

SENATE No. 2203

Senate, November 2, 2017 – Text of the Senate Bill relative to sexual violence on higher education campuses (being the text of Senate document number 2191, printed as amended).

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to sexual violence on higher education campuses.

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 168C the following section:-

3 Section 168D. As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Reporting party” a student or employee who reports an incident of dating violence,
6 domestic violence, sexual assault or stalking to the institution

7 “Responding party” a student or employee who has been accused of an alleged incident
8 of dating violence, domestic violence, sexual assault or stalking

9 Each public or private degree-granting post-secondary institution of higher education
10 shall adopt a policy on dating violence, domestic violence, sexual assault and stalking that shall
11 be made available, upon request, to an applicant, student or employee of the institution and shall
12 be publicly available on the website in an accessible format. The policy shall include, but not
13 limited to:

14 (i) procedures by which students and employees at the institution may report or disclose
15 incidents of dating violence, domestic violence, sexual assault or stalking regardless of where the
16 offense occurred;

17 (ii) information on where to receive immediate emergency assistance following an
18 incident of dating violence, domestic violence, sexual assault or stalking which shall include, but
19 not be limited to, contact information for seeking medical treatment on campus, if available, and
20 off campus and information related to preserving evidence;

21 (iii) descriptions of the types of counseling and health, safety, academic and other
22 support services available from the institution within the local community or region or through a
23 local community-based rape crisis center or domestic violence program, including contact
24 information;

25 (iv) the rights of students and employees to: (1) notify or decline to notify law
26 enforcement, including campus, local and state police, of an alleged incident of dating violence,
27 domestic violence, sexual assault or stalking; (2) receive assistance from campus authorities in
28 making any such notification; and (3) obtain a court- or institution-issued protective order
29 against a respondent of the assault, stalking or violence

30 (v) interim protective measures reasonably available from the institution which shall
31 include, but not be limited to, options for changing academic, living, campus transportation or
32 working arrangements in response to an alleged incident of dating violence, domestic violence,
33 sexual assault or stalking, how to request those changes and the process to have any such
34 measures reviewed

35 (vi) procedures for students to notify the institution that a protective order has been issued
36 under state or federal law and the institution's responsibilities upon receipt of such notice.

37 (vii) a summary of the institution's procedures for resolving dating violence, domestic
38 violence, sexual assault or stalking complaints, including clear statements advising students that:
39 (1) notice shall be given to the respondent describing the date, time and location, if known, and a
40 summary of the factual allegations concerning the violation; (2) an investigation, including any

41 hearings and resulting disciplinary proceedings, shall be conducted by an individual who
42 receives not less than annual training on issues relating to dating violence, domestic violence,
43 sexual assault or stalking, investigatory procedures and hearing procedures to protect the safety
44 and rights of students and promote accountability and a trauma-informed response; (3) the
45 reporting party of an alleged incident of dating violence, domestic violence, sexual assault or
46 stalking and the responding party may be accompanied by an advisor or support person of their
47 choice, which may include an advocate or counsel, to meet with the institution's investigator or
48 other fact finder and may consult with an advisor or support person, which may include an
49 advocate or counsel, during any meetings and disciplinary proceedings; provided, however, that
50 the institution may establish rules regarding how the proceedings will be conducted which may
51 include guidelines on the extent to which the advisor or support person for each party may
52 participate in a meeting or disciplinary proceeding and any limitations on participation which
53 shall apply equally to both parties; and provided further, that the institution shall adopt
54 reasonable measures to provide for the involvement of the advisor or support person for each
55 party but the availability of the advisor or support person shall not significantly delay a meeting
56 or disciplinary proceeding; (4) the use of a preponderance-of-the-evidence standard to resolve
57 complaints; (5) the reporting party and the responding party shall be provided with a copy of the
58 institution's policies regarding the submission and consideration of evidence that may be used
59 during a disciplinary proceeding and shall have equal opportunity to present evidence and
60 witnesses on their behalf during a disciplinary proceeding; provided, however, that each party
61 shall be provided with timely and equal access to relevant evidence that shall be used in the
62 determination of a discipline; (6) there may be restrictions on evidence considered by the fact
63 finder including, but not limited to, the use of evidence of prior sexual activity or character
64 witnesses; (7) the reporting party and the responding party shall not be allowed to directly
65 question each other during disciplinary proceedings; (8) the reporting party and the responding
66 party shall be informed in writing of the results of a disciplinary proceeding not later than 7
67 business days after a final determination of a complaint, not including any time for appeal, unless
68 good cause for additional time is shown, and they shall be informed of any process for appealing
69 the decision; (9) if an institution offers an appeal as a result of procedural errors, previously
70 unavailable relevant evidence that could significantly impact the outcome of a case or where the
71 sanction is disproportionate to the findings, the reporting party and the respondent shall be

72 provided with an equal opportunity to appeal decisions regarding responsibility or sanctions; and
73 (10) the institution shall not disclose the identity of the reporting party and the responding party,
74 except as necessary to carry out a disciplinary process or as permitted under state or federal law.

