

HOUSE BILL 913

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8lr1149
CF SB 607

By: **Delegates A. Miller, B. Barnes, Hettleman, Morales, Angel, Atterbeary, Clippinger, Dumais, Jackson, Jones, Kelly, Korman, Lierman, Moon, Pena-Melnyk, Sanchez, and Simonaire** Simonaires, Buckel, and Hornberger

Introduced and read first time: February 5, 2018

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 2018

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Sexual Assault Policy – Disciplinary Proceedings ~~Policy~~**
3 **Provisions**

4 FOR the purpose of requiring the governing body of each institution of higher education,
5 on or before a certain date, to adopt and submit to the Maryland Higher Education
6 Commission a revised written policy on sexual assault that includes certain
7 disciplinary proceedings provisions; requiring the disciplinary proceedings ~~policy~~
8 provisions to include a description of the rights for certain students and to include
9 certain provisions; requiring the disciplinary proceedings ~~policy~~ provisions to require
10 an institution of higher education to provide certain students with a certain notice,
11 to use a certain standard of proof in certain disciplinary proceedings, to prohibit the
12 use of mediation to resolve certain allegations except under certain circumstances,
13 to prohibit a certain adjudicating official or body from considering certain types of
14 evidence, ~~except in certain circumstances, to prohibit an adjudicating officer or body~~
15 ~~from making certain findings except in certain circumstances, to require~~ permit
16 counsel to be provided to certain students under certain circumstances, and to
17 authorize certain institutions to use mediation under certain circumstances, to
18 require the Commission to pay certain costs and fees except under certain
19 circumstances, and to provide for the construction of this Act; specifying that an
20 institution may not discourage a student from retaining an attorney; specifying that
21 the Commission is not required to pay a student's attorney's fees for representation
22 in a criminal or civil matter; and generally relating to sexual assault and disciplinary
23 proceedings ~~policies~~ provisions at institutions of higher education.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
2 Article – Education
3 Section 11–601
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2017 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Education**

9 11–601.

10 (a) (1) By August 1, 1993, the governing body of each institution of higher
11 education shall adopt and submit to the Commission a written policy on sexual assault.

12 (2) The policy adopted under paragraph (1) of this subsection shall apply
13 to each student, faculty member, and employee of the institution and inform the students,
14 faculty members, and employees of their rights and duties under the policy.

15 (b) (1) Each institution of higher education shall post at appropriate locations
16 on each campus and distribute to its students, faculty members, and employees a copy of
17 the policy adopted under subsection (a) of this section.

18 (2) Each institution of higher education shall implement the policy adopted
19 under subsection (a) of this section.

20 (c) The sexual assault policy required under subsection (a) of this section shall
21 conform with § 485(f) of the Higher Education Act of 1965 as amended [and], Title IX of
22 the Education Amendments of 1972, and **ANY ADDITIONAL REQUIREMENTS UNDER**
23 **THIS SECTION AND** shall include procedures for reporting an incident of sexual assault
24 and for taking disciplinary actions against a violator of the policy, including provisions for:

25 (1) Informing a victim of a sexual assault of the right to file criminal
26 charges with the appropriate law enforcement official;

27 (2) The prompt assistance of campus authorities, at the request of the
28 victim, in notifying the appropriate law enforcement officials and disciplinary authorities
29 of an incident of sexual assault;

30 (3) Designation of the nearest hospitals equipped with the Department of
31 State Police Sexual Assault Evidence Collection Kit;

32 (4) Full and prompt cooperation from campus personnel in obtaining
33 appropriate medical attention, including transporting the victim to the nearest designated
34 hospital;

1 (5) Offering counseling to a victim of sexual assault from mental health
2 services provided by the institution, other victim service entities, or the nearest State
3 designated rape crisis program;

4 (6) After a campus sexual assault has been reported, and upon the request
5 of the alleged victim, the transfer of the alleged victim to alternative classes or housing, if
6 such alternatives are available and feasible;

7 (7) Prohibiting the imposition of a campus conduct action, except for a
8 mandatory intervention for substance abuse, for a violation of the alcohol or drug use
9 policies of the institution of higher education for a student who reports to the institution or
10 a law enforcement officer an incidence of sexual assault or who participates in an
11 investigation of a sexual assault as a witness if:

