

*Reprinted*

1992

*Amend (5050) to Sec 21.2 (p 204)*

HOUSE FILE 2028

BY HALVORSON of Webster  
and HATCH

Passed House, Date 2/26/92 (p 353) Passed Senate, Date 3/31/92 (A 1108)

Vote: Ayes 97 Nays 0 Vote: Ayes 43 Nays 2

Approved April 21, 1992

*Material recognized (p 358)  
" w/d 2/29*

**A BILL FOR**

1 An Act requiring institutions of higher education to establish  
2 policies relating to sexual assault and providing for the  
3 Act's applicability.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H/F 2028

1 Section 1. Section 261.9, subsection 5, Code Supplement  
2 1991, is amended by adding the following new paragraphs:

3 NEW PARAGRAPH. g. Which develops and implements a written  
4 policy, which is disseminated during student registration or  
5 orientation, addressing the following four areas relating to  
6 sexual assault:

7 (1) Counseling.

8 (2) Campus security.

9 (3) Education, including prevention, protection, and the  
10 rights and duties of students and employees of the  
11 institution.

12 (4) Facilitating the accurate and prompt reporting of  
13 sexual assault to the duly constituted criminal authorities.

14 NEW PARAGRAPH. h. Which files statistics on the incidence  
15 of sexual assault on campus reported to campus health or other  
16 campus counselors, and, if the institution is subject to the  
17 federal filing requirements, files a copy of the report  
18 required by the federal Student Right-To-Know and Campus  
19 Security Act, Pub. L. No. 101-542, with the division of  
20 criminal and juvenile justice planning of the department of  
21 human rights.

22 Sec. 2. Section 262.9, Code 1991, is amended by adding the  
23 following new subsections:

24 NEW SUBSECTION. 27. Develop and implement a written  
25 policy, which is disseminated during registration or  
26 orientation, addressing the following four areas relating to  
27 sexual assault:

28 a. Counseling.

29 b. Campus security.

30 c. Education, including prevention, protection, and the  
31 rights and duties of students and employees of the  
32 institution.

33 d. Facilitating the accurate and prompt reporting of  
34 sexual assault to the duly constituted criminal authorities.

35 NEW SUBSECTION. 28. File a copy of the report required by

1 the federal Student Right-To-Know and Campus Security Act,  
2 Pub. L. No. 101-542, with the division of criminal and  
3 juvenile justice planning of the department of human rights,  
4 along with statistics on the incidence of sexual assault on  
5 campus reported to campus health or other campus counselors.

6 Sec. 3. Section 280A.23, Code 1991, is amended by adding  
7 the following new subsections:

8 NEW SUBSECTION. 19. Develop and implement a written  
9 policy , which is disseminated during student registration or  
10 orientation, addressing the following four areas relating to  
11 sexual assault:

12 (a) Counseling.

13 (b) Campus security.

14 (c) Education, including prevention, protection, and the  
15 rights and duties of students and employees of the community  
16 college.

17 (d) Facilitating the accurate and prompt reporting of  
18 sexual assault to the duly constituted criminal authorities.

19 NEW SUBSECTION. 20. File a copy of the report required by  
20 the federal Student Right-To-Know and Campus Security Act,  
21 Pub. L. No. 101-542, with the division of criminal and  
22 juvenile justice planning of the department of human rights,  
23 along with statistics on the incidence of sexual assault on  
24 campus reported to campus health or other campus counselors.

25 Sec. 4. APPLICABILITY DATE.

26 1. Accredited private institutions, the state board of  
27 regents institutions of higher learning, and community  
28 colleges receiving state funding or tuition grants shall file  
29 a copy of the report required by the federal Student Right-To-  
30 Know and Campus Security Act, Pub. L. No. 101-542, with the  
31 division of criminal and juvenile justice planning of the  
32 department of human rights beginning September 1, 1992.

33 2. Accredited private institutions, the state board of  
34 regents institutions of higher learning, and community  
35 colleges receiving state funding or tuition grants shall

1 gather statistics from campus health or other counselors,  
2 beginning September 1, 1992, and shall file the statistics,  
3 along with a copy of the report required by the federal  
4 Student Right-To-Know and Campus Security Act, Pub. L. No.  
5 101-542, with the division of criminal and juvenile justice  
6 planning of the department of human rights beginning September  
7 1, 1993, and each year thereafter.

