

SENATE BILL NO. 297

BY SENATORS BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CONNICK,
FIELDS, HEWITT, JACKSON, MIZELL, POPE, PRICE AND SMITH

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AN ACT

To amend and reenact R.S. 17:3399.12(3) and (5)(a) and (b), 3399.13.1(F), 3399.16(A) and (E), and 3399.18(B)(17), (E), and (F), relative to power-based violence at public postsecondary institutions; to provide relative to definitions and implementation of the Campus Accountability and Safety Act; to require a report to the legislature; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3399.12(3) and (5)(a) and (b), 3399.13.1(F), 3399.16(A) and (E), and 3399.18(B)(17), (E), and (F) are hereby amended and reenacted to read as follows:

§3399.12. Definitions

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

* * *

(3) "Employee" means:

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

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

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

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

(b) "Employee" does not include a student enrolled at a public postsecondary institution **whose employment is contingent upon enrollment as a student**, unless

1 the student works for the institution in a position such as a teaching assistant or a
2 residential advisor.

3 * * *

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

7 (a) Dating violence (R.S. 46:2151(~~€~~)).

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

15 * * *

16 §3399.13.1. Administrative reporting requirements

17 * * *

18 F. The Board of Regents, **in consultation with the Louisiana Power-Based**
19 **Violence Review Panel**, shall annually submit a report to the governor, the president
20 of the Senate, the speaker of the House of Representatives, and the Senate and House
21 committees on education **and select committees on women and children** by
22 January fifteenth which shall include system-wide and statewide information. The
23 report shall also include any recommendations for legislation. The report shall be
24 published on the website of the Board of Regents.

25 * * *

26 §3399.16. Safety education; recognition and reporting of potential threats to safety

27 A. **The Not later than the beginning of the fall semester of 2022, the**
28 administration of each institution, in consultation with campus or local law
29 enforcement agencies, shall develop and distribute information to students regarding
30 power-based violence, campus safety, and internet and cell phone safety and online

1 content that is a potential threat to school safety.

2 * * *

3 E. Each institution shall adopt a policy to implement the provisions of this
4 **Part Section**. The policy shall require that for every report of an incident of power-
5 based violence or a safety threat received, the actions taken by the institution and the
6 campus law enforcement agency or security officers be documented. The ~~policies~~
7 **policy** shall also provide for guidelines on referring the reports to the appropriate law
8 enforcement agencies.

9 * * *

10 §3399.18. Louisiana Power-Based Violence Review Panel

11 * * *

12 B. The panel shall be composed of the following members:

13 * * *

14 (17) A Title IX coordinator representing a **each** public postsecondary
15 education system. ~~The Title IX coordinator shall serve for one year, and the~~
16 ~~membership shall rotate between the higher education systems in the following~~
17 ~~order: the Louisiana State University System, the Southern University System, the~~
18 ~~University of Louisiana System, and the Louisiana Community and Technical~~
19 ~~College System. Each coordinator shall be, appointed by his system~~ **the president of**
20 **the system.**

21 * * *

22 E. ~~The commissioner of higher education shall call an organizational meeting~~
23 ~~of the panel by August 15, 2021.~~ The panel shall elect a chairman, and any other
24 officers deemed necessary, from among the membership.

25 F. The panel shall meet at least two times per year ~~up to a maximum of four~~
26 ~~times per year, and may meet at other times upon the call of the chair or as provided~~
27 by panel rules.

28 * * *

29 Section 2. This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____