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HOUSE FLOOR AMENDMENTS

2021 Regular Session

Amendments proposed by Representative Freeman to Reengrossed Senate Bill No. 230 by Senator Mizell

1 AMENDMENT NO. 1

2 Delete the set of committee amendments by the House Committee on Education (#2864)

3 AMENDMENT NO. 2

4 Delete the set of floor amendments by the Legislative Bureau (#2093)

5 AMENDMENT NO. 3

6 On page 1, delete lines 14 through 17 and delete pages 2 through 16 and on page 17, delete  
7 lines 1 through 8 and insert the following:

8 "Section 1. R.S. 15:624(A)(3) is hereby enacted to read as follows:

9 §624. Sexually-oriented criminal offense data; reporting

10 A. \* \* \*

11 **(3) By February fifteenth of each year, each college or university campus**  
12 **police department shall submit the report to the president of the institution's**  
13 **system, the chancellor of the institution, and the institution's Title IX**  
14 **coordinator. The chancellor shall have the report posted on the institution's**  
15 **website.**

16 \* \* \*

17 Section 2. Part XII of Chapter 26 of Title 17 of the Louisiana Revised Statutes of  
18 1950, comprised of R.S. 17:3399.11 through 3399.17, is hereby amended and reenacted to  
19 read as follows:

20 PART XII. CAMPUS ACCOUNTABILITY AND SAFETY

21 §3399.11. Short Title title

22 This Part may be referred to as the "Campus Accountability and Safety Act".

23 ~~3399.13.~~ **§3399.12.** Definitions

24 For the purposes of this Part, the following terms **and phrases** shall have the  
25 following meanings unless the context clearly indicates otherwise:

26 (1) **"Chancellor" means the chief executive officer of a public**  
27 **postsecondary education institution.**

28 (2) ~~"President" means the president of the system of the respective institution.~~

29 **"Confidential advisor" means a person designated by an institution to**  
30 **provide emergency and ongoing support to students who are alleged victims of**  
31 **power-based violence.**

32 (3) ~~"Sexually-oriented criminal offense" includes any sexual assault offense~~  
33 ~~as defined in R.S. 44:51 and any sexual abuse offense as defined in R.S. 14:403.~~

34 **"Employee" means:**

35 (a)(i) **An administrative officer, official, or employee of a public**  
36 **postsecondary education board or institution.**

37 (ii) **Anyone appointed to a public postsecondary education board or**  
38 **institution.**

39 (iii) **Anyone employed by or through a public postsecondary education**  
40 **board or institution.**

1 (iv) Anyone employed by a foundation or association related to a public  
 2 postsecondary education management board or institution.

3 (b) "Employee" does not include a student enrolled at a public  
 4 postsecondary institution, unless the student works for the institution in a  
 5 position such as a teaching assistant or a residential advisor.

6 (4) "Institution" means a public postsecondary education institution.

7 (5) "Power-based violence" means any form of interpersonal violence  
 8 intended to control or intimidate another person through the assertion of power  
 9 over the person and shall include the following:

10 (a) Dating violence (R.S. 46:2151(C)).

11 (b) Domestic abuse and family violence (R.S. 46:2121.1(2) and 2132(3)).  
 12 For the purposes of this Part, domestic abuse shall also include any act or threat  
 13 to act that is intended to coerce, control, punish, intimidate, or exact revenge on  
 14 the other party, for the purpose of preventing the victim from reporting to law  
 15 enforcement or requesting medical assistance or emergency victim services, or  
 16 for the purpose of depriving the victim of the means or ability to resist the abuse  
 17 or escape the relationship.

18 (c) Nonconsensual observation of another person's sexuality without the  
 19 other person's consent, including voyeurism (R.S. 14:283.1), video voyeurism  
 20 (R.S. 14:283), nonconsensual disclosure of a private image (R.S. 14:283.2), and  
 21 peeping tom activities (R.S. 14:284).

22 (d) Sexual assault (R.S. 14:41, 42 through 43.5, 89, 89.1, and 106).

23 (e) "Sexual exploitation" which means an act attempted or committed  
 24 by a person for sexual gratification, financial gain, or other advancement  
 25 through the abuse of another person's sexuality including prostituting another  
 26 person (R.S. 14:46.2 and 82 through 86).