8 EXPLANATION

9 This bill requires state board of regents universities,  
10 community colleges, and accredited private colleges and  
11 universities that receive state funding or tuition grants to  
12 adopt and implement a written policy relating to sexual  
13 assault, which will address counseling, campus security,  
14 education, and facilitating the accurate and prompt reporting  
15 of sexual assault. The policy shall be disseminated to all  
16 students and employees of the institutions during registration  
17 or orientation. The bill also requires that statistics on the  
18 incidence of sexual assault on campus reported to campus  
19 health or other campus counselors be filed with the division  
20 of criminal and juvenile justice planning of the department of  
21 human rights, along with a copy of the report required by the  
22 federal Student Right-To-Know and Campus Security Act, Pub. L.  
23 No. 101-542.

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HOUSE FILE 2028

H-5059

- 1 Amend House File 2028, as follows:
- 2 1. Page 1, line 6, by striking the word "assault"
- 3 and inserting the following: "abuse".
- 4 2. Page 1, line 13, by striking the word
- 5 "assault" and inserting the following: "abuse".
- 6 3. Page 1, lines 15 and 16, by striking the words
- 7 "campus health or other campus counselors" and
- 8 inserting the following: "the duly constituted
- 9 criminal authorities".
- 10 4. Page 1, line 17, by inserting after the words
- 11 "copy of the" the following: "annual".
- 12 5. Page 1, line 27, by striking the word
- 13 "assault" and inserting the following: "abuse".
- 14 6. Page 1, line 34, by striking the word
- 15 "assault" and inserting the following: "abuse".
- 16 7. Page 1, line 35, by inserting after the words
- 17 "copy of the" the following: "annual".
- 18 8. Page 2, line 3, by striking the word "rights,"
- 19 and inserting the following: "rights."
- 20 9. Page 2, by striking lines 4 and 5.
- 21 10. Page 2, line 11, by striking the word
- 22 "assault" and inserting the following: "abuse".
- 23 11. Page 2, line 18, by striking the word
- 24 "assault" and inserting the following: "abuse".
- 25 12. Page 2, line 19, by inserting after the words
- 26 "copy of the" the following: "annual".
- 27 13. Page 2, line 22, by striking the word
- 28 "rights," and inserting the following: "rights."
- 29 14. Page 2, by striking lines 23 and 24.
- 30 15. Page 2, line 29, by inserting after the words
- 31 "copy of the" the following: "annual".
- 32 16. Page 3, by striking line 1 and inserting the
- 33 following: "gather statistics on the number of
- 34 incidences of sexual abuse that have occurred on
- 35 campus and have been reported to the duly constituted
- 36 criminal authorities,".
- 37 17. Page 3, line 3 by inserting after the words
- 38 "copy of the" the following: "annual".
- 39 18. Title page, line 2, by striking the word
- 40 "assault" and inserting the following: "abuse".

By COMMITTEE ON EDUCATION

OLLIE of Clinton, Chairperson

H-5059 FILED FEBRUARY 13, 1992

*Adopted as amended by 5045 2/26/92*

HOUSE FILE 2028

H-5060

- 1 Amend the Committee amendment, H-5059 to House File
- 2 2028 as follows:
- 3 1. Page 1, line 9, by striking the word
- 4 "criminal" and inserting the following: "law
- 5 enforcement".
- 6 2. Page 1, line 36, by striking the word
- 7 "criminal" and inserting the following: "law
- 8 enforcement".

By SPEAR of Lee

NIELSEN of Linn

HALVORSON of Webster

H-5060 FILED FEBRUARY 13, 1992

*Adopted as amended by 5045 2/26/92*

HOUSE FILE 2028

H-5056

- 1 Amend House File 2028 as follows:
- 2 1. Page 1, line 13, by striking the word
- 3 "criminal" and inserting the following: "law
- 4 enforcement".
- 5 2. Page 1, line 34, by striking the word
- 6 "criminal" and inserting the following: "law
- 7 enforcement".
- 8 3. Page 2, line 18, by striking the word
- 9 "criminal" and inserting the following: "law
- 10 enforcement".

