

115TH CONGRESS
1ST SESSION

S. 856

To amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, APRIL 4), 2017

Mrs. McCASKILL (for herself, Mr. HELLER, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. RUBIO, Mr. WARNER, Mrs. ERNST, Mr. REED, Ms. HASSAN, Mrs. CAPITO, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Campus Accountability
5 and Safety Act”.

1 **SEC. 2. AMENDMENTS TO THE CLERY ACT.**

2 Section 485(f) of the Higher Education Act of 1965
3 (20 U.S.C. 1092(f)) (known as the Jeanne Clery Dislo-
4 sure of Campus Security Policy and Campus Crime Statis-
5 tics Act) is amended—

6 (1) in paragraph (1)—

7 (A) by inserting “which shall include, at a
8 minimum, publication in an easily accessible
9 manner on the website of the institution,” after
10 “through appropriate publications or mail-
11 ings,”;

12 (B) in subparagraph (C), by striking
13 clause (ii) and inserting the following:

14 “(ii) the memorandum of understanding
15 between the institution and law enforcement
16 pursuant to section 124 (or, if such require-
17 ment has been waived, a description of the
18 working relationship between the institution,
19 campus security personnel, or campus law en-
20 forcement and State or local law enforcement
21 agencies); and”;

22 (C) in subparagraph (F)—

23 (i) in clause (i)—

24 (I) by redesignating subclauses
25 (III) through (IX) as subclauses (VI)
26 through (XII); and

1 (II) by striking subclause (II)
2 and inserting the following:

3 “(II) rape;

4 “(III) fondling;

5 “(IV) incest;

6 “(V) statutory rape;”; and

7 (ii) in clause (ii), by striking “sub-
8 clauses (I) through (VIII) of clause (i)”
9 and inserting “subclauses (I) through (XI)
10 of clause (i)”; and

11 (D) by adding at the end the following:

12 “(K)(i) With respect to the criminal activ-
13 ity described in subclauses (II) and (III) of sub-
14 paragraph (F)(i), the eligible institution shall
15 prepare for the annual security report that is
16 due following 1 year after the date of enact-
17 ment of the Campus Accountability and Safety
18 Act, and annually thereafter, the following addi-
19 tions:

20 “(I) The number of such incidents
21 where the accused individual is a student
22 at the institution.

23 “(II) Of the incidents described in
24 subclause (I), the number of such incidents
25 that were reported to the title IX coordi-

1 nator (as defined in section 125(a)) or
2 other higher education responsible em-
3 ployee (as defined in section 125(a)) of the
4 institution.

5 “(III) Of the incidents described in
6 subclause (II), the number of victims who
7 sought campus disciplinary action at the
8 institution.

9 “(IV) Of the victims described in sub-
10 clause (III), the number of cases processed
11 through the student disciplinary process of
12 the institution.

13 “(V) Of the cases described in sub-
14 clause (IV), the number of accused individ-
15 uals who were found responsible through
16 the student disciplinary process of the in-
17 stitution.

18 “(VI) Of the cases described in sub-
19 clause (IV), the number of accused individ-
20 uals who were found not responsible
21 through the student disciplinary process of
22 the institution.

23 “(VII) A description of the final sanc-
24 tions imposed by the institution for each
25 incident for which an accused individual

1 was found responsible through the student
2 disciplinary process of the institution, if
3 such description will not reveal personally
4 identifiable information about an individual
5 student.

6 “(VIII) The number of student dis-
7 ciplinary proceedings at the institution
8 that have closed without resolution since
9 the previous annual security report due to
10 withdrawal from the institution of higher
11 education by the accused student pending
12 resolution of the student disciplinary pro-
13 ceeding.

14 “(ii) The Secretary shall provide technical
15 assistance to eligible institutions to assist such
16 institutions in meeting the requirements of this
17 subparagraph.”;

18 (2) by striking paragraph (7) and inserting the
19 following:

20 “(7) The statistics described in clauses (i) and (ii)
21 of paragraph (1)(F)—

22 “(A) shall not identify victims of crimes or per-
23 sons accused of crimes; and

24 “(B) shall be compiled in accordance with the
25 following definitions:

1 “(i) For the offenses of domestic violence,
2 dating violence, and stalking, such statistics
3 shall be compiled in accordance with the defini-
4 tions used in section 40002(a) of the Violence
5 Against Women Act of 1994 (42 U.S.C.
6 13925(a)).

7 “(ii) For the offense of rape, such statis-
8 tics shall be compiled in accordance with the
9 definition used in the Summary Reporting Sys-
10 tem of the Uniform Crime Reporting Program
11 of the Department of Justice, Federal Bureau
12 of Investigation.

13 “(iii) For the offenses of fondling, incest,
14 and statutory rape, such statistics shall be com-
15 piled in accordance with the definition used in
16 the National Incident Based Reporting System.

17 “(iv) For offenses not described in clause
18 (i), (ii), or (iii), such statistics shall be compiled
19 in accordance with the Uniform Crime Report-
20 ing Program of the Department of Justice,
21 Federal Bureau of Investigation, and the modi-
22 fications to such definitions as implemented
23 pursuant to the Hate Crime Statistics Act (28
24 U.S.C. 534 note).”;

25 (3) in paragraph (8)(B)—

1 (A) in clause (i)—

2 (i) in the matter preceding subclause
3 (I), by inserting “, developed in consulta-
4 tion with local, State, or national sexual
5 assault, dating violence, domestic violence,
6 and stalking victim advocacy, victim serv-
7 ices, or prevention organizations, and local
8 law enforcement,” after “Education pro-
9 grams”; and

10 (ii) in subclause (I)(aa), by inserting
11 “, including the fact that these are crimes
12 for the purposes of this subsection and re-
13 porting under this subsection, and the in-
14 stitution of higher education will, based on
15 the victim’s wishes, cooperate with local
16 law enforcement with respect to any al-
17 leged criminal offenses involving students
18 or employees of the institution of higher
19 education” after “stalking”; and

20 (B) in clause (iv)—

21 (i) by redesignating subclauses (II)
22 and (III) as subclauses (III) and (IV), re-
23 spectively;

24 (ii) by inserting after subclause (I)
25 the following:

1 “(II) the institution will comply
2 with the requirements of section
3 125(b), and shall include a description
4 of such requirements;” and
5 (iii) in subclause (IV), as redesignated
6 by clause (i)—

7 (I) in item (aa), by inserting “,
8 within 5 days of such determination”
9 after “sexual assault, or stalking”;

10 (II) in item (bb), by inserting
11 “simultaneously with the notification
12 of the outcome described in item
13 (aa),” before “the institution’s”;

14 (III) in item (cc), by inserting
15 “within 5 days of such change” after
16 “results become final”; and

17 (IV) in item (dd), by inserting
18 “within 5 days of such determination”
19 after “results become final”;

20 (4) by redesignating paragraph (18) as para-
21 graph (22); and

22 (5) by inserting after paragraph (17) the fol-
23 lowing:

24 “(18) Each individual at an institution of high-
25 er education who is designated as a higher education

1 responsible employee (as defined in section 125(a))
2 shall be considered a campus security authority, as
3 defined in section 668.46(a) of title 34, Code of
4 Federal Regulations.

