

HB 412 -- STUDENT SAFETY AT HIGHER EDUCATION INSTITUTIONS

SPONSOR: Peters

This bill requires, in order to receive state funds for student financial assistance, the governing board of an institution of higher education located in Missouri to adopt a policy concerning sexual assault, domestic violence, dating violence, and stalking involving a student, both on and off campus.

The policy must include a specified affirmative consent standard in the determination of whether consent was given by both parties to sexual activity, specified excuses that must not be valid in the evaluation of complaints in any disciplinary process, and that the standard used in determining whether the elements of the complaint have been demonstrated is the preponderance of the evidence.

In order to receive state funds for student financial assistance, the governing board must:

- (1) Adopt detailed and victim-centered policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards that include specified minimum protocols;
- (2) Enter into memoranda of understanding, agreements, or collaborative partnerships with existing on-campus and community-based organizations, including rape crisis centers, to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, and including resources for the accused; and
- (3) Implement comprehensive prevention and outreach programs addressing sexual violence, domestic violence, dating violence, and stalking encompassing a range of prevention strategies including, but not limited to, empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.

Outreach programs must be provided to make students aware of the institution's policy on sexual assault, domestic violence, dating violence, and stalking. At a minimum, an outreach program must include a process for contacting and informing the student body, campus organizations, athletic programs, and student groups about the institution's overall sexual assault policy, the practical implications of an affirmative consent standard, and the rights and responsibilities of students under the policy and must be included as part of every incoming student's orientation.