By SPEAR of Lee  
NIELSEN of Linn  
HALVORSON of Webster

H-5056 FILED FEBRUARY 13, 1992  
*Adopted H.C. (p. 353)*

## HOUSE FILE 2028

H-5086

1 Amend House File 2028 as follows:  
2 1. By striking everything after the enacting  
3 clause, and inserting the following:  
4 "Section 1. Section 262.9, Code Supplement 1991,  
5 is amended by adding the following new subsections:  
6 NEW SUBSECTION. 27. Develop a written policy  
7 regarding sexual abuse, as defined in section 709.1,  
8 or sexual harassment, to be disseminated during  
9 student orientation at each institution of higher  
10 education governed by the board, and to each new  
11 employee hired at an institution of higher education  
12 governed by the board. The policy shall include, but  
13 is not limited to, the following:  
14 a. Legal definitions and practical examples of  
15 sexual abuse and sexual harassment, and statutory  
16 penalties for sexual abuse and sexual harassment.  
17 b. Statistics compiled by the institution  
18 regarding the number and nature of occurrences of  
19 sexual abuse and sexual harassment committed on  
20 campus, including sexual abuse and sexual harassment  
21 by an acquaintance, during the most recent school  
22 year, and during the two preceding school years for  
23 which data are available. The statistics shall be  
24 reported to the general assembly each year.  
25 c. The rights and duties of students and personnel  
26 of the institution, including information on services  
27 available, either on campus or from the surrounding or  
28 nearby communities.  
29 d. Information detailing methods by which the  
30 individual can recognize and prevent sexual abuse and  
31 sexual harassment, and campus security measures  
32 available to protect against sexual abuse.  
33 e. Criminal, administrative, and civil options  
34 available for the reporting, investigation, and  
35 adjudication of crimes of sexual abuse and sexual  
36 harassment.  
37 For the purposes of this section, "campus" includes  
38 any building or property owned or controlled by  
39 student organizations recognized by the institution of  
40 higher education governed by the board, and any  
41 building or property owned or controlled by the  
42 institution for any program carried out or officially  
43 sanctioned by the institution, including the housing  
44 of enrolled students by the institution. "Housing of  
45 enrolled students by the institution" includes, but is  
46 not limited to, housing owned by the institution and  
47 sorority or fraternity houses of national  
48 organizations officially recognized by the  
49 institution.

50 NEW SUBSECTION. 28. Maintain a confidential

H-5086

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1 retained record of reported sexual abuse or sexual  
 2 harassment occurrences on campus. Employees who  
 3 witness sexual abuse or sexual harassment, or who  
 4 receive information about sexual abuse from a student  
 5 enrolled in the institution, shall report the sexual  
 6 abuse to the board, or the designee of the board.  
 7 Pursuant to section 22.7, subsection 1, the  
 8 information from the record shall not be released  
 9 without the written consent of the victim of sexual  
 10 abuse or sexual harassment. Action shall not be taken  
 11 by the institution against the alleged offender  
 12 without the written consent of the victim of sexual  
 13 abuse or sexual harassment. A person who discloses  
 14 information contained in the confidential reports  
 15 without authorization is guilty of a simple  
 16 misdemeanor.

17 Sec. 2. Section 280A.23, Code 1991, is amended by  
 18 adding the following new subsections:

19 NEW SUBSECTION. 19. Develop a written policy  
 20 regarding sexual abuse and harassment to be  
 21 disseminated during student orientation at each  
 22 community college, and to each new employee hired by  
 23 the community college. The policy shall include, but  
 24 is not limited to, the following:

25 a. Legal definitions and practical examples of  
 26 sexual abuse and sexual harassment, and statutory  
 27 penalties for sexual abuse and sexual harassment.  
 28 b. Statistics compiled by the community college  
 29 relating to sexual abuse and sexual harassment  
 30 committed on campus, including sexual abuse and sexual  
 31 harassment by an acquaintance, during the most recent  
 32 school year, and during the two preceding school years  
 33 for which data are available. The statistics shall be  
 34 reported to the general assembly each year.

35 c. The rights and duties, relating to sexual abuse  
 36 and sexual harassment, of students and personnel of  
 37 the community college, including information on  
 38 services available, either on campus or from the  
 39 surrounding or nearby communities.

40 d. Information detailing methods by which the  
 41 individual can recognize and prevent sexual abuse and  
 42 sexual harassment, and campus security measures  
 43 available to protect against sexual abuse.

44 e. Criminal, administrative, and civil options  
 45 available for the reporting, investigation, and  
 46 adjudication of crimes of sexual abuse and sexual  
 47 harassment.