75 (viii) a summary of the institution's employee disciplinary process as it pertains to dating
76 violence, domestic violence, sexual assault and stalking; and

77 (ix) the range of sanctions or penalties the institution may impose on students and
78 employees found responsible for a violation of the applicable institutional policy prohibiting acts
79 of dating violence, domestic violence, sexual assault and stalking.

80 For the purposes of this section, “dating violence”, “domestic violence”, “sexual assault”
81 and “stalking” shall be defined by each institution of higher education in its applicable policies,
82 including its policy on affirmative action or code of conduct and shall be consistent with
83 applicable federal definitions.

84 SECTION 2. Chapter 15A of the General Laws is hereby amended by adding the
85 following section:-

86 Section 45. (a) As used in this section, the following words shall have the following
87 meanings unless the context clearly requires otherwise:

88 "Awareness programming", institution wide or audience-specific programs, initiatives,
89 and strategies that increase audience knowledge, promote safety and share resources to prevent
90 and reduce the occurrence of dating violence, domestic violence, sexual assault and stalking.

91 "Bystander intervention", bystander intervention as defined in 34 CFR 668.46.

92 “Clery Act”, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime
93 Statistics Act or Clery Act, 20 U.S.C. § 1092(f).

94 "Institution for higher education", a profit or nonprofit degree-granting educational
95 institution, whether public or private, which is authorized by law to provide a program of
96 education beyond the secondary school level.

97 "Primary prevention programming", initiatives and strategies informed by research or
98 assessed for value, effectiveness or outcome that are intended to stop dating violence, domestic
99 violence, sexual assault and stalking through the promotion of positive and healthy behaviors.

100 "Reporting party" a student or employee who reports an incident of dating violence,
101 domestic violence, sexual assault or stalking to the institution

102 "Responding party" a student or employee who has been accused of an alleged incident
103 of dating violence, domestic violence, sexual assault or stalking.

104 "Responsible employee", an employee authorized to take action to redress sexual
105 violence who has the responsibility of reporting incidents of sexual violence or any other
106 misconduct by students to the Title IX coordinator or other appropriate school designee and who
107 is a person to whom a student could reasonably believe has such authority or responsibility.

108 "Trauma-informed response", a response involving an understanding of the complexities
109 of dating violence, domestic violence, sexual assault and stalking through training centered on
110 the neurobiological impact of trauma, the influence of societal myths and stereotypes
111 surrounding the causes and impacts of trauma, understanding the behavior of perpetrators and
112 conducting an effective investigation.

113 (b) Each institution of higher education shall: (i) adopt detailed and trauma-informed
114 policies regarding dating violence, domestic violence, sexual assault and stalking involving
115 students or employees of the institution that comport with the best practices and current
116 professional standards as determined by the campus safety advisor and shall establish procedures
117 for regularly reviewing and updating the policies; and (ii) apply the same policies, as applicable,
118 relating to claims of dating violence, domestic violence, sexual assault and stalking to all
119 students and employees in a culturally competent way.

120 The policies shall be developed in coordination with the institution's Title IX coordinator
121 and may consider input from various internal and external entities including, but not limited to
122 institutional administrators, personnel affiliated with on-campus and off-campus health care
123 centers, personnel affiliated with on-campus, when available, and local, community-based rape

124 crisis centers and domestic violence programs, confidential resources advisors, residence life
125 staff, students, the department of state police and the police department and the district attorney
126 having jurisdiction in the city or town wherein the institution's primary campus is located. Once
127 an institution has adopted the policies required by this section, the opportunity for review and
128 comment by internal and external entities shall only apply to substantive changes in those
129 policies. Institutions shall provide draft policies and substantive changes by electronic or regular
130 mail to internal and external entities, with instructions on how to comment and a reasonable
131 length of time in which comments will be accepted.

