

By: González

H.B. No. 1744

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of a survey and report on campus
3 safety at public institutions of higher education.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter C, Chapter 61, Education Code, is
6 amended by adding Section 61.081 to read as follows:

7 Sec. 61.081. SURVEY AND REPORT ON CAMPUS SAFETY. (a) In
8 this section, "sexual assault" means an offense under Section
9 22.011 or 22.021, Penal Code.

10 (b) Each institution of higher education shall submit to the
11 board an annual report on crime occurring at the institution. The
12 report must include:

13 (1) if applicable, a copy of the institution's annual
14 security report required under the Jeanne Clery Disclosure of
15 Campus Security Policy and Campus Crime Statistics Act (20 U.S.C.
16 Section 1092(f)); and

17 (2) if known by the institution, the number of
18 students convicted during the year covered by the report of an
19 offense based on the commission of a sexual assault or attempted
20 sexual assault at the institution.

21 (c) The board shall establish and conduct an annual survey
22 on campus safety to collect data relating to the reported crime
23 rates and the perception of safety among students at institutions
24 of higher education. In establishing the survey, the board must

1 consider:

2 (1) recommendations of the Office on Violence Against
3 Women for developing a campus safety climate survey; and

4 (2) empirically validated surveys on campus safety.

5 (d) The survey must be:

6 (1) voluntary;

7 (2) anonymous;

8 (3) conducted online through the board's Internet
9 website;

10 (4) available for participation only to students
11 expected to graduate from an institution of higher education during
12 the academic year in which the survey is conducted; and

13 (5) limited to incidents that occurred while the
14 student was enrolled at the institution.

15 (e) The board shall assign each student taking the survey a
16 unique code to access the survey. The code may not be associated
17 with the student's survey responses or otherwise used in a manner
18 that would identify the student.

19 (f) As part of the survey, the board shall request a
20 student's demographic information. The board may not require a
21 student to provide the information and must include in the survey a
22 statement that the student is not required to provide the
23 information. The information requested must include:

24 (1) the student's:

25 (A) gender identity;

26 (B) race, nationality, and ethnicity; and

27 (C) age; and

1 (2) whether the student lives on or off campus.

2 (g) The board shall analyze the results of the survey and
3 information reported to the board by institutions of higher
4 education under Subsection (b) and post a report on its findings on
5 the board's Internet website. The report must include:

6 (1) in total and disaggregated by campus, the number
7 of:

8 (A) property crimes and violent crimes, other
9 than sexual assault, reported on the survey;

10 (B) sexual assaults or attempted sexual assaults
11 reported on the survey;

12 (C) sexual assaults or attempted sexual assaults
13 reported to an institution of higher education or to a law
14 enforcement agency;

15 (D) disciplinary actions taken by an institution
16 of higher education against a student based on the commission of a
17 sexual assault or attempted sexual assault; and

18 (E) students convicted of an offense based on the
19 commission of a sexual assault or attempted sexual assault at an
20 institution of higher education; and

21 (2) aggregated demographic information on students
22 who reported being victims of a sexual assault or an attempted
23 sexual assault.

24 (h) The board shall make available to an institution of
25 higher education on request demographic information disaggregated
26 by campus on students enrolled at the institution who reported on
27 the survey being victims of a sexual assault or an attempted sexual

1 assault, unless the information could identify a student.

2 (i) Each institution of higher education shall notify
3 students enrolled at the institution that the board's report under
4 Subsection (g) has been posted on the board's Internet website as
5 soon as practicable after the report is posted.

6 (j) The board shall adopt rules as necessary to implement
7 this section, including rules that ensure implementation of this
8 section in a manner that complies with federal law regarding
9 confidentiality of student educational information, including the
10 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
11 Section 1232g).

12 SECTION 2. Not later than August 1, 2016, the Texas Higher
13 Education Coordinating Board shall establish the survey on campus
14 safety under Section 61.081, Education Code, as added by this Act.
15 Not later than May 1, 2017, the board shall post on the board's
16 Internet website the initial report required by Section 61.081(g),
17 Education Code, as added by this Act.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2015.