

By: Alvarado

H.B. No. 3187

A BILL TO BE ENTITLED

AN ACT

relating to the campus sexual assault policy at a public institution of higher education.

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

SECTION 1. Section 51.9363, Education Code, is amended by amending Subsection (e) and adding Subsections (f), (g), and (h) to read as follows:

(e) Each institution of higher education shall provide to students enrolled at the institution information regarding the protocol for reporting incidents of campus sexual assault adopted under Subsection (b), including the name, office location, and contact information of the institution's Title IX coordinator, by:

(1) e-mailing the information to each student at the beginning of each semester or other academic term; and

(2) including the information in the orientation required under Subsection (d).

(f) As part of the protocol for responding to reports of campus sexual assault adopted under Subsection (b), each institution of higher education shall:

(1) ensure that each alleged victim or alleged perpetrator of an incident of campus sexual assault and any other person who reports such an incident is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident; and

1 (2) notwithstanding any other law, allow an alleged
2 victim or alleged perpetrator of an incident of campus sexual
3 assault to drop a course in which both parties are enrolled without
4 any academic penalty.

5 (g) An institution of higher education may not take any
6 disciplinary action against a student enrolled at the institution
7 who reports to the institution being the victim of, or a witness to,
8 an incident of campus sexual assault for a violation by the student
9 of the institution's policies on student conduct that involves
10 alcohol or drug use and occurs in relation to the incident. This
11 subsection may not be construed to limit an institution's ability
12 to provide amnesty from application of the institution's policies
13 in circumstances not described by this subsection.

14 (h) Each biennium, each institution of higher education
15 shall review the institution's campus sexual assault policy and,
16 with approval of the institution's governing board, revise the
17 policy as necessary.

18 SECTION 2. Section [51.9363](#), Education Code, as amended by
19 this Act, applies beginning with the 2017-2018 academic year.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section [39](#), Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2017.