48 For the purposes of this section, "campus" includes  
 49 any building or property owned or controlled by  
 50 student organizations recognized by the community



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1 college, and any building or property owned or  
2 controlled by the community college for any program  
3 carried out or officially sanctioned by the community  
4 college, including the housing of enrolled students by  
5 the community college. "Housing of enrolled students  
6 by the community college" includes, but is not limited  
7 to, housing owned by the institution and sorority or  
8 fraternity houses of national organizations officially  
9 recognized by the community college.

10 NEW SUBSECTION. 20. Maintain a confidential  
11 written record of reported sexual abuse or sexual  
12 harassment occurrences on campus. Employees who  
13 witness sexual abuse or sexual harassment, or who  
14 receive information about sexual abuse from a student  
15 enrolled in the community college, shall report the  
16 sexual abuse to the board of directors of the  
17 community college, or the designee of the board.  
18 Pursuant to section 22.7, subsection 1, the  
19 information from the record shall not be released  
20 without the written consent of the victim of sexual  
21 abuse or sexual harassment. Action shall not be taken  
22 by the community college against the alleged offender  
23 without the written consent of the victim of sexual  
24 abuse or sexual harassment. A person who discloses  
25 information contained in the confidential reports  
26 without authorization is guilty of a simple  
27 misdemeanor."

28 2. Title page, by striking lines 1 through 5 and  
29 inserting the following: "An Act requiring  
30 institutions of higher education governed by the state  
31 board of regents and the board of directors at each  
32 community college to adopt a written policy relating  
33 to sexual abuse and sexual harassment, requiring  
34 maintenance of confidential records, and providing  
35 penalties."

By McNEAL of Hardin

H-5086 FILED FEBRUARY 18, 1992

*7/10 2/26 (p 352)*

## HOUSE FILE 2028

H-5087

1 Amend amendment H-5086, to House File 2028, as  
2 follows:

3 1. Page 3, line 28, by striking the numeral "5"  
4 and inserting the numeral "3".

By McNEAL of Hardin

H-5087 FILED FEBRUARY 19, 1992

*7/10 2/26 (p 352)*

HOUSE FILE 2028

H-5096

1 Amend the amendment, H-5086, to House File 2028 as  
2 follows:

3 1. By striking page 1, line 2 through page 3,  
4 line 27, and inserting the following:

5 "\_\_\_\_\_. Page 1, line 6, by striking the word  
6 "assault" and inserting the following: "abuse".

7 \_\_\_\_\_ . Page 1, by striking lines 12 through 21 and  
8 inserting the following:

9 "(4) Information about the criminal,  
10 administrative, and civil options available for the  
11 reporting, investigation, and adjudication of crimes  
12 of sexual abuse.

13 NEW PARAGRAPH. h. Which files statistics on the  
14 incidence of sexual abuse on campus reported to campus  
15 security authorities or local police agencies and, if  
16 the institution is subject to the federal filing  
17 requirements, a copy of the annual report required by  
18 the federal Student Right-to-Know and Campus Security  
19 Act, Pub. L. No. 101-542, with the division of  
20 criminal and juvenile justice planning of the  
21 department of human rights. For the purposes of this  
22 paragraph, "campus" includes any building or property  
23 owned or controlled by the accredited private  
24 institution or by student organizations recognized by  
25 the institution, and any building or property owned or  
26 controlled by the institution for any program carried  
27 out or officially sanctioned by the institution,  
28 including the housing of enrolled students in the  
29 institution."

30 \_\_\_\_\_ . Page 1, line 27, by striking the word  
31 "assault" and inserting the following: "abuse".

32 \_\_\_\_\_ . By striking page 1, line 33 through page 2,  
33 line 5, and inserting the following:

34 "d. Information about the criminal,  
35 administrative, and civil options available for the  
36 reporting, investigation, and adjudication of crimes  
37 of sexual abuse.

