

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION  
AND CULTURAL AFFAIRS**

July 2022

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**LD 1727 An Act Concerning Sexual Misconduct on College Campuses**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 733 enacts certain provisions regarding sexual violence, intimate partner violence and stalking at institutions of higher education as follows.

1. It requires each institution of higher education to adopt a policy and related procedures on sexual violence, intimate partner violence and stalking no later than July 1, 2023, which must be publicly available on each institution's campus website and in student handbooks. Notices of where the full policy is available and outreach for victims of sexual violence, intimate partner violence and stalking must be posted at campus locations where students regularly congregate.
2. It requires that each institution provide a reporting party and a responding party with written notice of the institution's decision to hold a disciplinary proceeding regarding an allegation of sexual violence, intimate partner violence or stalking sufficiently in advance of a disciplinary proceeding to provide the reporting and responding parties with the opportunity to meaningfully exercise their rights.
3. It establishes the Higher Education Interpersonal Violence Advisory Commission for the purpose of developing a base interpersonal violence climate survey for dissemination to institutions of higher education and providing recommendations on the content, timing and application of the survey and reporting on the survey to the joint standing committee of the Legislature having jurisdiction over higher education matters.
4. It requires that the interpersonal violence climate survey be disseminated biennially to each institution and for the institution to conduct the survey on each campus of that institution and report a summary of the results of the survey to the Commissioner of Education.
5. It requires institutions of higher education to designate at least one confidential resource advisor to provide emergency and ongoing support to survivors of sexual violence, intimate partner violence and stalking. The confidential resource advisor is required to maintain a physical presence on campus that provides the confidential resource advisor a place to meet discreetly and privately with students or employees in-person or remotely. An institution may contract or partner with a local, state or national victim advocacy organization to provide the confidential resource advisor. It also specifies, with regard to the confidential resource advisor's role, requirements regarding training, coordination, information and resources, responsibilities and prohibitions, and that communications between a reporting party and a confidential resource advisor are privileged from disclosure.
6. It requires institutions of higher education to provide mandatory prevention and awareness programming on sexual violence, intimate partner violence and stalking for all incoming students and all employees of the institution.

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7. It requires training for Title IX coordinators, campus safety personnel and individuals involved in the disciplinary processes at institutions of higher education.
8. It requires an institution of higher education to annually prepare and submit to the Commissioner of Education, the Commissioner of Health and Human Services and the joint standing committee of the Legislature having jurisdiction over higher education matters the annual security report required under the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 United States Code, Section 1092(f).
9. It provides certain immunity from the disciplinary process or sanction or penalty for a violation of the institution's student conduct policy related to drug or alcohol use, trespassing or unauthorized entry of the institution's facilities for a reporting party or a witness who requests an investigation of sexual violence, intimate partner violence or stalking.
10. It requires an institution of higher education to enter into and maintain a memorandum of understanding with a sexual assault support center and domestic violence resource center that is funded by the Department of Health and Human Services.

### **LD 1775 Resolve, Regarding MaineCare Funding for Maine Schools**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 167 requires the Department of Education to collaborate with the Department of Health and Human Services to develop a comprehensive system to support school districts, Child Development Services System and special-purpose private schools in seeking reimbursement for MaineCare-eligible services for all children from birth to grade 12 and submit a report, no later than November 2, 2022 to the joint standing committee having jurisdiction over education matters.

### **LD 1780 An Act To Allow Unorganized Territory School Staff To Receive Annualized Pay**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 699 allows unorganized territory school staff to have the option to receive annualized pay effective July 1, 2023.