27 (f) "Sexual harassment" which means unwelcome sexual advances,  
 28 requests for sexual favors, and other verbal, physical, or inappropriate conduct  
 29 of a sexual nature when the conduct explicitly or implicitly affects an  
 30 individual's employment or education, unreasonably interferes with an  
 31 individual's work or educational performance, or creates an intimidating,  
 32 hostile, or offensive work or educational environment and has no legitimate  
 33 relationship to the subject matter of a course or academic research.

34 (g) Stalking (R.S. 14:40.2) and cyberstalking (R.S. 14:40.3).

35 (h) Unlawful communications (R.S. 14:285).

36 (i) Unwelcome sexual or sex- or gender-based conduct that is objectively  
 37 offensive, has a discriminatory intent, and lacks a bona fide academic purpose.

38 (6) "Responsible employee" means an employee as defined in Paragraph  
 39 (3) of this Section who receives a direct statement regarding or witnesses an  
 40 incident of power-based violence. "Responsible employee" does not include an  
 41 employee designated as a confidential advisor pursuant to R.S. 17:3399.15(B)  
 42 or an employee who has privileged communications with a student as provided  
 43 by law.

44 (7) "System president" means the president of a public postsecondary  
 45 education system.

46 (8) "Title IX coordinator" means the individual designated by a public  
 47 postsecondary education institution as the institution's official for coordinating  
 48 the institution's efforts to comply with and carry out its responsibilities under  
 49 Title IX of the Education Amendments of 1972.

50 §3399.13. Mandatory reporting of power-based violence

51 A. Except as provided in Subsection C of this Section, a responsible  
 52 employee who receives a direct statement regarding or witnesses an incident of  
 53 power-based violence committed by or against a student shall promptly report  
 54 the incident to the institution's Title IX coordinator.

55 B. A responsible employee who receives information regarding  
 56 retaliation against a person for reporting power-based violence shall promptly  
 57 report the retaliation to the institution's Title IX coordinator.

58 C. A responsible employee is not required to make a report if  
 59 information is received under any of the following circumstances:

1 (1) During a public forum or awareness event in which an individual  
 2 discloses an incident of power-based violence as part of educating others.

3 (2) Disclosure is made in the course of academic work consistent with the  
 4 assignment.

5 (3) Disclosure is made indirectly, such as in the course of overhearing a  
 6 conversation.

7 D. A report under this Section shall include the following information if  
 8 known:

9 (1) The identity of the alleged victim.

10 (2) The identity of the alleged perpetrator.

11 (3) The type of power-based violence or retaliation alleged to have been  
 12 committed.

13 (4) Any other information about witnesses, location, date, and time that  
 14 the incident occurred.

15 §3399.13.1. Administrative reporting requirements

16 A. Not later than October tenth and April tenth of each year, the Title  
 17 IX coordinator of an institution shall submit to the chancellor of the institution  
 18 a written report on the reports received under R.S. 17:3399.13, including  
 19 information regarding:

20 (1) The investigation of those reports.

21 (2) The disposition, if any, of any disciplinary processes arising from  
 22 those reports.

23 (3) The reports for which the institution determined not to initiate a  
 24 disciplinary process, if any.

25 (4) Any complaints of retaliation and the status of the investigation of the  
 26 complaints.

27 B. The Title IX coordinator of an institution shall immediately report to  
 28 the chancellor of the institution an incident reported to the coordinator under  
 29 R.S. 17:3399.13 if the coordinator has cause to believe as a result of the incident  
 30 that the safety of any person is in imminent danger.

31 C. The chancellor of each institution shall submit a report to the  
 32 institution's management board within fourteen days of receiving the report  
 33 pursuant to Subsection A of this Section from the Title IX coordinator. The  
 34 report shall include the number of responsible employees and confidential  
 35 advisors for the institution, the number and percentage of these who have  
 36 completed required annual training, the number of complaints of power-based  
 37 violence received by the institution, the number of complaints which resulted  
 38 in a finding that power-based violations occurred, the number of complaints in  
 39 which the finding of power-based violations resulted in discipline or corrective  
 40 action, the type of discipline or corrective action taken, the amount of time it  
 41 took to resolve each complaint, the number of reports of retaliation, and the  
 42 findings of any investigations of reports of retaliation. The report shall be  
 43 posted on the institution's website.