5 “(19)(A) The Secretary shall, in consultation
6 with the Attorney General, develop, design, and
7 make available through a secure online portal, a
8 standardized online survey tool regarding student ex-
9 periences with domestic violence, dating violence,
10 sexual assault, and stalking. The Secretary shall de-
11 velop such survey tool using best practices from
12 peer-reviewed research measuring domestic violence,
13 dating violence, sexual assault, and stalking. The
14 Secretary shall consult with the higher education
15 community and experts in survey research related to
16 domestic violence, dating violence, sexual assault,
17 and stalking regarding the development and design
18 of such survey tool and the methodology for admin-
19 istration of such survey tool. The survey shall be fair
20 and unbiased, scientifically valid and reliable, and
21 meet the highest standards of survey research. Sur-
22 vey questions shall be designed to gather informa-
23 tion on student experiences with domestic violence,
24 dating violence, sexual assault, and stalking, includ-
25 ing the experiences of victims of such incidents, and

1 shall therefore use trauma-informed language to pre-
2 vent retraumatization

3 “(B) Each institution shall administer the sur-
4 vey described in subparagraph (A) every 2 years. In
5 addition to the standardized questions developed by
6 the Secretary, institutions may request additional in-
7 formation from students that would increase the in-
8 stitutions’ understanding of school climate factors
9 unique to their campuses.

10 “(C) The Secretary, in consultation with the
11 Attorney General, shall develop a mechanism by
12 which institutions of higher education may admin-
13 ister the survey described in subparagraph (A)
14 through a Federal source.

15 “(D) The Secretary shall require each institu-
16 tion participating in any program under this title to
17 ensure that an adequate, random, and representative
18 sample size of students (as determined by the Sec-
19 retary) enrolled at the institution complete the sur-
20 vey described in subparagraph (A) in accordance
21 with this paragraph and beginning not later than 1
22 year after the date of enactment of the Campus Ac-
23 countability and Safety Act.

24 “(E) Responses to the survey shall be sub-
25 mitted confidentially and shall not be included in

1 crime statistics reported under this subsection. Re-
2 porting of survey data shall not include personally
3 identifiable information.

4 “(F) The survey described in subparagraph (A)
5 shall include the following:

6 “(i) Questions designed to determine the
7 incidence and prevalence of domestic violence,
8 dating violence, sexual assault, and stalking.

9 “(ii) Questions regarding whether students
10 know about institutional policies and procedures
11 related to domestic violence, dating violence,
12 sexual assault, and stalking.

13 “(iii) Questions designed to determine, if
14 victims reported domestic violence, dating vio-
15 lence, sexual assault, or stalking—

16 “(I) to whom the incident was re-
17 ported and what response the victim may
18 have received; and

19 “(II) whether the victim was informed
20 of, or referred to, national, State, local, or
21 on-campus resources.

22 “(iv) Questions regarding contextual fac-
23 tors, such as whether force, incapacitation, or
24 coercion was involved.

1 “(v) Questions to determine whether an ac-
2 cused individual was a student at the institu-
3 tion.

4 “(vi) Questions to determine whether a vic-
5 tim reported an incident to State, local, or cam-
6 pus law enforcement.

7 “(vii) Questions to determine why the vic-
8 tim chose to report or not report an incident to
9 State, local, or campus law enforcement.

10 “(viii) Other questions as determined by
11 the Secretary.

12 “(G) Beginning not later than 2 years after the
13 date of enactment of the Campus Accountability and
14 Safety Act, the Secretary shall prepare a biennial re-
15 port on the information gained from the survey
16 under this paragraph and publish such report on the
17 website of the Department and submit such report
18 to Congress. The report shall include campus-level
19 data for each school and attributed by name of each
20 campus in a manner that permits comparisons
21 across schools and campuses.

22 “(H) Each institution subject to this subsection
23 shall publish the campus-level results of the survey
24 under this paragraph on the website of the institu-
25 tion and in the annual security report required

1 under this subsection for the campuses affiliated
2 with the institution.

3 “(20) Notwithstanding any other provision of
4 this Act, upon determination, after reasonable notice
5 and opportunity for a hearing, that an eligible insti-
6 tution has violated or failed to carry out any provi-
7 sion of this subsection, or agreement made to resolve
8 a compliance review under this subsection, or any
9 regulation prescribed under this subsection, the Sec-
10 retary may impose a civil penalty upon such institu-
11 tion not to exceed \$150,000, which shall be adjusted
12 for inflation annually, for each violation or misrepre-
13 sentation, or per month a survey is not completed at
14 the standard required. The Secretary shall use any
15 such civil penalty funds to carry out the grant pro-
16 gram established under section 8 of the Campus Ac-
17 countability and Safety Act.”.

18 **SEC. 3. COORDINATION WITH LOCAL LAW ENFORCEMENT.**

19 (a) IN GENERAL.—Part B of title I of the Higher
20 Education Act of 1965 (20 U.S.C. 1011 et seq.) is amend-
21 ed by adding at the end the following:

22 **“SEC. 124. COORDINATION WITH LOCAL LAW ENFORCE-**
23 **MENT.**

24 “(a) MEMORANDA OF UNDERSTANDING.—Each in-
25 stitution of higher education that receives funds under this

1 Act, shall enter into a memorandum of understanding with
2 each law enforcement agency that has jurisdiction to re-
3 port as a first responder to a campus of the institution,
4 noncampus building or property, or public property (as
5 these terms are defined under section 485(f)) (excluding
6 a campus, noncampus building or property, or public prop-
7 erty located outside the United States) to clearly delineate
8 responsibilities and share information, in accordance with
9 applicable Federal confidentiality laws, about domestic vi-
10 olence, dating violence, sexual assault, and stalking occur-
11 ring against students of the institution or against other
12 individuals on the campus of the institution.

13 “(b) REVIEW.—Each institution of higher education
14 shall review the memorandum of understanding under this
15 section with each law enforcement agency that has entered
16 into such a memorandum of understanding every 2 years.
17 As part of the review process, the institution shall contact
18 each law enforcement agency that has entered into a
19 memorandum of understanding to discuss how changes in
20 policies or procedures at either the institution of higher
21 education or the law enforcement agency may impact the
22 provisions of the memorandum of understanding. If
23 changes in policies or procedures are identified that im-
24 pact the provisions of the memorandum of understanding,
25 the institution of higher education and the law enforce-

1 ment agency shall update the memorandum of under-
2 standing as necessary.

