



POWER-BASED VIOLENCE

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& SEXUAL MISCONDUCT

***TITLE IX AND
POWER-BASED
VIOLENCE***

2023 REPORT

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IMAGE SOURCES (Covers): Getty Images.

Overview

Act 472 of the 2021 Regular Session of the Louisiana Legislature created the Campus Accountability and Safety Act, which was designed to establish processes and procedures to guide public postsecondary education stakeholders in maintaining safety and protection for students and employees on their campuses. The law significantly extended the policy environment to add power-based violence, a term that includes but is not limited to sexual misconduct and Title IX conduct. This law charged the Louisiana Board of Regents (Regents) to establish uniform policies and best practices to address the reporting and prevention of power-based violence at postsecondary campuses, as well as communication between institutions regarding incidents of power-based violence.

Additionally, campuses are mandated to provide a safe learning environment that is free from sexual misconduct, as provided in Title IX of the Education Amendments of 1972 and its implementing regulations, along with other applicable state and federal laws. Title IX and its regulations prohibit any form of discrimination or harassment on the basis of sex for all students and employees of educational systems that receive federal funding.

Since the implementation of Act 472, Regents has continued collaboration with higher education stakeholders, including public postsecondary systems, as we focus on strengthening campus safety and educating our students. Over the past year Regents has worked closely with the systems and other stakeholders, such as the Louisiana Foundation Against Sexual Assault, the Attorney General's Office, and the Power-Based Violence Review Panel, on matters regarding policy, training, reporting, and information dissemination to increase and promote safety across Louisiana's campuses, as prescribed in Act 472 ([Appendix A](#)) and Act 447 ([Appendix B](#)) of the 2021 Regular Legislative Session.

This report provides a summary of 2023 campus employee training and power-based violence incident reports, along with an update on legislative actions, outreach activities and suggestions to advance this work. Regents and all of the postsecondary systems remain committed to promoting a safe learning environment for students and the higher education community.

Act 472 requires Regents to establish uniform policies and best practices for the reporting, prevention, and processes related to power-based violence. The current Board of Regents Uniform Policy on Power-Based Violence can be found at the link provided in [Appendix K](#). Likewise, Louisiana public postsecondary systems are required to establish policies. The Louisiana Community and Technical College System (LCTCS) policy can be found in [Appendix L](#); the policy for the Louisiana State University System in [Appendix M](#); the policy for the Southern University System in [Appendix N](#); and the policy for the University of Louisiana System in [Appendix O](#).