44 D. The system president shall submit a system-wide summary report  
 45 within fourteen days of receiving the reports from the chancellors to the  
 46 management board. The report shall be published on the website of the system.

47 E. The management board shall send an annual system-wide summary  
 48 report to the Board of Regents by December thirty-first. The Board of Regents  
 49 shall post the report on its website.

50 F. The Board of Regents shall annually submit a report to the governor,  
 51 the president of the Senate, the speaker of the House of Representatives, and the  
 52 Senate and House committees on education by January fifteenth which shall  
 53 include the systemwide and statewide information. The report shall also include  
 54 any recommendations for legislation. The report shall be published on the  
 55 website of the Board of Regents.

56 §3399.13.2. Immunities

57 A. A person acting in good faith who reports or assists in the  
 58 investigation of a report of an incident of power-based violence, or who testifies

1 or otherwise participates in a disciplinary process or judicial proceeding arising  
 2 from a report of such an incident:

3 (1) Shall be immune from civil liability and from criminal liability that  
 4 might otherwise be incurred or imposed as a result of those actions.

5 (2) May not be subjected to any disciplinary action by the institution in  
 6 which the person is enrolled or employed for any violation by the person of the  
 7 institution's code of conduct reasonably related to the incident for which  
 8 suspension or expulsion from the institution is not a possible punishment.

9 B. Subsection A of this Section shall not apply to a person who  
 10 perpetrates or assists in the perpetration of the incident reported under R.S.  
 11 17:3399.13.

12 §3399.13.3. Failure to report or false reporting

13 A responsible employee who is determined by the institution's  
 14 disciplinary procedures to have knowingly failed to make a report or, with the  
 15 intent to harm or deceive, made a report that is knowingly false shall be  
 16 terminated.

17 §3399.13.4. Confidentiality

18 A. Unless waived in writing by the alleged victim, the identity of an  
 19 alleged victim of an incident reported under R.S. 17:3399.13 is confidential and  
 20 not subject to disclosure except to:

21 (1) A person employed by or under contract with the institution to which  
 22 the report is made, if the disclosure is necessary to conduct the investigation of  
 23 the report or any related hearings.

24 (2) A law enforcement officer as necessary to conduct a criminal  
 25 investigation of the report.

26 (3) A person alleged to have perpetrated the incident, to the extent  
 27 required by law.

28 (4) A potential witness to the incident as necessary to conduct an  
 29 investigation of the report.

30 B. The alleged victim shall have the right to obtain a copy of any report  
 31 made pursuant to this Part that pertains to the alleged victim.

32 §3399.13.5. Retaliation prohibited

33 A. An institution shall not discipline, discriminate, or otherwise retaliate  
 34 against an employee or student who in good faith either:

35 (1) Makes a report as required by R.S. 17:3399.13.

36 (2) Cooperates with an investigation, a disciplinary process, or a judicial  
 37 proceeding relating to a report made by the employee or student as required by  
 38 R.S. 17:3399.13.

39 B. Subsection A of this Section does not apply to an employee or student  
 40 who either:

41 (1) Reports an incident of power-based violence perpetrated by the  
 42 employee or student.

43 (2) Cooperates with an investigation, a disciplinary process, or a judicial  
 44 proceeding relating to an allegation that the employee or student perpetrated  
 45 an incident of power-based violence.

46 §3399.14. Coordination with local law enforcement

47 A. Each ~~On or before January 1, 2022,~~ each institution and law  
 48 enforcement and criminal justice agency located within the parish of the campus of  
 49 the institution, ~~including the campus police department, if any, the local district~~ attorney's office, and any law enforcement agency with criminal jurisdiction  
 50 ~~over the campus,~~ shall enter into and maintain a written memorandum of  
 51 understanding to clearly delineate responsibilities and share information in  
 52 accordance with applicable federal and state confidentiality laws, including but not  
 53 limited to trends about ~~sexually-oriented criminal offenses occurring~~ power-based  
 54 ~~violence committed by or~~ against students of the institution.

