



General Assembly

Amendment

February Session, 2014

LCO No. 3490

HB0502903490HDO

Offered by:
REP. WILLIS, 64th Dist.

To: Subst. House Bill No. 5029 File No. 333 Cal. No. 195

**"AN ACT CONCERNING SEXUAL ASSAULT, STALKING AND
INTIMATE PARTNER VIOLENCE ON CAMPUS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 10a-55a of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2014*):

6 (a) On or before [September] October 1, 1991, and annually
7 thereafter, each institution of higher education shall prepare in such
8 manner as the president of the Board of Regents for Higher Education
9 shall prescribe a uniform campus crime report concerning crimes
10 committed in the immediately preceding calendar year within the
11 geographical limits of the property owned or under the control of such
12 institution. Such report shall be in accordance with the uniform crime
13 reporting system pursuant to section 29-1c, provided such report is
14 limited to those offenses included in part I of the most recently
15 published edition of the Uniform Crime Reports for the United States

16 as authorized by the Federal Bureau of Investigation and the United
17 States Department of Justice, [and] sexual assault under sections 53a-
18 70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a, stalking
19 under sections 53a-181c, 53a-181d and 53a-181e and family violence as
20 designated under section 46b-38h. The state police, local police
21 departments and special police forces established pursuant to section
22 10a-156b shall cooperate with institutions of higher education in
23 preparing such reports. Institutions with more than one campus shall
24 prepare such reports for each campus.

25 Sec. 2. Section 10a-55m of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective July 1, 2014*):

27 (a) For purposes of this section and sections 3 to 6 of this act:

28 (1) "Awareness programming" means [programming] institutional
29 action designed to communicate the prevalence of sexual assaults,
30 stalking and intimate partner violence, including the nature and
31 number of cases of sexual assault, stalking and intimate partner
32 violence reported at each institution of higher education in the
33 preceding three calendar years, including, but not limited to, poster
34 and flyer campaigns, electronic communications, films, guest speakers,
35 symposia, conferences, seminars or panel discussions;

36 (2) "Bystander intervention" means the act of challenging the social
37 norms that support, condone or permit sexual assault, stalking and
38 intimate partner violence;

39 [(2)] (3) "Institution of higher education" means an institution of
40 higher education, as defined in section 10a-55, and a for-profit
41 institution of higher education licensed to operate in this state;

42 [(3)] (4) "Intimate partner violence" means any physical or sexual
43 harm against an individual by a current or former spouse of or person
44 in a dating relationship with such individual that results from any
45 action by such spouse or such person that may be classified as a sexual
46 assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b

47 or 53a-73a, stalking under section 53a-181c, 53a-181d or 53a-181e, or
48 [domestic] family violence as designated under section 46b-38h;

49 [(4)] (5) "Primary prevention programming" means [programming]
50 institutional action and strategies intended to prevent sexual assault,
51 stalking and intimate partner violence before it occurs by means of
52 changing social norms and other approaches, including, but not
53 limited to, poster and flyer campaigns, electronic communications,
54 films, guest speakers, symposia, conferences, seminars or panel
55 discussions;

56 [(5)] (6) "Sexual assault" means a sexual assault under section 53a-
57 70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a; [and]

58 (7) "Stalking" means stalking under section 53a-181c, 53a-181d or
59 53a-181e; and

60 [(6)] (8) "Uniform campus crime report" means a campus crime
61 report prepared by an institution of higher education pursuant to
62 section 10a-55a, as amended by this act.

