



# Campus Sexual Assault Free Environment (SAFE) Blueprint – 2010

## Proposed Enhancements To The Federal Jeanne Clery Act & Title IX

### 1.) Education

- a.) Mandatory Awareness & Educational Programming – Orientation & Ongoing Peer-Ed
- b.) Addressing – Consent, Bystander Intervention, Alcohol/Drug Issues, Rights & Process
- c.) Sexual Assault Policy must be publicized at least once annually
- d.) Outcomes Measurement/U.S. Dept. of Edu./Dept. of Justice Report on Best Practices

### 2.) Rights/Process

- a.) Institutions must adopt institution wide comprehensive protocols for addressing sexual assaults occurring both on and off campus as well as any resultant on campus hostile environment
- b.) Provide clear & inclusive definition of sexual assault, including discussion of consent
- c.) Disclosure of hearing panel process/composition/training/responsible officials
- d.) Statement that process shall use “Preponderance of the Evidence” Standard
- e.) Disclosure of timeframe for hearing & intermediate actions that may be taken
- f.) Accuser & Accused must both have right to an advisor of their choosing
- g.) Accuser & Accused must both have right to appeal findings & sanctions
- h.) Accuser & Accused must both be promptly, simultaneously & unconditionally provided final results in writing
- i.) Victim must be guaranteed amnesty for alleged non-violent misconduct and related sexual activity
- j.) Annual disclosure of number of student & employee hearings, outcomes & sanctions imposed to be collected by U.S. Dept. of Ed. and disclosed publicly
- k.) Institutions must disclose whether or not they have agreements with local police for investigation as well as whether or not campus investigators have specialized training

### 3.) Victim Accommodations

- a.) Institutions must offer & disclose options for academic assistance
- b.) Institutions must offer & disclose options for withdrawals/refunds
- c.) Victims must be afforded, if reasonably available, on-campus housing free from encountering their assailants and any form of retaliation, intimidation or other hostile environment
- d.) Institutions must disclose whether or not they offer counseling or medical resources
- e.) No student or employee who reports that they have been the victim of a sexual assault may be discriminated or retaliated against by the institution, such as a loss of any scholarship or academic privileges, for pursuing any right or accommodation to which they are entitled including disciplinary action against their alleged assailant
- f.) All sexual assault victims must be provided with an easily understood list of all of their rights

### 4.) Enforcement

- a.) Consolidate Clery Act & Title IX Reviews & Enforcement, Coordinate with U.S. DOJ
- b.) Extend Clery “Civil Penalty” option to Title IX (\$27,500 per violation)
- c.) Institutions must annually notify campus community of U.S. Dept. of Ed. complaint process & contact information as part of Clery Act Annual Security Report
- d.) Authorize and fully fund enforcement of Clery Act & Title IX guidelines



# A Future Free Of Sexual Assault On Campus

By: S. Daniel Carter, Director of Public Policy, Security On Campus, Inc.

Early in Security On Campus, Inc. (SOC)'s history its co-founders Connie & Howard Clery identified acquaintance sexual assaults as one the most serious threats to student safety in college and university campus communities. In response SOC led the effort to enact the *Campus Sexual Assault Victims' Bill of Rights* in 1992, as a part of the *Jeanne Clery Act*.

For the first time, colleges had to enact comprehensive sexual assault education and disciplinary policies that guaranteed basic rights for victims. This, along with the addition of rights under federal Title IX, has helped tremendously. Yet, in our work assisting the victims of these crimes, we continue to witness widespread challenges, as noted recently by the U.S. Department of Justice:

**“Intimate partner and sexual violence can be found on college campuses across this nation - regardless of how much ivy is on your walls or how big your endowment... none of us are above the reality of this issue, and it is incumbent upon all of us to stand up and take responsibility.”** -- Tom Perrelli, Associate Attorney General of the United States (March 8, 2010 presentation held on the campus of Harvard University).

These comments from the DOJ echo recent findings by a year long **Center for Public Integrity** investigation (see below for a summary) and strengthen our resolve to fight for **better sexual assault awareness and education, to improve rights and accommodations for victims, and for the proper enforcement of federal campus sexual assault guidelines**. We stand with Assistant Attorney General Perrelli when he states that “we are working to build toward a future where domestic abuse, sexual assault, stalking and teen dating violence are eradicated.”

SOC is confident that working together - with victims and survivors, their families, advocates, college and university officials, and policy makers - we will be able to make that future a reality.

## Stunning Facts Concerning Sexual Assault in Campus Communities

- **The scope of sexual assault in campus communities continues to be vastly underreported by both victims and institutions.**
- **Most assailants are acquaintances.**
- **Students found “responsible” by campus disciplinary proceedings in these cases rarely face any serious punishment.**
- **The U.S. Department of Education’s Office for Civil Rights (OCR) has failed to strongly enforce Title IX guidelines meant to protect the victims of sexual assault and eliminate hostile environments on campus.**

The complete series of 7 CPI articles, published between December 2009 and February 2010 along with supplementary materials can be accessed online at <http://www.publicintegrity.org/investigations/campus>