12 (i) The institution of higher education determines the violation
13 occurred during or near the time of the alleged sexual assault;

14 (ii) The student is determined to have made the report of sexual
15 assault or is participating in an investigation as a witness in good faith; and

16 (iii) The institution of higher education determines that the violation
17 was not an act that was reasonably likely to place the health or safety of another individual
18 at risk;

19 (8) Prohibiting the institution of higher education from retaliating against
20 a student who files a complaint for sexual assault or who participates as a witness in an
21 investigation of a sexual assault; and

22 (9) Pursuing formalized agreements with:

23 (i) The local law enforcement agency that complies with the
24 relevant provisions of Title IX of the Education Amendments of 1972 and clearly states
25 when a school will refer a matter to local law enforcement; and

26 (ii) A State designated rape crisis program, federally recognized
27 sexual assault coalition, or both that formalizes a commitment to provide trauma-informed
28 services to victims of sexual assault and improve the overall response to sexual assault by
29 the institution of higher education.

30 **(D) (1) THE GOVERNING BODY OF EACH INSTITUTION OF HIGHER**
31 **EDUCATION SHALL INCLUDE IN THE SEXUAL ASSAULT POLICY REQUIRED UNDER**
32 **SUBSECTION (A) OF THIS SECTION ~~A PROVISIONS FOR DISCIPLINARY PROCEEDINGS~~**
33 **~~POLICY~~ PROVISIONS FOR ALLEGED VIOLATIONS OF THE SEXUAL ASSAULT POLICY.**

1 (2) ON OR BEFORE AUGUST 1, 2019, THE GOVERNING BODY OF EACH
2 INSTITUTION OF HIGHER EDUCATION SHALL ADOPT AND SUBMIT A REVISED SEXUAL
3 ASSAULT POLICY THAT INCLUDES THE DISCIPLINARY PROCEEDINGS ~~POLICY~~
4 PROVISIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

5 (3) THE DISCIPLINARY PROCEEDINGS ~~POLICY~~ PROVISIONS
6 REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A
7 DESCRIPTION OF THE RIGHTS OF A STUDENT WHO ALLEGES A VIOLATION OF OR A
8 STUDENT WHO RESPONDS TO AN ALLEGATION OF A VIOLATION OF THE
9 INSTITUTION'S SEXUAL ASSAULT POLICY, INCLUDING:

10 (I) TREATMENT WITH DIGNITY, RESPECT, AND SENSITIVITY BY
11 OFFICIALS OF THE INSTITUTION OF HIGHER EDUCATION DURING ALL PHASES OF
12 THE DISCIPLINARY PROCEEDINGS;

13 (II) A ~~TIMELY~~ FAIR AND IMPARTIAL INVESTIGATION;

14 (III) DISCIPLINARY PROCEEDINGS AND RESOLUTIONS THAT ARE
15 ~~FAIR AND IMPARTIAL~~ PROMPT AND EQUITABLE AND PROVIDE ~~A MEANINGFUL~~ AN
16 OPPORTUNITY FOR THE ALLEGED VICTIM AND THE ALLEGED VIOLATOR TO BE
17 HEARD;

18 (IV) TIMELY WRITTEN NOTICE OF:

19 1. THE REPORTED VIOLATION ~~OF THE INSTITUTION'S~~
20 ~~SEXUAL ASSAULT POLICY~~, INCLUDING THE DATE, TIME, AND LOCATION OF THE
21 ALLEGED VIOLATION, AND THE RANGE OF POTENTIAL SANCTIONS ASSOCIATED
22 WITH THE ALLEGED VIOLATION;

23 2. THE STUDENT'S RIGHTS AND RESPONSIBILITIES
24 UNDER THE SEXUAL ASSAULT POLICY AND ~~APPLICABLE LAW~~ INFORMATION
25 REGARDING OTHER CIVIL AND CRIMINAL OPTIONS;

26 3. THE DATE, TIME, AND LOCATION OF EACH HEARING,
27 MEETING, OR INTERVIEW THAT THE STUDENT IS REQUIRED OR PERMITTED TO
28 ATTEND;

