

As Introduced

**131st General Assembly
Regular Session
2015-2016**

H. B. No. 264

Representative Barnes

A BILL

To enact sections 5.2298 and 3345.43 of the Revised Code to enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5.2298 and 3345.43 of the Revised Code be enacted to read as follows: 9
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Sec. 5.2298. The month of April is designated as "Respect Your Date Month" to increase public awareness of dating violence, domestic violence, sexual assault, stalking, and rape on college campuses. 11
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Sec. 3345.43. (A) (1) Each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall adopt a policy regarding incidents of dating violence, domestic violence, sexual assault, stalking, and rape on campus. The policy shall include the procedure for reporting such 15
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incidents and the institutional plan for investigating and 20
responding to such incidents. The policy also shall describe the 21
consequences for committing an incident of dating violence, 22
domestic violence, sexual assault, stalking, or rape on campus, 23
including the institutional disciplinary proceedings and the 24
possible penalties that may be imposed. The institution shall 25
keep a record of all reports of such incidents that it receives. 26

Each institution may include other incidents related to 27
dating violence, domestic violence, sexual assault, stalking, or 28
rape in the policy adopted under this section. 29

(2) Each policy adopted pursuant to this section shall be 30
developed with the goal of enhancing due process in regard to 31
incidents of dating violence, domestic violence, sexual assault, 32
stalking, and rape on campus and to better define the protocols 33
provided for under the "Clery Act," 20 U.S.C. 1092(f), and Title 34
IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. 35

(B)(1) Each state institution of higher education annually 36
shall provide a copy of the policy adopted pursuant to division 37
(A) of this section to each student enrolled in that 38
institution. Not later than one year after the effective date of 39
this section, the institution shall include a copy of the policy 40
in the packet of documents that students are required to sign 41
upon enrollment at the institution or during student 42
orientation. 43

(2) Upon receipt, each student shall sign an 44
acknowledgment of receipt of a copy of the policy. In lieu of 45
this requirement, the president of the institution, or the 46
president's designee, may sign a statement confirming that all 47
students received a copy of the policy. The statement shall be 48
filed with the registrar of the institution. 49

(C) Each state institution of higher education shall post 50
copies of the institution's policy adopted pursuant to this 51
section in multiple, prominent locations across campus. The 52
definitions listed in division (D) of this section shall be 53
displayed prominently on each copy posted. 54

At a minimum, copies of the policy shall be posted each 55
year during the month of April to coincide with "Respect Your 56
Date Month," as designated by section 5.2298 of the Revised 57
Code. 58

(D) As used in this section: 59

(1) "Dating violence," "domestic violence," "sexual 60
assault," and "stalking" have the same meanings as in the 61
"Violence Against Women Act," 42 U.S.C. 13925, as amended. 62

(2) "Rape" means a violation of section 2907.02 of the 63
Revised Code. 64

For purposes of the definitions listed in divisions (D) (1) 65
and (2) of this section, "consent" shall have the same meaning 66
as in the federal uniform code of military justice, 10 U.S.C. 67
920. 68

Each state institution of higher education may expand upon 69
these definitions to address additional situations and incidents 70
related to the policy adopted pursuant to this section. 71

Section 2. This act shall be known as the "Respect Your 72
Date Act." 73

Section 3. This act is hereby declared to be an emergency 74
measure necessary for the immediate preservation of the public 75
peace, health, and safety. The reason for such necessity is to 76
ensure safety on college campuses across the state for the 77

upcoming academic year. Therefore, this act shall go into
immediate effect.

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