



# Proposed Bill Would Require College and University Presidents to Review Sexual Misconduct Claims

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Bipartisan legislation [announced](#) recently in the U.S. Senate would hold campus leaders accountable for sexual abuse cases involving college and university employees.

The proposed bill, the Accountability of Leaders in Education to Report Title IX Investigations Act (“Alert Act”), would require all presidents, and at least one other member of the institution’s governing board, to annually review all reported incidents of sexual misconduct involving employees. Specifically, “[t]he ALERT Act would require federally-funded colleges and universities to submit an annual certification to the Secretary of Education affirming that the school’s President, or equivalent officer, and at least one other member of the Board of Trustees have reviewed all incidents involving employee sexual misconduct that were reported to the Title IX coordinator at that institution in the previous 12 months. The annual certification would also require confirmation that neither the President, or equivalent officer, or board member had not interfered with or inappropriately influenced an ongoing investigation.”

The proposed bill is in response to a series of universities accused of mishandling sexual misconduct allegations against employees, specifically, Larry Nassar, the former Olympics gymnastics doctors and faculty member at Michigan State University, and Jerry Sandusky, the former assistant football coach at Pennsylvania State University. The bill was introduced by Senator Debbie A. Stabenow, Democrat of Michigan, Senator Gary C. Peters, Democrat of Michigan, and Senator John Coryn, Republican of Texas.

“Under Title IX, colleges and universities that receive federal funds are required to establish clear procedures for promptly responding to instances of sexual violence on campuses. They must also have a Title IX coordinator in place to oversee investigations, coordinate disciplinary actions, and ensure compliance with federal guidelines. However, in both the Nassar and Sandusky cases, university leaders failed to take action on or even claimed they were unaware of reports of sexual abuse by university employees, despite the fact that official Title IX or external investigations had been conducted,” according to a [news release](#) announcing the legislation.

Senator Stabenow stated, “This bill is just one step we can take to make sure all universities take sexual abuse more seriously and that their leadership is held publicly accountable.” The legislation is aimed at ensuring that claims of sexual misconduct are thoroughly investigated.

This proposed legislation comes at a time when an exceptional number of colleges and universities have been accused of mishandling complaints of sexual misconduct. Institutions are advised to review their sexual misconduct policies and update them if necessary to ensure compliance. We encourage institutions to provide regular training to students, educators and all members of the school community on how to properly recognize, prevent and respond to allegations of sexual misconduct.

*If you have any questions or concerns regarding employment or education-related issues, please contact James G. Ryan at [jryan@CullenandDykman.com](mailto:jryan@CullenandDykman.com) or at 516-357-3750.*

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