FOR IMMEDIATE RELEASE
September 15, 2014

CONTACT:
Dr. Katara A. Williams
Asst. Commissioner for Public Affairs
225-342-4253

LA Regents Responds to Sexual Assault Report as Requested

Baton Rouge, LA: Growing concerns over sexual assault on university campuses have spurred legislative and fact-finding efforts at both state and national levels. On July 11, 2014, Senator J.P. Morrell made a request to the Board of Regents, in conjunction with the four system management boards, to prepare a comprehensive report detailing information pertaining to sexual assaults in our state. The Board of Regents gave immediate and serious consideration to Sen. Morrell's request for this information, and promptly sent official communication to each system president that afternoon. Most responses were received by our office by September 5, 2014. At that time, we reviewed and compiled the data as stipulated in Senator Morrell's request. Further dialogue among campus leaders and other stakeholders is needed to identify best practices and key areas to be addressed.

Sexual assault on campuses is within the purview of management boards. The Board of Regents has no legal authority to adopt any statewide policy on this administrative matter. Management boards must ensure that appropriate policies are adopted and enforced to protect the students at their member institutions. Specifically, the Association of Governing of Universities and Colleges (AGB) state that governing boards have the “fiduciary duty and overall responsibility to collaborate with institutional leadership to address issues related to sexual misconduct.” AGB has issued an advisory statement to provide specific guidance to governing boards, which the Board of Regents shared with the four system presidents of Louisiana's public institutions.

The Louisiana Board of Regents will assist with statewide efforts to prevent sexual assault. In fact, this past summer, the student leaders participated in a statewide planning conference call on sexual assault with the National Campus Leadership Council (NCLC) and the White House. The discussion was coordinated by the Board of Regents, and students were introduced to helpful resources provided through national enforcement efforts. They will continue to work collaboratively with the NCLC and the White House Task Force to Protect Students From Sexual Assault. Further, the Board of Regents is partnering with the public and private institutions in the state to host a day-long workshop on Title IX matters in fall of 2014.

The Board of Regents remains committed to assist Senator Morrell, the systems, campuses, and students on this important issue to make certain that the prevention of sexual assault is a priority.
September 15, 2014

The Honorable Jean-Paul J. Morrell
State Senator
6305 Elysian Fields Avenue, Suite 404
New Orleans, LA 70122

Dear Senator Morrell:

Please find attached the Board of Regents’ response to your letter dated July 11, 2014, requesting a report by September 15, 2014, on sexual assault on campuses in the state. The Board of Regents gave prompt and serious consideration to your request. On July 11, immediately after receiving your letter, I sent out a request to the four higher education system presidents for all relevant data from their respective institutions by September 5. The Board of Regents’ staff have compiled the data received and provided an overview of the data along with certain findings. Further dialogue among campus leaders and other stakeholders is needed to identify best practices and key areas to be addressed.

Sexual assault on campuses is a management issue that falls outside of the Board of Regents’ legal authority and is traditionally within the purview of management boards and their member institutions. As a result, the Board of Regents cannot adopt any statewide policy on this matter. However, I and my fellow board members are committed to coordinate any statewide efforts if needed. You may be interested to know that the Board of Regents is partnering with the public and private institutions in the state to host a day-long workshop on Title IX matters in fall of 2014.

The Board of Regents stays committed to assist you, the systems and the campuses on this important issue. Please do not hesitate to call me if you have any questions.

Sincerely,

W. Clinton “Bubba” Rasberry, Jr.
Chair, Board of Regents

WCR:US:chb

Attachments
LOUISIANA BOARD OF REGENTS

September 15, 2014

Louisiana Board of Regents’
Response to Senator Jean-Paul Morrell’s Request for
A Comprehensive Report on Sexual Assault on Campuses
W. Clinton Rasberry, Jr.
Chairman

William H. Fenstermaker, Vice Chair
Albert D. Sam II, Secretary
Mark T. Abraham
Charlotte A. Bollinger
Raymond J. Brandt
Joel E. Dupre
Pamela B. Egan
Joseph P. Farr
Chris D. Gorman
Robert W. Levy
Richard A. Lipsey
Edward D. Markle
Roy O. Martin III
Albert D. Sam II
Maggie L. Brakeville, Student

Dr. Tom Layzell
Senior Advisor to the Board
Introduction

Growing concerns over sexual assault on campuses, intensified by unclear legal parameters and inconsistent enforcement, have prompted fact-finding and legislative efforts at both federal and state levels. In Louisiana, Senator Jean-Paul Morrell initiated such efforts with a request that the Louisiana Board of Regents (BOR) prepare and submit a comprehensive report on sexual assault on Louisiana’s campuses. [See Attachment A, letter dated July 11, 2014 from Sen. Morrell to the Chair of BOR.] BOR immediately began the task of collecting data from Louisiana’s public postsecondary educational institutions, in order to meet the September 15, 2014 deadline. [See Attachment B, letter from BOR Chairman Rasberry to the four systems, also dated July 11.]

This report, prepared by BOR in response to Sen. Morrell’s request, contains the data submitted by the institutions as compiled by BOR Staff. [See Attachments C through F, containing tables showing each institution’s data.] The actual data and related documents submitted by the institutions are also attached to the report. [See Attachments G through U, containing the institution-specific data and documents submitted by the four systems: The Louisiana State University System (LSUS), the Southern University System (SUS), the University of Louisiana System (ULS) and the Louisiana Community and Technical College System (LCTCS).]

Scope of Report

While all four systems and their member institutions are trying to address the complex and challenging issue of sexual assault, it should be noted that Louisiana does not currently have a uniform policy governing the issue of sexual assault on campuses. As this is not an issue that falls within BOR’s constitutional or statutory authority, BOR has no authority to adopt statewide policies in this area. As a student affairs issue, sexual assault on campuses traditionally is within the purview of an institution’s management board which has jurisdiction over the day-to-day operation and management of its member institutions. Consequently, there are currently no state laws or statewide policies on this matter. The only legal requirements applicable to all institutions are compliance with Title IX and 20 U.S.C.A. § 1092 (the “Clery Act”). Absent any state law or statewide policy governing the issue, each institution operates in accordance with its policy on the issue subject to the oversight of its management board, as it strives to comply with the federal laws mentioned above.

As a result, the data submitted by the institutions show much variation and divergence on the issue. While this variation is not in itself a deficiency given the absence of state laws mandating uniformity, it is not surprising that some institutions address different aspects more adequately than others. Thus, a statewide review of all existing policies could offer the first opportunity to cull the best features from each policy to develop an inventory of best practices. It also could offer an opportunity to identify the areas that are not adequately addressed in existing policies. Therefore, this report is, by necessity, merely an initial fact-gathering step in Louisiana’s efforts.
toward effectively addressing sexual assault on campus. Further research and discussion with the four systems is needed to identify best practices and areas of concern. BOR is ready and willing to launch a statewide effort in collaboration with the four systems and other stakeholders.

Finally, BOR’s summary and tabulations are added for ease of review and to make the data more readily understandable. BOR’s summary and tables are not intended to override or substitute the data provided by the institutions in Attachments G through U. The institutional data should be treated as the primary source of information if there are any questions about BOR’s summary or tables.

**Background**

Concerns regarding sexual assaults on college campuses have escalated. According to national estimates, between 20% and 25% of college women will be victim either an attempted rape or rape during their college career. In response to these statistics, Congress enacted several laws requiring colleges and universities to disclose their security procedures, report crime data, and ensure victims’ rights. On May 1, 2014, the U.S Department of Education’s Office for Civil Rights released a list of postsecondary institutions currently under investigation for possible violations of federal law over the handling of sexual violence and harassment complaints. Releasing this list aligns with a key goal of the White House Task Force to Protect Students from Sexual Assault by bringing transparency to the federal government’s enforcement activities surrounding the issue of sexual assault. It is important to note that, according to that list, no Louisiana institution is under investigation.

More recently, U.S. Senator McCaskill (D-Missouri) introduced U.S. Senate Bill 2692 entitled *Campus Accountability and Safety Act*, which would create tougher penalties for colleges and universities that mishandle sexual assault cases. The bill primarily consists of five key elements: (1) develop and expand support resources for sexual assault survivors, which includes confidential advisors that are responsible for streamlining communication between college administrators and the victim; (2) ensure specialized training for on-campus personnel; (3) increase transparency about rates of sexual crimes through anonymous surveys; (4) increase coordination between campus officials and local law enforcement agencies; and (5) implement tougher penalties for campuses that are in violation of Title IX and the Clery Act.

In response to Senator McCaskill’s bill, the American Association of State Colleges and Universities (AASCU) released a statement expressing overall support for each of the elements of the bill. However, AASCU identified key concerns within the framework of the bill. For example, item three of Senator McCaskill’s bill calls for institutions to ensure that randomized

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2 AASCU letter dated September 5, 2014 to the Chairman of the Committee on Health, Education, Labor and Pensions.
sampling techniques are employed to obtain a more accurate understanding of sexual assaults on college campuses. The AASCU letter states that, while surveys can be a valuable tool in identifying and preventing campus sexual assaults, ensuring random and representative samples could be difficult and compromise the confidentiality of the survey. AASCU recommends that the guidelines for survey construction and interviews should be negotiable across higher education institutions.

While there is not complete consensus between campus administrators and federal and state government on how to handle sexual assaults on college campus, all stakeholders and governmental entities involved share the vision of providing safe environments for students on college campuses through education, prevention and intervention.

Findings

Based on the parameters outlined in Senator Morrell’s request, BOR asked for information from the campuses on the following four items:

1) The number of sexual assaults reported on each campus for the preceding five calendar years (01/01/2009 – 12/31/2013);

2) The corresponding number of sexual assault investigations conducted;

3) The written policy governing sexual assaults on each campus, specifically including any sexual assault response employee training programs; and

4) The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited to any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.

BOR’s overview provided in this report and the tables in Attachments C through G are for ease of review only and do not substitute the data submitted by each campus found at Attachments G-U.

Reported Assaults

Findings suggest that overall, Louisiana’s public colleges and universities have low rates of reported sexual assaults as shown in Attachments C-F, specifically the information on reported
sexual assaults, compared to national statistics on sexual assault on students. The national statistics indicate that one in four college students encounter a rape or attempted rape.\(^3\)

It is well documented that individuals sexually assaulted on college campuses are not inclined to report the assault offense to authorities. In fact, only five percent (5%) of rapes and attempted rapes are reported, based on national statistics.\(^4\) There are multiple systemic and individual factors that impact whether or not a student will decide to report the sexual assault to the authorities. Barriers at the individual level may include victim confidentiality, the victims’ hesitation to participate in the adjudication process, and the relationship between the victim and victimizer. At the systemic level, lack of available education resources for victims and a culture of victim-blaming on campus and surrounding communities also serve as barriers to victims reporting sexual assault.

**Investigated Sexual Assaults**

Most cases that were reported on Louisiana’s campuses were investigated by authorities as shown in Attachments C-F, specifically the information on investigated sexual assaults, indicating that Louisiana’s campuses are responsive to reports of sexual assault. Because of the complexities of dual jurisdiction (i.e., campus administration and law enforcement) governing campus crime, it was often unclear whether these cases were investigated by law enforcement and/or by campus administrators.

**Written Policies Governing Sexual Assault**

Senator Morrell requested that each campus provide its written policy governing sexual assaults, specifically including any sexual assault training programs. These policies are considered preventative measures, which are critical in combating sexual assaults on college campuses. Prevention strategies may include any policies or activities geared toward the elimination of sexual assaults on college campuses. Preventative strategies can range from educational brochures available to students in health centers to outreach programs that educate the community in the areas of sexual assault. The strategies were displayed in tabular form based on BOR’s review of campus reports. Therefore this report may not reflect all preventative strategies available on campus. This report categorized campus strategies into the following preventive measures as it relates to sexual assault: employee training, student training, and campus outreach. [See Attachments C-F, specifically the information on preventative strategies.]

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Written Investigation and Adjudication Procedures

Campuses were also asked to report their protocol for investigation and adjudication, and resources for victims, which data is shown in Attachments C-F, specifically the information on intervention strategies. These are largely intervention measures and were thus categorized as such in BOR’s tabulations. Because of federal laws such as Title IX and the Clery Act, an institution’s intervention reports are straightforward. It is important to note that only policies specifically geared to addressing incidents of sexual assault were included in this report.

Conclusion

BOR’s review of the data submitted indicates that Louisiana’s campuses are striving to form an effective but fair response to the issue of sexual assaults; however, significant additional measures are necessary to ensure that college campuses are safe spaces for students. As the findings suggest, most campuses reported intervention strategies to respond to sexual assaults though fewer preventative measures specifically targeted to address sexual assault appear to be in place among campuses. Preventative strategies serve not only to educate campus communities, but also to create a campus climate that empowers potential victims.

It is important to note that BOR and the public postsecondary education systems are undertaking joint efforts toward the prevention and response to sexual assaults on campuses. In fall 2014, BOR is partnering with the public and private institutions in the state to host a one-day workshop on Title IX compliance to educate campuses on dealing with sexual assault. These activities along with educational resources available to the campus community will serve to strengthen ongoing efforts to tackle sexual assaults on college campuses.

This report provides baseline information that can be used to identify campus assets and vulnerabilities and, in turn, establish and/or expand college campus policies and procedures that improve campus security as it relates to sexual assaults. This review is an initial step toward an integrated, statewide venture to tackle a complex issue. BOR will convene a working group consisting of designees from the four systems, their respective member institutions and LAICU to build on this initial step.
ATTACHMENT

A
Mr. Clinton "Bubba" Rasberry  
Chairman, Board of Regents  
800 Spring Street, Suite 201  
Shreveport, Louisiana 71101  

Dear Mr. Rasberry:  

Colleges and universities across the United States are facing an epidemic with regard to rape and sexual assault on campuses. U.S. Senator Claire McCaskill (D-Missouri) recently completed a nationwide survey detailing this horrendous problem and the disappointing efforts by colleges and universities to address the issue. It is crucial that the Louisiana legislature tackle this issue in our state, with your partnership, and the first step in solving this problem is collecting background data on the issue at hand.

As chairman of the Senate Committee on Judiciary B, I respectfully request the Board of Regents, in conjunction with the management boards of the Louisiana State University, Southern University, University of Louisiana, and Louisiana Community and Technical College systems to prepare a comprehensive written report detailing:

1. The number of sexual assaults that have been reported on each campus for the preceding five calendar years (1/1/2009-12/31/2013);

2. The number of sexual assault investigations that have been conducted on each campus for the preceding five calendar years (1/1/2009-12/31/2013);

3. The written policy governing sexual assaults on each campus, specifically including any sexual assault response employee training requirements; and

4. The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited to any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.
Mr. Clinton "Bubba" Rasberry
July 11, 2014
Page -2-

Kindly have the report sent to me no later than September 15, 2014.

Please do not hesitate to contact me with any questions you may have.

Sincerely,

Jean-Paul Morrell
Louisiana State Senator
Chairman, Judiciary B

JPM: cw
cc: Mr. E. Gerald "T-Boy" Hebert, Chairman
    Dr. Sandra Woodley, President
    University of Louisiana System

    Mr. Robert "Bobby" Yarborough, Chairman
    Dr. King Alexander, President
    Louisiana State University System

    Ms. Bridget A. Dinivaut, Chairwoman
    Dr. Ronald Mason, Jr., President
    Southern University System

    Mr. Michael Murphy, Chairman
    Dr. Monty Sullivan, President
    Louisiana Community & Technical College System

    Dr. Tom Layzell, Senior Advisor
    Board of Regents
July 11, 2014

To: Dr. F. King Alexander, Louisiana State University System
    Dr. Ron Mason, Southern University System
    Dr. Monty Sullivan, Louisiana Community and Technical College System
    Dr. Sandra Woodley, University of Louisiana System

From: W. Clinton “Bubba” Rasberry, Jr., Chair
      Board of Regents

Please find attached a letter from Senator Jean-Paul Morrell, Chair of the Senate Committee on Judiciary B, requesting that we submit a comprehensive report on rape and sexual assault on Louisiana campuses. The deadline for submission of the report is September 15, 2014.

I request that you share this letter with the pertinent officials at your respective member institutions so that they can collect the data specified in Senator Morrell’s letter, compiled and categorized in the form in which it is requested in the letter. I would appreciate if you can send the compiled data to the Board of Regents by **Friday, September 5.**

I thank you in advance for your timely cooperation and assistance in this matter. Please don’t hesitate to contact Dr. Uma Subramanian, Deputy Commissioner for Legal and External Affairs at the Regents, if you have any questions. Her email is uma.subramanian@la.gov or call (225) 342-4253.

Thank you for your prompt attention to this matter.

WCR:US:chb

Attachment
ATTACHMENT

C
Table 1: Total Reported and Investigated Sexual Assaults and Prevention and Intervention Strategies for the University of Louisiana System 2009 - 2013

<table>
<thead>
<tr>
<th>Campuses</th>
<th>Average Population (2009 -- 2014)</th>
<th>Reported Sexual Assaults (1/1/09 -- 12/31/13)</th>
<th>Investigated Sexual Assaults (1/1/09 -- 12/31/13)</th>
<th>Employee Sexual Assault Training (yes/no)</th>
<th>Student Training/Programs on Sexual Assaults (yes/no)</th>
<th>Outreach for Campus and/or Local Community (yes/no)</th>
<th>Investigation Protocol</th>
<th>Resources for Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grambling University</td>
<td>(4,772)</td>
<td>15</td>
<td>15</td>
<td>None Reported</td>
<td>Yes</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Louisiana Tech University</td>
<td>(9,162)</td>
<td>1</td>
<td>1</td>
<td>None Reported</td>
<td>Yes</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>McNeese State University</td>
<td>(7,990)</td>
<td>2</td>
<td>2</td>
<td>Yes</td>
<td>Yes</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Nicholls State University</td>
<td>(6,185)</td>
<td>6</td>
<td>6</td>
<td>Yes</td>
<td>Yes</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Northwestern State</td>
<td>(7,914)</td>
<td>6</td>
<td>6</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Southeastern Louisiana</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University</td>
<td>(14,337)</td>
<td>11</td>
<td>9</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>University of Louisiana</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>at Lafayette</td>
<td>(15,282)</td>
<td>13</td>
<td>13</td>
<td>Yes</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>University of Louisiana</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>at Monroe</td>
<td>(7,914)</td>
<td>6</td>
<td>6</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>University of New Orleans</td>
<td>(9,724)</td>
<td>5</td>
<td>4</td>
<td>Yes</td>
<td>Yes</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Totals</td>
<td>(83,280)</td>
<td>65</td>
<td>62</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1= Data were provided by each campus

2=It should be noted that many institutions have sexual harassment training, investigation, and adjudication processes. However, for this review, data are not included in the findings.
ATTACHMENT D
### Table 2: Total Reported and Investigated Sexual Assaults and Prevention and Intervention Strategies for the Southern University System 2009 - 2013

<table>
<thead>
<tr>
<th>Campuses</th>
<th>Average Population (2009 - 2014)</th>
<th>Reported Sexual Assaults (1/1/09 - 12/31/13)</th>
<th>Investigated Sexual Assaults (1/1/09 - 12/31/13)</th>
<th>Employee Sexual Assault Training (yes/no)</th>
<th>Student Training/Programs on Sexual Assaults (yes/no)</th>
<th>Outreach for Campus and Local Community (yes/no)</th>
<th>Investigation Protocol</th>
<th>Resources for Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern University A &amp; M</td>
<td>(6,665)</td>
<td>9</td>
<td>9</td>
<td>Yes</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Southern University, Law</td>
<td>(644)</td>
<td>0</td>
<td>0</td>
<td>None Reported</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Southern University New Orleans</td>
<td>(3,166)</td>
<td>1</td>
<td>1</td>
<td>Yes</td>
<td>No</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Shreveport</td>
<td>(2,723)</td>
<td>3</td>
<td>3</td>
<td>Yes</td>
<td>Yes</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>(13,198)</strong></td>
<td><strong>13</strong></td>
<td><strong>13</strong></td>
<td><strong>Yes</strong></td>
<td><strong>No</strong></td>
<td><strong>None Reported</strong></td>
<td><strong>Yes</strong></td>
<td><strong>Yes</strong></td>
</tr>
</tbody>
</table>

1= Data were provided by each campus

2= It should be noted that many institutions do have sexual harassment training, investigation, and adjudication processes. However, for this review, data are not included in the findings.
ATTACHMENT E
### Table 3: Total Reported and Investigated Sexual Assaults and Prevention and Intervention Strategies for Louisiana State University System 2009 - 2013

<table>
<thead>
<tr>
<th>Campuses</th>
<th>Average Population (2009 - 2014)</th>
<th>Reported Sexual Assaults (1/1/09 -- 12/31/13)</th>
<th>Investigated Sexual Assaults (1/1/09 -- 12/31/13)</th>
<th>Employee Sexual Assault Training (yes/no)²</th>
<th>Student Training/Programs on Sexual Assaults (yes/no)</th>
<th>Outreach for Campus and Local Community (yes/no)</th>
<th>Investigation Protocol</th>
<th>Resources for Victims</th>
<th>Intervention Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana State University A&amp;M</td>
<td>(30,426)</td>
<td>22</td>
<td>22</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>LSU Alexandria</td>
<td>(2,326)</td>
<td>0</td>
<td>0</td>
<td>Yes</td>
<td>Yes</td>
<td>Development Phase</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>LSU Eunice</td>
<td>(2,965)</td>
<td>0</td>
<td>0</td>
<td>Yes Development Phase</td>
<td>Yes Development Phase</td>
<td>Not Reported</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>LSU Health Sciences Center - New Orleans</td>
<td>(2,747)</td>
<td>0</td>
<td>0</td>
<td>Yes</td>
<td>Yes</td>
<td>Not Reported</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>LSU Health Sciences Center Shreveport</td>
<td>(854)</td>
<td>3</td>
<td>3</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>LSU Shreveport</td>
<td>(4,226)</td>
<td>0</td>
<td>0</td>
<td>Yes</td>
<td>Yes</td>
<td>Not Reported</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>(43,564)</strong></td>
<td><strong>25</strong></td>
<td><strong>25</strong></td>
<td><strong>Yes</strong></td>
<td><strong>Yes</strong></td>
<td><strong>Yes</strong></td>
<td><strong>Yes</strong></td>
<td><strong>Yes</strong></td>
<td><strong>Yes</strong></td>
</tr>
</tbody>
</table>

¹= Data were provided by each campus
²= The Paul M. Hebert Law Center data are included in the flagship campus.
³= It should be noted that many institutions have sexual harassment training, investigation, and adjudication processes. However, for this review, data are not included in the findings.
ATTACHMENT

F
<table>
<thead>
<tr>
<th>Campuses</th>
<th>Average Population (2009 -- 2014)</th>
<th>Reported Sexual Assaults (1/1/09 to 12/31/13)</th>
<th>Investigated Sexual Assaults (1/1/09 -- 12/31/13)</th>
<th>Employee Sexual Assault Training (yes/no)²</th>
<th>Student Training/Programs on Sexual Assaults (yes/no)</th>
<th>Outreach for Campus and Local Community (yes/no)</th>
<th>Investigation Protocol</th>
<th>Resources for Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baton Rouge Community College</td>
<td>(6,238)</td>
<td>0</td>
<td>0</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Bossier Parish Community College</td>
<td>(6,952)</td>
<td>0</td>
<td>0</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
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<td>(7,990)</td>
<td>0</td>
<td>0</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Technical College</td>
<td>(18,211)</td>
<td>1</td>
<td>1</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Delgado Community College</td>
<td>(2,035)</td>
<td>0</td>
<td>0</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
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<td>0</td>
<td>0</td>
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<td>Yes</td>
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<td>0</td>
<td>0</td>
<td>Development Phase</td>
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<td>Yes</td>
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<td>0</td>
<td>0</td>
<td>Development Phase</td>
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<td>Yes</td>
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<td>0</td>
<td>0</td>
<td>Development Phase</td>
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<td>Yes</td>
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<td>0</td>
<td>0</td>
<td>Development Phase</td>
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<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
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<td>River Parishes Community College</td>
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<td>0</td>
<td>0</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
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<td>1</td>
<td>Development Phase</td>
<td>None Reported</td>
<td>None Reported</td>
<td>Yes</td>
<td>Yes</td>
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<td>South Louisiana Community College</td>
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<td>0</td>
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<td>Development Phase</td>
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<td>None Reported</td>
<td>Yes</td>
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<td>SOWELA Technical Community College</td>
<td>(66,330)</td>
<td>2</td>
<td>2</td>
<td>Preventative Strategies</td>
<td>Intervention Strategies</td>
<td></td>
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</tr>
</tbody>
</table>

¹: Data were provided by each campus
²: It should be noted that many institutions have sexual harassment and violence training, investigation, and adjudication policies. However for this review, that data are not included in the findings.
ATTACHMENT

G
September 2, 2014

Sandra K. Woodley  
President  
University of Louisiana System  
1201 N. Third Street, Suite 7-300  
Baton Rouge, LA  70802  

Dear Dr. Woodley,

This correspondence is in response to the request for a comprehensive reporting of sexual assaults on campus from the Board of Regents dated July 11, 2014.

Data report on sexual assaults, policies, and training requirements were supplied by Grambling State University campus police department, human resources and office of judicial affairs.

A total of 15 reports of sexual assault have been reported and investigated on campus for the preceding five calendar years (1/1/2009 – 12/31/2013). Although 15 cases have been investigated some complainants did not want to pursue charges, and others did not have sufficient information or evidence to proceed further with their case.

Attached you will find the written policies and required employee training addressing sexual harassment and violence in the workplace and investigation and adjudication procedures for sexual assaults:

- 53034-Sexual Harassment  
- 53034.5- Procedures for Complaint of Sexual Harassment and Retaliation  
- 53034.6-Retaliation Prevention Policy  
- 53042- Policy on Violence in the Workplace  
- Code of Student Conduct

Thank you,

Tamara Orr Marshall  
Executive Assistant to the President
SEXUAL HARASSMENT

Effective Date: March 16, 2001
Revised Date: June 19, 2009
Responsible Office: EEO
Division: President

I. PURPOSE/OBJECTIVE

To establish guidelines and procedures for enforcement of the University’s policy prohibiting sexual harassment against any member of the GSU community.

II. STATEMENT OF POLICY

The position of Grambling State University is that all employees and students should be able to enjoy academic and work environments free from all forms of discrimination, including sexual harassment and retaliation.

Sexual harassment is unwelcome, threatening, demeaning, humiliating, ridiculing, or offensive conduct or a situation that unreasonably interferes with a person’s ability to perform academically or on the job. It undermines the integrity of the academic environment and employment relationship. No employee or student, either male or female – should be subjected to unsolicited, unwelcome sexual overtures or conduct, either verbal or physical.

Sexual harassment refers to behavior of a sexual nature that is unwelcome, unwanted, and personally offensive. Such behavior creates hostile and offensive academic and working environments that interfere with work effectiveness and performance. Sexual harassment occurs when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct unreasonably interferes with an individual’s work performance or creates an intimidating, hostile or offensive working environment. Sexual harassment does not refer to occasional compliments of a socially acceptable nature.

Such unwelcome conduct, whether committed by an employee, student, or third (external) party, is specifically prohibited by this policy. Conduct of a sexual nature includes, but is not limited to repeated offensive sexual flirtation, advances, or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading verbal comments of a sexual nature about an individual or his or her appearance; the display of sexually suggestive objects or pictures; or any offensive or abusive physical conduct. The person being harassed has the responsibility of
making his/her displeasure known to the offending party. Harassment by external parties should be reported directly to the EEO.

In addition, no one should imply or threaten that a student or employee’s “cooperation” of a sexual nature (or refusal thereof) will have any effect on the individual’s academic pursuits, employment, assignment, compensation, advancement, career development, or any other condition of employment.

Please note that the University discourages any type of sexual relationship between supervisors and their subordinates, or between faculty and students.

Members of the university community who make false and malicious complaints of sexual harassment as opposed to complaints which, even if erroneous, are made in good faith, may be subject to disciplinary action.

Retaliation against any complainant making a good faith complaint under this policy or retaliation against witnesses assisting in an investigation of a complaint is expressly prohibited by this policy. Retaliatory words or behavior that punish or threaten to punish a complainant for making a complaint of Sexual Harassment under this policy or witnesses assisting in the investigation of a complaint are strictly prohibited.

Sexual harassment training is mandatory for all new employees upon hire and every three years for continuing employees. Any questions regarding either this policy or a specific factual situation should be addressed to the appropriate supervisor or to the Equal Employment Opportunity Officer.

Individuals who feel they have been harassed should initiate the following forms:

Informal Sexual Harassment Retaliation Complaint Form

III. SANCTIONS

If it is determined that a violation of this policy has occurred, appropriate disciplinary action up to and including discharge may be taken. Violation of this policy can include, but is not limited to the following actions: (1) oral and/or written reprimand, (2) counseling, (3) reassignment of duties, transfer, demotion, etc., (4) suspension, (5) termination, (6) or any combination of those previously listed.
PROCEDURE FOR COMPLAINT OF SEXUAL HARASSMENT & RETALIATION

To ensure that an employee has every opportunity to seek relief and protection from sexual harassment and/or retaliation.

STEPS

1. Any person who feels he or she has been the victim of sexual harassment should contact the Equal Employment Opportunity (EEO) Officer; Long-Jones Hall, Room 148, Phone Number (318) 274-6118. To file a claim, a written and signed statement of the complaint must be submitted to the EEO Officer by the complaining party so an investigation can proceed into the matter. The written complaint should include the following information:
   a. the date of complaint,
   b. the identification of the complainant
   c. the date(s) of the alleged sexual harassment, and
   d. identification of the party or parties and the actions complained of, including all relevant background facts and circumstances.

2. Upon receipt of the written complaint, the authorized University official will contact the person who allegedly engaged in the sexual harassment and inform him or her of the basis of the complaint and provide him or her the opportunity to respond.

3. Upon receipt of the response, the appropriate University official will determine whether there is probable cause to warrant further investigation.

4. If it is determined that further investigation is warranted, the case will be referred to the appropriate administrator or authorized body for prompt and corrective action.

5. If it is determined that sexual harassment has occurred, appropriate disciplinary action up to and including discharge may be taken. The severity of the discipline will be determined by the severity and/or frequency of the offense and will be administered by the Appointing Authority.
I, ____________________________, do wish to bring an informal complaint of sexual harassment/retaliation against ________________________________ for the following reason(s):

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

I agree to have a university official(s) review and informally investigate the above statement(s).

Complainant Signature ___________________________ Date __________

University Official Signature ___________________________ Date __________
GRAMBLING STATE UNIVERSITY FORMAL SEXUAL HARASSMENT/RETAIATION COMPLAINT FORM

Date: ____________________________

Name, Title & Department/Unit of Person receiving complaint:

__________________________________________________________________________

Name of & Department/Unit of Person filing the complainant

__________________________________________________________________________

Student _____ Faculty _____ Staff _____

A. Name, Title, & Department/Unit of Person(s) harassed/retaliated against you?

__________________________________________________________________________

B. How did harassment/retaliation take place? ________________________________

__________________________________________________________________________

__________________________________________________________________________

C. Where? ______________________________________________________________

D. When? (Date and approx. time) _________________________________________________________________________________

E. If more than once, how often? _________________________________________

F. What was your reaction/response? ______________________________________

__________________________________________________________________________

G. Witnesses? If so, who? ________________________________________________

__________________________________________________________________________

H. What is your current relationship with the alleged harasser? Past, Present, etc.

__________________________________________________________________________

I. Has the alleged harasser informed you or suggested that negative consequences would occur if you reported the harassment/retaliation? If so, explain.

__________________________________________________________________________
J. Whom, if anyone, did you tell? ____________________________________________

K. When? ________________________________________________________________

L. Where? ________________________________________________________________

M. What did you tell her/him? _____________________________________________

________________________________________________________________________

N. What was her/his response? ____________________________________________

________________________________________________________________________

O. Do you think there might be other complainants? ____________________________

P. Do you think you did anything to encourage the harasser? If yes, explain.
________________________________________________________________________

________________________________________________________________________

Q. Do you think the harasser misinterpreted any of your actions? _________________
   If so, describe the actions. ________________________________________________

R. What relief are you seeking? ____________________________________________

________________________________________________________________________

My signature below indicates my willingness to have this complaint investigated.

_________________________________________  ________________________________
Signature                                      Date

University Official Signature                  Date
PURPOSE/OBJECTIVE

The Grambling State University is committed to maintaining an educational and workplace environment free of retaliation against persons who, in good faith, complain of discrimination and or harassment, or who assist or participate in the complaint process. Retaliation against an individual for making a good faith complaint of unlawful discrimination, harassment or other unlawful practice, or for using or participating in the complaint process, is a violation of University of Louisiana System and University policy and is strictly prohibited.

I. DEFINITIONS

A. Complaint: Allegations of discrimination, harassment and or retaliation, filed in good faith and in accordance with established procedures.

B. Discrimination: Inequitable treatment of an individual based on protected characteristics or status rather than individual merit.

C. Harassment: Unwelcomed conduct directed against a person based on one or more of a person's protected characteristics or status which is so severe or pervasive that it creates an intimidating, hostile or offensive environment.

D. Protected Characteristic/Status: race, color, gender, religion, sexual orientation, national origin, disability, genetic information, age, veteran status or retirement status.

E. Retaliation: any adverse action taken against an individual who has complained about discrimination, harassment or other unlawful practice, or who may have participated in a court or administrative investigation, hearing or litigation relating to workplace conduct of discrimination or harassment by filing a charge or acting as a witness. This includes overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy. To establish a claim of retaliation, the individual need not be a member of a protected group or class. Employees who assist others in raising a complaint of prohibited discrimination or harassment by offering advice and moral support, or by giving testimony or evidence in support of a complaint, are similarly protected. This protection exists even if the complaint is eventually dismissed or found to be lacking in merit.
II. PROTECTED CONDUCT AND ACTIVITIES

A. Protected individual conduct falls into three broad categories.

1. Individuals who take part in protected conduct or activities in their personal life are protected from retaliation for such protected activities.

2. Individuals who raise concerns in the workplace about harassment or discrimination based on protected status are protected from retaliation for such activities.

3. Individuals who cooperate in an investigation, proceeding or hearing regarding harassment, discrimination or retaliation involving protected activity are protected from retaliation.

B. Protected activity covers a wide spectrum of conduct. Generally, this involves taking some action that is permitted or protected by state and/or federal laws.

1. Some common retaliation claims arise in situations where an individual has:
   a) initiated an internal complaint of discrimination or harassment;
   b) filed a claim of discrimination;
   c) requested an accommodation for a disability;
   d) filed a worker's compensation claim following a work-related injury;
   e) requested leave under the Family and Medical Leave Act;
   f) filed a safety or environmental related complaint with state and/or federal oversight agencies;
   g) filed a "whistleblower's" claim alleging that the employer engaged in fraud, corruption or other suspected wrongful activity.

2. Individuals may state their opposition to a specific practice or activity which they believe constitutes discrimination.
   a) The person claiming retaliation does not necessarily need to be the person engaged in the opposition.

   Example: an individual who alleges retaliation under the Age Discrimination in Employment Act of 1967 (ADEA) or any of the laws enforced by the EEOC, including, but not limited to Title VII and the Americans With Disabilities
Act, as amended, does not have to allege that he was personally treated differently because of disability protected reason.

b) Practices challenged in prior proceedings may give rise to a claim of retaliation.

Example: a violation would be found if it were determined that an applicant was not hired because he/she had filed discrimination charges against a former employer.

3. Individuals may participate in an investigation, proceeding, hearing or litigation without fear of retaliation.

a) Participation is protected regardless of whether the allegations in the original charges were valid or reasonable. So a violation of retaliation policy could be found whether or not the challenge is found to be unlawful.

b) Person claiming retaliation may not necessarily be the one who participated in the original complaint.

Example: it would be unlawful to retaliate against a spouse or relative of an employee who filed an EEOC charge.

III. ADVERSE ACTIONS

A. General Actions

The most obvious types of retaliation are denial of promotion, refusal to hire, denial of job benefits, demotion, suspension, and termination. Other actions include threats, reprimands, negative evaluations, salary reductions, change in job assignments, unjustified evaluations or reports, acceleration of disciplinary action, sudden enforcement of previously unenforced policies, abolishing a position, or other harassing or hostile behavior or attitudes toward the complainant.

B. Actions affecting the terms, conditions or privileges of employment

Other adverse actions that may or may not be intentionally motivated but which result in negative treatment of an individual can also be considered retaliatory, such as exclusion from activities the employee may have participated in previously, denial of employment benefits, or changing the shift of a female employee who complains of sexual harassment by her supervisor. Such actions could be considered retaliatory, even if the employee expresses a preference regarding the new arrangement.
C. Post Employment Actions

Actions that are designed to interfere with an individual's prospects for employment, such as negative job references and informing prospective employers of the individual's protected activity also constitute retaliation. Negative job references based on a retaliatory motive may also constitute retaliation.

IV. ESTABLISHING AND INVESTIGATING COMPLAINTS

A. Evidence

1. Direct Evidence: In order to establish direct evidence of retaliation, there must be proof that the adverse action was taken as a result of protected activity. Such evidence is any written or verbal statement by an official that he/she took actions against an individual for engaging in protected activity.

2. Circumstantial Evidence: A violation can also be established if there is circumstantial evidence of retaliation. Typically this link can be demonstrated if the adverse action took place shortly after the protected activity or if the entity undertaking the adverse action was aware of the individual's activity before taking the action.

3. Non-Retaliaitory Reason: Retaliation can be established if the entity fails to provide evidence of a legitimate and non-retaliatory reason for the action. Common non-retaliatory reasons for adverse employment actions include poor job performance, inadequate qualifications for the position sought; and violation of work rules or insubordination.

4. Pretext to Motive: Even if an entity produces evidence of a legitimate reason for the adverse action, a violation can still be found if the reason is a pretext to hide actual motive. This can be proved through evidence that an individual was treated differently from similarly situated employees or subjected to heightened scrutiny after engaging in a protected activity.

B. Reporting and Investigation Process

The EEO Officer, located in room 148 of Long Jones Hall has the responsibilities of receiving and investigating complaints of retaliation at the University.

The EEO Officer serves in other capacities or roles within the University, but reports directly to the respective University President regarding all complaints of unlawful retaliation.

If a complaint of unlawful retaliation is against the EEO Officer, the complainant shall complain directly to the University President.
Complaints of unlawful retaliation by the University President shall be made directly to the UL System EEO Coordinator/Officer whose name and contact information is:

Bruce Janet  
Interim EEO Coordinator/Officer  
UL System  
Claiborne Building  
1201 N. Third, Suite 7-300  
Baton Rouge, LA 70802  
225-342-6950

**Complaint Procedures** - Complaints, whether informal or formal, should be reported as soon as possible after any alleged retaliation incident has occurred. There is no deadline or required timeframe within which unlawful retaliation must be reported. However, a large proximity of time in between the alleged retaliation and the reporting may negatively affect the investigation.

**Informal Complaint:** A complaint of unlawful retaliation does not have to begin at the Informal Complaint stage. However, use of the Informal Complaint process may allow a matter to be resolved quickly if the complainant believes that the circumstances make the Informal Complaint process appropriate for a particular situation. Informal complaints should be made in writing within 10 business days of the date that the employee knew or had reason to know of the alleged retaliation. Although attempts will be made to address all complaints of harassment, discrimination, and retaliation, complaints that are made more than 30 calendar days after the complainant knew or should have known about the alleged conduct will be more difficult or impossible to investigate depending on the facts involved.

Informal complaints can be resolved through informal meetings (either separate or together) with the complainant and person engaging in the alleged conduct and informal information gathering. Supervisors and department heads, and other administrators may be involved in resolving an informal complaint. If the Complainant is not satisfied with the results of an informal complaint, a Level I Complaint can be filed to begin the Formal Complaint Process. The EEO Officer may document the resolution of an Informal Complaint.

**Formal Complaint** - Formal complaints of unlawful retaliation must be submitted in writing or will be reduced to writing on the form by the EEO Officer or designee on behalf of the Complainant.

Details concerning the incident(s) or conduct giving rise to the complaint; and

1. Dates and locations of incident(s); and
2. Any witnesses to the alleged incident(s) or conduct; and
3. Any previous actions of retaliation reported. If so, to whom and when; and

4. Action requested to resolve the complaint and prevent future violation of the policy.

A complaint shall not be dismissed for failure to include any or all of the above information. However, complaints with little or no substance will be difficult to investigate. As much substance as possible within the complaint will assist the EEO Coordinator in conducting the investigation.

**Formal Complaint Process**

**Level 1** - Written complaints of retaliation should be submitted to the University’s EEO Officer within 10 business days of the alleged incident if the complainant does not wish to use the informal complaint process. This is not a deadline that will prevent a claim of unlawful retaliation from being heard by the EEO Officer. However, complaints that are made more than 30 calendar days after the complainant knew or should have known about the alleged conduct will be more difficult or impossible to investigate depending on the facts involved. The EEO Officer will either conduct an investigation or authorize an investigation and will issue a written summary of the outcome of the investigation within a reasonable timeframe. A copy of the EEO Officer’s written summary of the investigation will be accessible to both parties.