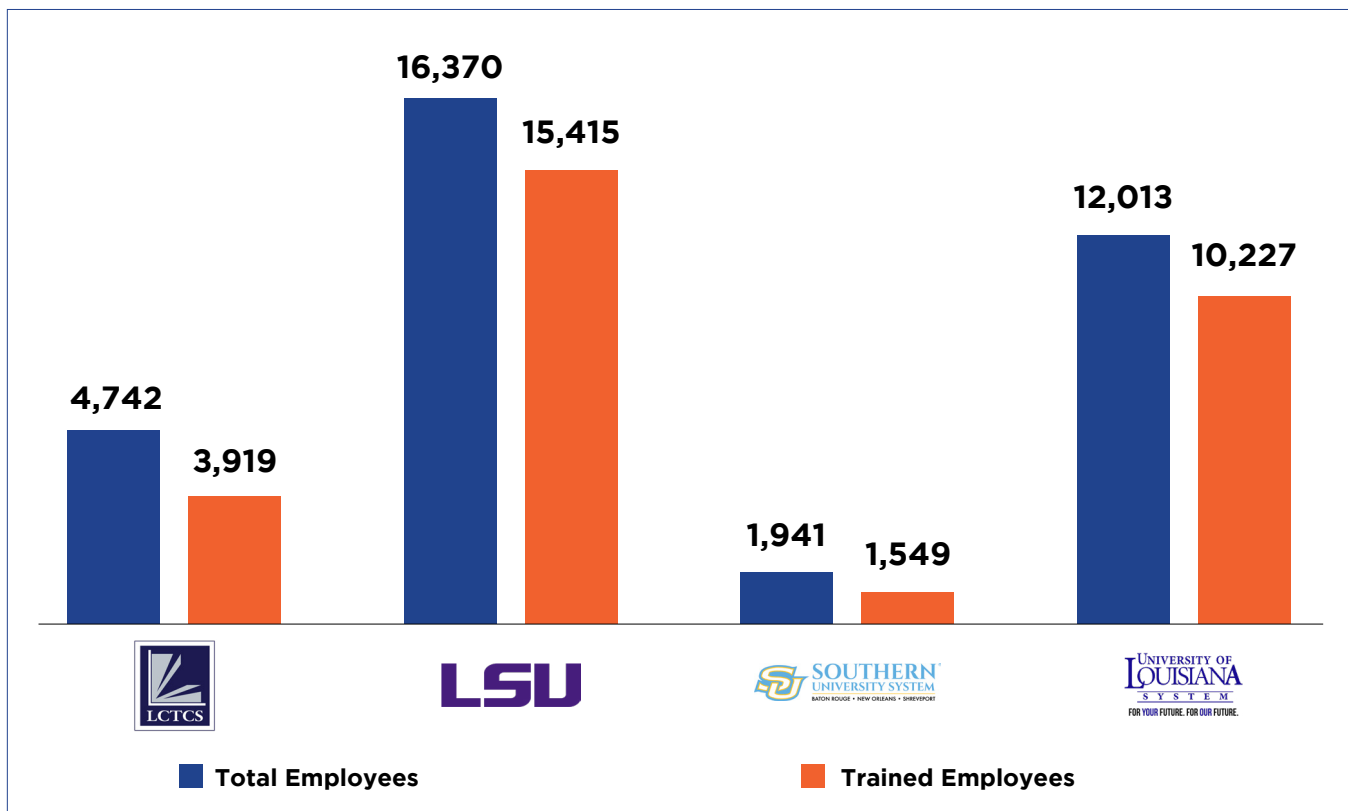
Administrative Reporting

Act 472 and the Board of Regents Uniform Policy on Power-Based Violence require significant up-the-chain reporting by each institution’s Title IX coordinator, chancellor, system president, and system management board. The report includes information on (1) annual training completion for employees and confidential advisors and (2) campus incident reports.

► Training

All public postsecondary employees are required to complete annual training on power-based violence. By the end of fall 2023, 31,110 (88.7%) employees across all four public postsecondary systems completed annual training on power-based violence. Figure 1 shows the total number of employees trained by the end of fall 2023.

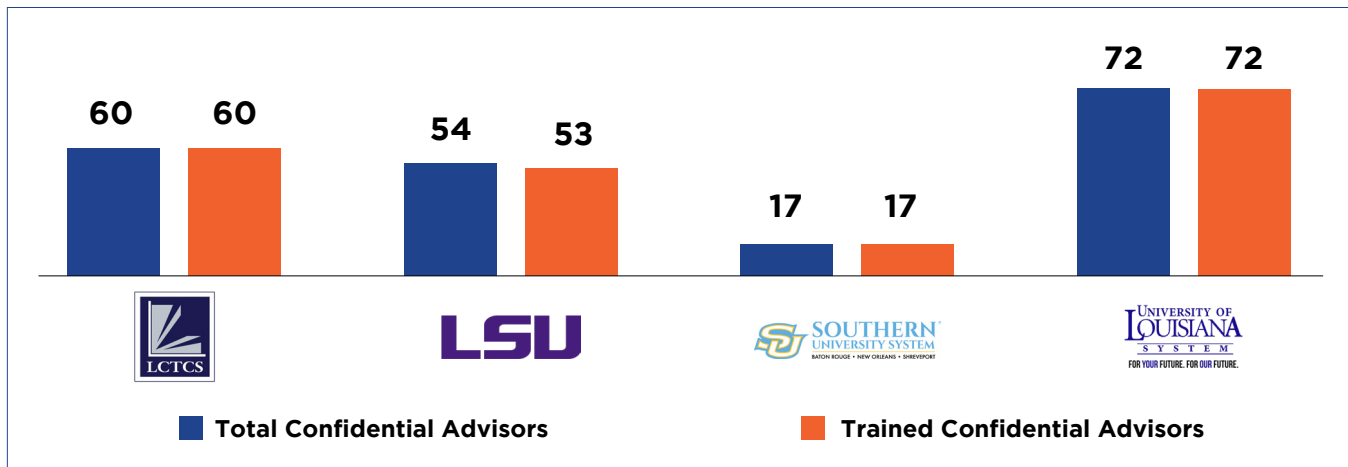
Figure 1. Statewide Training: Employees by System



