



## NEWS RELEASE

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FOR IMMEDIATE RELEASE

### **Weiser Fights to Protect Colorado Campus Sex Assault Policies from Weaker Federal Mandate**

*Attorney General says proposed changes to Title IX are costly, don't do enough to protect survivors of campus sexual assault*

Jan. 28, 2019 (DENVER, Colo.) — Colorado public universities and colleges should be able to keep policies that effectively and fairly address sexual assault and harassment disputes on their campuses and not lose federal funds from the U.S. Department of Education Attorney General Phil Weiser said today.

In a letter to Education Secretary Betsy DeVos, Weiser says her proposed changes to Title IX of the Education Amendments Act of 1972 do not do enough to protect survivors of campus sexual assault and harassment. Additionally, requiring Colorado institutions of higher education (IHEs) to adopt a uniform federal mandate would result in costly and administratively difficult changes to well-established laws and procedures that balance protections for victims and due process for the accused.

“In its current form, the procedures required by the Proposed Rulemaking deny survivors the dignity, equality, and equal rights to education that Title IX aims to protect,” says Weiser in his letter. “Colorado lawmakers and IHEs are devoted to the implementation of policies, procedures, and state laws that are currently in place, and are working effectively to meet the requirements of Title IX. For this reason, we object to both the Department’s proposal of a binding federal mandate (that would displace Colorado’s effective protections now in place) and the threat of revoking federal funding for Colorado colleges and universities that fail to meet any newly imposed federal mandate.”

In recent months, DeVos began a proposed rulemaking to Title IX—a landmark law that bans sex discrimination at institutions of higher education that receive federal funding—to establish a uniform standard for investigating sexual assault and harassment cases on college campuses. A crucial concern with the proposed rule change is that it would discourage students from reporting sexual assault and create a standard of proof that tilts investigations in favor of the accused perpetrators.

Weiser opposes any change to the existing regulations, and if they are modified, he said the Department of Education should let Colorado keep its processes that both protect victims and ensure the rule of law for the accused.

“We request that the Department amend the proposed rules to offer flexibility to states, and respect Colorado’s ability to set its own laws, policies and processes to govern Colorado’s higher education system, without federal financial penalties to Colorado colleges and universities.”

A copy of the Attorney General’s letter to U.S. Department of Education is attached.

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