**Level 2** - If either party to a complaint of unlawful retaliation wishes to appeal the Level 1 decision, an appeal of the written decision must be made in writing within 10 business days of the receipt of the Level 1 Complaint determination. The appeal should be sent to the Office of the President who will forward the appeal to the University EEO Advisory Committee for a review and determination.

**Equal Employment Opportunity (EEO) ADVISORY COMMITTEE**

The University EEO Advisory Committee – Grambling State University will establish an EEO Advisory Standing Committee composed of members of the faculty and staff from various departments. The EEO Committee should include individuals representing the interests of classified and unclassified staff and should reflect the diverse workforce on the campus. The EEO Committee will communicate regularly regarding issues related to policy implementation including University climate and systemic concerns. In addition to its other responsibilities, a sub-group of between three (3) to five (5) of the EEO Advisory Committee Members shall serve as the Level 2 appeal review committee for this Retaliation Complaint process.

Grambling State University shall maintain a pool of trained investigators who are employees of the universities who have had formal training in investigation techniques, policies, and procedures for purposes of resolving administrative complaints and actions within the campus environment. Such individuals should have knowledge in
interviewing, evidence collection, and report writing, and will be the primary individuals responsible for making initial inquiries of complainants and respondents in a variety of administrative proceedings.

Prior to the EEO Advisory Committee's review, a trained investigator appointed by the President of the University (or appointed by the UL System President in the case of the UL System) will:

1. Review and investigate the Level 1 complaint decision;

2. Collect and clarify additional available facts about the alleged incident;

3. Meet with the complainant and the accused individual, separately, if appropriate.

The trained investigator will provide a report to the EEO Advisory Committee. The EEO Advisory Committee will review the Level 1 decision and the appeal as well as the investigator's report, and will make a determination regarding the Level 1 decision and will provide detailed findings along with any recommendations for appropriate action to the President of the University for consideration. Recommendations may include: uphold the Level 1 decision in full or in part or render an alternative decision in full or in part. The President of the University will review the report submitted by the EEO Advisory Committee and, depending upon the nature and severity of the charge(s), the President may approve the recommended action or may recommend an alternate resolution.

The complainant and the accused individual will be notified of the decisions at each level. The complainant will also be notified of all elements of the decision that directly relate to the complainant, involve general campus wide changes, or are otherwise required by state or federal law. To the fullest extent practicable and consistent with a thorough investigation, all complaints will be kept confidential, considering the specific circumstances of the allegations, to protect the rights of both the complainant and the individual accused.

V. SANCTIONS

The merits of the complaint giving rise to the retaliation claim are irrelevant. As stated above, retaliation gives rise to a separate claim from the underlying complaint. Consequently, anyone violating the policy may be in violation of federal laws protecting retaliation for protected activity and this policy regarding retaliation even if the original complaint of discrimination or harassment is not proven, is dismissed or is withdrawn and held responsible for such conduct. Following an investigation, if a faculty, student or staff member is found in violation of this policy, that individual may be subject to disciplinary actions, and the sanctions may include reprimand, probation, suspension, demotion, reassignment, termination, and expulsion. In the event that personnel action is determined necessary and appropriate with respect to the accused, the University will use its appropriate personnel policies after a determination regarding the allegations.
VI. TRAINING

The EEO Officer shall identify the human resources personnel as well as the managerial and supervisory personnel on each campus each year. These individuals shall be provided annual training by the EEO Officer or designee on the Anti-Retaliation Policy and shall have access to the EEO Officer to address any questions or concerns that arise with respect to this policy. The EEO Officers shall have access to and shall use the UL System EEO Officer as a resource as needed to ensure compliance with this policy.

The EEO Committee shall also receive training with respect to how to properly review and analyze complaints of retaliation as part of their annual EEO Training.

VII. ANNUAL REPORTING

The EEO Officer will provide an annual report to the UL System EEO Coordinator/Officer. Such report will include information such as instances of informal and formal complaints regarding retaliation as well as resolutions of such complaints. The report will also include information regarding any identified systemic concerns regarding unlawful retaliation such as identified areas within the campus such as employment areas or colleges as well as recommended solutions to ensure that unlawful retaliation does not continue within the University.

Frank E. Breaux
University President

March 28, 2014
Date of Execution

GRAMBLING STATE UNIVERSITY
INFORMAL RETALIATION COMPLAINT FORM

I, ____________________________, do wish to bring an informal complaint of retaliation against ______________________ for the following reason(s):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
I agree to have a university official(s) review and informally investigate the above statement(s).

Complainant Signature ___________________________ Date ____________

University Official Signature ___________________________ Date ____________

GRAMBLING STATE UNIVERSITY
FORMAL RETALIATION COMPLAINT FORM

Date: ______________________________

Name, Title & Department/Unit of Person receiving complaint: __________________________________________

Name of & Department/Unit of Person filing the complaint: __________________________________________

Student ____________________ Faculty ___________ Staff __________

A. *Name, Title, & Department/Unit of Person(s) retaliated against you? ________________________________

B. *How did retaliation take place? ________________________________
C. *Where?__________________________________________

D. *When? (Date and approx. time)__________________________________________

E. *If more than once, how often?__________________________________________

F. *What was your reaction/response?______________________________________

G.*Witnesses? If so, who?__________________________________________________

H. *What is your current relationship with the alleged harasser? Past, Present, etc.

I. *Has the alleged harasser informed you or suggested that negative consequences would occur if you reported the retaliation? If so, explain.__________________________________________

J. *Whom, if anyone, did you tell?__________________________________________

K. *When?__________________________________________

L. *Where?__________________________________________

M. *What did you tell her/him?______________________________________________

N* What was her/his response?______________________________________________

O. *Do you think there might be other complainants?__________________________________________

P. *Do you think you did anything to encourage the harasser? If yes, explain.__________________________________________

Q. Do you think the harasser misinterpreted any of your actions?____________________
   If so, describe the actions?__________________________________________
R. "What relief are you seeking? ____________________________

My signature below indicates my willingness to have this complaint investigated.

Signature ____________________________ Date ____________

University Official Signature ____________________________ Date ____________
POLICY ON VIOLENCE IN THE WORKPLACE

Effective Date: June 19, 2009
Responsible Office: Human Resources
Division: Finance

I. PURPOSE/OBJECTIVE

To comply with Title 38:1543 of Louisiana Revised Statues and to promote a safe and assault-free working environment for all University constituents (students, faculty, staff, guests).

II. STATEMENT OF POLICY

Grambling State University is committed to maintaining and enhancing a safe environment that is conducive to working, learning and living for all university constituents. The University must have an environment in which all faculty, staff, students, and guests can study, live, and work without intimidation or fear.

Grambling State University prohibits aggressive acts, verbal or nonverbal threats of violence or harassment by or against faculty, staff, administrators, students and visitors to its campus. The university continuously analyzes various activities and the work site to minimize the effects of violence, threatening, and harassing behaviors.

All individuals employed at the university are required to participate in a training sessions on violence in the workplace upon employment, and once every three years thereafter. The training is designed to help detect early signs of potential violent behavior and provided protocol for reporting incidents of violent, threatening and harassing behavior.
CODE
of
STUDENT CONDUCT

GRAMBLING STATE UNIVERSITY
Grambling, Louisiana

2014-2015
I. PURPOSE/OBJECTIVE

The primary mission of the Office of Student Judicial Affairs is to support the larger mission of both the University and the Division of Student Affairs. Student Judicial Affairs seeks to promote student learning, growth and development by increasing student awareness of the University’s expectation(s) of behavior and collaboratively working with other departments in an effort to create a safe, secure, and civil environment conducive to learning. Additionally, the area exists to administer a fair student disciplinary process that adheres to prescribed standards.

II. STATEMENT OF POLICIES

The President, as Chief Executive Officer of the University, has the overall responsibility for the implementation of the Code of Student Conduct (Code) and the student disciplinary process and has delegated his overall management to the Vice President for Student Affairs and the Director of Judicial Affairs. The Director of Judicial Affairs is directly responsible for the daily administration of the University’s student judicial system. Code Authority is found in Louisiana Revised Statutes, Acts, Concurrent Resolutions, etc. as the following:


The Code of Student Conduct creates an expectation of behavior that the University deems acceptable. Its primary purpose is to ensure that students will not be deprived of life, liberty or property without due process. Although every student has rights guaranteed by the U.S. Constitution, these freedoms cannot be enjoyed, exercised, or protected in a community which lacks order and stability. It is, therefore, each student’s responsibility to adhere to the conduct and standards prescribed by the University, the Board of Trustees for the University of Louisiana System, as well as those established by local, state and federal laws.

Admission to Grambling State University carries with it the presumption that students will conduct themselves as responsible members of the academic community. As a condition of enrollment, all students assume responsibility to observe standards of conduct that will contribute to the educational mission of the University.

The Code of Student Conduct shall be reviewed every two years by the Office of Judicial Affairs. Recommendations for revisions are to be submitted to the Vice President for Student Affairs and forwarded to the Policy Review Committee for consideration.

A. PREAMBLE

Grambling State University is a public institution having special responsibility for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, Grambling State University also has the obligation to maintain conditions conducive to freedom of inquiry and expression to the
maximum degree compatible with the orderly conduct of its functions. For these purposes, Grambling State University is governed by the rules, regulations, procedures, policies, and standards of conduct that safeguard its functions and protect the rights and freedoms of all members of the university community.

B. ARTICLE ONE - DEFINITIONS

When used in this Code the definitions of the following terms are provided for clarity and understanding.

1. "Administrative Appeals Board" refers to the appellate body authorized by the University to consider an appeal from a judicial board determination that a student or organization has violated the Code of Student Conduct.

2. "Behavioral Standards" refers to the policies, rules, regulations, directives, resolutions, and standards approved and/or issued by the president of the University and the Board of Supervisors for the University of Louisiana System as well as local, state and federal laws.

3. "Business days" refers to those days that faculty and staff are required to work, generally Monday through Friday.

4. "Code of Student Conduct" refers to conduct standards set forth in writing in order to give students general notice of prohibited conduct and notice of how the Code shall be enforced.

5. "Judicial board" refers to any person or persons authorized by the Office of the President to determine whether a student has violated the Code of Student Conduct and to recommend imposition of sanctions.

6. "Judicial officer" refers to a University official authorized on a case-by-case basis to impose sanctions upon student(s) or organization(s) found to have violated the Student Code. The Director may serve simultaneously as a judicial officer, and the sole member, or one of the members, of a judicial board. Nothing shall prevent the same judicial officer to impose sanctions in all cases.

7. "May" is used in the permissive sense.

8. "Policy" refers to the written regulations of the University as found in, but not limited to, the Code of Student Conduct, Residential Life Handbook, and the GSU Catalog.


10. "Shall" is used in the imperative sense.

11. "Student" refers to a person taking or auditing courses at the University either on a full or part-time basis or any person on the University premises
or University-leased premises; registering as a student, camper, or special awards program attendee (i.e., auxiliary camps, sports camps, etc.).

12. "University" refers to Grambling State University or any division thereof including extension courses over which the Board of Supervisors for the University of Louisiana System has control and responsibility.

13. "University Community" refers to any administrator, faculty, staff, or student of the University, including all land, buildings, facilities, adjacent streets, sidewalks, and other property in the possession of or owned, used, or controlled by the University and the physical surroundings within close proximity of the campus.

14. "University Official" refers to any person employed by the University (including students) performing administrative, teaching, paraprofessional responsibilities (i.e., administrators, faculty, staff, Graduate Assistants, Resident Assistants in residence halls, etc.).

15. "University Premises" refers to all land, buildings, facilities and other property in the possession of or owned, used, or controlled by the University.

C. ARTICLE TWO – STUDENTS’ RIGHTS AND RESPONSIBILITIES

Each student has rights guaranteed by the U.S. Constitution, these freedoms cannot be enjoyed exercised, or protected in a community which lacks order and stability. Additionally, it is each student’s obligation to assume responsibility as a mature, civil and intellectual citizen while matriculating at the University. These student rights and responsibilities include, but are not limited to:

Students’ Rights

- **Speech and Expression.** Students shall be free to discuss questions of interest and to express opinions. Public expression of students reflects the views of those making the statement and not necessarily the University community. The University retains the right to provide for the safety of students, faculty, and staff, to protect property, and to ensure the continuity of the educational process in maintaining order. Authorization for any speech or demonstration will require identification of the individual and agreement to abide by University regulations.

- **Assembly and Demonstration.** Students shall be free to organize and associate to promote their common interests. Assembly and demonstration, just as speech and expression within the institution in public places, are permitted subject to reasonable time, place, and manner restrictions for the maintenance of order, safety and security and is applicable to local, state and federal laws. Approval from the President or Vice President for Student Affairs is required for a designated area for demonstrations.

- **Publication and Distribution.** Students shall be free to publish and to distribute their ideas in the form of newspapers, newsletters, leaflets, and the like, subject to time, place, and manner restrictions identified by the President or Vice President for Student Affairs.
• **Expression through Media.** Students shall be free to express opinions through student media as long as they are governed by and adhere to the canons of professional journalism and applicable regulations of the U. S. Constitution and the Federal Communication Commission. Similar rights are afforded oral statements of views on student-run radio and television stations. (See [http://ethics.iit.edu/codes/coe/sigma.delta.chi.new.html](http://ethics.iit.edu/codes/coe/sigma.delta.chi.new.html).) Media contact for the University is the Director of Media and Public Relations. Students are prohibited from speaking on behalf of or for Grambling State University with any media organization or publication, or from inviting the media to any University-owned or operated property, facility, or event without the expressed permission of the University Office of Media Relations.

• **Discrimination.** Students have the right to be free from all forms of discrimination on the basis of race, religion, sexual preference, political affiliation, national origin, physical or mental disability, age, or veteran status. The University will not condone any practices or policies that discriminate against anyone.

• **Privacy.** Students have the right to be secure in their possessions against invasions of privacy and unreasonable search and seizure. However, the University reserves the right to enter occupied residence halls with a warrant or under other special circumstances. Conditions for entry by University authorities/officials into occupied rooms in residence halls are divided into three categories: maintenance, emergency, and health and safety standards. (See "GSU-Residential Life Bulletin").

• **Confidentiality.** Students have the right to confidentiality of official records, transcripts, personnel records, and disciplinary records. Students also have the right to confidentiality of information relating to personal views, beliefs, and political associations acquired by administrators, instructors, counselors, advisors, and officials of the University in the course of their work. (See Family Educational Rights and Privacy Act -- [www.FERPA.com](http://www.FERPA.com)).

• **Redress of Grievances.** Any time a student's rights as outlined herein are contravened, the student shall have the right to petition for redress of such a grievance through procedures as promulgated within this cover.

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**Students’ Responsibilities**

• To obtain, read, and adhere to the conduct and standards published by the University, Board of Trustees for the University of Louisiana System, as well as those established by local, state and federal laws. **Failure to read this document will not excuse any student from responsibility for abiding by policies and procedures described herein.**

• To respect the rights of others regardless of ethnicity, gender, sexual orientation, religious or public beliefs.

• To respect all property owned, operated, housed and/or leased by the University.
• To maintain the highest ethical standards in preparing and submitting course work.

• To comply with all financial obligations as published in University documents and websites.

• To seek the help of faculty, other professionals and resources provided as you complete your degree requirements.

• To report in good faith, and without fear of retaliation, violation(s) of the Code of Student Conduct and other policies of the University to appropriate academic and/or administrative personnel.

D. ARTICLE THREE - JUDICIAL AUTHORITY

1. There shall be a Judicial Board consisting of twenty (20) members. All members, including the chairperson, shall be appointed by the President. The President may authorize the Director of Student Judicial Affairs to serve simultaneously as a chairperson. The Board shall be divided into four panels designated as A, B, C, and D respectively. A chairperson, two (2) faculty or staff representatives and two (2) student representatives shall compose each panel. The Director may appoint a special panel when necessary.

2. The Director of Student Judicial Affairs shall determine which judicial panel shall be authorized to hear each case.

3. The Director of Student Judicial Affairs shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings which are consistent with provisions of the Student Code.

4. The Judicial Board has RECOMMENDING authority in terms of sanctions. Each board has the responsibility of determining if a student is responsible or not responsible of violating the Code of Student Conduct. The board’s recommendations are made to the Director of Student Judicial Affairs.

5. The Judicial Board is the primary judicial body of the University. It has original jurisdiction over all student cases involving alleged violation(s) of the Code of Student Conduct referred to it by appropriate University officials. It also has jurisdiction over all student cases from immediate interim suspension.

6. The presence of a majority of panel members shall constitute a quorum; and with a quorum present, the board may hear the case. The chairperson may accept substitute representatives for regular members when it is necessary for regular members to be absent. The chairperson shall vote in the case of a tie vote. Proxy voting shall not be permitted.

7. When any board member is involved in or associated with a case, that person must be excused from participation in the hearing procedures.
8. Decisions made by the Director of Student Judicial Affairs shall be final, pending the normal appeal process.

9. The technical rules of evidence applicable to civil and criminal cases shall not apply.

F. ARTICLE FOUR - PROSCRIBED CONDUCT

Jurisdiction of the University. Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises or conduct which occurs at a University sponsored function or event whether on or off-campus. However, the University will take disciplinary action against a student for an off-campus offense only when it is required by law to do so or when the nature of the offense is such that in the judgment of the Director of Student Judicial Affairs, the continued presence of the student on campus is likely to interfere with the educational process or the orderly operation of the University; or the continued presence of the student on campus is likely to endanger the health, safety, or welfare of the University community, or is intimidating or threatening to another individual within the University community; or the offense committed by the student is of such a serious nature as to adversely affect the student's suitability as a member of the University community. The action of the University with respect to any such off-campus conduct shall be taken independently of any off-campus authority. The prospect of criminal charges does not preclude the possibility of the University judicial hearing.

STUDENT CONDUCT – RULES AND REGULATION

Any student(s) engaging in behavior that interferes with the safety and well being of any member of the University and/or that interferes with the mission, purpose, function and process of the University will be subject to disciplinary sanctions outlined in Article VI:

4.01 Abduction or Kidnapping. The enticing, persuading or forcible seizing and carrying of any student, faculty, staff, or University official from one place to another without that person's consent.

4.02 Arson. The malicious, fraudulent or intentional burning of property on the University premises. Such acts include, but are not limited to, creating fires, setting persons afire, open flames and/or igniting flammable materials.

4.03 Assault. The intentional harassment, degradation, threat or intimidation of another in an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. Physical contact is not required. This includes engaging in, attempting or intending to engage in any form of verbal or mental abuse, or coercion which is directed toward another person or group of people which creates an intimidating, fearful or offensive environment in the classrooms, offices, dormitories, and the University premises in general.
4.04 **Battery.** The intentional use of force or violence upon another, or the intentional administration of a poison or other noxious liquid or substance to another for the purpose of physical abuse, or violence involving physical contact. Any form of physical contact that is directed to another which threatens or endangers the health or safety of any person, except when such response constitutes self-defense. This includes slapping, pushing, and contact using a weapon or other instrument. **Physical contact is required.**

4.05 **Contempt.** Willful disobedience to, or displaying open disrespect for a University judicial body such as: failure to obey a written notice from the Office of Student Judicial Affairs or University Police to appear for a meeting or hearing as a part of the judicial process; falsification, distortion, or misrepresentation of information before a hearing officer or board; disruption or interference with the orderly conduct of a judicial proceeding; institution of a judicial proceeding in bad faith; attempting to discourage an individual’s proper participation in or use of the judicial process; attempting to influence the impartiality of a member of a judicial board prior to and/or during the course of the judicial proceeding; failure to adhere to or comply with disciplinary conditions and sanctions imposed by a judicial body or administrative officer.

4.06 **Dangerous, Threatening, Unsafe Behavior.** Any conduct or behavior which threatens or endangers the health or safety of any person in the University environment. This includes but is not limited to, verbal threats to injure or harm another, horse playing, practical jokes, abductions, and kidnapping.

4.07 **Dangerous Weapons and Explosives.** The use, possession, or storage of dangerous weapons, explosives and chemicals are strictly prohibited, even if legally possessed in a manner that harms, threatens or causes fear to others. These include but are not limited to: firearms, shotguns, B.B. guns, paint guns, sling shots, bows, air pistols/rifles, pistols, rifles, gasoline, ammunition, gunpowder, fireworks, bombs, and other incendiary devices except as required for classroom instruction and only with the express written authority of the President or Vice President for Student Affairs.

4.08 **Destruction or Damage to Property.** Willful negligent or malicious destruction and/or damage to University property or to the property of another. This includes acts of vandalism or misuse.

4.09 **Dishonesty, Forgery and Fraud.** Acts of Dishonesty, Forgery and Fraud include but are not limited to: furnishing false information to any University official and on any University document; alteration of materials, or misuse of University documents, records, instrument of identification, or any documents and records belonging to another; cheating, plagiarism, or other forms of academic dishonesty, tampering with the election of any University recognized student election; malfeasance or misuse of elective or appointive office in a student organization, its members, or the welfare of the University community; and issuing worthless checks to the University. Unauthorized use of
4.10 **Insubordination and/or Disrespect for Authority.** Not complying with reasonable and lawful requests or directives by members of the faculty or staff.

4.11 **Obstruction, Disruption or Disorderly Conduct.** The intentional obstruction, interruption, hindrance, or disruption of teaching, research, administration, ceremonies, disciplinary proceedings, other University tasks and activities; interfering with the duties of a student, faculty/staff member or University official; withholding information vital to any investigation carried out by an authorized agent of the University; creating excessive noise which can be heard in other areas of the campus and which interferes with the normal operations of the University, and the University community; interfering with an approved campus demonstration; and leading or inciting others to disrupt scheduled and/or ordinary activities within the University premises.

4.12 **Rape.** Forcing or coercing another to engage in the act of sexual intercourse without that person's consent, or when the sexual intercourse is deemed without the person's consent because the person (victim) is incapable of understanding the nature of the act by reason of stupor or abnormal condition of the mind produced by an intoxicating or narcotic agent administered by the offender(s).

4.13 **Sexual Battery.** The intentional engaging in sexual misconduct (physical contact) with another without that person's consent or when such sexual contact is deemed offensive to the victim.

4.13.1 **Sexual Assault.** Forcing or attempting to force another person to participate in sexual intercourse and/or other sexual activities against his/her will. Such misconduct includes verbal coercion, threats, and physical restraint.

4.14 **Peer Sexual Harassment.** Unwelcomed and unsolicited sexual advances, requests for sexual favors or other verbal, visual or physical conduct or communication with sexual overtones that the victim deems offensive. Sexual harassment includes, but is not limited to, unsolicited, deliberate or repeated sexual flirtation, advances or propositions; verbal abuse of a sexual nature; display of sexually suggestive pictures or objects; and/or offensive or abusive physical contact of a sexual nature. The University's policy on "Sexual Harassment" and "Sexual Assault and Abuse" strictly prohibits such behavior and provides optional services for any victim of such misconduct.

4.15 **Sexual Intercourse.** All consensual sexual activity and/or sexual intercourse (copulation) on the University premises is strictly prohibited. The presence or absence of others will not negate the seriousness of the offense.
4.16 Unauthorized Entry. Entry without proper permission into residential halls, buildings, or structures within the University premises, or the aiding and assisting of such unauthorized entry.

4.17 Aiding or Inciting. Aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by the University, assisting or persuading others to commit any act of misconduct in the University community or environment.

4.18 Alcoholic Beverages. Violation of the University Alcohol and Controlled Substance Policy, including but not limited to the use, consumption, possession, purchase, sale, and/or distribution of alcoholic beverages on University property, or at any of its activities (whether on or off-campus) are prohibited, except as expressly permitted by University regulations and local, state and federal law. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to anyone under twenty-one (21) years of age. (Refer to Alcohol and Illegal Controlled Substances Policy.)

4.19 Dangerous Drugs. Violation of the University Alcohol and Controlled Substance Policy, including but not limited to the use, consumption, possession, manufacturing, purchase, sale and/or distribution of illicit drugs, narcotics or other controlled dangerous substances and drug paraphernalia are strictly prohibited; all local, state, and federal laws apply. (Refer to Alcohol and Illegal Controlled Substances Policy.)

4.20 Dogs, Cats and Other Animals. Bringing animals and pets onto the University premises is prohibited. Seeing-eye dogs, when accompanied by their owners, are permitted.

4.21 Drunkenness. Appearing in public on the University premises while intoxicated or under the influence of alcohol or illicit drugs is strictly prohibited. This includes any disorderly conduct regardless of whether such conduct results in injury to persons or property.

4.22 False Reporting of Emergencies. These include but are not limited to activating a fire alarm or falsely reporting a bomb.

4.23 Gambling. Illegal gambling on University premises is strictly prohibited.

4.24 Information Disclosure. Failure to provide personal identification and/or furnishing false information to any University official, faculty/staff member, or office is prohibited. For example, failure to present a driver's license or identification card when requested by a University police officer.

4.25 Indecent, Obscene, Immoral Behavior, or Profanity. This includes conduct which is disorderly, lewd, or indecent. Such acts include but are not limited to: the use of obscene gestures, improper body exposures, or other immoral acts or use of profanity to any faculty, staff, student, or University official. This also includes but is not limited to any unauthorized use of electronic or other devices to make an audio or video
recording of any person or student without his/her knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This also includes taking pictures of another person in a gym, locker room or restroom.

4.26 Selling or Soliciting. Trading or exchanging any goods or services on University premises for monetary considerations without prior and appropriate authorization.

4.27 Traffic or Parking Violations. Failure to obey traffic and parking regulations is punishable by the University Police Department and/or the Office of Student Judicial Affairs. This includes, but is not limited to, operating or attempting to operate a motor vehicle on campus while under the influence of alcohol or illicit drugs, reckless driving, obstruction of the free flow of pedestrian or vehicular traffic on University property or at University sponsored or supervised functions, and parking in improper zones. Moreover, applicable local, state, and federal traffic laws are enforced.

4.28 Trespassing. Unauthorized presence on, in, or within any building or property owned or operated by the University (including residence halls), or the unauthorized entry into or remaining in a facility or office under the control of another after having been asked to leave.

4.29 Unauthorized Use of Property. Unauthorized use of University premises; unauthorized possession, duplication or use of keys to any University premises; and the unauthorized use of University property, such as telephones, vehicles, and office equipment.

4.30 Violation of Housing Rules. Any violation of Housing/Residential Life rules!

4.31 Disorderly Assembly. Participating in an on-campus or off-campus demonstration, riot, or an activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area. It is strictly forbidden for any group to gather in such a manner as to disturb the public peace, to do violence to any person or property, to interfere with its faculty or staff in the performance of their duties, or otherwise by such gatherings bring disgrace or disrespect to the University. This includes surprise attacks by a group of students on University premises. Any student who encourages or in any way participates in the formation of or prolonging of such a gathering is subject to IMMEDIATE DISMISSAL from the University. CAVEAT: Students involved in group violations will be treated as though the act occurred on an individual basis. Refer to Article two. Students’ Rights and Responsibilities (Speech and Expression and Assembly and Demonstration).

4.32 Student Dress Code. The University still maintains the traditional notion that students (male/female) are prohibited from wearing hats, caps, sagging pants (exposing undergarments) and/or other headgear in
classrooms, offices, assemblies, dining facilities, any building, or other places where hats are not expected to be worn. Students must adhere to any special dress standard set by groups presenting social programs such as lyceum events, or pageants. (Refer to Dress Code Policy)

4.33 **Theft.** Stealing in the University environment and/or the attempted or actual theft, or unauthorized possession of property. This includes knowingly possessing stolen property.

4.34 **Hazing.** Participation in any act which is degrading or injurious, or in which another is held against his/her will, or which endangers the mental or physical health or safety of another, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Such acts may include, but are not limited to, striking, beating, bruising, manning, or other abusive and humiliating treatment or threats of such treatment. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts, they are violations of this rule. (Refer to Hazing Policy)

4.35 **Misuse of Computer Resources.** The unauthorized entry into a file to use, read, or alter the contents thereof, or transfer a file for any purpose. These include, but not limited to, use of another's identification and password without authorization, use of computing facilities to interfere with the work of another, to transmit obscene harassing or abusive messages, to interfere with the normal operations of the University computer system, network, or services. (Refer to Information Technology Center Policy and Procedures)

4.36 **Tampering with Safety Equipment and Hindering Evacuation.** Tampering with safety and fire equipment (e.g., fire alarms, smoke detectors, exit signs, fire hoses, fire extinguishers, or emergency lighting equipment) is prohibited. This also includes failing to leave a building or area, or otherwise hindering an evacuation or investigation of the emergency.

4.37 **Scholastic Dishonesty.** Scholastic Dishonesty shall include, but is not limited to, scholastic dishonesty: (a) **Acquiring Information:** Acquiring answers for any assigned work or examination from any unauthorized source; working with another person(s) on any assignment or examination when not specifically permitted by the instructor; observing the work of other students during any examination; (b) **Providing Information:** Providing answers of any assigned work or examination prior to the time the examination is given; (c) **Plagiarism:** Failing to credit sources used in work product in an attempt to pass off the work as one's own; attempting to receive credit for work performed by another, including papers obtained in whole or in part from individuals or other sources; (d) **Conspiracy:** Agreeing with one or more persons to commit any act of scholastic dishonesty; (e) **Fabrication of Information:** The falsification of the results obtained from the research or laboratory experiment; the written or oral presentation of results of research or laboratory experiments without
the research or laboratory experiment having been performed; (f) **Violation of Departmental or College Policies**: Violation of any announced departmental or college policy relating to academic matters, including, but not limited to, abuse or misuse of computer access of information. This listing is not exclusive of any other acts that may reasonably be said to constitute scholastic dishonesty; (g) **Academic Misconduct**: Any student suspected of academic misconduct on tests, examination papers, or any other assigned work for which he/she is responsible will be reported, by the faculty person in charge, to the Dean of the division of the student’s major.

4.38 **Off-Campus Violations.** Students whether residing on or off campus, must behave at all times as responsible students in the community in which they reside, shop, and/or otherwise socialize. In keeping with the traditional spirit of Grambling State University, students are expected to conduct themselves in a manner that is becoming to a student of Grambling State University. Accordingly, students may be brought before a University judicial body for any off-campus conduct that is deemed volatile of this code, and for any conduct and/or behavior that reflects negatively on the image or reputation of the University. The specific action or behavior will be described in all charges levied against the student.

4.39 **Stalking.** The repeated following or harassing of another person accompanied by the making of a credible threat with the intent to place that person in reasonable fear of death or serious injury.

4.40 **Cell Phone Usage.** The use of cell phones inside the classroom, official testing sites and during an official assembly period is prohibited. This includes but is not limited to, placing and/or receiving calls and/or text messages as well as conversing on cell phones. (Official University emergency notification messages are excluded/refer to Electronic Devices Policy)

4.41 **Tobacco.** Smoking and the use of tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, e-cigarettes and other tobacco products) by students, faculty, staff and visitors are prohibited on all Grambling State University property.

4.42 **University Policy Violation.** Violation of any University policy, rule or regulation published in hard copy or available electronically on the University website.

4.44 **Dating Abuse/Violence.** The perpetration or threat of an act of violence by at least one member of an unmarried couple on the other member within the context of dating or courtship; and, when one partner tries to maintain power and control over the other through abuse/violence

4.45 **Domestic Violence.** A pattern of behavior which involves the abuse by one person against another in an intimate relationship such as marriage, cohabitation, dating or within the family. It can be experienced by persons
in heterosexual or same-sex relationships. Forms of domestic violence include physical, emotional, verbal, economic and sexual abuse, which can range from subtle, coercive forms of abuse to violent physical abuse that results in disfigurement or death.

4.46 Violation of any federal, state or local law. On or Off-Campus actions or activities that violate federal, state, or local law, also violate the Code of Student Conduct.

F. ARTICLE FIVE - JUDICIAL PROCEDURES

1. Any member of the University community may file charges against any student for misconduct. Charges shall be prepared in writing and directed to the Office of Student Judicial Affairs which is responsible for the administration of the University judicial system. Any charge should be submitted as soon as possible after the event takes place.

2. A Judicial Officer may conduct an investigation to determine if the charges have merit and/or if they can be disposed of informally by mutual consent of the parties involved on a basis acceptable to the Judicial Officer. Such disposition shall be final and there shall be no subsequent proceedings. Additionally, all sanctions rendered shall be final and binding upon all involved. If the charges cannot be disposed of by mutual consent, the Judicial Officer may later serve in the same matter as the judicial body or a member thereof.

3. A University registration flag may be imposed on a student’s record. The flag will be removed following adjudication of charges. When a student(s) is reported for violations of University rules and regulations that require appearance before a judicial board, hearings are scheduled. The student will be given at least a three (3) business-day notice (excluding Saturdays, Sundays and state holidays) to appear for the hearing. In the notice to appear, the following information will be provided:

   a. the University regulation(s) that was allegedly violated;
   b. the statement of the specific charges against the student;
   c. the date, time and place of the hearing;
   d. the names of witnesses against the student;
   e. the statement explaining that the student is entitled to present his/her own witnesses and to cross-examine the witnesses against him/her;
   f. a statement explaining that the student is entitled to a hearing that will be recorded by the University; and
   g. a statement indicating that if the student brings an attorney to the hearing, the attorney will be allowed to attend only as an advisor to his client.

4. Charged student(s) who fail to appear before a formal judicial board without just cause shall be found responsible for the charge(s) based only on input from the charging party, and disciplinary sanctions shall be imposed. If the judicial board finds that unavoidable circumstances prevented the appearance of the student(s) before the judicial board, the hearing shall be rescheduled.
5. Hearings shall be conducted by a judicial board according to the following guidelines:

a. Hearings normally shall be conducted in private. At the request of the accused student and subject to the discretion of the chairperson, a representative of the student press may be admitted but shall not have the privilege of participating in the hearing;

b. Admission of any person to the hearing shall be at the discretion of the judicial board and/or its judicial chairperson;

c. In hearings involving more than one accused student, the chairperson of the judicial board, at his or her discretion, may permit the hearings concerning each student to be conducted separately;

d. The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a judicial board;

e. The complainant, the accused and the judicial board shall have the privilege of presenting witnesses, subject to the right of cross examination by the judicial board;

f. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a judicial board at the discretion of the chairperson;

g. All procedural questions are subject to the final decision of the chairperson of the judicial board;

h. After the hearing, the judicial board shall determine (by majority vote if the judicial board consists of more than one person) whether the student has violated each section of the Student Code which the student is charged with violating; and

i. The judicial board’s determination shall be made on the basis of whether it is more likely than not that the accused student violated the Code of Student Conduct.

6. There shall be a single verbatim record, such as a tape recording, of all hearings before the judicial board. The record shall be the property of the University.

7. The University may implement an emergency procedure to allow hearings to be set forth and held prior to the end of the respective semester or term in which the violation occurs.

G. ARTICLE SIX – DISCIPLINARY SANCTIONS

Sanctioning is intended to accomplish six aims:

1. To make sure the student(s) sanctioned has learned from the experience.
2. To educate the student(s) or so he/she does not commit the violation again.
3. To offer the student(s) the opportunity to make good on a mistake.
4. To ensure that University expectations regarding appropriate behavior are clear.
5. To educate the student(s) concerning how his/her behavior impacts others in the community.

6. To protect the University community from people who may harm others in the community or who may substantially interfere with the educational mission of the University.

III. DISCIPLINARY SANCTIONS

University officials authorized by the President to impose sanctions upon students, either prior to (pending scheduled judicial hearing date) or after a judicial hearing, may impose or recommend one or more of the following penalties for a student(s).

Any student withdrawing with disciplinary action pending or those being suspended for disciplinary reasons are not eligible for refunds after the 14th class day for Fall and Spring semesters and the 7th class day for Summer sessions.

6.01 Expulsion - Permanent dismissal from the University.

6.02 Suspension - Dismissal from the University for a specified period of time.

6.03 Indefinite Suspension - Dismissal from the University for an unspecified time period. After one year, a student may request a review of his file for readmission consideration.

6.04 Interim Suspension - Temporary suspension with a hearing to follow.

6.05 Revoked Suspension - A suspension is revoked if a student agrees to remain at the University under certain conditions or as long as the student does not violate certain prescribed conditions.

6.06 Hold on Registration/Hold on Transcript - A sanction used until all monies, fines and such owed to the University have been paid.

6.07 Fine - A student may be assessed a reasonable monetary sanction for violating certain Code of Student Conduct rules.

6.08 Campus/Community Service - A student(s) may be required to provide services on the campus, without pay, for a specific period of time for violating the Code of Student Conduct rules.

6.09 Probation - A student(s) is subjected to a time period of restrictions or conditions, after which the University authorities will determine if his/her behavior has improved.

6.10 Restitution - A student(s) or organization(s) is held accountable for public or private damage that he/she has damaged or destroyed.

6.11 Counseling/Educational Assignment - A student(s) is given behavioral counseling, either on a regular basis or by appointment. An educational assignment may include but is not limited to, attendance and/or
participation in alcohol/drug education programs, workshops, panel discussions, letters of apology, and reflective essays.

6.12 **Restraining Order** - An order by the President or the President's designee prohibiting a student from entering the University premises except public streets or roadways.

6.13 **Written Reprimand** - A student is warned, in writing, that further misconduct may result in more severe disciplinary action.

6.14 **Loss of Privilege** - The withdrawal of a privilege, use of a service, or participation in an activity for a specific period of time consistent with the offense committed and the rehabilitation of the student.

6.15 **Extracurricular Activity Suspension** - The withdrawal of participation in official extracurricular activities. This includes, but is not limited to prohibiting the student from joining a registered student organization and/or attending its meetings or functions and/or from participating in official athletic or non-athletic extracurricular activities.

6.16 **Mandatory Off-campus Housing** – A student is suspended from on-campus housing privileges for a specific period of time.

6.17 **Administrative Withdrawal** – A student is officially withdrawn from the university for various reasons. In such cases as the student posing a significant threat to self or others of the University community; failing to pay all financial obligations to the University by a designated date; failing to answer University summons or to address allegations of violations; failing to perform assigned University community service; failing to complete mandatory counseling; and/or failing to abide by the Code of Student Conduct. A student administratively withdrawn after the census date shall be assigned the grade of “W” in all courses. Students who withdraw on an involuntary basis are subject to the same refund policies as other students.

6.18 **University Ban** – A student is banned permanently or for a specific period of time from an individual building(s) or event.

**SPECIAL NOTE: Interim Suspension**

Whenever students are disruptive or dangerous to themselves, including threatening or attempting suicide and are dangerous to others, to property, or to the stability and continuance of normal University functions, the President or the President’s designee may suspend students immediately on an interim basis without providing the NORMAL HEARING NOTICE. The letter from the Director of Judicial Affairs will constitute Normal Hearing Notice.

If the facts and evidence suggest that the student’s continued presence on University premises constitute imminent or clear and present danger to themselves, to others, to property, or to the stability and continuance of normal University functions, the President or the President’s designee may issue a Restraining Order against the students restricting them from the University
premises prior to the NORMAL JUDICIAL HEARING and AFTERWARDS, if he/she deems it necessary.

Whenever the interim suspension rule is invoked, the student shall be given the opportunity to DISCUSS the incident with a University official PRIOR TO THE INTERIM SUSPENSION. Any student so suspended shall have the right to a post-suspension hearing on the merits of the case within five business days of the suspension.

Students who endanger their own physical well being shall be required to provide the Director of Student Judicial Affairs with a Psychiatric Evaluation signed by a licensed mental health professional indicating that the student is not a threat to him/herself or the campus community. Additionally, the parents, legal guardian, and/or student are advised that threatening and/or attempting suicide is a violation of the Code of Student Conduct and may result in disciplinary action by the University.

NOTATION OF DISCIPLINARY ACTION ON ACADEMIC TRANSCRIPTS

In severe cases of misconduct, a student may be suspended or expelled. System universities shall note such on the student’s academic transcript as follows:

- “Student is ineligible to enroll”

This will be noted when a student is permanently dismissed from the university for disciplinary reasons.

- “Student is eligible to return (semester) (year)”

This will be noted when a student is “suspended for disciplinary reasons” for a specified period of time. The transcript indicates which semester the student will be eligible to return. In the case where the student is not suspended academically but is suspended for disciplinary reasons, the transcript note indicates that the student can not return until some future semester.

All system universities shall employ the notations above on student academic transcripts beginning with the Spring semester, 2007.

Notation of disciplinary action on academic transcripts may or may not affect eligibility to enroll at other higher education institutions.

MANDATORY ALCOHOL/SUBSTANCE ABUSE PROGRAM

As an educational component of the University’s discipline process, students involved in alcohol and/or drag violations are required to participate in the Student Counseling Center’s Alcohol and Substance Abuse Program.

Attendance at all sessions/workshops or other activities as assigned is mandatory for students required to participate in the program as a result of University disciplinary action, in addition to any fine or other disciplinary actions that may have been imposed. Failure to comply with the mandatory requirement by the stated deadline may result in additional disciplinary action imposed by the University, including disciplinary suspension.