38 NEW SUBSECTION. 28. Maintain a confidential  
39 written record of sexual abuse occurrences on campus  
40 which are reported to the institution or its designee.  
41 Employees who witness sexual abuse or receive  
42 information about sexual abuse from a student enrolled  
43 in the institution may, but are not required to,  
44 report the incident to the institution of higher  
45 education governed by the board, or its designee.  
46 Pursuant to section 22.7, subsection 1, information  
47 from the record shall not be released without the  
48 prior written consent of the victim of sexual abuse.  
49 The institution shall not take action or make a report  
50 to law enforcement authorities against the alleged

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Page 2

1 offender without the prior written consent of the  
2 victim of sexual abuse. A person who discloses  
3 information contained in the confidential reports  
4 without authorization is guilty of a simple  
5 misdemeanor. For the purposes of this subsection,  
6 "campus" includes any building or property owned or  
7 controlled by an institution of higher education  
8 governed by the board or by student organizations  
9 recognized by the institution, and any building or  
10 property owned or controlled by the institution for  
11 any program carried out or officially sanctioned by  
12 the institution, including the housing of enrolled  
13 students in the institution.

14 NEW SUBSECTION. 29. File a copy of the annual  
15 federal Student Right-to-Know and Campus Security Act,  
16 Pub. L. No. 101-542, with the division of criminal and  
17 juvenile justice planning of the department of human  
18 rights."

19 \_\_\_\_\_. Page 2, line 11, by striking the word  
20 "assault" and inserting the following: "abuse".

21 \_\_\_\_\_. Page 2, by striking lines 17 through 24, and  
22 inserting the following:

23 "(d) Information about the criminal,  
24 administrative, and civil options available for the  
25 reporting, investigation, and adjudication of crimes  
26 of sexual abuse.

27 NEW SUBSECTION. 20. Maintain a confidential  
28 written record of sexual abuse occurrences on campus  
29 which are reported to the community college or its  
30 designee. Employees who witness sexual abuse or  
31 receive information about sexual abuse from a student  
32 enrolled in the community college may, but are not  
33 required to, report the incident to the community  
34 college or its designee. Pursuant to section 22.7,  
35 subsection 1, information from the record shall not be  
36 released without the prior written consent of the  
37 victim of sexual abuse. The community college shall  
38 not take action or make a report to law enforcement  
39 authorities against the alleged offender without the  
40 prior written consent of the victim of sexual abuse.  
41 A person who discloses information contained in the  
42 confidential reports without authorization is guilty  
43 of a simple misdemeanor. For the purposes of this  
44 subsection, "campus" includes any building or property  
45 owned or controlled by the community college or by  
46 student organizations recognized by the college, and  
47 any building or property owned or controlled by the  
48 college for any program carried out or officially  
49 sanctioned by the college, including the housing of  
50 enrolled students in the college.

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1 NEW SUBSECTION. 21. File a copy of the annual  
2 federal Student Right-to-Know and Campus Security Act,  
3 Pub. L. No. 101-542, with the division of criminal and  
4 juvenile justice planning of the department of human  
5 rights."

6 \_\_\_\_\_. Page 2, line 29, by inserting before the  
7 word "report" the following: "annual".

8 \_\_\_\_\_. By striking page 2, line 33 through page 3,  
9 line 3, and inserting the following:

10 "2. Accredited private institutions shall gather  
11 statistics as required in section 261.9, subsection 5,  
12 paragraph "h", beginning September 1, 1992, and shall  
13 file the statistics, along with a copy of the annual  
14 report required by the federal".

15 2. Page 3, line 29, by inserting after the word  
16 "requiring" the following: "accredited private  
17 colleges and universities,".

18 3. Page 3, line 33, by striking the words "and  
19 sexual harassment".

20 4. Page 3, line 35, by inserting after the word  
21 "penalties" the following: "and applicability dates".

By McNEAL of Hardin

H-5096 FILED FEBRUARY 19, 1992

*Adopted 2/20 (p. 352)*

HOUSE FILE 2028

H-5095

1 Amend the amendment, H-5059, to House File 2028 as  
2 follows:

3 1. Page 1, by striking lines 6 through 11 and in-  
4 serting the following:

5 "\_\_\_\_\_. Page 1, by striking lines 14 through 17 and  
6 inserting the following:

7 NEW PARAGRAPH. h. Which files a copy of the  
8 annual report".

9 \_\_\_\_\_. Page 1, line 21, by inserting after the word  
10 "rights" the following: ", along with a copy of the  
11 written policy developed pursuant to paragraph "g"."

12 2. Page 1, by striking lines 18 and 19 and  
13 inserting the following:

14 "\_\_\_\_\_. Page 2, line 3, by inserting after the word  
15 "rights," the following: "along with a copy of the  
16 written policy developed pursuant to subsection 27.""

