



Legislation Text

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Authorizing City Council's Committee on Education to hold public hearings regarding Philadelphia's institutions of higher education's policies on sexual assault and the national movement towards the adoption of an Affirmative Consent "Yes Means Yes" policy.

WHEREAS, In September, California Governor Jerry Brown signed a new law mandating state universities that receive public funding to require students to get "affirmative, conscious and voluntary agreement to engage in sexual activity"; and

WHEREAS, California's law seeks both to improve how universities handle rape and sexual assault accusations and to clarify the standards by requiring affirmative consent; and

WHEREAS, "Affirmative consent" means affirmative, conscious and voluntary agreement to engage in sexual activity; and

WHEREAS, It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity; and

WHEREAS, Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time; and

WHEREAS, New Jersey is currently considering the adoption of a similar law; and

WHEREAS, 83,974 undergraduate students attend four year universities within the City of Philadelphia; and

WHEREAS, Such universities include the University of Pennsylvania, Temple University, Drexel University, Philadelphia University, Saint Joseph's University, La Salle University, Villanova University, University of the Arts, University of Sciences, Peirce College, Holy Family University, The Art Institute, Moore College of Art and Design, Chestnut Hill College, The Curtis Institute of Music, Pennsylvania Academy of the Fine Arts, The Restaurant School at Walnut Hill College; and

WHEREAS, Nationally, only a fraction of campus sexual assault victims report their assault to the police; and

WHEREAS, Some sexual assault victims have said they prefer to work within their university system to seek disciplinary action against the perpetrator, such as expulsion, without the stress of pressing criminal charges; and

WHEREAS, It is estimated that the percentage of completed or attempted rape victimization among women in higher educational institutions in the U.S. may be between 20% and 25% over the course of a college career; and

WHEREAS, Off-campus sexual assault is much more common among college women than on-campus assault.

Of victims of rape, 33.7% were assaulted on campus; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council does hereby authorize the Committee on Education to hold public hearings regarding Philadelphia's institutions of higher education's policies on sexual assault and the national movement towards the adoption of an Affirmative Consent "Yes Means Yes" policy.