H. ARTICLE SEVEN - APPEALS

Page 18 of 29
1. A decision reached by the Judicial Hearing Board or a sanction imposed by the Director of Student Judicial Affairs may be appealed by accused student within three (3) business days of the decision. Such appeals shall be in writing, addressed to the Chairperson, Administrative Appeals Board and delivered to the Office of the Vice President for Student Affairs. The board shall consist of a chairperson, one (1) faculty or staff representative, and one (1) student representative appointed by the Vice President for Student Affairs.

2. Criteria for filing an appeal are limited to:
   - The student's rights were violated in the hearing process or if there were hearing procedural errors.
   - There is new material evidence which could not have been discovered at the time of the hearing.
   - The evidence did not support the decision.
   - The sanctions imposed were not appropriate for the violation or were made in an arbitrary or capricious manner.

All appeals shall be limited to review of the verbatim record of the initial hearing. Based upon the merits of written justification, the chairperson of the Administrative Appeals Board may accept or reject the student's request for an appeal.

3. If the request for an appeal is granted, the Chairperson of the Administrative Appeals Board, within reasonable time, shall set a date, time, and place for the board to review the findings, decision, and recommendation of the disciplinary hearing board. The complete record of the hearing and evidence presented before the Judicial Hearing Board panel shall be made available to the Administrative Appeals Board. The Vice President for Student Affairs or his/her designee shall be present at this hearing.

4. If an appeal is upheld by the Administrative Appeals Board, the matter shall be returned to the original Judicial Hearing Board for re-opening to allow reconsideration of the original determination and/or sanction(s).

5. If an appeal is not granted by the Chairperson of the Administrative Hearing Board, then, the sanction imposed shall be considered final and binding upon all involved.

6. Students have the right to appeal the finding, decision, and recommendation of the Administrative Appeals Board if the reasons are based on the criteria listed in #2 of this article. To do so, a student must give written notification to the Office of the President of his/her intent to appeal and reasons for appealing within three (3) business days after notice of the finding, decision, and recommendation of the Administrative Appeals Board. Late notification of intent to appeal to the Office of the President will be accepted or rejected after hearing the student's reasons for failure to comply with above statement.
7. If the request for an appeal is granted, the President or President’s designee shall set a date, time, and place to review the findings, decision, and recommendation of the Administrative Appeals Board.

8. The President or his/her designee may, at his/her discretion, make any of the following sanctions:

   - Approve the recommendation of the Administrative Appeals Board
   - Amend and approve the recommendation; or
   - Return the recommendation to the original Judicial Hearing Board for re-opening to allow for reconsideration of the original determination and/or sanction(s).

Note: As the Chief Executive Officer of the University, the President holds the ultimate authority in matters of student discipline.

Additionally, it will be the discretion of the President or his/her designee as to whether or not a student remains under suspension pending the outcome of the appeal. Factors that will be considered include the nature of the violation, interference with the University’s educational mission and the safety and welfare of other members of the University community.

9. Each institution is authorized to establish policies and regulations governing student conduct. Students shall have due process in disciplinary matters, and any student who exhausted all due process procedures at the institutional level may appeal his/her grievance to the Board of Supervisors if the sanction is one of suspension from the university for a period of one academic year, or if the sanction is of greater severity. Within thirty (30) days after all due process procedures have been exhausted at the institutional level, the student must present his appeal to the System President of the University of Louisiana System. The staff shall review the due process proceedings from the institution and submit recommendations to the Board of Trustees for the University of Louisiana System. If the request for appeal is granted, the System President or his designee shall, within a reasonable time, set a date, time, and place to review the findings, decision, and recommendation of the President of Grambling State University. The complete records of this case shall be made available for use by the System staff and Board of Trustees. The System Office may request the presence of an individual, administrator or student involved in the case.

Note: If the decision of the Judicial Hearing Board and/or the Administrative Appeals Board is upheld, then the sanction will be imposed as of the original date unless the President affixes a different sanction or date. Students who are suspended or expelled from the University are not eligible for refunds after the 14th class day for Fall and Spring semesters and the 7th class day for Summer sessions.

I. ARTICLE EIGHT

Records
a. Records shall be created for all reported cases of student misconduct.

b. Disciplinary records are considered academic records and are protected by the Family Educational Rights and Privacy Act (FERPA). Records may be released to University officials on a need-to-know basis only.

c. All disciplinary records are the property of Grambling State University and are maintained in the Office of Student Judicial Affairs. The University reserves the right to maintain these records for any time depending on the severity of the infraction. Major offenses involving criminal charges or suspensions and expulsions shall be maintained indefinitely.

d. A tape recording shall be made of every judicial board hearing. The tape recording shall be the property of the University. Neither the complainant nor the accused shall be allowed to make a separate recording of any type. Under no circumstances will a copy of the recording be released except in the case wherein the records are subpoenaed by a court order.

J. ARTICLE NINE

Interpretation and Revision

The President is responsible for shaping the University’s mission and academic standards in cooperation with the Board of Supervisors for the University of Louisiana System. The President has final authority over all employees and students. The President is also charged with the responsibility of maintaining appropriate standards of student conduct.

Any question of interpretation regarding the Code of Student Conduct shall be referred to the Office of Student Judicial Affairs for final determination.

The Code of Student Conduct shall be reviewed every two (2) years under the direction of the Office of Student Judicial Affairs.

K. STATEMENT CONCERNING SEXUAL ASSAULT

Grambling State University explicitly condemns all forms of sexual assault and abuse and is dedicated to prevention and to the victim's assistance program. A victim of sexual assault and abuse, domestic violence, dating violence or stalking by another student is encouraged to file a written complainant and bring evidence of the incident to the Office of Student Judicial Affairs, University Police Department or the Vice President for Student Affairs. In student judicial cases, both the accused and the victim have rights which are protected throughout the judicial proceedings. Victims of sexual assault and abuse where the alleged offender is an employee of the University, have recourse through the Office of Equal Employment Opportunity and the Office of Human Resources. Sanctions

Victim’s Rights Include:
To initiate, in addition to criminal charges, disciplinary proceedings against the alleged student offender. To initiate a disciplinary proceeding, the victim must comply with the procedures promulgated in Article Five—Judicial Policies. CAVEAT: Both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding and shall be informed simultaneously in writing of the outcome of any disciplinary proceeding alleging a sexual assault, domestic violence, dating violence or stalking. Recommended sanctions if found in violation may range from expulsion, suspension, revoked suspension, campus service, and/or counseling.

To be informed by the Director of Judicial Affairs or other proper University officials of their options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying these authorities, if the student chooses to do so.

To be notified by the Director of Judicial Affairs or other proper University officials of existing counseling, mental health or student services for victims of sexual assault both on-campus and in the community.

To be notified by the Director of Judicial Affairs or other proper University officials of options for no-contact, restraining and protective orders and available assistance in changing academic and living situations after an alleged sexual assault incident if requested by the victim and if these changes are reasonably available.

Evidence of Sexual Assault and Abuse

Immediately after the assault, victims of sexual assault and abuse are urged to contact University law enforcement authorities if the assault occurred on-campus and local law enforcement authorities if the assault occurred off-campus.

It is important for victims of sexual assault and abuse to seek medical assistance immediately after an alleged assault so as to preserve any evidence. CAVEAT: Brushing teeth and rinsing mouth, bathing, douching, and enemas are discouraged. Victims should report to the Foster-Johnson Health Care Center if on campus or to the nearest hospital if off campus, whether or not the victim decides to lodge criminal charges, disciplinary proceedings, and/or both.

Before or after seeking medical attention, the student is expected to contact the Director of Student Judicial Affairs. The student may request that the Director, Coordinator, or another person with
whom he/she confides accompanies him/her to the infirmary or hospital.

L. STATEMENT CONCERNING SEXUAL HARASSMENT

Grambling State University explicitly condemns sexual harassment of students, staff, and faculty. Since some members of the University community hold positions of authority that may involve the legitimate exercise of power over others, it is their responsibility to be sensitive to that power. Faculty and supervisors in particular, in their relationships with students and supervisors, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful person to perceive a coercive element in suggestions regarding activities outside those appropriate to the professional relationship. It is, therefore, the responsibility of faculty and supervisors to behave in such a manner that their words or actions cannot reasonably be perceived as sexually coercive, abusive, or exploitive.

Sexual harassment does not refer to occasional complements of a socially acceptable nature. It refers to behavior which is not welcomed, is unwanted, and is personally offensive and debilitating. Such behavior creates an intimidating, hostile or offensive working environment which interferes with work effectiveness.

Such conduct, whether committed by supervisors or non-supervisory personnel, is specifically prohibited. This includes, but is not limited to, repeated offensive sexual flirtation, advances, or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading verbal comments about an individual or his or her appearance; the display of sexually suggestive objects or pictures; or any offensive or abusive physical conduct.

In addition, no one should imply or threaten that an applicant’s or employee’s “cooperation” of a sexual nature (or refusal thereof) will have any effect on the individual’s employment, assignment, compensation, advancement, career development, or any other condition of employment.

Grambling State University is committed to providing an environment of study and work free from sexual harassment and to insuring the accessibility of appropriate grievance procedures for addressing all complaints regarding sexual harassment. A student who believes he/she is the victim of sexual harassment by a member of the University faculty or staff should lodge a formal complaint with the Office of Equal Employment Opportunity. A student who believes that he/she is the victim of sexual harassment perpetrated by another student may file a complaint with the Office of Student Judicial Affairs.

M. HAZING POLICY

In accordance with the purpose and philosophy of the University of Louisiana Systems and the laws of the State of Louisiana, which include the belief that true fellowship can be nurtured only in an atmosphere of social and moral
responsibility. Hazing is inconsistent with the responsibility of student organizations to conduct safe, constructive student development programs.

Grambling State University is committed to the development of students through academic and extracurricular activities and in keeping with its commitment to a positive academic environment, does hereby unconditionally oppose any situation created intentionally or unintentionally to produce mental, physical, psychological, or emotional discomfort as well as embarrassment, harassment or ridicule.

Participating in any form of hazing or allowing yourself to be hazed in any form is forbidden by any student(s) or organization(s) including but not limited to the Greek organizations, clubs, and athletic teams affiliated with Grambling State University. The following definition has been developed to clearly inform the University community as to the position and stand on what is considered hazing at our institution.

A. Definition of Hazing

"Any action taken or situation created on or off university premises (pledging/membership intake is explicitly not to take place off campus) to produce mental or physical discomfort, or embarrassment, harassment, or ridicule. Such activities and situations include, but are not limited to:

1. Faddling in any form, slapping, pushing:

2. Forced inducement or the causing of another to consume any food, liquid or other substance:

3. Creation of excessive fatigue, physical and psychological shocks, kidnapping, coercion resulting in menial tasks being performed:

4. Personal money being expended on non-permissible essential pledge/intake activities, wearing apparel which is conspicuous and not in good taste (i.e., derogatory, racist, etc.), engaging in public stunts, morally degrading or humiliating acts, games or activities, having work sessions which interfere with scholastic activities, any other activities which are not consistent with fraternal law, rituals or policies from the respective state, regional, or national offices, or the regulations and policies of this educational institution, using drugs and/or alcoholic beverages:

5. Apathy or acquiescence in the presence of hazing is not a neutral act; it is violation of this policy."

Participation in any pledging or membership intake process activities must not be a mandatory requirement. Additionally, organizations cannot require physical examinations or any other requisites that are not sanctioned by the national body and the institution.
Penalties for violations of the Hazing Policy shall be assessed to fit the nature and degree of the offense.

It shall be the responsibility of student organization members and pledges to report all complaints in writing concerning possible hazing violations to the Director of Student Organizations, Office of the Vice President for Student Affairs, Office of Student Judicial Affairs, or University Police Department. Cases will be handled on an individual basis.

Additionally, organizations and/or individual students found responsible for violating the Hazing Policy shall be subject to disciplinary action through the Office of Student Judicial Affairs. The prospect of a University judicial hearing does not prevent the possibility of criminal charges.

N. ALCOHOL AND ILLEGAL CONTROLLED SUBSTANCES POLICY

Grambling State University has a "zero tolerance" policy on the improper use of controlled substances. As a member of the University of Louisiana System, Grambling State University is designated an "alcohol and drug free" campus. The unlawful manufacture, distribution or use of illegal controlled substances or alcohol, or underage consumption of alcohol is strictly prohibited on university properties and/or as part of any university activity. Such behavior may be grounds for disciplinary action.

Grambling State University endorses the Drug Free Schools and Communities Act Amendment of 1989 (Public Law 101-226) and abides by all state and local laws and ordinances relative to alcoholic beverages and illegal controlled substances. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to any person under twenty-one (21) years of age.

Students found responsible for violating the Alcohol and Illegal Controlled Substances Policy shall be subject to disciplinary action through the Office of Student Judicial Affairs.

O. WEAPONS ON CAMPUS POLICY

Grambling State University, as a member of the University of Louisiana System is designated as a "firearm-free zone" pursuant to Louisiana law R.S. 14:96.6. Carrying a firearm or dangerous weapon by a student or non-student on campus property, at campus-sponsored functions, or in a firearm-free zone is unlawful and violators shall be subject to criminal charges and campus discipline as stated in the University of Louisiana System, Board of Supervisors' "Weapons on Campus Policy".

Grambling State University explicitly prohibits the use, possession, or storage of dangerous weapons and explosives. Chemicals are also strictly prohibited even if legally possessed in a manner that harms, threatens or causes fear.

Any person who wishes to possess a firearm sanctioned by state law and university policies while on school property, school transportation, or at any school sponsored or affiliated function, shall obtain written authority of the
President or Vice President and register such weapon with campus police before bringing the firearm on school property, school transportation, or to any school sponsored or affiliated function.

Possession of a firearm, when in violation of state laws, the University of Louisiana System policy, or University policy, shall be grounds for suspension, or expulsion from the University.

Students found in violation of the “Weapons on Campus Policy” shall be subject to disciplinary action through the Office of Student Judicial Affairs

P. ZERO TOLERANCE FOR AGGRESSIVE BEHAVIOR POLICY

Grambling State University has a “Zero Tolerance” policy for Aggressive Behavior. The purpose of this policy is to address incidents of unacceptable behavior which create fear, bodily harm to another, or damage to property.

Aggressive Behavior is defined as intimidating gestures, threatening, abusive language, fighting or physical actions which create fear, intent of bodily harm, bodily harm to another person or damage to university or personal property. Additional definitions of aggressive behavior may be identified in the student handbook, which may include, but are not limited to the following:

1. 4.03 – Assault;
2. 4.04 – Battery;
3. 4.06 – Dangerous, Threatening Unsafe Behavior; and
4. 4.08 – Destruction/Damage to Property.

Any student found in violation of an aggressive behavior act may result in immediate suspension up to expulsion from the University. The University has jurisdiction over all behavioral infractions which occur in University facilities or on University property. University charges and criminal charges are totally independent of each other.

Q. ELECTRONIC DEVICES POLICY

The use of any unauthorized electronic device including, but not limited to, cell phones, pagers, iPods, MP3, etc., during official classroom instruction, University assembly periods, and official University testing administration sites are strictly prohibited. Students entering into a classroom or testing site must turn off and store their phones prior to entering the room. Cell phones are not allowed on desks or table tops. Students must obtain permission from the instructor prior to the beginning of class and must operate the phone in silent mode if extenuating circumstances require a cell phone to be on during class. The instructor may determine the consequences for violations of this policy or refer written complaints to the Office of Student Judicial Affairs.

R. CLASSROOM MISCONDUCT POLICY

1. When a student’s behavior in class is as seriously disruptive as to compel immediate action, the instructor has authority to remove a student from the class on an interim basis, pending an informal hearing addressing the behavior. A student who has been removed from a class on an interim
basis is entitled to an informal hearing before the head of the department offering the course within three working days of the removal. The department head may either:

a. Approve an agreement of expectations between the student and the instructor and reinstate the student to the class; or

b. Extend the removal of the student from the class and refer the case to the Office of Student Judicial Affairs for adjudication. (A copy of all material shall be forwarded to the instructor's academic dean, the student's academic dean and to the Office of Student Judicial Affairs.)

2. When a student's action is not as serious as to require immediate removal from the class, the following steps shall be followed:

a. The instructor for the class shall inform the student that his/her behavior has been inappropriate;

b. The instructor shall describe to the student specific needed changes in the student’s behavior;

c. The student will be provided an opportunity to modify his/her behavior in accordance with the changes identified in writing, inclusive of a summary of his/her discussion with the student, and the instructor will retain a file copy of the summary;

d. If a student believes an instructor’s expectations are unreasonable, he/she may confer with the instructor’s department head about the matter. The department head may chose to support the guidelines developed by the instructor, or he or she may work with the instructor to develop a modified set of expectations. If there are changes in the instructor’s original set of expectations, a signed and dated copy will be provided by the department head to both the student and the instructor; and

e. If a student’s behavior continues to be unacceptable, the department head may initiate additional discussion with the instructor and/or the student. If the department head concurs with the instructor’s view that the problem has not been resolved, the situation may be referred to the Office of Student Judicial Affairs. A memorandum describing the student’s behavior, as well as a copy of the written summary and any other related material shall be forwarded to the Office of Student Judicial Affairs. (A copy of all material shall be forwarded to the instructor’s academic dean, student’s academic dean and the Office of Student Judicial Affairs.)

S. DRESS CODE POLICY

Grambling State University, a community of leaders preparing students to compete as well as succeed in their chosen careers, still maintains the traditional notion of acceptable dress attire. The personal appearance of every university
student is an important component of maintaining a student centered learning environment. In order to achieve the total educational process an appropriate dress code which promotes a positive image of the university must be presented at all times. Students are expected to dress in a manner supportive of a positive learning environment, free from disruptions and distractions.

The following standards shall apply and will be enforced:

Examples of inappropriate attire include but are not limited to:

a. Wearing hats, caps, do-rags, skullcaps, bandanas, stocking caps and/or other headgear;
b. Lounging shoes, lounging slippers, bare feet, short-shorts, sagging pants (exposing undergarments), lounging pants (except in the privacy of the student's living quarters); and
c. Clothing consisting of derogatory and or offensive messages either in pictures or words.

This policy does not apply to headgear identified as religious or cultural dress. Students seeking approval for headgear attire shall make a written request through the Office of the Vice President for Student Affairs.

Students must adhere to any special dress standard set by groups presenting social programs such as musical arts, convocations, commencement, etc. Admission to such events may be denied if manner of dress is inappropriate.

Appropriate student behavior addressing the dress code policy shall be monitored by university faculty and staff.

T. PARENTAL NOTIFICATION

The Family Educational Rights and Privacy Act (FERPA) is a federal law that permits universities to notify parents or guardians of students under 21 of alcohol and other drug violations which result in a determination that the student has committed a disciplinary violation. This exception to the privacy rights of students was enacted because of the health and safety consequences of alcohol and other drug abuse. Grambling State University is committed to the total development of each student. We believe that parents share the University's concern in such situations for their child's health, safety, and academic progress.

Therefore, Grambling State University may notify parent(s) or legal guardian(s) of any student under the age of 21 found responsible for a violation of any federal, state, and/or local law or university policy regarding alcohol and/or controlled substances or other dangerous drugs.

U. NON-DISCRIMINATION STATEMENT

Grambling State University adheres to the equal opportunity provisions of federal civil rights laws and regulations that are applicable to this agency. Therefore, no one will be discriminated against on the basis of race, color, or national origin.
(Title VI of the Civil Rights Act of 1964); sex (Title IX of the Education Amendments of 1972); or disability (Section 504 of the Rehabilitation Act of 1973) in attaining educational goals and objectives and in the administration of personnel policies and procedures. Anyone with questions regarding this policy may contact the EEO Officer at (318) 274-6118.

NOTE: Although this handbook was prepared with available information at the time of publication, Grambling State University reserves the right to amend, without obligation, any information or statement in the publication as deemed necessary.

Students should be familiar with the latest policies and procedures so promulgated. They supersede all others.
ATTACHMENT

H
August 28, 2014

W. Clinton Rasberry, Jr., Chair
Board of Regents
800 Spring Street, Suite 201
Shreveport, L.A 71101

Re: Request from Senator Jean-Paul Morrell

Dear Mr. Rasberry:

Attached, please find Louisiana Tech University responses to the comprehensive written report requested from Senator Jean-Paul Morrell. The policies and practices described within these responses are in compliance with the most recent legislation, which attached the Violence Against Women Act to the CLERY ACT.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Leslie K. Guice
President

cf
Comprehensive Written Report Requested by Senator Jean-Paul Morrell

1) The number of sexual assaults that have been reported on each campus for the preceding five calendar years (1/1/2009-12/31/2013).

LA Tech University response:
2009 (0), 2010 (0), 2011 (0), 2012 (1), 2013 (0)

2) The number of sexual assault investigations that have been conducted on each campus for the preceding five calendar years (1/1/2009-12/31/2013).

LA Tech University response:
2009(0), 2010 (0), 2011 (0), 2012 (1), 2013 (0)

3) The written policy governing sexual assaults on each campus, specifically including any sexual assault response employee training requirements.

LA Tech University response:
**Included in the response to question #4 below**

4) The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited of any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.

LA Tech University response:
The information which follows is an excerpt of the LA Tech Student Handbook. All faculty/staff and students receive instruction as to the existence of the Handbook and to its location through university website links.

SEXUAL ASSAULT INFORMATION GUIDE

Introduction
In July 1992, Congress enacted the Higher Education Amendments of 1992 which imposed new requirements for preventing, reporting, and investigating sex offenses that occur on college campuses. The following information has been prepared by Louisiana Tech University officials not only to comply with federal requirements, but also to assist students, faculty, and staff members in maintaining a safe environment which is conducive to achieving the mission of Louisiana Tech University.
Educational Programming
Counseling and Career Services provides licensed professional counselors and/or trained students from the Peer Leadership Council to assist students, both men and women, toward greater awareness of the legal and psychological implications of the phenomenon of sexual assault. Educational programming in the area of sexual assault is available to students in residence halls, sororities, fraternities, classes, and any other student group. Every freshman is reached with this message through the University Seminar class. These educational presentations include guidelines for a safe code of dating conduct and a resource listing of campus and community agencies to contact in the event of a sexual assault. The programs are free and available to Louisiana Tech students by contacting Counseling and Career Services, 257-2488. The University Police Department also offers free presentations on the subject of personal safety with emphasis on precautions and reporting procedures. Arrangements for these programs can be made by contacting University Police, 257-4018. Additionally, educational literature in the form of brochures and other handouts may be picked up at no charge from the following offices: Counseling and Career Services, 310 Keeny Hall; University Health Center, South Hall; and University Police, South Hall.

Strategies for Limiting the Risk of Sexual Assault
1. Examine societal and personal attitudes that tolerate sexual aggression.
2. Know your sexual intentions and limits and communicate them firmly.
3. Be aware that alcohol is a disinhibitor and may affect judgment in a dating situation. Set safe boundaries in its use.
4. Attend functions with friends you can trust. Go in a group and return home with the group.
5. Be aware of surroundings. Many acquaintance rapes occur in private dwellings under the cover of loud music.
6. Listen to your instincts; if the situation feels risky, it probably is.
7. Do not leave beverages unattended.
8. Accept drinks only from bartender or wait person.
9. Consider buddy system; look out for one another. Be alert to behavior of friends who appear intoxicated and unable to make appropriate and safe decisions.

Recommended Guidelines in the Event of an Assault
Sexual assault, either by a stranger or by an acquaintance, creates emotional turmoil for any individual. Louisiana Tech University is sensitive to the devastating effects of rape and other types of sex offenses and has established the following recommendations to assist the survivor of a sexual assault and to inform the Louisiana Tech student of the facts, laws, and resources that pertain to these types of criminal behavior:

1. Report the assault regardless of the circumstances. Reporting the incident allows the survivor to be advised of available resources and alternatives. The strength of the case could be affected by the length of time the survivor waits before pressing charges. The first step in regaining a sense of control over the situation is to report the assault.
On-Campus Assaults
If the incident occurred on the Louisiana Tech University campus, contact the University Police Department, 257-4018, available 24 hours a day. Police officials will contact a professional counselor and/or will assist the survivor in seeking medical treatment at the hospital if requested.

Off-Campus Assaults
If the incident occurred within the city limits of Ruston and is off the Louisiana Tech campus, report the crime to the Ruston City Police Department, 255-4141, located at 401 North Trenton Street. If the incident occurred in Lincoln Parish, outside the city limits of Ruston, report the crime to the Lincoln Parish Sheriffs office, 318-251-5111, located in the Lincoln Parish Court House, 100 West Texas Street, Ruston, LA.

2. Seek medical assistance within 24 hours of the assault. A survivor does not have to press charges in order to seek medical treatment; however, if criminal charges are pressed, medical information and an examination are essential. Police advise the victim not to change clothing, douche, or brush teeth. Very important evidence such as hair samples, saliva samples, finger scrapings, etc. may be lost if not collected immediately. Usual procedures call for a medical examination which will be performed by a physician, in the presence of a female nurse. Hospital medical personnel report that the following procedures may take place during a medical examination:
   - baseline lab work will be performed to determine existing health concerns.
   - evidence will be collected in the event charges are pressed. Note: this step will be taken only with the consent of the survivor.
   - police will be contacted with the consent of the victim.
   - information regarding testing for sexually transmitted diseases and pregnancy will be provided.
   - information about immediate counseling resources will be provided or referrals for follow-up counseling will be given.

3. Seek medical testing if you have reason to believe you were disabled with drugs without your knowledge and subsequently sexually assaulted. Drugs such as Rohypnol and GHB are used to spike drinks for the purpose of sedating for sexual assault. Drowsiness and impaired motor skills are common effects, giving an appearance of intoxication. Symptoms may also include impaired judgment, disinhibition, dizziness and confusion. Such substances can be colorless, tasteless, odorless, and dissolve easily into liquid. If you think you have been sedated with such a drug, tell hospital personnel. A urine test within 72 hours may determine if a drug was used.

4. Consider options for actions against the perpetrator.
   **On-Campus Options**
   If the incident happened on the Louisiana Tech campus, the assault survivor has the options of (1) pressing criminal charges against the perpetrator with the
appropriate law enforcement agency and/or (2) requesting a university administrative review of the incident. An administrative review of the behavior will be conducted when the personnel with the Office of Student Life are informed of a possible violation of the University’s Code of Student Rights, Responsibilities, and Behavior. A review of possible violations may be made by reporting the incident to the Office of Student Life, 257-3396, 333 Keeney Hall. It should be noted that any report filed through the University Police Department or forwarded to the University Police Department by another law enforcement agency will be immediately forwarded to the Office of Student Life and will prompt an administrative review of the behavior of any Louisiana Tech students involved in the incident. If a violation of the University’s Code of Student Rights, Responsibilities, and Behavior has occurred as defined in Section Six of the Code, administrative action will be taken as defined in Sections Eight and Nine of the aforementioned Code. Offenses pertaining to sexual assault, as defined in Section 6.04:37 of the Student Code will warrant an immediate review by the University Behavioral Standards Committee. The standard of evidence during any hearing will be “a preponderance of evidence.” If a hearing by the University Behavioral Standards Committee is held both the accuser and the accused are entitled to the same opportunities to have a representative (either personal or legal counsel) who may attend and advise but may not present the case. Also, both the accuser and the accused will be informed of the outcome of any campus disciplinary proceeding dealing with sexual assault. Sanctions that may be issued by the Behavioral Standards Committee against a student found guilty of sexual assault can be found in Section 9.03 of the Student Code. Behavior of a particularly violent nature performed by a student enrolled at the university may warrant an immediate interim suspension by the president of the university or by his designee as provided for in Section Thirteen of the Code of Student Rights, Responsibilities, and Behavior.

Off - Campus Options
If the incident happened off the campus, the assault survivor may press criminal charges against the perpetrator with the appropriate law enforcement agency. University officials can assist the victim in notifying these authorities if the student so chooses.

5. Seek professional counseling and support. Whether or not the victim chooses to take legal action against the perpetrator, he/she is advised to seek professional counseling. A sexual assault of any kind can result in difficulty later if the emotional issues associated with it are not addressed. The University Police can contact a counselor immediately following an assault. Individuals can contact the Louisiana Tech Counseling Career Services, 257-2488, during regular working hours. A licensed professional counselor can assist with decisions about available options and can help in working through the healing process. Options can include assisting the survivor in changing academic and living situations if requested and if such changes are reasonably available. A listing of area resources for sexual assault survivors is provided in this Guide.
Definition and Criminal Statutes:
As defined in the Code of Student Rights, Responsibilities, and Behavior (6.04:37), a sex offense is any sexual act directed against another person, forcibly and/or against that person’s will, or not forcibly or against the person’s will where the victim does not or is incapable of giving consent.

The Higher Education Act (HEA) defines new crime categories in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:

"Domestic Violence" means a "felony or misdemeanor crime of violence committed by –
• a current or former spouse or intimate partner of the victim, or
• a person with whom the victim shares a child in common, or
• a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or
• a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or
• any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

"Dating Violence" means "violence committed by a person –
• who is or has been in a social relationship of a romantic or intimate nature with the victim; and
• where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship
  - the type of relationship; and
  - the frequency of interaction between the persons involved in the relationship".

"Stalking" means "engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
• fear for his or her safety or the safety of others; or
• suffer substantial emotional distress".

Victim Services
Depending upon the circumstances of the incident, the victim has the option of requesting the university’s aid in adjusting academic classes, on campus residence living and if applicable, adjusting the work environment. The university would facilitate this assistance through working with the appropriate university department, as necessary.
Resources for Sexual Assault Survivors

Louisiana Tech University Police
257-4018
South Hall
Corner of Tech Drive and Hergot

City of Ruston Police
401 North Trenton
911 or 255-4141
Ruston, LA

Lincoln Parish District Attorney
251-5100
Lincoln Parish Court House
100 Texas Avenue West
Ruston, LA

Lincoln Parish Sheriff's Office
251-5111
Lincoln Parish Courthouse
100 Texas Avenue West
Ruston, LA

Louisiana Tech Counseling and Career Services
257-2488
310 Keeny Hall

Louisiana Tech University Health Center
257-4866
South Hall
Corner of Tech Drive and Hergot

Northern Louisiana Medical Center
254-2456
401 E. Vaughn St.
Ruston, LA

Pine Hills Sexual Assault Center
255-7273
P.O. Box 777
1-(800)-869-1033
Ruston, LA 71273
ATTACHMENT
McNeese
Sandra Cyprian

From: Philip Williams <pwilliams@mcneese.edu>
Sent: Friday, July 25, 2014 10:55 AM
To: Sandra Cyprian
Cc: Sandra Woodley
Subject: Requested information regarding rape and sexual assault data for Board of Regents

Sandra,

Per the message from Dr. Woodley, the attached documents respond to the request from Board of Regents Chairman Bubba Rasberry regarding rape and sexual assault data. Please do not hesitate to contact me if further information is required.

Thanks,

PCW

Philip C. Williams
President
McNeese State University
Box 93300
Lake Charles, LA 70609
Office: 337-475-5556
Toll Free: 800-622-3352 Ext. 5556
Fax: 337-475-5012
Date: July 24, 2014

TO: Dr. Jeanne Daboval - Provost
FROM: Chief of Police Robert Spinks
SUBJECT: Request for Sex Crime Data and Related Policy Information

In response to the request made by the Chair of the Board of Regents W. Clinton Rasberry, Jr that was generated by an inquiry of the Chairman of the State Senate Judiciary Committee, Mr. John-Paul Morrell, I have compiled the following information for your review.

Item 1 – The number of sexual assaults that have been reported on campus for the preceding five years (2009-2013).

In part because McNeese State University is in an urban setting with a majority of commuter studies with less than 1,000 students living on-campus in the dorms, the institution has had a very low rate of sexual assaults. Over the past decade only three (3) sexual assaults have occurred on campus. One sexual assault was reported in 2006, 1 in 2009 and 1 in 2012.

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Item 2 – The number of sexual assault investigations that have been conducted on each campus for the preceding five years (2009-2013).

All calls for service and reports of crime are investigated. These incidents are documented with crime reports. Consequently three (3) sexual reports have been investigated since 2006; 1 in 2006, 1 in 2009 and 1 in 2012. Criminal investigations are then routed to the Calcasieu Parish District Attorney’s Office for criminal prosecution and to the Office of University Services if the perpetrator is a student or to ensure that the victim receives outreach services and support.

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<th>Year</th>
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1 Rape and Sexual Assault numbers were confirmed through a review of available LEMIS/IBR electronic records for 2012 to present; a review of FBI UCR reports that were filed from 2005 through 2012; and with data filed with the US Department of Education that is mandated by the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act: [http://www.opc.ed.gov/security/](http://www.opc.ed.gov/security/)
Item 3 – The written policy governing sexual assaults on each campus, specifically including sexual assault response employee training requirements.

The police department has both a written policy on criminal investigations that includes sexual assault investigations and a written policy on

All Police Officers at McNeese State University are graduates of a Louisiana Police Officer Standards and Training (POST) Academy, which includes criminal law training, criminal investigations and evidence processing curriculum. Additionally, many of the MSU-PD staff have significant police municipal policing experience and have served as criminal investigators, instructors and detective supervisors.

Unlike many states the State of Louisiana Police Officer Standards and Training (POST) provides minimal in-service training offerings and presently offers no courses in sexual assault or sex crimes investigations. This means that private vendors, educational institutions or sponsored training from federal resources have to be utilized usually at significant cost to local law enforcement agencies.

However, End Violence Against Women International through a grant from the US Department of Justice provides a series of free on-line training classes that our Department is using for our police staff. A list of the classes offered is included in Appendix A. The International Association of Chiefs of Police provides free training resources on violence against women which is listed in Appendix A. And the Florida Council Against Sexual Violence provides two free online training courses to law enforcement on: Investigating Sexual Assault: Working with Victims and Law Enforcement and Prosecutors: Working Together to Win Sexual Battery Cases.

Item 4 – The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited to any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.

The written investigation procedures for the University Police are in the attached policies on Criminal Investigations and Rape & Sexual Assault Investigations are attached. All criminal cases are adjudicated by filing the case for prosecution through the Calcasieu District Attorney’s Office or are closed through criteria that is established by the Federal Bureau of Investigation (FBI), Uniform Crime Report (UCR) system. The most current UCR Handbook (2004) provides uniform guidance on how a criminal case is ‘cleared’ by either ‘arrest’ or ‘exceptional means’ starting on page 78, (the web link is listed in Appendix A).

The University Police currently has Memorandums of Understanding (MOU’s) covering mutual aid, jurisdiction, inter-agency relations and special event coverage with the Calcasieu Parish Sheriff’s Office (CPSO), Lake Charles and Iowa Police Departments and the Ward 3 Marshal’s Office. We can call upon the Louisiana State Police as a sister state level agency for additional resources if. These agreements allow for the use of mutual aid and specially trained crime scene technicians when a major crime might exceed the resources of our agency. The trigger for the request of additional resources is made through the University Chief of Police.

The Office of University Services is notified by the police department when a rape or sexual assault is reported in order to initiate potential student disciplinary processes if a suspect is a student, and is also the point of contact to provide counseling and health services for a victim student. University Services conducts their own parallel administrative investigation that centers of identifying any Student Code of Conduct violations.
Appendix A

End Violence Against Women International - On-Line Class Offerings (83 hrs. of available training):
http://www.evawintl.org/
- Effective Report Writing: Using the Language of Non-Consensual Sex - 2 hours*
- Dynamics: What Does Sexual Assault Really Look Like? - 4 hours*
- Victim Impact: How do Sexual Assault Victims Respond? - 6 hours*
- Preliminary Investigation: Guidelines for First Responders - 6 hours*
- Law and Investigative Strategy: What Kind of Sexual Assault is This? - 4 hours*
- Interviewing the Victim: Techniques Based on the Real Dynamics of Sexual Assault - 8 hours*
- False Reports: Moving Beyond the Issue to Successfully Investigate and Prosecute Sexual Assault - 4 hrs*
- Sustaining a Coordinated Community Response: Sexual Assault Response /Resource Teams (SARRT) - 8 hrs.*
- Reporting Methods for Sexual Assault Cases - 4 hours*
- Clearance Methods for Sexual Assault Cases - 5 hours*
- Effective Victim Advocacy in the Criminal Justice System: A Training Course for Victim Advocates - 10 hrs.*
- The Role of Victim Advocates in the Criminal Justice System - 4 hours*
- Effective Response to Victims with Disabilities - 6 hours*
- Forensic Compliance: Medical Forensic Exams for Victims Who are Unsure About Criminal Justice Participation - 6 hours*

International Association of Chiefs of Police (IACP) - Training Resources for Violence Against Women:
http://www.theiACP.org/Police-Response-to-Violence-Against-Women#sexual%20assault

- Investigative Guidelines
- Supplemental Report Form
- Sexual Assault Pocket Tip Card
- Training Key #571 Investigating Sexual Assault Part I: Elements of Sexual Assault & Initial Response
- Training Key #572 Investigating Sexual Assault Part II: Investigative Procedures
- Training Key #573 Investigating Sexual Assault Part III: Investigative Strategy & Prosecution
- Training Key #574 Pretext Phone Calls in Sexual Assault Investigations

Florida Council Against Sexual Violence - Training Resources for Sex Crime Investigations:

- Investigating Sexual Assault: Working with Victims and Law Enforcement
- Prosecutors: Working Together to Win Sexual Battery Cases.

Training Providers
- Southern Police Institute - http://louisville.edu/spi/courses/ce-courses/sci
- D. Stafford and Associates - Investigation of Sex Crimes for Campus Police and Public Safety Agencies
  - http://www.dstaffordandassociates.com/training/

POLICY

It shall be the policy of the McNeese Police Department to serve the community through the aggressive investigation of criminal cases. The Department shall pursue this goal by training detectives in criminal as well as narcotics/vice investigations.

PURPOSE

Acknowledging the need for continued, detailed, and specialized investigations into certain criminal incidents, the McNeese Police Department operates a Detective Division, as well as a Narcotics Division, hereafter referred to as the Special Services Division. These divisions shall conduct follow-up investigations of criminal incidents after line officers have exhausted their initial investigations.

PROCEDURE

1. Preliminary Investigations

   A. The uniformed patrol officer is primarily responsible for the completion of initial Crime Incident Reports. However, they are not held entirely responsible for the clearance of the reported crime. They are urged to investigate the reported crime as thoroughly as possible when taking the initial Crime Incident Report. All preliminary investigations shall be conducted in accordance with procedures outlined in this section.

      1. Nothing shall preclude a criminal investigator from initiating a preliminary investigation and completing a Crime Incident Report when the investigator becomes aware of a criminal event, or when a patrol officer is unavailable to handle the preliminary investigation.

   B. The initial scene investigation, conducted typically by a uniformed patrol officer, encompasses the two equally important phases: physical investigation of the crime scene and thorough documentation of the crime in the Crime Incident Report.

   C. The investigative value of crime incident reports will be based on the solvability factors present such as available evidence and information collected at the scene. The following solvability factors should be considered when gathering information:

      1. Was there a witness to the crime? If so, have them complete witness information.
      2. Determine the existence of a significant method of operation (M.O.), or complete the modus operandi identifier form.
      3. Was the suspect identified? Get description(s), name(s), and possible location(s).
      4. Was there a description of the vehicle used by the suspect(s) in the commission of the crime?
      5. What was the opportunity to commit the crime?
      6. The number of persons as possible suspects.
8. Is there any significant physical evidence?
9. Does the stolen property have identifiable characteristics, marks, or serial numbers which can be traced?
10. Were there positive results from the crime scene search?

D. In order to effectively make use of the solvability factors, the initial investigating officer must exhaust all reasonable means of developing leads. A checklist of needed investigative information for a thorough investigation should include the following:

1. Develop suspect information:
   a. Interview the victim thoroughly.
   b. Interview neighbors/persons who might have witnessed the crime.
   c. Be aware of the criminal element in the area.
   d. Develop informants and/or information sources.

2. Develop suspect vehicle information:
   a. Interview the victim.
   b. Interview neighbors/persons in close proximity to the crime scene.
   c. Record and submit appropriate reports regarding suspicious persons/vehicles according to procedures set forth in General Order O 9, Field Interviews.

3. Physical evidence:
   a. Learn correct techniques for collecting evidence.
   b. Processing crime scenes with or without assistance from identification officers.
   c. Note all conditions including weather, time of day, unusual circumstances or events.

4. Identifiable property:
   a. Obtain the make, model number, serial numbers, and any other numerical identifier.
   b. Obtain a detailed description of the article.
   c. Obtain descriptions of identifying marks such as burns, scratches, etc.

5. Method of Operation: "modus operandi"
   a. Point of entry/exit.
   b. What property was taken?
   c. How was the crime committed?
   d. What did the suspect say?
   e. Were there any unique or odd actions, speech, times, descriptions, times property stolen, etc.?
   f. Record appropriate M.O. code number in designated portion of the Crime Incident Report.

