



Legislation Text

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Res. No. 269

Resolution urging Congress to pass and the President to sign S.856/H.R.1949, also known as the Campus Accountability and Safety Act.

By Council Members Barron and Brannan

Whereas, Sexual assault on college campuses across the country has significantly increased over the past decade; and

Whereas, The impact of failing to implement proper sexual assault procedures and policies on college campuses has been illustrated by several reported high-profile incidents in recent years; and

Whereas, According to the most recent data by the United States (U.S.) Department of Education report on school crime and safety, the number of reported forcible sex offenses on college campuses increased by 262 percent, from 2,200 in 2001 to 8,000 in 2015, accounting for 29 percent of all reported crimes on college campuses; and

Whereas, Further, the number of reported forcible sex offenses between 2014 and 2015 increased by 18 percent, from 6,800 to 8,000; and

Whereas, More forcible sex offenses were reported at institutions with residence halls than at institutions without them; and

Whereas, Over many years, the federal government has taken steps to safeguard students at higher education institutions and increase compliance through several pieces of legislation, including Title IX passed in 1972 and The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) passed in 1990; and

Whereas, The Violence Against Women Reauthorization Act of 2013, or “VAWA 2013,” includes a

provision that requires higher education institutions to better respond to sexual assault, including improved reporting of sexual assault, student discipline, and training for students and campus employees on sexual violence; and

Whereas, In addition, in 2011, the Obama Administration introduced comprehensive guidance to help colleges and universities nationwide better understand their obligations under federal civil rights laws to prevent and appropriately respond to sexual assault on campus, and in 2014, established the White House Task Force to Protect Students from Sexual Assault to assist schools in preventing sexual assault and to improve enforcement of Title IX regulations; and

Whereas, Colleges and universities nationwide are taking steps to prevent incidents of sexual violence on campus by increasing the presence of security officers, initiating bystander intervention programs, and educating students on the meaning of “consent”; and

Whereas, In April 2017, Senator Claire McCaskill and Representative Carolyn Maloney introduced S.856/H.R.1949, also known as the Campus Accountability and Safety Act, to hold institutions of higher learning more accountable for how they respond to sexual assault incidents on campus; and

Whereas, The Campus Accountability and Safety Act would establish new campus resources and support services for student survivors of sexual assault, ensure minimum training standards for on-campus personnel, require all institutions to survey students annually about their experience with sexual violence, and require the U.S. Department of Education to publish names of all schools with pending investigations, final resolutions and voluntary resolution agreements related to Title IX; and

Whereas, This piece of legislation would also require that all schools use one uniform process for campus disciplinary proceedings and work collaboratively with law enforcement; and

Whereas, Non-compliance could result in a penalty of up to one percent of the institution’s operating budget, and penalties for violating the Clery Act would increase to up to \$150,000 per violation from the current penalty of \$35,000; and

Whereas, In September 2017, the U.S. Department of Education under the Trump Administration officially rescinded <https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=> the Obama Administration's guidance on college sexual assault, offering interim, less stringent guidelines on how colleges and universities should handle the issue; and

Whereas, The passage of the Campus Accountability and Safety Act is vital to reducing sexual violence on college campuses, to ensuring that institutions of higher education adhere to proper sexual assault procedures, and most importantly, to guaranteeing a safe and secure learning environment for all students; now, therefore, be it

Resolved, That the Council of the City of New York urges Congress to pass and the President to sign S.856/H.R.1949, also known as the Campus Accountability and Safety Act.

LS #5756
4/3/2018
TC