The current climate of sexual assault and sexual misconduct on college campuses creates an environment which allows for one in ten students to experience nonconsensual sexual contact. Under the Clery Act and Title IX legislation, institutions are to provide specific information, options, and resources for victims in cases of sexual violence. In addition, institutions of higher education are to have a “prompt and equitable” process for resolving such complaints. There is a great need for the Commonwealth to take responsibility for ensuring the safety of college students throughout the state. This bill is designed to require schools to adapt a comprehensive approach to solving the epidemic of sexual violence on college campuses. The bill proposes measures to both prevent sexual violence and actively provide guidance to campus community members who have experienced assault.

The Bill
H.1041 / S.679: An Act concerning sexual violence on higher education campuses

Elevator Speech
Hello, my name is _____ and I am a student at Brandeis University.

We need to ensure the safety and well-being of college students throughout the Commonwealth.

Experiencing sexual assault has prevented many college students from accessing the valuable opportunities of higher education. After an assault, people often feel unsafe on campus, and this type of stress can be reflected in their academic performance. This is mainly because the current state of the higher education system does not provide students with sufficient support and resources when it comes to the problem of sexual violence on college campuses.

Sexual assault on college campuses affects 1 in 5 undergraduate women and has prevented them from being able to access the valuable opportunities that higher education provides.
However, bill H.1041, An Act concerning sexual violence on higher education campuses will remedy this issue. This bill will provide both prevention education and counseling services for survivors. Most importantly, it will guide universities to ensure that survivors of sexual assault can live and learn in an environment without fear of violence, discrimination, and harassment.

Safety is not a privilege, it is a right. Would you be willing to speak to your colleagues on the Committee on Higher Education and encourage them to vote this bill favorably out of study?

**Letter to the Legislator**

Our names are Leah Susman and Sasha Kliger, and we are students at Brandeis University. We are writing to you to discuss an issue that concerns us as undergraduate women: the silenced epidemic of sexual violence on college campuses.

As the father of four young girls and a supporter of a wide variety of issues pertaining to public safety, we know that you prioritize the protection of your constituents. We are specifically referring to your advocacy on issues involving penalties for childhood sex abuse, Melissa's Law, and your cosponsorship of a law focused on helping innocents plagued by human trafficking. As one of your constituents, I thank you for your dedication to the safety and security of the citizens of the 10th Suffolk District of Massachusetts and beyond. Presently, we would like to bring your attention to an issue that we think you could contribute to resolving.

Across the United States, one in five undergraduate women, many of whom are our classmates, are survivors of sexual violence. Yet, the current state of the higher education system does not provide student survivors with sufficient support and resources to be both proactive and reactive when it comes to the problem of sexual violence on college campuses. In Massachusetts alone, an alarming six universities are under Title IX investigation, including our university, Brandeis. In turn, the lack of resources and services has prevented survivors from being able to access the valuable opportunities that higher education provides.

Fortunately, the higher education system in Massachusetts can take a turn for the better: a new bill called H.1041/S.679 An Act concerning sexual violence on higher education campuses has the power to remedy this issue. This bill will provide prevention education and counseling services for survivors, and most importantly, it will guide universities to ensure that survivors of sexual assault can live and learn in an environment without fear of violence, discrimination, and harassment.

Some point out that this bill does not outline consequences for noncompliance. Others criticize the bill for its focus on legal procedures, as well as its restrictions on the policies and procedures at individual institutions. However, we assert that this bill is a necessary step in the direction of supporting survivors and ending sexual violence on college campuses. Without the involvement of outside groups and authorities, it is abundantly clear that both education about sexual violence and disciplinary procedures following occurrences of sexual violence are sorely lacking at many colleges and universities. We need to set a minimum threshold for protecting college students from the threat of sexual violence, and H.1041/S.679 will do just that.

We request that you speak with your colleagues on the Committee on Higher Education and ask them to vote it favorably out of committee as a vital first step in addressing the issue of sexual violence on college campuses in Massachusetts. Thank you for your time and consideration as we know you will give this issue the attention it deserves.

**House Ways and Means Script**

Mr. Chairman (Representative Dempsey), thank you for taking the time to meet with us.

We would like to talk to you about a bill which would ensure the safety and well-being of all Massachusetts college students. As a father of three, we know that you value the safety of your children. Safety is not a privilege, it is a right, however, colleges and universities are not providing students with the safe community environment that parents trust their children will have. Sexual violence is a pervasive problem on college campuses, and these institutions are not protecting students.

The epidemic of sexual assault has affected the lives of 1 in 3 undergraduate women, and it has prevented them from being able to access the opportunities that a higher education is meant to provide. The current state of the higher education system does not provide students with sufficient support and resources in order to properly prevent and react to instances of sexual violence on college campuses. Many institutions prefer to ignore reality and claim that this kind of violence does not happen on their campuses, but data from countless surveys demonstrates that it happens everywhere. Universities must be properly equipped to deal with this issue and provide the necessary support for victims of sexual violence.

The Massachusetts legislature can help support affected students. There is currently a bill being reviewed by the House Committee on Higher Education which addresses the issue of sexual assault. Sponsored by Rep. Farley Bouvier and Rep. Donahue, An Act concerning sexual violence on
higher education campuses, House Bill #1041, aims to set guidelines for colleges and universities to help them ensure that survivors of sexual assault can live and learn in an environment without fear of further violence and harassment. This bill approaches the issue of sexual violence from many angles. It puts in place services to help survivors of assault, such as easily accessible reporting systems, and makes confidential advisors available to students. The bill mandates certain disciplinary procedures in cases of sexual assault and obligates schools to have properly trained staff and counselors to assist those experiencing the aftermath of sexual violence. The bill also instructs universities to implement proper bystander training programs in order to ensure that students are trained in prevention and intervention strategies and mandates schools make necessary resources easily available to students. By passing this legislation, the Massachusetts legislature can help ensure that colleges and universities throughout the state will have proper counseling services and educational programming. This will allow them to better deal with cases of sexual assault and better support survivors of sexual violence.

