



STOP ABUSIVE AND VIOLENT ENVIRONMENTS

Working for policy reform to protect all victims, support due process, and stop false allegations

February 14, 2019

Re: HB 6890 An Act Requiring Best Practices by Institutions of Higher Education in Response to Reports of Sexual Assault, Stalking or Intimate Partner Violence

Good afternoon, Senator Haskell, Representative Haddad and members of the Higher Education Committee. Thank you for this opportunity to speak to you regarding House Bill 6890.

My name is Margaret Valois. I am here today on behalf of SAVE, Stop Abusive and Violent Environments), a non-profit organization that advocates for fairness in campus sexual misconduct proceedings. I am also an attorney who represents students, both accusers and the accused, in Title IX matters, I am also the mother of two college-age sons.

Before you is a bill that calls for institution of best practices in matters of campus sexual assault, but does not define what those best practices are. The bill is intentionally ambiguous and I urge you to reject it.

Previously, this body has considered and passed Public Act 14-11, concerning campus sexual misconduct, legislation that was more robust and specific. In contrast, house bill 6890 is vague and undefined.

According to information on the website of the legislative commissioner's office, "readers should not rely excessively on a statement of purpose; the language of the bill controls the meaning." The language of this bill calls for an amendment of the general statutes to require that public and private institutions use "best practices and protections" when dealing with campus sexual assault and violence. However, those best practices and protections are not laid out or specified.

Connecticut state colleges already operate under a uniform student code of conduct that was developed and implemented by the board of regents. This code addresses all forms of student misconduct, including sexual misconduct. The bill under consideration does not indicate whether it intends to circumvent or replace the already codified BOR/SCSU Student Code of Conduct, nor does the bill indicate whether the policy already in place under PA 14-11 and state law should no longer be considered "best practices."

The Stated Purpose of this bill, "to study the impact of the changes proposed to Title IX... and to ensure that students at institutions of higher education in the state are protected" has no clear meaning and is not related to the text of the bill. The proposed changes have not been finalized and it will be many months before they are implemented. To study their effect is premature and useless. Additionally, the bill fails to state exactly what students are being protected "from," but implies that students need to be protected from the proposed regulations.

This bill appears intentionally designed to be unspecific in order to evade debate of it's actual intent. It's forward movement is akin to legislative malpractice.

As you consider legislation that dictates how sexual misconduct is handled, I ask you to recall the case of Nikki Yovino at Sacred Heart University, who was convicted for filing false rape claims against two fellow students. The university hastily expelled the accused students without benefit of a fair and thorough investigation or hearing. This case reveals the importance of thorough investigations and consideration of an intentionally false allegations.

SAVE encourages you to consider our proposed bill, the **Campus Equality, Fairness, And Transparency Act**. This bill contains many requirements that are reflected in the regulations recently proposed by the Department of Education. CEFTA can be found online at www.saveservices.org.

Sincerely,



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