

## The Bipartisan Campus Accountability and Safety Act (S. 590)

According to data from the U.S. Department of Education, college campuses reported over [6,700 forcible sex offenses in 2014](#) – but a recent Department of Justice study shows that the actual number of offenses is estimated to be at least [four times](#) that number. Despite evidence of the problem, [41 percent](#) of colleges and universities recently surveyed have not conducted a single investigation of sexual violence on their campus in the last five years.

### Quick Facts:

- [80% of rape and sexual assault victimizations](#) against female students ages 18-24 go unreported to police.
- Law enforcement officials at [30 percent of institutions of higher education](#) receive no training on how to respond to reports of sexual violence.
- [73 percent of institutions of higher education](#) have no protocols on how the institution and law enforcement work together to respond to campus sexual violence.
- Most cases of campus sexual assault are not instances of “stranger rape.” [78% of campus sexual assaults](#) are perpetrated by someone the victim knows.
- Confidential reporting options facilitate reporting of campus sexual assault to police and campus authorities.

Current federal law has had the perverse effect of encouraging colleges to under-report sexual assaults. The bipartisan **Campus Accountability and Safety Act** (S. 590) would flip the incentives to protect students and professionalize the response to and reporting of sexual assault by doing the following:

#### 1. Establishing new campus resources and support services for student survivors

Colleges and universities would be required to designate Confidential Advisors to assist survivors of sexual harassment, domestic violence, dating violence, sexual assault and stalking. Confidential Advisors would coordinate support services and accommodations for survivors, provide information about options for reporting and provide guidance or assistance – at the direction of the survivor – in reporting the crime to campus authorities and/or local law enforcement. Schools would no longer be allowed to sanction students who report sexual violence but reveal a non-violent student conduct violation, like underage drinking, in good faith.

#### 2. Ensuring minimum training standards for on-campus personnel

The lack of training for campus personnel can interfere with sexual assault investigations and student disciplinary proceedings, resulting in negative outcomes for both survivors and accused students. This legislation would ensure that everyone from the Confidential Advisor to those responsible for investigating and participating in student disciplinary proceedings would receive specialized training, so that they would have a firm understanding of the nature of these crimes.

#### 3. Creating historic new transparency requirements

Students at every university in America would be surveyed about their experience with sexual violence. The new biennial survey would be standardized and anonymous. Colleges and universities would publish the results online, and the Department of Education would be required to publish the names of all schools with pending investigations, final resolutions, and voluntary resolution agreements related to Title IX with respect to sexual violence.

#### 4. Requiring a uniform discipline process and coordination with law enforcement

All schools would use one uniform process for campus student disciplinary proceedings and would no longer be allowed to have athletic departments or other subgroups handle complaints of sexual violence against members of that subgroup. Both survivors and accused students would receive notification if schools proceed with a disciplinary process regarding an allegation of sexual assault within 24 hours of such decision being made. Colleges and universities would be required to enter into memoranda of understanding with each local law enforcement agency that has jurisdiction to report to a campus as a first responder to clearly delineate responsibilities.

#### 5. Establishing enforceable Title IX penalties and stiffer penalties for Clery Act violations

Schools that do not comply with certain requirements under the bill may face a penalty of up to 1 percent of the institution’s operating budget. Currently, the only allowable penalty is the loss of all financial aid, which is not practical and has never been done. The bill would increase penalties for Clery Act violations to up to \$150,000 per violation, from the current penalty of \$35,000 per violation.