

SENATE BILL NO. 202

BY SENATOR BARROW AND REPRESENTATIVE JEFFERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 17:3399.13.1(C), 3399.14(D) and (E), 3399.15(B)(5)(a), and 3399.17 and to enact R.S. 17:3399.14(F), relative to campus accountability and safety; to provide relative to prevention, reporting, and investigation of incidents of power-based violence at public postsecondary institutions; to provide relative to coordination between institutions and certain local agencies; to provide for surveys and reporting of survey results; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3399.13.1(C), 3399.14(D) and (E), 3399.15(B)(5)(a), and 3399.17 are hereby amended and reenacted and R.S. 17:3399.14(F) is hereby enacted to read as follows:

§3399.13.1. Administrative reporting requirements

* * *

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

1 report shall be posted on the institution's website.

2 * * *

3 §3399.14. Coordination with local law enforcement

4 * * *

5 **D. The head of any law enforcement or criminal justice agency located**
6 **within the parish of the campus of the institution shall execute a memorandum**
7 **of understanding proposed by an institution within the law enforcement**
8 **agency's criminal jurisdiction within thirty days of receipt of the proposal.**

9 **E.** Each executed memorandum of understanding shall be reviewed annually
10 by each institution's chancellor, Title IX coordinator, and the executive officer of the
11 criminal justice agency, and shall be revised as considered necessary.

12 ~~**E.F.**~~ Nothing in this Part or any memorandum of understanding entered into
13 pursuant to this Section shall be construed as prohibiting a victim or responsible
14 employee from making a complaint to both the institution and a law enforcement
15 agency.

16 §3399.15. Campus security policy

17 * * *

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

23 * * *

24 (5) Training. (a) The institution shall require annual training for each
25 ~~responsible~~ employee, individual who is involved in implementing an institution's
26 student grievance procedures, including each individual who is responsible for
27 resolving complaints of reported power-based violence, or sexual misconduct policy
28 violations, each Title IX coordinator at all institutions, and each employee of an
29 institution who has responsibility for conducting an interview with an alleged victim
30 of power-based violence. ~~Each institution shall ensure that the individuals and~~

1 ~~employees receive the training described in this Subsection no later than the~~
2 ~~beginning of the 2022-2023 academic year.~~

3 * * *

4 §3399.17. Public institutions of postsecondary education; power-based violence
5 climate surveys

6 A.(1) Each institution shall administer an anonymous power-based violence
7 climate survey to its students ~~once every three years~~. If an institution administers
8 other surveys with regard to campus safety, the power-based violence climate survey
9 may be included as a separate component of any such survey provided that the
10 power-based violence component is clearly identified as such.

11 (2) Participation in the power-based violence climate survey shall be
12 voluntary; no student shall be required or coerced to participate in the survey nor
13 shall any student face retribution or negative consequence of any kind for declining
14 to participate.

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

17 B. The Board of Regents shall:

18 (1) ~~Develop~~ **Coordinate** the survey in consultation with the public
19 postsecondary education management boards and **stakeholders** in accordance with
20 national best practices.

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

23 (3) Consult with victims' advocacy groups and student leaders who represent
24 a variety of student organizations and affiliations, including student government
25 associations, academic associations, faith-based groups, cultural groups, and
26 fraternities and sororities, when meeting the requirements of Paragraph (1) of this
27 Subsection.

28 B. The Board of Regents shall:

29 (1) ~~Develop~~ **Coordinate** the survey in consultation with the public
30 postsecondary education management boards and **stakeholders** in accordance with

1 national best practices.

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

4 (3) Consult with victims' advocacy groups and student leaders who represent
5 a variety of student organizations and affiliations, including student government
6 associations, academic associations, faith-based groups, cultural groups, and
7 fraternities and sororities, when meeting the requirements of Paragraph (1) of this
8 Subsection.

9 ~~(4) Submit a written report on survey results to the House Committee on~~
10 ~~Education, the Senate Committee on Education, and the governor not later than~~
11 ~~forty-five days prior to the convening of the next Regular Session of the Legislature~~
12 ~~following the administration of the survey. The report shall summarize results from~~
13 ~~each public postsecondary education institution and the state as a whole.~~

14 ~~(5)~~**(4)** Publish the survey results on the board's website and in any other
15 location or venue the board considers necessary or appropriate.

16 C. Each public postsecondary institution shall:

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

19 (2) Report survey results to the institution's board of supervisors and the
20 Board of Regents.

21 (3) Publish the survey results in a prominent, ~~easy-to-access~~ location on the
22 institution's website.

23 **D. The Board of Regents shall submit a written report on the survey**
24 **results, to be included in the power-based violence report pursuant to R.S.**
25 **17:3399.13.1(F). The report shall summarize results from each public**
26 **postsecondary education institution and the state as a whole. The report shall**
27 **be submitted to the David R. Poynter Legislative Research Library as required**
28 **by R.S. 24:771 and 772.**

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: _____