132 (c) Each institution of higher education shall adopt policies and procedures with local law
133 enforcement agencies to establish the respective roles and responsibilities of each party related to
134 the prevention of and response to on-campus and off-campus sexual assault. Institutions of
135 higher education and local law enforcement agencies shall develop policies and procedures that
136 comply with all applicable confidentiality and privacy laws and: (i) set out the jurisdiction of the
137 local law enforcement agencies based on criteria such as location and type of incident and
138 provide for cross-jurisdictional or multi-jurisdictional response and investigation, as appropriate;
139 (ii) establish the methods for sharing the Clery Act reporting requirements and for facilitating the
140 issuance of timely warnings and emergency notifications required by the Clery Act relative to
141 crimes that may pose a serious threat to the campus or near campus communities; and (iii)
142 establish protocols, as permitted by federal and state law, for cases where a student consents to
143 the release of relevant documentation and information generated or acquired during local law
144 enforcement or campus police investigations; and (iv) methods for notifying the appropriate
145 district attorney's office.

146 (d) The commissioner shall appoint within the department of higher education a campus
147 safety advisor to facilitate and advance statewide campus safety at public and private institutions
148 of higher education. Such person shall have relevant public safety policy experience that may
149 include campus public safety policy experience. The advisor shall coordinate, aggregate and
150 disseminate best practices, training opportunities and other resources to enhance campus safety
151 at institutions of higher education. The board of higher education shall promulgate regulations to
152 establish and implement the role and responsibilities of the advisor including, but not limited to,
153 establishing minimum standards for campus security and safety issues.

154 (e) An institution of higher education shall make publicly available on its website: (i) all
155 annual Clery Act disclosures relating to dating violence, domestic violence, sexual assault and
156 stalking and all information contained in an institution's annual report as required in subsection
157 (r); (ii) the telephone number and website for a local, state or national 24-hour hotline that
158 provides information on dating violence, domestic violence, sexual assault and stalking; (iii) the
159 name and contact information for the institution's Title IX coordinator; (iv) the name and contact
160 information for a confidential resources advisor and a description of the role of and services
161 provided by the confidential resources advisor, which shall be updated on a timely basis; and (v)
162 the name and location of the nearest medical facility where an individual may request that a
163 sexual assault evidence collection kit be administered by a trained sexual violence forensic
164 health care provider, including information on transportation options and reimbursement for
165 travel costs, if any; and (vi) in an accessible format, the policy on dating violence, domestic
166 violence, sexual assault and stalking.

167 (f) Annually, not later than October 1, institutions of higher education shall transmit to
168 students by electronic mail its policies and procedures concerning the reporting and investigation
169 of an allegation of dating violence, domestic violence, sexual assault or stalking made by a
170 student or employee of the institution against another student or employee of the institution in
171 accordance with section 168D of chapter 6.

172 (g) Upon receiving a report of dating violence, domestic violence, sexual assault or
173 stalking, an institution of higher education shall provide an objectively clear and easily
174 understood notification of the student's or employee's rights and options under the institution's
175 dating violence, domestic violence, sexual assault or stalking policies to the reporting party and
176 the responding party, when feasible.

177 (h) An institution of higher education shall enter into and maintain a memorandum of
178 understanding with a community-based sexual assault crisis service center funded by the
179 department of public health and a community-based domestic violence agency funded by the
180 department of public health to: (i) provide an off-campus alternative for students to receive
181 sexual assault crisis services, including access to a sexual assault nurse examiner if available, or
182 domestic violence crisis services in response to dating violence, domestic violence, sexual

183 assault or stalking; (ii) ensure that a student or employee of the institution may access free and
184 confidential counseling and advocacy services either on campus or off campus; and (iii)
185 encourage cooperation and trainings between the institution and the service center or agency to
186 ensure an understanding the roles that the institution, service center and agency should play in
187 responding to reports and disclosures of dating violence, domestic violence, sexual assault or
188 stalking against students and employees of the institution and the institution's protocols for
189 providing support and services to such students and employees.

190 The memorandum of understanding may include an agreement, including a fee structure,
191 for the sexual assault crisis service center or domestic violence agency to provide confidential
192 victim services. Confidential victim services may include: case consultation and training fees for
193 confidential resource advisors; consultation fees for the development and implementation of
194 student education and prevention programs; the development of staff training and prevention
195 curriculum; and confidential on-site office space for an advocate from a sexual assault crisis
196 service center or domestic violence agency to meet with students.

