

By: Representatives Cockerham, Sykes

To: Judiciary B

HOUSE BILL NO. 1039
(As Passed the House)

1 AN ACT TO CREATE "THE SEXUAL ASSAULT RESPONSE FOR STUDENTS IN
2 UNIVERSITIES AND COMMUNITY AND JUNIOR COLLEGES ACT"; TO DEFINE
3 CERTAIN TERMS FOR THE ACT; TO REQUIRE ALL UNIVERSITIES AND
4 COMMUNITY AND JUNIOR COLLEGES TO ADOPT A COMPREHENSIVE POLICY
5 CONCERNING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND
6 STALKING CONSISTENT WITH FEDERAL AND STATE LAW REGARDING SUCH; TO
7 LIST THE MINIMUM REQUIREMENTS OF EACH POLICY, WHICH SHALL INCLUDE
8 A DEFINITION OF CONSENT AND A PROHIBITION AGAINST RETALIATION OF A
9 VICTIM; TO REQUIRE SUCH INSTITUTIONS, AT A MINIMUM, TO PROVIDE THE
10 SURVIVOR, WHEN IDENTIFIED, WITH A CONCISE NOTIFICATION, WRITTEN IN
11 PLAIN LANGUAGE, OF THE SURVIVOR'S RIGHTS AND OPTIONS; TO REQUIRE
12 SUCH INSTITUTIONS TO RESPOND WITHIN TWELVE HOURS AFTER RECEIVING
13 AN ELECTRONIC REPORT; TO REQUIRE SUCH INSTITUTIONS TO PROVIDE
14 STUDENTS WITH ACCESS TO CONFIDENTIAL ADVISORS TO PROVIDE EMERGENCY
15 AND ONGOING SUPPORT TO SURVIVORS OF SEXUAL VIOLENCE; TO REQUIRE
16 ALL CONFIDENTIAL ADVISORS TO BE GIVEN 40 HOURS OF TRAINING; TO
17 PRESCRIBE MINIMUM REQUIREMENTS OF A CONFIDENTIAL ADVISOR IN
18 WORKING WITH A SURVIVOR; TO REQUIRE SUCH INSTITUTIONS TO CREATE A
19 COMPLAINT RESOLUTION PROCEDURE IF A STUDENT ALLEGES VIOLATION OF
20 THE COMPREHENSIVE VIOLENCE POLICY; TO PROVIDE THE MINIMUM
21 REQUIREMENTS FOR SUCH PROCEDURE; TO REQUIRE SUCH INSTITUTIONS TO
22 PROMINENTLY PUBLISH, TIMELY UPDATE, AND HAVE EASILY AVAILABLE ON
23 ITS INTERNET WEBSITE CERTAIN INFORMATION REQUIRED BY THIS ACT; TO
24 PROVIDE A LIST OF THE REQUIRED INFORMATION THAT MUST BE EASILY
25 AVAILABLE ON THE WEBSITE; AND FOR RELATED PURPOSES.

26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

27 **SECTION 1.** This act shall be known and may be cited as the
28 "Sexual Assault Response for Students in Universities and
29 Community and Junior Colleges Act."



30 **SECTION 2.** The following words shall have the following
31 meanings, unless the context indicates otherwise:

32 (a) "Awareness programming" means institutional action
33 designed to communicate the prevalence of sexual violence,
34 including, without limitation, training, poster and flyer
35 campaigns, electronic communications, films, guest speakers,
36 symposia, conferences, seminars, or panel discussions.

37 (b) "Bystander intervention" includes, without
38 limitation, the act of challenging the social norms that support,
39 condone, or permit sexual violence.

40 (c) "Complainant" means a student who files a complaint
41 alleging violation of the comprehensive policy through the higher
42 education institution's complaint resolution procedure.

43 (d) "Comprehensive policy" means a policy created and
44 implemented by a higher education institution to address student
45 allegations of sexual violence, domestic violence, dating
46 violence, and stalking.

47 (e) "Confidential advisor" means a person who is
48 employed or contracted by a higher education institution to
49 provide emergency and ongoing support to student survivors of
50 sexual violence with the training, duties, and responsibilities
51 described in this act.

52 (f) "Higher education institution" means a public
53 university, a public community college, a public junior college or



54 an independent, not-for-profit or for-profit higher education
55 institution located in this state.

56 (g) "Primary prevention programming" means
57 institutional action and strategies intended to prevent sexual
58 violence before it occurs by means of changing social norms and
59 other approaches, including, without limitation, training, poster
60 and flyer campaigns, electronic communications, films, guest
61 speakers, symposia, conferences, seminars, or panel discussions.