Source: System-Submitted Data to the Louisiana Board of Regents, Fall 2023

A confidential advisor is defined as a person designated by an institution to provide emergency and ongoing support to students who are alleged victims of power-based violence. Currently 203 people across all four systems have been designated as confidential advisors and have completed annual training (99.5%) to serve students who have reported incidents of power-based violence. Figure 2 shows the total number of confidential advisors across the four public postsecondary systems and the status of their training.

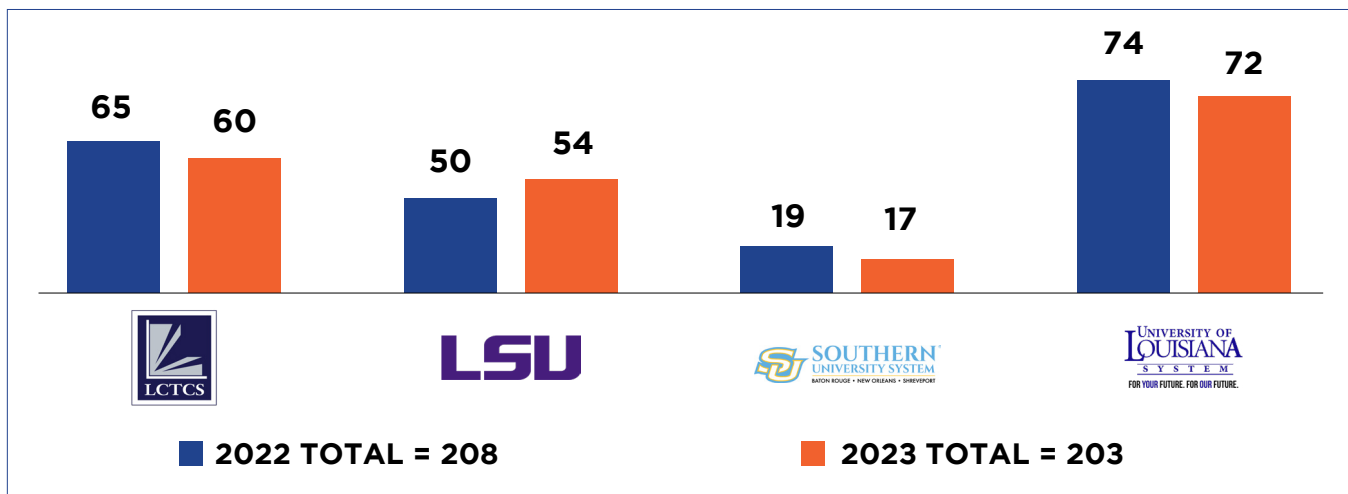
Figure 2. Statewide Training: Confidential Advisors by System



Source: System-Submitted Data to the Louisiana Board of Regents, Fall 2023

The law requires that by January 1 of each year Regents recommend and review the number of confidential advisors for each institution, which is currently at a ratio of one advisor per 1,500 students. The existing ratio was adopted from the International Accreditation of Counseling Services (IACS) Standards for University and College Counseling Services as no national ratio for confidential advisors to students currently exists. Regents will continue to utilize a ratio of 1:1,500 as its required confidential-advisor-to-student ratio for 2024. All public institutions have met or exceeded this ratio. Figure 3 shows a comparison of the number of confidential advisors reported per system in 2022 and 2023.

