

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

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

(iii) in clause (iv)—

(I) in subclause (I)—

(aa) in item (aa), by striking

“and” after the semicolon; and

(bb) by inserting after item

(bb) the following:

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

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

(II) in subclause (II)—

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

“(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”; 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)”.

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