62 (h) "Respondent" means a student involved in the
63 complaint resolution procedure who has been accused of violating a
64 higher education institution's comprehensive policy.

65 (i) "Sexual violence" means physical sexual acts
66 attempted or perpetrated against a person's will or when a person
67 is incapable of giving consent, including, without limitation,
68 rape, sexual assault, sexual battery, sexual abuse, and sexual
69 coercion.

70 (j) "Survivor" means a student who has experienced
71 sexual violence, domestic violence, dating violence, or stalking
72 while enrolled at a higher education institution.

73 (k) "Survivor-centered" means a systematic focus on the
74 needs and concerns of a survivor of sexual violence, domestic
75 violence, dating violence, or stalking that (i) ensures the
76 compassionate and sensitive delivery of services in a
77 nonjudgmental manner; (ii) ensures an understanding of how trauma
78 affects survivor behavior; (iii) maintains survivor safety,



79 privacy, and, if possible, confidentiality; and (iv) recognizes
80 that a survivor is not responsible for the sexual violence,
81 domestic violence, dating violence, or stalking.

82 (1) "Trauma-informed response" means a response
83 involving an understanding of the complexities of sexual violence,
84 domestic violence, dating violence, or stalking through training
85 centered on the neurobiological impact of trauma, the influence of
86 societal myths and stereotypes surrounding sexual violence,
87 domestic violence, dating violence, or stalking, and understanding
88 the behavior of perpetrators.

89 **SECTION 3.** (1) On or before August 1, 2018, all higher
90 education institutions shall adopt a comprehensive policy
91 concerning sexual violence, domestic violence, dating violence,
92 and stalking consistent with federal and state law. The higher
93 education institution's comprehensive policy shall include, at a
94 minimum, all of the following components:

95 (a) A definition of consent that, at a minimum,
96 recognizes that (i) consent is a freely given agreement to sexual
97 activity, (ii) a person's lack of verbal or physical resistance or
98 submission resulting from the use or threat of force does not
99 constitute consent, (iii) a person's manner of dress does not
100 constitute consent, (iv) a person's consent to past sexual
101 activity does not constitute consent to future sexual activity,
102 (v) a person's consent to engage in sexual activity with one (1)
103 person does not constitute consent to engage in sexual activity



104 with another, (vi) a person can withdraw consent at any time, and
105 (vii) a person cannot consent to sexual activity if that person is
106 unable to understand the nature of the activity or give knowing
107 consent due to circumstances, including, without limitation, the
108 following:

- 109 1. The person is incapacitated due to the use
110 or influence of alcohol or drugs;
- 111 2. The person is asleep or unconscious;
- 112 3. The person is under age; or
- 113 4. The person is incapacitated due to a
114 mental disability.

115 Nothing in this section prevents a higher education
116 institution from defining consent in a more demanding manner.

117 (b) Procedures that students of the higher education
118 institution may follow if they choose to report an alleged
119 violation of the comprehensive policy, regardless of where the
120 incident of sexual violence, domestic violence, dating violence,
121 or stalking occurred, including all of the following:

122 (i) Name and contact information for the Title IX
123 coordinator, campus law enforcement or security, local law
124 enforcement, and the community-based sexual assault crisis center.

125 (ii) The name, title, and contact information for
126 confidential advisors and other confidential resources and a
127 description of what confidential reporting means.



128 (iii) Information regarding the various
129 individuals, departments, or organizations to whom a student may
130 report a violation of the comprehensive policy, specifying for
131 each individual and entity 1. the extent of the individual's or
132 entity's reporting obligation, 2. the extent of the individual's
133 or entity's ability to protect the student's privacy, and 3. the
134 extent of the individual's or entity's ability to have
135 confidential communications with the student.

136 (iv) An option for students to electronically
137 report.

138 (v) An option for students to anonymously report.

139 (vi) An option for students to confidentially
140 report.

141 (vii) An option for reports by third parties and
142 bystanders.

143 (c) The higher education institution's procedure for
144 responding to a report of an alleged incident of sexual violence,
145 domestic violence, dating violence, or stalking, including without
146 limitation (i) assisting and interviewing the survivor, (ii)
147 identifying and locating witnesses, (iii) contacting and
148 interviewing the respondent, (iv) contacting and cooperating with
149 law enforcement, when applicable, and (v) providing information
150 regarding the importance of preserving physical evidence of the
151 sexual violence and the availability of a medical forensic
152 examination at no charge to the survivor.