Figure 3. Confidential Advisors by System, 2022 vs. 2023



Source: System-Submitted Data to the Louisiana Board of Regents, Fall 2023

► **Reported Incidents**

By December 31 each year, each public postsecondary education management board is required to submit a summary report to Regents, including the total count of formal complaints filed at each campus within the system. A formal complaint is a signed document filed by a Complainant or signed by the Title IX Coordinator alleging power-based violence or retaliation and requesting the institution investigate and possibly adjudicate the alleged incident.

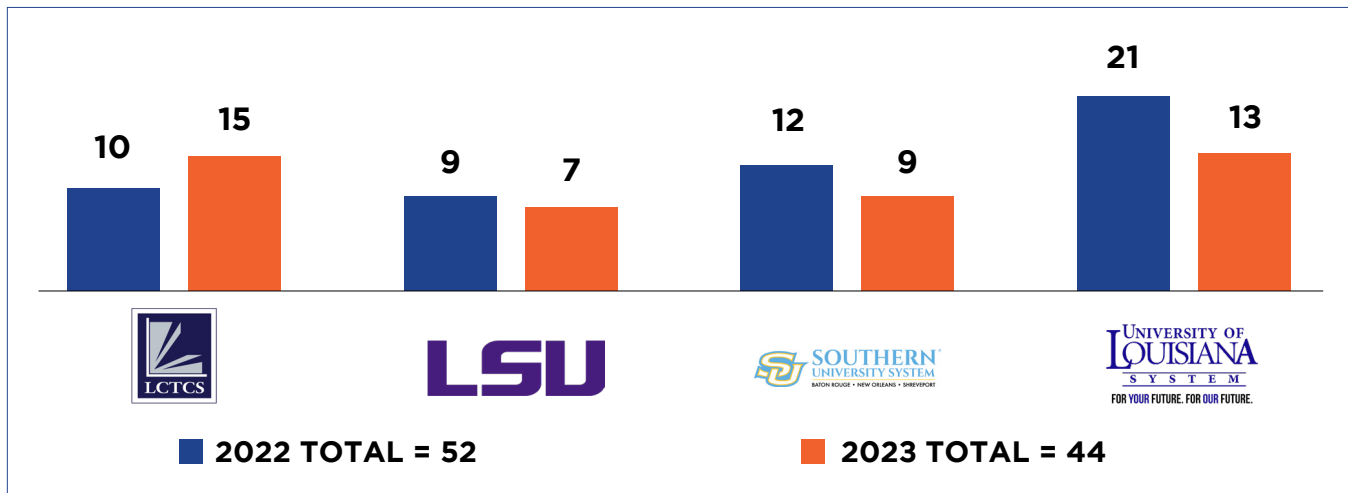
At the end of fall 2023, 44 formal complaints had been filed across all four systems. Fourteen complaints were addressed through informal resolution. An informal resolution is defined as a voluntary process that is separate and distinct from an institution’s investigation and adjudication processes and allows the parties (i.e., Complainant and Respondent) to reach a mutually agreeable resolution.

One complaint resulted in the finding that power-based violence occurred (LSU A&M). One complaint resulted in the finding that the respondent was not responsible for the alleged conduct (SOWELA Technical Community College). At the time of this report, seven complaints remain open.

Of the 21 complaints not addressed above, thirteen were transferred to more appropriate offices (i.e., student affairs, human resources), three were dismissed due to jurisdiction, and five were withdrawn or requested to be dismissed by the Complainant.

Figure 4 shows a comparison of number of formal complaints reported by the public postsecondary systems in 2022 and 2023.

Figure 4. *Formal Complaints by System, 2022 vs. 2023*



Source: *System-Submitted Data to the Louisiana Board of Regents, 2023*

The Board of Regents summary report can be found in [Appendix F](#). Individual system 2023 reports can be found in the appendices to this report: Louisiana Community and Technical College System (LCTCS) in [Appendix G](#); Louisiana State University System in [Appendix H](#); Southern University System in [Appendix I](#); and the University of Louisiana System in [Appendix J](#).

