



General Assembly

Substitute Bill No. 5031

February Session, 2012

* _____HB05031JUD__040212_____*

**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 or sexual harm
11 against an individual by a current or former spouse of or person in a
12 dating relationship with such individual that results from any action
13 by such spouse or such person that may be classified as a sexual
14 assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b
15 or 53a-73a of the general statutes, stalking under section 53a-181c, 53a-
16 181d or 53a-181e of the general statutes, or domestic violence as
17 designated under section 46b-38h of the general statutes;

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

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

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

27 (b) Each institution of higher education shall adopt and disclose in
28 such institution's annual uniform campus crime report one or more
29 policies regarding sexual assault and intimate partner violence. Such
30 policy or policies shall include provisions for (1) detailing the
31 procedures that students of the institution who report being the victim
32 of sexual assault or intimate partner violence may follow after the
33 commission of such violence, including persons or agencies to contact
34 and information regarding the importance of preserving physical
35 evidence of such assault or violence; (2) providing students of the
36 institution who report being the victim of sexual assault or intimate
37 partner violence both contact information for and, if requested,
38 professional assistance in accessing and utilizing campus, local
39 advocacy, counseling, health and mental health services, and written
40 information concerning the rights of such students to (A) notify law
41 enforcement of such assault or violence and receive assistance from
42 campus authorities in making any such notification, and (B) obtain a
43 protective order, apply for a temporary restraining order or seek
44 enforcement of an existing protective or restraining order, including,
45 but not limited to, orders issued pursuant to section 46b-15, 46b-38c,
46 53a-40e, 54-1k, 54-82q or 54-82r of the general statutes, against the
47 perpetrator of such assault or violence; (3) notifying such students of
48 the reasonably available options for and available assistance from such
49 institution in changing academic, living, campus transportation or
50 working situations in response to such assault or violence; (4) honoring

51 any lawful protective or temporary restraining orders, including, but
52 not limited to, orders issued pursuant to section 46b-15, 46b-38c, 53a-
53 40e, 54-1k, 54-82q or 54-82r of the general statutes; (5) disclosing a
54 summary of such institution's disciplinary procedures, including clear
55 statements advising such students that (A) victims of such assault or
56 violence shall have the opportunity to request that disciplinary
57 proceedings begin promptly, (B) disciplinary proceedings shall be
58 conducted by an official trained in issues relating to sexual assault and
59 intimate partner violence and shall use the preponderance of the
60 evidence standard in making a determination concerning the alleged
61 assault or violence, (C) both the victim of such assault or violence and
62 the accused (i) are entitled to be accompanied to any meeting or
63 proceeding relating to the allegation of such assault or violence by an
64 advisor or support person of their choice, provided the involvement of
65 such advisor or support person does not result in the postponement or
66 delay of such meeting as scheduled, and (ii) shall have the opportunity
67 to present evidence and witnesses on their behalf during any
68 disciplinary proceeding, (D) both such victim and accused are entitled
69 to be informed in writing of the results of any disciplinary proceeding
70 not later than one business day after the conclusion of such
71 proceeding, and (E) the institution of higher education shall not
72 disclose the identity of the victim or the accused, except as necessary to
73 carry out a disciplinary proceeding or as permitted under state or
74 federal law; and (6) disclosing the range of sanctions that may be
75 imposed following the implementation of such institution's
76 disciplinary procedures in response to such assault or violence.

77 (c) Each institution of higher education shall, within existing
78 budgetary resources, offer (1) sexual assault and intimate partner
79 violence primary prevention and awareness programming for all
80 students that includes an explanation of the definition of consent in
81 sexual relationships and information concerning the reporting of
82 incidences of such assaults and violence, bystander intervention and
83 risk reduction; and (2) ongoing sexual assault and intimate partner
84 violence prevention and awareness campaigns.