153 (d) A statement of the higher education institution's
154 obligation to provide survivors with concise information, written
155 in plain language, concerning the survivor's rights and options,
156 upon receiving a report of an alleged violation of the
157 comprehensive policy, as described in Section 4 of this act.

158 (e) The name, address, and telephone number of the
159 medical facility nearest to each campus of the higher education
160 institution where a survivor may have a medical forensic
161 examination completed at no cost to the survivor, pursuant to the
162 Sexual Assault Survivors Emergency Treatment Act.

163 (f) The name, telephone number, address, and website
164 URL, if available, of community-based, state, and national sexual
165 assault crisis centers.

166 (g) A statement notifying survivors of the interim
167 protective measures and accommodations reasonably available from
168 the higher education institution that a survivor may request in
169 response to an alleged violation of the comprehensive policy,
170 including, without limitation, changes to academic, living,
171 dining, transportation, and working situations, obtaining and
172 enforcing campus no contact orders, and honoring an order of
173 protection or no contact order entered by a state civil or
174 criminal court.

175 (h) The higher education institution's complaint
176 resolution procedures if a student alleges violation of the



177 comprehensive violence policy, including, at a minimum, the
178 guidelines set forth in this act.

179 (i) A statement of the range of sanctions the higher
180 education institution may impose following the implementation of
181 its complaint resolution procedures in response to an alleged
182 violation of the comprehensive policy. Sanctions may include, but
183 are not limited to, suspension, expulsion, or removal of the
184 student found, after complaint resolution procedures, to be in
185 violation of the comprehensive policy of the higher education
186 institution.

187 (j) A statement of the higher education institution's
188 obligation to include an amnesty provision that provides immunity
189 to any student who reports, in good faith, an alleged violation of
190 the higher education institution's comprehensive policy to a
191 responsible employee, as defined by federal law, so that the
192 reporting student will not receive a disciplinary sanction by the
193 institution for a student conduct violation, such as underage
194 drinking, that is revealed in the course of such a report, unless
195 the institution determines that the violation was egregious,
196 including without limitation an action that places the health or
197 safety of any other person at risk.

198 (k) A statement of the higher education institution's
199 prohibition on retaliation against those who, in good faith,
200 report or disclose an alleged violation of the comprehensive
201 policy, file a complaint, or otherwise participate in the



202 complaint resolution procedure and available sanctions for
203 individuals who engage in retaliatory conduct.

204 (2) (a) If a higher education institution receives a
205 complaint alleging sexual violence and permission from the alleged
206 victim of the sexual violence, the institution shall immediately
207 report and refer the allegation to the law enforcement agency of
208 the local government with jurisdiction to respond to such
209 allegations in the location of the institution.

210 (b) Before requesting an alleged victim's permission to
211 proceed, a higher education institution must inform the student
212 that the permission authorizes the institution to report the
213 allegation to the local law enforcement agency in the location of
214 the institution with jurisdiction to respond to such allegations;
215 and that nonpunitive support services and nonpunitive
216 accommodations shall remain available to the alleged victim
217 regardless of whether the alleged victim provides the permission
218 to the institution to proceed to report, but that the institution
219 will not be able to take disciplinary actions against the accused
220 unless the allegation is investigated by the local law enforcement
221 agency.

222 (c) If the alleged victim denies the higher education
223 institution permission to report the allegation to local law
224 enforcement, the institution must determine whether or not it can
225 honor such a request while still providing a safe and
226 nondiscriminatory environment for all students, including the



227 student who reported the sexual violence. When an institution is
228 determining whether it can honor a student's request that the
229 allegation be withheld from local law enforcement, the institution
230 shall consider a range of factors including whether the
231 circumstances suggest there is an increased risk of the alleged
232 perpetrator committing additional acts of sexual violence or other
233 violence, whether the alleged perpetrator has a history of arrests
234 or records from a prior institution of higher education indicating
235 a history of violence, whether the alleged perpetrator is alleged
236 to have threatened further sexual violence or other violence
237 against the student or others, and whether the sexual violence was
238 committed by multiple perpetrators. The institution shall also
239 consider whether the circumstances suggest there is an increased
240 risk of future acts of sexual violence under similar
241 circumstances, whether the sexual violence was perpetrated with a
242 weapon, and the age of the student allegedly subjected to the
243 sexual violence. When an institution determines that it must
244 report the covered allegation against the alleged victim's wishes,
245 it shall notify the student of its decision and rationale in
246 writing within twenty-four (24) hours.