29 4. ~~ANY~~ A FINAL DETERMINATION MADE BY THE
30 ADJUDICATING OFFICIAL OR BODY REGARDING WHETHER A SEXUAL ASSAULT
31 POLICY VIOLATION OCCURRED AND THE BASIS FOR THE DETERMINATION;

32 5. ANY SANCTION IMPOSED; AND

1 **6. THE STUDENT'S RIGHTS TO APPEAL AND A**
2 **DESCRIPTION OF THE APPEAL PROCESS;**

3 **(V) PARTICIPATION IN THE DISCIPLINARY PROCEEDINGS,**
4 **INCLUDING:**

5 **1. ACCESS TO THE CASE FILE AND EVIDENCE**
6 **REGARDING THE INCIDENT OBTAINED BY THE INSTITUTION OF HIGHER EDUCATION**
7 **DURING THE INVESTIGATION OR CONSIDERED BY THE ADJUDICATING OFFICIAL OR**
8 **BODY, WITH PERSONALLY IDENTIFIABLE OR OTHER INFORMATION REDACTED ~~IF~~**
9 **REQUIRED BY LAW AS REQUIRED BY APPLICABLE LAW;**

10 **2. OFFERING TESTIMONY AT A HEARING OR, IF THE**
11 **INSTITUTION'S PROCESS DOES NOT INCLUDE A HEARING, TO THE ADJUDICATING**
12 **OFFICIAL;**

13 **3. SUBMITTING EVIDENCE, WITNESS LISTS, AND**
14 **SUGGESTED SPECIFIC QUESTIONS TO BE POSED TO THE OTHER STUDENT INVOLVED**
15 **IN THE DISCIPLINARY PROCEEDINGS BY INVESTIGATORS OR THE ADJUDICATING**
16 **OFFICIAL OR BODY;**

17 **4. PROVIDING AND REVIEWING TESTIMONY**
18 **ELECTRONICALLY OR IN A WAY IN WHICH THE STUDENTS ARE NOT REQUIRED TO BE**
19 **IN THE PHYSICAL PRESENCE OF THE OTHER;**

20 **5. REVIEWING AND PROVIDING WRITTEN RESPONSES TO**
21 **REPORTS AND PROPOSED FINDINGS; AND**

22 **6. APPEALING A DETERMINATION OR A SANCTION;**

23 **(VI) ASSISTANCE BY A LICENSED ATTORNEY, AN ADVOCATE**
24 **SUPERVISED BY AN ATTORNEY, OR ~~AN ADVOCATE CERTIFIED BY THE FEDERALLY~~**
25 **~~RECOGNIZED STATE SEXUAL ASSAULT COALITION~~ A TRAINED ADVOCATE**
26 **THROUGHOUT THE DISCIPLINARY PROCEEDINGS, INCLUDING BY THE ATTORNEY OR**
27 **ADVOCATE'S:**

28 **1. ATTENDANCE AT HEARINGS, MEETINGS, AND**
29 **INTERVIEWS WITH THE STUDENT;**

30 **2. PRIVATE CONSULTATIONS WITH THE STUDENT**
31 **DURING HEARINGS, MEETINGS, AND INTERVIEWS, EXCEPT DURING QUESTIONING OF**
32 **THE STUDENT AT A HEARING; AND**

1 3. ASSISTANCE WITH THE STUDENT'S EXERCISE OF ANY
2 RIGHT DURING THE DISCIPLINARY PROCEEDINGS; AND

3 (VII) ~~THE~~ NOTWITHSTANDING THE CHOICE THAT A STUDENT
4 MAKES UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION, THE PRESENCE OF NO
5 MORE THAN TWO PEOPLE, INCLUDING A PERSONAL SUPPORTER OF THE STUDENT'S
6 CHOICE, ~~IN ADDITION TO~~ AN ATTORNEY, OR AN ADVOCATE, AT ANY HEARING,
7 MEETING, OR INTERVIEW DURING THE DISCIPLINARY PROCEEDINGS.