E. Offenses not immediately cleared at the patrol level will be forwarded to Detectives for investigative follow-up assignment.

F. On-duty shift supervisors will notify Detective personnel when the following offenses require immediate attention and/or further investigation in close proximity to their occurrence.
II. Detective Division Administration

The Chief of Police shall designate an investigator for the operations of the division.

A. Responsibilities of the Investigator include, but are not limited to:

1. Ensuring investigators have the appropriate equipment to effectively investigate the cases assigned to them.

2. Securing adequate training for investigators to effectively investigate criminal activity. Training should include various disciplines required for an effective investigation and the behavioral patterns associated with certain crimes.

3. Ensuring the efficient flow of paperwork and other documentation within the Department and to other agencies/facilities.

4. Staying abreast of current investigative methods and tactics.

5. Serving as a liaison between the Detective Division and the Chief of Police.

B. Upon the assignment of Department personnel to the Detective Division, training shall be furnished in accordance with the necessary knowledge, skills and abilities established for this specialized division. This training will occur as soon as possible prior to, or following, the assignment.

C. Hours of Duty

1. The Investigator will keep office hours unless special circumstances require a change in these hours. The investigator will be on 24 hour call.

III. Investigative Case Management

A. The investigator will be responsible for all cases generated on McNeese State University Campus and properties.

B. A system for case screening shall be used to determine follow-up investigations on specific cases.

1. An investigator will review cases for the purpose of determining whether the case should be assigned for active investigation and at what interval the progress reports will be due.

2. Cases assigned for follow-up investigation shall be assigned to a single investigator. This does not preclude other investigators from assisting on cases, which require assistance, or due to the magnitude, require a second investigator. The case shall remain, however, the responsibility of the lead investigator.
3. In the event an officer is transferred from the investigative section or retires from police service, the investigative active/inactive files shall be disposed of in the following manner:
   • Re-assignment to another investigator;
   • Equal disbursement among investigators; or
   • the purging of files in accordance with the statute of limitations.

C. A system for case status control shall be utilized.

1. Cases requiring follow-up are separated into one of three categories: Crimes against Persons, Crimes against Property, and Juvenile related crimes.

2. The case status control system will include the following information:
   • Assigned detective
   • Date of assignment
   • Case number
   • Status of the case

3. Case files will be maintained in the Investigator’s office according to their individual status: open, suspended, or closed. The case files shall be available to all detectives and include the following information:
   • copies of the preliminary investigative report;
   • copies of all statements related to the investigation;
   • results of examinations of physical evidence and lab results;
   • assigned detective(s);
   • case status reports; and
   • other reports and/or records required for investigative purposes.

All files will be purged in compliance with applicable state and federal laws. Original documentation and reports will be maintained in the Department’s Criminal Records Division.

4. Case status will be classified into one of the following categories:
   a. **Open** - case is assigned to a detective and investigative efforts are active.

   b. **Suspected** - all available leads have been exhausted yet the case has not been brought to conclusion, and it may be re-opened if new solvability factors develop. The following criteria warrant the suspension of an investigation:
      (1) A lack of leads or solvability factors.
      (2) The unavailability of investigative resources.
      (3) An insufficient degree of seriousness.
      (4) An unfounded reported crime.

   c. **Closed** - case has been concluded based on any of the following conditions:
      (1) An arrest has been made and charges accepted by the District Attorney's Office.
      (2) The victim refuses to prosecute or testify.
      (3) The victim refuses to cooperate with the investigation.
      (4) After the initial investigation, it is determined that no offense has been committed.
(5) The case has been suspended for one (1) year and all leads have been exhausted

d. Detective personnel will inform victims of the case status. All victims are contacted initially and updates regarding the case status will be offered periodically.

IV. Criminal Investigations

The purpose of investigations is to satisfactorily resolve criminal incidents that are not resolved by the uniformed patrol division, by assigning detectives the responsibility of conducting follow-up investigations. Detectives assigned the task of follow-up investigations shall be guided by the Rules of Evidence and Criminal Procedure, General Orders and others laws and statutes which may be applicable.

A. Upon initiating an investigation, a detective should collect as much information as possible about the offense and any suspects involved. Information may be developed in the following manners:

1. Review and analysis of previous reports and files.
2. Collection of physical evidence.
3. Conduct additional interviews and interrogations of individuals.
4. Make secondary contact with the victim and witness to obtain supplemental information.
5. Disseminate intelligence reports, arrest reports, and departmental records.
6. Seek additional information from officers or informants.
7. Review results of laboratory examinations; crime lab report.
8. Check suspect's criminal history through computer system and non-automated agencies.
9. Determine through the investigation the suspect's involvement in other offenses.
10. Plan, organize, write, obtain search warrants, and conduct searches.
11. Identify and arrest suspect(s), by warrant or other means.
12. Prepare investigative reports for presentation to the District Attorney's Office for prosecution.
13. Assist in the prosecution through court appearances and testimony.
14. Detective personnel should conduct interviews and interrogations of witnesses and suspects whenever possible and appropriate to the case. Interviews may be conducted in any place dictated by the circumstances at the time of the interview. Interrogations may be conducted in the field or in an interview room where the environment is controlled. Before beginning the interrogation the Miranda warnings should be given where appropriate, either in verbal or written form using the Your Miranda Rights form. Information obtained from interviews and interrogations should be noted in the following manners:
   * Written in the detective's supplemental investigative report;
   * Written or typed statement signed by the complainant, witness or suspect/arrestee; or
   * Videotaped in the Investigator's office.

Special care should be taken while videotaping statements of victims or suspects. At no time during a videotaped interview shall the interview room camera monitor be "on" displaying the occupant of the room, while non-law enforcement personnel are present in the office area. The display of the subject would be a violation of their constitutional rights if viewed by citizens other than law enforcement personnel.
B. At all times during the investigative phase, the constitutional rights of the person involved shall be protected. Caution should be taken in the following areas of an investigation:

1. Arrester's and suspects are informed of their Miranda rights either verbally or in writing using the Your Miranda Rights form used by the department.
2. Confessions and statements are obtained voluntarily without duress.
3. An attorney is provided when requested by an individual.
4. Information that would hinder the investigation is not released to the media.
5. The suspect's person is searched for evidence or contraband while not under arrest.

C. While conducting an investigation an officer/investigator may learn or become aware of potential physical evidence concerning a suspect's person. Should the officer/investigator develop a reasonable suspicion that the suspect's person contains evidence related to a crime under investigation or is concealing contraband the officer/investigator may request a search of the suspect's person. In the event a more thorough search of the suspects person is warranted, the officer/investigator must acquire one of the following prior to conducting a strip search of the suspect's person: (Example: Observing an individual's body for identifiable injuries, scars, or tattoos.)

- A "Voluntary Consent for Search and Seizure" of the suspect's person completed and signed by the suspect/individual; or
- A Search Warrant signed by a judge.

Following the obtaining of either of the two documents, the strip search is to be conducted in accordance with the guidelines set forth in Administrative Order A-3 Law Enforcement Role and Limits of Authority.

D. In cases where a body cavity search is needed or required, a Search Warrant shall be obtained for the body cavity search. The suspect will be transported to a medical facility or hospital emergency room, where the cavity search will be conducted by trained medical personnel.

E. Detective personnel may conduct background investigations on individuals for investigative purposes to verify or disprove information received as a result of the investigation. The investigation and verification of information should be conducted discreetly, and confidentiality should be maintained, identifying the following:

1. The purpose of the investigation.
2. The potential sources of information, such as past employers, school records/officials, credit bureaus, postal and utility companies, personal associates.
3. The uses of the information obtained.
4. The distribution of the information received.
5. The duration the information will be maintained with the related offense and purged according to the normal procedure for purging records.

- Homicide Investigators named by the supervisor;
- The Calcasieu Parish Coroner's Office; and
- Department Crime Scene Technicians.

F. Investigator Arrival at Scene

1. Upon arrival at the scene of an allegedly fatal occurrence the investigator(s) first investigative procedure will be the verification of death. The Coroner will be summoned to verify the death of the victim and to conduct an initial examination of the deceased.
2. The investigator(s) should confer with the initial responding officer and gather all initial information and observations available since the officer’s arrival. At this initial conference all information should be relayed to the investigator including the identification of any witnesses present.

3. During the examination by the Coroner, the investigator shall note the appearance of the scene and body, observe, and examine the body for an obvious cause of death. Note appearance, bullet wounds, knife wounds, etc.

4. The investigator(s) or Coroner should identify the victim from personal effects, witnesses, or associates that are located at or near the scene. The Death notification to the victim’s next of kin will be conducted by the investigator.

G. Polygraph Examinations

Polygraph examinations may be used as an investigative tool. Persons must submit voluntarily and shall be read their Miranda warning prior to the examination. Results are used to verify or dispute provided information. Polygraph examinations shall be administered by an examiner who has graduated form polygraph training institution.

H. Crime Scene Processing

1. Upon arrival of Crime Scene Personnel a conference between the investigators, supervisors, and crime scene technicians shall occur.

2. The investigator and crime scene technician will attempt to reconstruct events at the crime scene by use of the following:
   - position of the victim(s) body;
   - number and location of wounds and their types;
   - trajectory of bullets;
   - blood stains;
   - signs of violence; and
   - other physical evidence present at the scene

3. The investigator and/or crime scene technician shall proceed with the following:
   - Survey the crime scene for initial observations;
   - Consider all possible evidence present at the scene;
   - Photograph and videotape the entire crime scene;
   - Sketch the scene making necessary measurements (to ensure that the scene can be recreated to its original condition at a later date);
   - And; Develop and lift latent prints (where applicable), preserve, and collect evidence.

4. After processing the scene the coroner will ensure the body is secured in a body bag for transportation to the pathologist laboratory. Victims of homicides should have their hands secured with bags for the purpose of preventing loss of evidence associated with a physical confrontation.

5. Homicide Investigator(s), supervisors, and crime scene technicians will have an additional briefing after completion of these tasks prior to leaving the crime scene.

I. Evidence/Victim

1. The clothing of the victim shall be obtained either at the hospital or at the coroner’s office.

2. The Coroners office will be required to conduct an autopsy of the victim. The
3. When a firearm is the weapon, the bullet recovered from the body shall be taken into evidence by the primary investigator or crime scene technician. If the weapon is located an ATF trace will be performed on the firearms serial number or model and description.

I. General Investigations

1. All preliminary and criminal investigation guidelines contained in this order shall be adhered to when conducting a homicide investigation.

2. A criminal history and records check will be conducted on both the victim and the suspect, when identified.

3. When the investigation is complete the investigative report will be typed and reviewed by the lead Investigator, Crime Scene Technician, and the Investigation Supervisor for accuracy, detail, and completeness. Before the investigative report is submitted to the District Attorney's Office it should contain the following:

   - a summary of the investigation;
   - a list of evidence obtained with copies of all evidence submittal forms;
   - a complete and current list of witnesses; and
   - copies of all transcribed witness/suspect statements.

4. Media releases concerning investigative findings, investigative updates, or arrests shall be coordinated by the Chief of Police with the Department Public Information Officer. All media releases must be approved by the Chief of Police prior to public release to ensure sensitive information is not released. Additional information regarding media releases can be found in General Order # A-21 Public Information and Media Relations.

J. Habitual / Serious Offenders

1. The decision to designate and prosecute certain individuals as habitual / serious offenders is the responsibility of the Calcasieu Parish District Attorney's Office. The guide lines are set forth in Louisiana Revised Statue 15.529.1

2. These Investigator shall notify the Calcasieu Parish District Attorney's Office of persons who may fall into this category if such information is known.

BY ORDER OF:

[Signature]

DAVID BENADA, CHIEF OF POLICE
NOTE: A Special Order supersedes or modifies existing policy and procedure General Orders, or is designed to provide policy guidance for a specific or temporary situation. A Special Order should not extend past one year and is designed to be included in the next regular update to the Policy and Procedure Manual.

I. POLICY

It is the policy of MSUPD to respond to and investigate all reports of rape and sexual assault with the primary goal of ensuring victim safety and referral to helping agencies to ensure the emotional and physical trauma of a victim is addressed. Then the investigation must be thorough, professional and well documented.

All reports of rape and sexual assault will be given maximum agency support.

II. PURPOSE

The professional response to incidents of rape and sexual assault are of critical concern in a University environment. In order to enhance our agency's response and investigation, this Special Order has been developed in order to supplement the core investigatory steps that are outlined in existing agency Policy 12 Criminal Investigations.

III. PROCEDURE

RESPONDING OFFICER PROCEDURES-ADULT VICTIMS

Whenever members investigate a reported rape or sexual assault of an adult, they must realize at all times the emotional, as well as physical trauma the victim has suffered. Members must perform their duties in a professional, caring manner, attempting to gain the victim's trust and confidence. When dispatched to a rape or sexual assault complaint, members must achieve specified tasks that will lead to successful prosecution of the offender.

A. The responding officer will:

1. If the victim is injured and requires immediate medical assistance, request Emergency Medical Services (EMS).

2. Defuse any volatile situations.

3. Notify an on-duty shift supervisor.

4. Protect the scene and all evidence from contamination or destruction.

5. Interview the victim privately and begin the preliminary investigation.

6. Provide reassurance, support, patience, and respect for the personal dignity of the victim.

7. Obtain information for the preliminary case report.

8. Obtain bedding, clothing, and related evidence from the scene unless the scene is going to be processed by CID personnel. Depending on the scope of the crime scene and physical evidence, the services of the Calcasieu Parish Sheriff's Office (CPSO) Crime Scene Technicians and/or the Lake Charles Police Department's (LCPD) Crime Scene Technicians may need to be requested to process the scene. This request can be made through the Dispatcher with prior notification of the Police Lieutenant and/or Chief of Police by the Sergeant or Senior Officer on-duty.
9. Ask the victim not to wash, or urinate (in cases of possible drug induced assault) until medical examination has been performed.

10. Accompany the victim to the (Sexual Assault Nurse Examiner) SANE Unit, or to a local hospital if the victim is injured for examination and evidence collection. The member will not witness examination by medical personnel.

11. Advise the physician or medical personnel who will be conducting the examination of pertinent information concerning the assault.

12. At the SANE Unit or hospital, obtain clothing that will be tagged for evidence processing.

13. Remain at the SANE Unit or hospital until family members, support services personnel or CID personnel arrive when possible.

14. Once the completed rape kit is been obtained from SANE or the hospital, it must be placed into evidence in the evidence processing room.

RESPONDING OFFICER PROCEDURES-CHILD VICTIMS

The Protocol for Investigation of Sexual Abuse against Children shall be utilized to investigate child sexual abuse for children 17 years of age and under, and individuals 21 years of age and under, who have a mental disability, physical disability or developmental disability. This protocol provides that the victim will only be interviewed once, by a multidisciplinary team.

A. The responding officer will:

1. If the victim is injured and requires immediate medical assistance, request Emergency Medical Services (EMS).

2. Defuse any volatile situations.

3. Notify an on-duty shift supervisor.

4. Protect the scene and all evidence from contamination or destruction.

5. Obtain information for the preliminary case report without interviewing the victim.

6. Members will make an initial report, which will be forwarded to the CID for the scheduling of an interview of the victim.

7. In cases where the suspect(s) may still have access to the victim, the Criminal Investigation Division (CID) officer will be immediately summoned to take over the investigation. In such cases, the member is to insure complete separation of the alleged perpetrator from the alleged victim.

PATROL SUPERVISOR PROCEDURES

1. Respond to the scene or the hospital.

2. A supervisor will confer with a CID officer regarding all sexual assaults involving children 17 years of age and under, and individuals 21 years of age and under, who have a mental disability, physical disability or developmental disability.

3. A supervisor will confer with a CID officer on all sexual assaults having occurred within the last 24-hours.

4. In cases where the suspect(s) may still have access to a victim who is a child, the Criminal Investigation Division (CID) officer will be immediately summoned to take over the investigation. In such cases, the member is to insure complete separation of the alleged perpetrator from the alleged victim.

5. In all cases, the supervisor has the discretion to confer with or summon a CID officer due to the nature of assault or the scene.

This procedure is exempt from release under both the Federal Freedom of Information Act as well as the Louisiana Public Records Law exemptions covering police operations and tactical responses. Requests for release of this procedure are to be immediately routed to the Chief of Police.
ATTACHMENT
August 29, 2014

Dr. Sandra Woodley, President
University of Louisiana System
1201 North Third St., Suite 7-300
Baton Rouge, LA 70802

Dear Dr. Woodley:

This memo is in response to the July 14, 2014, request for information regarding the number of reported sexual assaults incidents, investigations that occur on college campuses in Louisiana and the policies that address these issues. Our response addresses each of the four points noted in Senator Morrell’s July 11, 2014, letter.

Each year, Nicholls State University provides an annual security and fire report to the Department of Education as required by Federal law. This annual report includes the information requested by Senator Morrell. A copy of our most current annual Campus Security and Fire Report can be found at the following web address:


Nicholls State University has had a total of 6 incidents during the years of 2009 to 2013 regarding rape or sexual assault on its campus. Each incident reported to the university was investigated. As a result of this, Nicholls State University has had a total of 6 investigations during the years of 2009 to 2013 regarding rape or sexual assaults on its campus.

Nicholls State University requires all employees who are identified as a mandated reporter by Federal law to attend training with the police department and student services on how to report and respond to a sexual assault on campus. The list of positions and policy can be found at the following web address:

http://www.nicholls.edu/policy/crime-reporting/crimes-occurring-on-campus/ The University holds these training during the fall semester. In addition to this training, we have implemented training under the Campus SaVE Act that was passed by Congress and signed into law in 2013 by President Obama. Our training and policies are aimed at eliminating campus sexual violence as well as proper handling of the reporting and investigation of incidents. Information on our response to Campus SaVE can be found at: http://www.nicholls.edu/services/campus-save/.

In addition to the police department at Nicholls State University, a sexual assault can also be investigated by the offices of Judicial Affairs and or the Title IX Coordinator. These entities provide services and resources to victims in addition to those provided by our police department. The investigations undertaken by these entities are included in the annual crime report statistics. The policy regarding Sexual Assault is found in our Code of Student Conduct. This resource can be viewed in addition to our programs, resources and procedures at the following web address:


http://www.nicholls.edu/counseling/victim-survivor-empowerment-prevention/.

Sincerely,

Bruce T. Murphy
NICHOLLS STATE UNIVERSITY

2013
ANNUAL SECURITY & FIRE REPORT
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Requirements of the Campus Security Act</td>
<td>4</td>
</tr>
<tr>
<td>The Nicholls State University Police Department</td>
<td>5</td>
</tr>
<tr>
<td>Police Authority</td>
<td>6</td>
</tr>
<tr>
<td>Reporting Crimes or Emergencies</td>
<td>8</td>
</tr>
<tr>
<td>Safety Policies</td>
<td>9</td>
</tr>
<tr>
<td>Use of University Facilities</td>
<td>10</td>
</tr>
<tr>
<td>Residence Halls</td>
<td>10</td>
</tr>
<tr>
<td>Academic &amp; Administrative Buildings</td>
<td>10</td>
</tr>
<tr>
<td>Weapons Policy</td>
<td>11</td>
</tr>
<tr>
<td>Illegal Drug Use Policy</td>
<td>12</td>
</tr>
<tr>
<td>Alcohol Policy</td>
<td>13</td>
</tr>
<tr>
<td>Timely Warnings</td>
<td>14</td>
</tr>
<tr>
<td>Emergency Response</td>
<td>14</td>
</tr>
<tr>
<td>Missing Persons</td>
<td>15</td>
</tr>
<tr>
<td>Safety Programs</td>
<td>19</td>
</tr>
<tr>
<td>Sexual Assault Policy</td>
<td>20</td>
</tr>
<tr>
<td>Personal Safety and Crime Prevention</td>
<td>25</td>
</tr>
<tr>
<td>Crime Statistics</td>
<td>28</td>
</tr>
<tr>
<td>Annual Fire Report</td>
<td>33</td>
</tr>
<tr>
<td>Fire Alarms</td>
<td>35</td>
</tr>
<tr>
<td>Residential Life Fire Safety Equipment</td>
<td>35</td>
</tr>
<tr>
<td>Fire Extinguishers</td>
<td>35</td>
</tr>
<tr>
<td>Residential Life Policies</td>
<td>37</td>
</tr>
<tr>
<td>Resident's Evacuation Instructions</td>
<td>38</td>
</tr>
</tbody>
</table>
Evacuation Locations

Residential Life Fire Statistics
LEGAL REQUIREMENTS OF THE CAMPUS SECURITY ACT

The Campus Security Act requires colleges and universities to:

publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements;

disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have "significant responsibility for student and campus activities;"

provide "timely warning" notices of those crimes that have occurred and pose an ongoing "threat to students and employees;" and

disclose in a public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department;" and

publish an Annual Fire Safety Report; and

disclose fire statistics for residential housing facilities; and

report hate crimes

The Nicholls State University Division of Student Affairs is responsible for preparing and distributing this report. The Division of Student Affairs compiles the information through a cooperative effort with other departments and agencies, such as the University Police Department, Office of Student Life, Office of Judicial Affairs, Office of Counseling and Student Services, and Office of Environmental Health and Safety. We encourage members of the Nicholls State University community to use this report as a guide for safe practices on and off campus. For a paper copy, contact the

Nicholls State University Division of Student Affairs at 985-448-4022, or e-mail eugene.dial@nicholls.edu
NICHOLLS STATE UNIVERSITY POLICE DEPARTMENT

Services

University police officers patrol the campus 24 hours each day of the year and are responsible for a full range of police services, including, but not limited to, responding to service calls, medical emergencies, fire emergencies, traffic accidents and any requests requiring police assistance. The department also remains proactive through crime prevention strategies and education and by responding to the needs of the Nicholls community.

Officers

University police officers are commissioned by the Louisiana Department of Public Safety. Louisiana Revised Statutes 17:1805 grants university police officers law enforcement powers, authority and responsibilities identical to the local police or parish deputy in one's home community. Each officer must successfully complete a post-certified basic course on law enforcement. All officers receive additional in-service or specialized training in first aid, CPR, firearms, investigation techniques and other areas.

Enforcement

Nicholls operates under a two-tiered system of sanctions. When students are brought to the Department of University Police in association with a crime which is also a violation of the Code of Student Conduct, they will be referred to the Director of Judicial Affairs in the Office of Student Life and may also have criminal charges brought against them. Thus, the final results of a student's association with any criminal activity may be suspension or expulsion, as well as arrest.

Further, the Director of Judicial Affairs may officially ban a student from the campus or from specific parts of the campus, including residence halls. The Department of University Police will also monitor off-campus activities of student organizations. Illegal activity can result in arrest, suspension or expulsion.
L.R.S. 17:1805 AUTHORITY OF UNIVERSITY OR COLLEGE POLICE OFFICER

A. (1) Those persons who are university or college police officers responsible for maintaining general order and exercising police power on the campus of a state-supported or a private college or university shall be designated as university or college police officers.

(2) Each such person named as a police officer by the president of the college or university shall be commissioned as a university or college police officer by the Department of Public Safety and Corrections or as provided in Subsection E of this Section. Such commission shall remain in force and in effect at the pleasure of the employing college or university.

(3) While in or out of uniform, these police officers shall have the right to carry concealed weapons and to exercise the power of arrest when discharging their duties on their respective campuses and on all streets, roads, and rights-of-way to the extent they are within or contiguous to the perimeter of such campuses. In the discharge of their duties on campus and while in hot pursuit on or off the campus, each university or college police officer may exercise the power of arrest.

(4) Each such police officer shall execute a bond in the amount of ten thousand dollars in favor of the state for the faithful performance of his duties. The premium on the bond shall be paid by the employing institution.

B. Any person arrested by a college or university police officer, in the exercise of the power hereinafore granted, shall be immediately transferred by such officer to the custody of the sheriff or city police wherein the arrest occurs.

C. On and after January 1, 1975, no person shall be commissioned as a college or university police officer, unless prior to such commissioning the person has, as a minimum requirement, completed and graduated from the six-weeks program of the Basic Law Enforcement Training Academy of Louisiana State University and Agricultural and Mechanical College or possesses equivalent training or experience.

D. Upon authorization by the chief administrative officer of the educational institution, a college or university police officer shall have authority to discharge his duties off campus as follows:

(1) If engaging in intelligence gathering activity.

(2) When investigating a crime committed on campus.

(3) When transporting prisoners in furtherance of duties as set forth in this Section.

(4) When transporting money, securities, or other valuables on behalf of the college or university.

(5) While providing security or protective services for visiting dignitaries to the college or university both on and off the campus.

(6) If specifically requested by the chief law enforcement officer of the parish or city.

E. Notwithstanding any of the provisions of this Section to the contrary, any state supported or private college or university situated within the territorial limits of the city of New Orleans may, at the option of the college or university, have its campus police officers commissioned as university or college police officers by the city's police department, rather than the Department of Public Safety and Corrections, upon complying with the requirements and regulations as may be prescribed by the city's police department for the commissioning of special officers. Such commissions issued by the city's police department shall confer upon such campus police officers all rights and privileges as are enumerated in this Section with respect to officers commissioned through and by the Department of Public Safety and Corrections; provided, however, that such officers shall not be entitled to supplemental pay for municipal police officers.

F. Notwithstanding any provision of this Section to the contrary, on July 1, 1991 and thereafter, no person shall be commissioned as a university or college police officer by the Department of Public Safety and Corrections or as otherwise provided in Subsection E of this Section until there has been a determination
made by the commissioning authority that the particular public or private college or university naming the police officer is in compliance with the provisions of R.S. 17:3351(C), or, in the case of a private college or university, is in compliance with substantially similar requirements adopted by the particular institution, relative to reporting certain statistics on reported criminal offenses, adopting certain written security policies and procedures, and publishing certain such policies and procedures.

G. Each person who is employed as a full-time college or university police officer may carry a concealed handgun, whether in uniform or not and whether on or off duty, provided the person meets the requirements for college and university police officers set forth in this Section and is certified by the Council on Peace Officer Standards and Training.
REPORTING CRIMES OR EMERGENCIES

The Department of University Police constantly works toward the goal of a safe and secure campus, and to that end, it is our policy to encourage accurate and prompt crime reporting.

Emergency calls or requests for police service are initiated through the complaint desk by dialing 985.448.4911 (on campus, Ext. 4911) or by reporting to the office location on Ardoyne Drive at its intersection with Acadia Drive.

Non-emergency calls or requests for police service are initiated by dialing 985.448.4746 (on campus, Ext. 4746) or by reporting directly to the police department.

Depending on the seriousness and nature of the emergency condition, the appropriate university office will be notified, or the problem will be addressed directly by the police officer investigating it, if it is within his/her jurisdiction to do so.

Emergency call boxes provided by the university have been installed at strategic locations on campus. The installation of these emergency call boxes creates a communication network with campus police for instant assistance or reporting a crime.

Reporting Crimes on Campus

Students are encouraged to report all criminal activity which they have witnessed or in which they have been involved. They may report to any officer at the police department. They may also report to the following persons who have significant responsibility for student and campus activities:

- Vice President for Student Affairs
- Dean of Student Life
- Student Judicial Officer
- Director of Athletics
- Student Union Director
- Director of Enrollment Services
- Director of Campus Recreation
- Director of Residential Services
- Director of University Counseling Center
- Director of Financial Aid
- Coordinator of Student Activities
- Director of Bands
- Director of Student Publications and Printing
- Director of University Health Services
- Director of Testing
- Coordinator of Student Educators and Leaders
- Advisers of student organizations
• Coordinator of Student Educators and Leaders
• Director of International Student Affairs
• Adviser for KNSU and KNTV
• Adviser for the Judicial Board
• Director of the School of Fine Arts
• Director of the Nicholls Players
• Faculty who oversee the theater and music performance programs
• Assistant Director of Residential Services
• Assistant Director of Union Services and Facilities
• Assistant Director of International Student Services
• Residence Hall Directors
• Student Residence Houseparents
• All coaches
• Director of Student Services/Counseling
• Director of Residential Services
• Student Life Coordinator/Greek Advisor
• Coordinator for Student Organizations

These officials will report the incident immediately to the Department of University Police, which will investigate the report sufficiently to conclude that a crime either did or did not occur. If University Police concludes that a crime took place, it will publish a report of that crime in two ways:

1. an initial crime report available to the media and the public in the Daily Crime Log, maintained by the Office of University Police;
2. a "Crime Alert" bulletin posted widely and circulated by on-campus FAX machines, e-mail and internal mail to all departments.

**Reporting Crimes off Campus**

The Thibodaux Police Department reports to the University Police when a Nicholls student is involved in a criminal activity off campus. If the student is involved in that activity poses a threat of immediate harm to the campus community by his/her return to campus, the university’s disciplinary authority may take pre-emptive action against the student.

**Safety Policies**

The University makes every effort to ensure that the campus facilities, buildings and grounds are designed and maintained in such a way as to promote safety and reduce criminal opportunity. Particular attention is paid to the design of landscaping and exterior lighting.
The University performs an annual "safety walk", which is comprised of University Police, Division of Student Affairs, Office of Physical Plant, Office of Environmental Health and Safety, and the Student Government Association.

Use of University Facilities

With the exception of events that are open to the general public and advertised as such, the University's facilities and programs are generally reserved for accomplishing the objectives and programs of the University. Visitors and non-University affiliated groups seeking to utilize University facilities are expected to make prior arrangements with the appropriate University office. Authorization to use the Nicholls State University facilities is determined by University regulations then in effect. Visitors and guests to Nicholls State University residence halls must be registered by their hosts while in residence halls and apartments.

Residence Halls

Policies to maintain safety within residence halls include video monitoring of all buildings. La Maison du Bayou Student Housing Complex, Babington Hall, Calecas Hall, Millet Hall, Scholars Hall, and Zeringue Hall have resident only card access through the main doors. Procedures for guest visitation are enforced in accordance with the Housing Student Handbook. This document is available online at [http://www.nicholls.edu/housing/](http://www.nicholls.edu/housing/). Residence halls are equipped with fire safety equipment that includes smoke detectors and/or heat sensors that activate the central fire alarm system and most have automatic fire sprinkler systems. Residence hall staffs are trained to maintain security and to summon police, fire, medical, and maintenance assistance when needed. Criminal activity observed within or in the vicinity of buildings is reported to the Nicholls State University Police Department. Firearms, explosives, fireworks, or other hazardous materials are not permitted in or around residence halls or University apartments.

Academic and Administrative Buildings

Academic and administrative buildings are secured by the Nicholls State University Police Department. Hours of security may vary from building to building, depending on use. Like the residence halls, these buildings are equipped with fire safety equipment that includes smoke detectors and/or heat sensors that activate the central fire alarm system. Weekend and after-hours use of academic and administrative buildings may be scheduled through the Division of Academic Affairs and the Office of Auxiliary Services.

Monitoring and Recording Criminal Activity of Off-Campus Student Organizations

The Division of Student Affairs, through its Office of Student Life, supports and oversees registered student organizations. There are no off-campus student organizations registered or recognized by Nicholls State University. In addition, criminal activity off-campus is monitored by the University Police Department though information sharing protocols with local and regional law enforcement agencies.
Weapons Policy

Nicholls State University does not permit the possession of, display of, or attempt or threat to use firearms, ammunition, explosives, fireworks, or other dangerous weapons, substances, or materials of any kind on University property or at any University approved activity. Students found in violation of the standards of conduct regarding firearms will be sanctioned by the appropriate authority with one or more of the following penalties from the University: temporary suspension, suspension, dismissal, expulsion, administrative charge or payment of monetary fine. The University Police will arrest any student who discharges a firearm on campus and will forward a report to the District Attorney for prosecution. Students who desire firearms for recreational purposes should check them in at University Police for storage. These firearms may be checked out at any time for proper off campus use.

Sales or Use of Illegal Drugs, Tobacco, and Alcohol

Nicholls State University complies with all federal and state laws which prohibit the use, possession and sale of illegal drugs. The University is a drug-free zone under Louisiana law and will not shield any student, employee or visitor from action by civil authorities.

Nicholls State University strives to create an environment, which promotes and reinforces healthy, responsible living, within the context of its educational mission. To this end, and because of the risks to the health and safety of the individual and community, the University is opposed to the use and abuse of alcohol and any other drug for any purpose other than legitimate use.

The University is committed to upholding all local, state and federal laws concerning use and abuse of alcohol and other drugs, and will support efforts in the campus community to confront violations of these laws.

The following principles will guide the University’s policy regarding the use of alcohol and other drugs:

1. Students, faculty and staff are expected to take full responsibility for their own choices and behavior.
2. Abstinence is encouraged and respected in all circumstances.
3. Activities and functions without the consumption of alcohol are to be promoted.
4. The campus food service contractor is the licensed vendor for alcoholic beverages on the Nicholls campus. The serving and/or consumption of alcoholic beverages will not be allowed at events open to the public.
5. Heavy consumption of alcohol and use of all drugs are discouraged.
6. Assistance for alcohol and drug abusers is to be provided through education, counseling and referral. In conjunction with the Drug-Free Workplace Act of 1988, all employees are notified that the illegal use, possession, dispensation, distribution, manufacture and/or sale of controlled substances are prohibited when employees are on official state business or on call for duty, whether on or off the work site. Failure to comply with policy may result in disciplinary action up to and including termination. By law it is the responsibility of all employees to notify Nicholls State University within five days if they are convicted of violating any criminal drug statute at the workplace, while on official state business or will on call for duty.
On-Campus Confidential Contacts:

Counseling Center............. 985-448-4080  Student Health Services ...... 985-493-2600
Student Services............... 985-448-4080  Human Resource Office........ 985-448-4041

All student groups and/or organizations serving or permitting alcoholic beverages at any campus event must use the designated University food service contractor, for cash bar services. Events serving alcoholic beverages must be approved by the appropriate University offices and then ordered through the designated University food service contractor at least one week prior to the event. The following procedures should be followed:

1. Student Organization Activity Request Approval Form, stating that the group and/or organization is requesting cash bar services, must be completed, approved, and on file in the Student Life Office and the Student Union.
2. The student organization must then reserve all University facilities through the Student Union.
3. Once step 1. and 2. are completed, the student group must take a copy of the approved Facility Reservation and Activity Form, which will be issued and stamped by the Student Union, to the campus food service contractor who will process the order.
4. At student events, in which alcoholic beverages are sold and/or consumed, University Police officer(s) are required to be on duty throughout the function. The Director of University Police shall determine the number of officers needed based on the projected estimate of attendance and other pertinent information. The cost of University Police labor will be paid by the student organization hosting the event.

Please note that all of the steps, 1. through 4. listed above must be completed at least one week prior to the event.

General Policies

1. Any person who purchases or consumes alcoholic beverages shall be of legal age, 21 years old. Proof of age shall be required at the time of purchase, entry into the event, or at any time of the event, including during consumption by authorized University or law enforcement officials.
2. Students and their guests will be required to show age identification and will be "banded" as a visible means of identifying legal drinking age guests. All event participants are required to sign in as they enter the facility.
3. There must be a University advisor or designated representative and a non-drinking organization 44 - Student Code of Conduct Student Code of Conduct - 45 officer who will assist with any problems that might arise during the event including discipline or assistance if a guest should be asked to leave.
4. The serving and/or consumption of alcoholic beverages will not be allowed at any student organization event open to the public. An open event is an activity where participation and attendance is not limited to members, their immediate family, and individual dates/escorts.
5. Student Organizations are responsible for paying bartender labor. The fee will be $75 at all cash bar events. If bar sales exceed $300, the fee will be waived.
6. No BYOB (Bring Your Own Bottle) events are allowed.
7. Beverage containers may not be brought into the event nor may they be taken out of the event.
8. Events in which alcoholic beverages are being served cannot be scheduled longer than four (4) hours in length. When the event is scheduled for more than two hours the cash bar will be closed the last hour of the event.
9. Food, in sufficient quantity, must be available throughout the duration of the event. The food items must be more substantial than just chips and dip.
10. When alcoholic beverages are being sold, provided, consumed, etc the designated University food service contractor will be the sole vendor and must provide all beverages, including non-alcoholic ones.
11. The designated University food service contractor reserves the right to refuse service to anyone who appears to be intoxicated.
12. The designated University food service contractor reserves the right to discontinue service in the event of inappropriate actions by members of the organization(s).
13. The designated University food service contractor reserves the right to discontinue service if alcohol, other than the beverages provided the designated University food service contractor, are present.
14. The designated University food service contractor reserves the right to discontinue service if the approved University advisor leaves or refuses to assist with violations of the University Policies.
15. The designated University food service contractor will discontinue service if directed to do so by the Student Judicial Officer/Dean of Student Life or Director of Student Union (or other designated representatives).
16. No unopened cans or containers of alcoholic beverage shall be sold. Beverages must be consumed in the room or area in which served.
17. Clear tumblers will be used at all events in which alcohol is being served. Party or occasion cups will not be used at functions in which alcohol is being served without the appropriate approval and coordination with the designated University food service contractor.
18. Participating organization(s) and/or individuals will be held responsible for any damages to University or the designated University food service contractor owned property by member(s) and/or guest(s) of the organization(s) during the time of the event, including set-up and clean-up.
19. Forty-eight hours of notification is required to cancel an event or the organization risks being charged for supplies that cannot be returned.

Tobacco Use

Nicholls State University is a tobacco free campus. The use of any tobacco product in any form (smoking or chewing) is prohibited.

Policy Regarding Weapons on Campus
Carrying a firearm or dangerous weapon on University property or at a University sponsored or affiliated function is prohibited by Louisiana law and University policy.

Persons violating this policy are subject to criminal prosecution and University discipline action. Members of the University community (students, faculty, and staff) who violate this policy may be temporarily suspended from employment or enrollment pending administrative disposition of the matter.
TIMELY WARNINGS

It is the goal of the Nicholls State University Police Department and the University to keep the campus community informed of serious incidents. Working in conjunction with other University departments, the University Police Department will issue a Police Advisory in a timely manner to the campus community about crimes in and around the campus. When the University Police Department receives information that a violent crime against a person or a serious threat to property has occurred or is imminent, a Police Advisory will be sent out via emails and post a paper copy of the police advisory in resident halls and academic buildings. The Police Advisory will contain the following information:

- Type of incident
- Time of the incident
- Location of the incident
- Description of the suspect(s)
- Summary of the incident

If a crime or serious incident is reported to a non-police campus administrator, that administrator should notify the University Police Department of the incident. Working with the reporting administrator and other campus officials, the Police Department will decide whether or not to issue a Police Advisory.

EMERGENCY RESPONSE

The Nicholls community is encouraged to notify the Nicholls State University Police Department of any situation or incident on campus that may involve a significant emergency or dangerous situation that poses an immediate or ongoing threat to the health and safety of university members. University Police is charged with responding to reported incidents in order to determine whether the incident, in fact, presents a threat to the community and with requesting other resources necessary to investigate, mitigate, or document the situation.

When the Nicholls State University Police Department receives notice of a possible emergency on the campus, it will determine if the situation poses an immediate threat to the health or safety of some or all members of the Nicholls community. The Nicholls State University Police Department will coordinate with the Office of Environmental Health and Safety and the Office University Relations to determine the content of the emergency message and will utilize some or all of the available communication tools in order to disseminate the message to the appropriate university members. The university will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The University conducts emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. Tests are designed to assess and evaluate the emergency plans and capabilities of the University. Information about the emergency response and evacuation procedures for the University is publicized, and the information is available on the Nicholls website.

In all cases, University emergency responses shall place primary emphasis on the protection of human life, and all reasonable efforts shall be made to protect and preserve University property.
Announcements about whether the University will reduce or suspend operations because of emergency conditions will be made by the President through the Office of University Relations for release to the media.

In order to better communicate emergency information to the campus community, Nicholls State University has implemented the Nicholls Emergency Notification System via the FirstCall Interactive Network.

FirstCall Network, Inc. is an emergency mass notification company that provides the University with instant notification capabilities during a crisis on campus.

As a member of the Nicholls community, you are registered with FirstCall through your NSU-issued email account. To best utilize this alert system, we need you to insure FirstCall has your appropriate contact information.

To update your information, you can access FirstCall by using your initial log-in information that was sent to you directly from FirstCall. This information was sent to your university-issued email account (example@its.nicholls.edu or example@nicholls.edu). Please update your information accordingly.

If your contact information changes, please return to the FirstCall registration site to update your information. http://emergency.nicholls.edu/emergency-messaging/

In the event of a crisis situation, Nicholls State University will communicate vital information as quickly and efficiently as possible in order to provide the greatest safety for our students, faculty, and staff. One or more of the following communication tools will be used to notify students, faculty, and staff:

- **E-mail**: Broadcast message to campus e-mail addresses
- **Telephone**: Broadcast voice mail to campus extensions and posted to emergency alert hotline
- **Media**: Media alerts distributed to all area print and broadcast media representatives
- **Text Messaging**: Messages will be sent out from the Emergency Notification System to all users enrolled in the FirstCall Interactive Network.
- **Social Media** (Facebook, Twitter, etc.)
- **Newsletter** (paper copy created and hand distributed)
- **External Siren and Callbox Notification Systems**

**Missing Student Notification**

**Missing Person Report to University Police**

Missing Person cases are given high priority by Nicholls State University Police Department. There is no waiting period before an officer takes a report on this type of case. Once a report is received by the police department, and it is determined that the person is missing from campus and/or in the jurisdiction of the Nicholls State University Police Department, an investigation is immediately conducted. After it is determined that the person is missing, the
information is entered into the National Criminal Investigation Center (NCIC) database. The information on the missing person is also forwarded to all local and state law enforcement agencies.