247 **SECTION 4.** (1) On or before August 1, 2018, upon being
248 notified of an alleged violation of the comprehensive policy by or
249 on behalf of a student, each higher education institution shall,
250 at a minimum, provide the survivor, when identified, with a



251 concise notification, written in plain language, of the survivor's
252 rights and options, including without limitation:

253 (a) The survivor's right to report or not report the
254 alleged incident to the higher education institution, law
255 enforcement, or both, including information about the survivor's
256 right to privacy and which reporting methods are confidential;

257 (b) The contact information for the higher education
258 institution's Title IX coordinator or coordinators, confidential
259 advisors, a community-based sexual assault crisis center, campus
260 law enforcement, and local law enforcement;

261 (c) The survivor's right to request and receive
262 assistance from campus authorities in notifying law enforcement;

263 (d) The survivor's ability to request interim
264 protective measures and accommodations for survivors, including,
265 without limitation, changes to academic, living, dining, working,
266 and transportation situations, obtaining and enforcing a
267 campus-issued order of protection or no contact order, if such
268 protective measures and accommodations are reasonably available,
269 and an order of protection or no contact order in state court;

270 (e) The higher education institution's ability to
271 provide assistance, upon the survivor's request, in accessing and
272 navigating campus and local health and mental health services,
273 counseling, and advocacy services; and



274 (f) A summary of the higher education institution's
275 complaint resolution procedures, under this act, if the survivor
276 reports a violation of the comprehensive policy.

277 (2) Within twelve (12) hours after receiving an electronic
278 report, the higher education institution shall respond to the
279 electronic reporter and, at a minimum, provide the information
280 described in paragraphs (a) through (f) of subsection (1) of this
281 section and a list of available resources. The higher education
282 institution may choose the manner in which it responds including,
283 but not limited to, through verbal or electronic communication.
284 Nothing in this subsection (2) limits a higher education
285 institution's obligations under subsection (1) of this section.

286 **SECTION 5.** (1) Each higher education institution shall
287 provide students with access to confidential advisors to provide
288 emergency and ongoing support to survivors of sexual violence.

289 (2) The confidential advisors may not be individuals on
290 campus who are designated as responsible employees under Title IX
291 of the federal Education Amendments of 1972. Nothing in this
292 section precludes a higher education institution from partnering
293 with a community-based sexual assault crisis center to provide
294 confidential advisors.

295 (3) All confidential advisors shall receive forty (40) hours
296 of training on sexual violence, if they have not already completed
297 this forty-hour training, before being designated a confidential
298 advisor and shall attend a minimum of six (6) hours of ongoing



299 education training annually on issues related to sexual violence
300 to remain a confidential advisor. Confidential advisors shall
301 also receive periodic training on the campus administrative
302 processes, interim protective measures and accommodations, and
303 complaint resolution procedures.

304 (4) In the course of working with a survivor, each
305 confidential advisor shall, at a minimum, do all of the following:

306 (a) Inform the survivor of the survivor's choice of
307 possible next steps regarding the survivor's reporting options and
308 possible outcomes, including, without limitation, reporting
309 pursuant to the higher education institution's comprehensive
310 policy and notifying local law enforcement.

311 (b) Notify the survivor of resources and services for
312 survivors of sexual violence, including, but not limited to,
313 student services available on campus and through community-based
314 resources, including without limitation sexual assault crisis
315 centers, medical treatment facilities, counseling services, legal
316 resources, medical forensic services, and mental health services.

317 (c) Inform the survivor of the survivor's rights and
318 the higher education institution's responsibilities regarding
319 orders of protection, no contact orders, or similar lawful orders
320 issued by the higher education institution or a criminal or civil
321 court.

322 (d) Provide confidential services to and have
323 privileged, confidential communications with survivors of sexual



324 violence in accordance with Section 8-804 of the Code of Civil
325 Procedure.

326 (e) Upon the survivor's request and as appropriate,
327 liaise with campus officials, community-based sexual assault
328 crisis centers, or local law enforcement and, if requested, assist
329 the survivor with contacting and reporting to campus officials,
330 campus law enforcement, or local law enforcement.

331 (f) Upon the survivor's request, liaise with the
332 necessary campus authorities to secure interim protective measures
333 and accommodations for the survivor.

334 **SECTION 6.** (1) On or before August 1, 2018, each campus of
335 a higher education institution shall adopt one (1) procedure to
336 resolve complaints of alleged student violations of the
337 comprehensive policy.

