

STATE OF NEW YORK

4374

2019-2020 Regular Sessions

IN SENATE

March 11, 2019

Introduced by Sens. PARKER, BAILEY, MONTGOMERY -- 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 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:

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

3 § 6433. Campus crime reporting and statistics. 1. Each college that
4 receives state aid shall indicate in their campus catalog, student hand-
5 book and viewbook how to access the campus crime statistics that are
6 filed annually with the United States Department of Education as
7 required under Title 20 of the U.S. Code Section 1092(f). Every campus
8 catalog, student handbook and viewbook shall state that "The Advisory
9 Committee on Campus Safety will provide upon request all campus crime
10 statistics as reported to the United States Department of Education."

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

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

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

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1 3. The president or administrative officer of each SUNY and CUNY
2 institution shall appoint or designate an employee with at least a bach-
3 elor's degree in nursing, psychology or social work who shall be respon-
4 sible for coordinating compliance with title IX of the Education Amend-
5 ments of 1972 (20 U.S.C. section 1681, et. seq.) and title 20 of the
6 U.S. Code Section 1092(f), and creating and/or managing a searchable
7 database cataloging the status of all complaints, reviews, investi-
8 gations, and resolutions brought to such institution's attention under
9 these provisions. Such database shall be made available on the student
10 life web page of every SUNY and CUNY institution, and shall be accessi-
11 ble by an active link from such institution's home page between Septem-
12 ber first and May first of each year.

13 4. The chancellor of the state university of New York shall develop a
14 standardized, anonymous survey of incidences of on-campus sexual assault
15 that shall be distributed to each SUNY institution and shall be adminis-
16 tered by such institutions each mid-semester. For the purposes of this
17 subdivision, "sexual assault" shall mean any sex offense in article one
18 hundred thirty of the penal law.

19 5. The chancellor of the city university of New York shall develop a
20 standardized, anonymous survey of incidences of on-campus sexual assault
21 that shall be distributed to each CUNY institution and shall be adminis-
22 tered by such institutions each mid-semester. For the purposes of this
23 subdivision, "sexual assault" shall mean any sex offense in article one
24 hundred thirty of the penal law.

25 6. Failure of a SUNY or CUNY institution to comply with the provisions
26 of this section shall result in the suspension of administrative and
27 operations funds contributed by the state provided, however, that in no
28 case shall such suspension result in a reduction or in any way affect
29 the portion of such institution's budget allocated for student services
30 and all faculty salary.

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