5-14-1992

SR-91-92-120(SCW)

Marshall University

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STUDENT CONDUCT & WELFARE COMMITTEE
Recommendation

SR-91-92-120(SCW)

That the Senate endorse HR 2363, a U.S. House of Representatives resolution titled *The Campus Sexual Assault Victims' Bill of Rights Act* (see attached), with the following changes, provided that the Committee's support is not construed as approval of any future Board of Trustees policies resulting from the passage of HR 2363.

CHANGE:
A. That the document's eighth provision be changed from "[Sexual assault victims have the right to] be provided housing which guarantees no unwanted contact with alleged sexual assault assailants] to "[Sexual assault victims have the right to] be provided housing which makes every reasonable effort to prohibit unwanted contact with alleged sexual assault assailants."

RATIONALE: In a campus situation, where residents are allowed to sign guests into dormitories, it is impossible for the university to guarantee that no unwanted contact occur. However, it is reasonable to expect the University to make an effort to keep such contact from occurring.

CHANGE:
B. That the term "sexually intimidating," used in the document's ninth provision (which reads [Sexual assault victims have the right to] live in campus housing free of sexually intimidating circumstances . . ."), be more fully defined.

RATIONALE: Any campus living situation (from a single-sex dorm to a co-ed floor) could be construed as "sexually intimidating." This term needs to be more carefully defined.

FACULTY SENATE PRESIDENT:

DISAPPROVED
BY SENATE: Robert Sawyer DATE: 5-14-92

UNIVERSITY PRESIDENT:

READ: ____________________________ DATE: ____________________________

SR-91-92-120(SCW)
THE CAMPUS SEXUAL ASSAULT VICTIMS' BILL OF RIGHTS ACT

Being the victim of a sexual assault is a terribly traumatic experience. This experience is made even more traumatic when victims are left uncertain of their legal rights and options.

The "Campus Sexual Assault Victims' Bill of Rights Act" will ensure that campus authorities treat sexual assault victims with respect, make their rights and legal options clear, and fully cooperate with them in exercising those rights.

This legislation guarantees sexual assault victims the right to:

* Have sexual assaults investigated by civil and criminal authorities.
* Be free from pressure to not report these crimes, or report them as lesser offenses.
* Have the same representation, and ability to have others present, in campus proceedings as campus authorities permit the accused.
* Have cooperation in obtaining medical evidence.
* Be informed of any federal or state rights to test sexual assault suspects for communicable diseases.
* Have access to existing campus mental health and victim support services.
* Be provided housing which guarantees no unwanted contact with alleged sexual assault assailants.
* Live in campus housing free of (sexually-threatening) circumstances with the option to move out of such circumstances.

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IF YOU SUPPORT THIS BILL, please contact your U.S. Representative to urge their cosponsorship of H.R. 2263. Your Representative can be reached by phone (202) 225-3111, or by writing to the U.S. House of Representatives, Washington, D.C. 20515.

SR-91-92-120 (SCW)