338 (2) For each campus, a higher education institution's
339 complaint resolution procedures for allegations of student
340 violation of the comprehensive policy shall provide, at a minimum,
341 all of the following:

342 (a) Complainants alleging student violation of the
343 comprehensive policy shall have the opportunity to request that
344 the complaint resolution procedure begin promptly and proceed in a
345 timely manner.

346 (b) The higher education institution shall determine
347 the individuals who will resolve complaints of alleged student
348 violations of the comprehensive policy.



349 (c) All individuals whose duties include resolution of
350 complaints of student violations of the comprehensive policy shall
351 receive a minimum of eight (8) to ten (10) hours of annual
352 training on issues related to sexual violence, domestic violence,
353 dating violence, and stalking and how to conduct the higher
354 education institution's complaint resolution procedures, in
355 addition to the annual training required for employees as provided
356 in subsection (3) of Section 7 of this act.

357 (d) The higher education institution shall have a
358 sufficient number of individuals trained to resolve complaints so
359 that (i) a substitution can occur in the case of a conflict of
360 interest or recusal and (ii) an individual or individuals with no
361 prior involvement in the initial determination or finding may hear
362 any appeal brought by a party.

363 (e) The individual or individuals resolving a complaint
364 shall use a clear and convincing evidence standard to determine
365 whether the alleged violation of the comprehensive policy
366 occurred.

367 (f) The complainant and respondent shall (i) receive
368 notice of the individual or individuals with authority to make a
369 finding or impose a sanction in their proceeding before the
370 individual or individuals initiate contact with either party and
371 (ii) have the opportunity to request a substitution if the
372 participation of an individual with authority to make a finding or
373 impose a sanction poses a conflict of interest.



374 (g) The higher education institution shall have a
375 procedure to determine interim protective measures and
376 accommodations available pending the resolution of the complaint.

377 (h) Any proceeding, meeting, or hearing held to resolve
378 complaints of alleged student violations of the comprehensive
379 policy shall protect the privacy of the participating parties and
380 witnesses.

381 (i) The complainant, regardless of this person's level
382 of involvement in the complaint resolution procedure, and the
383 respondent shall have the opportunity to provide or present
384 evidence and witnesses on their behalf during the complaint
385 resolution procedure.

386 (j) The complainant and the respondent may not directly
387 cross examine one another, but may, at the discretion and
388 direction of the individual or individuals resolving the
389 complaint, suggest questions to be posed by the individual or
390 individuals resolving the complaint and respond to the other
391 party.

392 (k) Both parties may request and must be allowed to
393 have an advisor of their choice accompany them to any meeting or
394 proceeding related to an alleged violation of the comprehensive
395 policy, provided that the involvement of the advisor does not
396 result in undue delay of the meeting or proceeding. The advisor
397 must comply with any rules in the higher education institution's
398 complaint resolution procedure regarding the advisor's role. If



399 the advisor violates the rules or engages in behavior or advocacy
400 that harasses, abuses, or intimidates either party, a witness, or
401 an individual resolving the complaint, that advisor may be
402 prohibited from further participation.

403 (l) The complainant and the respondent may not be
404 compelled to testify, if the complaint resolution procedure
405 involves a hearing, in the presence of the other party. If a
406 party invokes this right, the higher education institution shall
407 provide a procedure by which each party can, at a minimum, hear
408 the other party's testimony.

409 (m) The complainant and the respondent are entitled to
410 simultaneous, written notification of the results of the complaint
411 resolution procedure, including information regarding appeal
412 rights, within seven (7) days of a decision or sooner if required
413 by state or federal law.

414 (n) The complainant and the respondent shall, at a
415 minimum, have the right to timely appeal the complaint resolution
416 procedure's findings or imposed sanctions if the party alleges (i)
417 a procedural error occurred, (ii) new information exists that
418 would substantially change the outcome of the finding, or (iii)
419 the sanction is disproportionate with the violation. The
420 individual or individuals reviewing the findings or imposed
421 sanctions shall not have participated previously in the complaint
422 resolution procedure and shall not have a conflict of interest
423 with either party. The complainant and the respondent shall



424 receive the appeal decision in writing within seven (7) days after
425 the conclusion of the review of findings or sanctions or sooner if
426 required by federal or state law.

427 (o) The higher education institution shall not disclose
428 the identity of the survivor or the respondent, except as
429 necessary to resolve the complaint or to implement interim
430 protective measures and accommodations or when provided by state
431 or federal law.

