State Policies on Campus Sexual Assault

Dr. Molly Sarubbi, Senior Project Manager
Erin Whinnery, Project Manager
Who we are.

The essential, indispensable member of any team addressing education policy.
What we do.

We believe in the power of learning from experience and we know informed policymakers create better education policy.
How we do it.

We research, report, convene and counsel.
Agenda

• Introductions
• Conceptual Framework
• 2019 Legislative Overview
• Existing State Efforts
• Group Discussion
Getting to Know You

What levels of campus leadership are in the room?

• Student
• Student affairs staff
• Department director or chair
• Faculty
• Campus executive leadership
Getting to Know You

What program areas are represented?

- Residential life
- Outreach & admissions
- Financial aid
- Student life/activities
- Other
Getting to Know You

Do you consider your role to be responsible for:

• **creating** your institution’s sexual assault prevention policies?

• **implementing** your institution’s sexual assault prevention policies?
Review and investigate public policy efforts to address campus sexual assault by:

• **Sharing** examples of proposed and existing state efforts

• **Discussing** how or if state policies manifest on postsecondary campuses
Framework

22 States have codified a campus sexual assault policy

3 States have defined affirmative consent
2019 Legislative Review

95 bills were introduced in 27 states & DC
2019 Legislative Review

16 bills were enacted
2019 Legislative Review

Awareness and prevention:
• consent and healthy relationships
• preventing and/or responding to campus sexual assault

Reporting guidelines and procedures:
• confidentiality and reporting requirements
• collaboration with community officials and response professionals

Assessment and accountability:
• assess or evaluate policies and practice at both state and institutional levels
2019 Legislative Review

Awareness and prevention:

Oregon H.B. 3415
• Sexual assault on and off campus
• Shared definitions of sexual assault, procedures and responses.
• Annual training for leadership

California A.B. 381
• “He or she” changed to “the person”
• Outreach programming
2019 Legislative Review

Reporting guidelines and procedures:

Texas S.B. 212
- Requires prompt, confidential reports
- Coordinator to report to leadership every month

Utah H.B. 346
- Prohibits sanctions against victims, witnesses or reporters
- Identifying information on reports must be kept confidential from police
2019 Legislative Review

Assessment and accountability:

Louisiana H.B. 294
- Sexual assault climate survey once every three years

Texas H.B. 1735
- Sanctions for violations, protocol for reporting incidents
- Campus program and student orientation on sexual assault policies
- Victim’s rights and disciplinary process
Existing State Efforts

Colorado

Accountability: Sexual Misconduct Advisory Committee

Awareness programming: Biennial summit on sexual misconduct
Existing State Efforts

Connecticut

Affirmative consent, bystander intervention and risk reduction
Awareness and prevention program requirements
Community partnerships
Notification of options for changing academic, living, working or transportation situations
Existing State Efforts

Maryland

Distribute written sexual assault policy
  • Timeliness of reporting
  • Disciplinary proceedings
  • Victim support services (medical care, legal pursuits and mental health)

Protections from disciplinary action/retaliation for reporting
Small Group Discussion

What policies and practices are in place on your campus?

What has supported or impeded progress in addressing campus sexual assault?

Common elements
- Affirmative consent
- Law enforcement
- Reporting
- Victim’s rights
- Accused rights
- Confidentiality
- Reporting and investigation procedure
- Campus survey
Large Group Discussion

What are some examples of intersections between state policy and institutional implementation?
Questions

Dr. Molly Sarubbi
msarubbi@strongstart.org | @Sarubbimolly

Erin Whinnery
ewhinnery@ecs.org | @ErinNicholeW