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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 21, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging Congress to enact the Campus Accountability and Safety Act, S. 2692, H.R. 5354, or similar legislation, aimed at lessening sexual assaults on college and university campuses and that would require colleges and universities to designate confidential advisors for victims of sexual assaults, provide specialized training to ensure that college and university staff properly respond to these kinds of crimes, and provide information regarding sexual assaults on campuses so that students and parents can make informed decisions

Resolution No. R-942-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 21, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
10-21-14

RESOLUTION NO. R-942-14

RESOLUTION URGING CONGRESS TO ENACT THE CAMPUS ACCOUNTABILITY AND SAFETY ACT, S. 2692, H.R. 5354, OR SIMILAR LEGISLATION, AIMED AT LESSENING SEXUAL ASSAULTS ON COLLEGE AND UNIVERSITY CAMPUSES AND THAT WOULD REQUIRE COLLEGES AND UNIVERSITIES TO DESIGNATE CONFIDENTIAL ADVISORS FOR VICTIMS OF SEXUAL ASSAULTS, PROVIDE SPECIALIZED TRAINING TO ENSURE THAT COLLEGE AND UNIVERSITY STAFF PROPERLY RESPOND TO THESE KINDS OF CRIMES, AND PROVIDE INFORMATION REGARDING SEXUAL ASSAULTS ON CAMPUSES SO THAT STUDENTS AND PARENTS CAN MAKE INFORMED DECISIONS

WHEREAS, an American woman who attends college is more likely to be a victim of a sexual assault than a woman who does not attend college; and

WHEREAS, approximately 19 percent of undergraduate women have been the victims of sexual assaults; and

WHEREAS, a chronic lack of training of on-campus personnel hampers sexual assault investigations and disciplinary processes, often resulting in negative outcomes for survivors; and

WHEREAS, out of 350 colleges and universities surveyed, more than 40 percent of the schools had not conducted a sexual assault investigation over the last five years, and a third of the schools did not provide any training to students regarding sexual assaults; and

WHEREAS, the Campus Safety and Accountability Act, S. 2692, was sponsored by Senator Claire McCaskill (D – Missouri); and

WHEREAS, Senator Marco Rubio (R – Florida) joined a bipartisan coalition of members of Congress in introducing S. 2692; and

WHEREAS, the identical House companion bill is H.R. 5354, sponsored by Representative Carolyn Maloney (D – New York); and

WHEREAS, the Campus Safety and Accountability Act takes aim at sexual assaults on college and university campuses by protecting and empowering students, strengthening accountability and transparency for institutions and establishing penalties for non-compliance; and

WHEREAS, under this legislation, colleges and universities will be required to designate confidential advisors who will serve as a confidential resource for victims of assaults and who will be tasked with coordinating support services and accommodations for survivors, providing information about options for reporting, and providing guidance or assistance, at the direction of the survivor, in reporting the crime to campus authorities and/or local law enforcement; and

WHEREAS, this legislation ensures that everyone from the confidential advisors to those responsible for investigating and participating in disciplinary proceedings will now receive specialized training to ensure that they have a firm understanding of the nature of these crimes and their effect on survivors; and

WHEREAS, the Campus Accountability and Safety Act requires that students at every university in America be surveyed about their experience with sexual violence to get an accurate picture of this problem; and

WHEREAS, the new annual survey will be standardized and anonymous, and the results will be published online so that parents and high school students can make an informed choice when comparing universities; and

WHEREAS, this legislation will require colleges and universities to enter into memoranda of understanding with all applicable local law enforcement agencies to clearly

delineate responsibilities and share information so that when an assault occurs, both campus authorities and local authorities can focus on solving the crime rather than debating jurisdiction; and

WHEREAS, schools that do not comply with certain requirements under the bill may face a penalty of up to one percent of the institution's operating budget; and

WHEREAS, the legislation is intended to reverse the cover-up culture that exists on campuses by encouraging colleges and universities to prevent sexual assaults, get rid of sexual predators, and educate students and university officials about the problem; and

WHEREAS, in Miami-Dade County, there are over 200,000 students enrolled in local colleges and universities; and

WHEREAS, the Campus Accountability and Safety Act would have a positive impact on the safety of our local community and that of thousands of students that reside and study in Miami-Dade County; and

WHEREAS, this Board supports the enactment of the Campus Accountability and Safety Act, S. 2692, H.R. 5354, or similar legislation, and would urge Congress to pass this important legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges Congress to enact the Campus Accountability and Safety Act, S. 2692, H.R. 5354, or similar legislation, aimed at lessening sexual assaults on college and university campuses and that would require colleges and universities to designate confidential advisors for victims of sexual assaults, provide specialized training to ensure that college and university staff

properly respond to these kinds of crimes, and provide information regarding sexual assaults on campuses so that students and parents can make informed decisions.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to Senator Claire McCaskill (D – Missouri), Senator Marco Rubio (R – Florida), Representative Carolyn B. Maloney (D – New York), and the members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation as set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2014 Federal Legislative Package to include this item and to include this item in the 2015 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was offered by Commissioner **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**absent**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of October, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. APA

Annery Pulgar Alfonso