Additional 2023 Legislative Actions

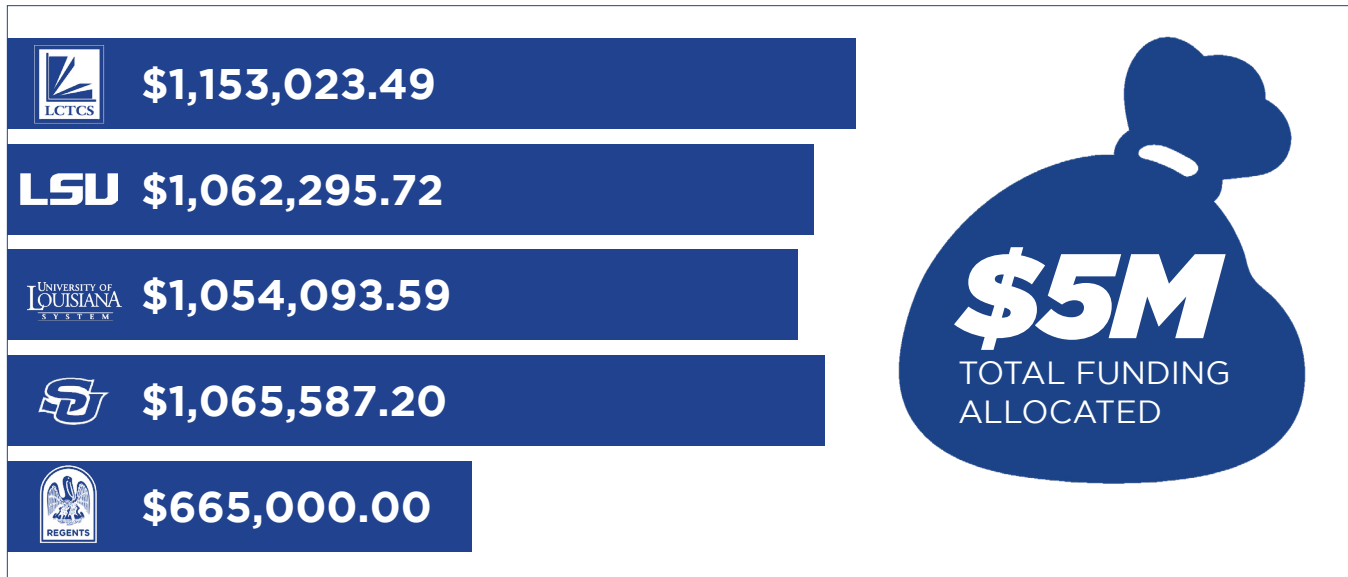
► Updated Law

During Louisiana’s 2023 Regular Legislative Session, Act 211 ([Appendix E](#)) was enacted, mandating a 30-day deadline for law enforcement to execute memoranda of understanding (MOUs) with public postsecondary institutions. This legislative change was requested to assist institutions in executing timely MOUs with off-campus law enforcement officials. To support this effort, Regents communicated the timeline change to law enforcement associations and the Louisiana District Attorneys Association during fall 2023. In 2023, all necessary MOUs were executed and in place. However, needed updates are expected as personnel change in 2024. The law does require an annual MOU review.

► Power-Based Violence Funding

In 2023 the Louisiana Legislature again allocated \$5 million in recurring funding to strengthen Title IX offices across the state. The systems have continued to utilize the allocated state funding to support ongoing employee training, promotion of power-based violence events and programming on campuses, development of educational materials, and support of investigative services. Regents utilized the allocated funding to support statewide training, certifications, consulting, and additional personnel. Figure 5 shows the allocation of funding.

Figure 5. 2023 Title IX Funding Allocation



Source: Louisiana Board of Regents, Fall 2023

Prior to the upcoming 2024 Regular Session, the systems will share detailed information on use of these funds as we seek continuation of these important resources.

Legislative Recommendations

The Power-Based Violence Review Panel, established through Act 441 of the 2021 Regular Legislative Session, holds a pivotal role in shaping the landscape of power-based violence response and prevention. The Panel evaluates and suggests improvements for policies and procedures in public postsecondary education regarding power-based violence, advises and assists in coordinating prevention programs, and acts as an advisory body to various stakeholders (i.e., the governor, the Louisiana legislature, etc.). As a result of continued dialogue with the public postsecondary systems, two legislative recommendations were presented to the Power-Based Violence Panel for consideration to better align information sharing between higher education and the legislature.

