



Tyler Clementi Higher Education Anti-Harassment Act of 2019

Sponsored by Senator Patty Murray, Senator Tammy Baldwin, and Congressman Mark Pocan

Background

In 2010, Tyler Clementi, a freshman at Rutgers University, died by suicide after his roommate and other students invaded his privacy and harassed him online just weeks into his first semester of college. He was only eighteen years old. Tyler's story is tragic, but he is not alone. Thousands of college students each year are harassed online, on social media, via text message, and through cell phones and other electronic means. **These students, just like Tyler, are victims of cyberbullying.** According to a 2014 study, one in five college students are victims of cyberbullying. Harassment and hostile learning environments can have profoundly negative effects on students' emotional, psychological, and academic well-being. Large audiences on the Internet can further multiply the effects of bullying.

LGBTQ students are nearly twice as likely as their peers to experience harassment, and such harassment is very likely to be based on their sexual orientation or gender identity. However, there is currently no requirement that colleges and universities have policies in place that protect their students and employees from harassment that occurs via electronic communications or from harassment that is based on sexual orientation, gender identity, or religion.

The *Tyler Clementi Higher Education Anti-Harassment Act of 2019* requires colleges and universities to have policies in place to prohibit harassment and establishes a grant program to support campus anti-harassment programs, including prevention, counseling, and training.

Legislative Summary

- Requires colleges and universities receiving federal aid to establish an anti-harassment policy prohibiting the harassment of enrolled students based on their actual or perceived race, color, national origin, sex (including sexual orientation, gender identity, pregnancy, childbirth, a medical condition related to pregnancy or childbirth, and a sex stereotype), disability, or religion.
- Requires these schools to include their anti-harassment policy in a mandated security report distributed to all students and employees annually, and to all prospective students and employees upon request.
- Recognizes "cyberbullying," which is harassment undertaken through electronic messaging services, commercial mobile services, electronic communications, and other technology.
- Authorizes a competitive grant program for institutions of higher education to initiate, expand, or improve programs to: (a) prevent the harassment of students; (b) provide counseling or redress services to students who have been harassed or accused of subjecting other students to harassment; and (c) train students, faculty, or staff to prevent harassment or address harassment if it occurs.