

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

Page 231, after line 17, insert the following:

1 **SEC. 1411. TASK FORCE ON SEXUAL VIOLENCE IN EDU-**
2 **CATION.**

3 (a) TASK FORCE ON SEXUAL VIOLENCE IN EDU-
4 CATION.—Not later than September 1, 2022, the Sec-
5 retary of Education, the Secretary of Health and Human
6 Services, and the Attorney General shall establish a joint
7 interagency task force to be known as the “Task Force
8 on Sexual Violence in Education” that shall—

9 (1) provide pertinent information to the Sec-
10 retary of Education, Attorney General, Congress,
11 and the public with respect to campus sexual vio-
12 lence prevention, investigations, and responses, in-
13 cluding the creation of consistent, public complaint
14 processes for violations of title IX of the Education
15 Amendments of 1972 (20 U.S.C. 1681 et seq.) and
16 section 485(f) of the Higher Education Act of 1965
17 (20 U.S.C. 1092(f));

18 (2) provide recommendations to educational in-
19 stitutions for establishing sexual assault prevention
20 and response teams;

1 (3) develop recommendations for educational in-
2 stitutions on providing survivor resources, including
3 healthcare, sexual assault kits, sexual assault nurse
4 examiners, culturally responsive and inclusive stand-
5 ards of care, trauma-informed services, and access to
6 confidential advocacy and support services;

7 (4) develop recommendations in conjunction
8 with student groups at greater statistical risk of per-
9 petuating rape culture such as fraternities and ath-
10 letic departments for best practices for responses
11 and prevention with respect to sexual violence and
12 dating violence for educational institutions, taking
13 into consideration an institution's size and resources;

14 (5) develop recommendations for educational in-
15 stitutions on sex education, as appropriate, training
16 for school staff, and various equitable discipline
17 models;

18 (6) develop recommendations on culturally re-
19 sponsive and inclusive approaches to supporting sur-
20 vivors, which include consideration of race, ethnicity,
21 national origin, immigrant status, gender identity,
22 sexual orientation, ability, disability, socio-economic
23 status, exposure to trauma, and other compounding
24 factors;

1 (7) solicit periodic input from a diverse group
2 of survivors, trauma specialists, advocates from na-
3 tional, State, and local anti-sexual violence advocacy
4 organizations, institutions of higher education, and
5 other public stakeholders;

6 (8) assess the Department of Education's abil-
7 ity under section 902 of the Education Amendments
8 of 1972 (20 U.S.C. 1682) to levy intermediate fines
9 for noncompliance with title IX of the Education
10 Amendments of 1972 (20 U.S.C. 1681 et seq.) and
11 the advisability of additional remedies for such non-
12 compliance, in addition to the remedies already
13 available under Federal law; and

14 (9) create a plan described in subsection (c).

15 (b) PERSONNEL DETAILS.—

16 (1) AUTHORITY TO DETAIL.—Notwithstanding
17 any other provision of law, the head of a component
18 of any Federal agency that is funded under the Vio-
19 lence Against Women Act of 1994 (42 U.S.C. 13925
20 et seq.) may detail an officer or employee of such
21 component to the Task Force on Sexual Violence in
22 Education or to the Secretary of Education to assist
23 the Task Force with the duties described in sub-
24 section (a), as jointly agreed to by the head of such
25 component and the Task Force.

1 (2) BASIS FOR DETAIL.—A personnel detail
2 made under paragraph (1) may be made—

3 (A) for a period of not more than 3 years;

4 and

5 (B) on a reimbursable or nonreimbursable
6 basis.

7 (c) ADDITIONAL PLAN.—Not later than 90 days after
8 the date on which the Task Force on Sexual Violence in
9 Education is established under subsection (a), the Task
10 Force shall submit to Congress recommendations for re-
11 cruiting, retaining, and training a highly-qualified work-
12 force employed by the Department of Education to carry
13 out investigation of complaints alleging a violation of title
14 IX of the Education Amendments of 1972 (20 U.S.C.
15 1681 et seq.) or section 485(f) of the Higher Education
16 Act of 1965 (20 U.S.C. 1092(f)), and enforcement of such
17 title IX (20 U.S.C. 1681 et seq.) or such section 485(f)
18 (20 U.S.C. 1092(f)), with respect to sexual violence in
19 education. Such plan shall include—

20 (1) an assessment to identify current gaps or
21 challenges carrying out such investigation and en-
22 forcement, which may include surveying current in-
23 vestigative workforce to solicit feedback on areas in
24 need of improvement;

1 (2) an examination of issues of recruiting, re-
2 tention, and the professional development of such
3 workforce, including the possibility of providing re-
4 tention bonuses or other forms of compensation for
5 the purpose of ensuring the Department of Edu-
6 cation has the capacity, in both personnel and skills,
7 needed to properly perform its mission and provide
8 adequate oversight of educational institutions;

9 (3) an assessment of the benefits of outreach
10 and training with both law enforcement agencies and
11 educational institutions with respect to such work-
12 force;

13 (4) an examination of best practices for making
14 educational institutions aware of the most effective
15 campus sexual violence prevention, investigation, and
16 response practices and identifying areas where more
17 research should be conducted; and

18 (5) strategies for addressing such other matters
19 as the Secretary of Education considers necessary to
20 sexual violence prevention, investigation, and re-
21 sponses.

22 (d) ANNUAL REPORT.—The Task Force on Sexual
23 Violence in Education shall report to Congress on an an-
24 nual basis, and make publicly available, a report of its ac-
25 tivities and any update of the plan required under sub-

1 section (c), including the number of complaints received
2 regarding sexual violence (including violence on the basis
3 of sexual orientation and gender identity), the number of
4 open investigations, the number of complaints that contin-
5 ued to resolution, the number of complaints resolved using
6 informal resolution, the average time to complete an inves-
7 tigation, the number of investigations initiated based on
8 complaints, and the number of investigations initiated by
9 the Department of Education.

10 (e) DEFINITIONS.—In this section:

11 (1) The term “educational institution” includes
12 an institution of higher education, an elementary
13 school, or a secondary school.

14 (2) The terms “elementary school” and “sec-
15 ondary school” have the meanings given the terms
16 in section 9101 of the Elementary and Secondary
17 Education Act of 1965 (20 U.S.C. 7801).

18 (3) The term “institution of higher education”
19 has the meaning given the term in section 102 of the
20 Higher Education Act of 1965 (20 U.S.C. 1002).

