

**AMENDMENT TO RULES COMMITTEE PRINT 117-3**  
**OFFERED BY MS. SPEIER OF CALIFORNIA**

At the end of the bill, add the following:

1 **SEC. \_\_\_\_ . ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

2 (a) IN GENERAL.—The Secretary of Education shall,  
3 in consultation with the Attorney General, Director of the  
4 Centers for Disease Control, and the Secretary of the De-  
5 partment of Health and Human Services and experts in  
6 domestic violence, dating violence, sexual assault, sexual  
7 harassment, and stalking, develop, design, and make avail-  
8 able through a secure and accessible online portal, a  
9 standardized online survey tool regarding student experi-  
10 ences with domestic violence, dating violence, sexual as-  
11 sault, sexual harassment, and stalking.

12 (b) DEVELOPMENT OF SURVEY TOOL.—In devel-  
13 oping the survey tool required under subsection (a), the  
14 Secretary of Education shall—

15 (1) use best practices from peer-reviewed re-  
16 search measuring domestic violence, dating violence,  
17 sexual assault, sexual harassment, and stalking;

18 (2) consult with the higher education commu-  
19 nity, experts in survey research related to domestic  
20 violence, dating violence, sexual assault, sexual har-

1        assessment, and stalking, and organizations engaged in  
2        the prevention of and response to, and advocacy on  
3        behalf of victims of, domestic violence, dating vio-  
4        lence, sexual assault, sexual harassment, and stalk-  
5        ing regarding the development and design of such  
6        survey tool and the methodology for administration  
7        of such survey tool; and

8                (3) ensure that the survey tool is readily acces-  
9        sible to and usable by individuals with disabilities.

10        (c) ELEMENTS.—

11                (1) IN GENERAL.—The survey tool developed  
12        pursuant to this paragraph shall be fair and unbi-  
13        ased, scientifically valid and reliable, and meet the  
14        highest standards of survey research.

15                (2) SURVEY QUESTIONS.—Survey questions in-  
16        cluded in the survey tool developed pursuant to this  
17        section shall—

18                        (A) be designed to gather information on  
19        student experiences with domestic violence, dat-  
20        ing violence, sexual assault, sexual harassment,  
21        and stalking, including the experiences of vic-  
22        tims of such incidents;

23                        (B) use trauma-informed language to pre-  
24        vent retraumatization; and

25                        (C) include the following:

1 (i) Questions that give students the  
2 option to report their demographic infor-  
3 mation.

4 (ii) Questions designed to determine  
5 the incidence and prevalence of domestic  
6 violence, dating violence, sexual assault,  
7 sexual harassment, and stalking.

8 (iii) Questions regarding whether stu-  
9 dents know about institutional policies and  
10 procedures related to domestic violence,  
11 dating violence, sexual assault, sexual har-  
12 assment, and stalking.

13 (iv) Questions designed to determine,  
14 if victims reported domestic violence, dat-  
15 ing violence, sexual assault, sexual harass-  
16 ment, or stalking—

17 (I) to whom the incident was re-  
18 ported and what response the victim  
19 may have received;

20 (II) whether the victim was in-  
21 formed of, or referred to, national,  
22 State, local, or on-campus resources;  
23 and

24 (III) whether the entity to whom  
25 the victim reported the incident con-

1           ducted an investigation and the dura-  
2           tion and final resolution of such an  
3           investigation.

4           (v) Questions regarding contextual  
5           factors, such as whether force, incapacita-  
6           tion, or coercion was involved.

7           (vi) Questions to determine whether  
8           an accused individual was a student at the  
9           institution.

10          (vii) Questions to determine whether a  
11          victim reported an incident to State, local,  
12          or campus law enforcement.

13          (viii) Questions to determine why the  
14          victim chose to report or not report an in-  
15          cident to the institution or State, local, or  
16          campus law enforcement.

17          (ix) Questions to determine the im-  
18          pact of domestic violence, dating violence,  
19          sexual assault, sexual harassment, and  
20          stalking on the victim's education, includ-  
21          ing diminished grades, dropped classes,  
22          leaves of absence, and negative financial  
23          consequences (such as costs associated  
24          with loss in paid tuition due to leaves of  
25          absence, loss in scholarship awards due to

1           diminished grades, and cost associated  
2           with counseling, medical services, or hous-  
3           ing changes).

