

JAN 27 2016

A BILL FOR AN ACT

RELATING TO CAMPUS SAFETY AND ACCOUNTABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the affirmative
2 consent task force, established by Act 222, Session Laws of
3 Hawaii 2015, reviewed and made preliminary recommendations on
4 the University of Hawaii executive policy regarding sexual
5 harassment, sexual assault, domestic violence, dating violence,
6 and stalking adopted by the board of regents in February 2015.
7 The legislature finds that this is a matter of statewide
8 concern.

9 The purpose of this Act is to adopt the preliminary
10 recommendations of the affirmative consent task force.

11 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
12 amended by adding a new section to subpart A of part I to be
13 appropriately designated and to read as follows:

14 "§304A- Campus safety and accountability. (a) The
15 University of Hawaii shall adopt policies and procedures:



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- 1 (1) Requiring training for all University of Hawaii
2 students and employees, including security personnel,
3 Title IX coordinators, and residential advisors, on:
4 (A) Public Law 92-318, Title IX of the federal
5 Education Amendments of 1972, as amended;
6 (B) The Violence Against Women Act of 1994, as
7 amended; and
8 (C) University of Hawaii executive policies on sexual
9 harassment, sexual assault, domestic violence,
10 dating violence, and stalking;
11 (2) Requiring that all existing University of Hawaii
12 employees receive the training described in paragraph
13 (1) by December 31, 2016, and every two years
14 thereafter;
15 (3) Requiring that all new University of Hawaii employees
16 receive the training in paragraph (1) no later than
17 thirty days after the date of first employment;
18 (4) Requiring that students receive the training described
19 in paragraph (1) annually;
20 (5) Requiring that any student who does not complete the
21 training described in paragraph (1) as required by



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1 paragraph (4) shall be prohibited from registering for
2 classes the next semester or from graduating;

3 (6) Requiring each campus of the University of Hawaii
4 system to designate a confidential advocate for
5 students to confidentially discuss incidents of, and
6 obtain information on, sexual harassment, sexual
7 assault, domestic violence, dating violence, stalking,
8 and related issues;

9 (7) Requiring that the name, location, phone number, and
10 email address of the confidential advocate be
11 publicized on the respective campus website;

12 (8) Requiring all faculty members to be "responsible
13 employees" under Public Law 92-318, Title IX of the
14 federal Education Amendments of 1972, as amended, with
15 mandated reporting to the Title IX coordinator of any
16 violations of University of Hawaii policies regarding
17 sexual harassment, sexual assault, domestic violence,
18 dating violence, and stalking;

19 (9) Prohibiting any romantic relationship between a:

20 (A) Student and a faculty member;



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1 (B) Graduate student assistant and a faculty member;

2 and

3 (C) Graduate student assistant and a staff member;

4 (10) Providing protection from disciplinary action to a
5 student that reports an incident of sexual assault,
6 including incidents where the student reporting is
7 under the age of twenty-one and has consumed alcohol;

8 and

9 (11) Requiring that all reported sexual assault cases be
10 reported to the county police department for
11 investigation.

12 (b) Starting no later than December 31, 2016, the
13 University of Hawaii shall conduct a campus climate survey of
14 all students every two years. The University of Hawaii shall
15 submit a report to the legislature no later than twenty days
16 before the convening of each regular session that shall include:

17 (1) A summary of the most recent campus climate survey
18 results;

19 (2) Information on the number of sexual assaults that
20 occurred on a University of Hawaii system campus
21 within the past five years; and



1 (3) Recommendations and efforts to improve campus safety
2 and accountability."

3 SECTION 3. (a) No later than December 31, 2016, the
4 University of Hawaii shall revise, as necessary, all University
5 of Hawaii policies regarding:

- 6 (1) Student conduct;
- 7 (2) Nondiscrimination;
- 8 (3) Complaint procedures;
- 9 (4) Campus security;
- 10 (5) Alcohol consumption;
- 11 (6) Housing; and
- 12 (7) Workplace non-violence,

13 that conflict with any University of Hawaii policy regarding
14 sexual harassment, sexual assault, domestic violence, dating
15 violence, and stalking, including University of Hawaii executive
16 policy number 1.204.

17 (b) The University of Hawaii shall enter into memoranda of
18 understanding with all county police departments by December 31,
19 2016, to govern communications and procedures for addressing
20 sexual assaults that occur on University of Hawaii system
21 campuses.



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1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

V. D. D. J.
by request J



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Report Title:

Affirmative Consent Task Force; Campus Safety; Sexual Assault

Description:

Requires the UH to adopt policies preliminarily recommended by the affirmative consent task force.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