**Missing Person Notification Procedures (Housing)**

A student may be considered missing if 1) there is contact from one or more concerned individuals about a specific student's absence or lack of contact which is contrary to his/her normal behavior and/or 2) if unusual circumstances may have caused the absence or lack of contact. Notification should be made to the Head Resident of the student's residence hall and to the Associate Director of Housing & Residence Life.

When a housing staff member becomes aware of a potential missing resident, an Information Report is initiated which begins the Missing Person Protocol. The twenty-four (24) hour period begins at the time the report is generated, and housing staff will follow the Missing Person Protocol and investigate the missing person.

**Head Resident/Associate Director Role:**

1. Gather as much information as possible from the source of the initial report. Determine reasons why the resident is suspected missing and what actions have been taken to locate the person.

2. Continue the investigation by:

   a. Checking the student's room

   b. Checking with all hall staff in the student's housing facility

   c. Leaving a note on the student's door and in the student's room instructing the student to contact the Head Resident and the Housing & Residence Life office as soon as s/he returns

   d. Interviewing roommates and asking them to contact and watch for the student

   e. Instructing the desk staff to watch for the student entering the building, to stop the student, and to immediately contact the Head Resident and the Housing & Residence Life office

   f. Updating the Information Report with any new information

3. Notify the Director of Housing & Residence Life if the missing resident has not been found within 12 (twelve) hours.
Director of Housing & Residence Life Role:

1. Review the incident report and gather information from the Head Resident.

2. Inspect the missing person’s housing file for verification of vital information such as age, identification number, contact information, and health information.

3. Check with University Police to determine if the student has a registered vehicle on campus. If the student does have a vehicle, ask University Police to check campus parking lots to try to locate vehicle.

4. Check Banner to verify the student’s registration and obtain a class schedule.

5. Check with the Colonel Card office to obtain an I.D. photo and check for card activity (e.g., building access, meals, vending, deposits/purchases, etc.)

6. Contact computer services to see when the student may have used the university network.

7. Consult with the Vice President for Student Affairs.

8. Continue to check regularly with roommates, hall staff, and others for updates and additional information.

All housing investigation procedures should be completed within twenty-four (24) hours after first notification of the missing student. If the resident has not been located, the designated University staff member will contact the designated contact person listed by the student.

Circumstances to notify University Police without following the Missing Student Procedures include:

1. Suspected foul play or danger, including expressed suicidal ideology

2. Known medical condition that could cause a life threatening situation

3. Natural disaster or other force of nature in which the student may have been involved

4. The missing student has no designated contact on file.

Housing & Residence Life

Nicholls State University

Missing Person Notification Statement
Nicholls State University and Housing & Residence Life, in compliance with the regulations of the Higher Education Reauthorization Act (Public Law 110-315), have established a protocol dealing with missing persons living in campus housing facilities. This is a federal requirement for any institution that maintains a campus housing facility. This protocol allows a student to list a private contact person. This private contact person will be kept on file and will be notified if the student has been determined to be missing. This person will only be contacted in such a case and only by authorized campus officials or law enforcement officers.

All students should also be aware that, should they choose not to register a confidential contact person, University Police will still be contacted if the student is determined to be missing.

Any student living in university housing who is under the age of eighteen (18) and who is not emancipated should be aware that his/her parent or guardian must be notified.

All reports regarding possible missing persons must, by law, be referred to University Police.

**Distribution of this policy shall include:**

1. Inclusion in the University Emergency Plan.

2. Posting of this policy on the Housing & Residence Life Website.

3. Inclusion of this policy in the student handbook and the Nicholls State University student handbook and in the Housing & Residence Life handbook.

If you desire a private contact person to be notified in the event you are determined to be missing, please complete provide the information requested below.

Your Name ___________________________ NSU Student ID ____________

Your cell phone number or other phone contact (including area code) ____________________________

Building and room number ____________________________

Private Contact Name ____________________________

Phone Number (including area code) ____________________________

E Mail ____________________________

Relationship ____________________________

18
SAFETY INFORMATION

Seminars

University Police officers are available to provide training and participate in seminars and workshops that are available to all students, faculty, and staff. The Chief of University Police, or his designated representative, is available to provide crime awareness-safety & security presentations to all residence hall members during student-parents and new employee orientations. Topics available for discussion include:

- General Crime Prevention
- Identify Your Property
- Bicycle Security
- Rape Awareness and Sexual Assault
- Fatal Vision Course

Information concerning safety and security is regularly provided to students, faculty and staff by the use of seminars and workshops; crime alert bulletins; crime prevention, posters and brochures; KNSU, the University radio station; and the Nicholls Worth, the student weekly newspaper.

Emergency Call Boxes

Emergency call boxes have been placed in strategic locations throughout campus. The new state-of-the-art call boxes are on 12-foot-tall white poles with blue lights on the top and emergency decals that can easily be seen. When someone activates the emergency mechanism, a pulsating white light will flash, and the campus police radio system will instantly identify the location.

Cameras

Cameras are positioned in and around residence halls on campus to ensure the safety of students who reside on campus. These cameras are monitored at the University Police Department by officers on duty.

Card Readers

Another security measure utilized to ensure the safety of students who reside on campus are card readers. These card readers are affixed to the entrance of residence halls and allow only students who reside there and authorized staff members to gain entry into the building.

Campus Student Officers Program

Campus Student Officers assist the Department of University Police by:

- maintaining a peaceful, orderly learning environment,
- alerting University Police to potential problems,
- monitoring residence hall activities and
- providing security for special events.
The student officers are equipped with two-way radios. They are uniformed, but do not carry weapons on their persons.

Escorts

A University Police Escort service is available from dusk to dawn for the safety of anyone walking alone on campus at night. This service is available for anyone at any time during weekends, holidays, and during summer sessions.

Lighting

Proper lighting and building security are major factors in determining crime on campus. The University Physical Plant Director maintains the University buildings and grounds with a concern for safety and security. The Director, or his representative, inspects campus facilities regularly, authorizes repairs as quickly as possible affecting safety and security, and responds to reports of potential safety and security hazards, such as broken locks and windows.

The University Police Department assists Physical Plant personnel by reporting potential safety and security hazards on a regular basis. Students, faculty and staff may also report any safety and security hazards by calling University Police at 985-448-4746. A “Campus Safety Walk” is conducted each year to inspect the entire campus to review lighting and other environmental concerns for safety and security.

SEXUAL ASSAULT

Sexual assault is prohibited by the Nicholls Code of Student Conduct. The code lists in section 1.7 under Acts Constituting Sanctionable Misconduct: "Sexual offenses, including offensive touching (sexual battery), nonconsensual intercourse (rape) and intercourse with a person who is incapable of giving consent due to some form of intoxication or who is otherwise incapable of giving consent.” If a student is found guilty of sexual assault, one or more sanctions may be imposed up to and including permanent dismissal from the university. Details of possible sanctions can be found in the Nicholls Code of Student Conduct.

Rape is generally defined in Louisiana as “the act of anal or vaginal sexual intercourse with a male or female person committed without the person’s lawful consent.” Louisiana defines and provides penalties for various types of rape. These definitions vary on the degree of physical violence related to the crime, the victim’s age and/or the diminished mental capacity of the victim such as by intoxication.

Sexual harassment is yet another form of sexual assault and is treated under a separate set of policies and procedural guidelines. (Refer to the Nicholls Code of Student Conduct).

Sanctions

The discipline sanctions may be applied to any student who commits or attempts to commit, either singly or in concert with others, any act which constitutes sexual assault, whether the act took place on university property or in connection with any university authorized activity. Not-
withstanding any action taken by civil authorities on account of the violation, the accused student may be immediately suspended from the university, if such a violation causes that student to be a clear and present danger or threat to the university community.

Assault Involving Intoxication

It is important to note that the intoxication of the person accused of sexual assault is not an acceptable defense. Rape is rape, whether or not the rapist was intoxicated at the time. Furthermore, even if the victim was intoxicated, she should not hesitate to bring charges against the attacker. Under the law, her state of intoxication made her incapable of giving consent, in which case, sexual intercourse with her constituted rape.

Disciplinary Hearing

In a disciplinary hearing relating to a sexual assault, both the accuser and the accused have the right to appear at the hearing alone or with an attorney, adviser or friend. When the disciplinary hearing involves sexual assault, both the accuser and the accused shall be informed of the outcome of the disciplinary proceedings.

Sexual Assault Prevention Programs

Nicholls State University takes very seriously its responsibility to provide a safe campus environment and to educate students about sexual assault and other safety concerns. The university sponsors educational programs concerning sexual assault. These programs are designed and delivered by the Nicholls Student Educators and Leaders, a group of students helping students with concerns associated with life as a college student. SEALS members and trained professionals also are invited to present to non-classroom groups such as to fraternities, sororities, athletes or residence hall groups.

The Division of Student Affairs sponsors open programs dealing with crime prevention and personal safety which includes sexual assault prevention information. A Task Force on the Prevention of Sexual Assault meets periodically to review the effectiveness of educational programs and to propose new programs and sponsors an annual Rape Awareness Week.

General Characteristics of Rape

The potential for stranger rape is a problem on college campuses. The concentration of buildings, parking lots and people create characteristics similar to the downtown area of a small- to medium-size city. Many students (and staff) ignore this potential because these conditions are counteracted by a false sense of security stemming from a familiarity with the surroundings and a long-standing belief that college campuses are sanctuaries untouched by the social problems present in the rest of society. Everyone should practice protective behaviors such as not walking alone, parking in well lighted areas, not propping doors open, etc.
Acquaintance Rape

Though most go unreported, acquaintance rapes are much more common on college campuses. The most common element in most (but not all) acquaintance rape is excessive alcohol consumption by the victim or the assailant or both. Researchers have found that date rape is most likely to occur in the victim's first year in college. While stranger rapes occur at all times, acquaintance rape clusters on weekends and generally on the assailant's turf. The acquaintance rapist seldom uses lethal weapons but rather uses verbal threats and physical strength to intimidate and overpower the victim. Date rape is more likely to occur on the second or third date since social defenses are higher on the first date. There are few personality factors which predict vulnerability to acquaintance rape. Research has shown that less assertive women are more likely to be victimized.

Contributing Factors

Low self-esteem may also be a contributing factor in victimization. Factors which appear common in those who become date rapists include a tendency to be less responsible or concerned about the effect of their behavior on other people. They tend to have less regard for formal laws. They believe in an adversarial sexual system "women are manipulative and sneaky" and sex roles are competitive. "Men who rape have no experience of relationships based on sharing, reciprocity, mutuality or attentiveness to another person's needs" (Keller, 1989).

What You Should Do As A Rape Survivor

Many survivors of sexual assault don't know where to turn for help or what to do. You may be afraid or ashamed to talk to anybody; you may try to act as though nothing has happened. If you've been assaulted, you have the following options. If you choose to utilize these options, you should do so in the order listed.

Option A

Get medical attention. Even if you do not want to report this to the police, you may have injuries or have been exposed to diseases of which you are not aware. Report to the hospital emergency room as soon as possible.

- If you choose to seek medical attention you should not touch anything, change your clothes, wash nor douche. If you have changed clothes, the clothes you were wearing at the time of the sexual assault should be brought to the hospital in a paper bag.
- The special rape protocol that will be followed to collect evidence entails taking samples with swabs in and around the vagina, anus and mouth; combing the pubic area; collecting clothing; taking samples of hair, blood and saliva.
- The hospital will check for previous pregnancy and for HIV.
Option B

If you choose to report the sexual assault:

- Call the University Police or local police whether or not criminal charges will be pursued. The University Police will assist you in filing charges, if you so choose.
- Report to university authority such as Student Affairs, Student Life, University Counseling Center, Residential Services or Health Services whether or not you choose to pursue disciplinary action.
- On-campus arrangements, living and/or academic, can be made to help you avoid further contact with the perpetrator.
- Contact an attorney if you are interested in pursuing civil charges.

Option C

Seek counseling. Contact the University Counseling Center or local rape crisis center. As soon as possible following an incident of rape or sexual assault, a victim should report the incident to the University Police at telephone number 985-448-4746.

Reporting to the University Police helps:

1. Protect you and others from future victimization.
2. Apprehend the assailant.
3. Opens options regarding criminal prosecution, civil action against the perpetrator, and University disciplinary action.

When you report a rape or sexual assault, a University Police officer will gather information from you concerning who, what, where, when, and why. These questions are necessary to obtain a description of your assailant, where the crime occurred, who may have been present, and other data pertinent to investigation and prosecution.

Reporting a rape or sexual assault and choosing to prosecute are two separate things. When you file a report, you are not obligated to continue with legal proceedings or with University disciplinary action, but you are encouraged to prosecute.

After the report is filed, a rape or sexual assault victim is escorted to a local hospital for a medical examination. The medical examination is necessary to assure that the victim is alright physically, that the possibility of venereal disease and other contagious diseases is eliminated, and that necessary lab specimens are obtained for prosecution. The University Police officer’s report is important whether or not prosecution is desired. Good accurate information from the victim is necessary.
If the rape or sexual assault occurred outside the jurisdiction of the University Police Department, an officer will also assist you in reporting a rape or sexual assault to the appropriate law enforcement agency.

Resources

A number of different agencies provide information and help concerning sexual assault:

**Campus Phone Numbers**

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>985.448.4911</td>
</tr>
<tr>
<td>University Counseling Center</td>
<td>985.448.4080</td>
</tr>
<tr>
<td>University Health Services</td>
<td>985.493.2600</td>
</tr>
<tr>
<td>Student Life</td>
<td>985.448.4525</td>
</tr>
</tbody>
</table>

**Non-campus Phone Numbers**

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>911</td>
</tr>
<tr>
<td>The Haven (Rape Crisis)</td>
<td>1.800.915.0045</td>
</tr>
<tr>
<td>Chez Hope (Women's Shelter)</td>
<td>1.800.331.5303</td>
</tr>
<tr>
<td>Thibodaux Regional Medical Center</td>
<td>985.447.5500</td>
</tr>
<tr>
<td>Terrebonne General Medical Center</td>
<td>985.873.4141</td>
</tr>
<tr>
<td>Lafourche Parish Sheriff's Office</td>
<td>985.448.2111</td>
</tr>
<tr>
<td>Thibodaux Police</td>
<td>985.446.5021</td>
</tr>
<tr>
<td>Terrebonne Parish Sheriff's Office</td>
<td>985.876.6500</td>
</tr>
</tbody>
</table>
Sex Offender Statement


CSCPA provides special requirements relating to registration and community notification for sex offenders who are enrolled in or work at institutions of higher education. In addition to Wetterling, the Act also amended the Clery Act and the Family Educational Rights and Privacy Act of 1974.

As provided in the Wetterling Act, any person required to register under a state sex offender registration program must notify the State as to whether the person is a student or works at an institution of higher education, identify each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student and must also alert the State of any change in enrollment or employment status.

The Louisiana State Police maintain the Louisiana Sex Offender and Child Predator Registry (SOCPR) for the State of Louisiana and are responsible for the enforcement of the applicable sections of law cited above. Information about any individual affiliated with University of Louisiana at Monroe in regards to this matter may be found at the public SOCPR website: http://www.lsp.org/socpr/default.html

Sex Offender Notification Service
Visit your local Sheriff's Office website to sign up for a free sex offender notification service through iCrimeWatch.net By signing up for this service, you will be notified of any sex offender that moves within one mile of your home.

Personal Safety and Crime Prevention

Most crimes, whether burglary or rape, are crimes of opportunity. Criminals look for the easiest targets and the least chance of getting caught. Your job, whether protecting yourself or your property, is to make the crime more difficult and risky for the perpetrator. Be vigilant, consistent and aware even for short trips.

- Always stop and think about the risk.
- Do not wear clothes, backpacks or hairstyles that make you easy to grab.
- Do not dig in your bag, read or dial your phone while walking. Hold your head up, walk with purpose and scan near and far with your eyes.
- Always identify a visitor before opening the door.
- Never accept a drink from a stranger or pick up a drink that has been out of your sight.
- Never allow young children to open the door to visitors.
- Always ask representatives to provide identification.
- Avoid walking alone at night.
- Don’t leave backpacks or purses unattended anywhere.
- Don’t sleep near an open window during the night.
- Don’t wear expensive jewelry or flash cash.
- Don’t visit cash machines alone or at night.
- When leaving your car with someone (mechanic, valet, friend) do not leave the key to your home on the ring.
- Take a self defense course.
- Never let anyone take you to a secondary location. Even if they have a knife or gun to your head, fight for your life.

While Walking

- Emergency call boxes have been located in peripheral parts of campus. These phones should be used to report suspicious activity or crimes.
- Plan the safest route to your destination and use it. Choose well-lit, busy pathways and streets, avoiding alleys, vacant lots or construction sites. Take a longer way if it is safest.
- Know your neighborhood and the campus. Find out which buildings are open late (or early) and where to go to summon help if needed.
- Carry your purse close to your body and keep a firm grip on it. Carry a wallet in an inside coat or trouser pocket, not in the rear trouser pocket.
- Have your car or house key in hand and ready as you approach your vehicle or home.
- Never hitchhike.

In the Car

- Keep your car in good running condition to avoid a breakdown.
- Plan your route in advance, particularly on long or unfamiliar trips. Have enough gas and money to get there and back.
- Drive with all car doors locked. Keep windows rolled up whenever possible.
- Never pick up hitchhikers.

Jogging, Biking and Other Outdoor Activities

- Vary your jogging route and schedule.
- Avoid jogging and biking at night.
- Consider not wearing headphones.
- Wear bright, reflective clothing.
- Carry some form of identification.

In Residence Halls

- Lock the door to your room when you are sleeping or when you are out. Know who is at the door before you open it.
- Take care of your keys! Don’t give anyone the chance to duplicate them. Don’t leave a key over the door or nearby your room.
- Don’t leave valuables, like your wallet, checkbook or jewelry, in open view.
• Hang up immediately with any obscene or harassing phone calls; report them to University Police immediately.
• Look out for your fellow students. Report any and all suspicious activity to University Police immediately.
• Bike Security
  • Get a good bike lock. Don't waste your money on a cheap padlock and cable.
  • Lock your bike to a fixed object. Don't leave it unlocked even for a moment.

Three Basic Rules

• Do stay alert. Keep your mind on your surroundings, who's in front of you and who's behind you. Don't get distracted. If you're worried about crime, ask a friend to accompany you when you go out.
• Do communicate the message that you're calm, confident and know where you're going. Stand tall, walk purposefully and make eye contact with people around you.
• Do trust your instincts! If you feel uncomfortable in a place or situation, leave.
CRIME STATISTICS

Continual efforts are made to inform the Nicholls community of matters that affect their personal safety and well-being. The Nicholls State University Police Department, in conjunction with the Division of Student Affairs, Office of Housing and Residential Life, and the Office of Judicial Affairs offers programs on personal safety, security of property, crisis intervention and crime prevention. Students and parents are also provided with public safety information during orientation programs.

The Nicholls State University Police Department reports crime statistics to the Federal Bureau of Investigation, National Crime Information Center since. University police blotters and arrest reports are available to the media daily, formal press releases, and Police Advisories are issued to address serious or unique problems which may arise on campus. The University believes that an informed public is a safer public. For more information on the Nicholls State University Police Department, visit our website at www.nicholls.edu/police. The following statistics, in compliance with the 1989 provisions of the Student Right-To-Know and Campus Security Act (Jeanne Clery Act), are provided for your information.

### Criminal Offenses - On campus

<table>
<thead>
<tr>
<th>Criminal offense</th>
<th>Total occurrences On campus</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>2010</td>
</tr>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
<td>0</td>
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<tr>
<td>b. Negligent manslaughter</td>
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</tr>
<tr>
<td>c. Sex offenses - Forcible</td>
<td>1</td>
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<tr>
<td>d. Sex offenses - Non-forcible</td>
<td>0</td>
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<tr>
<td>e. Robbery</td>
<td>0</td>
</tr>
<tr>
<td>f. Aggravated assault</td>
<td>3</td>
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<tr>
<td>g. Burglary</td>
<td>4</td>
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<tr>
<td>h. Motor vehicle theft</td>
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<tr>
<td>i. Arson</td>
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### Criminal Offenses - On-campus Student Housing Facilities

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<th>Criminal offense</th>
<th>Total occurrences in On-Campus Student Housing Facilities</th>
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<td>c. Sex offenses - Forcible</td>
<td>1</td>
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<tr>
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<tr>
<td>g. Burglary</td>
<td>3</td>
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<td>h. Motor vehicle theft</td>
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</table>
### Criminal Offenses - Noncampus

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<tr>
<td>b. Negligent manslaughter</td>
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<td>0</td>
<td>0</td>
</tr>
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<td>d. Sex offenses - Non-Forcible</td>
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<tr>
<td>i. Arson</td>
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### Criminal Offenses - Public Property

<table>
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<tr>
<th>Criminal offense</th>
<th>2010</th>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c. Sex offenses - Forcible</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>d. Sex offenses - Non-Forcible</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>e. Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>f. Aggravated assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>g. Burglary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>h. Motor vehicle theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>i. Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Criminal Offenses - Public Property

<table>
<thead>
<tr>
<th>Criminal offense</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c. Sex offenses - Forcible</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>d. Sex offenses - Non-Forcible</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>e. Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

29
### Arrests - On campus

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>5</td>
<td>5</td>
<td>20</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Arrests - On-campus Student Housing Facilities

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>0</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Arrests - Noncampus

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Arrests - Public Property

<table>
<thead>
<tr>
<th>Crime</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Disciplinary Actions - On campus

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

etc.
b. Drug abuse violations 3 3 16
c. Liquor law violations 0 3 3

Disciplinary Actions - On-campus Student Housing Facilities
Note: This category was added to the web survey for the 2009 data collection.

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>Number of persons referred for Disciplinary Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
</tr>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>3</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
</tr>
</tbody>
</table>

Disciplinary Actions - Noncampus

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>Number of persons referred for Disciplinary Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
</tr>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>0</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
</tr>
</tbody>
</table>

Disciplinary Actions - Public Property

<table>
<thead>
<tr>
<th>Law Violation</th>
<th>Number of persons referred for Disciplinary Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
</tr>
<tr>
<td>a. Weapons: carrying, possessing, etc.</td>
<td>0</td>
</tr>
<tr>
<td>b. Drug abuse violations</td>
<td>0</td>
</tr>
<tr>
<td>c. Liquor law violations</td>
<td>0</td>
</tr>
</tbody>
</table>
NICHOLLS STATE UNIVERSITY

2013
ANNUAL FIRE REPORT
Nicholls State University

2012

Annual Fire Safety Report

Introduction:

The Higher Education Opportunity Act of 2008 requires institutions maintaining on-campus student housing to issue an annual fire safety report. The Nicholls State University Environmental Health and Safety Department is responsible for creating the annual report. The Environmental Health and Safety Department maintains the campus housing fire log and reports fire statistics annually in conjunction with the “Annual Crime Report” that provides information in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Crime Statistics Act.

The information contained in this report includes; statistics regarding the number and causes of fire, number of fire injuries and deaths, and the value of property damage. The fire log entry, or an addition to an entry, shall be made within two business days of the receipt of information. The fire log for the most recent 60-day period shall be open to public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days of a request for public inspection. An electronic version of the Fire Logs and Annual Fire Report can be found at www.nicholls.edu/safety.

Information on each on-campus student housing fire safety systems, the number of regular mandatory fire drills, fire safety policies, education programs, as well as plans for any needed fire safety improvements is included.

Fire Statistics:

In 2012, Nicholls State University had zero reportable fires. See table below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total # of Housing Facility Fires</th>
<th>Cause/Type</th>
<th># of Injuries</th>
<th># of Deaths</th>
<th>Property Damage in Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>0</td>
<td>See Below</td>
<td>0</td>
<td>0</td>
<td>See Below</td>
</tr>
</tbody>
</table>

Fire Log:
<table>
<thead>
<tr>
<th>2012 Resident Facilities</th>
<th>Date</th>
<th>Time</th>
<th>Cause/Type of Fire</th>
<th># of Injuries Requiring Medical Treatment</th>
<th># of Deaths Related to a Fire</th>
<th>Property Damage in Dollars</th>
<th>Case Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Definitions:**

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire. Dies within 1 year of injuries sustained as a result of the fire.

**Fire Safety System:** Any mechanism or system related to the detection of a fire including:

- Sprinkler or other fire extinguishing systems;
- Fire detection devices;
- Stand-alone smoke alarms;
- Devices that alert one to the presence of a fire, such as horns, bells, or strobe lights;
- Smoke-control and reduction mechanisms;
- Fire doors and walls that reduce the spread of a fire.

**Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including:

- Contents damaged by Fire;
- Related damages caused by smoke, water, and overhaul;
- Does not include indirect loss.
On-Campus Housing Facilities Fire Safety Systems:

All on-campus housing facilities constructed since 2004 have an active fire monitoring system. These systems include full sprinklers, smoke detectors, audible alarms and strobes. Apartment buildings have additional fire extinguishers located within each kitchen unit. Three of our housing facilities Ellender Hall (1967), and Calecas Hall (1972) and Babington Halls (1964) have upgraded fire alarm systems that include monitoring. The remaining facility (Family Housing) does not have an active monitoring system, but has all other fire safety systems consistent with campus housing units. (See Table)

Common kitchens include wet chemical extinguisher units for range tops and ovens, in conjunction with an automatic electrical current disconnect if activated.

Sprinkler, monitoring systems and fire pump systems are fully inspected and maintained by an outside certified contractor on an annual basis. Smoke alarms are inspected monthly by residence staff.

Listed in Table form are the Safety Systems in place at each of the University on-campus housing facilities. Facilities include residence halls and on-campus apartment housing.

<table>
<thead>
<tr>
<th>Residence Halls/Apart.</th>
<th>Sprinkled</th>
<th>Smoke Alarms</th>
<th>Smoke Detectors</th>
<th>Fire Extinguisher Devices</th>
<th>Fire Detection Devices</th>
<th>Audible Alarm</th>
<th>Strobe Alarm</th>
<th>Fire Doors</th>
<th># of Fire Drills each Academic Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scholar Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Millet Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Zeringue Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Calecas Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>2</td>
</tr>
<tr>
<td>Ellender</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>South Babington</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Babington</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brady Complex</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>2</td>
</tr>
<tr>
<td>Family Housing</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**Fire Drills**

Mandatory fire drills were conducted at all on-campus housing facilities during 2011. These drills were supervised and were conducted between the hours of 5 PM and 10 PM while the majority of students were present. Fire Drills are conducted once a semester.

Fire Drills are coordinated by the Environmental Health and Safety and the Residence Life Departments. The local Fire Department is notified of all drills and is encouraged to participate and to conduct post drill review. Resident Assistants (RA’s) assists with orderly evacuation of the building, and direct students to the designated Emergency Assembly Area.

Fire Drills were conducted on the following dates during the past year.

<table>
<thead>
<tr>
<th>Spring Semester</th>
<th>Fall Semester</th>
<th>Residence Hall</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/02/12</td>
<td>9/18/12</td>
<td>Ellender Hall</td>
</tr>
<tr>
<td>1/31/12</td>
<td>9/20/12</td>
<td><strong>Brady Complex</strong></td>
</tr>
</tbody>
</table>
2/02/12 | 9/18/12 | Scholars Hall
---|---|---
1/31/12 | 9/20/12 | Millot Hall
Under Renovation | 9/20/13 | Calecas Hall
1/31/12 | 9/20/12 | Zeringue Hall
4/23/12 | 9/18/12 | Babington Halls

** Brady Complex (Former La Maison Du Bayou)**

**Procedure for Evacuation of On-Campus Housing**

All students receive a Housing & Residence Life Handbook when they check into a Nicholls State University on-campus housing facility. Sections in the handbook are relevant to fire safety (see Fire Safety Policy). In the event a fire alarm sounds in an on-campus facility, all residents and guests are expected to immediately evacuate the building through the nearest safe exit. Each facility has a designated Emergency Assembly Area to which all residents and guests are expected to report. A staff member will gather roll-call information along with provided information regarding the whereabouts of other residents. This information will be provided quickly to the reporting authority on scene (Director of Safety, Director of Residence Life, University Police, or First Responder on Scene). All evacuated individuals are not permitted to return to the building until an official “all clear” is issued.

**Fire Safety Policy**

Each resident receives a copy of the Housing and Residence Life Handbook upon checking into a Nicholls State University on-campus housing facility. The following fire safety procedure is provided to all residents.

**Candles:**

The possession or burning of candles and tea lights is strictly prohibited in residence halls and apartments, including during a loss of electrical power. If such items are found, the items will be confiscated and the resident(s) will be sanctioned.
**Electrical Appliances:**

Electrical appliances must be U.L. (Underwriters Laboratories) approved and must not cause a disruption to the electrical circuits or disturb other residents. Students may not use toasters, toaster ovens, stoves, grills, electric frying pans, hot plates, space heaters, or any appliance with open filaments or heating elements in residence hall rooms. All coffeepots and irons must have an automatic shut off feature. The use of halogen lamps and space heaters is prohibited in all residence halls and apartments. If such items are found, the items will be confiscated and the resident(s) may face disciplinary action. Microwaves and mini-refrigerators are provided in suites in Scholars Hall, Millet Hall, and Zeringue Hall. Students in Ellender, Calecas, and Babington may bring and use a small microwave oven and a small mini-refrigerator. The mini-refrigerator must be no larger than 4.5 cubic feet. The use of surge protectors is required. The overloading of electrical circuits is a dangerous fire hazard and therefore not allowed. Electrical appliances and equipment must be used in accordance with the manufacturer’s instructions. The University reserves the right to deny use of any appliance and/or to confiscate any unapproved appliance or appliance used in a manner contrary to University standards.

**Fire Alarm Evacuations:**

When building alarms sound, residents and guests shall evacuate the building immediately and gather in the designated evacuation location. Upon arrival at the designated evacuation location, the residents must check in with the staff on site to confirm the resident’s presence and safety. Failure to immediately evacuate the building, gather in the designated location, and/or check in with staff on site will result in disciplinary action.

**Fire Alarms:**

All occupants of a building (residents and guests) must immediately evacuate the building when the fire alarms sound. Students should report immediately to the designated gathering location for the building and report to the Residence Life Staff on site. Upon arrival at the designated evacuation location, the residents must check in with the staff on site to confirm the resident’s presence and safety. Failure to immediately evacuate the building, gather in the designated location, and/or check in with staff on site will result in disciplinary action. The setting of false fire alarms and/or the improper and/or unauthorized use of fire safety equipment (fire extinguishers, smoke detectors, exit signs, etc.) compromises the safety of all residents and is prohibited. Burning any substance and/or setting fires in the housing areas, including lighting candles and/or igniting flyers, decorations, or other posted materials, is not permitted under any circumstances. Violations of fire safety regulations will result in disciplinary action.
**Fire Equipment, Alarms and Extinguishers:**

In the event a fire extinguisher is discharged in response to a fire, the discharged extinguisher must be reported to the Residence Life Staff immediately to ensure the extinguisher is refilled. Pulling a false fire alarm is a felony. Tampering with fire protection equipment and systems may result in criminal charges in addition to University sanctions. The cost of re-charging discharged extinguishers and replacing damaged equipment maybe split among all residents if the individual(s) involved in discharging or damaging them are not identified. Residents found to be tampering or disabling smoke detectors will be subject to disciplinary action.

**Fire Exits:**

Fire exits may be used only in cases of emergency. Residents should not exit or enter through any exits other than the designated primary entrance(s) to the building. Use of fire exits at any other time will result in disciplinary action.

**Flammable Items:**

The possession or burning of incense, candles, fireworks in any form, ammunition, petroleum fuel, motorized vehicles, gasoline-fueled machinery, explosive devices or materials, sterno, kerosene or oil lamps, or any combustible materials are strictly prohibited in residence halls and apartments, even during a loss of electrical power. If such items are found, the items will be confiscated, and the resident(s) will face disciplinary action. For safety reasons, ceilings, air vents, and light fixtures may not be covered by paper or other materials such as wrapping paper, fishnets, parachutes, large flags, etc. Students are strongly encouraged to purchase renters insurance. Nicholls State accepts no liability for loss of residents' personal property due to fire.

**Smoke-Free/Tobacco Free:**

Acknowledging the clear scientific evidence that smoking—including the use of smokeless tobacco products and the effects of second-hand smoke—is injurious to health, and acknowledging the University’s desire to promote healthy living/working environments and a considerate community life, Nicholls State University is a Tobacco Free Campus. Violations may result in disciplinary action.
Fire Safety Education and Training

Staff Training in Fire Safety

Fire safety is a standard component of training for all Head Residents, Resident Assistants, and Student Assistants. This training includes:

- evacuation procedures to be followed when/if fire alarms sound
- instruction in all designated gathering points outside each residential facility
- procedures to report unaccounted residents to first responders
- documentation to be completed to provide record of procedures
- proper use of fire extinguishers, including hands-on experience (conducted by Environmental Health & Safety staff)

Resident Information

An evacuation plan and diagram is posted in each residence hall suite.

Each residential facility is required to review evacuation procedures at the first resident meeting each semester. A review is required at each monthly resident meeting throughout the semester.

Future Improvements in Fire Safety

Current improvements in Fire Safety are as follows:

- Fire alarm upgrades have been completed for Babington Halls. These upgrades include a full alarm monitoring system.
- Handouts are distributed to each resident of each facility and include a standard set of informational materials distributed to residents as they check into campus housing
# FIRE STATISTICS FOR THE PAST THREE YEARS

## Summary of Fires

<table>
<thead>
<tr>
<th>Name of Facility</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fires</td>
<td>Injuries</td>
<td>Deaths</td>
</tr>
<tr>
<td>Brady Building 2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Scholars Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Millet Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Zeringue Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Blender Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Calecas Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Babington Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Family Apartments</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Brady Building 3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Brady Building 4</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Brady Building 5</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Building</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>----------</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Brady Building</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Brady Building</td>
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Crimes Occurring On Campus

Students are encouraged to report all criminal activity which they have witnessed or in which they have been involved. They may report to any officer, dispatcher, the chief or captain of University Police. They may also report to the following persons who have significant responsibility for student and campus activities:

- Vice President for Student Affairs
- Dean of Student Life
- Student Judicial Officer
- Director of Athletics
- Student Union Director
- Director of Enrollment Services
- Director of Campus Recreation
- Director of Residential Services
- Director of University Counseling Center
- Director of Financial Aid
- Coordinator of Student Activities
- Director of Bands
- Director of Student Publications and Printing
- Director of University Health Services
- Director of Testing
- Coordinator of Student Educators and Leaders
- Advisers of student organizations
- Coordinator of Student Educators and Leaders
- Director of International Student Affairs
- Adviser for KNSU and KNTV
- Adviser for the Judicial Board
- Director of the School of Fine Arts
- Director of the Nicholls Players
- Faculty who oversee the theater and music performance programs
- Assistant Director of Residential Services
• Assistant Director of Union Services and Facilities
• Assistant Director of International Student Services
• Residence Hall Directors
• Student residence houseparents
• All coaches
• Director of Student Services/Counseling
• Director of Residential Services
• Student Life Coordinator/Greek Advisor
• Coordinator for Student Organizations

These officials will report the incident immediately to the Department of University Police, which will investigate the report sufficiently to conclude that a crime either did or did not occur. If University Police concludes that a crime took place, it will publish a report of that crime in two ways:

1. an initial crime report available to the media and the public in the Daily Crime Log, maintained by the Office of University Police;
2. a “Crime Alert” bulletin posted widely and circulated by on-campus FAX machines, e-mail and internal mail to all departments.

Department of » University Police

Office Location:
906 East First Street

Mailing Address:
P.O. Box 2784
Thibodaux, La. 70310

Phone: 985.448.4746
Fax: 985.449.7131

E-mail: Craig M. Iacuzzo

Location: Calecas Hall/ Corner of Ardoyne and Acadia Drive
Office of Student Services

Your link to achieving your personal, academic, and professional goals

Campus SaVE

In March 2013 President Obama signed into law the Campus SaVE Act — Campus Sexual Violence Elimination Act. This bipartisan supported Act seeks to prevent and reduce incidents of stalking, sexual assault, and relationship violence as well as ensure assistance, services, and justice for those who are victims/survivors of these crimes. This is vital to successful matriculation for all students.

SaVE updates the Campus Security Act (also known as Clery Act) and serves as a companion to Title IX as it seeks to create and/or enhance transparency, accountability, education, adjudication, and victim rights. Nicholls State University takes this charge very seriously. One vital component in this effort is the university's Policy Statement which describes the University's comprehensive approach to addressing these issues and complying with SaVE.

Please click on Policy Regarding Campus SaVE to access the full document or see the left menu to view each section of the policy. Additionally, click on Clery Act to view University Police information about Clery requirements, and click on Mandatory Reporters to view a list of individuals at the university who are mandated by law and trained to receive information related to crimes under the Campus Security/Clery Act.

Call Student Services at 985-448-4080 if you have any questions.

Office of Student Services

Office Location:
224 Elkins Hall

Mailing Address:
P.O. Box 2067
Thibodaux, LA 70310
Phone: (985)448-4080

Fax: (985) 448-4890

E-mail: Chris Coulon

8:00 a.m. to 4:30 p.m. Mon - Fri
Sexual Assault

Sexual assault is prohibited by the Nicholls Code of Student Conduct. The code lists in section 1.7 under Acts Constituting Sanctionable Misconduct: "Sexual offenses, including offensive touching (sexual battery), nonconsensual intercourse (rape) and intercourse with a person who is incapable of giving consent due to some form of intoxication or who is otherwise incapable of giving consent." If a student is found guilty of sexual assault, one or more sanctions may be imposed up to and including permanent dismissal from the university. Details of possible sanctions can be found in the Nicholls Code of Student Conduct.

Rape is generally defined in Louisiana as "the act of anal or vaginal sexual intercourse with a male or female person committed without the person's lawful consent." Louisiana defines and provides penalties for various types of rape. These definitions vary on the degree of physical violence related to the crime, the victim's age and/or the diminished mental capacity of the victim such as by intoxication.

Sexual harassment is yet another form of sexual assault and is treated under a separate set of policies and procedural guidelines. (Refer to the Nicholls Code of Student Conduct).

Sanctions

The discipline sanctions may be applied to any student who commits or attempts to commit, either singly or in concert with others, any act which constitutes sexual assault, whether the act took place on university property or in connection with any university authorized activity. Notwithstanding any action taken by civil authorities on account of the violation, the accused student may be immediately suspended from the university, if such a violation causes that student to be a clear and present danger or threat to the university community.

Assault Involving Intoxication

It is important to note that the intoxication of the person accused of sexual assault is not an acceptable
defense. Rape is rape, whether or not the rapist was intoxicated at the time. Furthermore, even if the victim was intoxicated, she should not hesitate to bring charges against the attacker. Under the law, her state of intoxication made her incapable of giving consent, in which case, sexual intercourse with her constituted rape.

**Disciplinary Hearing**

In a disciplinary hearing relating to a sexual assault, both the accuser and the accused have the right to appear at the hearing alone or with an attorney, adviser or friend. When the disciplinary hearing involves sexual assault, both the accuser and the accused shall be informed of the outcome of the disciplinary proceedings.

**Department of » University Police**

**Office Location:**
906 East First Street

**Mailing Address:**
P.O. Box 2784
Thibodaux, La. 70310

**Phone:** 985.448.4746

**Fax:** 985.449.7131

**E-mail:** Craig M. Jaccuzzo

Location: Calecas Hall/ Corner of Ardoyne and Acadia Drive
Student Life at Nicholls State University

Publications

These publications for the Office of Student Life have valuable information for students and organizations at Nicholls State University.

- Code of Student Conduct (PDF)
- Paddle Student Handbook (PDF)
- University Parking/Tracking Regulations Handbook (PDF)
- Residence Life Handbook
- Manual For Student Organizations
- Greek Book

Student Life at Nicholls State University

Office Location:
Bollinger Student Union

Mailing Address:
P.O. Box 2007
Thibodaux, LA 70310

Phone: 985.448.4525

Fax: 985.449.7139

E-mail: Tommy Ponson
Welcome

These resources are intended to assist students in reaching their academic goals in an environment that is free of violence, harassment, sexism, and other forms of oppression. We strive to create a supportive and inclusive campus environment through programming and services that promote healthy lifestyles, personal development, leadership, and social justice activism.

Call (985) 448-4080 or stop by 224 Elkins Monday through Friday between 8:00 a.m. and 4:30 p.m.

For after hour emergencies call University Police at (985) 448-4911.

Support healthy relationships

Our center is dedicated to providing women with the resources, services and guidance needed to cope with relationship violence, stalking and sexual abuse. We can assist you with the following issues and more.

