

2296

2009-2010 Regular Sessions

I N S E N A T E

February 17, 2009

Introduced by Sens. STAVISKY, BRESLIN, DUANE, ESPADA, KLEIN, KRUEGER, ONORATO, OPPENHEIMER, PARKER, SAMPSON, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to requiring campuses and colleges to provide incoming students with information about domestic violence and stalking prevention

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 6431 of the education law, as
2 added by chapter 597 of the laws of 2003, is amended to read as follows:
3 3. The committee shall review current campus security policies and
4 procedures and make recommendations for their improvement. It shall
5 specifically review current policies and procedures for:
6 a. educating the campus community, including security personnel and
7 those persons who advise or supervise students, about sexual assault,
8 DOMESTIC VIOLENCE AND STALKING OFFENSES pursuant to section sixty-four
9 hundred thirty-two of this article;
10 b. educating the campus community about personal safety and crime
11 prevention;
12 c. reporting sexual assaults, DOMESTIC VIOLENCE AND STALKING INCIDENTS
13 and [dealing with] ASSISTING victims during investigations;
14 d. referring complaints to appropriate authorities;
15 e. counseling victims; and
16 f. responding to inquiries from concerned persons.
17 S 2. Section 6432 of the education law, as added by chapter 597 of the
18 laws of 2003, is amended to read as follows:
19 S 6432. Sexual assault, DOMESTIC VIOLENCE AND STALKING prevention
20 information. Each college shall inform incoming students about sexual
21 assault, DOMESTIC VIOLENCE AND STALKING prevention measures through
22 programs which may include workshops, seminars, discussion groups, and

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 film presentations, in order to disseminate information [about sexual
2 assault], promote discussion, encourage reporting [of incidents of sexual
3 assault], and facilitate prevention of [such incidents] SEXUAL
4 ASSAULT, DOMESTIC VIOLENCE AND STALKING. Such information shall include,
5 but not be limited to:

- 6 1. the applicable laws, ordinances, and regulations [on sex offenses]
7 RELATING TO SUCH OFFENSES;
- 8 2. the penalties for THE commission of A sex [offenses] OFFENSE, A
9 DOMESTIC VIOLENCE INCIDENT AND A STALKING OFFENSE;
- 10 3. the procedures in effect at the college for dealing with [sex] SUCH
11 offenses;
- 12 4. the availability of counseling and other support services for the
13 victims of [sex] SUCH offenses;
- 14 5. the nature of and common circumstances relating to sex offenses,
15 INCIDENTS OF DOMESTIC VIOLENCE AND STALKING OFFENSES on college campus-
16 es; and
- 17 6. the methods the college employs to advise and to update students
18 about security procedures.

19 S 3. This act shall take effect immediately.