It is important to note that there is recent federal legislation regarding the issue of sexual assault on college campuses. However, An Act concerning sexual violence on higher education campuses is meant to complement federal legislation, such as the Clery Act and Title IX. Title IX focuses on equality of education, free from discrimination, but the federal legislation does not currently keep track of the procedures and processes institutions put in place to ensure a safe campus environment in enough depth. The supplementary legislation on a state level would provide greater oversight of institutions and help schools struggling with fulfilling Title IX obligations by providing requirements for procedures and programming. Additionally, the speed with which bills are passed and implemented on a federal level can be much slower than on the state level. It is the legislature’s responsibility to make sure that Massachusetts college students are safe, regardless of what happens on a federal level.

Passing House Bill 1041 would place a minimal burden on the state budget. The bill puts the responsibility of funding services and training on the institutions themselves. Given the flexibility schools have with how they provide programming and resources, it would be simple for schools to fulfill the requirements. Institutions could, quite feasibly, rearrange certain costs in order to accommodate the necessary guidelines. While there may be some pushback from schools because of this cost, it ultimately is extremely low, especially given the necessity of these resources for the many students experiencing sexual violence on campuses throughout Massachusetts. Ultimately, the greatest cost associated with implementing the guidelines in the bill would be the salary and training of a single properly trained counselor, a very minimal cost for something which would help universities fulfill their responsibilities in keeping their students healthy and safe. This small cost will go a very long way especially in Massachusetts, where there is a large number of colleges and universities and there are many students in need of these services. Currently, six universities in Massachusetts are under Title IX investigation, indicating a need for a change in the status quo. However, this bill proposes better proactive and reactive services and resources, which can allow Massachusetts to better support students throughout the Commonwealth.

H.1041/S.679 is currently in the Joint Committee on Higher Education. We ask that you speak to your colleagues on the Committee and urge them to vote in favor of the bill. Thank you very much for your time and consideration.

Excerpts from Campaign Journals

Sasha

Rep. Farley-Bouvier told us the story of how she became involved in the issue (touring colleges with her daughter) and about how she went about filing the bill in light of recent federal legislation surrounding the issue of sexual assault on college campuses. She explained that from her point of view, it was the Commonwealth’s responsibility to keep students safe regardless of the speed of the federal legislative process and to create a consistency in the way schools across the state handle instances of sexual violence. She also told us about some of the opposition the bill received, such as concerns about the rights of the accused student, and the lowering of the burden of proof in university proceedings. This was interesting, as I had not thought much about this legal basis for opposition prior to speaking to Rep. Farley-Bouvier. All of this information was very important and interesting to hear from Rep. Farley-Bouvier’s perspective, and it was reassuring to hear that she would continue pushing the issue in the next legislative session if the bill never left study this year. Overall, it was a very productive meeting. The only thing that could have gone better was our actual filming of the interview, which proved a little tricky, and we had to waste time setting up the camera and getting it to work.

Meeting with Sam Daniels, Student Worker at Brandeis Office of Prevention Services:

Leah and I met with Sam twice this semester, once at the very beginning of the process on February 8th, and once later (on April 6th), to hold a second interview and tape it to use in our video project. We met with Sam in the student center, and we asked her about how she got involved with the Office
of Prevention Services. She also told us about the services she knows Brandeis has for survivors of sexual assault, and she explained how new and underfunded these services are. Then we went through portions of the bill with Sam, and she spoke about how, in her experience, the resources outlined in the bill can be useful for survivors and communities. In the first meeting, it was great to hear more about the services at Brandeis and use them as a reference point throughout the rest of our work on this bill. In our second meeting, we were much more familiar with the bill and the issue, so we were able to ask Sam more pointed questions and get more specific and productive answers.

Leah

Sasha and my meeting with Representative Coppinger at the Massachusetts State House was our first meeting with a representative and also our most exciting one. We were looking forward to meeting with him because of his past support of issues pertaining to public, specifically in the context of sexual abuse. He was not already a signed onto the bill, but Sasha and I knew that considering his record, we could advocate for H.1041 within his self-interest. As it turned out, Representative Coppinger was not even aware of H.1041. He told us that as the father of daughter in her first year of college, the issue of sexual assault on college campuses hits close to home. He was very thankful that we brought this issue and the bill to his attention. Upon our departure from the office, we gave Representative Coppinger our storybook. The following day, we received a copy of a letter that he sent to the Joint Committee on Higher Education, urging them to recommend H.1041 for favorable passage. It was incredibly rewarding to see that Sasha’s and my meeting with the Representative made a tangible impact. It was even more exciting to see that his letter incorporated exact language from our storybook. This experience showed me the power of advocacy and how one meeting can make a real impact. If I could change something about how Sasha and I moved forward, it would have been to keep up our relationship with Representative Coppinger. It was clear that he was willing to take an active stance on this issue. If one meeting led him to sending a letter the Joint Committee on Higher Education, I wonder what else he could have done to help advocate for the bill.

■ Update

On April 21, 2016, the bill was ordered to study and was referred to the House Committee on Rules.

For more information

View the Bill: malegislature.gov/Bills/189/House/H1041