

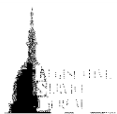
# HOUSE BILL NO. 4381

March 14, 2019, Introduced by Reps. Hoadley, Pagan, Hornberger, Glenn, Alexander, Witwer, Pohutsky, Anthony, Brixie, Clemente, Ellison, Guerra, Hammoud, Garza, Manoogian, Whiteford, LaGrand, Love, Rendon, Kuppa, Bolden, Sabo, Elder, Sowerby, Camilleri, Whitsett, Cynthia Johnson, Neeley, Hertel, Koleszar, Sneller, Kennedy, Tyrone Carter, Shannon, Hauck, Tate, Lasinski, Greig, Byrd, Garrett, Warren, Rabhi, Jones, Wittenberg and Gay-Dagnogo and referred to the Committee on Judiciary.

A bill to create the campus sexual assault response improvement plan and grant act; to require certain reporting; to create the campus sexual assault response improvement grant fund; to provide for the use of the fund; and to provide for the powers and duties of certain state officers and entities.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 1. This act shall be known and may be cited as the
- 2 "campus sexual assault response improvement plan and grant act".
- 3           Sec. 3. As used in this act:



1 (a) "Department" means the department of health and human  
2 services.

3 (b) "Fund" means the campus sexual assault response  
4 improvement grant fund created in section 7.

5 (c) "Institution of higher education" means an institution of  
6 higher education, a public community college, or a public junior  
7 college described in sections 4 to 7 of article VIII of the state  
8 constitution of 1963.

9 (d) "Interim measures specialist" means an employee who  
10 oversees the implementation of interim measures to ensure continued  
11 participation in education by, and the safety of, a student who has  
12 filed an initial complaint of sexual assault until a final  
13 resolution of the complaint.

14 (e) "Title IX" means title IX of Public Law 92-318.

15 (f) "Title IX report" means the report described in section  
16 274d of the state school aid act of 1979, 1979 PA 94, MCL  
17 388.1874d.

18 Sec. 5. An institution of higher education is strongly  
19 encouraged to do the following:

20 (a) Develop a 5-year campus sexual assault improvement plan  
21 after conducting the meetings described in subdivision (b) that  
22 identifies the specific steps necessary for that institution to  
23 improve responses to campus sexual assault. A plan developed under  
24 this subdivision may include, but need not be limited to, the  
25 following:

26 (i) Specific data points in the annual title IX report issued  
27 by the institution of higher education.

28 (ii) Methods to improve counseling services, including, but not  
29 limited to, hiring additional counseling staff or providing



1 additional resources to counseling staff.

2 (iii) Training for title IX investigators and hiring additional  
3 title IX investigators.

4 (iv) Education for students and employees regarding sexual  
5 assault, bystander intervention, and reporting.

6 (v) Hiring interim measures specialists.

7 (b) Conduct not less than 2 public meetings regarding the  
8 development of the 5-year campus sexual assault improvement plan  
9 described in subdivision (a).

10 (c) Not later than January 1, 2020, submit the 5-year campus  
11 sexual assault improvement plan developed under subdivision (a) to  
12 the department and the Michigan domestic and sexual violence  
13 prevention and treatment board and make the plan available to the  
14 public on that institution's website.

15 (d) Not later than January 1, 2025, submit a final report to  
16 the department and the Michigan domestic and sexual violence  
17 prevention and treatment board that details the specific steps  
18 identified in the plan submitted under subdivision (c) that the  
19 institution of higher education implemented and any resulting  
20 improvements to responses to campus sexual assault.

21 Sec. 7. (1) The campus sexual assault response improvement  
22 grant fund is created within the department of treasury.

23 (2) The state treasurer may receive money or other assets from  
24 any source for deposit into the fund, including general fund  
25 appropriations, gifts, state and federal grants, and bequests. The  
26 state treasurer shall direct the investment of the fund. The state  
27 treasurer shall credit to the fund interest and earnings from fund  
28 investments.

29 (3) Money in the fund at the close of the fiscal year shall



1 remain in the fund and not lapse to the general fund.

2 (4) The department is the administrator of the fund for  
3 auditing purposes.

4 (5) The department shall expend money from the fund, upon  
5 appropriation, only to provide grants to eligible institutions of  
6 higher education as provided in section 9.

7 Sec. 9. (1) The campus sexual assault response improvement  
8 grant program is established in the department. Beginning October  
9 1, 2020, the department, in consultation with the department of  
10 state police and the Michigan domestic and sexual violence  
11 prevention and treatment board, shall assist institutions of higher  
12 education in implementing improvement measures for campus sexual  
13 assault response by providing funding to do so to eligible  
14 institutions of higher education from the fund created in section  
15 7. The department shall develop guidelines and procedures for the  
16 program, create evaluation measures for the use of the fund, and  
17 make the evaluation measures available to institutions of higher  
18 education that participate in the program.

19 (2) An institution of higher education may apply to the  
20 department as provided in this section to participate in the  
21 program and is not prohibited from applying to the program if that  
22 institution has been or is awarded a different grant to improve the  
23 safety and security of students, faculty, and staff by addressing  
24 campus sexual assault issues.

25 (3) An institution of higher education that has developed a 5-  
26 year campus sexual assault improvement plan described in section 5  
27 is eligible to participate in the program.

28 (4) An eligible institution of higher education may apply to  
29 participate in the program by providing the department with the 5-



1 year sexual assault improvement plan submitted under section 5 in  
2 the manner required by the department.

3 (5) A grant awarded to an institution of higher education  
4 under this section is for a period of 5 years.

5 (6) An institution of higher education awarded a grant under  
6 this section must provide an annual report on the progress of the  
7 5-year campus sexual assault improvement plan provided under  
8 subsection (4) to the department and to the Michigan domestic and  
9 sexual violence prevention and treatment board, and may use the  
10 grant funds for any of the following:

11 (a) To improve counseling services by hiring additional  
12 counseling staff or providing additional resources to counseling  
13 staff.

14 (b) To train title IX investigators and hire additional title  
15 IX investigators.

16 (c) To educate students and employees regarding sexual  
17 assault, bystander intervention, and reporting.

18 (d) To hire interim measures specialists.

19 (e) To implement any other measure that the institution of  
20 higher education has identified as a necessary step to improve  
21 responses to campus sexual assault.

22 (7) The Michigan domestic and sexual violence prevention and  
23 treatment board shall monitor, review, and evaluate the program by  
24 doing the following each year:

25 (a) Provide technical assistance to each institution of higher  
26 education participating in the program.

27 (b) Rate each 5-year campus sexual assault improvement plan by  
28 identifying the steps implemented as a result of participation in  
29 the program to improve responses to campus sexual assault.



1 (c) Provide other assistance in implementing the program, as  
2 appropriate.

3 Sec. 11. After receiving a final report under section 5(d) or  
4 an annual report under section 9(6), and once every 5 years after  
5 that, the department, in consultation with the Michigan domestic  
6 and sexual violence prevention and treatment board, shall compile a  
7 report of best practices for responses to campus sexual assault. A  
8 report compiled under this section must be submitted to the  
9 legislature and made available to the public on the internet on the  
10 department's website.

11 Enacting section 1. This act takes effect 90 days after the  
12 date it is enacted into law.

