S T A T E O F N E W Y O R K

5148

2015-2016 Regular Sessions

I N A S S E M B L Y

February 12, 2015

Introduced by M. of A. WALKER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to documenting campus sexual assault and related complaints at SUNY and CUNY institutions

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

Section 1. Section 6433 of the education law, as added by chapter 597 of the laws of 2003, is amended to read as follows:

S 6433. Campus crime reporting and statistics. 1. Each college that receives state aid shall indicate in their campus catalog, student handbook and viewbook how to access the campus crime statistics that are filed annually with the United States Department of Education as required under Title 20 of the U.S. Code Section 1092(f). Every campus catalog, student handbook and viewbook shall state that "The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education."

The information in the campus catalog, student handbook and viewbook shall include the United States Department of Education's web site address for campus crime statistics and a campus phone number for a designated college campus contact who is authorized to provide such statistics for that college. Whenever an individual requests such campus crime statistics, the college shall provide a hard copy mailed to the individual within ten days of the request and that information will include all of the statistics that the campus is required to ascertain under Title 20 of the U.S. Code Section 1092(f).

2. The president or chief administrative officer of each college shall, working with the advisory committee on campus safety, take steps to inform students and prospective students of the existence of the campus crime statistics on an annual basis and other campus safety policies and procedures of the school.

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

LBD07007-01-5

3. THE PRESIDENT OR ADMINISTRATIVE OFFICER OF EACH SUNY AND CUNY INSTITUTION SHALL APPOINT OR DESIGNATE AN EMPLOYEE WITH AT LEAST A BACHELOR'S DEGREE IN NURSING, PSYCHOLOGY OR SOCIAL WORK WHO SHALL BE RESPONSIBLE FOR COORDINATING COMPLIANCE WITH TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 (20 U.S.C. SECTION 1681, ET. SEQ.) AND TITLE 20 OF THE U.S. CODE SECTION 1092(F), AND CREATING AND/OR MANAGING A SEARCHABLE DATABASE CATALOGUING THE STATUS OF ALL COMPLAINTS, REVIEWS, INVESTIGATIONS, AND RESOLUTIONS BROUGHT TO SUCH INSTITUTION'S ATTENTION UNDER THESE PROVISIONS. SUCH DATABASE SHALL BE MADE AVAILABLE ON THE STUDENT LIFE WEB PAGE OF EVERY SUNY AND CUNY INSTITUTION, AND SHALL BE ACCESSIBLE BY AN ACTIVE LINK FROM SUCH INSTITUTION'S HOME PAGE BETWEEN SEPTEMBER FIRST AND MAY FIRST OF EACH YEAR.

4. THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK SHALL DEVELOP A STANDARDIZED, ANONYMOUS SURVEY OF INCIDENCES OF ON-CAMPUS SEXUAL ASSAULT THAT SHALL BE DISTRIBUTED TO EACH SUNY INSTITUTION AND SHALL BE ADMINISTERED BY SUCH INSTITUTIONS EACH MID-SEMESTER. FOR THE PURPOSES OF THIS SUBDIVISION, "SEXUAL ASSAULT" SHALL MEAN ANY SEX OFFENSE IN ARTICLE ONE HUNDRED THIRTY OF THE PENAL LAW.

5. THE CHANCELLOR OF THE CITY UNIVERSITY OF NEW YORK SHALL DEVELOP A STANDARDIZED, ANONYMOUS SURVEY OF INCIDENCES OF ON-CAMPUS SEXUAL ASSAULT THAT SHALL BE DISTRIBUTED TO EACH CUNY INSTITUTION AND SHALL BE ADMINISTERED BY SUCH INSTITUTIONS EACH MID-SEMESTER. FOR THE PURPOSES OF THIS SUBDIVISION, "SEXUAL ASSAULT" SHALL MEAN ANY SEX OFFENSE IN ARTICLE ONE HUNDRED THIRTY OF THE PENAL LAW.

6. FAILURE OF A SUNY OR CUNY INSTITUTION TO COMPLY WITH THE PROVISIONS OF THIS SECTION SHALL RESULT IN THE SUSPENSION OF ADMINISTRATIVE AND OPERATIONS FUNDS CONTRIBUTED BY THE STATE PROVIDED, HOWEVER, THAT IN NO CASE SHALL SUCH SUSPENSION RESULT IN A REDUCTION OR IN ANY WAY AFFECT THE PORTION OF SUCH INSTITUTION'S BUDGET ALLOCATED FOR STUDENT SERVICES AND ALL FACULTY SALARY.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.