



SB0396 – Higher Education – Legal Representation Fund for Title IX Proceedings – Established

Presented to the Hon. Paul G. Pinsky and

Members of the Senate Education, Health, and Environmental Affairs Committee.

February 20, 2019, 1:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland **urges the Senate Education, Health, and Environmental Affairs Committee a favorable report on SB0396**, Higher Education – Legal Representation Fund for Title IX Proceedings – Established, sponsored by Senator Sarah Elfreth.

Our organization is an advocate for reproductive health, rights, and justice. We strive to protect individuals' rights to justice in situations of gender discrimination, sexual harm, or abuse, as we believe this is a fundamental reproductive rights issue—individuals have the right to be free of bodily harm, and to have a fair, accessible experience with the legal system when violence occurs.

Title IX has been an important resource for students seeking justice in the aftermath of their experience with sexual violence. A college or university that receives federal funds may be held legally responsible when it knows about and ignores sexual assault in its programs or activities. The school can be held responsible in court whether the harassment is committed by a faculty member, staff, or a student. In some cases, the school must pay the victim money damages. If Title IX issues cannot be resolved within an institution, students may need to take their claim to court, which can cost thousands of dollars. Without a safety net for students who cannot afford those fees, we are saying that students who have the means deserve to have claims heard, while those who lack financial resources do not.

For students who are victims of sexual violence, being in the same place as their attacker or in the location where the incident took place may be upsetting enough to lead to them leave that school. Students need the option to seek legal justice. This fund would give them an opportunity to get justice for themselves and, in some cases, return to a more stable education.

In 2017, there were three Title IX investigations at University of Maryland College Park.¹ The experience of sexual assault on campus is pervasive, impacting students in our state and their ability to pursue their education. If this fund is not created, it will continue to be difficult for students to ensure that their Title IX rights are upheld.

We strongly support this effort to allow all students access to justice. Title IX provisions must protect the most vulnerable students in order to be effective and ensure that all have the same opportunity to complete their education without safety concerns. The fund will help create a level playing field for all parties involved. For these reasons, **NARAL Pro-Choice Maryland urges a favorable report on SB0396**. Thank you for your time and consideration.

¹ Larimer, S. (2017). Third Title IX investigation at University of Maryland opens. [online] Available at: https://www.washingtonpost.com/local/education/third-title-ix-investigation-at-university-of-maryland-opens/2017/12/28/0dbfb35c-eb21-11e7-9f92-10a2203f6c8d_story.html?utm_term=.931b93fc9d5b [Accessed 12 Feb. 2019].