8 (4) THE DISCIPLINARY PROCEEDINGS ~~POLICY~~ PROVISIONS
9 REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

10 (I) REQUIRE THE INSTITUTION OF HIGHER EDUCATION TO
11 PROVIDE EACH STUDENT INVOLVED IN DISCIPLINARY PROCEEDINGS WITH NOTICE,
12 ~~AT LEAST 10 DAYS~~ PRESENTED IN AN APPROPRIATE AND SENSITIVE FORMAT,
13 BEFORE THE START OF THE DISCIPLINARY PROCEEDINGS, OF:

14 1. THE STUDENT'S RIGHT TO THE ASSISTANCE OF AN
15 ATTORNEY OR AN ADVOCATE;

16 2. THE LEGAL SERVICE ORGANIZATIONS AND REFERRAL
17 SERVICES AVAILABLE TO THE STUDENT; AND

18 3. THE STUDENT'S RIGHT TO HAVE A PERSONAL
19 SUPPORTER OF THE STUDENT'S CHOICE AT ANY HEARING, MEETING, OR INTERVIEW
20 DURING THE DISCIPLINARY PROCEEDINGS;

21 (II) REQUIRE THE USE OF THE SAME STANDARD OF PROOF USED
22 IN OTHER DISCIPLINARY PROCEEDINGS AT THE INSTITUTION OF HIGHER
23 EDUCATION FOR ALLEGATIONS OF CODE OF CONDUCT VIOLATIONS INVOLVING
24 DISCRIMINATION OR HARM TO ANOTHER INDIVIDUAL;

25 (III) ~~PROHIBIT~~ EXCEPT AS PROVIDED IN PARAGRAPH (5) OF
26 THIS SUBSECTION, PROHIBIT THE INSTITUTION OF HIGHER EDUCATION FROM
27 USING MEDIATION TO RESOLVE AN ALLEGATION OF A VIOLATION OF THE
28 INSTITUTION'S SEXUAL ASSAULT POLICY;

29 (IV) PROHIBIT THE ADJUDICATING OFFICIAL OR BODY FROM
30 CONSIDERING CERTAIN EVIDENCE, INCLUDING:

31 1. ~~AN ALLEGED VICTIM'S~~ A STUDENT'S PRIOR SEXUAL
32 HISTORY WITH AN INDIVIDUAL OTHER THAN ~~THE STUDENT ALLEGED TO HAVE~~
33 ~~COMMITTED THE VIOLATION~~ A PARTY TO THE PROCEEDINGS, EXCEPT TO:

1 A. ~~PROVE~~ PROVE THE SOURCE OF INJURY;

2 B. PROVE PRIOR SEXUAL MISCONDUCT;

3 C. SUPPORT A CLAIM THAT A STUDENT HAS AN
4 ULTERIOR MOTIVE; OR

5 D. IMPEACH A STUDENT'S CREDIBILITY AFTER THAT
6 STUDENT HAS PUT HIS OR HER OWN PRIOR SEXUAL CONDUCT AT ISSUE; AND

7 2. A STUDENT'S HISTORY OF MENTAL HEALTH
8 COUNSELING, TREATMENT, OR DIAGNOSIS, UNLESS THE STUDENT CONSENTS; AND

9 ~~(V) PROHIBIT THE ADJUDICATING OFFICIAL OR BODY FROM~~
10 ~~FINDING THAT ALL STUDENTS INVOLVED IN THE DISCIPLINARY PROCEEDINGS~~
11 ~~VIOLATED THE SEXUAL ASSAULT POLICY, UNLESS THE ADJUDICATING OFFICER OR~~
12 ~~BODY FINDS THAT;~~

13 ~~1. NO STUDENT ACTED TO DOMINATE ANY OTHER~~
14 ~~INDIVIDUAL; AND~~

15 ~~2. EVERY STUDENT INTENTIONALLY DISREGARDED THE~~
16 ~~OTHER STUDENTS' LACK OF CONSENT; AND~~

17 ~~(VI) UNLESS AN ADJUDICATING OFFICIAL OR BODY MAKES~~
18 ~~WRITTEN FINDINGS AND A DETERMINATION THAT THE DISCIPLINARY PROCEEDINGS~~
19 ~~UNDER THIS SECTION WILL NOT RESULT IN THE EXPULSION OF A STUDENT, REQUIRE~~
20 ~~THAT:~~

