

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 255** SLS 15RS 382
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 10, 2015 8:16 AM **Author:** MORRELL
Dept./Agy.: Higher Education **Analyst:** Charley Rome
Subject: Provides for Sexual Assaults on College Campuses

POSTSECONDARY ED EN INCREASE GF EX See Note Page 1 of 2
 Provides relative to sexual assault on college campuses. (gov sig)

When funding is made available, the proposed law requires that each public postsecondary education institution administer an annual, anonymous voluntary sexual assault climate survey to its students. The bill requires the Board of Regents, in consultation with the public postsecondary education management boards, to develop the survey and establish procedures for the administration of the survey, and shall use the survey developed by the Center on Violence Against Women and Children at the Rutgers University School of Social Work as a model. Proposed law requires each public postsecondary education institution to: (1) Administer the survey to students who choose to participate. (2) Report school-specific results of the survey to the Board of Regents. The bill requires the Board of Regents to do the following: (1) Submit a written report not later than September 1st each year regarding the survey results of each public postsecondary education institution and the state as a whole to the governor and Senate/House Education committees for the previous academic year. **(Bill Summary Continued on Page Two)**

EXPENDITURES	2015-16	2016-17	2017-18	2018-19	2019-20	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2015-16	2016-17	2017-18	2018-19	2019-20	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

State general fund expenditures of institutions will increase by an indeterminable amount due to the proposed legislation. Costs to comply with the proposed legislation will depend on the following factors: (1) Extent to which current compliance with the Federal Jeanne Clery Act facilitates compliance with the proposed law. (2) Ability of institutions to administer the survey developed to meet the bill's requirements. (3) Extent to which existing institutional employees can meet the bill's "confidential advisor" requirements. (4) Costs to develop and maintain memorandums of understanding between institutions and law enforcement/criminal justice agencies located within the parish. (5) Costs to build and maintain websites as required by the bill. (6) Online reporting requirements required by the bill. (6) Training required by the bill. (7) The number of student victims of sexual assault who might seek assistance per the bill's requirements.

The Board of Regents can meet the following requirements in the bill with existing staff and resources: (1) Establish survey procedures for the administration of a sexual assault climate survey in consultation with the public postsecondary education management boards. (2) Submit a written report by September 1st of each year regarding the survey results of each public postsecondary institution and the state as a whole to the governor and legislative committees. (3) Publish the survey results on the board's website. (4) Establish uniform policies and best practices to implement measures to address the reporting of sexually-oriented criminal offenses on postsecondary campuses, the prevention of such crimes, and the medical and mental health care needed for these alleged victims. (5) Develop online training materials in collaboration with the Attorney General no later than January 1, 2016. (6) Determine the adequate number of confidential advisors for an institution based upon its size no later than January 1, 2016. (7) Coordinate with the Attorney General in developing a training program for each individual who is involved in implementing an institution's student grievance procedures no later than January 1, 2016.

The Attorney General can meet the following requirements in the bill with existing staff and resources: (1) Develop online training materials in collaboration with the Board of Regents no later than January 1, 2016. (2) Coordinate with the Board of Regents in developing a training program for each individual who is involved in implementing an institution's student grievance procedures no later than January 1, 2016.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules House 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} 6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S} *Evan Brasseaux*
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} **Evan Brasseaux**
Staff Director

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CONTINUED EXPLANATION from page one:

(Bill Summary Continued From Page One)

(2) Publish the survey results on the board's website and in any other location or venue the board deems necessary or appropriate. Each postsecondary institution that receives any Title IV funding from the U.S. Dept. of Education must comply with proposed law. The bill requires each institution and law enforcement/criminal justice agency located within the parish of the campus to enter into a memorandum of understanding (MOU) to clearly delineate responsibilities and share general information about sexually oriented criminal offenses in accordance with applicable federal and state confidentiality laws, including but not limited to trends about sexually-oriented criminal offenses occurring against students of the institution. The Board of Regents' Uniform Policy on Sexual Assault shall require that the MOU be updated every two years. Proposed law requires the Board of Regents to establish uniform policies and best practices to implement measures to address the reporting of sexually-oriented criminal offenses on institution campuses, the prevention of such crimes, and the medical and mental health care needed for these alleged victims that includes the following: (1) Confidential advisors. (2) Website. (3) Online reporting. (4) Amnesty policy. (5) Training. The bill requires that the Board of Regents' Uniform Policy on Sexual Assault shall require that institutions communicate with each other regarding transfer of students against whom disciplinary action has been taken as a result of a code of conduct violation relating to sexually-oriented criminal offenses. The Board of Regents' Uniform Policy on Sexual Assault shall require that institutions withhold transcripts of students seeking a transfer with pending disciplinary action relative to sexually-oriented criminal offenses, until such investigation and adjudication is complete. All required provisions for implementation of this Act shall be achieved with existing staff and resources unless a specific appropriation is provided for these purposes. Effective upon governor's signature.

Senate

Dual Referral Rules

House

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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Staff Director