Massachusetts Senate Moves to Preserve and Expand Sexual Violence Prevention and Response Requirements for Public and Private Colleges and Universities

BY BRIAN MULLIN • AUGUST 7, 2017

A bill that would preserve and expand federal requirements for College and University programs to prevent and respond to sexual violence on campus is moving through the Massachusetts State Senate. The bill, SB 2081, is, in part, an effort to solidify Title IX regulations and guidance concerning sexual misconduct issued by the U.S. Department of Education under the Obama Administration. The bill also incorporates many recommendations from a report on campus safety and violence prevention commissioned by the state Board of Higher Education. The bill has bipartisan support, is expected to be approved by the Senate and move to the House of Representatives in the upcoming legislative session.

The bill maintains requirements for Institutions to develop, distribute and implement policies, procedures and educational programs directed to preventing and responding to issues of dating violence, domestic violence, sexual assault and stalking. The bill preserves the requirement for Institutions to apply the preponderance of the evidence standard in the adjudication of sexual misconduct claims. The bill also includes several additional requirements including, among others, that Institutions develop required policies and procedures with input from state and local law enforcement agencies, local health care facilities, community-based rape crisis centers and domestic violence programs.

Client Tip: *Institutions in Massachusetts should continue to comply with exiting federal requirements and begin to prepare for the likelihood that the bill will become law.*

©2026 Bowditch & Dewey LLP. All Rights Reserved.