



Connecticut Coalition Against Domestic Violence

### Testimony in Support of

## HB 6890, AA Requiring Best Practices by Institutions of Higher Education in Response to Reports of Sexual Assault, Stalking & Intimate Partner Violence

#### Member Organizations

**The Umbrella Center for Domestic Violence Services**

Ansonia, CT

**The Center for Family Justice**

Bridgeport, CT

**Women's Center**

Danbury, CT

**Domestic Violence Program United Services**

Dayville, CT

**Network Against Domestic Abuse**

Enfield, CT

**Domestic Abuse Services Greenwich YWCA**

Greenwich, CT

**Interval House**

Hartford, CT

**Chrysalis Domestic Violence Services**

Meriden, CT

**New Horizons**

Middletown, CT

**Prudence Crandall Center**

New Britain, CT

**The Umbrella Center for Domestic Violence Services**

New Haven, CT

**Safe Futures**

New London, CT

**Domestic Violence Crisis Center**

Norwalk, CT

**Women's Support Services**

Sharon, CT

**Domestic Violence Crisis Center**

Stamford, CT

**Susan B. Anthony Project**

Torrington, CT

**Safe Haven**

Waterbury, CT

**Domestic Violence Program United Services**

Willimantic, CT

### High Education & Employment Advancement Committee February 14, 2019

Good afternoon Senator Haskell, Representative Haddad and members of the committee. CT Coalition Against Domestic Violence (CCADV) is the state's leading voice for victims of domestic violence and those who serve them. Our 18 member organizations provide essential services to nearly 40,000 victims of domestic violence each year. Services provided include 24-hour crisis response, emergency shelter, safety planning, counseling, support groups and court advocacy.

#### We urge your support of HB 6890.

This bill is necessary to ensure that the state is prepared to continue offering strong protections for victims of intimate partner violence, sexual violence, and stalking on Connecticut college campuses. Unfortunately the proposed Title IX Rule issued by the US Department of Education this past fall seeks to remove several key protections for victims. While the comment period for the proposed regulations just recently ended and we now await the Department's final ruling, it is critical that Connecticut examine the potential impact of the proposed changes and make any necessary changes in state statute to maintain important protections.

The Connecticut General Assembly has put in place several key protections for students on our college campuses that have gone above and beyond any guidance previously offered through the federal government. This includes strong definitions, a reasonable standard of evidence, responding to abuse that happens off campus, and requirements for a timely investigation of complaints. Some areas that the state may wish to strengthen ahead of a final rule issued by the US Department of Education include:

- *Define disclosures requiring a response from the school* – define which employees a student can disclose to that would then require the school to respond. The proposed federal rule would limit disclosures requiring a response to the Title IX Coordinator or an official who has “the authority to institute corrective measures,” thereby drastically limiting the number of employees to whom a victim could disclose abuse and expect the school to address the abuse.
- *Address cross-examination processes in hearings* – the proposed rule establishes a new live cross-examination by an “advisor” (often a lawyer), when no such requirement exists for addressing other forms of student or employee misconduct at school. The adversarial and contentious nature of cross-examination would further traumatize those who seek help through Title IX and likely discourage many students from coming forward.
- *Further specify how accommodations will be made for survivors* – while Connecticut law states that the school's response must be “victim-centered” and “trauma-informed,” further specificity would clarify what services should be provided to survivors during the investigation. The proposed federal rule ignores the reality that many survivors develop anxiety, depression, PTSD,

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and other mental illnesses as a result of their abuse. Accommodations, such as answering questions in writing, should be available to support these students.

- *Address when and how religious exemptions can be used* – the proposed rule permits schools to opt out of Title IX without notice or warning to either the US Department of Education or students attending the school. Current federal rules require schools to notify the Department in writing identifying the Title IX provisions that conflict with their religious beliefs, which at least provides notice to students.

CCADV participates in the Connecticut State Colleges and Universities Safe and Friendly Environment Project (CSCU SAFE), which is funded by the US Department of Justice, Office on Violence Against Women. The ultimate goal of the project is to help colleges and universities create effective, comprehensive responses to intimate partner violence, sexual assault and stalking on campus. The partnerships formed through this project have led to strong outcomes on campuses throughout the state and progress that we hope won't be lost to short-sighted new federal rules that will certainly undermine safety and support systems for survivors.

We urge support of this measure and a thorough review of existing state statutes that provide protections and support for survivors attending institutions of higher education in Connecticut to ensure their continuation regardless of what happens at the federal level. CCADV would be happy to assist in these efforts.

Please do not hesitate to contact me with questions.

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