

From: Alison Lamagna
Sent: Fri, 11 Jun 2021 13:54:14 +0000
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (pervasive stories of harassment and recommendations)

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To the U.S. Department of Education's Office for Civil Rights (OCR):

Vermont Works for Women is a 501c3 organization located in Winooski, Vermont. Our mission is to help women and girls recognize their potential and explore, pursue and excel in work that leads to economic independence. We are grateful for this opportunity to provide comments on how to improve enforcement of Title IX of the Education Amendments of 1972.

Founded in 1987, VWW engages women, girls, and gender non-conforming individuals in innovative career readiness and exposure programs that use hands-on learning, encouragement, and skills training to overcome barriers, build confidence, and help them prepare for meaningful employment.

Our work involves close partnerships with elementary, middle, secondary, and post-secondary educational institutions across many counties in Vermont, as well as career and technical education centers (CTE). We offer camps, afterschool programs, personal and professional skills development, empowerment, and career exploration in safe, inclusive, welcoming spaces for girls and gender non-conforming youth. We also provide trainings to high school students and educators on gender bias, creating gender-affirming spaces and welcoming learning environments for all students, and sexual harassment and everyday sexism. Through our work with students, teachers, career counselors, and others at schools and tech centers, we are firsthand witnesses to the stories and experiences shared by girls and women of perpetuated sexual harassment in our schools and learning communities.

This past November, we were invited to facilitate a sexual harassment workshop with high school females enrolled in a health careers program at a local tech center. The school invited us after the program teacher heard multiple disclosures of sexual harassment and assault from the students, most of which occurred at school. Reports included instances like male students touching female students inappropriately in the library, reaching up their skirts while they took a drink from the water fountain or under the table in science class, LGBTQ+ students being taunted and bullied, antiquated school dress code policies that disproportionately impact female students, including requiring female student athletes to wear skirts or dresses on game days, and more. One student said she quit sports because she didn't want to dress up on game days knowing that boys in the school took liberties to try to touch girls who were wearing skirts. All students also shared feeling a lack of clarity, or that there are not very many options, around which school staff students can approach when they feel uncomfortable or have a sexual harassment or sexual assault incident to report.

Recently, there have been several news stories about similar and pervasive sexual harassment in schools across Vermont. At the University of Vermont, students staged a walkout and march on

May 3, 2021 after a student made a social media post indicating the lack of support she received when she reported a sexual assault on campus. “At this point, survivors and allies feel that the structures in place for dealing with sexual assault are completely inadequate,” said Cobalt Tolbert of the UVM Union of Students (WCAX3).

More social media posts surfaced in East Montpelier in June 2021 from a former student of U32 High School who shared that she was assaulted by a male student while she was a student at the school and didn’t feel comfortable reporting it until after she had graduated. In her social media post, she states, “The Title IX process is flawed and is currently protecting so many abusers.” She further implies that the school district dismissed the harassment claim, due to the timing of when she made the report, which was after she left the school, even though the perpetrator is still a student at the school.

On June 9, 2021, The Seven Days newspaper reported that current and former students protested outside of Rice Memorial High School in South Burlington in response to the way the school has handled sexual harassment and assault reports. “They said administrators mishandled and downplayed their reports and, in at least one case, assigned a student to the same classroom as the young man she had reported as assaulting her.”

A common thread in all of the stories we have heard is a lack of action by school officials and administrators, and a lack of consequences for perpetrators, where the system has failed the victims. This leaves survivors feeling like their voices have not been heard and they are not believed, and perpetuates the culture of sexual harassment in our schools. Furthermore, according to Change The Story Vermont’s 2019 Women, Work and Wages Report, only slightly more than one-third of 18–25-year-olds report having had a conversation with a parent or guardian about what sexual harassment is, or what they should do if they experience it. Most surveyed had not had these conversations in schools either.

In addition to reports we have heard firsthand and in the local news, we would also like to express our deep concern over Vermont’s most recent (2019) Youth Risk Behavior Survey results. In middle and high school, female students, LGBTQ+ students, and students of color are all significantly more likely to experience unwanted sexual contact. In high school, these numbers can be as much as three times more than their peer counterparts: 28% of girls compared to 8% of boys; 38% of LGBTQ+ youth compared to 14% of heterosexual and cisgender youth; and 20% of youth of color compared to 17% of white, non-Hispanic youth. In high school, these same vulnerable populations are also significantly more likely to experience intimate relationship emotional abuse and physical violence.

All students deserve a safe school environment in which to learn and thrive. Forty-nine years after the Title IX of the Education Amendments of 1972, our students are still struggling for the right to educational environments free from discrimination in the form of sexual harassment, which encompasses sexual assault and other forms of sexual violence, as well as harassment based on gender identity or sexual orientation. With our 30+ years of expertise helping schools in Vermont create safe, inclusive environments free from gender bias, discrimination and harassment, and based on what we have recently heard firsthand and in our local news, Vermont Works for Women recommends that:

- All schools be required to educate their students annually on what the grievance procedures are, including how long they have to make a report, where and when to make a report, to whom, and how. Schools should also provide transparent

information to students on what to expect from school officials after making a report, including possible investigations into claims, disciplinary actions the school is able to take, and a timeline in which the school must respond.

- Schools must ensure that they provide for the fair, prompt, and equitable resolution of reports of sexual harassment and other sex discrimination, *including always starting from a place of believing victims.*
- All educators, school personnel and CTE staff be required to participate in sexual harassment training annually. Harassment training should further include information on unique experiences based on gender identity and sexual orientation, as well as how to respond to these incidents.
- All middle and high school students be required to participate in sexual harassment training annually. Harassment training should further include information on unique experiences based on gender identity and sexual orientation.
- Require all high schools to regularly audit school policies, customs, and traditions, and abolish anything that disproportionately targets and negatively impacts girls, female-identifying students, and gender non-conforming students, such as dressing up in advance of sports games and certain dress codes.

Thank you for your consideration of our written comments. If you wish to speak with us further, you may contact Alison Lamagna, Director of Programs & Gender Equity at alamagna@vtworksforwomen.org or (802) 655-8900 x104.

Alison Lamagna
Director of Programs & Gender Equity
Vermont Works for Women
(802) 655-8900, ext. 104
Pronouns: she/her/hers

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