How can I help a friend who’s being abused?

Help me learn self-defense.

What IS a healthy relationship?

I’m in an abusive relationship.

I’ve just been sexually assaulted.

I’m a man. How can I play a role in ending violence against women?
Who can I contact for help?

I think I'm being stalked.

**Non-Traditional Student Resources**

**Non-Traditional Student Organization (NTSO)**

So, I'm A Student Again After All These Years

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**Nicholls State University » Women's Resource and Services Office**

**Office Location:**
224 Elkins Hall

**Mailing Address:**
P.O. Box 2067
Thibodaux, Louisiana 70310

**Phone:** (985) 448-4080

**Fax:** (985) 448-4890

**E-mail:** Chris Coulon

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**Go To Top**
ATTACHMENT

K
Northwestern
To whom it may concern:

Northwestern State University (NSU) is committed to educating and protecting its students, faculty, and staff regarding the sexual assault epidemic on college campuses. We, at NSU, believe education cannot take place when students and faculty feel their environment is unsafe. As such, the policy below was developed to ensure NSU continues with its primary mission, which is education.

Our Policy States:

Northwestern State University does not tolerate sexual assault, sexual harassment, or sexual misconduct of any kind. Sexual assault is a violation of trust and respect and is a serious crime that can occur with men and women, whether gay, straight, transgender or bisexual. Upon notification of sexual assault, sexual harassment or sexual misconduct, the University shall:

- Inform the victim of his/her right to change class schedules and/or living arrangements,
- Inform the victim of his/her right to request counseling sessions and/or to request medical services when necessary and when such arrangements would not violate the rights of others or would not disrupt the educational process of other students
- Provide the victim with other protective measures the University deems necessary, on a case-by-case basis
- Investigate the conduct, in accordance with the policies included in the NSU Student Handbook
- Coordinate with the local law enforcement agencies who have jurisdiction in the area where the act occurred as well as with other agencies as necessary to complete a criminal investigation
- Inform the accused and the accuser of the accusations in writing, detailing the investigative and hearing process
- Upon completion of the investigation and fact finding period, the University shall notify the accused and the accuser of findings and actions to be taken, in writing and in person
Definitions

- **Sexual Assault**: Sexual assault is defined as any offense that meets the definition of rape, incest or statutory rape in the state of Louisiana, or any contact with the intent of gratification, with any part of the perpetrators body or any foreign object to the intimate parts (the genitalia area, groin, buttocks, anus, breast or clothing covering the intimate areas) of the victim.

- **Dating Violence**: For purposes of this policy, dating violence is defined as any act of violence committed against another that has been in a social relationship of a romantic or intimate nature with the victim.

- **Domestic Violence**: Domestic violence involves a felony or misdemeanor crime of violence committed

  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child;
  - By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family laws of the State of Louisiana; and/or
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Louisiana.

- **Stalking**: Stalking is a pattern of conduct with the intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include, but not be limited to, the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself/herself or any member of his/her family or any person with whom he/she is acquainted.

- **Harassing**: Harassing is the repeated pattern of verbal communications or nonverbal behavior without invitation which includes but is not limited to making telephone calls, text messages, transmitting electronic mail, sending messages via a third party, or sending letters or pictures.
  - **Pattern of conduct**: A pattern of conduct is a series of acts over a period of time; however short, evidencing an intent to inflict a continuity of emotional distress upon the person. Also, it includes repeated acts of nonconsensual contact involving the victim or a family member.
**Timely Reporting/Crisis Assistance**

The University supports and encourages anyone who has been sexually assaulted to report the incident to the reporting source of their choice. Prompt reporting may preserve options that delayed reporting does not, including the preservation of physical evidence, crisis counseling, and immediate police response. However, those who delay reporting can report the incident at any time, understanding that this may rule out the collection of physical evidence.

**Investigative Process:**

The investigation will be conducted by a team of University officials from the Dean of Students Office, Title IX Coordinator, and the University Police Investigative Division in addition to any agency or entity deemed necessary to assist in completing a fair and impartial investigation. University officials who conduct these investigations shall receive annual training on proper investigative and interview techniques in order to best serve the NSU community.

Investigative officials will gather evidence and statements from involved parties and/or witnesses to the conduct. Any evidence gathered will be stored at the NSU Police Department, unless the evidence is to be included or tested for any criminal case that may arise from the investigation. A log shall be kept of all evidence gathered, detailing where the evidence was collected, and the individuals and/or agencies that handled the evidence. Statements are to remain in the investigation file. The investigation shall be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

**Penalties:**

After the completion of a fair and unbiased investigation, the University will, if the facts so dictate, execute its right of punishment. Penalties can include, but are not limited to, banishment from the University, University-sponsored events, and/or expulsion from the University.

**Education:**

The University shall provide students and employees with notification of primary prevention, on-going prevention, and awareness campaigns regarding issues that include, but are not limited to, sexual assaults, dating violence, consent, and bystander intervention.
Preventive Measures

The 2014-2015 NSU Student Handbook was revised to include requirements from the United States Department of Education’s Office for Civil Rights Division related to sexual misconduct. NSU’s Title IX Coordinators, University Police investigators, and Vice-President of University Affairs received Title IX and Campus SaVE Act training and education. In addition to these training sessions, NSU ensures incoming freshmen receive training regarding sexual violence in its University Studies 1000 class. This training is conducted via My Student Body, an on-line educational program providing specific information on alcohol, drugs, and sexual misconduct.

NSU Student Activities, via Greek Life, will conduct a campus-wide sexual violence and bystander awareness campaign on the NSU Natchitoches Campus during the fall 2014 semester. NSU faculty received information related to and training on the Campus SaVE Act and Title IX at the Faculty Institute on August 18, 2014. In addition to the Faculty Institute, additional training will be provided for all employees and students as required or requested.

Northwestern plans to spearhead a community coalition to reduce sexual violence and meet the United States Department of Education requirements. Stakeholders include Northwestern State University Police, NSU Counseling and Health Services staff, NSU Greek Life staff, NSU Residence Life staff, NSU Athletic Department representatives, Natchitoches Regional Medical Center, Natchitoches Parish School Board, Natchitoches City Police Department, Natchitoches Parish Sheriff’s Department, Natchitoches Parish District Attorney’s Office, and other entities as appropriate.

Statistics

In the past five years, Northwestern State University has reported the sexual assault statistics noted in the table below. Although the numbers appear to be small, NSU realizes that not every act will be reported. This is the main reason the University has increased its outreach to students, faculty, and staff. Increased and enhanced education will be provided to let all individuals know sexual assault can occur and if something does happen, the victim is not alone. Every reported case is investigated - no matter how great or small, no matter who is involved.

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<tr>
<th>Year</th>
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Southeastern
Report requested by Senator Morrell

Ranetta Marshall <ranetta.marshall@selu.edu>  Fri, Aug 29, 2014 at 10:09 AM
To: Sandra Cyprian <scyprian@uls.state.la.us>

Sandra,

Attached is our report providing data on reports of sexual assaults on our campus. As you will see, the report references our policies and procedures and we have indicated they are provided as attachments. However, because the 10 attachments are rather large, we will mail them - unless we are directed to scan them and attach them to an email - or, if they are not needed, please advise.

Thank you.

Have a good weekend.

Ranetta

Ranetta Marshall
Administrative Assistant to the President
Southeastern Louisiana University
985.549.2280 phone
985.549.3595 fax

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23K
1. Between the calendar years of January 1, 2009 and December 31, 2013 there was a total of eleven (11) reports of sexual assaults at Southeastern Louisiana University.

2. Eleven sexual assaults were reported between January 1, 2009 and December 31, 2013, nine (9) were investigated. At the request of the reporters, investigative action was not taken on two (2) reported incidents.

3. Southeastern Louisiana University has several policies governing standards of conduct for faculty, staff, and students. Although these conduct policies are general in nature, they cover all forms of sexual misconduct. These policies, procedures, and statements (attached) include the following:

   A. Article IV, Section B – Standard of Conduct, Violation 4: Sexual Harassment, abuse, and/or assault (Attachment 1 - Student Handbook, Page 11).
   B. Victim’s Rights: For sexual assault and other forms of violence (Attachment 2 - Student Handbook, Page 16-17).
   E. Sexual Harassment Policy (Attachment 5 - Student Handbook, Page 96-97).
   F. Southeastern Harassment and Discrimination Policy (Attachment 6).
   G. Southeastern Violence in the Workplace Policy (Attachment 7).
   H. ULS Policy M-(11)a: Prohibiting Workplace Harassment and Discrimination (Attachment 8).

In compliance with LA Senate Resolution 107, Sexual Harassment Prevention Education is provided to all employees, including student workers, within the first 90 days of employment and annually thereafter. The Education Program is delivered to the majority of employees on-line through the University’s Learning Management System, but classroom training is conducted for those employees without ready access to computers. Compliance is audited by the Office of Risk Management.

4. The primary investigative body at Southeastern Louisiana University is the University Police Department (UPD). As published in the Annual Security Report (Attachment 9 - Student Handbook, page 48-50), UPD will protect the victim from future victimization, apprehend the assailant; and/or, commence an investigation for criminal, civil, or University disciplinary action. Southeastern Louisiana University does not provide special provisions that would allow for any outside agencies to investigate a sexual assault which has occurred on campus; yet, UPD collaborates with all law enforcement agencies for criminal prosecution of sexual assault offenders.

Internally, UPD works with The Office of Student Conduct which adjudicates all student on student reports of sexual assault. The Office of Student Conduct’s adjudication procedures are outlined in Article VI of the Student Code of Conduct (Attachment 10 - Student Handbook, Page 18-24).
in a campus demonstration which disrupts the operations of the University and infringes on the rights of other members of the University community; creating excessive noise or aiding, abetting, or procuring another person to breach the peace; interfering with the duties of a student, faculty/staff member or university official; using tobacco products on campus; bringing a guest, to any classroom setting without the prior authorization; withholding information vital to any investigation carried out by an authorized agent of the University; malfeasance of office in a Student Organization; and/or, any unauthorized use of devices to make an audio or video record of any person without his or her prior knowledge or consent.

3. **Offenses of abuse and harassment.** Offenses of abuse and harassment are all forms of abusive or violent behavior which creates an intimidating or offensive academic, work, or campus environment, including but not limited to engaging in, attempting any form of physical abuse injurious to oneself, to another or to a group of people; threatening, intimidating, coercing, and/or harassing in a manner which causes another person to be reasonably apprehensive or which endangers the health or safety of oneself or another person; and/or, stalking, bullying, abuse or harassment involving the use of telecommunications, computer equipment, and/or social media. Also included is hazing as defined by Hazing Policy in the Student Handbook.

4. **Sexual harassment, abuse, and/or assault.** Sexual harassment, abuse, and/or assault involves committing any sexual act, including but not limited to sexual intercourse against another person which forces, attempts to force, and/or acts against another person’s will to engage in sexual activity. Such offenses also include, but are not limited to acts committed when the victim is incapable of giving consent or when the act is committed in an unlawful, forcible, non-forcible or coercive manner; illicit, illegal, or obscene conduct; such behavior includes, but is not limited to conduct involving the use of telecommunications and/or computer equipment; unsolicited and unwelcome sexual overtures or conduct verbal, physical, or written; and/or, any other violation of the University’s policy on Sexual Harassment.

5. **Endangerment.** Endangerment involves endangering another’s or one’s own physical well-being, including, but not limited to conduct that threatens or endangers the health or safety of oneself, another, or a group of people; compromising the security of a residence hall or other university facility; unsafe operation of a motor vehicle on University premises; and/or, unsafe behavior including, but not limited to riding bicycles, skateboards, roller blades, paintball games/wars, and/or kicking or playing ball unsafely and/or in unauthorized areas.
ARTICLE V: STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The University affirms the following student rights and privileges in disciplinary proceedings:

1. To be informed of the Student Code of Conduct and its corresponding procedures;

2. To petition for redress of a grievance arising from an incident which violates University policy and/or the Student Code of Conduct. Any member of the University community may file a discipline charge or complaint against a student when that person believes the student has violated any University policy;

3. To receive notice of any alleged violations of University policy and/or breaches of the Student Code of Conduct;

4. To have the benefit of an opportunity to be heard by an impartial Hearing Board or Hearing Officer in addressing an allegation/s of a violation of University policy;

5. To have an advisor, including an attorney, present in a disciplinary conference and/or hearing. Advisors may not participate directly in a disciplinary conference and/or hearing process nor may an advisor address any participant in the disciplinary conference and/or hearing process other than the student the advisor represents;

6. To examine evidence to be used against him or her at the administrative discipline conference or prior to a formal hearing;

7. To view the list of witnesses against him or her at the administrative discipline conference or prior to a formal hearing.

B. Victim’s Rights

The University affords additional rights to student victims of crimes of violence and harassment (i.e. such as sexual assault, rape, physical assault, hazing, sexual harassment, and stalking) in disciplinary proceedings:

1. To be informed of available accommodations both on and off campus (i.e. notified of available counseling, changing academic and living arrangements);

2. To have a campus no contact order against the alleged student;

3. To have a hearing board comprised of representatives of both genders;

4. To have unrelated past behavior excluded from the hearing (i.e. irrelevant prior...
sexual history);

5. To testify with special accommodations (i.e. by phone, behind a screen, video, etc.);

6. To have no direct contact with the accused student during the hearing (i.e. questions from the accused student would be posed through the Board Chairperson and then relayed to the victim);

7. To provide questions to the Board Chairperson prior to or during the hearing that she/he may incorporate those into questioning the accused student;

8. To be informed of the names of all witnesses who will be called to give testimony;

9. To have an advisor present at all proceedings;

10. To request a recess during the hearing;

11. To be informed of outcome of the discipline process;

12. To appeal the Hearing Board’s decision as defined in Article VII, Section A of the Code of Student Conduct.

C. Student Responsibilities

The following responsibilities represent the standard of conduct at the University:

1. To maintain a level of behavior consistent with the mission of the University;

2. To observe the laws of local, state, and federal government;

3. To read, become familiar with, and adhere to University policies;

4. To respect the personal and property rights of others;

5. To stay informed by reading communications from the University.
ARTICLE VIII: INTERPRETATION AND REVISION

A. Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Vice President for Student Affairs, Chief Student Conduct Officer, the Assistant Director of OSC or his/her designee for final determination.

B. The Student Code of Conduct shall be reviewed periodically under the direction of the Vice President for Student Affairs or designee.

Sexual Misconduct and Abusive Behavior

Southeastern Louisiana University is committed to maintaining a safe environment that is conducive to learning in which no member of the University community is subjected to sexual misconduct or any form abusive behavior. Every member of the community should be aware that the University prohibits domestic violence, dating violence, stalking, and sexual assault as defined on page 45 of the Annual Security and Fire Safety Report. Any member of the University community who is alleged to have engaged in sexual misconduct or any abusive behavior will be subject to disciplinary action as outlined in Article VI of the Student Code of Conduct, pages 18-30. Any victim of sexual misconduct or act of abuse shall have access to a wide range of accommodations as outlined in Article V, page 16 of the Student Code of Conduct and on page 49 of the Annual Security and Fire Safety Report.

The University will not ignore any act of sexual misconduct or abuse and encourages individuals who suspect that they have become subject or witness to such an act to contact the University Police Department (985-549-2222).
Domestic violence (called “Family violence” under Louisiana’s “Protection from Family Violence Act”) is defined as: “any assault, battery, or other physical abuse which occurs between family or household members, who reside together or who formerly resided together.”

Dating violence (under Louisiana’s “Protection from Dating Violence Act”) is defined as: “physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one dating partner against the other.”

Stalking is defined as: “the intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include but not be limited to the intentional and repeated uninvited presence of the perpetrator at another person’s home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted.”

Sexual Assault includes the following:

Rape, defined as: “the act of anal, oral, or vaginal sexual intercourse with a male or female person committed without the person’s lawful consent.”

Sexual battery, defined as: “the intentional touching of the anus or genitals of the victim by the offender using any instrumentality or any part of the body of the offender, or the touching of the anus or genitals of the offender by the victim using any instrumentality or any part of the body of the victim, when any of the following occur:

1. The offender acts without the consent of the victim.
2. The act is consensual but the other person, who is not the spouse of the offender, has not yet attained fifteen years of age and is at least three years younger than the offender.
3. The offender is seventeen years of age or older and any of the following exist:
   a. The act is without consent of the victim, and the victim is prevented from resisting the act because either of the following conditions exist:
      i. The victim has paraplegia, quadriplegia, or is otherwise physically incapable of preventing the act due to a physical disability.
      ii. The victim is incapable, through unsoundness of mind, of understanding
the nature of the act, and the offender knew or should have known of the victim's incapacity.

(b) The act is without consent of the victim, and the victim is sixty-five years of age or older.

**A sexual assault is determined to be without lawful consent if it is committed under any one or more of the following circumstances:**

1. Any involved party has not consented to the act (Resistance is not necessary to prove lack of consent;

2. Any involved party is incapable of resisting or of understanding the nature of the act by reason of a stupor or abnormal condition of mind produced by an intoxicating agent or any cause;

3. Any involved party, through unsoundness of mind, is temporarily or permanently incapable of understanding the nature of the act;

4. A female victim submits under the belief that the person committing the act is her husband and such belief is intentionally induced by any artifice, pretense, or concealment practiced by the offender;

5. Any involved party is prevented from resisting the act by force or threats of physical violence under circumstances where the party reasonably believes that such resistance would not prevent the assault, such as the presence of a weapon;

6. Any involved party resists the act to the utmost, but whose resistance is overcome by force;

7. Any involved party has not yet attained fifteen years of age and is at least three years younger than any other involved party (except for parties legally married to each other.)

Anyone witnessing an act of domestic violence, dating violence, sexual assault, or stalking should take safe, positive action to prevent harm or otherwise intervene. Examples of safe, positive action include, but are not limited to contacting the police (such reports may be made confidentially) and assisting the victim to a safe location away from the harmful person or event. Because situations vary from one incident to the next, no comprehensive list of actions can be provided, but bystanders are encouraged to act in a manner which is not likely to escalate a situation or bring harm upon the bystander.

Signs of abusive and unhealthy situations include, but are not limited to, aggressive
shouting, physical strikes, repeated or continuous unwanted following and calling, threatening gestures, spreading rumors, verbal threats, pushing or shoving, financial and emotional controls, and belittling a person's actions or appearance.

**Education Programs to Promote Awareness of Sexual Assault and Other Violent Offenses**

Programs promoting awareness about domestic violence, dating violence, stalking, stranger and non-stranger sexual assault, stalking, and other violent offenses are offered by the University Police Department. Programs are offered at the request of students, faculty, staff, student organizations, athletic teams, and other organizations or individuals officially sanctioned by the University. These programs are also offered by request at the Baton Rouge Nursing Center, St. Tammany Center, and Livingston Parish Literacy and Technology Center.

Programs include awareness of risks and myths regarding sexual assault, risk-reduction strategies for individuals, information regarding local resources and responses to reports, and self-defense programs.

**If You or Someone You Know is Sexually Assaulted**

As soon as possible following an incident, the victim is encouraged to call the University Police Department at 985-549-2222. Anyone reporting a crime of this sort is welcome to request a specific gender or otherwise specify an individual officer to take the report.

It is important that the victim not shower, bathe or change clothes. If this occurs, important physical evidence may be lost. If the victim must change clothes, the soiled clothing should be placed in a paper bag, NOT a plastic bag. The victim also should not brush teeth or use the rest room. Even if the victim is unsure of whether or not they will pursue the prosecution of the offender, a voluntary medical exam may be conducted. The hospital where the exam is performed may keep the results for up to 30 days and may also check for injuries, disease, and/or pregnancy.

Reporting to the University Police helps:

1. Protect the victim and others from future victimization;
2. Apprehend the assailant; and/or
3. Maintain future options regarding criminal prosecution, University disciplinary action and/or civil action against the perpetrator.

When the victim reports an incident, a University Police officer will take a statement. The victim will be asked:
A - To identify or describe the assailant(s);
B - About the scene of the crime;
C - To identify witnesses; and
D - About what happened before and after the incident.

Reporting an incident and choosing to prosecute are separate steps. When the victim files a police report, they are not obligated to continue with legal proceedings or University disciplinary action. The University Police will also assist any victim in reporting any sexual assault to any external law enforcement agency.

**On-and-Off Campus Sexual Assault Victim Services**

The University Counseling Center (985-549-3894) is staffed by licensed and professional mental health counselors. The center is well adapted to working with victims of sexual assault.

In addition to the Crisis Intervention Service that the Center’s staff provides on a daily basis, the following services are also provided:

- Individual psycho-therapy
- Group therapy for survivors of incest
- Family counseling for assault victims
- Referral Services to other area professional and health services providers

Counseling services provided at the Center remain confidential.

The Office of the District Attorney, 21st Judicial District maintains a Victim’s Assistance Program. Any victim of sexual assault is encouraged to call the toll-free 24-hour Rape Crisis Hotline at 1-877-748-6882. This is an anonymous call.

Rape, Abuse, and Incest National Network (RAINN) maintains a national hotline for Rape Crisis at 1-800-656-HOPE (4673). Any victim of sexual assault may also call this toll-free, 24-hour hotline. This is a confidential service.

**Changing Academic Classes, Living, Transportation, and Work Situations**

Victims of domestic violence, dating violence, sexual assault, and/or stalking are entitled to changes in academic, living, transportation, and work situations on an interim and/or permanent basis if these changes are requested and reasonably available. To request such changes, the victim must contact the Vice President for Student Affairs, Dyson
Hall, at 985-549-5250. The victim will be referred to the appropriate individuals to discuss such changes in a confidential manner.

**Disciplinary Procedures for Alleged Offenses of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

Any member of the University community may file a complaint under the Southeastern Louisiana University Student Code of Conduct against any student for domestic violence, dating violence, sexual assault, stalking, or other misconduct. Making accurate, prompt reports of any and all crimes to the University Police Department (985-549-2222) is encouraged and will not be prevented by Southeastern Louisiana University. Complaints may also be directed to the Office of Student Conduct (985-549-2213.) Detailed filing and hearing procedures and regulations are listed in the Student Handbook. Filing a report with either the University Police Department or the Office of Student Conduct in no way prevents reporting of the same incident to the other and reporting an incident to the University Police Department does not obligate the reporter to file criminal charges.

The complainant and the accused have the same rights to be assisted by any advisor they choose, at their own expense, to have that advisor present during the hearing, and to call witnesses on their own behalf. Advisors may assist in preparation for the hearing and may have any other persons present that they wish; however, he/she is not permitted to speak for parties or otherwise participate directly in the hearing.

The Office of Student Conduct must use a “preponderance of the evidence” standard for determining the outcome cases of alleged domestic violence, dating violence, sexual assault, sexual discrimination, or stalking. Any member of a hearing body or anyone tasked with conducting investigations into allegations of domestic violence, dating violence, sexual assault, or stalking is required to receive annual training on these issues.

Following the final decision of the hearing body, the complainant and/or victim and the accused will both be informed unconditionally, simultaneously, in writing about:

- The determination of the hearing body; Any recommended sanctions;
- Any procedures for appealing the results;
- Any change to the results occurring prior to the time of the results becoming final; and
- When the results become final
Sanctions

Students found in violation of Southeastern Conduct Standards and Regulations related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence are subject to the full range of disciplinary sanctions outlined in the Student Handbook. University disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

The following sanctions, individually or in combination, may be imposed upon any student found to have violated the Student Code of Conduct:

- Loss of Privileges
- Fines
- Restitution
- Notification of parents and/or guardians
- Counseling conference(s)
- Evaluation by a member of the University Counseling Center or by a licensed mental health professional based on the review by a member of the University Counseling Center
- Residence hall transfers and/or service to the university, the local community, or other related discretionary assignments
- Written assignments or projects
- Warning
- University Disciplinary Probation
- Residence Hall Probation
- Residence Hall Suspension
- Residence Hall Expulsion
- Disciplinary Suspension
- Disciplinary Dismissal
- Disciplinary Expulsion

More than one of the sanctions listed above may be imposed for any single violation.

Disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s confidential disciplinary record. One year after graduation, or five years after the student last attended the University, the student’s confidential disciplinary record may be expunged of disciplinary actions other
SEXUAL HARASSMENT POLICY

It is the policy of Southeastern Louisiana University that all employees and students or users of University facilities be able to enjoy a campus environment free of all forms of discrimination, including sexual harassment. No employee or student, male or female, should be subjected to unsolicited and unwelcomed sexual overtures or conduct, either verbal or physical.

DEFINITION:

Sexual harassment is a form of misconduct, defined in Federal law, that undermines the integrity of personal, professional, employment, and student relationships. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, is personally offensive, and weakens morale. Such behavior may interfere with employees’ and students’ performance, and may create an intimidating, hostile, or uncivil working or learning environment. Such conduct is specifically prohibited at this university.

Sexual harassment includes, but is not limited to, unsolicited, deliberate or repeated:

- sexual flirtations, advances, or propositions;
- verbal abuse of a sexual nature;
- display of sexually suggestive objects or pictures; and
- offensive or abusive physical contact of a sexual nature.

No one should imply or threaten that an applicant’s or employee’s “cooperation” of a sexual nature (or refusal thereof) will affect that individual’s assignment, compensation, advancement, career development or any other condition of employment. Likewise, it will not affect a student’s grade, class standing, advancement or student-administrator/student-teacher relationships.

The difference between voluntary sexual relationships and sexual harassment is that harassment contains elements of coercion, threat and/or unwanted attention in a non-reciprocal relationship. Sexual harassment usually is unwelcome and repeated behavior, but in some instances it can be an action that only occurs once. In most normal interpersonal relationships an individual can exercise freedom of choice in deciding with whom they wish to establish a close, intimate relationship. These choices are based on mutual attraction, caring and a reciprocal interest in pursuing the relationship. These elements are absent in sexual harassment. This policy in no way is intended to impede artistic representation of human behavior in exhibits
or other normal academic activity. All students, faculty, staff, and administrators will be held accountable for compliance with this policy. While each case of sexual harassment and its resulting effect upon the mission of the University must be considered on its own, violations of this policy may lead to disciplinary action to include suspension or removal.

**COMPLAINT PROCEDURE:**

Any University employee, student, or other member of the University community who believes he or she has been a victim of sexual harassment while working at the University or in class or in any other setting (whether by subordinates, peers, superiors, or other persons), should bring this matter to the immediate attention of any of the following: his or her supervisor, Human Resource Director, (2056), Equal Employment Opportunity Compliance Officer, (5888), Director of Student Health Center, (2241), "Department Head," call information (2000) for specific phone numbers. Any official receiving a complaint should notify the EEO Coordinator to make certain that follow-up action is coordinated. The EEO Coordinator will serve as a clearinghouse for all related actions. If satisfaction is not adequate at initial levels, any affected individual should feel free to bring the matter to the attention of the Vice Presidents, the Provost, or the President. Confidential assistance is also available through the University Counseling Center.

Action will be taken to examine impartially and resolve promptly any complaint. Complaints that cannot be resolved by informal means, through help of officials and services listed above, may be resolved through the University's formal student, staff or faculty grievance procedures ("Handbook for Classified Employees", or "Faculty Handbook" for details on how to initiate grievance procedures). Upon request to any of the above officials a special committee or procedure may be established by the President to consider a complaint and possible resolution. Any such committee will consist of no less than three members and no more than five, and may include faculty members, administrators, staff members and students in a mix suitable to deal with the complaint.

Confidentiality of all parties will be respected to the greatest extent possible and employees, students and others will not be subjected to retaliation of any kind for reporting incidents of sexual harassment.

**PENALTY:**

All students, faculty, staff and administrators will be held accountable for compliance with this policy. While each case of sexual harassment and its resulting effect on the mission of the University must be considered on its own, violations of this policy may lead to disciplinary action to include suspension or removal.
Southeastern Louisiana University is committed to maintaining an environment free from any type of harassment and/or discrimination which is illegal and which will not be tolerated. In furtherance of that commitment, this policy forbids harassment and discrimination of any kind by or against any applicant, employee, student, or any other individual on the basis of race, color, sex, age, religion, national origin, citizenship, disability, sexual orientation, genetic information, retirement or veteran status.

I. DEFINITIONS

A. Complaint: Allegations of discrimination and harassment filed in good faith and in accordance with established procedures.

B. Discrimination: Inequitable treatment of an individual based on one or more of a person’s protected characteristics or status rather than individual merit.

C. Harassment: Unwelcome conduct which is so severe or pervasive that it creates an intimidating, hostile or offensive environment. This conduct may not have to include the intent to harm; it does not have to consist of repeated incidents; and it need not be directed against a specific target. Furthermore it may or may not be directed
against an individual based on one or more of a person's protected characteristics or status.

D. Protected Characteristics/Status: Race, color, sex, religion, sexual orientation, national origin, citizenship, disability, genetic information, age, veteran or retirement status.

E. Retaliation: Any adverse action taken against an individual as the result of a complaint of discrimination and/or harassment filed by the individual or because the individual may have participated in an investigation of discrimination or harassment, or due to any of the protected conduct and activities as outlined in the Southeastern Louisiana University Policy on Retaliation. Retaliation includes overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy.

II. PROHIBITED CONDUCT

A. Discrimination

Discrimination in the workplace or learning environment involves taking adverse action against, or preferential treatment of, an individual because of his or her protected status.

Examples include but are not limited to:

- Denying or granting promotions or other advancement opportunities based on an individual's protected status;
- Granting preference in education or employment based on an individual's protected status;
- Assigning grades based on an individual's protected status; making work assignments based on an individual's protected status;
- Denial of leave based on an individual's protected status.

B. Harassment

Harassment in the working or learning environment consists of unwelcome and objectively offensive physical, verbal, or nonverbal conduct that unreasonably interferes with an individual's work or educational activities and/or which creates an intimidating, hostile or offensive working or learning environment.

Examples include but are not limited to:

- Verbal threats, offensive jokes, epithets, derogatory comments, ridicule, mockery or slurs;
• Gratuitous visual displays such as posters, photographs, cartoons, drawings or gestures;
• Unwanted physical contact such as touching, intimidation or blocking normal movement.

C. Sexual Harassment

Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

1. Submission to that conduct is made a term or condition of employment,
2. Submission to, or rejection of, that conduct is used as a basis for employment decisions affecting the employee, or
3. That conduct has the effect of unreasonably interfering with an individual’s work performance or of creating a hostile, offensive, or intimidating work environment.

Examples include but are not limited to:
• Making unwanted sexual advances including touching, kissing, hugging, or massaging;
• Making sexual gestures or visual displays such as leering;
• Offering employment or academic benefits in exchange for sexual favors;
• Gratuitous displays of sexually suggestive objects, pictures, cartoons or drawings;
• Sending suggestive or obscene letters, notes or invitations;
• Engaging in graphic sexual commentary about an individual’s body.

III. REPORTING REQUIREMENTS

A. Any applicant, employee, student, or other individual who experiences any conduct that he or she believes may constitute harassment and/or discrimination has an obligation to report it. No individual is required to report or make a complaint of harassment or discrimination to the person who is engaging in the problematic conduct.

B. Any individual who becomes aware of any conduct that he or she believes may constitute harassment or discrimination has a similar obligation to report that conduct regardless of whether he or she is personally involved in the conduct and regardless of whether the conduct involves other employees or students, vendors, contractors or others in the work environment.

C. Individuals may report such conduct to any of the following individuals: his/her supervisor, the Human Resources Director, the Equal Employment Opportunity
Compliance Officer, the appropriate Department Head, the appropriate Dean, the Director of the University Health Center, or the Director of the University Counseling Center. Any official receiving a complaint should notify the EEO to ensure that follow-up action is taken. The EEO Compliance Office will serve as a clearinghouse for all such actions.

IV. INVESTIGATION PROCEDURES

A. Whenever a report of conduct is received which alleges harassment and/or discrimination the EEO Compliance Officer shall conduct a prompt investigation to gather available facts and to determine whether or not prohibited conduct has occurred.

B. If an investigation confirms either that harassment and/or retaliation has occurred or that conduct in violation of the policy has occurred, immediate and appropriate action to stop any such conduct and reasonable steps to prevent any further harassment, discrimination, or retaliation shall be taken.

C. To the fullest extent practical and consistent with a thorough investigation, all complaints will be kept confidential.

V. SANCTIONS

Anyone who violates this policy is subject to disciplinary action. Following an appropriate investigation and subject to the procedures which are part of the policies governing the relevant type of appointment, the faculty, staff, student, or other individual may be subject to sanctions, including reprimand, probation, suspension, demotion, reassignment, termination of employment, termination of contractual relationship and/or expulsion.

VI. APPEAL PROCEDURE

If the individual who has reported the conduct feels dissatisfied with the findings of the EEO Compliance Officer and/or the sanctions imposed, he/she should feel free to bring the matter to the attention of the appropriate Vice-President, the Provost or the President. Action will be taken to examine impartially and resolve promptly any such appeal by the formation of a special committee appointed by the President to consider the matter. Such committee will consist of no less than three and no more than five members and may include faculty members, administrators, staff members and students in a mix suitable to address the complaint. Confidentiality of all parties will be respected to the greatest extent possible.
VII. RETALIATION

1. Retaliation includes overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, and/or harassment against an individual or group exercising rights under this policy.

2. No applicant, employee, student or other individual who complains about a violation of policy or who participates in an investigation of a complaint made pursuant to this policy, or to the UL System Policies regarding harassment and/or discrimination, shall be subject to retaliation in any form. Retaliation may be found to have taken place even when it is determined through an investigation under this policy that the underlying complaint of discrimination/harassment is without merit.

3. In the event an individual believes that he/she or has been subjected to prohibited retaliation, he/she should follow the complaint process prescribed in the Southeastern Louisiana University Policy on Retaliation.
Southeastern Louisiana University

Policy Regarding

Violence in the Workplace

Faculty Handbook
Part II: General University Employment
Section F. Policy Regarding Violence in the Workplace

Classified Employee Handbook
Part II: General University Employment
Section F. Policy Regarding Violence in the Workplace

Unclassified Employee Handbook
Part II: General University Employment
Section F. Policy Regarding Violence in the Workplace

Graduate Assistant Handbook
Part II: General University Employment
Section F. Policy Regarding Violence in the Workplace

Resident Assistant Handbook
Part II: General University Employment
Section F. Policy Regarding Violence in the Workplace

Student Worker Handbook
Part II: General University Employment
Section F. Policy Regarding Violence in the Workplace

1.0 INTRODUCTION

A. Recognizing the increasing incidence of violence in the workplace, the Governor of the State of Louisiana has issued an executive order committing the Governor and the State of Louisiana to work toward a violence free workplace for state employees.

B. Southeastern Louisiana University recognizes that employees and students are the University's most valuable resources and their safety and security are essential to carrying out their responsibilities in the workplace as well as in the classroom. Every employee and student has a reasonable expectation to perform his/her assigned duties and to pursue their educational goals in a safe atmosphere free of threats and assaults.

C. Southeastern Louisiana University fully supports this effort and is committed to a violence-free workplace.

2.0 PURPOSES

A. To direct implementation of effective security measures and administrative work practices to minimize exposure to conditions that could result in harm to employees, students, and visitors.

B. To promote a positive, respectful and safe work environment that fosters employees' and students' security, safety, and health.
C. To require ongoing analysis of the workforce and work site including classrooms for hazard prevention and control.

3.0 DEFINITIONS

A. Assault. Assault is an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. (Example: I may have a stick raised and know that I do not have any intention of striking you, but based on the circumstances, you have a reasonable apprehension that I plan to strike you.)

B. Aggravated Assault. Aggravated assault is an assault committed with a dangerous weapon.

C. Battery. Battery is the intentional use of force or violence upon another, or the intentional administration of a poison or other noxious liquid or substance to another.

D. Aggravated Battery. Aggravated battery is a battery committed with a dangerous weapon.

E. Credible Threat. Credible Threat is a statement or action that would cause a reasonable person to fear for his/her own safety or that of another person, and in fact, cause such fear.

F. Intentional. Intentional refers to conduct when the circumstances indicate that the offender, in the ordinary course of human experience, must have considered the criminal consequences as reasonably certain to result from his act or failure to act.

G. Violence. Violence is the commission of an assault or battery or the making of a credible threat.

H. Workplace. The workplace is any site where any employee is placed for the purpose of completing job assignments or where a student attends classes, obtains assistance, or studies on the campus.

I. Violence Prevention. The implementation of effective security measures, work practices, and a work site analysis for hazard prevention and control to promote a positive, respectful, safe work environment and minimize exposure that could result in harm to employees, students, and visitors.

J. Workplace Violence. Workplace violence is violence that takes place in the workplace.

4.0 MANAGEMENT RESPONSIBILITIES

Southeastern Louisiana University shall comply with federal and state statutes, rules, and regulations and or guidelines and University policies and procedures in making reasonable efforts:

A. To hire, train, supervise and discipline employees. Disciplinary actions would fall into one or both of the following procedures:
   1. The University Employee Disciplinary Process which includes State Civil Service Procedures; and/or
   2. Criminal and/or civil proceedings in the Seventh Ward Court or the Twenty-First Judicial District Court.
B. To discipline students who violate any of the above. Disciplinary actions would fall into one or both of the following procedures:
   1. The Student Judicial Affairs Process; and/or
   2. Criminal and/or civil proceedings in the Seventh Ward Court or the Twenty-First Judicial District Court.

C. To intervene in situations of harassment in the workplace where the employer or person of responsibility is aware of the harassment.

D. To ensure employees and/or independent contractors are fit for duty, and do not pose unnecessary risks to others.

E. To provide security precautions and other measures to minimize the risk of foreseeable criminal intrusion based upon prior experience or location in a dangerous area.

F. To maintain an adequate level of security.

G. To establish and implement a written policy and plan dealing with violence in the workplace.

H. To provide employee training on the agency plan, warning signs of potential for violent behavior, and precautions which may enhance the personal safety of employees at work or students while in the academic environment.

I. To warn an employee or student of a credible threat made by another to do harm to the employee or student.

J. To support the application of sanctions or disciplinary action and/or prosecution of offenders, as appropriate.

K. To accommodate, after appropriate evaluation, employees and students who require special assistance following incident(s) of workplace violence.

L. To cooperate with the University Police Department or any other law enforcement agency in the conduct of an investigation.

M. To establish a uniform violence reporting system with regular review of submitted reports.

N. To initiate procedures to protect from retaliation employees or students who report credible threats.

O. To keep up-to-date records to evaluate the effectiveness of administrative and work practice changes initiated to prevent workplace violence.

P. To encourage employees and students to report threats, unwelcome comments and/or actions on the part of another person, etc., to the University Police Department.

5.0 MANAGEMENT COMMITMENT

Southeastern Louisiana University’s management commitment, including the endorsement and visible involvement of the top levels of supervision, provides the motivation and resources to deal effectively with workplace violence and includes:

1. Organizational concern for employee and student emotional and physical safety and health;
2. Commitment to the safety and security of all persons at the workplace;
3. Assigned responsibility for the various aspects of the workplace violence prevention program to ensure that all supervisors and employees understand their roles and responsibilities;
4. Allocation of authority and resources to all responsible parties;
5. Accountability for involved supervisors and employees;
6. Debriefing/counseling for employees and students experiencing or witnessing assaults and other violent incidents;
7. Support and implementation of appropriate recommendations from the Campus Safety Committee; and
8. Treatment of workplace violence, incidents, complaints and concerns with seriousness, keeping confidential all reports and the identification of parties, except those who have a legitimate need to know and to the extent required by law.

6.0 EMPLOYEE/STUDENT RESPONSIBILITIES

A. At Southeastern Louisiana University, employees and students are required to report to the Human Resources Office or to the University Police Department all threats or incidents of violent behavior in the workplace which they observe or of which they are informed. Examples of inappropriate behavior are outlined in Attachment 6: Recognizing Inappropriate Behavior.

B. Employee involvement and feedback enable workers to develop and express their own commitment to safety and security and provide useful information to design, implement, and evaluate the program. At Southeastern Louisiana University, employee involvement includes but is not limited to:
   1. Understanding and complying with the workplace violence prevention program and other safety and security measures;
   2. Participating in employee complaint or suggestion procedures addressing safety and security concerns;
   3. Providing prompt and accurate reporting of violent incidents;
   4. Cooperating with the safety and security committee that reviews violent incidents and security problems and makes security inspections; and
   5. Participating in continuing education addressing techniques to recognize and abate escalating agitation, assault behavior or criminal intent.

7.0 WORKPLACE ANALYSIS

A. The process of workplace analysis involves a step-by-step, common-sense look at the workplace to find existing or potential hazards for the occurrence of workplace violence. The workplace analysis entails reviewing specific procedure or operations that contribute to hazards and specific locales where hazards may develop. The workplace analysis program includes, but is not limited to:
   1. Analyzing and tracking records;
   2. Monitoring trends;
   3. Analyzing incidents;
   4. Analyzing workplace security; and
   5. Receiving input from employees familiar with workplace sites and procedures.