3 “(c) CONTENTS.—Each memorandum of under-
4 standing described under this section shall include—

5 “(1) delineation and sharing protocols of inves-
6 tigative responsibilities;

7 “(2) protocols for investigations, including
8 standards for notification and communication and
9 measures to promote evidence preservation;

10 “(3) coordinated training and requirements on
11 issues related to domestic violence, dating violence,
12 sexual assault, and stalking; and

13 “(4) a method of sharing information about
14 specific crimes, which may include a mechanism for
15 sharing information anonymously, that—

16 “(A) requires that the victim authorized or
17 requested that such information be shared and
18 is fully and accurately informed about what
19 procedures shall occur if the information is
20 shared; and

21 “(B) is carried out in a manner that is
22 consistent with section 444 of the General Edu-
23 cation Provisions Act (20 U.S.C. 1232g) (com-
24 monly referred to as the ‘Family Educational
25 Rights and Privacy Act of 1974’).

1 “(d) PENALTY.—

2 “(1) IN GENERAL.—The Secretary—

3 “(A) may impose a civil penalty of not
4 more than 1 percent of an institution’s oper-
5 ating budget, as defined by the Secretary, each
6 year that the institution of higher education
7 fails to carry out the requirements of this sec-
8 tion, by the date that is 1 year after the date
9 of enactment of the Campus Accountability and
10 Safety Act; and

11 “(B) if the conditions described in para-
12 graph (3) have been met, shall waive the pen-
13 alty pursuant to such paragraph.

14 “(2) DISTRIBUTION.—Any civil monetary pen-
15 alty or monetary settlement collected under this sub-
16 section shall be used to carry out the grant program
17 established under section 304 of the Violence
18 Against Women and Department of Justice Reau-
19 thorization Act of 2005 (42 U.S.C. 14045b).

20 “(3) WAIVER.—

21 “(A) IN GENERAL.—If a local law enforce-
22 ment agency refuses to enter into a memo-
23 randum of understanding under this section, or
24 will only commit to entering into a memo-
25 randum of understanding that, if followed,

1 would cause the institution of higher education
2 to be in violation of Federal or State law, the
3 Secretary shall waive the penalty if the Sec-
4 retary determines that the following conditions
5 have been met—

6 “(i) the institution has explained why
7 the institution was unable to obtain an
8 agreement;

9 “(ii) the institution has demonstrated
10 that the institution acted in good faith;
11 and

12 “(iii) the institution has submitted to
13 the Secretary a copy of the institution’s
14 final proposed memorandum of under-
15 standing that was submitted to a law en-
16 forcement agency that was ultimately re-
17 jected.

18 “(B) REFERRAL TO DEPARTMENT OF JUS-
19 TICE.—The Secretary shall refer to the Attor-
20 ney General a copy of each waiver granted
21 under subparagraph (A) and the reason (as de-
22 termined by the Secretary) for why local law
23 enforcement refuses to enter into a memo-
24 randum of understanding.

1 “(C) ADMINISTRATIVE REVIEW.—If the
2 Secretary does not grant a waiver under sub-
3 paragraph (A), the institution may submit addi-
4 tional information to receive such waiver. If,
5 after submitting additional information, the
6 Secretary still does not grant a waiver, the deci-
7 sion of the Secretary shall be subject to review
8 pursuant to section 706(2)(A) of title 5, United
9 States Code.

10 “(4) VOLUNTARY RESOLUTION.—Nothing in
11 this subsection shall prevent the Secretary from en-
12 tering into a voluntary resolution with an institution
13 of higher education that fails to carry out the re-
14 quirements of this section, by the date that is 1 year
15 after the date of enactment of the Campus Account-
16 ability and Safety Act.

17 “(5) ADJUSTMENT TO PENALTIES.—Any civil
18 penalty under this subsection may be reduced by the
19 Secretary. In determining the amount of such pen-
20 alty, or the amount agreed upon in compromise, the
21 Secretary shall consider the appropriateness of the
22 penalty to the size of the operating budget of the
23 educational institution subject to the determination,
24 the gravity of the violation or failure, and whether

1 the institution committed the violation or failure in-
 2 tentionally, negligently, or otherwise.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
 4 subsection (a) shall take effect on the date that is 1 year
 5 after the date of enactment of this Act.

6 (c) **NEGOTIATED RULEMAKING.**—The Secretary of
 7 Education shall establish regulations to carry out the pro-
 8 visions of this section and the amendment made by this
 9 section in accordance with the requirements described
 10 under section 492 of the Higher Education Act of 1965
 11 (20 U.S.C. 1098a).

12 **SEC. 4. UNIVERSITY SUPPORT FOR SURVIVORS OF DOMES-**
 13 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
 14 **ASSAULT, AND STALKING.**

15 (a) **IN GENERAL.**—Part B of title I of the Higher
 16 Education Act of 1965 (20 U.S.C. 1011 et seq.) is further
 17 amended by adding after section 124 (as added by section
 18 3), the following:

19 **“SEC. 125. UNIVERSITY SUPPORT FOR SURVIVORS OF DO-**
 20 **MESTIC VIOLENCE, DATING VIOLENCE, SEX-**
 21 **UAL ASSAULT, AND STALKING.**

22 “(a) **DEFINITIONS.**—

23 “(1) **HIGHER EDUCATION RESPONSIBLE EM-**
 24 **PLOYEE.**—In this subsection, the term ‘higher edu-

1 cation responsible employee’ means an employee of
2 an institution of higher education who—

3 “(A) has the authority to take action to re-
4 dress sexual harassment; or

5 “(B) has the duty to report sexual harass-
6 ment or any other misconduct by students or
7 employees to appropriate school officials.

8 “(2) TITLE IX COORDINATOR.—In this sub-
9 section, the term ‘title IX coordinator’ has the
10 meaning given to the individual designated as a re-
11 sponsible employee in section 106.8(a) of title 34,
12 Code of Federal Regulations, as such section is in
13 effect on the date of enactment of the Campus Ac-
14 countability and Safety Act.

15 “(3) VICTIM-CENTERED, TRAUMA-INFORMED
16 INTERVIEW TECHNIQUES.—In this section, the term
17 ‘victim-centered, trauma-informed interview tech-
18 niques’ means asking questions of an individual who
19 reports that the individual has been a victim of do-
20 mestic violence, dating violence, sexual assault, or
21 stalking, in a manner that is focused on the experi-
22 ence of the victim, that does not judge or blame the
23 victim for the alleged assault, and that is informed
24 by evidence-based research on the neurobiology of
25 trauma.

