

ASSEMBLY BILL

No. 1654

Introduced by Assembly Member Santiago

January 13, 2016

An act to amend Section 67382 of the Education Code, relating to student safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1654, as introduced, Santiago. Student Safety: crime reporting.

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires eligible institutions of higher education participating in federal student assistance financial grant programs or federal work study programs to collect and annually prepare, publish, and distribute to current students and employees, and to applicants for enrollment or employment upon request, an annual security report containing information with respect to the campus security policies and campus crime statistics of that institution. The federal act further requires that the institutions annually file statistics concerning the occurrence of crimes on campus or on noncampus buildings or property, with the United States Secretary of Education.

The federal Violence Against Women Reauthorization Act of 2013 requires each of these institutions to include in these reports a statement of policy regarding the institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking, and the procedures the institution will follow once an incident of domestic violence, dating violence, sexual assault, and stalking has been reported, as specified.

This bill would require the Department of Justice to provide guidance, commencing January 1, 2017, to California's public and private

institutions of higher education and systemwide offices regarding compliance with these federal laws.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 67382 of the Education Code is amended
2 to read:

3 67382. (a) (1) On or before January 1, 2004, and every three
4 years thereafter, the State Auditor shall report the results of an
5 audit of a sample of not less than six institutions of postsecondary
6 education in California that receive federal student aid, to evaluate
7 the accuracy of their statistics and the procedures used by the
8 institutions to identify, gather, and track data for publishing,
9 disseminating, and reporting accurate crime statistics in compliance
10 with the requirements of the Jeanne Clery Disclosure of Campus
11 Security Policy and Campus Crime Statistics Act (20 U.S.C. Sec.
12 1092 (f)(1) and (5)).

13 (2) The results of the annual audits described in paragraph (1)
14 shall be submitted to the respective chairs of the Assembly Higher
15 Education Committee and the Senate Education Committee.

16 (b) The California Postsecondary Education Commission shall
17 provide on its Internet Web site a link to the Internet Web site of
18 each California institution of higher education that includes on
19 that Web site the institution’s criminal statistics information.

20 (c) The Legislature finds and declares that institutions of higher
21 education that are subject to the Jeanne Clery Disclosure of Campus
22 Security Policy and Campus Crime Statistics Act (20 U.S.C. Sec.
23 1092(f)(1) and ~~(5)~~; (5)) should establish and publicize a policy
24 that allows victims or witnesses to report crimes to the campus
25 police department or to a specified campus security authority, on
26 a voluntary, confidential, or anonymous basis.

27 (d) *Commencing January 1, 2017, the Department of Justice*
28 *shall provide guidance to California’s public and private*
29 *institutions of higher education, the office of the Chancellor of the*
30 *California Community Colleges, the office of the Chancellor of*
31 *the California State University, and the office of the President of*
32 *the University of California regarding compliance with the Jeanne*
33 *Clery Disclosure of Campus Security Policy and Campus Crime*

- 1 *Statistics Act (20 U.S.C. Sec. 1092(f)(1) and (5)) and the Violence*
- 2 *Against Women Reauthorization Act of 2013 (20 U.S.C. Sec. 1092*
- 3 *(f)(8)).*

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