B. At Southeastern Louisiana University, the responsibility for conducting and maintaining workplace analyses is assigned to the Office of Safety and Hazardous Materials Management.
C. The initial workplace analysis for Southeastern Louisiana University shall be performed within 45 working days of the publication of the policy.

D. Additional information concerning the performance of a workplace analysis can be found in Attachment 1: Workplace Analysis.

8.0 HAZARD PREVENTION AND CONTROL

A. After the completed workplace analysis is reviewed and approved, workplace adaptations, engineering controls, administrative controls, and work practice controls shall be implemented by Southeastern Louisiana University to prevent or control, to the extent possible, any discovered hazards. If workplace violence does occur, the post-incident response and evaluation section of the policy shall be implemented (see Section 9.0 Incident Response and Evaluation).

B. Engineering controls and workplace adaptations remove the hazard from the workplace or create a barrier between the worker and/or a student and the hazard. Examples of engineering controls and workplace adaptations are listed in Attachment 2: Hazard Prevention and Control.

C. Administrative and work practice controls affect the way jobs or tasks are performed and affect the security of the workplace. Examples of administrative and work practice controls are listed in Attachment 2: Hazard Prevention and Control.

9.0 INCIDENT RESPONSE AND EVALUATION

A. Assistance for victimized employees and students who may be affected by witnessing workplace violence will be provided. Whenever an incident occurs, injured employees and students will receive appropriate medical treatment and mental health evaluation as necessary, in accordance with existing statutes. At Southeastern Louisiana University, this assistance is provided through the University Counseling Center and the University Health Center.

B. Any employee or student who has been threatened or assaulted by another at the workplace will immediately report the situation, as follows:
   1. If on Main/ Hammond campus, the University Police Department will be contacted at 985-549-2222;
   2. If at the Baton Rouge Nursing Center during regular hours the Baton Rouge Nursing Center Police Desk will be contacted at 225-765-0467;
   3. If at the Livingston Parish Literacy and Technology Center during class hours the University Police Officer assigned to that center will be contacted at the Main Desk phone number, 225-665-3303;
   4. If at the St Tammany Center during class hours the University Police Officer assigned to that center will be contacted at the Main Desk phone number, 985-893-6251;
   5. If at the Turtle Cove Research Center, at a satellite campus during other than regular hours, or if off-campus, the appropriate local law enforcement agency will be contacted (see Attachment 8: Law Enforcement Agencies);
   6. Regardless of to which agency the initial report is made, the University Police Department (985-549-2222) will be contacted and notified of the incident at the first reasonable opportunity;
   7. Employees will also notify their supervisor of any incidents;
   8. Students may report the incident to the Vice President for Student Affairs, if they so choose, in addition to reporting to the appropriate agency as outlined above;
9. The University Police Department will notify the Human Resources Office of any incidents involving employees.

C. University Police Department staff will take the following actions in accordance with the severity of the incident, the discretion of the responding officer, and taking into account the desires of the victim/reporting subject:
   1. If the situation is determined not to be eminently dangerous:
      a. Separate employees and or students involved and isolate them until they are interviewed and statements are taken from each individual;
      b. Separate any witnesses until they are interviewed and their statements taken; and
      c. Document every action and statement.
   2. If the situation is determined to be eminently dangerous:
      a. Order all those presenting the danger to immediately leave the facility;
      b. Physically remove the individual(s), if necessary;
      c. Document all actions and statements; and
      d. Additional information concerning post incident response and evaluation can be found in Attachment 4: Incident Response.

D. As soon as possible after the incident, the University Police Department shall make every reasonable attempt to interview all parties to the incident, including the victim(s), the subject(s), and any witnesses, and prepare a written summary of the interviews. The summary shall be the basis on which to determine the facts of the event.

E. The summary/report will be forwarded to the Director, University Police, who will convene the Violence in the Workplace Task Force to:
   1. Review the summary of the interviews; and
   2. Make a recommendation for action to the Office of Human Resources and/or Student Judicial Affairs, as appropriate.

If the members of the Violence in the Workplace Task Force so desire, the University Police Department investigator assigned to the incident may be called to answer questions and/or give additional testimony regarding the investigation and summary.

10.0 RECORDS

Records associated with violence in the workplace will be kept in a secure and confidential manner. It shall be the responsibility of the Human Resources Office, the University Safety Office, and the University Police Department to help evaluate security, methods of hazard control, and identify training needs. The following records are important and shall be maintained in accordance with pertinent statutes as part of the violence prevention program:
   1. Reports of work injury, including workers' compensation injuries if necessary;
   2. Report for each reported assault, incidents of abuse, verbal attack, or aggressive behavior occurring between persons in the workplace;
   3. Police reports of incidents occurring in the workplace;
   4. Minutes of safety meetings, records of hazards' analysis, and corrective actions recommended;
   5. Violence in the workplace training, including subjects discussed, attendees, and qualifications of trainers; and
   6. Other appropriate reports.
11.0 EVALUATION

A. The Violence in the Workplace Task Force will conduct an annual evaluation of safety and security measures affecting the violence prevention program.

B. The evaluation program consists of:
   1. Reviewing reports and minutes from staff meetings on safety and security issues;
   2. Analyzing trends in illness/injury or fatalities caused by violence;
   3. Measuring improvement based on lowering the frequency and severity of workplace violence;
   4. Surveying employees before and after making job or workplace changes or installing security measures or new systems to determine their effectiveness;
   5. Requesting periodic outside review of the workplace for recommendations on improving employee and student safety; and
   6. Interviewing employees and students who experience hostile situations about the medical treatment received (as soon as possible after the incident, three weeks later, and three months later.)

12.0 COMMUNICATION

At Southeastern Louisiana University, we recognize that to maintain a safe, healthy, and secure workplace we must have open communication among students and employees, including all levels of supervision, on these issues. The open communication process includes but is not limited to:
   1. Periodic review of this policy with all employees and students (to the extent possible);
   2. Discussions of violence in the workplace during scheduled safety meetings;
   3. Posting or distributing information on violence in the workplace;
   4. Procedures to inform supervisors about violence in the workplace, hazards, or threats of violence; and
   5. The University Police Department shall arrange for an appropriate place for employees and students to discuss security concerns with assurance that necessary confidences will be maintained.

13.0 TRAINING AND EDUCATION

A. At Southeastern Louisiana University all employees, including all levels of supervision, shall have training and instruction on general, job-specific, and work site-specific safety and security practices.
   1. Training and instruction shall be provided within one year of policy implementation and regularly thereafter; and
   2. Training shall begin with orientation of new employees within three months of employment and regularly thereafter.

B. At Southeastern Louisiana University, workplace violence training shall be the responsibility of the Director, Human Resources.

C. General violence in the workplace training and instruction address but are not limited to the following topics:
   1. Explanation of the violence in the workplace policy as established by the Violence in the Workplace Task Force;
   2. Measures for reporting any violent acts or threats of violence;
3. Recognition of hazards including associated risk factors;
4. Measures to prevent workplace violence including procedures for reporting workplace hazards or threats to appropriate supervision;
5. Ways to defuse hostile or threatening situations;
6. Measures to summon others for assistance;
7. Routes of escape available to employees;
8. Procedures for notification of the University Police Department when a criminal act may have occurred;
9. Procedures for obtaining emergency medical care in the event of a violent act upon an employee; and
10. Information on securing post-event trauma counseling for those employees desiring or needing such assistance.

ATTACHMENT 1: WORKPLACE ANALYSIS

1. General

A. A workplace analysis involves a step-by-step, common sense look at the workplace to find existing or potential hazards for workplace violence. This procedure involves reviewing specific procedures or operations that contribute to hazards and specific locales where hazards may develop.

B. The Violence in the Workplace Task Force and other appropriate University officials shall assess the vulnerability to workplace violence and determine the appropriate preventive actions to be taken. The Violence in the Workplace Task Force will have the following members:
   1. EEO/ADA Compliance Officer;
   2. Human Resources Training and Development Program Manager;
   3. Director of Safety and Hazardous Waste Management;
   4. Director of the Counseling Center;
   5. Director of University Police;
   6. Director of Public Information;
   7. Faculty Representative; and
   8. Student Representative.

C. The Violence in the Workplace Task Force shall review injury and illness records and workers' compensation claims to identify patterns of assaults that could be prevented by workplace adaptation, procedural changes, or employee training. As the Task Force identifies possible controls, these will be referred to the appropriate individual or office capable of instituting the control, (i.e. Facility Planning and/or Physical Plant for physical structure changes, Dean or Department Head for Department procedural changes, etc.), who will then be responsible for taking reasonable action to implement the control or returning a justifiable claim of why the control measure cannot be implemented and presenting to the Task Force an equivalent alternative for consideration.

D. The program for workplace analysis includes, but is not limited to, analyzing and tracking records, monitoring trends and analyzing incidents, screening surveys, and tracking workplace security.

2. Workplace Analysis Program

A. Records Analysis and Tracking. This activity includes reviewing medical (as far as permitted), safety, workers' compensation, and insurance records to pinpoint instances of workplace violence; the review of unit logs, employee and police reports of incidents or near-incidents of
assault behavior to identify and analyze trends in assaults relative to particular departments, units, job titles, unit activities, work stations, and/or time of day; and the tabulation of these data to target the frequency and severity of incidents to establish a baseline for measuring improvement.

B. Monitoring Trends and Analyzing Incidents is the use of data to track trends of injuries and incidents of actual or potential workplace violence. This may require the review of records and reports of actual or potential incidents of workplace violence reported during the previous five calendar years.

C. Every six months, the Violence in the Workplace Task Force shall inspect the workplace and evaluate employee tasks to identify hazards, conditions, operations, and situations that could lead to violence. This process shall include employee feedback and follow-up. To determine or locate areas requiring further evaluation, the Violence in the Workplace Task Force shall:

1. Analyze incidents, including the characteristics of assailants and victims, develop an account of what happened before, during, and after the incident, and the relevant details of the situation and its outcome. A copy of the University Police report, if such was written, should be included;
2. Identify jobs and/or locations with the greatest risk of violence as well as processes and procedures that put employees at risk of assault, including frequency and time, day, date;
3. Note high-risk factors such as types of students, employees, or visitors (e.g., psychiatric conditions or patients disoriented by drugs, alcohol, or stress); physical risk factors of the building; isolated locations/job activities; lighting problems; lack of telephones and other communication devices; areas of easy, unsecured access; and areas with previous security problems;
4. Evaluate the effectiveness of existing security measures; including engineering control measures; and
5. Determine if risk factors have been reduced or eliminated, and take appropriate action.

D. Independent reviewers, such as safety and health professionals, law enforcement or security specialists, insurance safety auditors, and other qualified persons may be invited to review the program, to review the campus, and requested to offer advice to strengthen the program. It is anticipated that these experts can provide a fresh perspective to improve the University's Violence in the Workplace Prevention Program.

ATTACHMENT 2: HAZARD PREVENTION AND CONTROL

A. General. After hazards of violence are identified through the systematic workplace analysis, the next step is to design measures through engineering or administrative procedures and work practices to prevent or control these hazards. If violence does occur, incident response can be an important tool in preventing future incidents.

B. Engineering Controls and Workplace Adaptation. Engineering controls remove the hazard from the workplace or create a barrier between the worker and the hazard. There are several measures that can effectively prevent or control workplace hazards such as those actions listed below. The selection of any measure(s) should be based upon the hazards identified in the workplace security analysis of each facility and the ability to implement the measure.

1. Assess any plans for new construction or physical changes to the facility or workplace to eliminate or reduce security hazards.
2. Install and regularly maintain alarm systems and other security devices, panic alarms, hand-held alarms or noise devices, cellular telephones, and private channel
radios where risk is apparent or may be anticipated; and to provide for a reliable response system when an alarm is activated.

3. Where and when appropriate, provide metal detectors, installed or hand-held, to identify guns, knives, or other weapons that can be concealed on the person or in a briefcase or purse. These procedures would be implemented in accordance with a security analysis of a location or an event or activity, or at the recommendation of law enforcement or security personnel.

4. Use of closed-circuit video recording and monitoring of high-risk areas on a 24 hour basis. Public safety is a greater concern than privacy in these situations.

5. Placement of curved mirrors at hallway intersections or concealed areas.

6. Enclose public service areas and install deep service counters and bullet-resistant, shatter-proof glass as necessary.

7. Provide employee "safe rooms" for use during an emergency situation.

8. Provide waiting areas designed to maximize comfort and minimize stress.

9. Arrange furniture to prevent entrapment of staff and faculty personnel. In interview rooms or crisis treatment areas, furniture should be minimal, lightweight, without sharp corners or edges, and/or affixed to the floor. Limit the number of pictures with frames, vases, ashtrays, or other items that can be used as weapons.

10. Provide lockable and secure restrooms for staff and faculty personnel separate from student and visitor facilities.

11. In accordance with fire codes, lock all unused doors to limit and control access.

12. Install bright, effective lighting indoors and outdoors.

13. Replace burned-out lights, broken windows, and locks as soon as possible after being reported unserviceable or broken.

14. Keep automobiles well-maintained. Automobiles should be locked at all times.

15. Request an escort to and from a location if safety and security is a concern.

16. Lock the door(s) to offices when the office(s) is/are not occupied.

ATTACHMENT 3: ADMINISTRATIVE AND WORK PRACTICE CONTROLS

Administrative and work practice controls affect the way jobs or tasks are performed. The following are cited as to how changes in work practices and administrative procedures can help prevent violent incidents:

1. State clearly to students, clients, employees, and visitors that violence is not permitted or tolerated.

2. Establish liaison with the Office of the City Prosecutor and District Attorney, 21st Judicial District.


4. Require students, clients, employees, and visitors to report all assaults or threats to a department head/dean, a supervisor, or to the University Police. (If possible, the interview will be kept confidential). Maintain log books and reports of such incidents to assist in determining any necessary actions to prevent further occurrences.

5. If needed, advise and assist employees of procedures for requesting University Police assistance for the filing of a report during emergencies. Management will promptly respond to all complaints giving them serious consideration.

6. The Human Resources Office will be responsible for establishing and training the "Violence in the Workplace Task Force" to respond to all complaints.

7. Utilize the University Police Department, when necessary, to deal with aggressive behavior.

8. Provide written security procedures to all employees and students. Employees and students should be instructed to follow these procedures in event of a violence situation or potential for a violence situation or any other emergency.
9. The University Police Department will ensure that an adequate and properly trained staff is available for restraining clients, students, visitors, or employees.
10. Provide sensitive and timely information to persons waiting in line or in waiting rooms. Adopt procedures to decrease waiting time.
11. Ensure adequate and qualified staff coverage at all times, taking into account the times of greatest risk at each facility.
12. Where applicable, institute a sign-in procedure with passes for visitors. Enforce visitor hours and procedures.
13. Control access to facilities other than waiting rooms or other public access rooms.
14. Prohibit employees from working alone in areas of substantial risk, particularly at night or when assistance is unavailable.
15. Establish policies and procedures for secured areas and emergency evacuations.
16. Ascertain the behavioral history of new clients to learn about any past violence or assault behaviors. Establish a system such as chart tags, log books, or verbal census reports to identify clients with assault behavior problems, keeping in mind client confidentiality and employee and student safety issues. Update as needed.
17. Treat and/or interview aggressive or agitated individuals in relatively open areas that still maintain privacy and confidentiality (e.g. rooms with removable partitions).
18. Use case management conferences with co-workers and supervisors to discuss ways to effectively treat potentially violent individuals.
19. Prepare contingency plans to deal with individuals who are "acting out" or making verbal or physical attacks or threats.
20. Transfer assault clients to more restrictive settings.
21. Supervisors should periodically survey their facility to remove tools or other items left by visitors or maintenance personnel which could be inappropriately used.
22. Provide employees with identification badges/cards to readily verify employment.
23. Provide students and employees with security escorts to parking areas at their request. Parking areas should be highly visible, well-lighted, and safely accessible to the building.
24. Employees and students should be encouraged to use "the buddy" system especially when personal safety may be threatened. Encourage employees and students to avoid threatening situations. Employees and students should exercise extra care in elevators, stairwells, and unfamiliar surroundings. All personnel should immediately leave the premises if there is a hazardous situation. Request a University Police escort if deemed needed.
25. Develop policies and procedures addressing how off-site visits will be conducted, the presence of others during the visits, and the refusal to provide services in a clearly hazardous situation.
26. Establish a daily plan for maintenance and custodial employees to keep a designated contact person informed about their whereabouts during the workday. If an employee does not report in, the contact person will follow up.
27. Conduct a comprehensive post-incident evaluation, including psychological as well as medical treatment, for employees, students, clients, and visitors who have been subjected to abusive behavior on the campus or property of the University.

ATTACHMENT 4: INCIDENT RESPONSE

Incident response and evaluation are essential to an effective violence prevention program. Victims and witnesses of workplace violence may suffer a variety of consequences in addition to any physical injury. These may include short and long-term psychological trauma, fear of returning to work, changes in relationships with co-workers and family, feelings of incompetence, guilt, powerlessness, and fear of criticism. Consequently, a strong follow-up program for these employees will help them to deal with these problems. The following types of
assistance are available through the University Counseling Center and can be incorporated into post-incident response:

1. Post-Trauma/Crisis Counseling;
2. Critical Incident Stress Debriefing; and
3. Referral to another agency.

Persons assigned to respond to incidents of violence must be well trained and have a good understanding of the issues and consequences of assaults and other aggressive, violent behavior. Appropriate and promptly rendered incident debriefings and counseling should reduce psychological trauma and general stress levels among victims and witnesses.

ATTACHMENT 5: WORKPLACE VIOLENCE CHECKLIST

The checklist below helps identify present or potential workplace violence problems. The Violence in the Workplace Task Force will readily make periodic inspections to identify and evaluate workplace security hazards and threats of workplace violence. These inspections are scheduled on a regular basis; when new, previously unidentified security hazards are recognized; when occupational deaths, injuries, or threats of injury occur, when a safety, health, and security program is established, and whenever workplace security conditions warrant an inspection. Periodic inspections for security hazards include identifying and evaluating potential workplace security hazards and changes in employee work practices which may lead to compromising security.

Checklist

False notations indicate a potential risk for serious security hazards.

____T____F   This University does confront violent behavior and assaults of employees, students, and clients.

____T____F   Violence does not regularly occur where this University is located.

____T____F   Violence has not occurred on the campus or in conducting business.

____T____F   Students, employees, and clients do not assault, threaten, yell, push, or verbally abuse employees, students, or clients or use racial or sexual remarks.

____T____F   Students, employees, and clients are required to report to the employer incidents or threats of violence, regardless of injury or severity.

____T____F   Employees have been trained by the employer to recognize and handle threatening, aggressive, or violent behavior.

____T____F   Violence is not accepted as "part of the job" by budget unit heads, supervisors, and/or employees.

____T____F   Access and freedom of movement within the workplace are restricted to those persons who have a legitimate reason for being there.
The workplace security system is adequate, i.e., door locks function, windows are secure, and there are physical barriers and containment systems.

Medical and counseling services are made available to employees, students, clients, and visitors who have been assaulted.

Alarm systems such as panic alarm buttons, silent alarms, or personal electronic alarm systems are used for prompt security assistance.

There is regular training provided on correct response to alarm sounding.

Alarm systems are tested on a monthly basis to assure correct function.

Police officers are employed at the workplace.

Closed circuit cameras and mirrors are used to monitor dangerous areas.

Metal detectors are available and are used at the University.

Employees have been trained to recognize and control hostile and escalating aggressive behaviors, and to manage aggressive behavior.

Employees CAN adjust work schedules to use the "Buddy System" to work in areas where they feel threatened.

Cellular telephones or other communication devices are made available to employees to enable them to request aid.

Vehicles are maintained on a regular basis to ensure reliability and safety.

Employees work and students attend classes where assistance is quickly available.

ATTACHMENT 6: RECOGNIZING INAPPROPRIATE BEHAVIOR

Inappropriate behavior is often a warning sign of potential hostility or violence. When left unchecked it can escalate to higher levels. Employees, students, and/or visitors who exhibit the following behaviors should be reported and addressed in accordance with the University’s policies:

1. Unwelcome name-calling, obscene language, and other abusive behavior;
2. Intimidation through direct or veiled threats;
3. Throwing objects in the workplace regardless of the size or type of object thrown or whether a person is the target of a thrown object;
4. Physically touching another employee in an intimidating, malicious, or sexually harassing manner. That includes such acts as hitting, slapping, poking, kicking, pinching, grabbing, and pushing, and any other unwanted and unwelcome physical contact; and
5. Physically intimidating others, including such acts as obscene gestures, "getting in your face," and fist shaking.
ATTACHMENT 7: PERSONAL CONDUCT TO MINIMIZE VIOLENCE

The following guidelines are suggested for daily interactions with people to defuse potentially violent situations. If at any time a person’s behavior starts to escalate beyond one’s comfort zone, withdraw from the situation.

DO

- Project calmness: move and speak slowly, quietly, and confidently.
- Be a good listener: encourage the person to talk and listen patiently.
- Focus your attention on the other person to demonstrate your interest in what he/she has to say.
- Maintain a relaxed yet attentive posture and position yourself at an angle rather than directly in front of the other person.
- Acknowledge the person’s feelings by gestures such as nodding your head.
- Ask the person to move to a less public, quiet area, if appropriate.
- Establish ground rules if unreasonable behavior persists. Calmly describe the consequences of any violent behavior.
- Use delaying tactics which will give the person time to calm down. For example, offer a drink of water (in a disposable cup).
- Be reassuring and point out choices. Identify and deal with specific issues.
- Accept criticism in a professional manner.
- Ask for his/her recommendations. Repeat back to him/her what you feel he/she is requesting of you.
- Position yourself so that a visitor cannot block your access to an exit.
- Make sure there is a space of 3 feet to 6 feet between you and the person.
- Notice the tone, volume, and rate of your speech.

DO NOT

- Make false statements or promises you cannot keep.
- Try to impart a lot of technical or complicated information when emotions are high.
- Take sides or agree with distortions.
- Invade the individual’s personal space.
- Use styles of communication which generate hostility such as apathy, brush off, coldness, condescension, robotic, going strictly by the rules, or giving the run-around.
- Reject all of an individual’s demands from the start.
- Pose in challenging stances such as standing directly opposite someone, hands on hips or crossing your arms.
- Make any physical contact, point fingers, or maintain long periods of fixed eye contact.
- Make sudden movements which can be seen as threatening.
- Challenge, threaten, or dare the individual or belittle the person or make him/her feel foolish.
- Criticize or act impatiently toward the agitated individual.
- Attempt to bargain with a threatening individual.
- Try to make the situation seem less serious than it is.

ATTACHMENT 8: LAW ENFORCEMENT AGENCIES

Tangipahoa Parish
<table>
<thead>
<tr>
<th>Police Department</th>
<th>Phone Number</th>
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<tr>
<td>Amite Police Department</td>
<td>985-748-6169</td>
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<tr>
<td>Hammond Police Department</td>
<td>985-542-3500</td>
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<td>Independence Police Department</td>
<td>985-878-4188</td>
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<td>Kentwood Police Department</td>
<td>985-229-6305</td>
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<td>Ponchatoula Police Department</td>
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<td>Tickfaw Police Department</td>
<td>985-345-4677</td>
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<td>Tangipahoa Parish Sheriff's Office</td>
<td>985-345-6150</td>
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<td>St. Tammany Parish</td>
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<td>Abita Springs Police Department</td>
<td>985-892-2821</td>
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<td>Covington Police Department</td>
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<td>Folsom Police Department</td>
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<td>Mandeville Police Department</td>
<td>985-626-9711</td>
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<td>Pearl River Police Department</td>
<td>985-863-5711</td>
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<td>Slidell Police Department</td>
<td>985-643-3131</td>
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<td>St. Tammany Parish Sheriff's Office</td>
<td>985-892-4141</td>
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<tr>
<td>East Baton Rouge Parish</td>
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<td>Baker Police Department</td>
<td>225-775-6000</td>
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<td>Baton Rouge Police Department</td>
<td>225-389-3800</td>
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<td>Zachary Police Department</td>
<td>225-654-9393</td>
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<tr>
<td>Livingston Parish</td>
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<tr>
<td>Albany Police Department</td>
<td>225-567-2115</td>
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<td>Denham Springs Police Department</td>
<td>225-665-5106</td>
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<td>Livingston Police Department</td>
<td>225-686-7153</td>
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<td>Springfield Police Department</td>
<td>225-294-2205</td>
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<td>Walker Police Department</td>
<td>225-664-3125</td>
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<tr>
<td>Livingston Parish Sheriff's Office</td>
<td>225-686-2241</td>
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Policy Number: M-(11) a

University of Louisiana System

Title: PROHIBITING WORKPLACE HARASSMENT, AND DISCRIMINATION

Effective Date: December 3, 2010
Cancellation: February 28, 2003

Chapter: Miscellaneous

Policy and Procedures Memorandum

The University of Louisiana System (ULS) is committed to maintaining an environment free from any type of harassment, discrimination, and retaliation which is illegal and which will not be tolerated. In furtherance of that commitment, this policy forbids harassment, discrimination, or retaliation of any kind by or against any applicant, employee, student, or any other individual on the basis of race, color, gender, age, religion, national origin, citizenship, disability, sexual orientation, genetic information, retirement or veteran status.

Each campus shall adopt an Equal Opportunity Policy consistent with this Memorandum and in accordance with the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Executive Order 11246 of 1965, the Age Discrimination in Employment Act of 1967, Section 501, 503 and 505 of the Rehabilitation Action of 1973; Title I and Title V of the Americans with Disabilities Act of 1990; the Civil Rights Act of 1991, and Title II of the Genetic Information Nondiscrimination Act of 2008. At a minimum, the policy shall be consistent with the broad parameters established herein. A copy of such policy shall be submitted to the System Office.
I. DEFINITIONS

A. **Complaint:** Allegations of discrimination, harassment and/or retaliation, filed in good faith and in accordance with established procedures.

B. **Discrimination:** Inequitable treatment of an individual based on his or her protected characteristics or status rather than individual merit.

C. **Harassment:** Unwelcome conduct directed against a person based on one or more of a person’s protected characteristics or status which is so severe or pervasive that it creates an intimidating, hostile or offensive environment.

D. **Protected Characteristics/Status:** race, color, gender, religion, sexual orientation, nation origin, disability, genetic information, age, veteran or retirement status.

E. **Retaliation:** any adverse action taken against an individual as the result of a complaint of discrimination or harassment or who may have participated in an investigation of discrimination or harassment.

II. PROHIBITED CONDUCT

A. Discrimination

Discrimination in the workplace or learning environment involves taking adverse action against, or preferential treatment of an individual because of his protected status.

Examples include:

- Denying or granting promotions or other advancement opportunities based on an individual’s protected status;
- Granting preference in education or employment based on an individual’s protected status;
- Assigning grades based on an individual’s protected status; Making work assignments based on an individual’s protected status;
- Denial of leave based on an individual’s protected status.
B. Harassment

Harassment in the working or learning environment consists of unwelcome and objectively offensive physical, verbal, or nonverbal conduct that unreasonably interferes with an individual’s work or educational activities and/or which creates an intimidating, hostile or offensive working or learning environment.

Examples include:

- Verbal threats, offensive jokes, epithets, derogatory comments, ridicule or mockery or slurs;
- Gratuitous visual displays such as posters, photographs, cartoons, drawings or gestures;
- Unwanted physical contact such as touching, intimidation or blocking normal movement.

C. Sexual Harassment

Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

1. Submission to that conduct is made a term or condition of employment,
2. Submission to, or rejection of, that conduct is used as a basis for employment decisions affecting the employee, or
3. That conduct has the effect of unreasonably interfering with an individual’s work performance or of creating a hostile, offensive, or intimidating work environment.

Examples include:

- Making unwanted sexual advances including touching, kissing, hugging, or massaging;
- Making sexual gestures or visual displays such as leering;
- Offering employment or academic benefits in exchange for sexual favors;
- Gratuitous displays of sexually suggestive objects, pictures, cartoons or drawings;
- Sending suggestive or obscene letters, notes or invitations;
- Engaging in graphic sexual commentary about an individual’s body.
D. Retaliation,

1. Retaliation includes overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy.

2. No applicant, employee, student or other individual who complains about a violation of policy or who participates in an investigation of a complaint made pursuant to UL System policies shall be subject to retaliation in any form. Retaliation may exist even when the underlying complaint is without merit.

3. See also UL System PPM M-(12) Preventing and Addressing Retaliation.

III. REPORTING REQUIREMENTS

A. Any applicant, employee student, or other individual who experiences any conduct that he or she believes may constitute harassment, discrimination, or retaliation has an obligation to report it. No individual is required to report or make a complaint of harassment, discrimination, or retaliation to the person who is engaging in the problematic conduct.

B. Any individual who becomes aware of any conduct that he or she believes may constitute harassment, discrimination, or retaliation has a similar obligation to report that conduct regardless of whether he or she is personally involved in the conduct and regardless of whether the conduct involves other employees or students, vendors, or others in the work environment.

C. Each institutional policy shall establish a defined process which should include the specific steps for addressing informal and formal complaints. Such processes should include a designated EEO Officer for handling complaints, reasonable timeframes for processing the complaint and a written summary of the outcome of the investigation.

IV. INVESTIGATION PROCEDURES

A. Whenever a report of conduct is received which alleges harassment, discrimination, or retaliation, the designated EEO officer shall conduct a prompt investigation to gather available facts and to determine whether or not prohibited conduct has occurred.
B. If an investigation confirms either that harassment, discrimination, or retaliation has occurred or that conduct in violation of this policy has occurred, immediate and appropriate action to stop any such conduct and reasonable steps to prevent any further harassment, discrimination, or retaliation shall be taken.

C. To the fullest extent practicable and consistent with a thorough investigation, all complaints will be kept confidential.

V. SANCTIONS

Anyone who violates this workforce discrimination policy is subject to disciplinary action. Following an appropriate investigation and subject to the procedures which are part of the policies governing the relevant type of appointment at the University, the faculty, staff, student, or other individual may be subject to sanctions, including reprimand, probation, suspension, demotion, reassignment, termination, and expulsion.

Policy References:
U.S. Equal Employment Opportunity Commission

Review Process:
System Office Staff
Presidents
Vice Presidents for Business and Finance
Legal Counsel

Distribution:
University Presidents
Vice Presidents for Business and Finance
shouting, physical strikes, repeated or continuous unwanted following and calling, threatening gestures, spreading rumors, verbal threats, pushing or shoving, financial and emotional controls, and belittling a person's actions or appearance.

**Education Programs to Promote Awareness of Sexual Assault and Other Violent Offenses**

Programs promoting awareness about domestic violence, dating violence, stalking, stranger and non-stranger sexual assault, stalking, and other violent offenses are offered by the University Police Department. Programs are offered at the request of students, faculty, staff, student organizations, athletic teams, and other organizations or individuals officially sanctioned by the University. These programs are also offered by request at the Baton Rouge Nursing Center, St. Tammany Center, and Livingston Parish Literacy and Technology Center.

Programs include awareness of risks and myths regarding sexual assault, risk-reduction strategies for individuals, information regarding local resources and responses to reports, and self-defense programs.

**If You or Someone You Know is Sexually Assaulted**

As soon as possible following an incident, the victim is encouraged to call the University Police Department at 985-549-2222. Anyone reporting a crime of this sort is welcome to request a specific gender or otherwise specify an individual officer to take the report.

It is important that the victim not shower, bathe or change clothes. If this occurs, important physical evidence may be lost. If the victim must change clothes, the soiled clothing should be placed in a paper bag, NOT a plastic bag. The victim also should not brush teeth or use the rest room. Even if the victim is unsure of whether or not they will pursue the prosecution of the offender, a voluntary medical exam may be conducted. The hospital where the exam is performed may keep the results for up to 30 days and may also check for injuries, disease, and/or pregnancy.

Reporting to the University Police helps:

1 - Protect the victim and others from future victimization;

2 - Apprehend the assailant; and/or

3 - Maintain future options regarding criminal prosecution, University disciplinary action and/or civil action against the perpetrator.

When the victim reports an incident, a University Police officer will take a statement. The victim will be asked:
A - To identify or describe the assailant(s);

B - About the scene of the crime;

C - To identify witnesses; and

D - About what happened before and after the incident.

Reporting an incident and choosing to prosecute are separate steps. When the victim files a police report, they are not obligated to continue with legal proceedings or University disciplinary action. The University Police will also assist any victim in reporting any sexual assault to any external law enforcement agency.

**On-and-Off Campus Sexual Assault Victim Services**

The University Counseling Center (985-549-3894) is staffed by licensed and professional mental health counselors. The center is well adapted to working with victims of sexual assault.

In addition to the Crisis Intervention Service that the Center’s staff provides on a daily basis, the following services are also provided:

- Individual psycho-therapy
- Group therapy for survivors of incest
- Family counseling for assault victims
- Referral Services to other area professional and health services providers

Counseling services provided at the Center remain confidential.

The Office of the District Attorney, 21st Judicial District maintains a Victim’s Assistance Program. Any victim of sexual assault is encouraged to call the toll-free 24-hour Rape Crisis Hotline at 1-877-748-6882. This is an anonymous call.

Rape, Abuse, and Incest National Network (RAINN) maintains a national hotline for Rape Crisis at 1-800-656-HOPE (4673). Any victim of sexual assault may also call this toll-free, 24-hour hotline. This is a confidential service.

**Changing Academic Classes, Living, Transportation, and Work Situations**

Victims of domestic violence, dating violence, sexual assault, and/or stalking are entitled to changes in academic, living, transportation, and work situations on an interim and/or permanent basis if these changes are requested and reasonably available. To request such changes, the victim must contact the Vice President for Student Affairs, Dyson
Hall, at 985-549-5250. The victim will be referred to the appropriate individuals to discuss such changes in a confidential manner.

**Disciplinary Procedures for Alleged Offenses of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

Any member of the University community may file a complaint under the Southeastern Louisiana University Student Code of Conduct against any student for domestic violence, dating violence, sexual assault, stalking, or other misconduct. Making accurate, prompt reports of any and all crimes to the University Police Department (985-549-2222) is encouraged and will not be prevented by Southeastern Louisiana University. Complaints may also be directed to the Office of Student Conduct (985-549-2213.) Detailed filing and hearing procedures and regulations are listed in the Student Handbook. Filing a report with either the University Police Department or the Office of Student Conduct in no way prevents reporting of the same incident to the other and reporting an incident to the University Police Department does not obligate the reporter to file criminal charges.

The complainant and the accused have the same rights to be assisted by any advisor they choose, at their own expense, to have that advisor present during the hearing, and to call witnesses on their own behalf. Advisors may assist in preparation for the hearing and may have any other persons present that they wish; however, he/she is not permitted to speak for parties or otherwise participate directly in the hearing.

The Office of Student Conduct must use a “preponderance of the evidence” standard for determining the outcome cases of alleged domestic violence, dating violence, sexual assault, sexual discrimination, or stalking. Any member of a hearing body or anyone tasked with conducting investigations into allegations of domestic violence, dating violence, sexual assault, or stalking is required to receive annual training on these issues.

Following the final decision of the hearing body, the complainant and/or victim and the accused will both be informed unconditionally, simultaneously, in writing about:

- The determination of the hearing body; Any recommended sanctions;
- Any procedures for appealing the results;
- Any change to the results occurring prior to the time of the results becoming final; and
- When the results become final

Annual Security and Fire Safety Report
ARTICLE VI: DISCIPLINARY PROCEDURES

A. Charges

1. Complaints of misconduct against a student may be filed by any member of the University community. Complaints shall be prepared in writing and directed to the Office of Student Conduct, or, in violations occurring in the University residential facilities, to the Residential Conduct Officer or designee. In the disciplinary hearing, the complainant (person filing charges) bears the burden of proof. Persons considering filing complaints are encouraged to arrange for a meeting with a Conduct Officer prior to filing complaints to discuss filing and hearing procedures.

a. The written complaints should include:

1. Full name, local address, and phone numbers of the complainant, accused, and witnesses, (and whenever possible, “W” numbers);

2. The specific conduct standard, policy, and/or rule allegedly violated (this may be determined by the conduct officer);

3. The date, time, location and persons involved in the incident under investigation;

4. A narrative of the incident describing what occurred;

5. Copies of pertinent witness statements, police and/or housing reports, along with a list of any other physical evidence (photographs, written documents, items, etc.), to be presented at the hearing; and,

b. Complaints should be submitted as soon as possible after the incident, preferably within five (5) working days. Barring unusual or extenuating circumstances complaints may not be accepted for incidents which occurred more than 30 working days prior to filing.

2. Students may not avoid campus disciplinary action by withdrawing or graduating from the University. Any complaints/charges or sanctions pending when a student leaves the University must be properly disposed of prior to releasing the student’s records or the matter may be adjudicated without the respondent being present. The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any. Students who receive a disciplinary sanction involving separation from the University, and/or University housing are reminded that the University’s normal refund policy will apply.

Code of Conduct
3. The Hearing Officer may conduct an investigation to determine if the complaint has merit and/or if the complaint can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Hearing Officer.

B. Preliminary Administrative Disciplinary Conference

1. Upon receipt of a properly filed complaint, a staff member of the appropriate conduct office shall notify the accused student by e-mail, regular mail or hand delivery that proceedings have been initiated. The letter indicates a scheduled meeting time with a Hearing Officer, or directs the student to schedule a preliminary/administrative discipline conference within a specified amount of time. The letter also lists the alleged violation with which the student is being charged. Failure to comply with this directive may result in a full hearing board being scheduled.

2. The purpose of the preliminary administrative disciplinary conference is to provide the student an opportunity to review the alleged offense/s with the Hearing Officer, to examine evidence, to discuss the Student Code of Conduct and the discipline process. Students who do not have a copy of the Student Code of Conduct will be given one in this preliminary meeting or will be directed to an on-line copy. Further, the student and the Hearing Officer will determine if the matter can be resolved through mutual agreement, including, but not limited to, the charges/complaints being rendered null and void; an administrative agreement being signed which indicates the student assumes responsibility for a violation/s of the Student Code of Conduct; or, a referral to mediation. If at the administrative disciplinary conference, the respondent assumes responsibility for an infraction, the student may sign an administrative agreement and waive any further proceedings and/or appeals. If the complaint cannot be disposed of by mutual consent, the matter will be referred to a hearing involving a Student Conduct Hearing Board or an Administrative Hearing Board.

The Hearing Officer may later serve in the same matter.

C. Hearings involving a Hearing Board

In cases which cannot be resolved in an Administrative Disciplinary Conference, and in those incidents which rise to the level of expulsion or suspension from the University or University Housing, the matter will be referred to a Student Conduct Hearing Board, or an Administrative Hearing Board. Hearings involving a hearing board are designed for both the complainant and respondent to present their accounts of an incident.

1. The accused student shall be given written notice of the hearing to inform him/her of the specific charge(s), of his/her rights as a student, and the date, time,
and location of the hearing.

a. Generally, a time set for a hearing will be no fewer than two or more than 15 working days after the student has been notified of the hearing. However, due to the nature of the academic year, if the incident occurs close to the end of a semester, or if the appropriate hearing body cannot be scheduled, the student’s case will be heard as soon as a hearing can be scheduled.

b. Maximum time limits for scheduling hearings may be extended at the discretion of the Vice President for Student Affairs, the Chief Student Conduct Officer, the Assistant Director of OSC, and the Director of University Housing.

c. Notice shall be sent/delivered to the last local/mailing address and/or E-mail account identified on the student’s official records, and shall be considered delivered two working days after the letter has been posted.

d. Students are responsible for notifying the University of their current contact information including physical/mailing/electronic addresses. Address changes must be made through the Office of Records and Registration. Failure to notify the University of the current local address, to collect one’s mail from one’s address, and/or to receive or sign for a discipline mailing does not void the fact that a notice was delivered.

e. Hand delivered notices are considered to be delivered on the date they are given to the student.

2. The purpose of a disciplinary hearing is to determine if the accused student is responsible for violating one or more standards of the Student Code of Conduct, and to recommend any appropriate sanctions. A student is presumed to be not responsible until proven responsible in a disciplinary hearing. The burden of proof shall rest on the complainant.

3. Order of the Hearing

The hearing is structured such that the discussion proceeds in an orderly manner.

Below is the order that the hearing follows:

- The reading of the complaint/charges by the hearing chairperson;
- The entering of pleas by each respondent.
- There are three pleas: Responsible, Not Responsible, and No Plea, which indicates that the student does not know whether or not she/he is responsible, or means...
the student is unwilling to say and is allowing the Board to decide.

