we feel Title IX change is crucial. Keep in mind that this is not an exhaustive list of changes that are needed. Quite frankly a massive overhaul in policy implementation needs to occur in regards to gender discrimination, especially for children. Some areas we discuss below include transparency, enforcement of Title IX, accurate data regarding Title IX cases, mandatory reporting and the role of a Title IX coordinator.

### Transparency

One objective we want to emphasize is transparency. We believe any protocols and changes made from this week of comments will be made clear and comprehensive to the public. Transparency includes updates on investigations with regards to mismanagement of current and past cases. Survivors deserve clarity on the harm done against them. Privacy is necessary and critical in these situations. However, it has become a barrier for justice for survivors where it is easy to prevent accountability from occurring. Many administrations who handle these cases often indicate

the case has been 'handled.' However, nothing changes. Time and time again, the perpetrator of harm has no real perceived change of behavior while the person harmed endures bullying and harassment. The harm further deteriorates mental health and exacerbates trauma from the assault. Both transparency and discretion should be performed appropriately in these matters.

## Enforcement of Title IX and Destigmatization of Conversations about Sexual Assault in K-12 schools

### Students

in K-12 schools have notoriously been left out of discussions about Title IX. The Title IX system in schools in New York City faces very little scrutiny or attention, even as they continuously fail us and our peers. We need the Department of Education to create a policy for enforcement of Title IX in schools. The Department must make an effort to:

- Connect with students and explore the successes and failures of their school system, in terms of Title IX and resources;
- Allocate funding to make sure that every school can build a comprehensive Title IX system, with a Title IX coordinator hired for the sole purpose of fulfilling that position and with resources that are accessible;
- Receive tri-monthly reports from schools about the status of their Title IX system and the number of complaints received; and
- Work with administrators, teachers, and student governments, and/or student representatives to make sure Title IX systems are adequate and serving everyone.

It

is on all of us to destigmatize conversations about sexual violence in our communities. However, the Department of Education needs to do more to facilitate these discussions and keep the pressure on administrators to foster a safe environment-- one that does not contribute to rape culture. The pervasiveness of homophobia, transphobia, misogyny, racism, ableism, and religious discrimination should not be tolerated in the halls and classrooms of any school, because they evolve into violence.

### Accurate Statistics of Title IX cases

One of the many issues with Title IX is that cases are often underreported. This occurs for multiple reasons, including a student being too ashamed to report an incident or the administrators not taking cases seriously. This underreporting prevents an accurate account and therefore results in an inaccurate scope of the whole issue. We not only lack understanding on how often it occurs, but we also lack information on who is being affected by this issue. Basic demographic information is key because different groups with different marginalized identities have different needs. Accurate statistics can also help us track the issue over a long period to determine whether interventions implemented are effective at reducing the issue.

Not collecting statistics on this issue does not make the problem go away, but rather adds more silence. We understand this was a common talking point by the previous administration, but we all know that it does not work. When statistics on the issue are collected, they should not affect the ranking of the school for two reasons: it incentivizes administrations not to report and it denies the epidemic of gender-based violence, which is an issue that occurs everywhere regardless of statistics, and Title IX is at least supposed to alleviate it. However, it has not been doing this as there have been inconsistencies at the K-12 level.

### Mandated support vs Mandated reporting

Mandatory reporting is a specific policy that is meant to protect children from multiple types of abuse. However, mandatory reporting has been known to perpetuate harm. Mandatory reporters callously report the abuse of children that place victims in a very vulnerable

place. We believe that in place of mandatory reporting, a system of care and support should be practiced. Connecting survivors to counseling and resources, free of charge, should be a priority. Listening to and centering survivors' needs should be the priority, not bureaucracy. Taking choice out of the hands of someone who has had consent ripped from them will never lead to a path of healing.

The role of Title IX  
coordinator

The role of a Title IX coordinator is critical and cannot be carelessly appointed. Usually, the role of this liaison is given to someone who occupies another position in the school. It deprioritizes survivors. The coordinator is unable to dedicate time and care to survivors and the general enforcement of Title

IX. The Department of Education must tighten the credentials of the Title IX coordinator by requiring a person to fulfill only this role and having this person be trained specifically in trauma, counseling, and dealing with youth.

Lastly, we want to emphasize the importance of having youth voices in conversations around Title IX. Discussions around Title IX are not accessible to K-12 students. However, K-12 students are one of the most impacted groups. Many youths across the country are unhappy with how Title IX is upheld and how sexual assault cases are handled as a whole. It is clear administrators in schools across the country are ill-equipped to handle this trauma. They tend to perpetuate further harm to survivors. The Department of Education must make changes to its enforcement of Title IX because the current system is not working.

Please view the following accounts on Instagram to see more youth perspectives on sexual harassment, assault, and Title IX policy in NYC high schools: @voicesoftbls @shareyourstorymurrow

Thank you for your time.