55 B. The Board of Regents' Uniform Policy on Sexual Assault shall require that  
 56 the memorandum of understanding, as described in Subsection A of this Section, be  
 57 updated every two years.  
 58

1           ~~C.~~ Each memorandum of understanding entered into pursuant to this Part  
 2 shall include:

3           (1) Delineation and sharing protocols of investigative responsibilities.

4           (2) Protocols for investigations, including standards for notification and  
 5 communication and measures to promote evidence preservation.

6           (3) Agreed-upon training and requirements for the parties to the  
 7 memorandum of understanding on issues related to ~~sexually-oriented criminal~~  
 8 offenses power-based violence for the purpose of sharing information and  
 9 coordinating training to the extent possible.

10          (4) A method of sharing general information about ~~sexually-oriented criminal~~  
 11 offenses power-based violence occurring within the jurisdiction of the parties to the  
 12 memorandum of understanding in order to improve campus safety.

13          ~~D. The (5) A requirement that the~~ local law enforcement agency shall  
 14 include information on its police report regarding the status of the alleged victim as  
 15 a student at an institution ~~as defined in this Part.~~

16          ~~E. The Institutions shall not be held liable if the local law enforcement~~  
 17 ~~agency refuses to enter into a memorandum of understanding as required by this~~  
 18 ~~Section.~~

19          **C. Each memorandum of understanding shall be signed by all parties to**  
 20 **the memorandum.**

21          **D. Each executed memorandum of understanding shall be reviewed**  
 22 **annually by each institution's chancellor, Title IX coordinator, and the**  
 23 **executive officer of the criminal justice agency, and shall be revised as**  
 24 **considered necessary.**

25          **E. Nothing in this Part or any memorandum of understanding entered**  
 26 **into pursuant to this Section shall be construed as prohibiting a victim or**  
 27 **responsible employee from making a complaint to both the institution and a law**  
 28 **enforcement agency.**

29 §3399.15. Campus security policy

30          **A.** The Board of Regents shall establish uniform policies and best practices  
 31 to implement measures to address the reporting of ~~sexually-oriented criminal~~  
 32 offenses power-based violence on institution campuses, the prevention of such  
 33 crimes violence, communication between institutions regarding incidents of  
 34 power-based violence, and the provision of medical and mental health care needed  
 35 for these alleged victims ~~that includes the following:~~

36          **B. Each public postsecondary education management board shall**  
 37 **institute policies incorporating the policies and best practices prescribed by the**  
 38 **Board of Regents regarding the prevention and reporting of incidents of power-**  
 39 **based violence committed by or against students of an institution. The policies,**  
 40 **at a minimum, shall require each institution under the board's management to**  
 41 **provide for the following:**

42           (1) Confidential advisors. (a) The institution shall designate individuals who  
 43 shall serve as confidential advisors, such as health care staff, clergy, staff of a  
 44 women's center, or other such categories. Such designation shall not preclude the  
 45 institution from partnering with national, state, or local victim services organizations  
 46 to serve as confidential advisors or to serve in other confidential roles.

47           (b) **Prior to designating a person as a confidential advisor, the person**  
 48 **shall complete a training program that includes information on power-based**  
 49 **violence, trauma-informed interactions, Title IX requirements, state law on**  
 50 **power-based violence, and resources for victims.**

51           (c) The confidential advisor shall complete ~~the training requirements as~~  
 52 ~~provided in this Part.~~ **annual training relative to power-based violence and Title**  
 53 **IX. The initial and annual training shall be developed by**

54           ~~(c)~~ Not later than January 1, 2016, the attorney general in collaboration with  
 55 the Board of Regents; ~~and~~ shall ~~develop~~ **be provided through** online training  
 56 materials; ~~in addition to the training required under this Part, for the training of~~  
 57 ~~confidential advisors.~~

58           (d) The confidential advisor shall inform the alleged victim of the following:

1 (i) The rights of the alleged victim under federal and state law and the  
2 policies of the institution.

3 (ii) The alleged victim's reporting options, including the option to notify the  
4 institution, the option to notify local law enforcement, and any other reporting  
5 options.

