

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

April 18, 2019

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB19-007 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 13, after "(2)" insert "(a)".
- 2 Page 3, after line 16, insert:
  - 3 "(b) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, IF
  - 4 THERE IS A CONFLICT BETWEEN THIS SECTION AND ANY FEDERAL LAW OR
  - 5 REGULATION AND BASED ON THAT CONFLICT AN INSTITUTION OF HIGHER
  - 6 EDUCATION IS AT RISK OF LOSING FEDERAL MONEY FOR ITSELF OR ITS
  - 7 STUDENTS, THE INSTITUTION SHALL FOLLOW FEDERAL LAW AND SHALL
  - 8 NOT BE LIABLE FOR ANY VIOLATION OF THIS SECTION BASED ON THAT
  - 9 ACTION."
- 10 Page 3, strike lines 20 and 21 and substitute "WITH FEDERAL AND STATE
- 11 LAW AND POLICY;"
- 12 Page 4, line 13, strike "STANDARD;" and substitute "STANDARD WHEN A
- 13 STUDENT IS THE RESPONDENT, NOTWITHSTANDING ANY OTHER
- 14 EVIDENTIARY STANDARD IN ANY OTHER POLICY OF THE INSTITUTION;"
- 15 Page 8, line 9, strike "JANUARY" and substitute "OCTOBER".
- 16 Page 8, line 13, strike "AND".
- 17 Page 8, after line 13 insert:
  - 18 "(II) A STATEMENT AS TO HOW THE INSTITUTION IS PROVIDING

- 1 INFORMATION TO STUDENTS ON HOW TO RECEIVE SUPPORT REGARDING  
2 SEXUAL MISCONDUCT AS REQUIRED BY SUBSECTION (4) OF THIS SECTION  
3 AND HOW IT IS PROMOTING THE INFORMATION REQUIRED BY SUBSECTION  
4 (5) OF THIS SECTION; AND".
- 5 Renumber succeeding subparagraph accordingly.
- 6 Page 8, line 17, strike "JANUARY" and substitute "OCTOBER".
- 7 Page 8, line 22, strike "AND".
- 8 Page 8, after line 22 insert:  
9 "(II) A STATEMENT AS TO ANY CHANGES IN THE MANNER IN WHICH  
10 THE INSTITUTION PROVIDES OR PROMOTES THE INFORMATION REQUIRED BY  
11 SUBSECTION (4) OR (5) OF THIS SECTION; AND".
- 12 Renumber succeeding subparagraph accordingly.
- 13 Page 8, after line 25 insert:  
14 "(8) BEGINNING IN 2020, AND EVERY YEAR THEREAFTER, THE  
15 DEPARTMENT SHALL INCLUDE AS PART OF ITS "STATE MEASUREMENT FOR  
16 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
17 GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203  
18 INFORMATION CONCERNING THE REPORTS SUBMITTED BY INSTITUTIONS  
19 PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION."
- 20 Renumber succeeding subsection accordingly.
- 21 Page 10, line 9, strike "(8)(b)(VII) AND (8)(b)(VIII)" and substitute  
22 "(9)(b)(VII) AND (9)(b)(VIII)".
- 23 Page 10, line 13, strike "(8)(a)" and substitute "(9)(a)".
- 24 Page 10, line 21, strike "(8)(d)(I)" and substitute "(9)(d)(I)".

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