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VERMONT

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FOR LGBTQ+ YOUTH

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House Education Committee

Dear Representatives Conlon and Brady,

I am writing to express Outright Vermont's strong support for eliminating the "severe or pervasive" standard for harassment in places of public accommodation and employment, including schools.

As you know, the systems and institutions that make up our society were built on a foundation not designed for all of us to succeed. They maintain injustices and continue to exploit our differences, allowing hate to thrive and perpetuating harm that profoundly impacts people's right to self determination and joy. No matter where they live in Vermont, LGBTQ+ youth experience violence and the constant threat of harm. A barrage of messages target their identities, telling them they're not valued, cared for, or these days, even allowed to exist. **Sadly, nowhere is this more true than in places of public accommodation, including our schools.**

Including schools in S.103 would send a strong message to all Vermonters that harassment based on sex, gender, race, disability, religion, and age will always be taken seriously—regardless of where it occurs. This message is critical for LGBTQ+ youth to hear: According to 2019 Youth Risk Behavior Survey data, LGBTQ youth who felt valued by their community were half as likely to have made a suicide plan than youth who did not feel valued by their community (22% vs 44%). Given the additional tolls the pandemic has paid on the mental health of our communities, we must act now in ways that make clear our commitment to safety and wellness for all.

This nearly impossible standard of 'severe and pervasive' acts as a barrier, further discouraging youth from reporting unwanted, unsafe behavior to the very adults there to protect them. Furthermore, it allows hostile learning environments to remain unchallenged and intact. Whereas all students have the right to learn in safe, civil, positive environments, no student - especially our most marginalized youth -

nor the staff employed to protect them, need to clear hurdles any higher than those they already navigate. We must create accessible, achievable avenues for young people to seek redress after harm has happened.

If school staff are not required to prove that harassment was severe or pervasive, students should not be required to do so either. But if protections for students are stripped from S.103, schools have greater harassment protections for employees than for students. Meaning, if a staff member was harassing both a student and a fellow teacher/administrator, the student would have a much more difficult time asserting harassment than would the teacher. We must acknowledge the unfair power structures inherent in this dynamic, and level the playing field.

Finally, we must be reminded that S.103 does not dictate certain disciplinary action – it simply holds schools accountable for taking action when a report is made, so that students can receive the support and protections they so desperately need.

On behalf of LGBTQ+ youth in Vermont, as well as their families, caregivers, and the supportive adults in schools who work to keep them safe, we extend our deep gratitude for the work of this committee in creating clear, accessible avenues toward safety. We have so much work to do to create the educational systems that allow all youth to thrive. With a shift to lower harassment standards, you can make it so.

Sincerely,



Dana Kaplan
Executive Director