

Policy Update: White House Releases Taskforce Report and Guidelines on Campus Sexual Assault; Senators Begin to Examine Issue

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The White House Taskforce to Protect Students from Sexual Assault today released a report entitled, *Not Alone: The First Report of the White House Task Force to Protect Students From Sexual Assault*, which includes four action steps to strengthen federal and campus efforts to combat sexual assault. The Taskforce, which began its work in January 2014, is chaired by Vice President Joe Biden and Valerie Jarrett, Senior Advisor to the President and Assistant to the President for Public Engagement and Intergovernmental Affairs, and involves several federal agencies, including the Department of Education (ED), Department of Justice (DOJ), and the White House Council on Women and Girls. The Taskforce began its work by holding listening sessions with students, survivors, campus officials, support and advocacy groups, and federal officials to determine best practices and actions that could be taken to better address the issue of sexual assault on college campuses.

The report recommends four action steps for federal agencies and colleges and universities. They are:

1. Identifying the Problem: Campus Climate Surveys

DOJ will partner with the Rutgers University's Center on Violence Against Women and Children to pilot a new survey for campuses to understand the campus climate surrounding sexual assault. The White House is providing a tool kit for campuses to conduct their own survey^[i], and is calling on all colleges and universities to voluntarily carry out this survey within the next year. The report states that the Administration will seek to make this new survey a federal requirement by 2016.

2. Preventing Sexual Assault and Engaging Men

The White House is providing new guidance and information to improve prevention programs on college campuses, including a report by the Centers for Disease Control and Prevention (CDC) that discusses best practices and prevention strategies to reduce sexual violence.^[ii]

3. Effectively Responding When a Student is Sexually Assaulted

The taskforce report provides further guidance about what is required of a college or university under Title IX in responding to sexual assault. This includes:

- *Providing someone on campus that a survivor can speak to in confidence, and being responsive to the survivor.* The report provides a "sample" reporting and confidentiality protocol^[iii] that clarifies who can speak to the survivor in confidence and when a school can override a request for confidentiality. It also reiterates that a school must respond when a student reports an assault.
- *A comprehensive sexual misconduct policy.* The White House is providing a checklist^[iv] of what is required in a school's sexual misconduct policies, and encouraging colleges and universities to review their current policies and make changes as needed.
- *Trauma-informed training for school officials.* Through the summer and fall of 2014, DOJ and ED will develop trauma-informed training programs for school officials, campus and local law enforcement, and campus health centers.
- *Better school disciplinary systems.* DOJ will assess different campus models to determine best practices for investigating and adjudicating campus sexual assault cases. In addition, the report urges changes to current processes, including forbidding questions about a survivor's sexual history with anyone other than the alleged perpetrator; knowledge that previous consensual sexual relationship does not imply consent; and that parties should not be allowed to cross examine each other.
- *Partnerships with the community.* The Taskforce is providing sample agreements that can be used between campuses and local law enforcement and local rape crisis centers to better coordinate response and investigations.^[v]

4. Increasing Transparency and Improving Enforcement

The White House is launching a new website, www.NotAlone.gov, which provides information to students about institutional responsibilities of the college or university and how to file a complaint with the federal government if they feel their institution has not complied with Title IX regulations. The Department of

Education Office of Civil Rights (OCR) has also issued clarifying guidance about a student's rights and a school's obligations under Title IX. Under Title IX, a school that does not comply with student rights could lose federal funding. OCR is also instituting time limits on negotiating voluntary resolution agreements with institutions of higher education.

In addition, the Taskforce report also includes a call to develop a research collaborative and identify research projects that can improve responses to sexual assault. The CDC along with the DOJ Office of Violence Against Women and ED will convene a group of experts in fall 2014 to identify emerging and promising practices to prevent sexual assault on campus, and in 2015 will solicit proposals to identify and fill gaps in the research on sexual violence prevention on campus.

While the White House is determined to take action through executive order and increasing compliance with federal regulations, a group of senators including, Barbara Boxer (D-CA), Claire McCaskill (D-MO), and Kirsten Gillibrand (D-NY) are calling on the White House to do more and are currently circulating a survey to over 350 colleges and universities to better understand how campuses respond to sexual assault. These efforts will likely result in legislation to further address the issue of sexual assault on campuses.

Sources and Additional Information:

- The full White House report *Not Alone: The First Report of the White House Task Force to Protect Students From Sexual Assault* can be found at http://www.whitehouse.gov/sites/default/files/docs/report_0.pdf.
- The April 29, 2014 ED Office of Civil Rights *Questions and Answers on Title IX and Sexual Violence* can be found at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.
- A blog post by Senator McCaskill describing the college survey and Senate efforts to combat campus sexual assault can be found at http://www.huffingtonpost.com/claire-mccaskill/targeting-sexual-assaults_b_5166502.html.