

118TH CONGRESS
1ST SESSION

S. 1070

To address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Mr. CASEY (for himself, Ms. HASSAN, Mr. MURPHY, Ms. KLOBUCHAR, Mr. SANDERS, Ms. SMITH, Ms. WARREN, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Equitable Cam-
5 pus Resources and Education Act of 2023”.

6 **SEC. 2. AMENDMENTS TO THE CLERY ACT.**

7 (a) IN GENERAL.—Section 485(f) of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1092(f)) is amended—

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph
3 (A), by inserting “in an accessible format” after
4 “an annual security report”;

5 (B) in subparagraph (F)(ii), by inserting
6 “and of the crimes described in clause (iii),
7 and” after “clause (i)”; and

8 (C) in subparagraph (J)—

9 (i) in clause (ii), by striking “and”
10 after the semicolon;

11 (ii) by redesignating clause (iii) as
12 clause (iv); and

13 (iii) by inserting after clause (ii) the
14 following:

15 “(iii) ensure that such emergency re-
16 sponse and evacuation procedures take into
17 account the needs of students and staff
18 with disabilities; and”;

19 (2) by redesignating paragraphs (2) through
20 (18) as paragraphs (3) through (19), respectively;

21 (3) by inserting after paragraph (1) the fol-
22 lowing:

23 “(2) All reports, materials and information provided
24 in accordance with this subsection shall be available free
25 of charge, in a timely manner, and in accessible formats

1 for individuals with disabilities, including those individuals
2 who are blind or deaf or have cognitive, intellectual, or
3 communication disabilities.”;

4 (4) in paragraph (7)(A), as redesignated by
5 paragraph (2)—

6 (A) by redesignating clauses (iii) through
7 (v) as clauses (iv) through (vi), respectively;
8 and

9 (B) by inserting after clause (ii) the fol-
10 lowing:

11 “(iii) The term ‘disability’ has the meaning
12 given such term in section 3 of the Americans with
13 Disabilities Act of 1990 (42 U.S.C. 12102).”; and

14 (5) in paragraph (9), as redesignated by para-
15 graph (2)—

16 (A) in subparagraph (B)—

17 (i) in clause (i)—

18 (I) in subclause (I)—

19 (aa) in item (ee), by striking
20 “and” after the semicolon and in-
21 serting “, including abusive be-
22 havior and attacks targeting indi-
23 viduals with disabilities; and”;
24 and

1 (bb) in item (ff), by striking
2 “(vii); and” and inserting
3 “(viii);”

4 (II) in subclause (II), by striking
5 the period at the end and inserting a
6 semicolon; and

7 (III) by adding at the end the
8 following:

9 “(III) an assurance that all prevention and
10 awareness programs and materials are acces-
11 sible to, and inclusive of the needs of, individ-
12 uals with disabilities, including those who are
13 deaf or blind or have cognitive, intellectual, or
14 communication disabilities; and

15 “(IV) an assurance that campus security
16 personnel and other individuals responsible for
17 the provision of information or resources under
18 this subsection receive training about working
19 with individuals with disabilities.”;

20 (ii) in the matter preceding subclause
21 (I) of clause (iii), by inserting “and in such
22 formats as are necessary to ensure their
23 accessibility to individuals with disabili-
24 ties,” after “writing”;

25 (iii) in clause (iv)—

- 1 (I) in subclause (I)—
- 2 (aa) in item (aa), by striking
- 3 “and” after the semicolon; and
- 4 (bb) by inserting after item
- 5 (bb) the following:
- 6 “(cc) be conducted by officials who re-
- 7 ceive annual training on how to conduct an
- 8 investigation and hearing process with an
- 9 accuser or an accused who has a disability,
- 10 including individuals who are blind or deaf
- 11 or have cognitive, intellectual, or commu-
- 12 nication disabilities; and
- 13 “(dd) be accessible to individuals with
- 14 disabilities, including individuals who are
- 15 blind, deaf, or have cognitive, intellectual,
- 16 or communication disabilities;”;
- 17 (II) in subclause (II)—
- 18 (aa) by striking “the ac-
- 19 cuser” and inserting “with re-
- 20 spect to such proceedings—
- 21 “(aa) the accuser”; and
- 22 (bb) by inserting after item
- 23 (aa), as added by item (aa), the
- 24 following:

1 “(bb) an accuser or an accused with a
2 disability who discloses such disability is
3 also entitled to be accompanied to any
4 such meeting or proceeding by an inter-
5 preter, transliterator, or other individual
6 providing communication assistance serv-
7 ices, provided by the institution in accord-
8 ance with section 504 of the Rehabilitation
9 Act of 1973 (29 U.S.C. 794) and the
10 Americans with Disabilities Act of 1990
11 (42 U.S.C. 12101 et seq.), to ensure the
12 accuser or accused’s ability to fully partici-
13 pate; and

14 “(cc) the accuser and the accused are
15 entitled to the same opportunities to re-
16 quest accommodations related to their dis-
17 abilities; and”;

18 (III) in subclause (III), in the
19 matter preceding item (aa), by insert-
20 ing “and in such accessible format as
21 is required in the case of an accuser
22 or an accused individual with a dis-
23 ability” following “shall be simulta-
24 neously informed, in writing”; and

1 (iv) by adding after clause (vii) the
2 following:

3 “(viii) Information about the accommodations
4 available to individuals with disabilities with respect
5 to such programs and procedures, how individuals
6 with disabilities may request such accommodations,
7 and an assurance that such accommodations will be
8 provided in a timely manner such that access to pro-
9 grams and the timing of procedures under this sub-
10 paragraph shall not be substantially impeded.”;

11 (B) in subparagraph (C), by striking
12 “(vii)” and inserting “(viii)”; and

13 (C) by inserting after subparagraph (C)
14 the following:

15 “(D) All materials, websites, and other
16 forms of communication associated with the
17 policy described in subparagraph (A) shall be
18 provided in accessible formats for individuals
19 with disabilities, including those individuals who
20 are deaf, blind, or have cognitive, intellectual,
21 or communication disabilities. Provision of such
22 accessible formats shall be timely and shall in-
23 clude procedures for addressing problems and
24 failures of any accessibility technology in-
25 volved.”.

1 (b) TECHNICAL CORRECTION.—Section
2 120(a)(2)(B)(i) of the Higher Education Act of 1965 (20
3 U.S.C. 1011i(a)(2)(B)(i)) is amended by striking
4 “485(f)(6)” and inserting “485(f)(7)”.

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