

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

**HOUSE . . . . . No. 3249**

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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.

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The Commonwealth of Massachusetts

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

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

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

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

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

32         Section 158B. (a) As used in this section the following words shall, unless the context  
33 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.

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

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

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

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

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

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

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

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

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

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