

HB 328 -- ENOUGH IS ENOUGH ACT

SPONSOR: Ingle

This bill establishes the "Enough is Enough Act", which requires that each institution of higher education adopt sexual assault policies, prominently display such policies on its website, and annually distribute written copies of such policies to all enrolled students. These policies must include an affirmative consent definition and standard. The policies must also specify that a student who reports an incident of sexual assault shall not be subject to discipline for any actions relating to the incident that violated any drug or alcohol policy.

The policies must also include formal grievance procedures providing for investigation and resolution of complaints. The bill requires institutions to follow sexual assault procedures regardless of whether or not a law enforcement agency opens an investigation. Any student accused of sexual assault must be provided with a hearing and an appeals process.

Institutions shall employ at least one full-time Title IX coordinator to investigate Title IX complaints. Institutions must periodically assess the effectiveness of policies and efforts to ensure the absence of sexual harassment and violence. Institutions must also submit to the Federal Office for Civil Rights copies of all student grievances alleging sexual harassment or violence as well as documentation related to the investigation of such grievances.

This bill is similar to and HB 1582 (2020) and HB 1077 (2019).