

HOUSE No. 3249**The Commonwealth of Massachusetts**

PRESENTED BY:

Jennifer E. Benson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to campus safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/15/2015</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>12/23/2019</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>12/23/2019</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>12/23/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>12/23/2019</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/26/2015</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	<i>12/23/2019</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>12/23/2019</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>	<i>12/23/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>12/23/2019</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>12/23/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>12/23/2019</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>12/23/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>12/23/2019</i>

HOUSE No. 3249

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 3249) of Jennifer E. Benson and others for legislation to establish a task force to combat sexual assault on college and university campuses. Higher Education.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to campus safety.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section
2 158, as appearing in the 2012 Official Edition, the following 2 sections:-

3 Section 158A. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Board” or “review board”, the Massachusetts assault review board.

6 “Commissioner”, the commissioner of the department of higher education.

7 (b) There shall be a Massachusetts assault review board, to consist of the commissioner
8 of higher education, who shall serve as chair, and 12 members appointed by the commissioner, 1
9 of whom shall be nominated by the secretary of education, 1 of whom shall be nominated by the
10 chair of the board of higher education, 1 of whom shall be nominated by the attorney general, 3
11 of whom shall be representatives from separate community colleges, 3 of whom shall be

representatives of the University of Massachusetts from separate locations and 3 of whom shall be representatives affiliated with an independent institution of higher education from varying regions in the commonwealth. The board's mission shall be to provide an impartial point of view regarding public universities and college's assault prevention and response proceedings. The commissioner may appoint any other person and support staff deemed necessary and proper to carry out the assigned functions.

The board shall meet at least quarterly at a time designated by the commissioner and shall meet independently of any additional teams, commissions or task forces regarding sexual assault on college and university campuses.

(c) The board shall: (i) collaborate with any institution within the public system of higher education as set forth in section 5 of chapter 15A or any independent institution of higher education to allow institutions to review and monitor judicial proceedings involving on-campus assaults both internally and externally; and (ii) create and maintain a database to hold best practice protocols and policy recommendations relative to campus safety as determined by the review board.

(d) Staff support for the review board's work shall be furnished by the office of the governor, and the offices of the commissioner of higher education and the secretary of public safety and security, as well as other agencies and offices designated by the governor. The office of the attorney general shall provide legal staff to assist the review board, both through the member nominated by the attorney general and others, as needed.

Section 158B. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:-

34 “College”, any institution within the public system of higher education as set forth in
35 section 5 of chapter 15A or any independent institution of higher education.

36 “Task force”, the Massachusetts task force to combat sexual assault.

37 (b) There is hereby created the Massachusetts task force to combat sexual assault to
38 consist of the attorney general, who shall serve as chair, and 14 members to be appointed by the
39 governor, 1 of whom shall be a representatives from a district attorney’s office, 1 of whom shall
40 be nominated by the secretary of education, 1 of whom shall be nominated by the secretary of
41 health and human services, 1 of whom shall be nominated by the secretary of public safety and
42 homeland security, 1 of whom shall be a representative of the higher education community, 1 of
43 whom shall be a community advocate, 1 of whom shall be a health professional, 1 of whom shall
44 be a mental health professional, 1 of whom shall be a representative of a nonprofit agency or
45 program that receives moneys administered by the United States Department of Health and
46 Human Services or the United States Department of Justice and that offers safety planning,
47 counseling, support or advocacy to victims or sexual assault, 1 of whom shall be a representative
48 of a prosecution-based victim assistance program or unit and 1 of whom shall be a sexual assault
49 forensic examiner. The governor may appoint any other person and support staff deemed
50 necessary and proper to carry out the assigned functions.

51 The task force shall meet at least quarterly at a time appointed by the attorney general and
52 shall meet independently of any additional teams or task forces regarding sexual assault on
53 college and university campuses.

(c) The task force shall develop and recommend protocols addressing the response to combat sexual assault on college campuses. The task force's responsibilities shall include the following:

(i) recommend best practices for protocols used by campus officials, including campus police, Title IX Coordinators, and others, to respond to sexual assault on campus;

(ii) recommend best practice to reinforce existing relationships and form new relationships between colleges, campus police, local law enforcement, district attorneys, crisis response centers, mental health counselors, and advocacy organizations, to include the development of a model procedure standard to delineate respective responsibilities for investigations, sharing of information and training;

(iii) recommend best practices for policies governing sexual assault and associated procedures for the investigation and resolution of complaints, and revise such policies and procedures, if needed, to meet all legal requirements;

(iv) examine sexual assault prevention and awareness programs and recommend measures to maximize best practices for sexual assault prevention and response training for students, faculty, and staff, as well as bystander intervention programs and mandatory training for incoming residential students, at all of Massachusetts' public universities and colleges;

(v) recommend best measures to encourage the reporting of sexual assault;

(vi) assess the degree of accessibility of campus services and programs, coordination with community resources and programs, and efforts to make students aware of these resources; and

(vii) issue reports as necessary or as requested by the governor.

(d) Staff support for the task force's work during its existence shall be furnished by the office of the governor, and the offices of the commissioner of higher education and the secretary of public safety and security, as well as other agencies and offices designated by the governor. The office of the attorney general shall provide legal staff to the task force, as needed.

SECTION 2. The Massachusetts task force to combat sexual assault established in section 158A of chapter 6 of the General Laws shall meet within 90 days of the effective date of this act and file a report with the governor, the speaker of the house of representatives, the president of the senate, the clerks of the senate and the house of representatives and the joint committee on higher education on or before February 1, 2017.