17 3. Page 1, by striking lines 27 and 28 and  
18 inserting the following:

19 "\_\_\_\_\_. Page 2, line 22, by inserting after the  
20 word "rights," the following: "along with a copy of  
21 the written policy developed pursuant to subsection  
22 19.""

23 4. Page 1, by striking lines 32 through 38 and  
24 inserting the following:

25 "\_\_\_\_\_. Page 2, line 30, by inserting after the  
26 figure "101-542," the following: "along with a copy  
27 of the written policy developed pursuant to section  
28 261.9, subsection 5, paragraph "g", section 262.9,  
29 subsection 27, and section 280A.23, subsection 19,".

30 \_\_\_\_\_. Page 2, line 32, by inserting after the  
31 figure "1992" the following: ", and each year  
32 thereafter".

33 \_\_\_\_\_. Page 2, by striking lines 33 through 35.

34 \_\_\_\_\_. Page 3, by striking lines 1 through 7."

35 5. By renumbering as necessary.

By HALVORSON of Webster  
NIELSEN of Linn

H-5095 FILED FEBRUARY 19, 1992

*Adopted 2/20 (p. 347)*

Gen Ed 3/2 No Pass 3/24

HOUSE FILE 2028  
BY HALVORSON of Webster  
and HATCH

(As Amended and Passed by the House February 26, 1992)

Passed House, Date 2/26/92 (§ 353) Passed Senate, Date 3/31/92 (p 108)  
Vote: Ayes 97 Nays 0 Vote: Ayes 42 Nays 2  
Approved April 21, 1992 (§ 1707)

A BILL FOR

1 An Act requiring institutions of higher education to establish  
2 policies relating to sexual abuse and providing for the Act's  
3 applicability.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_  
Deleted Language \*

1 Section 1. Section 261.9, subsection 5, Code Supplement  
2 1991, is amended by adding the following new paragraphs:

3 NEW PARAGRAPH. g. Which develops and implements a written  
4 policy, which is disseminated during student registration or  
5 orientation, addressing the following four areas relating to  
6 sexual abuse:

7 (1) Counseling.

8 (2) Campus security.

9 (3) Education, including prevention, protection, and the  
10 rights and duties of students and employees of the  
11 institution.

12 (4) Facilitating the accurate and prompt reporting of  
13 sexual abuse to the duly constituted law enforcement  
14 authorities.

15 NEW PARAGRAPH. h. Which files a copy of the annual report  
16 required by the federal Student Right-To-Know and Campus  
17 Security Act, Pub. L. No. 101-542, with the division of  
18 criminal and juvenile justice planning of the department of  
19 human rights, along with a copy of the written policy  
20 developed pursuant to paragraph "g".

21 Sec. 2. Section 262.9, Code 1991, is amended by adding the  
22 following new subsections:

23 NEW SUBSECTION. 27. Develop and implement a written  
24 policy, which is disseminated during registration or  
25 orientation, addressing the following four areas relating to  
26 sexual abuse:

27 a. Counseling.

28 b. Campus security.

29 c. Education, including prevention, protection, and the  
30 rights and duties of students and employees of the  
31 institution.

32 d. Facilitating the accurate and prompt reporting of  
33 sexual abuse to the duly constituted law enforcement.  
34 authorities.

35 NEW SUBSECTION. 28. File a copy of the annual report

1 required by the federal Student Right-To-Know and Campus  
2 Security Act, Pub. L. No. 101-542, with the division of  
3 criminal and juvenile justice planning of the department of  
4 human rights, along with a copy of the written policy  
5 developed pursuant to subsection 27.

\* 6 Sec. 3. Section 280A.23, Code 1991, is amended by adding  
7 the following new subsections:

8 NEW SUBSECTION. 19. Develop and implement a written  
9 policy, which is disseminated during student registration or  
10 orientation, addressing the following four areas relating to  
11 sexual abuse:

12 (a) Counseling.

13 (b) Campus security.

14 (c) Education, including prevention, protection, and the  
15 rights and duties of students and employees of the community  
16 college.

17 (d) Facilitating the accurate and prompt reporting of  
18 sexual abuse to the duly constituted law enforcement  
19 authorities.

