

AMENDMENTS TO LB534

(Amendments to Final Reading copy)

Introduced by Cavanaugh, 6.

1 1. Strike section 1 and insert the following new section:

2 Section 1. (1) On or before September 15, 2021, and September 15 of
3 each odd-numbered year thereafter, each public postsecondary institution
4 shall electronically submit a report regarding sexual harassment and
5 Title IX compliance to the Clerk of the Legislature and the Education
6 Committee of the Legislature. The report shall include:

7 (a) Results of any campus climate survey related to sexual
8 harassment;

9 (b) Information related to the training provided to Title IX
10 coordinators, investigators, and decisionmakers regarding sexual
11 harassment;

12 (c) Any policies, initiatives, or grievance procedures the
13 postsecondary institution has adopted to address sexual harassment;

14 (d) Information on where the postsecondary institution's students
15 and employees may receive immediate emergency assistance to address
16 instances of sexual harassment;

17 (e) Information on how the postsecondary institution's students and
18 employees may report concerns of sexual harassment to the postsecondary
19 institution;

20 (f) Information on resources, programs, and support available to the
21 postsecondary institution's students and employees to address concerns of
22 sexual harassment;

23 (g) Information on any of the postsecondary institution's student or
24 employee-led organizations engaged in supporting victims of sexual
25 harassment; and

26 (h) Any agreement between the postsecondary institution and a local

1 law enforcement agency or the county attorney related to addressing
2 instances of sexual harassment.

3 (2) The report shall not include any personally identifiable
4 information, information that is subject to a privilege arising under
5 state or federal law, or records that may be withheld from disclosure
6 under section 84-712.05.

7 (3) On or before December 15, 2021, and on or before December 15 of
8 each odd-numbered year thereafter, the Education Committee of the
9 Legislature shall hold a public hearing to review all reports submitted
10 under this section.

11 (4) For purposes of this section:

12 (a) Postsecondary institution has the same meaning as in section
13 85-2403;

14 (b) Sexual harassment means conduct that satisfies one or more of
15 the following:

16 (i) An employee conditioning the provision of an aid, benefit, or
17 service on an individual's participation in unwelcome sexual conduct;

18 (ii) Unwelcome conduct on the basis of sex determined by a
19 reasonable person to be so severe, pervasive, and objectively offensive
20 that it effectively denies a person equal access to the education program
21 or activity;

22 (iii) Sexual assault as defined in 20 U.S.C. 1092(f)(6)(A)(v);

23 (iv) Dating violence as defined in 34 U.S.C. 12291(a)(10);

24 (v) Domestic violence as defined in 34 U.S.C. 12291(a)(8); or

25 (vi) Stalking as defined in 34 U.S.C. 12291(a)(30); and

26 (c) Title IX means Title IX of the Education Amendments of 1972,
27 Public Law 92-318, 20 U.S.C. 1681 to 1688, and its accompanying
28 regulations and guidance documents, as amended.

29 2. On page 1, strike line 3 and insert "harassment; to".