6 (iii) If reasonably known, the potential consequences of the reporting options  
7 provided in this Part.

8 (iv) The process of investigation and disciplinary proceedings of the  
9 institution.

10 (v) The process of investigation and adjudication of the criminal justice  
11 system.

12 (vi) The limited jurisdiction, scope, and available sanctions of the  
13 institutional student disciplinary proceeding, and that it should not be considered a  
14 substitute for the criminal justice process.

15 (vii) Potential reasonable accommodations that the institution may provide  
16 to an alleged victim.

17 (viii) The name and location of the nearest medical facility where an alleged  
18 victim may have a rape kit administered by an individual trained in sexual assault  
19 forensic medical examination and evidence collection, and information on  
20 transportation options and available reimbursement for a visit to such facility.

21 (e) The confidential advisor may, as appropriate, serve as a liaison between  
22 an alleged victim and the institution or local law enforcement, when directed to do  
23 so in writing by an alleged victim who has been fully and accurately informed about  
24 what procedures shall occur if information is shared, and assist an alleged victim in  
25 contacting and reporting to a responsible employee or local law enforcement.

26 (f) The confidential advisor shall be authorized by the institution to liaise  
27 with appropriate staff at the institution to arrange reasonable accommodations  
28 through the institution to allow the alleged victim to change living arrangements or  
29 class schedules, obtain accessibility services, or arrange other accommodations.

30 (g) The confidential advisor shall be authorized to accompany the alleged  
31 victim, when requested to do so by the alleged victim, to interviews and other  
32 proceedings of a campus investigation and institutional disciplinary proceedings.

33 (h) The confidential advisor shall advise the alleged victim of, and provide  
34 written information regarding, both the alleged victim's rights and the institution's  
35 responsibilities regarding orders of protection, no-contact orders, restraining orders,  
36 or similar lawful orders issued by a court of competent jurisdiction or by the  
37 institution.

38 (i) The confidential advisor shall not be obligated to report crimes to the  
39 institution or law enforcement in a way that identifies an alleged victim or an  
40 accused individual, unless otherwise required to do so by law. The confidential  
41 advisor shall, to the extent authorized under law, provide confidential services to  
42 students. Any requests for accommodations, as provided in Subparagraph (f) of this  
43 Paragraph, made by a confidential advisor shall not trigger an investigation by the  
44 institution.

45 (j) ~~No later than the beginning of the 2016-2017 academic year, the~~ **The**  
46 institution shall appoint an adequate number of confidential advisors. The Board of  
47 Regents shall determine the adequate number of confidential advisors for an  
48 institution, based upon its size, no later than January 1, ~~2016~~ **2022, and on January**  
49 **first annually thereafter.**

50 (k) Each institution that enrolls fewer than five thousand students may partner  
51 with another institution in their system or region to provide the services described  
52 in this Subsection. However, this Paragraph shall not absolve the institution of its  
53 obligations under this Part.

54 (l) Each institution may offer the same accommodations to the accused that  
55 are hereby required to be offered to the alleged victim.

56 (2) Website. The institution shall list on its website:

57 (a) The contact information for obtaining a confidential advisor.

58 (b) Reporting options for alleged victims of ~~a sexually-oriented criminal~~  
59 **offense power-based violence.**

1 (c) The process of investigation and disciplinary proceedings of the  
2 institution.

3 (d) The process of investigation and adjudication of the criminal justice  
4 system.

5 (e) Potential reasonable accommodations that the institution may provide to  
6 an alleged victim.

7 (f) The telephone number and website address for a local, state, or national  
8 hotline providing information to ~~sexual violence~~ victims **of power-based violence**,  
9 which shall be updated on a ~~timely~~ **at least an annual** basis.

10 (g) The name and location of the nearest medical facility where an individual  
11 may have a rape kit administered by an individual trained in sexual assault forensic  
12 medical examination and evidence collection, and information on transportation  
13 options and available reimbursement for a visit to such facility.

