



HB 3077: K-12 Sexual Harassment Policy Reform

Letter of Support | February 25, 2019

To Chair Williamson, Vice-Chairs Gorsek and Sprenger, and the members of the House Committee on Judiciary:

My name is Dana Smiley, and I am a junior at Lincoln High School in Portland, Oregon. I am also a member of Oregon Student Voice (OSV), a student-led organization that empowers students to be authentic partners with K-12 decision makers. I am writing on behalf of OSV in support of House Bill 3077. This bill modifies processes relating to reporting, investigating, and appealing findings related to sexual harassment in schools in order to better support survivors. A safe school environment is crucial for student engagement and success, yet the prevalence of sexual assault is a barrier to such safe environments. In the following, I share how this bill would positively impact myself and my peers.

This bill will vastly improve the processes of reporting, investigating and sharing findings related to sexual harassment in schools by expanding the definition of sexual harassment to include physical, verbal, or nonverbal contact that interferes with a student's educational performance or activities, clarifying the process for reporting sexual harassment, and guaranteeing resources are allocated to students who report experiencing sexual harassment. Additionally, this bill protects staff members who report sexual harassment in the same way that it protects student victims. The jurisdiction for investigations is expanded beyond school bounds and school-sponsored events, so long as the harassment is causing a hostile environment for a student at school or a school-sponsored event. Finally, this bill would provide amnesty from the school district's drug and alcohol policies for students who experience sexual harassment or participate in the investigation as long as the drug and or alcohol consumption occurred in accordance with the harassment.

Students face sexual harassment at alarming rates, and K-12 schools are not fully protecting these students. According to one study, one in four middle school students report experiencing sexual harassment while at school (Bidwell, 2014). Additionally, research conducted by the American Association of University Women (AAUW, 2002) on 2064 students in 8th through 11th grade found that 81% experience some form of sexual harassment during their school lives. While these statistics are alarming, the student's personal experiences are just as frightening. Students who experience sexual assault are often deterred from reporting the incident when drugs or alcohol are involved. As a result, students face the same punishment as their abusers due to the involvement of these substances despite it being a non-violent offense.

Oregon Student Voice created an anonymous google form for Oregon students to share their own experiences. We received 9 stories, each vastly different, yet connected through common themes of fear, uncertainty, and lingering paranoia. Nearly all involved a lack of involvement from school officials or law enforcement. This is likely because reporting and investigation processes are often not communicated to students, preventing them from knowing how to report incidents of harassment. In

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2015-2016, 79 percent of public schools with grades 7-12 reported zero incidents of sexual harassment. This number does not square with the findings of an American Association of University Women study, which found that nearly half of students grades 7-12 had experienced some form of sexual harassment. This discrepancy reveals that students are unfamiliar with or otherwise not utilizing the reporting processes in their school, resulting in severe underreporting. If harassment is reported, students tend to be unfamiliar with the investigation and punishment processes, creating uncertainty regarding the next steps. HB 3077 remedies this by mandating that the reporting and investigating processes are clearly posted in the school building and online, while also providing resources to victims to create a non-hostile learning environment during and after an investigation.

Schools have a responsibility to foster a learning environment free of intimidation and offensive behavior. When a sexual assault occurs off campus between two students of the same school, a hostile environment is inevitably created and student's performance in school and mental health are likely to be negatively impacted through this interference. Involving schools in the investigation process in off-campus incidents allows for accommodations to be made such as schedule rearrangements and other separation between the victim and the abuser.

The members of Oregon Student Voice, and myself, believe that House Bill 3077 is a vital step in improving the investigating and reporting process regarding sexual harassment. Higher education has made significant progress in improving sexual harassment reporting and investigating processes, yet little work has been done in primary or secondary education. Updating the definition of sexual harassment, requiring schools and districts to clearly post their reporting and investigating processes online and in school buildings, requiring schools to investigate off-campus incidents of sexual harassment, and providing amnesty from punishment under the school district's drug and alcohol policy to victims are all important steps in aligning K-12 and collegiate processes. This bill will considerably improve the quality of students' learning environment by providing a safe and supportive atmosphere for survivors of sexual assault. We hope that the House Committee on Judiciary approves House Bill 3077.

Thank you for your consideration,

Dana Smiley
Oregon Student Voice

Over 200 students from across Oregon have signed a petition in support of House Bill 3077. We have included their first names below.

Mei	Alex	Ryan	Halle	River	Talia	Ada
Tori	Haley	Kyler	Henry	Emma	Khadija	Lila
Marvin	Susan	Johanna	Stella	Balkhiis	Samuel	Amelia
Jessica	Aubrey	Jada	Marla	John	Angelina	Aspen
Alexa	Fadia	Sofia	Chiza	Vivian	Addison	Indy
Michelle	Chariti	Elisa	Jordan	Sophia	John	Meadow

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Megan	Jack	Hadley	Nikki	Tucker	Hudson	Rebecca
Tanya	Madisen	Alexandra	Natalie	Gavin	Kate	Maraka
Michael	Claire	Alex	Hazel	Ben	Larissa	Aliza
Nate	Christine	Brennan	Ella	Anna	Deja	Mariam
Becca	Calvin	Violet	Kennedy	Makayla	Lauren	Marianna
Mia	Nicolas	Jordan	Thomas	Camille	Sophia	Annika
Ella	Stella	Robin	Zara	Ruby	Peter	Sophia
Eliza	Natalie	Emma	Lucy	Gwen	Eleni	Axel
Serena	Kaedyn	Madeleine	Sarah	Emma	Sabine	Olivia
Dana	Skyler	Ella	Fiona	Lily	Isabella	Irie
Clara	Aminah	Sirrena	Marina	Yosha	Zhen	Jackson
Sophia	Madison	Beatrice	Matea	Roxy	Hadley	Aidan
Calla	Shekinah	Ada	Noémie	Kai	Alesandra	Emma
Gabi	Keren	Colette	Indiana	Olivia	Mekenzi	Chris
Emily	Frances	Gabrielle	Citlaly	Kira	Hanneke	Sophia
Emily	Isabelle	Alaitasune	Tieler	Kaylee	Zia	Will
Audrey	Madeline	Malia	Lola	juliya	Michele	Lilly
Anika	Emilee	Jacob	Tess	Sandy	Malia	Gehrig
Meron	Patricia	Amanda	Vivian	Hannah	Billy	Casey
Trinity	Kyla	Raja	linnea	Jocelynn	Erica	Abby
Nicole	TriQuang	Tam	Mia	Gianna	Melat	Sophia
Lily	Amanda	Anna	Elizabeth	Angela	Ingrid	Sofia
Rachel	Michael	Milki	Mac	Addie	Ahlam	