

116TH CONGRESS  
1ST SESSION

# S. 984

To address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 2, 2019

Mr. CASEY (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Equitable Cam-  
5 pus Resources and Education Act of 2019”.

6 **SEC. 2. AMENDMENTS TO THE CLERY ACT.**

7 (a) IN GENERAL.—Section 485(f) of the Higher Edu-  
8 cation Act of 1965 (20 U.S.C. 1092(f)) is amended—

9 (1) in paragraph (1)—

1 (A) in subparagraph (F)—

2 (i) in clause (ii), by striking “and”  
3 after the semicolon;

4 (ii) in clause (iii), by striking the pe-  
5 riod at the end and inserting “; and”; and

6 (iii) by inserting after clause (iii) the  
7 following:

8 “(iv) of the sex offenses, domestic violence,  
9 dating violence, and stalking incidents required  
10 to be reported under this subsection, how many  
11 involved a victim who was an individual with a  
12 disability.”; and

13 (B) in subparagraph (J)—

14 (i) in clause (ii), by striking “and”  
15 after the semicolon;

16 (ii) by redesignating clause (iii) as  
17 clause (iv); and

18 (iii) by inserting after clause (ii) the  
19 following:

20 “(iii) ensure that such emergency re-  
21 sponse and evacuation procedures take into  
22 account the needs of students and staff  
23 with disabilities; and”;

24 (2) by redesignating paragraphs (2) through  
25 (18) as paragraphs (3) through (19), respectively;

1           (3) by inserting after paragraph (1) the fol-  
2           lowing:

3           “(2) All reports, materials and information provided  
4 in accordance with this subsection shall be available in a  
5 timely manner in accessible formats for individuals with  
6 disabilities, including those individuals who are blind or  
7 deaf or have cognitive, intellectual, or communication dis-  
8 abilities.”;

9           (4) in paragraph (7)(A), as redesignated by  
10          paragraph (2)—

11           (A) by redesignating clauses (iii) through  
12           (v) as clauses (iv) through (vi), respectively;  
13           and

14           (B) by inserting after clause (ii) the fol-  
15          lowing:

16           “(iii) The term ‘disability’ has the meaning  
17          given such term in section 3 of the Americans with  
18          Disabilities Act of 1990 (42 U.S.C. 12102).”; and

19           (5) in paragraph (9), as redesignated by para-  
20          graph (2)—

21           (A) in subparagraph (B)—

22           (i) in clause (i)—

23           (I) in subclause (I)—

24           (aa) in item (ee), by striking

25           “and” after the semicolon and in-

1                   serting “, including abusive be-  
2                   havior and attacks targeting indi-  
3                   viduals with disabilities; and”;  
4                   and

5                               (bb) in item (ff), by striking  
6                               “(vii); and” and inserting  
7                               “(viii);”;

8                               (II) in subclause (II), by striking  
9                   the period at the end and inserting a  
10                   semicolon; and

11                              (III) by adding at the end the  
12                   following:

13                              “(III) an assurance that all prevention and  
14                   awareness programs and materials are acces-  
15                   sible to, and inclusive of the needs of, individ-  
16                   uals with disabilities, including those who are  
17                   deaf or blind or have cognitive, intellectual, or  
18                   communication disabilities; and

19                              “(IV) an assurance that campus security  
20                   personnel and other individuals responsible for  
21                   the provision of information or resources under  
22                   this subsection receive training about working  
23                   with individuals with disabilities.”;

24                              (ii) in the matter preceding subclause  
25                   (I) of clause (iii), by inserting “and in such

1 formats as are necessary to ensure their  
2 accessibility to individuals with disabili-  
3 ties,” after “writing”;

4 (iii) in clause (iv)—

5 (I) in subclause (I)—

6 (aa) in item (aa), by striking

7 “and” after the semicolon; and

8 (bb) by inserting after item

9 (bb) the following:

10 “(cc) be conducted by officials who re-  
11 ceive annual training on how to conduct an  
12 investigation and hearing process with an  
13 accuser or an accused who has a disability,  
14 including individuals who are blind or deaf  
15 or have cognitive, intellectual, or commu-  
16 nication disabilities; and

17 “(dd) be accessible to individuals with  
18 disabilities, including individuals who are  
19 blind, deaf, or have cognitive, intellectual,  
20 or communication disabilities;”;

21 (II) in subclause (II)—

22 (aa) by striking “the ac-  
23 cuser” and inserting “with re-  
24 spect to such proceedings—

25 “(aa) the accuser”; and

1 (bb) by inserting after item  
2 (aa), as added by item (aa), the  
3 following:

4 “(bb) an accuser or an accused with a  
5 disability who discloses such disability is  
6 also entitled to be accompanied to any  
7 such meeting or proceeding by an inter-  
8 preter, transliterator, or other individual  
9 providing communication assistance serv-  
10 ices, provided by the institution in accord-  
11 ance with section 504 of the Rehabilitation  
12 Act of 1973 (29 U.S.C. 794) and the  
13 Americans with Disabilities Act of 1990  
14 (42 U.S.C. 12101 et seq.), to ensure the  
15 accuser or accused’s ability to fully partici-  
16 pate; and

17 “(cc) the accuser and the accused are  
18 entitled to the same opportunities to re-  
19 quest accommodations related to their dis-  
20 abilities; and”;

21 (III) in subclause (III), in the  
22 matter preceding item (aa), by insert-  
23 ing “and in such accessible format as  
24 is required in the case of an accuser  
25 or an accused individual with a dis-

1 ability” following “shall be simulta-  
2 neously informed, in writing”; and

3 (iv) by adding after clause (vii) the  
4 following:

5 “(viii) Information about the accommodations  
6 available to individuals with disabilities with respect  
7 to such programs and procedures, how individuals  
8 with disabilities may request such accommodations,  
9 and an assurance that such accommodations will be  
10 provided in a timely manner such that access to pro-  
11 grams and the timing of procedures under this sub-  
12 paragraph shall not be substantially impeded.”;

13 (B) in subparagraph (C), by striking  
14 “(vii)” and inserting “(viii)”; and

15 (C) by inserting after subparagraph (C)  
16 the following:

17 “(D) All materials, websites, and other  
18 forms of communication associated with the  
19 policy described in subparagraph (A) shall be  
20 provided in accessible formats for individuals  
21 with disabilities, including those individuals who  
22 are deaf, blind, or have cognitive, intellectual,  
23 or communication disabilities. Provision of such  
24 accessible formats shall be timely and shall in-  
25 clude procedures for addressing problems and

1 failures of any accessibility technology in-  
2 volved.”.

3 (b) TECHNICAL CORRECTION.—Section  
4 120(a)(2)(B)(i) of the Higher Education Act of 1965 (20  
5 U.S.C. 1011i(a)(2)(B)(i)) is amended by striking  
6 “485(f)(6)” and inserting “485(f)(7)”.

○