1 “(b) CAMPUS SECURITY POLICY.—Each institution
2 of higher education that receives funds under this Act,
3 shall establish a campus security policy that includes the
4 following:

5 “(1) SEXUAL ASSAULT RESPONSE COORDINA-
6 TORS.—The designation of 1 or more sexual assault
7 response coordinators at the institution to whom
8 student victims of domestic violence, dating violence,
9 sexual assault, or stalking can report, including
10 anonymously, which shall be part of a policy that
11 complies with the following:

12 “(A) The sexual assault response coordi-
13 nator—

14 “(i) shall not be an undergraduate
15 student, a full-time graduate student, an
16 employee designated as a higher education
17 responsible employee, or the title IX coordi-
18 nator;

19 “(ii) may have other roles at the insti-
20 tution;

21 “(iii) shall be appointed based on ex-
22 perience and a demonstrated ability of the
23 individual to effectively provide victim serv-
24 ices related to domestic violence, dating vi-
25 olence, sexual assault, and stalking;

1 “(iv) shall report to an individual out-
2 side the body responsible for investigating
3 and adjudicating complaints at the institu-
4 tion related to domestic violence, dating vi-
5 olence, sexual assault, or stalking; and

6 “(v) shall not serve as an advisor
7 under section 485(f)(8)(B)(iv)(III).

8 “(B) The Secretary shall designate cat-
9 egories of employees that may serve as sexual
10 assault response coordinators, such as health
11 care staff, clergy, staff of a women’s center, or
12 other such categories. Such designation shall
13 not preclude the institution from designating
14 other employees or partnering with national,
15 State, or local victim services organizations to
16 serve as sexual assault response coordinators or
17 to serve in other confidential roles.

18 “(C) The sexual assault response coordi-
19 nator shall complete the training requirements
20 described in paragraph (5) and subparagraph
21 (D) within a reasonable time after being des-
22 ignated as a sexual assault response coordi-
23 nator.

24 “(D) The Secretary shall develop online
25 training materials, in addition to the training

1 required under paragraph (5), not later than 1
2 year after the date of enactment of the Campus
3 Accountability and Safety Act, for the training
4 of sexual assault response coordinators.

5 “(E) The sexual assault response coordi-
6 nator shall inform the victim, including in a
7 written format—

8 “(i) of the victim’s rights under Fed-
9 eral and State law;

10 “(ii) of the victim’s rights and options
11 pursuant to the policy that the institution
12 of higher education has developed pursuant
13 to clauses (ii) through (vii) of section
14 485(f)(8)(B);

15 “(iii) of the victim’s reporting options,
16 including the option to notify a higher edu-
17 cation responsible employee, the option to
18 notify local law enforcement, and any other
19 reporting options;

20 “(iv) a description of the process of
21 investigation and any disciplinary pro-
22 ceeding of the institution that may follow
23 notification of a higher education respon-
24 sible employee;

1 “(v) a description of the process of in-
2 vestigation and adjudication of the crimi-
3 nal justice system that may follow notifica-
4 tion of law enforcement;

5 “(vi) a description of the jurisdiction,
6 scope, and possible sanctions of the stu-
7 dent disciplinary process of the institution
8 of higher education and of the criminal
9 justice process;

10 “(vii) that the student disciplinary
11 process of the institution of higher edu-
12 cation is not equivalent to, and should not
13 be considered a substitute for, the criminal
14 justice process; and

15 “(viii) any limitations on the ability of
16 the sexual assault response coordinator to
17 provide privacy or confidentiality to the
18 victim under the policies of the institution
19 of higher education, Federal law, or State
20 law.

21 “(F) The sexual assault response coordi-
22 nator may, as appropriate—

23 “(i) serve as a liaison between a vic-
24 tim and a higher education responsible em-
25 ployee or law enforcement, when directed

1 to do so by a victim who has been fully
2 and accurately informed about what proce-
3 dures shall occur if information is shared;
4 and

5 “(ii) assist a victim in contacting and
6 reporting to a higher education responsible
7 employee or law enforcement.

8 “(G) The sexual assault response coordi-
9 nator shall be authorized by the institution to
10 liaise with appropriate staff at the institution to
11 arrange reasonable accommodations through
12 the institution to allow the victim to change liv-
13 ing arrangements or class schedules, obtain ac-
14 cessibility services, or arrange other accom-
15 modations for the victim.

16 “(H) The sexual assault response coordi-
17 nator shall not be obligated to report crimes to
18 the institution or law enforcement in a way that
19 identifies a victim or an accused individual, un-
20 less otherwise required to do so by State law.
21 The sexual assault response coordinator shall,
22 to the extent authorized under State law, pro-
23 vide confidential services. Any requests for ac-
24 commodated, as described in subparagraph
25 (G), made by a sexual assault response coordi-

1 nator shall not trigger an investigation by the
2 institution, even if the sexual assault response
3 coordinator deals only with matters relating to
4 domestic violence, dating violence, sexual as-
5 sault, and stalking.

6 “(I) The institution shall designate as a
7 sexual assault response coordinator an indi-
8 vidual who has protection under State law to
9 provide privileged communication. The institu-
10 tion may partner through a formal arrangement
11 with an outside organization with the experi-
12 ence described in subparagraph (A)(iii), such as
13 a community-based rape crisis center or other
14 community-based sexual assault service pro-
15 vider, to provide the services described in this
16 paragraph.

17 “(J) The sexual assault response coordi-
18 nator shall collect and report statistics in ac-
19 cordance with the requirements of section
20 485(f). The sexual assault response coordinator
21 shall not include identifying information or
22 jeopardize the confidentiality of a victim or an
23 accused individual when reporting such statis-
24 tics.

1 “(K) The institution shall appoint an ade-
2 quate number of sexual assault response coordi-
3 nators not later than the earlier of—

4 “(i) 1 year after the Secretary deter-
5 mines through a negotiated rulemaking
6 process what an adequate number of sex-
7 ual assault response coordinators is for an
8 institution based on its size; or

9 “(ii) 3 years after the date of enact-
10 ment of the Campus Accountability and
11 Safety Act.

12 “(L) Each institution that enrolls fewer
13 than 1,000 students may partner with another
14 institution of higher education in their region or
15 State to provide the services described in this
16 paragraph.

17 “(M) The institution shall not discipline,
18 penalize, or otherwise retaliate against an indi-
19 vidual who reports, in good faith, domestic vio-
20 lence, dating violence, sexual assault, or stalk-
21 ing to the sexual assault response coordinator.

22 “(N) Each employee of an institution who
23 receives a report of domestic violence, dating vi-
24 olence, sexual assault, or stalking shall notify
25 the reporting individual of the existence of, con-

1 tact information for, and services provided by
2 sexual assault response coordinator of the insti-
3 tution.