4           (x) Questions to determine the impact  
5           and effectiveness of prevention and aware-  
6           ness programs and complaints processes.

7           (xi) Questions to determine attitudes  
8           toward sexual violence and harassment, in-  
9           cluding the willingness of individuals to in-  
10          tervene as a bystander of sex-based (in-  
11          cluding sexual orientation-based and gen-  
12          der identity-based), race-based, national  
13          origin-based, and disability-based discrimi-  
14          nation, harassment, assault, domestic vio-  
15          lence, dating violence, sexual assault, sex-  
16          ual harassment, and stalking.

17          (xii) Other questions, as determined  
18          by the Secretary of Education.

19          (3) ADDITIONAL ELEMENTS.—In addition to  
20          the standardized questions developed by the Sec-  
21          retary of Education under paragraph (2), an institu-  
22          tion may request additional information from stu-  
23          dents that would increase the understanding of the  
24          institution of school climate factors unique to their  
25          campuses.

1           (4) RESPONSES.—The responses to the survey  
2 questions described in paragraph (2) shall—

3           (A) be submitted confidentially;

4           (B) not be included in crime statistics; and

5           (C) in the case of such responses being in-  
6 cluded in a report, shall not include personally  
7 identifiable information.

8           (d) ADMINISTRATION OF SURVEY.—

9           (1) FEDERAL ADMINISTRATION.—The Sec-  
10 retary of Education, in consultation with the Attor-  
11 ney General, Director of the Centers for Disease  
12 Control, and Secretary of the Department of Health  
13 and Human Services, shall develop a mechanism by  
14 which institutions of higher education may, with re-  
15 spect to the survey tool developed pursuant to this  
16 section—

17           (A) administer such survey tool; and

18           (B) modify such survey tool to include ad-  
19 ditional elements or requirements, as deter-  
20 mined by the institution.

21           (2) COSTS.—The Secretary of Education may  
22 not require an institution of higher education to pay  
23 to modify the survey tool in accordance with para-  
24 graph (1)(B).

1           (3) ACCESSIBILITY.—The Secretary of Edu-  
2           cation shall ensure that the survey tool is adminis-  
3           tered in such a way as to be readily accessible to  
4           and usable by individuals with disabilities.

5           (4) INSTITUTIONAL ADMINISTRATION.—Begin-  
6           ning not later than one year after the date on which  
7           the Secretary of Education makes available to insti-  
8           tutions the mechanism described in paragraph (1),  
9           and every 2 years thereafter, each institution shall  
10          administer the survey tool developed pursuant to  
11          this section.

12          (e) COMPLETED SURVEYS.—The Secretary of Edu-  
13          cation shall require each institution participating in any  
14          program under this title to ensure, to the maximum extent  
15          practicable, that an adequate, random, and representative  
16          sample size of students (as determined by the Secretary)  
17          enrolled at the institution complete the survey tool devel-  
18          oped pursuant to this section.

19          (f) REPORT.—Beginning not later than 2 years after  
20          the date of enactment of this Act, the Secretary of Edu-  
21          cation shall prepare a biennial report on the information  
22          gained from the standardized elements of the survey under  
23          this section and publish such report in an accessible for-  
24          mat on the website of the Department and submit such  
25          report to Congress. The report shall include campus-level

1 data for each school and attributed by name of each cam-  
2 pus in a manner that permits comparisons across schools  
3 and campuses.

4 (g) PUBLICATION.—Each institution shall publish, in  
5 a manner that is readily accessible and usable by individ-  
6 uals, including individuals with disabilities—

7 (1) the campus-level results of the standardized  
8 elements of the survey under this section on the  
9 website of the institution and in the annual security  
10 report required under subsection (f) for the cam-  
11 puses affiliated with the institution; and

12 (2) the campus-level results of the additional  
13 elements modifying the survey by the institution, if  
14 any, on the website of the institution.

15 (h) VIOLATION.—Upon a determination pursuant to  
16 section 487(c)(3)(B) of the Higher Education Act of 1965  
17 (20 U.S.C. 1094(c)(3)(B)) that an institution of higher  
18 education has violated or failed to carry out any provision  
19 under this section, the Secretary of Education shall im-  
20 pose a civil penalty upon the institution in the same  
21 amount and pursuant to the same procedures as a civil  
22 penalty is imposed under section 487(c)(3)(B) of the  
23 Higher Education Act of 1965 (20 U.S.C. 1094(c)(3)(B)).

