

CAMPUS SAFETY AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: V. Lowry Snow

LONG TITLE

General Description:

This bill enacts provisions related to campus safety plans and training at institutions of higher education.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires an institution of higher education to develop:
 - a campus safety plan; and
 - a campus safety training curriculum;
- ▶ provides requirements for what a campus safety plan and campus safety training curriculum must address; and
- ▶ places reporting and other requirements related to campus safety on the State Board of Regents and the Utah System of Technical Colleges Board of Trustees.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a coordination clause.

Utah Code Sections Affected:

ENACTS:

53B-28-301, Utah Code Annotated 1953

Utah Code Sections Affected by Coordination Clause:

53E-1-201, as enacted by Laws of Utah 2018, Chapter 1

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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53B-28-301** is enacted to read:

Part 3. Campus Safety

53B-28-301. Campus safety plans and training -- Institution duties -- Governing board duties.

(1) As used in this section:

(a) "Covered offense" means:

(i) sexual assault;

(ii) domestic violence;

(iii) dating violence; or

(iv) stalking.

(b) "Governing board" means:

(i) for a college or university that is part of the Utah System of Higher Education described in Section [53B-1-102](#), the board; or

(ii) for a technical college, the Utah System of Technical Colleges Board of Trustees.

(c) "Institution" means an institution of higher education described in Section [53B-1-102](#).

(d) "Student organization" means a club, group, sports team, fraternity or sorority, or other organization:

(i) of which the majority of members is composed of students enrolled in an institution;

and

(ii) (A) that is officially recognized by the institution; or

(B) seeks to be officially recognized by the institution.

(2) An institution shall develop a campus safety plan that addresses:

(a) where an individual can locate the institution's policies and publications related to a covered offense;

(b) institution and community resources for a victim of a covered offense;

58 (c) the rights of a victim of a covered offense, including the measures the institution
59 takes to ensure, unless otherwise provided by law, victim confidentiality throughout all steps in
60 the reporting and response to a covered offense;

61 (d) how the institution informs the campus community of a crime that presents a threat
62 to the campus community;

63 (e) availability, locations, and methods for requesting assistance of security personnel
64 on the institution's campus;

65 (f) guidance on how a student may contact law enforcement for incidents that occur off
66 campus;

67 (g) institution efforts related to increasing campus safety, including efforts related to
68 the institution's increased response in providing services to victims of a covered offense, that:

69 (i) the institution made in the preceding 18 months; and

70 (ii) the institution expects to make in the upcoming 24 months;

71 (h) coordination and communication between institution resources and organizations,
72 including campus law enforcement;

73 (i) institution coordination with local law enforcement or community resources,
74 including coordination related to a student's safety at an off-campus location; and

75 (j) how the institution requires a student organization to provide the campus safety
76 training as described in Subsection (5).

77 (3) An institution shall:

78 (a) prominently post the institution's campus safety plan on the institution's website and
79 each of the institution's campuses; and

80 (b) annually update the institution's campus safety plan.

81 (4) An institution shall develop a campus safety training curriculum that addresses:

82 (a) awareness and prevention of covered offenses, including information on institution
83 and community resources for a victim of a covered offense;

84 (b) bystander intervention; and

85 (c) sexual consent.

86 (5) An institution shall require a student organization, in order for the student
87 organization to receive or maintain official recognition by the institution, to annually provide
88 campus safety training, using the curriculum described in Subsection (4), to the student
89 organization's members.

90 (6) Each governing board shall:

91 (a) on or before July 1, 2019, establish minimum requirements for an institution's
92 campus safety plan described in Subsection (2);

93 (b) identify resources an institution may use to develop a campus safety training
94 curriculum as described in Subsection (4); and

95 (c) report annually to the Education Interim Committee and the Law Enforcement and
96 Criminal Justice Interim Committee, at or before the committees' November meetings, on the
97 implementation of the requirements described in this section.

98 Section 2. **Coordinating S.B. 134 with S.B. 14 -- Substantive language.**

99 If this S.B. 134 and S.B. 14, Education Reporting Requirements, both pass and become
100 law, it is the intent of the Legislature that the Office of Legislative Research and General
101 Counsel prepare the Utah Code database for publication by:

102 (1) inserting the following language as Subsection 53E-1-201(1)(e):

103 "(e) the reports described in Section [53B-28-301](#) by the State Board of Regents and the
104 Utah System of Technical Colleges Board of Trustees regarding activities related to campus
105 safety;"; and

106 (2) renumbering remaining subsections accordingly.