

Kettering, Chair  
Sukup  
Mertz

HSB 86

JUDICIARY

Introduced By  
SF/HF 270

SENATE/HOUSE FILE \_\_\_\_\_

BY (PROPOSED DEPARTMENT OF HUMAN  
RIGHTS/CRIMINAL AND JUVENILE  
JUSTICE PLANNING DIVISION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act striking certain filing requirements related to campus  
2 crime statistics and sexual abuse policies.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 260C.14, subsection 19, Code 2001, is  
2 amended by striking the subsection.

3 Sec. 2. Section 261.9, subsection 1, paragraph g, Code  
4 2001, is amended by striking the paragraph.

5 Sec. 3. Section 262.9, subsection 28, Code 2001, is  
6 amended by striking the subsection.

7 EXPLANATION

8 This bill strikes language that requires accredited  
9 postsecondary institutions in Iowa to file with the division  
10 of criminal and juvenile justice planning of the department of  
11 human rights a copy of an annual report, required by the  
12 federal Student Right-To-Know and Campus Security Act, which  
13 relates to campus crime statistics. The language to be  
14 stricken also requires the institutions to file with the  
15 division a copy of a written policy relating to sexual abuse  
16 that the Code requires the institutions to develop and  
17 disseminate to students.

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THOMAS J. VILSACK  
GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

CRIMINAL AND JUVENILE JUSTICE PLANNING  
AND STATISTICAL ANALYSIS CENTER  
RICHARD G. MOORE, ADMINISTRATOR

MEMORANDUM

TO: Members of the General Assembly  
FROM: Richard Moore, Administrator *Richard Moore*  
Criminal and Juvenile Justice Planning  
Department of Human Rights

The Division of Criminal and Juvenile Justice Planning, Department of Human Rights, is requesting the repeal of certain subsections of Iowa Code 260, 261, and 262 that address filing requirements related to campus crime statistics and sexual abuse policies.

CJJP has been receiving this information from accredited postsecondary institutions for a number of years. The information forwarded to us is comprised of 1) copies of the institutions' policies regarding the definition of and handling of sexual abuse incidents, and 2) campus crime statistics as reported to the U.S. Department of Education as required in P.L. 101-542. In none of the sections of the Iowa Code is the division authorized to validate the information provided, establish administrative rules governing the submission of the information, or sanctions for non-compliance with the Code or its intent.

There have been significant changes in the educational climate since the Iowa Code sections were adopted. The U.S. Department of Education has become much more aggressive at requiring compliance with P.L. 101-542. Accredited postsecondary institutions are now required to post their campus crime statistics on the Internet, the federal agency is auditing statistics for accuracy, and they are levying significant fines for failure to report. Public access to the information, therefore, is readily available.

With heightened public awareness of the role educational institutions should play in providing safe environments for students, the majority of institutions have detailed policies and information dissemination practices on campus procedures relating to sexual abuse and other crimes.

It is our considered opinion, therefore, that the Iowa Code provisions are no longer necessary to assure the public of the availability of data about campus crime or to improve campus security. Moreover, the requirements are duplicative and impose a reporting burden on educational institutions. As there are no sanctions included in the Code as it exists, there would be no effect on regulatory functions or the budget if these sections were repealed. No discernable loss of information for the public would result.

Therefore, the repeal of these sections would result in removing a process of reporting that is no longer necessary to inform or protect the public and eliminate duplicative requirements for postsecondary institutions in Iowa.

S- 3/28/01 no pass

FEB 14 2001  
Place On Calendar

HOUSE FILE 270  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 86)

Passed House, Date <sup>(P.503)</sup> 2/27/01 Passed Senate, Date <sup>(P.1050)</sup> 4-10-01  
Vote: Ayes 98 Nays 0 Vote: Ayes 50 Nays 0  
Approved April 17, 2001

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HF 270

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Sec. 3. Section 262.9, subsection 28, Code 2001, is amended by striking the subsection.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

HOUSE FILE 270

AN ACT  
STRIKING CERTAIN FILING REQUIREMENTS RELATED TO CAMPUS CRIME  
STATISTICS AND SEXUAL ABUSE POLICIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

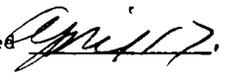
Section 1. Section 260C.14, subsection 19, Code 2001, is amended by striking the subsection.

Sec. 2. Section 261.9, subsection 1, paragraph g, Code 2001, is amended by striking the paragraph.

I hereby certify that this bill originated in the House and is known as House File 270, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved  2001

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THOMAS J. VILSACK  
Governor