14 **(h) Each current memorandum of understanding between the institution**  
15 **and a local law enforcement and criminal justice agency located within the**  
16 **parish of the campus.**

17 (3) Online reporting. The institution ~~may~~ **shall** provide an online reporting  
18 system to collect anonymous disclosures of **incidents of power-based violence and**  
19 crimes and track patterns of **power-based violence and** crimes on campus. An  
20 individual may submit a confidential report about a specific **incident of power-**  
21 **based violence or** crime to the institution using the online reporting system. ~~If the~~  
22 ~~institution uses an online reporting system, the~~ **The** online system shall also include  
23 information regarding how to report a **an incident of power-based violence or**  
24 crime to a responsible employee and law enforcement and how to contact a  
25 confidential advisor.

26 (4) Amnesty policy. The institution shall provide an amnesty policy for any  
27 student who reports, in good faith, ~~sexual~~ **power-based** violence to the institution.  
28 Such student shall not be sanctioned by the institution for a nonviolent student  
29 conduct violation, such as underage drinking, that is revealed in the course of such  
30 a report.

31 (5) Training. ~~(a) Not later than January 1, 2016, the Board of Regents, in~~  
32 ~~coordination with the attorney general and in consultation with state or local victim~~  
33 ~~services organizations, shall develop a program for~~ **The institution shall require**  
34 **annual** training for each **responsible employee,** individual who is involved in  
35 implementing an institution's student grievance procedures, including each individual  
36 who is responsible for resolving complaints of reported ~~sex offenses~~ **power-based**  
37 **violence,** or sexual misconduct policy violations, **each Title IX coordinator at all**  
38 **institutions,** and each employee of an institution who has responsibility for  
39 conducting an interview with an alleged victim of a ~~sexually-oriented criminal~~  
40 ~~offense~~ **power-based violence.** Each institution shall ensure that the individuals and  
41 employees receive the training described in this Subsection no later than the  
42 beginning of the ~~2016-2017~~ **2022-2023** academic year.

43 **(b) Not later than January 1, 2022, the Board of Regents, in coordination**  
44 **with the attorney general and in consultation with state or local victim services**  
45 **organizations, shall develop the annual training program required by**  
46 **Subparagraph (a) of this Paragraph. The Board of Regents shall annually**  
47 **review and revise as needed the annual training program.**

48 (6) Inter-campus transfer policy. ~~(a) The Board of Regents' Uniform Policy~~  
49 ~~on Sexual Assault shall require that institutions communicate with each other~~  
50 ~~regarding transfer of students against whom disciplinary action has been taken as a~~  
51 ~~result of a code of conduct violation relating to sexually-oriented criminal offenses.~~

52 B. ~~The Board of Regents' Uniform Policy on Sexual Assault shall require that~~  
53 ~~institutions withhold transcripts of students seeking a transfer with pending~~  
54 ~~disciplinary action relative to sexually-oriented criminal offenses, until such~~  
55 ~~investigation and adjudication is complete.~~ **Institutions shall implement a uniform**  
56 **transcript notation and communication policy to effectuate communication**  
57 **regarding the transfer of a student who is the subject of a pending power-based**  
58 **violence complaint or who has been found responsible for an incident of power-**  
59 **based violence pursuant to the institution's investigative and adjudication**

1 process. The notation and communication policy shall be developed by the  
 2 Board of Regents, in consultation with the postsecondary education  
 3 management boards. The policy shall include procedures relative to the  
 4 withholding of transcripts during the investigative and adjudication process.

5 (7) A victims' rights policy. The institution shall adopt a victims' rights  
 6 policy, which, at a minimum, shall provide for a process by which a victim may  
 7 petition and be granted the right to have a perpetrator of an incident of power-  
 8 based violence against the victim barred from attending a class in which the  
 9 victim is enrolled.

10 §3399.16. Safety education; recognition and reporting of potential threats to safety

11 A. The administration of each ~~public~~ postsecondary institution, in  
 12 consultation with campus or local law enforcement agencies, shall develop and  
 13 distribute information to students regarding power-based violence, campus safety,  
 14 and internet and cell phone safety and online content that is a potential threat to  
 15 school safety. ~~Such information shall include how to recognize and report potential~~  
 16 ~~threats to school safety that are posted on the internet, including but not limited to~~  
 17 ~~posts on social media.~~

18 B. The information shall include the following:

19 (1) Instruction on how to identify and prevent power-based violence and  
 20 how to detect potential threats to school safety exhibited online, including on any  
 21 social media platform.

