



Legislative Update

From the UH Office of Institutional Equity

Act 208, Session Laws 2016. (HB 2772) was signed into law by Governor Ige on July 5, 2016. The Act outlines a number of mandates based on the preliminary recommendations of the Act 222 (Session Laws 2015) Affirmative Consent Task Force regarding sexual harassment, sexual assault, domestic violence, dating violence and stalking. The Act also appropriates \$560,000 for fiscal year 2016-2017 to build and further the University's capacity in upholding the tenants of Title IX and VAWA and fulfill the provisions mandated by Act 208.

A summary of the Act's provisions is as follows:

- All University employees including security personnel, Title IX Coordinators, and residential advisors must be trained by July 1, 2017 and every two years thereafter on Title IX as amended, VAWA as amended as well as all executive policies on sexual harassment, sexual assault, domestic violence, dating violence and stalking;
- All new University employees must be trained regarding the above no later than thirty (30) days after the first day of their employment;
- All University students must be provided training regarding the above annually;
- A confidential advocate for students must be designated at each campus of the University and the name, location, phone number and E mail address of the advocate must be publicized on each campus website;
- Confidential advocates shall annually provide general statistics to the Title IX Coordinator about the number and type of incidents received by the confidential advocate;
- Written and electronic materials and training programs concerning Title IX, VAWA and UH policies concerning sexual harassment, sexual assault, domestic violence, dating violence, and stalking must be made available to students and employees;
- Victims must be informed in writing of their right to file a police report with the appropriate county police department for investigation and receive assistance with submitting the report;
- University faculty members who are not designated as confidential advocates are designated as "Responsible Employees" for Title IX purposes and report violations of University policies regarding sexual harassment, sexual assault, domestic violence, dating violence, and stalking to the Title IX Coordinator of their campus;



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- By March 31, 2017, and every two years thereafter, the University shall conduct a campus climate survey of all students and submit a required report to the Legislature;
- All UH executive policies regarding student conduct, nondiscrimination, complaint procedures, campus security, alcohol consumption, housing and workplace violence that conflict with EP 1.204 must be revised by December 31, 2016;
- The University shall enter into memoranda of understanding with all county police departments by December 31, 2016 to govern communications and procedures for addressing sexual assaults that occur on University system campuses.

A summary of the Act's appropriations is as follows:

- UH Manoa: appropriation for one administrator and two investigators - \$250,000 for fiscal year 2016-2017 only
- UH Hilo: appropriation for one administrative support staff and one education, trainer and investigator - \$160,000 for fiscal year 2016-2017 only
- UH Community Colleges: appropriation to be used for compliance with Title IX - \$150,000 for fiscal year 2016-2017 only

This comprehensive, ambitious law highlights the important work of the Act 222 Task Force which consists of critical community stakeholders and representatives of the University dedicated to ensuring that the University's campuses are safe and to building the necessary and accountable infrastructure to achieve this goal.