

HIGHER EDUCATION ALERT

Are You Ready to Implement the Campus SaVE Act?

According to statistics reported by the U.S. Department of Education, as of January 2014, its Office of Civil Rights was currently investigating 39 alleged cases of sexual violence at post-secondary educational institutions. In 2013, the Office of Civil Rights had received 23 complaints alleging violations of the Clery Act and imposed eight fines totaling \$1.45 million.

In 2013, the Clery Act was amended by the Campus Sexual Violence Elimination Act (the “SaVE Act”), which became effective on March 7, 2014. The SaVE Act places new obligations on colleges and universities in order to protect their students from sexual violence and harassment. The obligations of the SaVE Act apply to colleges and universities that participate in federal student financial aid programs under Title IV of the Higher Education Act of 1964 (Pell Grants; Supplemental Educational Opportunity Grants; Work-Study Programs; Perkins Loans; Direct Loans; Leveraging Educational Assistance Partnership).

Among other obligations, the SaVE Act requires colleges and universities to offer new students and employees education and training programs that promote their awareness and the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. Ongoing prevention and awareness campaigns also are required for current students and employees.

On **October 1, 2014**, colleges and universities are required to publish their Annual Security Report under the Clery Act. Under a guidance letter provided by the U.S. Department of Education, colleges and universities are being advised that their Annual Security reports demonstrate a good faith effort to comply with the requirements of the SaVE Act. The Final Regulations concerning the SaVE Act are still being prepared by the Department of Education and are anticipated to be issued in November 2014. It is important that colleges and universities begin now to develop and to implement their policies, training and education programs and procedures. All students, employees and faculty must be offered “primary prevention and awareness programs.”

Our law firm is experienced in the representation of colleges and universities, including assisting your institution of higher learning in meeting your obligations. Please contact us for more information about our services and how we can assist you in complying with the SaVE Act.

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