20 NEW SUBSECTION. 20. File a copy of the annual report  
21 required by the federal Student Right-To-Know and Campus  
22 Security Act, Pub. L. No. 101-542, with the division of  
23 criminal and juvenile justice planning of the department of  
24 human rights, along with a copy of the written policy  
25 developed pursuant to subsection 19.

\* 26 Sec. 4. APPLICABILITY DATE.

27 1. Accredited private institutions, the state board of  
28 regents institutions of higher learning, and community  
29 colleges receiving state funding or tuition grants shall file  
30 a copy of the annual report required by the federal Student  
31 Right-To-Know and Campus Security Act, Pub. L. No. 101-542,  
32 along with a copy of the written policy developed pursuant to  
33 section 261.9, subsection 5, paragraph "g", section 262.9,  
34 subsection 27, and section 280A.23, subsection 19, with the  
35 division of criminal and juvenile justice planning of the

1 department of human rights beginning September 1, 1992, and  
2 each year thereafter.

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HOUSE FILE 2028

AN ACT

REQUIRING INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH  
POLICIES RELATING TO SEXUAL ABUSE AND PROVIDING FOR THE  
ACT'S APPLICABILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 261.9, subsection 5, Code Supplement  
1991, is amended by adding the following new paragraphs:

NEW PARAGRAPH. g. Which develops and implements a written  
policy, which is disseminated during student registration or  
orientation, addressing the following four areas relating to  
sexual abuse:

- (1) Counseling.
- (2) Campus security.
- (3) Education, including prevention, protection, and the  
rights and duties of students and employees of the  
institution.

(4) Facilitating the accurate and prompt reporting of  
sexual abuse to the duly constituted law enforcement  
authorities.

NEW PARAGRAPH. h. Which files a copy of the annual report  
required by the federal Student Right-To-Know and Campus  
Security Act, Pub. L. No. 101-542, with the division of  
criminal and juvenile justice planning of the department of  
human rights, along with a copy of the written policy  
developed pursuant to paragraph "g".

Sec. 2. Section 262.9, Code 1991, is amended by adding the  
following new subsections:

NEW SUBSECTION. 27. Develop and implement a written  
policy, which is disseminated during registration or  
orientation, addressing the following four areas relating to  
sexual abuse:

- a. Counseling.

b. Campus security.

c. Education, including prevention, protection, and the  
rights and duties of students and employees of the  
institution.

d. Facilitating the accurate and prompt reporting of  
sexual abuse to the duly constituted law enforcement  
authorities.

NEW SUBSECTION. 28. File a copy of the annual report  
required by the federal Student Right-To-Know and Campus  
Security Act, Pub. L. No. 101-542, with the division of  
criminal and juvenile justice planning of the department of  
human rights, along with a copy of the written policy  
developed pursuant to subsection 27.

Sec. 3. Section 280A.23, Code 1991, is amended by adding  
the following new subsections:

NEW SUBSECTION. 19. Develop and implement a written  
policy, which is disseminated during student registration or  
orientation, addressing the following four areas relating to  
sexual abuse:

- (a) Counseling.
- (b) Campus security.
- (c) Education, including prevention, protection, and the  
rights and duties of students and employees of the community  
college.

(d) Facilitating the accurate and prompt reporting of  
sexual abuse to the duly constituted law enforcement  
authorities.

NEW SUBSECTION. 20. File a copy of the annual report  
required by the federal Student Right-To-Know and Campus  
Security Act, Pub. L. No. 101-542, with the division of  
criminal and juvenile justice planning of the department of  
human rights, along with a copy of the written policy  
developed pursuant to subsection 19.

Sec. 4. APPLICABILITY DATE.

1. Accredited private institutions, the state board of  
regents institutions of higher learning, and community  
colleges receiving state funding or tuition grants shall file

a copy of the annual report required by the federal Student Right-To-Know and Campus Security Act, Pub. L. No. 101-542, along with a copy of the written policy developed pursuant to section 261.9, subsection 5, paragraph "g", section 262.9, subsection 27, and section 280A.23, subsection 19, with the division of criminal and juvenile justice planning of the department of human rights beginning September 1, 1992, and each year thereafter.

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ROBERT C. ARNOULD  
Speaker of the House

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MICHAEL E. GRONSTAL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2028, Seventy-fourth General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved April 21, 1992

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TERRY E. BRANSTAD  
Governor