4 “(2) INFORMATION ON THE INSTITUTION’S
5 WEBSITE.—The institution shall list on its website—

6 “(A) the name and contact information for
7 the sexual assault response coordinator;

8 “(B) reporting options, including confiden-
9 tial options, for victims of domestic violence,
10 dating violence, sexual assault, or stalking;

11 “(C) the process of investigation and dis-
12 ciplinary proceedings of the institution;

13 “(D) the process of investigation and adju-
14 dication of the criminal justice system;

15 “(E) potential reasonable accommodations
16 that the institution may provide to a victim, as
17 described in paragraph (1)(G);

18 “(F) the telephone number and website ad-
19 dress for a local, State, or national hotline pro-
20 viding information to domestic violence, dating
21 violence, sexual assault, and stalking victims
22 (which shall be clearly communicated on the
23 website and shall be updated on a timely basis);
24 and

1 “(G) the name and location of the nearest
2 medical facility where an individual may have a
3 medical forensic examination administered by a
4 trained sexual assault forensic nurse, including
5 information on transportation options and
6 available reimbursement for a visit to such fa-
7 cility.

8 “(3) ONLINE REPORTING.—The institution may
9 provide an online reporting system to collect anony-
10 mous disclosures of crimes and track patterns of
11 crime on campus. An individual may submit an
12 anonymous report about a specific crime to the insti-
13 tution using the online reporting system, but the in-
14 stitution is only obligated to investigate a specific
15 crime if an individual decides to report the crime to
16 a higher education responsible employee or law en-
17 forcement. If the institution uses an online reporting
18 system, the online system shall also include informa-
19 tion about how to report a crime to a higher edu-
20 cation responsible employee and to law enforcement
21 and how to contact a sexual assault response coordi-
22 nator.

23 “(4) AMNESTY POLICY.—The institution shall
24 provide an amnesty policy for any student who re-
25 ports, in good faith, domestic violence, dating vio-

1 lence, sexual assault, or stalking to an institution of-
2 ficial, such that the reporting student will not be
3 sanctioned by the institution for a student conduct
4 violation related to alcohol use or drug use that is
5 revealed in the course of such a report and that oc-
6 curred at or near the time of the commission of the
7 domestic violence, dating violence, sexual assault, or
8 stalking. This provision shall not preempt the ability
9 of an institution of higher education to establish an
10 amnesty policy for student conduct violations not
11 mentioned in this provision. The institution shall
12 provide information about the amnesty policy of the
13 institution on the website of the institution.

14 “(5) TRAINING.—

15 “(A) IN GENERAL.—Not later than 1 year
16 after the date of enactment of the Campus Ac-
17 countability and Safety Act, the Secretary, in
18 coordination with the Attorney General and in
19 consultation with national, State, or local victim
20 services organizations and institutions of higher
21 education, shall develop a training program,
22 which may include online training modules, for
23 training—

24 “(i) each individual who is involved in
25 implementing an institution of higher edu-

1 cation’s student grievance procedures, in-
2 cluding each individual who is responsible
3 for resolving complaints of reported domes-
4 tic violence, dating violence, sexual assault,
5 stalking, or sexual misconduct policy viola-
6 tions; and

7 “(ii) each employee of an institution
8 of higher education who has responsibility
9 for conducting an interview with a victim
10 of domestic violence, dating violence, sex-
11 ual assault, stalking, or sexual misconduct
12 policy violations.

13 “(B) CONTENTS.—Such training shall in-
14 clude—

15 “(i) information on working with and
16 interviewing persons subjected to domestic
17 violence, dating violence, sexual assault, or
18 stalking;

19 “(ii) information on particular types
20 of conduct that would constitute domestic
21 violence, dating violence, sexual assault, or
22 stalking, regardless of gender, including
23 same-sex incidents of domestic violence,
24 dating violence, sexual assault, or stalking;

1 “(iii) information on consent and the
2 affect that drugs or alcohol may have on
3 an individual’s ability to consent;

4 “(iv) the effects of trauma, including
5 the neurobiology of trauma;

6 “(v) training regarding the use of vic-
7 tim-centered, trauma-informed interview
8 techniques;

9 “(vi) cultural awareness training re-
10 garding how domestic violence, dating vio-
11 lence, sexual assault, or stalking may im-
12 pact students differently depending on
13 their cultural background; and

14 “(vii) information on sexual assault
15 dynamics, sexual assault perpetrator be-
16 havior, and barriers to reporting.

17 “(C) INSTITUTIONAL TRAINING.—Each in-
18 stitution of higher education shall ensure that
19 the individuals and employees described in sub-
20 paragraph (A) receive the training described in
21 this paragraph not later than the July 15 that
22 is one year after the date that the training pro-
23 gram has been developed by the Secretary in
24 accordance with subparagraph (A).

1 “(6) UNIFORM CAMPUS-WIDE PROCESS FOR
2 STUDENT DISCIPLINARY PROCEEDING RELATING TO
3 CLAIM OF DOMESTIC VIOLENCE, DATING VIOLENCE,
4 SEXUAL ASSAULT, STALKING, OR A SEXUAL MIS-
5 CONDUCT POLICY VIOLATION.—Each institution of
6 higher education that receives funds under this
7 Act—

8 “(A) shall establish and carry out a uni-
9 form process (for each campus of the institu-
10 tion) for student disciplinary proceedings relat-
11 ing to any claims of domestic violence, dating
12 violence, sexual assault, stalking or a sexual
13 misconduct policy violation against a student
14 who attends the institution; and

15 “(B) shall not carry out a different dis-
16 ciplinary process on the same campus for a
17 matter of domestic violence, dating violence,
18 sexual assault, stalking, or a sexual misconduct
19 policy violation, or alter the uniform process de-
20 scribed in subparagraph (A), based on the sta-
21 tus or characteristics of a student who will be
22 involved in that disciplinary proceeding, includ-
23 ing characteristics such as a student’s member-
24 ship on an athletic team, academic major, or
25 any other characteristic or status of a student.

1 “(7) INFORMATION ABOUT THE TITLE IX COOR-
2 DINATOR.—The institution shall submit, annually, to
3 the Office for Civil Rights of the Department of
4 Education and the Civil Rights Division of the De-
5 partment of Justice, the name and contact informa-
6 tion for the title IX coordinator, including a brief
7 description of the coordinator’s role and the roles of
8 other officials who may be contacted to discuss or
9 report sexual harassment, and documentation of
10 training received by the title IX coordinator. The
11 educational institution shall provide updated infor-
12 mation to the Office for Civil Rights of the Depart-
13 ment of Education and the Civil Rights Division of
14 the Department of Justice not later than 30 days
15 after the date of any change.

16 “(8) WRITTEN NOTICE OF INSTITUTIONAL DIS-
17 CIPLINARY PROCESS.—The institution shall provide
18 both the accuser and the accused student with writ-
19 ten notice of the institution’s decision to proceed
20 with an institutional disciplinary process regarding
21 an allegation of sexual misconduct within 24 hours
22 of such decision, and sufficiently in advance of a dis-
23 ciplinary hearing to provide both the accuser and the
24 accused student with the opportunity to meaning-
25 fully exercise their rights to a proceeding that is

1 prompt, fair, and impartial, which shall include the
2 opportunity for both parties to present witnesses and
3 other evidence, and any other due process rights af-
4 farded to them under institutional policy. The writ-
5 ten notice shall include the following:

6 “(A) The existence of a complaint, the na-
7 ture of the conduct upon which the complaint
8 is based, and the date on which the alleged inci-
9 dent occurred.

