

By: Watson, et al.

S.B. No. 970

A BILL TO BE ENTITLED

AN ACT

relating to a sexual assault policy at public and private institutions of higher education.

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

SECTION 1. Section 51.9363, Education Code, is amended to read as follows:

Sec. 51.9363. [~~CAMPUS~~] SEXUAL ASSAULT POLICY. (a) In this section, "postsecondary educational institution" means an [~~"]~~institution of higher education or a private or independent institution of higher education, as those terms are defined~~[" has the meaning assigned]~~ by Section 61.003.

(b) Each postsecondary educational institution [~~of higher education]~~ shall adopt a policy on [~~campus~~] sexual assault applicable to each student enrolled at and each employee of the institution. The policy must:

(1) include:

(A) definitions of prohibited behavior;

(B) sanctions for violations; and

(C) the protocol for reporting and responding to reports of [~~campus~~] sexual assault; and

(2) be approved by the institution's governing board before final adoption by the institution.

(c) Each postsecondary educational institution [~~of higher education]~~ shall make the institution's [~~campus~~] sexual assault

1 policy available to students, faculty, and staff members by:

2 (1) including the policy in the institution's student  
3 handbook and personnel handbook; and

4 (2) creating and maintaining a web page on the  
5 institution's Internet website dedicated solely to the policy.

6 (d) Each postsecondary educational institution [~~of higher~~  
7 ~~education~~] shall require each entering freshman or undergraduate  
8 transfer student to attend an orientation on the institution's  
9 [~~campus~~] sexual assault policy before or during the first semester  
10 or term in which the student is enrolled at the institution. The  
11 institution shall establish the format and content of the  
12 orientation.

13 (e) Each postsecondary educational institution shall  
14 develop and implement a public awareness campaign to inform  
15 students enrolled at and employees of the institution of the  
16 institution's sexual assault policy.

17 (f) Each biennium, each postsecondary educational  
18 institution [~~of higher education~~] shall review the institution's  
19 [~~campus~~] sexual assault policy and, with approval of the  
20 institution's governing board, revise the policy as necessary.

21 SECTION 2. Section 51.9363, Education Code, as amended by  
22 this Act, applies beginning with the 2017 fall semester.

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