

SPONSOR: Rep. K. Williams & Rep. Longhurst & Rep. Romer & Rep. Griffith & Sen. Hansen & Sen. Sturgeon & Sen. Hoffner
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HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 308
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SEXUAL ASSAULT POLICIES FOR INSTITUTIONS OF HIGHER EDUCATION.

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

Section 1. Amend § 9004A, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9004A. Training.

(a) Academic institutions shall provide training to responsible employees regarding the prevalence and nature of sexual assaults on college campuses, the requirements of this chapter, and the reporting requirements under Title IX of the Education Amendments of 1972 [20 U.S.C. § 1681 et seq.], or any regulations or guidance promulgated thereunder. This training shall ensure that responsible employees are trained to respond to disclosures of sexual assaults using best practices with regard to a victim-centered, trauma-informed approach.

(b) ~~Academic institutions shall provide such training to new employees~~ All new employees are required to complete training within 3 months of beginning work as a responsible employee.

(c) ~~Academic institutions shall provide refresher training under this section for all responsible employees~~ All responsible employees are required to complete a refresher training at least every 2 years.

(d) ~~Academic institutions shall provide training for~~ All newly enrolled full-time students are required to complete a training in sexual assault prevention, awareness, the requirements of this chapter, and the reporting requirements under Title IX of the Education Amendments of 1972 [20 U.S.C. § 1681 et seq.], or any regulations or guidance promulgated thereunder.

(e) Academic institutions shall require at-risk student populations, as designated by the academic institution's Title IX coordinator, to receive additional training in sexual assault prevention, awareness and the requirements of this chapter, oriented specifically to the unique situations of each student population.

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Section 2. Amend § 9006A, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9006A. Annual report.

(a) By ~~October 1~~ July 1 of each year, an academic institution is required to make a report to the Department of Justice detailing the following information for the prior ~~calendar~~ academic year:

(1) Certify its compliance with the training requirements of this section. The certification shall include information on training participation rates for faculty, staff, and students, as well as information regarding the format and length of training for each group.

(2) Total number of reports of sexual assault made to the academic institution's Title IX coordinator. The report shall include aggregate data regarding the nature of the assault, the outcomes of any investigation, and any penalties enforced by the school against the perpetrator of a sexual assault where the assault was found substantiated.

(3) Where the academic institution has law-enforcement officers or public-safety officials of its own, that campus law-enforcement agency shall provide the aggregated data of the number and nature of alleged sexual assault reports they received.

(b) By ~~October 1~~ July 1 of each year, the Statistical Analysis Center shall submit to the Department of Justice a report on the outcome or status of complaints of violations of §§ 767-773 of Title 11 where the alleged victim or the alleged perpetrator, or both, is a student of an academic institution and whether the alleged offense occurred on campus at an academic institution. The report shall cover the previous ~~calendar~~ academic year. The Statistical Analysis Center may work with the Delaware Criminal Justice Information System to create a mechanism for police reports of such complaints to indicate whether the alleged victim or the alleged perpetrator, or both, is a student of an academic institution and whether the alleged offense occurred on campus at an academic institution as defined in this section.

(c) By ~~December 15~~ September 15 of each year, the Department of Justice shall furnish to the Governor and the General Assembly all the information provided by each academic institution in subsection (a) of this section and the statistical information reported by the Statistical Analysis Center under subsection (b) of this section. This report shall be considered a public record and shall be posted on the Department of Justice ~~website.~~ website, along with reports from the previous 5 years.

In addition to the current year's data, each report created under this subsection must include the aggregate data collected under this section from the previous 5 years so that data trends are easily identified. The report must also include the rate of change for the number of sexual assaults reported each year.

(d) No reports under this section shall contain any personally identifiable information relating to the alleged victims or perpetrators of a sexual assault.

Section 3. This Act takes effect on June 30, 2025.