

115TH CONGRESS
2D SESSION

H. R. 5241

To address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2018

Mrs. DINGELL introduced the following bill; which was referred to the Committee on Education and the Workforce

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 2018” or the “Secure
6 Act of 2018”.

7 **SEC. 2. AMENDMENTS TO THE CLERY ACT.**

8 (a) IN GENERAL.—Section 485(f) of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1092(f)) is amended—

10 (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 vio-
9 lence, dating violence, and stalking inci-
10 dents required to be reported under this
11 subsection, how many involved a victim
12 who was an individual with a disability, as
13 defined in this subsection.”; and

14 (B) in subparagraph (J)—

15 (i) in clause (ii), by striking “and”
16 after the semicolon;

17 (ii) by redesignating clause (iii) as
18 clause (iv); and

19 (iii) by inserting after clause (ii) the
20 following:

21 “(iii) ensure that such emergency re-
22 sponse and evacuation procedures take into
23 account the needs of students and staff
24 with disabilities; and”;

1 (2) by redesignating paragraphs (2) through
2 (18) as paragraphs (3) through (19), respectively;

3 (3) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) All reports, materials and information pro-
6 vided in accordance with this subsection shall be
7 available in a timely manner in accessible formats
8 for individuals with disabilities, including those who
9 are blind, deaf, or have cognitive, intellectual, or
10 communication disabilities.”;

11 (4) in paragraph (7), as redesignated by para-
12 graph (2)—

13 (A) by redesignating clauses (iii) through
14 (v) as clauses (iv) through (vi), respectively;
15 and

16 (B) by inserting after clause (ii) the fol-
17 lowing:

18 “(iii) The term ‘disability’ has the
19 meaning given such term in section 3 of
20 the Americans with Disabilities Act of
21 1990 (42 U.S.C. 12102).”; and

22 (5) in paragraph (9), as redesignated by para-
23 graph (2)—

24 (A) in subparagraph (B)—

25 (i) in clause (i)—

1 (I) in subclause (I)—

2 (aa) in item (ee), by striking
3 “and” after the semicolon and in-
4 serting “, including abusive be-
5 havior and attacks targeting indi-
6 viduals with disabilities; and”;
7 and

8 (bb) in item (ff), by striking
9 “and” after the semicolon;

10 (II) in subclause (II), by striking
11 the period at the end and inserting a
12 semicolon; and

13 (III) by inserting after subclause
14 (II), the following:

15 “(III) an assurance that all pre-
16 vention and awareness programs and
17 materials are accessible to, and inclu-
18 sive of the needs of, individuals with
19 disabilities, including those who are
20 deaf, blind, or have cognitive, intellec-
21 tual, or communication disabilities;
22 and

23 “(IV) an assurance that campus
24 security personnel and other individ-
25 uals responsible for the provision of

1 information or resources under this
2 subsection receive training about
3 working with individuals with disabili-
4 ties.”;

5 (ii) in clause (iii), by inserting “and in
6 such formats as are necessary to ensure
7 their accessibility to individuals with dis-
8 abilities,” after “writing”;

9 (iii) in clause (iv)—

10 (I) in subclause (I)—

11 (aa) in item (aa), by striking
12 “and” after the semicolon; and

13 (bb) by inserting after item
14 (bb) the following:

15 “(cc) be conducted by offi-
16 cials who receive annual training
17 on how to conduct an investiga-
18 tion and hearing process with an
19 accuser or an accused who has a
20 disability, including those who
21 are blind, deaf, or have cognitive,
22 intellectual, or communication
23 disabilities; and

24 “(dd) be accessible to indi-
25 viduals with disabilities, including

1 those who are blind, deaf, or have
2 cognitive, intellectual, or commu-
3 nication disabilities;”;

4 (II) in subclause (II)—

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

8 “(aa) the accuser”; and

9 (bb) by inserting after item
10 (aa), as added by item (aa), the
11 following:

12 “(bb) an accuser or an ac-
13 cused with a disability who dis-
14 closes such disability is also enti-
15 tled to be accompanied to any
16 such meeting or proceeding by an
17 interpreter, transliterator, or
18 other individual providing com-
19 munication assistance services,
20 provided by the institution in ac-
21 cordance with section 504 of the
22 Rehabilitation Act of 1973 (29
23 U.S.C. 794) and the Americans
24 with Disabilities Act of 1990 (42
25 U.S.C. 12101 et seq.), to ensure

1 the accuser or accused’s ability to
2 fully participate; and

3 “(cc) the accuser and the
4 accused are entitled to the same
5 opportunities to request accom-
6 modations related to their dis-
7 abilities; and”; and

8 (III) in subclause (III), in the
9 matter preceding item (aa), by insert-
10 ing “, and in such accessible format
11 as is required in the case of an ac-
12 cuser or an accused individual with a
13 disability,” following “shall be simul-
14 taneously informed, in writing”; and

15 (iv) by adding after clause (vii) the
16 following:

17 “(viii) Information about the accom-
18 modations available to individuals with dis-
19 abilities with respect to such programs and
20 procedures, how individuals with disabili-
21 ties may request such accommodations,
22 and an assurance that such accommoda-
23 tions will be provided in a timely manner
24 such that access to programs and the tim-

1 ing of procedures under this subparagraph
2 shall not be substantially impeded.”; and

3 (B) by inserting after subparagraph (C),
4 the following:

5 “(D) All materials, websites, and other
6 forms of communication associated with the
7 policy described in subparagraph (A) shall be
8 provided in accessible formats for individuals
9 with disabilities, including those who are deaf,
10 blind, or have cognitive, intellectual, or commu-
11 nication disabilities. Provision of such accessible
12 formats shall be timely and shall include proce-
13 dures for addressing problems and failures of
14 any accessibility technology involved.”.

15 (b) TECHNICAL AMENDMENT.—Section
16 120(a)(2)(B)(i) of the Higher Education Act of 1965 (20
17 U.S.C. 1011i(a)(2)(B)(i)) is amended by striking
18 “485(f)(6)” and inserting “485(f)(7)”.

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