432 **SECTION 7.** (1) On or before August 1, 2018, a higher
433 education institution shall prominently publish, timely update,
434 and have easily available on its Internet website all of the
435 following information:

436 (a) The higher education institution's comprehensive
437 policy, as well as options and resources available to survivors.

438 (b) The higher education institution's student
439 notification of rights and options described in this act.

440 (c) The name and contact information for all of the
441 higher education institution's Title IX coordinators.

442 (d) An explanation of the role of (i) Title IX
443 coordinators, including deputy or assistant Title IX coordinators,
444 under Title IX of the federal Education Amendments of 1972, (ii)
445 responsible employees under Title IX of the federal Education
446 Amendments of 1972, (iii) campus security authorities under the
447 federal Jeanne Clery Disclosure of Campus Security Policy and
448 Campus Crime Statistics Act, and (iv) mandated reporters under the



449 Abused and Neglected Child Reporting Act and the reporting
450 obligations of each, as well as the level of confidentiality each
451 is allowed to provide to reporting students under relevant federal
452 and state law.

453 (e) The name, title, and contact information for all
454 confidential advisors, counseling services, and confidential
455 resources that can provide a confidential response to a report and
456 a description of what confidential reporting means.

457 (f) The telephone number and website URL for
458 community-based, state, and national hotlines providing
459 information to sexual violence survivors.

460 (2) Beginning with the 2018-2019 academic year, each higher
461 education institution shall provide sexual violence primary
462 prevention and awareness programming for all students who attend
463 one or more classes on campus, which shall include, at a minimum,
464 annual training as described in this subsection. Nothing in this
465 section shall be construed to limit the higher education
466 institution's ability to conduct additional ongoing sexual
467 violence primary prevention and awareness programming.

468 Each higher education institution's annual training shall, at
469 a minimum, provide each student who attends one or more classes on
470 campus information regarding the higher education institution's
471 comprehensive policy, including without limitation the following:

472 (a) The institution's definitions of consent, inability
473 to consent, and retaliation as they relate to sexual violence;



474 (b) Reporting to the higher education institution,
475 campus law enforcement, and local law enforcement;

476 (c) Reporting to the confidential advisor or other
477 confidential resources;

478 (d) Available survivor services; and

479 (e) Strategies for bystander intervention and risk
480 reduction.

481 At the beginning of each academic year, each higher education
482 institution shall provide each student of the higher education
483 institution with an electronic copy or hard copy of its
484 comprehensive policy, procedures, and related protocols.

485 (3) (a) Beginning in the 2018-2019 academic year, a higher
486 education institution shall provide annual survivor-centered and
487 trauma-informed response training to any employee of the higher
488 education institution who is involved in (i) the receipt of a
489 student report of an alleged incident of sexual violence, domestic
490 violence, dating violence, or stalking, (ii) the referral or
491 provision of services to a survivor, or (iii) any campus complaint
492 resolution procedure that results from an alleged incident of
493 sexual violence, domestic violence, dating violence, or stalking.
494 Employees falling under this description include without
495 limitation the Title IX coordinator, members of the higher
496 education institution's campus law enforcement, and campus
497 security.



498 (b) An enrolled student at or a contracted service
499 provider of the higher education institution with the employee
500 responsibilities outlined in subsection (3)(a)(i) through (iii)
501 shall also receive annual survivor-centered and trauma-informed
502 response training.

503 (c) The higher education institution shall design the
504 training to improve the trainee's ability to understand (i) the
505 higher education institution's comprehensive policy; (ii) the
506 relevant federal and state law concerning survivors of sexual
507 violence, domestic violence, dating violence, and stalking at
508 higher education institutions; (iii) the roles of the higher
509 education institution, medical providers, law enforcement, and
510 community agencies in ensuring a coordinated response to a
511 reported incident of sexual violence; (iv) the effects of trauma
512 on a survivor; (v) the types of conduct that constitute sexual
513 violence, domestic violence, dating violence, and stalking,
514 including same-sex violence; and (vi) consent and the role drugs
515 and alcohol use can have on the ability to consent. The training
516 shall also seek to improve the trainee's ability to respond with
517 cultural sensitivity; provide services to or assist in locating
518 services for a survivor, as appropriate; and communicate
519 sensitively and compassionately with a survivor of sexual
520 violence, domestic violence, dating violence, or stalking.



521 **SECTION 8.** This act shall take effect and be in force from
522 and after July 1, 2017 and shall stand repealed on and after June
523 30, 2017.