63 (b) Each institution of higher education shall adopt and disclose in
64 such institution's annual uniform campus crime report one or more
65 policies regarding sexual assault, stalking and intimate partner
66 violence. Such policy or policies shall include provisions for (1)
67 detailing the procedures that students and employees of the institution
68 who report or disclose being the victim of sexual assault, stalking or
69 intimate partner violence may follow after the commission of such
70 assault, stalking or violence, regardless of where such incidences
71 occurred, including persons or agencies to contact and information
72 regarding the importance of preserving physical evidence of such
73 assault, stalking or violence; (2) providing students and employees of
74 the institution who report or disclose being the victim of sexual
75 assault, stalking or intimate partner violence both concise, written
76 contact information for and, if requested, professional assistance in
77 accessing and utilizing campus, local advocacy, counseling, health and

78 mental health services, and [written] concise information, written in
79 plain language, concerning the rights of such students and employees
80 to (A) notify law enforcement of such assault, stalking or violence and
81 receive assistance from campus authorities in making any such
82 notification, and (B) obtain a protective order, apply for a temporary
83 restraining order or seek enforcement of an existing protective or
84 restraining order, including, but not limited to, orders issued pursuant
85 to section 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q or 54-82r, against the
86 perpetrator of such assault, stalking or violence; (3) notifying such
87 students and employees of [the] any reasonably available options for
88 and available assistance from such institution in changing academic,
89 living, campus transportation or working situations in response to
90 such assault, stalking or violence; (4) honoring any lawful protective or
91 temporary restraining orders, including, but not limited to, orders
92 issued pursuant to section 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q or 54-
93 82r; (5) disclosing a summary of such institution's student disciplinary
94 procedures, including clear statements advising [such students] that
95 (A) victims of such assault, stalking or violence shall have the
96 opportunity to request that disciplinary proceedings begin promptly,
97 (B) disciplinary proceedings shall be conducted by an official trained
98 annually in issues relating to sexual assault, stalking and intimate
99 partner violence and shall use the preponderance of the evidence
100 standard in making a determination concerning the alleged assault,
101 stalking or violence, (C) both the victim of such assault, stalking or
102 violence and the accused (i) are entitled to be accompanied to any
103 meeting or proceeding relating to the allegation of such assault,
104 stalking or violence by an advisor or support person of their choice,
105 provided the involvement of such advisor or support person does not
106 result in the postponement or delay of such meeting as scheduled, and
107 (ii) shall have the opportunity to present evidence and witnesses on
108 their behalf during any disciplinary proceeding, (D) both such victim
109 and accused are entitled to be informed in writing of the results of any
110 disciplinary proceeding not later than one business day after the
111 conclusion of such proceeding, and (E) the institution of higher
112 education shall not disclose the identity of the victim or the accused,

113 except as necessary to carry out a disciplinary proceeding or as
114 permitted under state or federal law; [and] (6) disclosing a summary of
115 such institution's employee disciplinary procedures; and (7) disclosing
116 the range of sanctions that may be imposed following the
117 implementation of such institution's student and employee
118 disciplinary procedures in response to such assault, stalking or
119 violence.

120 (c) Each institution of higher education shall [, within existing
121 budgetary resources, offer] provide (1) annual sexual assault, stalking
122 and intimate partner violence primary prevention and awareness
123 programming for all students and employees that includes an
124 explanation of the definition of consent in sexual relationships, [and]
125 information concerning the reporting of incidences of such assaults,
126 stalking and violence [,] and strategies for bystander intervention and
127 risk reduction; and (2) ongoing sexual assault, stalking and intimate
128 partner violence prevention and awareness campaigns.

129 (d) Each institution of higher education may provide the option for
130 any student or employee of such institution who is the victim of a
131 sexual assault, stalking or intimate partner violence to report or
132 disclose such assault, stalking or violence to such institution
133 anonymously. Each such institution shall notify any such student or
134 employee of the institution's obligations under state or federal law, if
135 any, to (1) investigate or address such assault, stalking or violence and
136 (2) assess whether the report triggers the need for a timely warning or
137 emergency notification, as described in 34 CFR 668.46(e), which
138 obligations, in limited circumstances, may result in the learning of
139 such victim's identity.

