

The Bipartisan Campus Accountability and Safety Act

Currently, an American woman who attends college is more likely to be a victim of sexual assault than a woman who does not attend college. At the same time, institutions of higher education across the country do not have an incentive to acknowledge the problem publicly or address it proactively. The current oversight of the federal laws has the perverse effect of encouraging colleges to under-report sexual assaults. The bipartisan Campus Accountability and Safety Act will create incentives for schools to take proactive steps to protect their students and rid their campuses of sexual predators. Specifically, this new legislation provides the following:

I. Establishes New Campus Resources and Support Services for Student Survivors

- Under this legislation, colleges and universities will be required to designate Confidential Advisors who will serve as a confidential resource for victims of crimes committed against a student. The role of Confidential Advisors will be to coordinate support services and accommodations for survivors, to provide information about options for reporting, and to provide guidance or assistance, at the direction of the survivor, in reporting the crime to campus authorities and/or local law enforcement.
- To encourage individuals to come forward with reports about sexual violence, schools will no longer be allowed to sanction a student who reveals a violation in good faith, such as underage drinking, in the process of reporting a sexual violence claim.

II. Ensures Minimum Training Standards for On-Campus Personnel

- Currently, a chronic lack of training of on-campus personnel hampers sexual assault investigations and the disciplinary process which often has resulted in negative outcomes for survivors. This legislation ensures that everyone from the Confidential Advisors, to those responsible for investigating and participating in disciplinary proceedings, will receive specialized training so that they have a firm understanding of the nature of these crimes and their effect on survivors.

III. Creates New Historic Transparency Requirements

- For the first time, students at every university in America will be surveyed about their experience with sexual violence to get an accurate picture of this problem. This new annual survey will be standardized and anonymous, with the results published online so that parents and high school students can make an informed choice when comparing universities. The Department of Education will also be required to publish the names of all schools with pending investigations, final resolutions, and voluntary resolution agreements related to Title IX.

IV. Increases Campus Accountability and Coordination with Law Enforcement

- All schools will now be required to use one uniform process for campus disciplinary proceedings and may no longer allow athletic departments or other subgroups to handle complaints of sexual violence for members of that subgroup alone.
- This legislation will require colleges and universities to enter into memoranda of understanding with all applicable local law enforcement agencies to clearly delineate responsibilities and share information so that when a crime occurs, both campus authorities and local authorities can focus on solving the crime rather than debating jurisdiction.

V. Establishes Enforceable Title IX Penalties and Stiffer Penalties for Clery Act Violations

- Schools that don't comply with the certain requirements under the bill may face a penalty of up to 1% of the institution's operating budget. Previously, the only allowable penalty was the loss of all financial aid which is not practical and has never been done. The bill increases penalties for Clery Act violations to up to \$150,000 per violation from the current penalty of \$35,000.