10 “(B) A description of the process for the
11 disciplinary proceeding, including the estimated
12 timeline from initiation to final disposition.

13 “(C) A description of the rights and pro-
14 tections available to the accuser and the ac-
15 cused student, including those described in sec-
16 tion 485(f)(8)(B)(iv) and any other rights or
17 protections that the accuser or the accused stu-
18 dent may have under the institution’s policies.

19 “(D) A copy of the institution’s applicable
20 policies, and, if available, related published in-
21 formational materials.

22 “(E) Name and contact information for an
23 individual at the institution, who is independent
24 of the disciplinary process, to whom the accuser
25 and the accused student can submit questions

1 about any of the information described in the
2 written notice of the institutional disciplinary
3 process.

4 “(c) PENALTIES.—

5 “(1) PENALTY RELATING TO SEXUAL ASSAULT
6 RESPONSE COORDINATORS.—The Secretary may im-
7 pose a civil penalty of not more than 1 percent of
8 an institution’s operating budget, as defined by the
9 Secretary, for each year that the institution fails to
10 carry out the requirements of such paragraph fol-
11 lowing the effective date described in section 4(b)(1)
12 of the Campus Accountability and Safety Act.

13 “(2) OTHER PROVISIONS.—The Secretary may
14 impose a civil penalty of not more than 1 percent of
15 an institution’s operating budget, as defined by the
16 Secretary, for each year that the institution fails to
17 carry out the requirements of such paragraphs fol-
18 lowing the effective date described in section 4(b)(2)
19 of the Campus Accountability and Safety Act.

20 “(3) VOLUNTARY RESOLUTION.—Notwith-
21 standing any other provision of this section, the Sec-
22 retary may enter into a voluntary resolution with an
23 institution of higher education that is subject to a
24 penalty under this subsection.

1 “(4) ADJUSTMENT TO PENALTIES.—Any civil
2 penalty under this subsection may be reduced by the
3 Secretary. In determining the amount of such pen-
4 alty, or the amount agreed upon in compromise, the
5 Secretary of Education shall consider the appro-
6 priateness of the penalty to the size of the operating
7 budget of the educational institution subject to the
8 determination, the gravity of the violation or failure,
9 and whether the violation or failure was committed
10 intentionally, negligently, or otherwise.”.

11 (b) EFFECTIVE DATES.—

12 (1) SEXUAL ASSAULT RESPONSE COORDI-
13 NATOR.—Paragraph (1) of section 125(b) of the
14 Higher Education Act of 1965, as added by sub-
15 section (a), shall take effect on the date that is the
16 earlier of—

17 (A) 1 year after the Secretary of Edu-
18 cation determines through a negotiated rule-
19 making process what an adequate number of
20 sexual assault response coordinators is for an
21 institution based on an institution’s size; or

22 (B) 3 years after the date of enactment of
23 this Act.

24 (2) OTHER PROVISIONS.—Paragraphs (2)
25 through (9) of section 125(b) of the Higher Edu-

1 cation Act of 1965, as added by subsection (a), shall
2 take effect on the date that is 1 year after the date
3 of enactment of this Act.

4 (c) **NEGOTIATED RULEMAKING.**—The Secretary of
5 Education shall establish regulations to carry out the pro-
6 visions of this section, and the amendment made by this
7 section, in accordance with the requirements described
8 under section 492 of the Higher Education Act of 1965
9 (20 U.S.C. 1098a).

10 **SEC. 5. TRANSPARENCY.**

11 Part B of title I of the Higher Education Act of 1965
12 (20 U.S.C. 1011 et seq.) is further amended by adding
13 after section 125 (as added by section 4), the following:

14 **“SEC. 126. TRANSPARENCY.**

15 “The Secretary shall establish a publicly available,
16 searchable, and user-friendly campus safety website that
17 includes the following:

18 “(1) The name and contact information for the
19 title IX coordinator for each institution of higher
20 education receiving funds under this Act, and a brief
21 description of the title IX coordinator’s role and the
22 roles of other officials who may be contacted to dis-
23 cuss or report sexual harassment.

24 “(2) The Department’s pending investigations,
25 enforcement actions, letters of finding, final resolu-

1 tions, and voluntary resolution agreements for all
2 complaints and compliance reviews under section
3 485(f) and under title IX of the Education Amend-
4 ments of 1972 (20 U.S.C. 1681) related to sexual
5 harassment. The Secretary shall indicate whether
6 the investigation, action, letter, resolution, or agree-
7 ment is based on a complaint or compliance review.
8 The Secretary shall make the information under this
9 subsection available regarding a complaint once the
10 Department receives a written complaint, and con-
11 ducts an initial evaluation, and has determined that
12 the complaint should be opened for investigation of
13 an allegation that, if substantiated, would constitute
14 a violation of such title IX or section 485(f). In car-
15 rying out this subsection, the Secretary shall ensure
16 that personally identifiable information is not re-
17 ported and shall comply with section 444 of the Gen-
18 eral Education Provisions Act (20 U.S.C. 1232g),
19 commonly known as the ‘Family Educational Rights
20 and Privacy Act of 1974’.

21 “(3) A comprehensive campus safety and secu-
22 rity data analysis tool that allows for the review and
23 download of data that institutions of higher edu-
24 cation subject to section 485(f) are required to re-
25 port under this Act.

1 “(4) Information regarding how to file com-
2 plaints with the Department related to alleged viola-
3 tions of title IX of the Education Amendments of
4 1972 (20 U.S.C. 1681) and of section 485(f).

5 “(5) Information regarding the Department’s
6 policies for reviewing complaints, initiating compli-
7 ance reviews, and conducting and resolving inves-
8 tigations related to alleged violations of title IX of
9 the Education Amendments of 1972 (20 U.S.C.
10 1681) and of section 485(f). This information shall
11 include—

12 “(A) the contact information for at least
13 one individual at the Department who can an-
14 swer questions from institutions of higher edu-
15 cation, complainants, and other interested par-
16 ties about such policies;

17 “(B) potential outcomes of an investiga-
18 tion; and

19 “(C) the expected timeframe for resolution
20 of an investigation and any circumstance that
21 may change such timeframe.”.

