

First Reading: November 7th, 2017
Second Reading: November 14th, 2017
Pass:
Fail:
Other:

Resolution 5-17-F Resolution to formally and publically take a stance in support of Senate Bill S.856 - the Campus Accountability and Safety Act.

PURPOSE: For the Student Government Association of Western Kentucky University to formally and publically take a stance in support of Senate Bill S.856 - the Campus Accountability and Safety Act.

WHEREAS: the Student Government Association is the representative body of the undergraduate students of Western Kentucky University.

WHEREAS: the SGA serves as an active voice for the interests of all undergraduate students at WKU.

WHEREAS: the SGA's Constitution states that, "The Legislature shall take stances on issues affecting students by passing appropriate legislation."

WHEREAS: the SGA stands by Western Kentucky University's Office of Student Conduct's mission to protect student rights and condemn sexual assault and related violence.

WHEREAS: the mission statement of the University's Title IX office is, "The Title IX Coordinator, located in the office of the General Counsel, is responsible for overseeing investigations related to complaints of sexual misconduct/assault under this policy."

WHEREAS: the University's Title IX office faces ongoing budgetary shortfalls and is in the process of being moved from its current reporting structure.

WHEREAS: the current US Education Secretary has announced plans to make changes to the present Title IX policy, threatening future support for victims of sexual offences on college campuses.

WHEREAS: it is Western Kentucky University's duty to comply with all federal, state, and local laws.

WHEREAS: the SGA has a committee dedicated to address sexual misconduct on campus.

WHEREAS: Senate Bill S.856 has bipartisan support and will be heard by the US Senate committee on health, education, labor, and pensions.

WHEREAS: Senate Bill S.856 amends provisions of the Higher Education Act of 1965 to require institutions of higher education (IHE's) to delineate responsibilities and share information about certain serious crimes, including sexual violence, occurring against students or other individuals on campus.

WHEREAS: Senate Bill S.856 further amends provisions to include specified information regarding the number of sex offenses reported to the IHE and the IHE's disposition of sex offense cases in their annual campus security reports provided to current and prospective students and employees.

WHEREAS: Senate Bill S.856 requires IHE's to provide new students and employees with a statement that identifies domestic violence, dating violence, sexual assault, and stalking as crimes which will be reported and with respect to which, based on the victim's wishes, the IHE will cooperate with local law enforcement.

WHEREAS: Senate Bill S.856 requires an IHE's disciplinary procedures for such offenses to comply with its campus security policy and provide both the accuser and accused written notice of the outcome of such procedures or a change in an outcome within 24 hours after it occurs.

WHEREAS: Senate Bill S.856 requires universities to develop and administer a biannual standard, online, survey of students regarding their experiences with sexual violence and harassment to further understand the impact of such issues on campus and measure the effectiveness of prevention efforts and publish the campus-level results of the survey on their websites and in their annual security reports.

WHEREAS: Senate Bill S.856 requires the designation of one or more confidential advisors at the IHE to whom non-employee victims of sexual harassment, domestic violence, dating violence, sexual assault, or stalking can report, including anonymously.

WHEREAS: Senate Bill S.856 requires the IHE to publish specified information to assist the victims of such crimes, including contact information for the confidential advisor online.

WHEREAS: Senate Bill S.856 requires universities to adopt an amnesty policy for any student who, in good faith, reports sexual violence to a higher education responsible employee, with respect to a non-violent student conduct violation revealed in the course of such a report.

WHEREAS: Senate Bill S.856 requires a uniform process across all campuses for student disciplinary proceedings relating to claims of sexual violence against a student attending the IHE.

WHEREAS: Senate Bill S.856 mandates written notice to the accuser and accused student within 24 hours of the IHE's decision to proceed with an institutional disciplinary process regarding an allegation of sexual misconduct.

WHEREAS: Senate Bill S.856 mandates the provision of written notice to the accuser and accused student within 24 hours of the determination of responsibility made by the disciplinary board and any sanctions.

WHEREAS: Senate Bill S.856 authorizes the Secretary to impose civil penalties upon IHEs that fail to: enter into memorandums of understanding with their local law enforcement agencies, carry out campus security and crime statistics reporting requirements, or establish the requisite campus security policy.

WHEREAS: Senate Bill S.856 amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to: increase the minimum grant that may be provided to IHEs to combat domestic violence, dating violence, sexual assault, and stalking on campuses; and authorize the use of such grants to train campus personnel in how to use victim-centered, trauma-informed interview techniques.

WHEREAS: Senate Bill S.856 further amends the HEA to authorize the Secretary, using amounts collected under this Act's penalty provisions, to award competitive grants to IHEs to enhance their ability to address sexual harassment, sexual assault, domestic violence, dating violence, and stalking, on campus.

THEREFORE: Be it resolved that the Student Government Association of Western Kentucky University formally and publically take a stance in support of Senate Bill S.856 - the Campus Accountability and Safety Act.

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SPONSOR: SGA SAVES Committee

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