



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 240 of the 132nd G.A.

**Status:** As Introduced

**Sponsor:** Rep. Barnes

**Local Impact Statement Procedure Required:** No

**Subject:** State institution of higher education policies on dating and sexual violence, designates the month of April as "Respect Your Date Month," and declares an emergency

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### State & Local Fiscal Highlights

- The bill likely increases the administrative responsibilities of state institutions associated with the development and distribution of policies on dating violence, domestic violence, sexual assault, stalking, and rape on campus. Any costs associated with these requirements are unlikely to be significant.
- No direct fiscal effect on political subdivisions.

### Detailed Fiscal Analysis

#### Dating and sexual violence policies at state institutions of higher education

The bill requires each state institution of higher education to adopt a policy with regard to dating violence, domestic violence, sexual assault, stalking, and rape on campus. Each policy must include the following: (1) a procedure for reporting the specified incidents, (2) an institutional plan for investigating and responding to the specified incidents, and (3) a description of the consequences for committing one of the specified incidents. In addition, each institution must retain a record of all reports of incidents that it receives. The bill requires a state institution to distribute copies of the policy during student orientation and other appropriate events as well as post the policy in multiple, prominent locations across campus and in a prominent location on the institution's website.

The administrative responsibilities of state institutions are likely to increase to review current policies and then develop, update, and distribute the policies as required by the bill. Any costs associated with these duties are unlikely to be significant. It appears most, if not all, state institutions currently have policies in place that address at least some of the topics required by the bill, as the federal Clery Act and Title IX require certain related reporting and policies to be in place for an institution of higher education to receive federal funds. More information on these federal provisions can be found in the LSC Bill Analysis. In addition, many institutions have already implemented or begun to implement similar programs through the Changing Campus Culture Initiative. Background information on this initiative is provided below.

## **"Respect Your Date Month"**

The bill designates April as "Respect Your Date Month" to increase public awareness of dating violence, domestic violence, sexual assault, stalking, and rape on college campuses. This provision has no direct fiscal effect on the state or political subdivisions.

## **Changing Campus Culture Initiative**

In October 2015, the Department of Higher Education (DHE) launched the Changing Campus Culture Initiative to combat sexual violence on Ohio's college campuses. DHE created the initiative in response to a requirement in H.B. 64 of the 131st General Assembly to consult with both public and private nonprofit institutions to develop model best practices for preventing and responding to sexual assault on campus and protecting students and staff who are victims of sexual assault on campus. Under the initiative, a diverse advisory board was tasked with collecting data and generating recommendations. In October 2015, the advisory board issued a report that calls for campuses to implement five recommended strategies to prevent and respond to sexual violence. The goal is to have all five recommendations implemented in every campus. The five recommendations are:

- Use data to guide action;
- Implement a training program to inform staff, faculty, law enforcement, and students on the best practices to recognize and intervene to stop sexual assault;
- Establish a campus wide awareness and communication campaign to encourage a safer culture;
- Develop a comprehensive, survivor-centered response policy; and
- Adopt the survivor-centered response strategy.

Through FY 2017, 38 (47.5%) of the 80 campuses that reported to DHE on their progress have implemented all five of the recommendations while another 31 (38.8%) have implemented three or four of them. In addition, DHE reports that 98% have implemented an evidenced-based training program, 86% have implemented an awareness campaign, and 100% have developed a survivor-centered response policy and are implementing at least one survivor-centered response strategy.

The initiative received initial GRF funding of \$2.0 million for the FY 2016-FY 2017 biennium in line item 235492, Campus Safety and Training. H.B. 49 of the 132nd General Assembly provides GRF funding of \$750,000 in both FY 2018 and FY 2019 for the initiative to continue developing and communicating model best practices in line with emerging trends, research, and evidence-based trainings for preventing and responding to sexual violence and protecting students and staff who are victims of sexual violence on campus.