140 (e) Each institution of higher education shall provide concise
141 notification, written in plain language, to each student and employee
142 of such institution who has been the victim of sexual assault, stalking
143 or intimate partner violence, immediately upon receiving a report of
144 such assault, stalking or violence, of such victim's rights and options
145 under such institution's policy or policies regarding sexual assault,

146 stalking and intimate partner violence adopted in accordance with
147 subsection (b) of this section.

148 (f) Not later than October 1, 2015, and annually thereafter, each
149 institution of higher education shall report to the joint standing
150 committee of the General Assembly having cognizance of matters
151 relating to higher education, in accordance with the provisions of
152 section 11-4a, concerning, for the immediately preceding calendar year,
153 (1) a copy of its most recent policies regarding sexual assault, stalking
154 and intimate partner violence adopted in accordance with subsection
155 (b) of this section, or any revisions thereto, (2) a copy of its most recent
156 concise written notification of a victim's rights and options under its
157 sexual assault, stalking and intimate partner violence policy or policies
158 required pursuant to subsection (e) of this section, (3) the number and
159 type of sexual assault, stalking and intimate partner violence
160 prevention, awareness and risk reduction programs at the institution,
161 (4) the type of sexual assault, stalking and intimate partner violence
162 prevention and awareness campaigns held by the institution, (5) the
163 number of incidences of sexual assault, stalking and intimate partner
164 violence reported to such institution, (6) the number of confidential or
165 anonymous reports or disclosures to the institution of sexual assault,
166 stalking and intimate partner violence, (7) the number of disciplinary
167 cases at the institution related to sexual assault, stalking and intimate
168 partner violence, and (8) the final outcome of all disciplinary cases at
169 the institution related to sexual assault, stalking and intimate partner
170 violence, including, but not limited to, the outcome of any appeals of
171 such final outcome, to the extent reporting on such outcomes does not
172 conflict with federal law.

173 Sec. 3. (NEW) (*Effective July 1, 2014*) (a) Not later than January 1,
174 2015, each institution of higher education shall establish a campus
175 resource team responsible for and with representatives from each of its
176 campuses. The campus resource team shall consist of individuals
177 selected by the president of each institution of higher education,
178 including, but not limited to, (1) the institution's Title IX coordinator

179 and chief student affairs officer, or their designees, (2) not less than one
180 member from its (A) administration, (B) counseling services office, (C)
181 health services office, (D) women's center, (E) special police force,
182 campus police force or campus safety personnel, (F) faculty, (G) senior
183 and mid-level staff, (H) student body, (I) residential life office, and (J)
184 judicial hearing board, provided such entities exist on campus, and (3)
185 any other individuals designated by the president.

186 (b) Not later than January 1, 2015, the president of each institution of
187 higher education shall invite at least one individual from each of the
188 following to serve on its campus resource team: (1) A community-
189 based sexual assault crisis service center; (2) a community-based
190 domestic violence agency; and (3) the criminal justice system within
191 the judicial district in which such institution of higher education is
192 located, including, but not limited to, members of the state police and
193 local police department and prosecutors employed by the Division of
194 Criminal Justice.

195 (c) Each institution of higher education shall ensure that every
196 member of the campus resource team is educated in (1) the awareness
197 and prevention of sexual assault, stalking and intimate partner
198 violence, and communicating with and providing assistance to any
199 student or employee of the institution who is the victim of such
200 assault, stalking or violence; (2) the sexual assault, stalking and
201 intimate partner violence policies of such college or institution; (3) the
202 provisions of Title IX of the Elementary and Secondary Education Act
203 of 1972, 20 USC 1681 et seq., and the Jeanne Clery Disclosure of
204 Campus Security Policy and Campus Crime Statistics Act, 20 USC
205 1092(f); (4) victim-centered response and the role of community-based
206 sexual assault victim advocates; (5) the role and functions of each
207 member on such campus resource team for the purpose of ensuring a
208 coordinated response to reported incidences of sexual assault, stalking
209 and intimate partner violence, as such terms are defined in section 10a-
210 55m of the general statutes, as amended by this act; and (6)
211 communicating sensitively and compassionately with the victims of

