

April 21, 2023

RE: S.103 An act relating to amending the prohibitions against discrimination

Dear Chair Stevens and Members of the House General and Housing Committee:

As the Executive Director of the Vermont Chapter of the National Association of Social Workers (NASW-VT). I am writing to express our support of amending the definition of harassment and discrimination in all settings, including the educational setting.

The social work profession strives to reform discriminatory practices. We envision a society that values all its members, regardless of their race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, or physical or mental condition.

Definition of Harassment

It is imperative to lessen discriminatory practices. How we define harassment is important. Currently, the definition of harassment (severe or pervasive to constitute unlawful discrimination) is based on too narrow an interpretation. The new language in S.103 that eliminates this requirement, supports current views on discriminatory practices.

Title 16 and the Need to Protect Students

We strongly support extending the new definition of harassment to the Title 16 statutes to align with the new language in S.103 for employment and public accommodations (and housing, which was passed last session). Schools are a place of public accommodation and Vermont students have the right to be protected while learning.

From data collected by the U.S. Department of Education, about one in five U.S. students ages 12-18 had been bullied between 2015-2019. About one in four of the students bullied between 2018-2019 were bullied due to their race, national origin, sexual orientation, religion, disability, or gender. Additional data from 2021 detailing impacts of the COVID-19 pandemic found that the risks for sexual and identity-based harassment disproportionately impact students of color, girls, and LGBTQIA+ students.

Vermont schools are not immune to harassment and its harmful impact on students. According to the Vermont results from the 2019 Youth Risk Behavior Survey (YRBS), 45 percent of students have been bullied on school property. Feeling sad or hopeless increased among Vermont high school students from 25 to 31 percent and among middle school students from 19 to 23 percent. There was an increase in the number of high school students who hurt themselves without want to die (16 to 19 percent), made a suicide plan (11 to 13 percent) and attempted suicide (5 to 7 percent). This legislation puts more tools in the toolbox for adults who want to protect children in our school systems.

In the wake of increased harassment due to the COVID-19 pandemic, it is imperative we protect students in our schools in the same manner as we protect people in workplaces, housing, and public spaces.

Respectfully submitted,

Lynn Stanley, LICSW, Executive Director, NASW VT Chapter