



General Assembly

February Session, 2012

Raised Bill No. 5031

LCO No. 402

00402_____HED

Referred to Committee on Higher Education and Employment
Advancement

Introduced by:
(HED)

**AN ACT CONCERNING SEXUAL VIOLENCE ON COLLEGE
CAMPUSES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2012*) (a) For purposes of this
2 section:

3 (1) "Awareness programming" means programming designed to
4 communicate the prevalence of sexual assaults and intimate partner
5 violence, including the nature and number of cases of sexual assault
6 and intimate partner violence reported at each institution of higher
7 education in the preceding three calendar years;

8 (2) "Institution of higher education" means an institution of higher
9 education as defined in section 10a-55 of the general statutes;

10 (3) "Intimate partner violence" means any physical, sexual or
11 psychological harm against an individual by a current or former
12 spouse of or person in a dating relationship with such individual that
13 results from any action by such spouse or such person that may be
14 classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b,

15 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes, stalking
16 under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or
17 domestic violence as designated under section 46b-38h of the general
18 statutes;

19 (4) "Primary prevention programming" means programming and
20 strategies intended to prevent sexual assault and intimate partner
21 violence before it occurs by means of changing social norms and other
22 approaches;

23 (5) "Sexual assault" means a sexual assault under section 53a-70,
24 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes; and

25 (6) "Uniform campus crime report" means a campus crime report
26 prepared by an institution of higher education pursuant to section 10a-
27 55a of the general statutes.

28 (b) Each institution of higher education shall adopt and disclose in
29 such institution's annual uniform campus crime report a policy
30 regarding sexual assault and intimate partner violence. Such policy
31 shall include provisions for (1) detailing the procedures that students
32 and employees of the institution who report being the victim of sexual
33 assault or intimate partner violence should follow after the
34 commission of such violence, including persons or agencies to contact
35 and information regarding the importance of preserving physical
36 evidence of such assault or violence; (2) providing students and
37 employees of the institution who report being the victim of sexual
38 assault or intimate partner violence both contact information for and, if
39 requested, professional assistance in accessing and utilizing campus,
40 local advocacy, counseling, health, mental health and legal assistance
41 services, and written information concerning the rights of such
42 students and employees to (A) notify law enforcement of such assault
43 or violence and to receive assistance from campus authorities, and (B)
44 obtain a protective order, apply for a temporary restraining order or
45 seek enforcement of an existing protective or restraining order,
46 including, but not limited to, orders issued pursuant to section 46b-15,

47 46b-38c, 53a-40e, 54-1k, 54-82q or 54-82r of the general statutes, against
48 the perpetrator of such assault or violence; (3) notifying such students
49 and employees of the reasonably available options for and available
50 assistance from such institution in changing academic, living,
51 transportation or working situations in response to such assault or
52 violence; (4) honoring any lawful protective or temporary restraining
53 orders, including, but not limited to, orders issued pursuant to section
54 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q or 54-82r of the general statutes;
55 (5) disclosing a summary of such institution's disciplinary procedures,
56 including clear statements advising such students and employees that
57 (A) accusers of such assault or violence shall have the opportunity to
58 request that disciplinary proceedings begin promptly, (B) disciplinary
59 proceedings shall be conducted by an official trained in issues relating
60 to sexual assault or intimate partner violence and shall use the
61 preponderance of the evidence standard in making a determination
62 concerning the alleged assault or violence, (C) both the accuser of such
63 assault or violence and the accused perpetrator are entitled to be
64 accompanied to any meeting or proceeding relating to the allegation of
65 such assault or violence by an advisor of their choice and that such
66 accuser and accused shall have the opportunity to present evidence
67 and witnesses on their behalf during any disciplinary proceeding, (D)
68 both such accuser and accused are entitled to be informed in writing of
69 the results of any disciplinary proceeding not later than one business
70 day after the conclusion of such proceeding, and (E) the identity of
71 both such accuser and accused shall be kept confidential by the
72 institution of higher education, provided such confidentiality does not
73 violate state law; and (6) disclosing the range of sanctions that may be
74 imposed following the implementation of such institution's
75 disciplinary procedures in response to such assault or violence.

76 (c) Each institution of higher education shall, within existing
77 budgetary resources, offer (1) sexual assault and intimate partner
78 violence primary prevention and awareness programming for all
79 students and employees that includes an explanation of the definition
80 of consent in sexual relationships and information concerning the

81 reporting of incidences of such assaults and violence, bystander
82 intervention and risk reduction; and (2) ongoing sexual assault and
83 intimate partner violence prevention and awareness campaigns.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	New section

Statement of Purpose:

To update the federal sexual assault policy requirements set forth in the Jeanne Clery Act, Section 1920f of Title 20 of the United States Code.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]