



Councilmember Anita Bonds

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 19 of Title 23 of the District of Columbia Official Code to require all qualifying postsecondary institutions that operate within the District to require the option of a sexual assault advocate to be present when a school official commences an investigation; to require to all campus safety reporters under the Cleary Act to undergo annual in-person trauma related training; and to require all incoming students to participate in a course about sexual assault prevention within six weeks of the start of the student's enrollment; to require a minimum ratio of one on-campus sexual assault worker for every 2000 enrolled students

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

act may be cited as the "Campus Sexual Assault Victims Assistance Act of 2016".

Sec. 2. Chapter 19 of Title 23 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new subchapter designation to read as follows:

"Subchapter III. On-campus Sexual Assault Victims' Rights.

"23-1921. Definitions.

"23-1922. Sexual assault procedures on postsecondary campuses."

32 (b) A new Subchapter III is added to read as follows:

33 "Subchapter III. On-campus Sexual Assault Victim's Rights.

34 "§ 23-1921. Definitions.

35 "For the purposes of this subchapter, the term:

36 "(1) "Incoming student" means a student who has finished high school and is  
37 entering the student's first year of college, a transfer student, or a graduate student.

38 "(2) "Postsecondary institution" means an institution that is licensed to operate in  
39 the District of Columbia by the Education Licensure Commission, and has an enrollment of a  
40 minimum of 2000 students who attend in-person classes in the District of Columbia.

41 "(3) "Sexual assault victim" means a person who has experienced unwanted  
42 sexual contact while on the property of a postsecondary institution, including private or rental  
43 properties on campus.

44 "(4) "Sexual assault worker" means a trained advocate employed by the  
45 postsecondary institution or by a community-based advocacy organization that is trained in  
46 trauma informed care and the District's sexual assault advocacy protocols under the DC SANE  
47 program or its successor program.

48 "§ 23-1922. Sexual assault procedures on postsecondary institutions."

49 "(a) A postsecondary institution shall ensure that the assistance and presence of a sexual  
50 assault worker is offered to an alleged sexual assault victim at the commencement of any in-  
51 person interview with the alleged sexual assault victim by an official of the postsecondary

52 institution, and shall be offered to an alleged sexual assault victim even if the victim has  
53 previously declined a sexual assault worker's assistance.

54       “(b) Within the first 6 weeks of enrollment, a postsecondary institute shall require that all  
55 incoming students participate in a program about sexual assault prevention, that at a minimum:

56               “(1) Informs students of their rights and the resources available to them from the  
57 institution, including the names and locations of employees designated to assist victims of sexual  
58 violence, and any student group organized for the prevention of sexual violence on campus;

59               “(2) Provides information detailing:

60                       “(A) The prevalence of sexual violence on campus;

61                       “(B) District laws and possible penalties regarding sexual violence;

62                       “(C) Contact information for DC SANE and other off campus victim  
63 advocates services,

64                       “(D) The meaning of “consent” as defined in section 101(4) of the Anti-  
65 Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-  
66 3001(4)); and

67                       “(E) Guidance on how to act or intervene if one comes upon a situation in  
68 which an act of sexual violence is being committed.

69                       “(F) Guidance on how to act if one is experiencing unwanted sexual  
70 contact.

71 “(c) Information required by subsection (b)(2) of this section shall be posted on the  
72 postsecondary institution’s website within one year of the effective date of this subchapter.

73 “(d) A postsecondary institution may grant a student an exemption from participation in  
74 the sexual assault prevention program required by subsection (b) of this section if the student has  
75 undergone a past traumatic experience involving sexual misconduct.

76 “(e) A postsecondary institution shall require all campus security officers to undergo  
77 annual, in person, trauma related training.

78 “(f) A postsecondary institution shall staff sexual assault workers on campus at no less  
79 than a ratio of 1 sexual assault worker for every 2000 students enrolled.

80 “(g) A postsecondary institution shall be required to share all reports of sexual  
81 misconduct made to campus security officers with the Metropolitan Police Department.

82 Sec. 3. Fiscal impact statement.

83 The Council adopts the fiscal impact statement in the committee report as the fiscal  
84 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
85 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

86 Sec. 5. Effective date.

87 This act shall take effect following approval by the Mayor (or in the event of a veto by  
88 the Mayor, action by the Council to override the veto), a 60-day period of Congressional Review  
89 as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
90 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
91 Columbia Register.