21 ~~1. COUNSEL SHALL BE PROVIDED FOR EACH STUDENT~~
22 ~~ALLEGING A VIOLATION AND EACH STUDENT RESPONDING TO AN ALLEGATION OF~~
23 ~~THE SEXUAL ASSAULT POLICY; AND~~

24 ~~2. THE COMMISSION SHALL PAY REASONABLE COSTS~~
25 ~~AND ATTORNEY'S FEES FOR A STUDENT THAT:~~

26 ~~A. IS ENTITLED TO COUNSEL UNDER THIS SUBSECTION;~~
27 ~~AND~~

28 ~~B. IS INDIGENT AND UNABLE TO RETAIN COUNSEL.~~

29 (V) PERMIT STUDENTS TO ACCESS COUNSEL PAID FOR BY THE
30 COMMISSION, AS DESCRIBED UNDER PARAGRAPH (6) OF THIS SUBSECTION, FOR:

1 1. A CURRENT OR FORMER STUDENT WHO MAKES A
2 COMPLAINT ON WHICH A FORMAL TITLE IX INVESTIGATION IS INITIATED AND WHO
3 WAS ENROLLED AS A STUDENT AT THE INSTITUTION AT THE TIME OF THE INCIDENT
4 THAT IS THE BASIS OF THE COMPLAINT, UNLESS THE STUDENT KNOWINGLY AND
5 VOLUNTARILY CHOOSES NOT TO HAVE COUNSEL; AND

6 2. A CURRENT OR FORMER STUDENT WHO RESPONDS TO
7 A COMPLAINT ON WHICH A FORMAL TITLE IX INVESTIGATION IS INITIATED AND WHO
8 WAS ENROLLED AS A STUDENT AT THE INSTITUTION AT THE TIME OF THE INCIDENT
9 THAT IS THE BASIS OF THE COMPLAINT, UNLESS THE STUDENT KNOWINGLY AND
10 VOLUNTARILY CHOOSES NOT TO HAVE COUNSEL.

11 (5) THE DISCIPLINARY PROCEEDINGS PROVISIONS REQUIRED UNDER
12 PARAGRAPH (1) OF THIS SUBSECTION SHALL AUTHORIZE AN INSTITUTION TO USE
13 MEDIATION OR OTHER INFORMAL MECHANISMS FOR RESOLVING A COMPLAINT
14 RELATING TO THE INSTITUTION'S SEXUAL ASSAULT POLICY IF:

15 (I) THE COMPLAINING STUDENT REQUESTS AN INFORMAL
16 MECHANISM;

17 (II) ALL PARTIES TO THE COMPLAINT, AND THE INSTITUTION,
18 AGREE TO THE USE OF THE INFORMAL MECHANISM;

19 (III) THE INSTITUTION PARTICIPATES IN THE INFORMAL
20 MECHANISM BY PROVIDING TRAINED STAFF;

21 (IV) ANY PARTY MAY END THE INFORMAL MECHANISM AT ANY
22 TIME IN FAVOR OF A FORMAL RESOLUTION PROCEEDING; AND

23 (V) THE ALLEGED MISCONDUCT DOES NOT INVOLVE SEXUAL
24 ASSAULT OR SEXUAL COERCION.

25 (6) (I) THE DISCIPLINARY PROCEEDINGS PROVISIONS REQUIRED
26 UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL, UNLESS A STUDENT WAIVES
27 COUNSEL UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION, REQUIRE THE
28 COMMISSION TO PAY REASONABLE COSTS AND ATTORNEY'S FEES FOR STUDENTS
29 PROVIDED COUNSEL UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION, AS PROVIDED
30 UNDER THIS PARAGRAPH.

31 (II) IN CONSULTATION WITH STATE AND LOCAL BAR
32 ASSOCIATIONS AND LEGAL SERVICES PROVIDERS WITH EXPERTISE ABOUT SEXUAL
33 MISCONDUCT, THE COMMISSION SHALL DEVELOP A LIST OF ATTORNEYS AND LEGAL
34 SERVICES PROGRAMS WILLING TO REPRESENT STUDENTS ON A PRO BONO BASIS OR
35 AT FEES EQUIVALENT TO THOSE PAID TO ATTORNEYS UNDER CIVIL LEGAL SERVICES

1 PROGRAMS ADMINISTERED BY THE MARYLAND LEGAL SERVICES CORPORATION,
2 ESTABLISHED UNDER TITLE 11 OF THE HUMAN SERVICES ARTICLE.