22 **SEC. 6. PROGRAM PARTICIPATION AGREEMENTS.**

23 Section 487(a) of the Higher Education Act of 1965
24 (20 U.S.C. 1094(a)) is amended by striking paragraph
25 (12) and inserting the following:

1 “(12) The institution certifies that—

2 “(A) the institution is in compliance with
3 the requirements of section 124 regarding co-
4 ordination with local law enforcement;

5 “(B) the institution has established a cam-
6 pus security policy that meets the requirements
7 of section 125; and

8 “(C) the institution has complied with the
9 disclosure requirements of section 485(f).”.

10 **SEC. 7. TRAINING FOR CAMPUS PERSONNEL ON VICTIM-**
11 **CENTERED TRAUMA-INFORMED INTERVIEW**
12 **TECHNIQUES.**

13 Section 304 of the Violence Against Women and De-
14 partment of Justice Reauthorization Act of 2005 (42
15 U.S.C. 14045b) is amended—

16 (1) in subsection (a)(2), by striking “\$300,000”
17 and inserting “\$500,000”;

18 (2) in subsection (b), by adding at the end the
19 following:

20 “(11) To train campus personnel in how to use
21 victim-centered, trauma-informed interview tech-
22 niques.”; and

23 (3) in subsection (g)—

24 (A) by striking “In this section” and in-
25 serting “(1) IN GENERAL.—”; and

1 (B) by adding at the end the following:

2 “(2) VICTIM-CENTERED, TRAUMA-INFORMED
3 INTERVIEW TECHNIQUES.—In this section, the term
4 ‘victim-centered, trauma-informed interview tech-
5 niques’ means asking questions of an individual who
6 reports that the individual has been a victim of do-
7 mestic violence, dating violence, sexual assault, or
8 stalking, in a manner that is focused on the experi-
9 ence of the victim, that does not judge or blame the
10 victim for the alleged assault, and that is informed
11 by evidence-based research on the neurobiology of
12 trauma.”.

13 **SEC. 8. GRANTS TO IMPROVE PREVENTION AND RESPONSE**
14 **TO SEXUAL HARASSMENT, SEXUAL ASSAULT,**
15 **DOMESTIC VIOLENCE, DATING VIOLENCE,**
16 **AND STALKING, ON CAMPUS.**

17 Title VIII of the Higher Education Act of 1965 (20
18 U.S.C. 1161a) is amended by adding at the end the fol-
19 lowing:

1 **“PART BB—GRANTS FOR INSTITUTIONS TO AD-**
 2 **DRESS SEXUAL HARASSMENT, SEXUAL AS-**
 3 **SAULT, AND OTHER VIOLENCE AND HARASS-**
 4 **MENT ON CAMPUS**

5 **“SEC. 899. GRANTS FOR INSTITUTIONS TO ADDRESS SEX-**
 6 **UAL HARASSMENT, SEXUAL ASSAULT, AND**
 7 **OTHER VIOLENCE AND HARASSMENT ON**
 8 **CAMPUS.**

9 “(a) GRANTS AUTHORIZED.—

10 “(1) IN GENERAL.—The Secretary is authorized
 11 to award grants to institutions of higher education,
 12 on a competitive basis as described in paragraph (2),
 13 to enhance the ability of such institutions to address
 14 sexual harassment, sexual assault, domestic violence,
 15 dating violence, and stalking, on campus.

16 “(2) AWARD BASIS.—The Secretary shall award
 17 grants under this section, on a competitive basis, as
 18 funds become available through the payment of pen-
 19 alties by institutions of higher education under sec-
 20 tion 485(f)(20) of this Act and sections 3 and 4 of
 21 the Campus Accountability and Safety Act.

22 “(3) PROHIBITION; INELIGIBLE INSTITU-
 23 TIONS.—

24 “(A) NO RESERVATION FOR ADMINISTRA-
 25 TIVE EXPENSES.—Funds awarded under this

1 section shall not be reserved for administrative
2 expenses.

3 “(B) INELIGIBLE INSTITUTIONS.—

4 “(i) VIOLATIONS.—An institution of
5 higher education shall not be eligible to re-
6 ceive a grant under this section if the insti-
7 tution is found by the Department of Edu-
8 cation, at the time of application for a
9 grant under this section, to be in violation
10 of—

11 “(I) title IX of the Education
12 Amendments of 1972 (20 U.S.C.
13 1681); or

14 “(II) section 485(f).

15 “(ii) MULTIPLE GRANTS.—An institu-
16 tion of higher education that has received
17 a grant award under section 304 of the Vi-
18 olence Against Women and Department of
19 Justice Reauthorization Act of 2005 (42
20 U.S.C. 14045b) in any of the previous 3
21 grant funding cycles shall not be eligible
22 for a grant award under this section.

23 “(4) PREFERENCE.—In awarding grants under
24 this section, the Secretary shall give preference to
25 those institutions of higher education—

1 “(A) with the smallest endowments or the
2 lowest tuition rates, as compared to all institu-
3 tions receiving funds under this Act; and

4 “(B) that have demonstrated a strong
5 commitment to prioritizing tackling the problem
6 of campus sexual assault on their campuses,
7 which may be demonstrated by providing docu-
8 mentation of actions by the administration of
9 such institution such as—

10 “(i) establishing a working group on
11 campus that includes the participation of
12 administration officials and students to
13 analyze and strategize improvements to the
14 way the institution prevents and responds
15 to sexual harassment, sexual assault, do-
16 mestic violence, dating violence, and stalk-
17 ing, on campus;

18 “(ii) organizing a series of listening
19 sessions on campus to gather feedback and
20 ideas from the campus community on how
21 to improve the way the institution prevents
22 and responds to sexual harassment, sexual
23 assault, domestic violence, dating violence,
24 and stalking, on campus;

1 “(iii) hosting a conference that brings
2 together academic researchers to present
3 and share ideas and research regarding
4 sexual harassment, sexual assault, domes-
5 tic violence, dating violence, and stalking,
6 on campus; or

7 “(iv) other documented efforts beyond
8 the requirements of Federal or State law
9 that the administration of the institution
10 of higher education has initiated in order
11 to better understand the prevalence of sex-
12 ual harassment, sexual assault, domestic
13 violence, dating violence, and stalking, on
14 campus and analyze and improve how the
15 institution of higher education responds to
16 such incidents.

17 “(5) AMOUNT OF GRANTS.—The Secretary,
18 through the Assistant Secretary of the Office for
19 Civil Rights, shall award the grants under this sec-
20 tion in an amount of not more than \$500,000 for
21 each institution of higher education.

22 “(6) EQUITABLE PARTICIPATION.—The Sec-
23 retary shall make every effort to ensure—

1 “(A) the equitable participation of private
2 and public institutions of higher education in
3 the activities assisted under this section;

4 “(B) the equitable geographic distribution
5 of grants under this section among the various
6 regions of the United States; and

7 “(C) the equitable distribution of grants
8 under this section to Tribal Colleges or Univer-
9 sities (as defined under section 316(b)) and his-
10 torically Black colleges or universities.