197 The department of higher education may grant a waiver of the memorandum of
198 understanding requirement to an institution that demonstrates that the institution acted in good
199 faith but was unable to obtain a signed memorandum.

200 (i) An institution of higher education shall provide a method for anonymously reporting
201 an incident of dating violence, domestic violence, sexual assault or stalking that involves a
202 student or employee of the institution. An institution shall notify its students and employees of
203 the institution's obligations under state and federal law to: (i) investigate or address the alleged
204 dating violence, domestic violence, sexual assault or stalking, including when the alleged act was
205 reported anonymously; (ii) assess whether the report triggers the need for a timely warning or
206 emergency notification under 34 CFR 668.46(e), the obligations of which may, in limited
207 circumstances, result in the release of the reporting party's identity; and (iii) disclose the identity
208 of a reporting party to another student, an employee or a third party.

209 (j) A reporting party or a witness that causes an investigation of dating violence, domestic
210 violence, sexual assault or stalking shall not be subject to a disciplinary sanction for a violation

211 of the institution's student conduct policy related to the incident unless the institution determines
212 that the report was not made in good faith or that the violation was egregious. An egregious
213 violation shall include, but not be limited to, taking an action that places the health and safety of
214 another person at risk.

215 (k) Each institution of higher education shall establish a campus security policy that
216 includes the designation of at least 1 confidential resource advisor. The confidential resource
217 advisor may have another role at the institution; provided, however, that the confidential
218 resource advisor shall not be an employee designated as a responsible employee or a student or a
219 Title IX coordinator.

220 The institution shall designate existing categories of employees that may serve as
221 confidential resource advisors. The designation of an existing category of employees shall not
222 preclude the institution from designating a new or existing employee or partnering with a local,
223 state or national victim services organization to serve as a confidential resource advisor or to
224 serve in another confidential role. An institution may partner with an outside victim advocacy
225 organization to provide a confidential resource advisor under this section. An institution that
226 enrolls less than 1,000 students may partner with another institution in the region or within the
227 commonwealth to provide the services under this subsection.

228 If requested by the reporting party, the confidential resource advisor shall provide
229 information on: (i) reporting options and the effects of each option; (ii) counseling services
230 available on campus and through a local, community-based rape crisis center or domestic
231 violence program; (iii) medical and health services available on campus and off campus; (iv)
232 available academic and residence life accommodations; (v) the disciplinary process of the
233 institution; and (vi) the legal process carried out through local law enforcement agencies. The
234 confidential resource advisor shall receive training in the awareness and prevention of dating
235 violence, domestic violence, sexual assault and stalking and in trauma-informed response and
236 coordinate with on-campus and off-campus sexual assault crisis service centers and, if directed
237 by the reporting party, campus or local law enforcement agencies may, as appropriate, assist the
238 student in contacting or reporting to campus or local law enforcement agencies. If requested by
239 the reporting party, the confidential resource advisor, using only the reporting party's identifying

240 information, shall coordinate with the institutional designee to arrange possible interim
241 protective measures to allow the reporting party to change academic, living, campus
242 transportation or working arrangements in response to the alleged assault, stalking or violence.
243 Confidential resource advisors shall not provide services to more than 1 student in an incident
244 and shall ensure confidentiality is maintained.

245 The confidential resource advisor shall also notify the reporting party of their rights and
246 the institution's responsibilities regarding a protection order, no contact order and any other
247 lawful orders issued by the institution or by a criminal, civil or tribal court. The confidential
248 resource advisor shall not be required to report an incident to the institution or a law enforcement
249 agency unless otherwise required to do so by state or federal law and shall provide confidential
250 services to students and employees. A request for a possible interim protective measure made by
251 a confidential resource advisor on behalf of a reporting party to change an academic, living,
252 campus transportation or working situation in response to alleged dating violence, domestic
253 violence, sexual assault or stalking shall not constitute notice to a responsible employee for Title
254 IX purposes.

255 The website of an institution of higher education shall list: (i) reporting options for
256 students; (ii) the process of investigation and adjudication by the institution; and (iii) the process
257 for requesting a possible interim protective measure, when reasonable and available, to change
258 an academic, living, campus transportation or working situation in response to alleged dating
259 violence, domestic violence, sexual assault or stalking.

260 If a conflict of interest arises for an institution in which a confidential resource advisor is
261 advocating for the reporting party's need for sexual assault crisis services or campus or law
262 enforcement services, the institution shall not discipline, penalize or otherwise retaliate against
263 the confidential resource advisor for representing the interest of the student.