3 (III) A STUDENT MAY SELECT AN ATTORNEY FROM THE LIST
4 DEVELOPED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.

5 (IV) 1. A STUDENT MAY SELECT AND RETAIN AN ATTORNEY
6 PRIOR TO THE CONCLUSION OF THE FORMAL TITLE IX PROCEEDINGS.

7 2. AN INSTITUTION MAY NOT DISCOURAGE A STUDENT
8 FROM RETAINING AN ATTORNEY.

9 (V) IF A STUDENT SELECTS AND RETAINS AN ATTORNEY WHO IS
10 NOT ON THE LIST DEVELOPED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH,
11 THE COMMISSION SHALL PAY FEES TO THE ATTORNEY SELECTED BY THE STUDENT
12 THAT ARE EQUIVALENT TO THOSE PAID TO ATTORNEYS UNDER CIVIL LEGAL
13 SERVICES PROGRAMS ADMINISTERED BY THE MARYLAND LEGAL SERVICES
14 CORPORATION.

15 (7) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT AN
16 INSTITUTION OF HIGHER EDUCATION FROM IMPOSING INTERIM SAFETY MEASURES.

17 (8) THE COMMISSION IS NOT REQUIRED TO PAY A STUDENT'S
18 ATTORNEY'S FEES FOR REPRESENTATION IN A CRIMINAL OR CIVIL MATTER.

19 [(d)] (E) The Commission shall:

20 (1) Coordinate the development of the sexual assault policies; and

21 (2) Periodically review and make recommendations for changes in these
22 policies.

23 [(e)] (F) (1) The Commission, in consultation with institutions of higher
24 education, shall establish procedures for the administration of a sexual assault campus
25 climate survey by each institution of higher education.

26 (2) The procedures shall require each institution of higher education to
27 provide for the completion of the survey by various methods, including online.

28 [(f)] (G) On or before March 1, 2016, and at least every 2 years thereafter, each
29 institution of higher education shall:

30 (1) Develop an appropriate sexual assault campus climate survey using
31 nationally recognized best practices for research and climate surveys; and

1 (2) Administer the sexual assault campus climate survey to students in
2 accordance with the procedures established under subsection [(e)] (F) of this section.

3 [(g)] (H) (1) On or before June 1, 2016, and every 2 years thereafter, each
4 institution of higher education shall submit to the Commission:

5 (i) A report on school specific results of the sexual assault survey;
6 and

7 (ii) A report aggregating the data collected by the institution
8 regarding sexual assault complaints made to the institution, including the:

9 1. Types of misconduct;

10 2. Outcome of each complaint;

11 3. Disciplinary actions taken by the institution;

12 4. Accommodations made to students in accordance with the
13 sexual assault policy established under subsection (c) of this section; and

14 5. Number of reports involving alleged nonstudent
15 perpetrators.

16 (2) In reporting the data under paragraph (1) of this subsection, the
17 institution of higher education shall make reasonable efforts to protect student privacy.

18 (3) An institution of higher education shall submit the data required under
19 paragraph (1) of this subsection together with the reporting requirements of the federal
20 Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended
21 by the Violence Against Women Reauthorization Act of 2013.

22 [(h)] (I) On or before October 1, 2016, and every 2 years thereafter, the
23 Commission shall:

24 (1) Report to the Governor and, in accordance with § 2–1246 of the State
25 Government Article, the Senate Education, Health, and Environmental Affairs Committee,
26 the Senate Budget and Taxation Committee, the House Health and Government
27 Operations Committee, and the House Appropriations Committee on the reports required
28 under subsection [(g)] (H) of this section; and

29 (2) Publish the reports required under subsection [(g)] (H) of this section
30 on the Commission’s Web site and in any other location or venue the Commission
31 determines is necessary or appropriate.

1 **[(i)] (J)** Nothing in this subtitle shall be construed to confer a private cause of
2 action upon any person to enforce the provisions of this subtitle.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.