212 such assault, stalking or violence, including, but not limited to, an
213 awareness of responding to victims with diverse cultural backgrounds,
214 and providing services to or assisting in locating services for such
215 victims. For purposes of this subsection, "victim-centered response"
216 means a systematic focus on the needs and concerns of a victim of
217 sexual assault, stalking or intimate partner violence that (A) ensures
218 the compassionate and sensitive delivery of services in a
219 nonjudgmental manner, (B) ensures an understanding of how trauma
220 affects victim behavior, (C) maintains victim safety, privacy and,
221 where possible, confidentiality, and (D) recognizes that victims are not
222 responsible for the assault, stalking or violence committed against
223 them.

224 (d) Not later than July 1, 2015, the campus resource team shall
225 review the sexual assault, stalking and intimate partner violence
226 policies adopted by its institution of higher education in accordance
227 with section 10a-55m of the general statutes, as amended by this act,
228 and recommend to such institution protocols in accordance with such
229 policies for providing support and services to any student or employee
230 who reports being the victim of sexual assault, stalking or intimate
231 partner violence. Such team shall meet not less than once per semester
232 to review such protocols and ensure that they are updated as
233 necessary.

234 Sec. 4. (NEW) (*Effective July 1, 2014*) Not later than January 1, 2015,
235 each institution of higher education shall enter into and maintain a
236 memorandum of understanding with at least one community-based
237 sexual assault crisis service center and at least one community-based
238 domestic violence agency for purposes of (1) ensuring that any student
239 or employee of such institution who reports or discloses being the
240 victim of sexual assault, stalking or intimate partner violence can
241 access free and confidential counseling and advocacy services, either
242 on or off campus, and (2) establishing a partnership with such service
243 center and agency, including, but not limited to, (A) involvement of
244 the institution's campus resource team, and (B) trainings between the

245 institution and such service center and agency to ensure the
246 understanding of each other's role in responding to reports and
247 disclosures of sexual assault, stalking and intimate partner violence
248 against students and employees of the institution and the institution's
249 protocols for providing support and services to such students and
250 employees, developed in accordance with subsection (c) of section 2 of
251 this act.

252 Sec. 5. (NEW) (*Effective July 1, 2014*) (a) Each institution of higher
253 education shall ensure that its Title IX coordinator and members of its
254 special police force, campus police force or campus safety personnel
255 employed by such institution of higher education are educated in the
256 awareness and prevention of sexual assault, stalking and intimate
257 partner violence, and in trauma-informed response.

258 (b) For purposes of this section, "trauma-informed response" means
259 a response involving an understanding of the complexities of sexual
260 assault, stalking and intimate partner violence through training
261 centered on the neurobiological impact of trauma, the influence of
262 societal myths and stereotypes surrounding the causes and impact of
263 trauma, understanding the behavior of perpetrators and conducting an
264 effective investigation on behalf of victims who have suffered trauma.

265 Sec. 6. (NEW) (*Effective July 1, 2014*) (a) Members of state and local
266 police departments who act as first responders to any reports of sexual
267 assault, stalking or intimate partner violence at an institution of higher
268 education shall receive training in the awareness and prevention of
269 sexual assault, stalking and intimate partner violence and in trauma-
270 informed response.

271 (b) For purposes of this section, "trauma-informed response" means
272 a response involving an understanding of the complexities of sexual
273 assault, stalking and intimate partner violence through training
274 centered on the neurobiological impact of trauma, the influence of
275 societal myths and stereotypes surrounding the causes and impact of
276 trauma, understanding the behavior of perpetrators and conducting an

277 effective investigation on behalf of victims who have suffered trauma."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	10a-55a(a)
Sec. 2	<i>July 1, 2014</i>	10a-55m
Sec. 3	<i>July 1, 2014</i>	New section
Sec. 4	<i>July 1, 2014</i>	New section
Sec. 5	<i>July 1, 2014</i>	New section
Sec. 6	<i>July 1, 2014</i>	New section