11 “(7) DURATION.—The Secretary shall award
12 each grant under this Act for a period of not more
13 than 5 years.

14 “(b) USE OF GRANT FUNDS.—

15 “(1) Grant funds awarded under this section
16 shall be used to research best practices for pre-
17 venting and responding to sexual harassment, sexual
18 assault, domestic violence, dating violence, and stalk-
19 ing, on campus and to disseminate such research to
20 peer institutions and the Department. Such research
21 may include a focus on one or more of the following
22 purposes:

23 “(A) Strengthening strategies to combat
24 sexual harassment, sexual assault, domestic vio-
25 lence, dating violence, and stalking, on campus.

1 “(B) Strengthening victim services for inci-
2 dents involving sexual harassment, sexual as-
3 sault, domestic violence, dating violence, or
4 stalking, on campus, which may involve part-
5 nerships with community-based victim services
6 agencies.

7 “(C) Strengthening prevention education
8 and awareness programs on campus regarding
9 sexual harassment, sexual assault, domestic vio-
10 lence, dating violence, and stalking.

11 “(2) Grant funds awarded under this section
12 may be used for one or more of the following pur-
13 poses:

14 “(A) Evaluating and determining the effec-
15 tiveness of victim services and education pro-
16 grams in reaching all populations that may be
17 subject to sexual harassment, sexual assault,
18 domestic violence, dating violence, and stalking,
19 on campus.

20 “(B) Training campus administrators,
21 campus security personnel, and personnel serv-
22 ing on campus disciplinary boards on campus
23 policies, protocols, and services to respond to
24 sexual harassment, sexual assault, domestic vio-
25 lence, dating violence, and stalking, on campus,

1 which shall include instruction on victim-cen-
2 tered, trauma-informed interview techniques
3 and information on the neurobiological effects
4 of trauma and stress on memory.

5 “(C) Developing, expanding, or strength-
6 ening victim services programs and population
7 specific services on the campus of the institu-
8 tion, including programs providing legal, med-
9 ical, or psychological counseling for victims of
10 sexual harassment, sexual assault, domestic vio-
11 lence, dating violence, and stalking, and to im-
12 prove delivery of victim assistance on campus,
13 including through the services of the sexual as-
14 sault response coordinator (as defined in section
15 125(a)).

16 “(D) Developing or adapting and providing
17 developmentally and culturally appropriate and
18 linguistically accessible print or electronic mate-
19 rials regarding campus policies, protocols, and
20 services related to the prevention of and re-
21 sponse to sexual harassment, sexual assault, do-
22 mestic violence, dating violence, and stalking,
23 on campus.

24 “(E) Developing and implementing preven-
25 tion education and awareness programs on cam-

1 pus regarding sexual harassment, sexual as-
2 sault, domestic violence, dating violence, and
3 stalking.

4 “(c) APPLICATIONS.—

5 “(1) IN GENERAL.—In order to be eligible for
6 a grant under this section for any fiscal year, an in-
7 stitution of higher education shall submit an applica-
8 tion to the Secretary at such time and in such man-
9 ner as the Secretary shall prescribe.

10 “(2) CONTENTS.—Each application submitted
11 under paragraph (1) shall—

12 “(A) describe the need for grant funds and
13 the plan for implementation for any of the ac-
14 tivities described in subsection (b);

15 “(B) describe the characteristics of the
16 population being served, including type of cam-
17 pus, demographics of the population, and num-
18 ber of students;

19 “(C) describe how underserved populations
20 in the campus community will be adequately
21 served, including the provision of relevant popu-
22 lation specific services;

23 “(D) provide measurable goals and ex-
24 pected results from the use of the grant funds;

1 “(E) provide assurances that the Federal
2 funds made available under this section shall be
3 used to supplement and, to the extent practical,
4 increase the level of funds that would, in the
5 absence of Federal funds, be made available by
6 the institution or organization for the activities
7 described in subsection (b); and

8 “(F) include such other information and
9 assurances as the Secretary reasonably deter-
10 mines to be necessary.

11 “(d) REPORTS.—

12 “(1) GRANTEE REPORTING.—

13 “(A) ANNUAL REPORT.—Each institution
14 of higher education receiving a grant under this
15 section shall submit a performance report to the
16 Secretary beginning 1 year after receiving the
17 grant and annually thereafter. The Secretary
18 shall suspend funding under this section for an
19 institution of higher education if the institution
20 fails to submit such a report.

21 “(B) FINAL REPORT.—Upon completion of
22 the grant period under this section, the grantee
23 institution shall file a final performance report
24 with the Secretary explaining the activities car-
25 ried out under this section together with an as-

1 assessment of the effectiveness of the activities
2 described in subsection (b).

3 “(2) REPORT TO CONGRESS.—Not later than
4 180 days after the end of the grant period under
5 this section, the Secretary shall submit to Congress
6 a report that includes—

7 “(A) the number of grants, and the
8 amount of funds, distributed under this section;

9 “(B) a summary of the activities carried
10 out using grant funds and an evaluation of the
11 progress made under the grant; and

12 “(C) an evaluation of the effectiveness of
13 programs funded under this section.”.

14 **SEC. 9. GAO REPORTS.**

15 (a) GAO REPORTS.—

16 (1) REPORT UNDER SECTION 304 OF THE VIO-
17 LENCE AGAINST WOMEN AND DEPARTMENT OF JUS-
18 TICE REAUTHORIZATION ACT OF 2005.—The Comp-
19 troller General of the United States shall—

20 (A) conduct a study on the effectiveness
21 and efficiency of the grant program under sec-
22 tion 304 of the Violence Against Women and
23 Department of Justice Reauthorization Act of
24 2005 (42 U.S.C. 14045b); and

1 (B) submit a report, not later than 2 years
2 after the date of enactment of this Act, on the
3 study described in paragraph (1), to the Com-
4 mittee on Health, Education, Labor, and Pen-
5 sions and the Committee on the Judiciary of
6 the Senate and the Committee on Education
7 and the Workforce and the Committee on the
8 Judiciary of the House of Representatives.

9 (2) REPORT UNDER SECTION 899 OF THE HIGH-
10 ER EDUCATION ACT OF 1965.—The Comptroller Gen-
11 eral of the United States shall—

12 (A) conduct a study on the effectiveness
13 and efficiency of the grants to improve preven-
14 tion and response to sexual harassment, sexual
15 assault, domestic violence, dating violence, and
16 stalking, on campus under section 899 of the
17 Higher Education Act of 1965, as added by
18 section 8 of this Act; and

19 (B) submit a report, not later than 2 years
20 after the date of enactment of this Act, on the
21 study described in paragraph (1), to the Com-
22 mittee on Health, Education, Labor, and Pen-
23 sions of the Senate and the Committee on Edu-

1 cation and the Workforce of the House of Rep-
2 resentatives.

○