22 (2) ~~Visual examples of possible threats.~~ How to report incidents of power-  
 23 based violence, crimes on campus, violations of the student code of conduct, and  
 24 possible threats to campus safety.

25 (3) ~~The reporting processes, as provided in Subsection D of this Section.~~  
 26 Where to find reports regarding campus safety.

27 C. The information shall be distributed as part of new student orientation and  
 28 shall be posted on an easily accessible page of each institution's website.

29 D. The reporting process for possible threats to the campus shall, at a  
 30 minimum, include:

31 (1) A standardized form to be used by students, faculty, and other personnel  
 32 to report potential threats. The form shall request, at a minimum, the following  
 33 information:

- 34 (a) Name of institution, person, or group being threatened.
- 35 (b) Name of student, individual, or group threatening violence.
- 36 (c) Date and time the threat was made.
- 37 (d) Method by which the threat was made, including the social media outlet  
 38 or website where the threat was posted, a screenshot or recording of the threat, if  
 39 available, and any printed evidence of the threat.

40 (2) A process for allowing anonymous reporting and for safeguarding the  
 41 identity of a person who reports a ~~threat.~~ an incident of power-based violence or  
 42 a safety threat.

43 E. Each institution shall adopt a policy to implement the provisions of this  
 44 Part. The policy shall require that for every ~~threat report~~ report of an incident of  
 45 power-based violence or a safety threat received, the actions taken by the  
 46 institution and the campus law enforcement agency or security officers be  
 47 documented. The policies shall also provide for guidelines on referring the ~~threats~~  
 48 reports to the appropriate law enforcement agencies.

49 §3399.17. Public ~~institutions of~~ postsecondary education ~~institutions;~~ sexual assault  
 50 power-based violence climate surveys

51 A.(1) Each ~~public postsecondary education~~ institution shall administer an  
 52 anonymous ~~sexual assault~~ power-based violence climate survey to its students once  
 53 every three years. If an institution administers other surveys with regard to campus  
 54 safety, the ~~sexual assault~~ power-based violence climate survey may be included as  
 55 a separate component of any such survey provided that the ~~sexual assault~~ power-  
 56 based violence component is clearly identified as such.

57 (2) Participation in the ~~sexual assault~~ power-based violence climate survey  
 58 shall be voluntary; no student shall be required or coerced to participate in the survey



1 nor shall any student face retribution or negative consequence of any kind for  
 2 declining to participate.

3 **(3) Each institution shall make every effort to maximize student**  
 4 **participation in the survey.**

5 B. The Board of Regents shall:

6 (1) Develop the survey in consultation with the public postsecondary  
 7 education management boards and in accordance with national best practices.

8 (2) Work with the management boards in researching and selecting the best  
 9 method of developing and administering the survey.

10 **(3) Consult with victims' advocacy groups and student leaders who**  
 11 **represent a variety of student organizations and affiliations, including student**  
 12 **government associations, academic associations, faith-based groups, cultural**  
 13 **groups, and fraternities and sororities, when meeting the requirements of**  
 14 **Paragraph (1) of this Subsection.**

15 **(4)** Submit a written report on survey results to the House Committee on  
 16 Education, Senate Committee on Education, and the governor not later than  
 17 ~~September first following administration of the survey~~ **forty-five days prior to the**  
 18 **convening of the next Regular Session of the Legislature following the**  
 19 **administration of the survey.** The report shall summarize results from each public  
 20 postsecondary education institution and the state as a whole.

21 ~~(4)(5)~~ Publish the survey results on the board's website and in any other  
 22 location or venue the board ~~deems~~ **considers** necessary or appropriate.

23 C. Each public postsecondary institution shall:

24 (1) Administer a survey during the 2022-2023 academic year and every third  
 25 year thereafter.

26 (2) Report survey results to the **institution's board of supervisors and the**  
 27 **Board of Regents.**

28 **(3) Publish the survey results in a prominent easy to access location on**  
 29 **the institution's website."**