► **Annual Training Report**

As mentioned previously, current law requires administrative reporting to include information on (1) annual training completion for employees and confidential advisors and (2) incident reports on employee and confidential advisor training.

Due to the timeline for up-the-chain reporting, the existing training report fails to capture training conducted between October 10th and December 31st, as this period is excluded from the report and captured the following year. This is because the initial campus level reports are due to each institution's Chancellor by October 10th, and only capture data through that date. However, employees have until December 31st to complete the power-based violence training required by state law.

To ensure a complete annual training report, the public postsecondary systems and the Power-Based Violence Review Panel proposes shifting the system training report submission date to January 15th. It is important to note that this change will not impact incident reports, which will continue to follow the reporting cycle mandated by current law. The report on incidents would continue to be due to Regents on December 31st, with an interim report in the summer, while the annual training report would be due to Regents on January 15th.

► **Legislative Report Submission**

To accommodate this adjusted system submission date and allow ample time for Regents to compile a thorough statewide report for the Legislature, the Power-Based Violence Review Panel also recommends moving Regents' annual legislative report submission date to February 15th. This realignment ensures a more accurate and comprehensive representation of the entire year's training efforts across the public postsecondary systems.

Other Key Updates

► **Student Engagement**

In April 2023, Regents conducted a focus group with the Council of Student Body Presidents (COSBP) to evaluate student awareness of campus power-based violence and campus cultures. This session revealed the varied levels of awareness of the policies and procedures among COSBP leadership.

From these discussions, Regents recommended that each system convene a meeting with their COSBP leadership and campus Title IX Coordinators. To support this information-sharing opportunity, Regents, in coordination with the systems, developed one-pagers to provide Title IX personnel information, including name, office location and contact information, to every student body president for every campus and system. These meetings have all occurred and the one-page resource was distributed to COSBP students in September 2023.

► **Website Dashboard**

Based on recommendations and feedback from the Power-Based Violence Review Panel, stakeholders and system contacts, Regents has developed a website to serve as the [Power-Based Violence and Title IX Resource Hub](#). Launched in January 2024, the informational website offers statewide and national resources, a search feature for students to identify their campus Title IX Coordinator, and a repository of training videos and materials for campus Title IX Coordinators and confidential advisors. This resource hub will be useful to interested stakeholders and will be regularly updated to ensure timely information sharing. While this is an informational website and cannot be used for individual incident reporting; the website does provide information on where campus incident reports should be directed.

► **Title IX Update**

The U.S. Department of Education Office for Civil Rights released proposed changes to the Title IX regulations in June 2022 and April 2023, respectively. It is anticipated that the proposed changes will be finalized in March 2024. Regents is monitoring this and will ensure dissemination of updated information when it is released.

Conclusion

We remain dedicated to ongoing efforts to create and maintain safe campuses that provide an inviting and innovative environment conducive for students to learn, grow and graduate. Moving forward, Regents will continue to work alongside the Legislature, public postsecondary management boards, campuses, students, law enforcement and other stakeholders to enhance collaboration and effectiveness.

The elevation and evaluation of this work will continue through the engagement of the Power-Based Violence Review Panel, established through Act 441 of the 2021 Regular Legislative Session ([Appendix C](#)) and amended by Act 689 of the 2022 Regular Legislative Session ([Appendix D](#)) and Act 211 of the 2023 Regular Legislative Session ([Appendix E](#)).

We thank Senator Barrow, chair of both the Select Committee on Women and Children and the Power-Based Violence Review Panel, along with the members of both committees, the legislature and stakeholders for your steadfast commitment to campus safety.

Appendices

- A.** [Act 472 of the 2021 Regular Legislative Session](#)
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- O.** [University of Louisiana System Sexual Misconduct/Power-Based Violence Policy](#)



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