264 A confidential resource advisor may attend an administrative or institution-based
265 adjudication proceeding as the advisor or support person of the student's choice.

266 Unless otherwise required by state or federal law, a confidential resource advisor shall
267 not disclose confidential information without the prior written consent of the reporting party who

268 shared the information; provided, however, that nothing in this section shall be construed to limit
269 a defendant's right of cross examination of the advisor in a civil or criminal proceeding if the
270 advisor testifies after written consent has been given. A confidential communication shall not be
271 subject to discovery and shall be inadmissible in a criminal or civil proceeding without the prior
272 written consent of the reporting party who shared the information. Information provided to the
273 confidential resource advisor shall not be released to a campus official or law enforcement
274 officer or agency unless written consent has been given by the reporting party. A confidential
275 resource advisor shall not act as a counselor or therapist unless the confidential resource advisor
276 holds a valid license under chapter 112 and the reporting party engages the confidential resource
277 advisor in that capacity. The privileges available under chapter 233 shall apply to all information
278 received by a confidential resource advisor.

279 (l) An institution of higher education shall provide: (i) mandatory annual dating violence,
280 domestic violence, sexual assault and stalking primary prevention and awareness programming
281 for newly-enrolled students and newly-hired employees of the institution that shall include: (1)
282 an explanation of consent as it applies to sexual activity and sexual relationships; (2) the role
283 drugs and alcohol play in an individual's ability to consent; (3) information on options relating to
284 the reporting of an incident of dating violence, domestic violence, sexual assault or stalking, the
285 effects of each option and the methods to report an incident of dating violence, domestic
286 violence, sexual assault or stalking, including confidential and anonymous disclosure; (4)
287 information on the institution's procedures for resolving dating violence, domestic violence,
288 sexual assault or stalking complaints and the range of sanctions or penalties the institution may
289 impose on students and employees found responsible for a violation; (5) the name, contact
290 information and role of the confidential resource advisor; and (6) strategies for bystander
291 intervention and risk reduction; and (ii) opportunities for ongoing dating violence, domestic
292 violence, sexual assault and stalking prevention and awareness campaigns and programming.

293 (m) Notice to a confidential resource advisor of an alleged act of sexual assault, domestic
294 violence, dating violence or stalking or a confidential resource advisor's performance of a
295 service under this section shall not be considered actual or constructive notice of such an alleged
296 act to the institution of higher education at which the confidential resource advisor is employed
297 or provides contracted services.

298 (n) Each institution of higher education shall employ responsible employees as defined in
299 subsection (a) who shall be responsible for reporting cases of dating violence, domestic violence,
300 sexual assault and stalking to the Title IX coordinator of the institution. Responsible employees
301 shall report the name of the respondent, the name of reporting party, and the date, time and
302 location of the offense, if known, to the Title IX coordinator. Responsible employees shall
303 complete minimum training requirements as determined by the department of higher education in
304 coordination with the attorney general and shall include training by a local, state or national
305 victim services organization. Responsible employees shall provide a student or employee who
306 reports an incident of dating violence, domestic violence, sexual assault or stalking, whether the
307 offense occurred on campus or off campus, with a written explanation of the student's or
308 employee's rights and options pursuant to section 168D of chapter 6.

309 (o) An individual who participates in the implementation of an institution of higher
310 education's disciplinary process, including an individual responsible for resolving complaints of
311 reported incidents, shall have training or experience in handling dating violence, domestic
312 violence, sexual assault and stalking complaints and the operations of the institution's
313 disciplinary process. The training shall include, but not be limited to: (i) information on working
314 with and interviewing persons subjected to dating violence, domestic violence, sexual assault or
315 stalking; (ii) information on particular types of conduct that constitute dating violence, domestic
316 violence, sexual assault and stalking, including same-sex dating violence, domestic violence,
317 sexual assault and stalking; (iii) information on consent and the role drugs and alcohol may play
318 in an individual's ability to consent; (iv) the effects of trauma, including any neurobiological
319 impact on a person; (v) cultural competence training regarding how dating violence, sexual
320 assault and stalking may impact students differently depending on factors that contribute to a
321 student's cultural background, including but not limited to: national origin, sex, ethnicity,
322 religion, gender identity, gender expression, and sexual orientation; (vi) ways to communicate
323 sensitively and compassionately with a reporting party of dating violence, domestic violence,
324 sexual assault or stalking including, but not limited to, an awareness of responding to a reporting
325 party with consideration of that party's cultural background and providing services to or assisting
326 in locating services for the reporting party; and (vii) training and information regarding how

327 dating violence, domestic violence, sexual assault and stalking may impact students with
328 developmental or intellectual disabilities.

