



February 15, 2021

Chair Power, Vice-Chair Wallan, and Members of the Committee:

On behalf of the American Association of University Women (AAUW) of OR, we respectfully request your support for House Bill 2937.

We commend the sponsors for introducing this bill. The proposition that schools and school buses should be places where students are free from harassment, discrimination, or intimidation is one that all, or most all of us, would endorse. Unfortunately, these good intentions often do not match with reality.

School districts have a legal responsibility not only to respond appropriately to discriminatory harassment, but to be proactive in preventing harassment and discriminatory conduct from occurring through practices that comply with standards governing student civil rights and discrimination<sup>1</sup>.

This bill seeks to hold school officials, students and their parents accountable for failing to live up to this standard. Damages for failing to do so are appropriate and not open-ended.

The admonition to school officials to contact Department of Justice hate crime and Police tip lines similarly bolster the proposition that schools and school buses need to be safe, supportive environments where student success is a priority.

### **SUGGESTED AMENDMENTS:**

We respectfully suggest that the following be added to the list of protected classes:

(1) "Gender." It hardly bears citation to suggest that gender harassment is a problem area for our schools and school buses.

(2) "Weight." It is unfortunately the case that "fat shaming" has become serious area of concern.<sup>2</sup>

(3) "Traits historically associated with race." This phrase would capture, for example, the problem of harassment and intimidation by referring to hair style and texture.<sup>3</sup>

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<sup>1</sup>Dr. Edward F Dragan, *Public School Civil Rights Liability: Protecting Students from Discriminator Harassment and Abuse*, Education, 30 January 2020  
Expert, <http://education-expert.com/2020/01/public-school-civil-rights-liability-protecting-students-from-discriminatory-harassment-and-abuse/>

<sup>2</sup> *The Scarlet F*, Harvard Public Health, Spring 2017; *The Terrors of Middle School Body Harassment*, <https://more-love.org/2019/01/23/the-terrors-of-middle-school-body-harassment-and-how-to-help-your-child-navigate-body-shaming/>

We also support the removal of "serious" from the type of physical injury that can, when coupled with an intentional racial threat, constitute a bias crime. The word "serious" is vague and does not sufficiently protect victims.

Respectfully Submitted,

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<sup>3</sup> *Governor Cuomo Signs Make Clear Civil Rights Laws Ban Discrimination Against Hair Styles or Textures Associated with Race*, 12 Jul 2019,  
<https://www.governor.ny.gov/news/governor-cuomo-signs-s6209aa7797a-make-clear-civil-rights-laws-ban-discrimination-against-hair>