



## **Campus Sexual Violence Elimination Act (Campus SaVE Act) Summary**

The **Campus Sexual Violence Elimination Act** or **Campus SaVE Act (H.R. 6461)** is a bill introduced in the 2<sup>nd</sup> session of the 111<sup>th</sup> Congress by **Rep. Tom Perriello (D-VA 5<sup>th</sup>)** and a bi-partisan group of 5 co-sponsors from across the country. The measure would amend the federal **Jeanne Clery Act** to update 18-year-old sexual assault policy requirements for institutions of higher education to also address a broader scope of intimate partner violence including stalking, dating violence, sexual violence and domestic violence offenses. The Campus SaVE Act also enhances existing prevention education and victims' rights provisions. It would take effect in 2012, and be enforced by the U.S. Dept. of Education.

### **Intimate Partner Violence Policy**

The **Campus SaVE Act** requires institutions of postsecondary education eligible to participate in federal student aid programs to adopt, and disclose in their annual security report a summary of, a policy regarding sexual assault (an existing requirement of the Clery Act) and other intimate partner violence.

The term "intimate partner violence" is defined to mean "any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual". It would include stalking, dating violence, sexual violence, or domestic violence.

### **Victims' Rights Provisions**

The **Campus SaVE Act** establishes a baseline framework for institutions to respond to sexual assault and other intimate partner violence. Each institution's policy would:

- Provide students and employees who report victimization information in writing of their rights to notify law enforcement and to be assisted by campus authorities in doing so, an explanation of their rights to obtain no contact orders or enforce an order already in existence, and contact information for campus and local advocacy, counseling, health, mental health and legal assistance services.
- Provide notification to students and employees who report victimization options for and assistance in changing academic, living, transportation and working situations if requested and reasonably available.
- Provide for honoring any lawful no contact or restraining order.
- Disclose the range of possible sanctions that may be imposed following an institutional disciplinary procedure.
- Detail procedures victims should follow if a sex offense occurs, including who to contact and information about the importance of preserving physical evidence (an existing provision of the Clery Act).

- Disclose a summary of institutional disciplinary procedures including clear statements that –
  - Accusers shall have the opportunity to request prompt proceedings.
  - Proceedings shall be conducted by officials trained on sexual assault and other intimate partner violence issues, and shall use the preponderance of the evidence standard (which is “more likely than not” and the standard used by civil courts in the United States).
  - Both accuser and accused are entitled to be accompanied to any related meeting or proceeding by an advisor of their choice, and that both must have the same opportunity to have others present during any proceeding (currently institutions may deny both parties an advocate or support person).
  - Both accuser and accused are entitled to be informed in writing of the final results within one business day of such outcome being reached.

### **Prevention and Awareness Programs**

The **Campus SaVE Act** would update requirements concerning awareness and prevention programming about sexual assault and other intimate partner violence. Each institution would be required to offer:

- Primary prevention and awareness programming for all incoming students and new employees that includes –
  - The definition of consent in sexual relationships.
  - Reporting sex offenses.
  - Bystander intervention.
  - Risk Reduction.
- Ongoing prevention and awareness campaigns.

Primary prevention is defined to mean programming and strategies intended to stop sexual and intimate partner violence before it occurs through the changing of social norms and other approaches.

Awareness programming is defined to mean programs designed to communicate the prevalence of intimate partner violence including the nature and number of cases reported at each institution in the preceding 3 calendar years.

### **Best Practices Report**

The **Campus SaVE Act** would provide for the collaboration of the U.S. Departments of Justice and Education to collect and disseminate best practices information about preventing and responding to sexual assault and other intimate partner violence.