329 (p) Each institution of higher education shall ensure that its Title IX coordinator and
330 members of its special or campus police force or the campus safety personnel employed by the
331 institution are educated in the awareness and prevention of dating violence, domestic violence,
332 sexual assault and stalking and in trauma-informed response.

333 (q) Notwithstanding any general or special law to the contrary, a member of the
334 department of state police or a local police department who acts as a first responder to a report of
335 dating violence, domestic violence, sexual assault or stalking at an institution of higher education
336 shall receive training in the awareness and prevention of dating violence, domestic violence,
337 sexual assault and stalking and in trauma-informed response, subject to appropriation.

338 (r) Annually, not later than October 1, an institution of higher education shall prepare and
339 submit to the department of higher education, the department of public health, the clerks of the
340 senate and house of representatives and the senate and house chairs of the joint committee on
341 higher education a report that includes: (i) the total number of allegations of dating violence,
342 domestic violence, sexual assault and stalking reported to the institution's Title IX coordinator
343 by a responsible employee, student or employee of the institution against another student or
344 employee of the institution; (ii) the number of cases made by a student or employee of the
345 institution against another student or employee of the institution investigated by local or state law
346 enforcement agency, if known; (iii) the number of students found responsible for violating an
347 institution's policies prohibiting dating violence, domestic violence, sexual assault and stalking;
348 (iv) the number of students found not responsible for violating an institution's policies
349 prohibiting sexual assault; and (v) the number of disciplinary actions imposed by the institution
350 as a result of a finding of responsibility for violating an institution's policies prohibiting sexual
351 assault. The report shall provide information in a de-identified manner that complies with state
352 and federal privacy laws.

353 SECTION 3. The department of higher education shall conduct a cost study of the
354 implementation and integration of a threat response program to be used for emergency

355 communications both on campus and off campus at each public institution of higher education.
356 the department shall submit a report on the costs and any legislative or regulatory
357 recommendations, together with drafts of legislation necessary to carry those recommendations
358 into effect by filing the same with the clerk of the senate and house of representatives and the
359 joint committee on higher education not later than March 11, 2018.

360 SECTION 4. There shall be a task force to evaluate and review the impact and
361 effectiveness of eliminating the classification of chemical mace, pepper spray and other
362 similarly-propelled liquid, gas or powder designed to temporarily incapacitate as a dangerous
363 weapon as it relates to possession of such a weapon on a college campus and to make
364 recommendations on the advisability of the allowance of any such weapons on college campuses.
365 The evaluation and review shall include, but not be limited to: (i) the usefulness of chemical
366 mace, pepper spray or other similarly-propelled liquid, gas or powder as a protective measure
367 against sexual assaults; (ii) the number of higher education campuses banning the possession of
368 such propellants on their campuses; and (iii) the impact that policies permitting or banning the
369 use of those propellants has on the occurrences of sexual assault on higher education campuses.

370 The task force shall consist of the attorney general or a designee, who shall serve as chair,
371 the secretary of public safety and security or a designee, the commissioner of higher education,
372 the executive director of the Massachusetts office for victim assistance or a designee, the
373 executive director of Jane Doe Inc., The Massachusetts Coalition Against Sexual Assault and
374 Domestic Violence or a designee, the executive director of the Victim Rights Law Center, Inc. or
375 a designee and 6 persons to be appointed by the governor, 1 of whom shall be recommended by
376 the Association of Independent Colleges and Universities in Massachusetts, Inc., 1 of whom
377 shall be recommended by the University of Massachusetts, 1 of whom shall be recommended by
378 the Massachusetts District Attorneys Association, 1 of whom shall be recommended by the
379 Massachusetts Association of Campus Law Enforcement Administrators, 1 of whom shall be
380 recommended by the state university council of Presidents and 1 of whom shall be recommended
381 by the Massachusetts Community Colleges executive office. The task force shall submit a final
382 report with its recommendations, if any, together with drafts of legislation or regulations
383 necessary to carry out its recommendations by filing the same with the clerks of the senate and
384 house of representatives not later than January 1, 2019. The clerk shall forward a copy of the

385 report to the joint committee on higher education and the joint committee on public safety and
386 homeland security.