- Statement of complainant and introduction of evidence;
- Questioning by the respondent and the Board and or the Hearing Board Advisor;
- Statement of the respondent and introduction of evidence;
- Questioning by the complainant and the Board, and the Hearing BoardAdvisor:
- Statement of the complainant's witnesses, followed by respondent's questions, and, then those of the Board and or the Hearing Board Advisor;
- Statements of the respondent's witnesses, followed by complainant's questions, and, then those of the Board, and or the Hearing Board Advisor;
- Additional questions by the Board, the Hearing Board Advisor, complainant, and/or respondent;
- Closing statements, first by the complainant and then by the respondent;
- Deliberation of the Board;
- Recommendation of the Board to the advisor;
- Notification of the decision and, if necessary, sanctions. Delivery of the notice may be by hand or through the mail.

a. Closing statements shall be specific to the incident involved and may include any reiteration of previously stated facts, written statements of character by a third party, and/or any other comments involving the case. Closing statements are the final opportunity for the respondent and the complainant to provide any additional information which will facilitate the Board's decision, including recommendations for sanctions. Closing statements may be limited to a specified time constraint at the Board and or the Hearing Board Advisor's discretion.

4. A hearing before a Hearing Board shall be conducted according to the following guidelines:

a. Hearings normally shall be conducted in private. Only the hearing body/officer, respondent, complainant, their designated advisors, the recorder, and persons identified with the University community as having an educational need to know, may be present for the beginning of the hearing. Each witness will be called into the hearing individually to give testimony. Subject to the approval
of the Hearing Board Advisor and the parties involved, an observer may be admitted, but shall not have the privilege of participating in the hearing. Written requests for a waiver of rights to a private hearing, along with proper documented approval from all parties outlined above, must be submitted to the Chief Student Conduct Officer, the Assistant Director of OSC, the Director of University Housing, or the Residential Conduct Officer at least 48 hours prior to the hearing. Admission of any person to the hearing shall be at the discretion of the hearing body and/or the Hearing Board Advisor. Only the hearing body/officer and persons identified with the University community as having an educational need to know may be present during deliberations.

b. In hearings involving more than one respondent student, the Hearing Board Advisor, at his or her discretion, may permit the hearing concerning each student to be conducted separately.

c. The complainant and the respondent have the right to be assisted by any advisor they choose, at their own expense. The complainant and the respondent are responsible for presenting their own cases and; therefore, advisors are not permitted to speak or to participate directly in any hearing before a hearing body. Written notification of the name and relationship of an advisor to the complainant or respondent must be submitted to the Hearing Board Advisor at least 24 hours prior to the hearing.

d. The complainant, the respondent and the hearing body shall have the privilege of presenting witnesses, subject to questioning. All parties are responsible for notifying their witnesses of the date and time of the hearing. Written notification of the names and relationships of witnesses to the complainant or respondent must be submitted to the Hearing Board Advisor at least 24 hours prior to the hearing.

e. Respondents have the right to remain silent, although present, at disciplinary hearings. They may refuse to answer any question or questions and shall participate in the remainder of the hearing. Remaining silent or refusing to answer questions shall not be construed as an admission of responsibility, or used against the student.

f. Statements given in disciplinary hearings are confidential in nature and may not be discussed outside of the hearing and/or discipline process.

g. Lying or intentionally misleading the Board/Hearing Officer will not be tolerated, and may be referred for disciplinary action.
h. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a hearing body at the discretion of the chairperson and/or the Hearing Board Advisor.

i. All procedural questions are subject to the final decision of the chairperson of the hearing body and/or the Hearing Board Advisor.

j. After the hearing, the hearing body shall determine (by majority vote) whether the student violated each section of the Student Code of Conduct the student is charged with violating.

k. Hearing body deliberations to determine responsibility shall be conducted in confidential, closed sessions, as are any sanctioning portions.

l. The hearing body’s determination of responsibility shall be made if a preponderance of the information, that is, the facts and information, presented in the hearing are such that the hearing officer or hearing board finds it more likely than not that the respondent is responsible for the offense as charged.

m. Strict rules of evidence do not apply at campus disciplinary hearings. Although first hand testimony is preferable, written statements, hearsay testimony and other evidence are allowed, subject to the discretion of the hearing chair and/or Hearing Board Advisor.

n. Following the final decision of the hearing body, the respondent, will be informed of the determination and recommended sanction, if any, within ten business days. In cases of sexual assault and/or physical violence, the complainant shall also be informed simultaneously of the determination.

5. There shall be a record, usually an audio tape recording, of all hearings before a Hearing Board. Deliberations shall not be recorded. The official hearing record will be a transcription of the audio tape recording. An official hearing record may be made at the expense of the appellant. Students are cautioned that information contained in official hearing records is strictly confidential, and should only be used in matters of campus appeals. The record shall be the property of the University.

6. The Hearing Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Respondent, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, indirect questioning, or other means, where and as determined in the sole judgment of
the Chief Student Conduct Officer to be appropriate.

7. Except in the case of a student charged with failing to obey the summons of a hearing body or University official, no student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a hearing body. In all cases, the evidence in support of the complainant(s) charge(s) shall be presented and considered, whether or not the respondent is present.

8. Refer to the specific policy for further details of other University policies.

D. Sanctions

1. The following sanctions, individually or in combination, may be imposed upon any student found to have violated the Student code of Conduct.

   a. Loss of Privileges - removal of specified privileges for a designated period of time, including but not limited to, loss of privileges such as living in university owned housing, room/hall selection, open house, visitation, party registration, guest registration, holding elective or appointive office, pledging or initiation into campus organizations, and/or having motor vehicles, stereos or other equipment on campus. When the designated time period ends, the student is eligible for reinstatement of privileges; however, conditions for reinstatement may be specified in the original sanction.

   b. Fines - the student or group may be assessed an administrative fee at the discretion of the Vice President for Student Affairs, the Chief Student Conduct Officer, the Assistant Director of OSC, Director of University Housing, or the Residential Conduct Officer. If assessed, the following shall apply:

      • Missed Disciplinary Conferences: $50.00
      • Missed Hearings: $100.00
      • Alcohol: $50.00
      • Damage to Property: Full Restitution
      • Drugs: $100.00
      • Fire Safety: $50.00
      • Littering: $50.00
      • Use of Tobacco Products on Campus: $50.00
ATTACHMENT

M
August 28, 2014

Dr. Sandra K. Woodley
President
University of Louisiana System
1201 North Third Street, Suite 7-300
Baton Rouge, LA 70802

Dear Dr. Woodley:

Pursuant to your request the University of Louisiana at Lafayette submits the following data and information regarding rape and sexual assaults reported on our campus. The Board of Regents asked that we compile and categorize the information in the form requested in Senator Jean-Paul Morrell’s letter dated July 11, 2014.

1. Thirteen (13) sexual assaults have been reported on our campus for the preceding five calendar years (1/1/2009 – 12/31/2013).

2. Thirteen (13) sexual assault investigations have been conducted for the preceding five calendar years (1/1/2009 – 12/31/2013).

3. The written policy governing sexual assaults and sexual assault response employee training requirements is attached as Attachment 1 and includes the following:
   b. UL Lafayette Police Department’s General Order for Sexual Assault Response
   c. Memorandum of Agreement – Lafayette Parish Sexual Assault Response Team (SART)
   d. Title IX related training information
   e. State Mandated Sexual Harassment Training from UL Lafayette Office of Human Resources

4. The written investigation and adjudication procedures for sexual assaults are attached as Attachment 2 and includes the following:
   a. Code of Student Conduct and Appeal Procedures
   b. 2013 Annual Security and Fire Report

Sincerely,

[Signature]

E. Joseph Savoie
President

Attachments

[Stamp: A Member of the University of Louisiana System]
ATTACHMENT 1

University Policy Regarding Sexual Behavior and Sexual Harassment

UL Lafayette Police Department’s General Order for Sexual Assault Response

Memorandum of Agreement – Lafayette Parish Sexual Assault Response Team (SART)

Title IX Training Materials

State Mandated Sexual Harassment Training
Document XI

UNIVERSITY POLICY REGARDING SEXUAL BEHAVIOR
AND SEXUAL HARASSMENT

A. General Principles

The University of Louisiana at Lafayette is committed to creating and maintaining a campus environment where all individuals are treated with respect and dignity and where all are free to participate in a lively exchange of ideas. Each student has the right to learn and each employee has the right to work in an environment free of sexual harassment and one in which ideas may be freely expressed.

At the University of Louisiana at Lafayette, sexual harassment, whether verbal, physical, written, or visual, is unacceptable and will not be tolerated. Harassment is unlawful and hurts all members of the educational community. Each incident of harassment contributes to a general atmosphere in which the entire community suffers the consequences and in which all students and employees may feel that their safety and equality are compromised. Harassment has no legitimate educational purpose. Any employee or student, male or female, who engages in conduct prohibited by this policy shall be disciplined as provided by law, university policies, and applicable employment agreements.

UL Lafayette will not tolerate any sexual harassment of any person affiliated with UL Lafayette by any person affiliated with UL Lafayette (including non-employees, such as vendors and independent consultants), and will not tolerate academic or employment retaliation, including but not limited to, termination of anyone reporting harassment or providing information related to such a complaint.

B. Academic Freedom

The University of Louisiana at Lafayette recognizes the tension between protecting all members of the University community from sexual harassment and protecting academic freedom and freedom of expression. It is the policy of the institution that no member of the community may harass another. Conduct that reasonably serves a legitimate educational purpose, including pedagogical techniques, does not constitute harassment. In the educational setting within the University, wide latitude for professional judgment in determining the appropriate content and presentation of academic material is required. Although those participating in the educational setting bear a responsibility to balance their rights of free expression with a consideration of the reasonable sensitivities of other participants, this policy against harassment shall be applied in a manner that protects academic freedom and freedom of expression, including but not limited to the expression of ideas, however controversial, in the classroom setting, academic environment, university-recognized activities, or on the campus.

Nothing contained in this policy shall be construed to limit the legitimate exercise of free speech, including but not limited to written, graphic, or verbal expression that can reasonably be demonstrated to serve legitimate educational or artistic purposes nor shall this policy be construed to infringe upon the academic or artistic freedom of any member of the University. Artistic expression in the classroom, studio, gallery and theater merits the same protection of academic freedom that is accorded to other scholarly and teaching activities.

C. Coverage

All faculty, administrators, staff, students, and individuals affiliated with the University of Louisiana at Lafayette by contract (including non-employees, such as vendors and independent contractors) are bound by this policy. This policy protects men and women equally from sexual harassment, including same-sex harassment, and protects students from harassment by other students.

D. University Policy Regarding Prohibited Sexual Behavior

Revised 5/6/14
Sexual behavior, whether consensual or not, involving individuals where, by virtue of roles or position in the university, one individual is in a position of direct academic or supervisory authority with respect to the other are prohibited.

These roles include, but are not limited to, the following examples: a faculty member and any student in his or her class; a faculty member and any undergraduate major in his or her department; a faculty member and any graduate student in a departmental program; a graduate assistant who has teaching or other classroom duties and all students in the class or classes that he or she teaches or assists; a departmental, college, or university administrator and any member of the faculty in his or her chain of command; a laboratory supervisor and those using or working in his or her lab; or a supervisor of civil service employees and his or her employee.

In this category, both consensual and nonconsensual sexual behavior are proscribed, because of the university’s presumption that individuals not in a position of authority (or of lesser authority) cannot willingly and freely say no to any sexual touching or advances from a person in a position of authority.

E. University Policy Regarding Sexual Harassment

1. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome behavior of a sexual nature by faculty, administrators, staff, students, and other individuals covered by this policy.

Thus, sexual harassment consists of offers of “quid pro quo” behavior or of the creation of a hostile work or learning environment including unwelcome advances, or requests for sexual favors. This includes any verbal, written, physical or other conduct of a sexual nature when such conduct would be objectively regarded by a reasonable person as substantially interfering with an individual’s ability to learn or work or participate in University programs or activities by creating an intimidating, hostile, or offensive school or work environment even if the person engaging in the conduct does not intend to interfere, intimidate, or be hostile or offensive. The conduct must be sufficiently severe, persistent, or pervasive that it creates a hostile or abusive learning or working environment. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.

This definition of sexual harassment is essentially the standard of federal non-discrimination statutes.

a. “Quid Pro Quo” Offers

(i.) Offering or implying an employment-related reward (such as a promotion, raise, or different work assignment) or an education-related reward (such as a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct or

(ii.) threatening or taking a negative employment action (such as termination, demotion, denial of an employee benefit or privilege, or change in working conditions) or negative educational action (such as giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual’s job or academic work more difficult because sexual conduct is rejected.

b. Creation of a Hostile Work or Learning Environment

Creation of a hostile work or learning environment includes (but is not limited to)
(i.) Physical conduct such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body, if such conduct would be regarded by a reasonable and objective person, in light of all relevant circumstances, as sexual in nature.

(ii.) Making sexual references to a person's body parts, gestures, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience directed at or made in the presence of any individual.

(iii.) Unwelcome sexual advances, including requests for a romantic or sexual relationship to an individual who indicates or has indicated that such conduct is unwelcome.

2. Retaliation

No member of the UL Lafayette community will be disciplined for refusing sexual advances, objecting to sexual harassment, or making a good faith report of harassment.

Retaliatory or intimidating conduct against any individual who has made a good faith harassment complaint or who has testified or assisted in any manner in an investigation is specifically prohibited and shall provide grounds for a separate complaint. Examples of such retaliatory or intimidating conduct include disciplining, changing working or educational conditions, providing inaccurate information to or about, or refusing to cooperate or discuss work- or school-related matters with any individual because that individual has complained about or resisted sexual harassment. The initiation of a good faith complaint of harassment by a student will not reflect negatively on that student nor will it affect the student's academic standing, rights, or privileges. Likewise, the initiation of a good faith complaint by an employee will not reflect negatively on that employee nor will it affect the employee's working conditions, rights, or privileges.

F. University Policy Regarding Faculty Consensual Relationships with Other Faculty Members.

1. Permitted Consensual Sex Bounded by Procedural Protections

The nature of the collegial relationship of faculty may lead to the development of consensual romantic or sexual relationships. This has the potential for putting all faculty members at risk when colleagues judge other faculty members for merit raises, promotion, tenure and other issues. Therefore, this policy does not prohibit romantic or sexual behavior between faculty members, but provides procedures to handle potential conflicts of interest.

2. Recusal

Any member of the faculty or administration shall recuse himself or herself from tenure and promotion decisions, faculty awards such as sabbatical and research grants or any other personnel matter in cases where a history of past or current relationships or sexual behavior might affect impartial decision making. In such cases, the recusal should be accepted without question or penalty by all members of the faculty. Where such recusal does not voluntarily occur, the affected member of the university community should write a letter to the head of the relevant department requesting that the other faculty member recuse himself or herself. Should the other faculty member refuse to do so, the head of the department should make the request for recusal known to the members of the relevant committee.

G. Problematic Aspects of Consensual Sex within the University Community

Any consensual sexual relations between faculty members, administrators, academic staff members and students otherwise allowed by this policy are unwise, problematic, and fraught with risk. Even when both parties have consented to the relationship, there may be perceptions of conflicts of interest
or unfair treatment of others. Such perceptions undermine the atmosphere of trust essential to the educational process or the employment relationship.

A teacher's role includes providing intellectual guidance and academic and professional support and advice for students other than majors and graduate students in his or her department, and the trust that is essential to these roles can be undermined by a sexual relationship between a student and a faculty member, administrator, or member of the academic staff.

Other students who are aware of a sexual relationship between a student and a faculty member, administrator, or member of the academic staff often believe that the student is being favored academically, and this can undermine trust among the students with regard to whether or not they are being treated fairly.

A student may be flattered by romantic or sexual attention from a relatively powerful, prestigious, and perhaps considerably older faculty member, administrator, or member of the academic staff. The faculty member, administrator, or member of the academic staff may wish to ponder whether or not he or she wishes to take advantage of his or her position.

Freshmen are especially vulnerable, engaged in a major life transition, attempting to adjust to the new demands of learning at the college level, in need of focusing on developing solid study habits, and perhaps not yet having developed clear goals or peer friendships, and can have their academic aspirations interrupted or ended by the distractions and emotional turmoil of a sexual relationship with a faculty member, administrator, or member of the academic staff.

Problems commonly emerge when a sexual relationship breaks up. Students often later reveal that they worried about the possible adverse impact on their academic and eventual professional lives of offending a faculty member by breaking off a relationships and, in many cases, delayed doing so for that reason. The emotional turmoil of a failed or failing relationship leads some faculty members to lash out in ways that do harm to the student's reputation or opportunities.

A student may voluntarily enter into a sexual relationship with a faculty member, administrator, or member of the academic staff not in a direct supervisory position with the intent to affect favorably his or her academic success and career. This motive may not be immediately evident to the faculty member, administrator, or member of the academic staff. Extreme caution on the part of the faculty member, administrator, or member of the academic staff may be appropriate, in order to protect the integrity of the academic process.

Young people have often been socialized to deflect rather than rebuff unwanted romantic or sexual advances and to be respectful to those in authority or who are considerably older than they are. As a result, a faculty member, administrator, or member of the academic staff who asks a student for a date, or in some other manner intimates an interest in dating, might wish to exercise extreme caution to ascertain with certainty the extent to which the student has given consent for the next step or may be conflicted or fearful or simply kind.

A student may hesitate to rebuff the first advance by a faculty member, administrator, or member of the academic staff for fear of possible retaliation by such a person of influence. If the student does directly rebuff such an advance, he or she may have residual uneasiness about whether that person may use his or her position to adversely affect the student's academic and professional life.

It is almost impossible to predict whether or not a student who is not at the present time in one's class or a major or graduate student in one's department may move into a category where all sexual relationships are prohibited by this policy. If there is a continuing relationship, the student may be deterred from making a change of academic direction that would ultimately benefit him or her, because he or she does not want to end the relationship. If the relationship has ended on poor terms, the student may fear or actually experience academic harm by the person who will then have power over him or her. If the relationship ended on good terms, the faculty member will be in a position to (perhaps inadvertently) favor the student.
It is almost impossible to predict whether or not a student who is not in one's class or a major or graduate student in a departmental program may at some time in the future benefit from a letter of recommendation written by a faculty member, administrator, or member of the academic staff. A letter of recommendation, favorable or unfavorable, can have a powerful impact on a student's academic and professional future.

It is almost impossible to predict whether or not a student who is not in one's class or a major or graduate student in one's department may at some time in the future benefit or be harmed because the faculty member, administrator, or member of the academic staff serves on a university committee that awards a scholarship, fellowship, internship, assistantship, prize, or other benefit.

It is almost impossible to predict whether or not a graduate student who is not in one's class or a graduate student not in one's department may become active in an interdisciplinary center or cooperative program between departments which would bring him or her into a position where the faculty member will be in a position of power, or may cause the graduate student to not pursue an intellectual direction in order to avoid the power relationship.

For these reasons, faculty members, administrators, and academic staff members should enter such relationships, if at all, only after very careful consideration.

H. Confidentiality

Confidentiality will be maintained throughout the entire investigatory process to the extent practicable and appropriate under the circumstances to protect the privacy of persons involved. The persons charged with investigating the complaint must discuss the complaint or the underlying behavior only with persons involved in the case who have a need to know the information, which will include at least the complainant and the accused harasser.

The University is required by law to investigate any complaint of sexual harassment and will strive to protect, to the greatest extent possible, the confidentiality of persons reporting or accused of harassment. However, the University cannot guarantee complete confidentiality where it would conflict with the University's obligation to investigate cases of sexual harassment.

I. Penalties

Appropriate sanctions, ranging from a warning to dismissal, will be determined based on the severity of the conduct and in accordance with the provisions of applicable statutes, employment contracts, university policies, and disciplinary procedures.

J. Applicable Procedures

Any individuals who believe that they have been harassed may bring a complaint or file a grievance. Complaints will be handled informally while grievances will involve a formal investigation and may result in hearings.

1. Bringing a Complaint

   a. Any member of the university community who believes that he/she has been the victim of sexual harassment (the complainant) may bring the matter to the attention of the Associate Dean of Students, Room 211, Martin Hall (482-6272); the Title IX Coordinator, Room 309, Martin Hall (482-1394); or one of the professional counselors in the Counseling Center, Olivier Hall (482-6480).

   b. The complainant should present the complaint as promptly as possible after the alleged harassment occurs. One consequence of failure to present a complaint promptly is that it may preclude recourse to legal procedures should the complainant decide to pursue them at a
later date.

c. The initial discussion between the complainant and the university officer will be kept confidential with no written records. In many cases a satisfactory resolution of the complaint can be worked out at this point and no further action is required. If a resolution satisfactory to the complainant is reached, the complainant will sign a statement indicating that fact, and the statement will be kept in a confidential file by the University’s grievance officer.

2. Filing a Grievance

a. If a satisfactory solution to the complaint cannot be reached and the individual filing the complaint (grievant) decides to proceed, a written statement describing the alleged harassment should be submitted to the grievance officer designated by the President. Cases involving sexual harassment are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited in order that the privacy of all individuals involved is safeguarded as fully as possible.

b. The grievance officer shall inform the alleged offender of the allegation and the identity of the grievant. The written statement of the complaint shall be given to the alleged offender. Every effort shall be made to protect the grievant from retaliatory action by those named in the grievance.

c. Promptly after the grievance is submitted, the grievance officer should initiate appropriate steps to effect an informal resolution of the grievance acceptable to both parties.

d. If the grievance officer fails to effect an informal resolution, the grievance officer shall investigate the complaint further.

e. The grievant, if unsatisfied with a proposed informal resolution and with the grievance officer’s investigative findings, shall, upon prompt submission of a written request, have access to the formal grievance procedures of the University.

3. The Grievance Review

Review of the grievance against a faculty and/or staff member is conducted by a committee of peers, as follows.

a. If the alleged offender is a faculty member, the preliminary peer-committee inquiry and possible subsequent formal ad hoc committee hearing are delineated beginning in Section 3 of the Procedures for Dismissal for Cause and Imposition of Major Sanctions, published in the Faculty Handbook.

b. If the alleged offender is a staff member, the formal grievance procedures are those delineated in Procedures Governing Hearings by the Discrimination and Sexual Harassment Appeals Committee, published in the Faculty Handbook and in the Staff Handbook.

c. If the grievant and the alleged offender are both students, the grievance will be heard by the University Discipline Committee.
GENERAL ORDERS
CHAPTER:
Enforcement
SUBJECT:
Sexual Assault Response

I. PURPOSE

The purpose of this policy is to provide officers and investigators with guidelines for responding to reports of sexual assault, assisting victims, collaborating with local health and service agencies, and conducting interviews with victims, witnesses, and suspects. Because of the special needs involved in sexual assault investigations, this policy is an all-inclusive document that covers first response, investigation, and prosecution.

II. POLICY

A victim’s distress may create an unwillingness or psychological inability to assist in the investigation.
Officers and investigators play a significant role in both the victim’s willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime.
Therefore, it is especially important that these cases be handled from a nonjudgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime. The Chief of Police shall be notified immediately by the Shift Commander of any sexual assault case, so that a timely warning may be issued to the University Community if warranted.

III. DEFINITIONS

Sexual Assault: As used in this policy refers to felony crimes of sexual violence. Specific statutory definitions of sex crimes vary by state. In most states, crimes of felony sexual assault include one of the following sexual acts:

- Penile-vaginal intercourse
- Contact between the genitals and mouth
- Contact between an anus and a penis
- Penetration of the vagina or anus with a foreign object
- Any contact of the genitals or anus with the accused genitals or a foreign object
Sexual assault generally constitutes a felony when one of the following conditions exists:

- Force was used or threatened, even if there is no bruise or injury to the victim
- The victim was afraid, even if this did not lead the victim to physically resist
- The victim was disabled and could not legally give consent (that is, the victim could not understand the nature or condition of the act due to illness or disability)
- The victim was severely intoxicated or unconscious as a result of drugs or alcohol and was therefore unable to give informed consent at the time of the sexual act
- The victim was under the age of legal consent at the time of the sexual act

**Victim Advocate:** This generic term may apply to a wide range of service providers, rape crisis counselors, on-call counselors with Counseling and Testing, social workers, victim witness providers within a prosecutor's office, and law enforcement officers, including departmental victim assistants. Depending on the primary functions of these different advocates, the levels of confidentiality and privilege they have will vary and should, therefore, always be understood by each responding officer and communicated to the victim.

**IV. PROCEDURES**

**A. Dispatcher or Call-Taker Response**

1. Due to the trauma of a sexual assault, a victim reaching out for assistance may be in crisis. The victim’s behaviors may actually be symptomatic of this condition and can range from hysteria, crying and rage to laughter, calmness, and unresponsiveness. There is no one typical reaction, so it is important to refrain from judging or disregarding any victim.

2. When a caller reports a sexual assault, communications personnel shall follow standard emergency response to include evaluating and properly prioritizing the call, securing medical assistance, inquiring about a suspect's current location, and obtaining detailed information to identify the suspect. Information about the relationship with the victim, weapon use, and history of violence shall also be obtained.

3. To ensure critical evidence is not lost, communications personnel shall:

   a. Advise victim not to bathe, douche, urinate, or make other physical changes
   b. Ask the victim to use a clean jar to collect the urine should the victim have to urinate
   c. Let the victim know that other evidence may still be identified and recovered so the crime should still be reported if the victim has bathed or made other physical changes
   d. Preserve the communications tape and printout for the investigation
   e. Explain to the caller that these questions will not delay an officer's response to the caller’s location

**B. Initial Officer Response**
1. Emergency Response

As part of the emergency response, officers shall:

a. Make contact with the victim as soon as possible to address safety concerns and summon emergency medical assistance if needed
b. Evaluate the scene for people, vehicles, or objects involved as well as possible threats
c. Relay all vital information to responding officers and supervisors, including any possible language barriers
d. Secure the crime scene to ensure that evidence is not lost, changed, or contaminated
e. Request assistance from detectives, field evidence technicians, crime laboratory personnel, and the prosecuting attorney when appropriate
f. Begin a search for the suspect when appropriate

2. Assisting the Victim

As part of the emergency response, officers shall:

a. Show understanding, patience, and respect for the victim’s dignity and attempt to establish trust and rapport.
b. Inform the victim that an officer of the same sex will be provided if desired and available.
c. Contact a victim advocate as soon as possible to provide assistance throughout the reporting and investigative process.
d. Supply victims of sexual assault with the phone number for the Rape Crisis Line (337) 233-7273.
e. Request a response from UL Lafayette Dean On-Call and UL Lafayette Counselor On-Call, and clearly explain his or her role and limit the preliminary interview so that the victim is not then asked the same questions by a detective/investigator.
f. Be aware that a victim of sexual assault may bond with the first responding officer. It is important to explain the role of the different personnel responding and help with transitions through introductions.
g. Record observations of the crime scene, including the demeanor of the suspect and victim and document any injuries or disheveled clothing.

3. Evidence Collection Issues

a. Officers shall request assistance or direction from crime scene technicians, forensic scientists, or other qualified investigators dealing with the case.
b. Responding officers shall protect the integrity of the evidence and guard the chain of custody by properly marking, packaging, and labeling all evidence collected, including:

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i. Clothing worn at the time of the assault and immediately afterward, especially the clothing worn closest to the genitals (such as undergarments, pants, and shorts)
ii. Photograph the victim’s injuries (if any), the suspect’s injuries (if any), and the crime scene prior to processing

1) When photographing a victim, be sensitive to the location of the injuries on the victim’s body
2) Summon an officer of the same sex as the victim
3) Photograph victims using drapes and other techniques that help to maintain the victim’s dignity (Preferably conducted within a hospital setting)

c. When an investigating officer suspects that a sexual assault may have been facilitated with drugs or alcohol, he or she should determine the time of the incident as soon as possible in order to make decisions regarding the collection of urine and blood samples.

d. Officers shall introduce the need for a medical examination to the victim explaining the importance to investigative and apprehension efforts as well as for the victim’s well being. Officers shall not coerce victims to go to the hospital or to provide samples for drug screening.

c. DNA evidence plays a crucial role in the sexual assault investigation. In addition to the victim’s and suspect’s bodies and clothing, there are many other potential sources such as condoms, sheets, blankets, pillows, and bottles that may contain biological evidence such as blood, sweat, tissue, saliva, hair, and urine. To properly collect DNA evidence, officers shall:

   i. Use sterile gloves and change as needed
   ii. Use sterile swabs, papers, solutions, and tools
   iii. Package evidence in individual envelopes
   iv. Avoid touching the area where potential DNA evidence may exist
   v. Avoid talking, sneezing, and coughing over evidence
   vi. Air dry evidence before packaging
   vii. Put evidence into new paper bags or envelopes, not plastic

f. The sexual assault evidence kit shall be accepted from the medical staff after it has been properly sealed and labeled.

   i. The kit will then be logged into evidence in accordance with the UL Lafayette Evidence Policy and the Evidence Custodian be notified as soon as possible. The kit may also be accompanied by a urine sample for toxicology testing. This kit should also be logged into evidence as soon as possible and the Evidence Custodian notified.
   ii. The kit shall not be allowed to freeze or be exposed to heat such as being in a car’s interior for an excessive amount of time.
4. Stranger vs. Non-Stranger Assaults

Responding officers shall be familiar with common defenses to the charges of sexual assault.

a. Non-Stranger Assault: The majority of non-stranger sexual assaults result in a consent defense. Thus, evidence of particular importance includes:

i. Evidence of physical or verbal resistance on the part of the victim
ii. Evidence of genital or non-genital injury
iii. Detailed account of the victim’s thoughts and feelings during the assault
iv. Information regarding the suspect’s size and strength in comparison to the victim
v. Information regarding the environment in which the assault took place (such as isolation, soundproofing)
vi. Information regarding the victim’s behavior after the assault, including posttraumatic stress

b. Stranger Assault

Evidence in stranger sexual assaults often center on a question of identification pending the processing of DNA evidence. Therefore, investigative strategies must remain flexible. An identity defense will typically include latent fingerprints, lineups, DNA, and trace evidence.

5. Identify and locate witnesses and suspects based on the victim’s emotional and physical state, questions of the victim concerning the assault and description and location of the suspect shall be limited. Responding officers must identify and interview any potential witnesses, bearing in mind that there may be multiple crime scenes. It is especially important that the first person the victim told about the sexual assault be identified and interviewed.

6. Documentation

Any officer, who interviews a witness or a suspect, identifies evidence, or processes a crime scene shall write his or her own report detailing the actions he or she took. These supplemental reports shall be compiled by the first responding officer for the follow-up investigation regardless of whether an arrest is made.

C. Preliminary Victim Interview

Sexual assault investigations typically include both a preliminary and subsequent in-depth interview with the victim. The preliminary interview is intended to establish whether a crime has
occurred. In the initial response, the officer shall first establish the elements of the crime(s) and identify any and all witnesses, suspect(s), evidence, and crime scene(s). The officer must understand, and the report indicates, that the preliminary interview is not intended to be a comprehensive or final interview. Additional interviews will be needed as the investigation develops.

1. **Involve a Victim Advocate**

   Every effort shall be made by the investigating officer to contact a victim advocate as soon as possible. If the victim declines assistance from an advocate, the investigator shall provide the victim with referrals for community resources specifically designed to help victims of sexual assault.

2. **Victim Interview Protocol**

   a. Based on the length of time between the assault and report of the crime and the individual’s personal history, the victim may be in crisis and experiencing posttraumatic stress disorder or rape trauma syndrome and exhibiting a range of behaviors that will likely change over time.

   b. The victim’s response to the trauma of a sexual assault shall not be used in any way to measure credibility. When drugs or alcohol are involved, the victim may have limited recollection or be unable to give a complete account of the crime. Not knowing the details of what happened may exacerbate the trauma experienced by the victim.

   c. Interviews shall be conducted promptly if the victim is coherent and consensual.

   d. Proceeding with or conducting a thorough investigation shall not be contingent upon laboratory findings.

   i. Investigators shall:
      1) Avoid using jargon or police, medical, or legal terms

   ii. Prior to initiating the interview, the officer shall:
      1) Interview any witness who might have seen or spoken with the victim before, during, or after the assault
      2) Accommodate the victim’s request for a rape crisis advocate or support person whenever possible
      3) Take responsibility for excluding a support person when appropriate and offer the victim and support person an explanation
      4) Secure a private location for the interview that is free from distractions
      5) Express sympathy to the victim and an interest in the victim’s well-being
      6) Inform the victim of the need and importance of full disclosure of any and all recent drug use
iii. During the interview, the officer shall:

1) Obtain contact information for the victim, including temporary accommodations
2) Explain the nature of the preliminary interview and the need for follow-up contacts
3) Ask victims to explain what they remember and how they felt
4) Revisit the possibility of a support person for victims who initially declined the offer
5) Explain that other professionals such as forensic examiners, detectives, evidence technicians, and prosecutors may have additional questions

iv. At the conclusion of the initial interview, the officer shall:

1) Give the victim the investigator’s contact information
2) Encourage the victim to contact the investigator with any additional information or evidence
3) Remind the victim that visible evidence of injury may appear later, and to contact the investigators for additional photographs or other documentation
4) Ensure that requests for victim protection orders are made where indicated
5) Provide written referrals for victim service organizations
6) Provide transportation when reasonably possible
7) Inform the victim about next steps in the investigation

3. Protecting Victim Rights

   a. Throughout the investigation of the case, officers shall protect the confidentiality of the victim’s information to the maximum extent possible by law and policy.
   b. In addition, victims should be provided information on:

      i. The rights of a crime victim
      ii. How to contact police if harassed or intimidated by the suspect(s)
      iii. How to obtain written permission from the victim prior to releasing information
      iv. The definitions of information that is part of the public record and confidential
      v. The possibility of media coverage and information the media has access to regarding sexual assault crimes

4. Arrest and Prosecution Decisions
In the immediate aftermath of a sexual assault, a victims shall not be expected or encouraged to make decisions regarding the investigation or charges related to the offense. Officers shall not introduce any forms for a victim to sign to decline an investigation.

5. Delayed Reports

Delayed victim reporting is common in sexual assault cases due to the trauma and fear experienced by victims and should not deter a thorough investigation. Officers shall inquire about and document the reasons for a delayed report, while avoiding questions that could be perceived as judgmental or accusatory.

6. Title IX and Dean of Student and Student Life and Conduct

The investigating officer will notify the complainant of their right to file a criminal complaint, the right to file a Title IX complaint and will report said complaint to the Title IX Coordinator if the victim consents to reporting. The Title IX coordinator’s name and contact information shall be provided to the complainant and documented in the narrative of the investigating officer’s report. It is important to tell the victim that we are obligated to notify the Title IX Coordinator about all incidents of sexual harassment/assault, as he or she may have some obligations to conduct a Title IX investigation. We may need to provide your identity to the Title IX Coordinator for those purposes.

Additionally, we are obligated to notify the Dean of Students Office and Student Life and Conduct and forward the incident to them. If the victim does not consent, the report should be made to the Dean of Students and Student Life and Conduct and not include the victim’s name respecting the wishes of the complainant.

D. Forensic Examinations for Victims of Sexual Assault

Victim-centered care is paramount to the success of the forensic examination of victims of sexual assault. A timely, professional forensic examination increases the likelihood that injuries will be documented and evidence collected to aid in the investigation and prosecution of sex offenders. Evidence may normally be collected up to 92 hours after the assault, but evidence can be gathered and injuries documented beyond that time, especially if the victim is injured, bleeding, or experiencing pain.

1. Investigating Officer Actions

   a. Ask the victim whether there is anyone who should be called or notified, and facilitate this contact
   b. Address any special needs of the victim, such as communication or mobility, and notify the victim advocate of the special need
c. Explain the purpose of the forensic examination and its importance to the investigation and provide the victim with information on the procedure
d. Inquire whether the victim will consent to a forensic examination
e. Inform the victim of the right to decline any or all parts of the examination
f. Explain to the victim the potential consequences if any part of the examination is refused
g. Notify a victim advocate to offer the victim support when a forensic examination is to be conducted
h. Transport the victim (if necessary) to the designated medical facility if a forensic examination is warranted and the victim consents
i. Advise the victim that the forensic examiner will collect any clothing that was worn during or immediately after the sexual assault
j. Assist in arranging for clothing the victim may need after the examination
k. Seek permission from the victim to collect a urine sample for drug screening
l. Obtain a signed release from the victim for access to medical records
m. Encourage a victim who is unwilling to undergo a forensic exam to get medical attention including testing for pregnancy and sexually transmitted diseases

2. Coordination with Forensic Examiner

Responding officers shall coordinate with other professionals such as forensic examiners (i.e. SANE) and criminalists to determine whether a forensic examination is indicated.

a. When a forensic examination is indicated, the investigating officer shall brief the examining nurse or physician about the details of the sexual assault, as they are known at that time.
b. Officers should not normally be present in the examining room as the forensic examiner will testify about collection of evidence and the chain of custody.
c. The nurse or physician shall brief the investigating officer at the conclusion of the examination.
d. The police report shall contain a copy of the forensic exam, if available, and a summary of the findings that note significant information or injury. After the examination, all the evidence shall be transferred to the department for storage.

3. Presence of a Victim Advocate

When it is determined that a forensic examination will be conducted, a victim advocate or a support person of the victim’s choosing shall be allowed to be present in the room and during the interview, unless it would be harmful to the investigation. The officer shall take responsibility for excluding a support person, when appropriate, and providing an explanation to the victim and the support person.

4. Drug-Facilitated Sexual Assault Considerations
a. If a drug-facilitated sexual assault is suspected, it is critical to obtain a urine sample from the victim as soon as possible.
b. Protocols for responding to illegal substance abuse by victims (including underage drinking) shall be followed and never used to discredit or discourage the victim from reporting the assault. The department priority is to conduct a thorough investigation of a sexual assault rather than prosecute victims for misdemeanor violations.
c. Because of the delay in reporting most sexual assaults, laboratories capable of testing urine and blood samples at very low levels for those drugs commonly used to facilitate sexual assault are essential.

E. Follow-Up Victim Interview

Prior to a follow-up interview, the investigating officer shall consult with agency personnel who responded to the scene, retrieve communications tapes and printouts, and review all reports. The officer should coordinate with relevant agencies, assistance organizations, service providers, or sexual assault response professionals to address the needs of the victim and to discuss the best means for keeping the victim informed.

1. Investigative Strategy

In preparing for the interview, the investigator shall develop an investigative strategy based on the nature of the assault and the possible defenses available to the suspect (such as denial, mistaken identity, or consent). This strategy shall guide the questions and other evidence collection efforts. Critical evidence collection efforts include evaluating whether a pretext phone call is appropriate and re-photographing injuries to document changes in visible injuries.

2. Follow-Up Interview Protocol

a. An in-depth follow-up interview shall be conducted after the victim has been medically examined and treated, and personal needs have been met.
b. In the event that the victim is still under the influence of drugs or alcohol, has been injured, or as a result of the assault has not slept, and barring exigent circumstances requiring an arrest or identification, the interview shall be delayed.
c. Arrange for equipment to tape record or videotape the interview so the officer can focus on listening.
d. The interview shall be conducted in a location that is convenient, accessible, and comfortable for the victim. The investigator shall provide or arrange for transportation for the victim when needed.
e. At the start of the follow-up interview, the officer shall:
   i. Discuss the purpose and scope of the interview
   ii. Review contact information for both the victim and investigator that may need to be updated
iii. Explain the victim’s rights, including confidentiality
iv. Explain the need to tape record or videotape the interview and request the victim’s consent
v. Address arrest decisions including an explanation of the status of the case

f. While conducting the follow-up interview, the officer shall:

i. First allow the victim to describe what occurred without interruption
ii. Relay what he or she heard for accuracy, identify new information or developments, and ask questions
iii. Clarify any inconsistencies with earlier accounts of the sexual assault in a nonthreatening manner
iv. Document the victim’s actions in response to the attack, the victim's state of mind during the attack, specific statements made by the perpetrator, and the nature of any relationship with the suspect and explain the importance of these questions from a prosecutorial standpoint
v. Inquire about any circumstances that may indicate the use of a drug to facilitate the sexual assault (such as whether the victim experienced any loss of memory, disorientation, severe illness, or hallucinations)
vi. Assist the victim in developing a safety plan, in the event safety concerns exist, and encourage the victim to call police if the suspect violates any existing criminal or court orders or if the suspect contacts the victim in any way

g. Once a thorough follow-up investigation has been completed, the investigating officer shall:

i. Evaluate impounded evidence and determine which items might have probative value based on the statements and other information
ii. Submit a lab service request such as DNA, biology, trace, or toxicology based on the assessment of the evidence
iii. Present the complete case file including forensic results as soon as available to the prosecuting attorney for review and work with the prosecutor’s office to develop the case
iv. Encourage the victim’s continued support in the investigation, apprising the victim of future investigative and prosecutorial activities that will or may require involvement
v. Familiarize the victim, prior to trial, with the types of defense strategies and inquiries that may be made during cross-examination

3. When Lacking the Victim’s Involvement

This department shall respect a victim’s inability, or decision not, to be involved in criminal justice proceedings and always be willing to offer continued assistance and referrals.

F. Contacting and Interviewing the Suspect

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1. The investigating officer(s) shall follow department procedures on identifying the suspect, conducting the suspect interview, and collecting evidence in a sexual assault investigation.

2. Involvement of a victim in a pretext phone call to the suspect should take into consideration the victim's emotional and physical state. A victim advocate should be present whenever possible to offer support.

G. Sexual Assault Forensic Examination for the Suspect

The UL Lafayette Police Department will work with other agencies and community organizations to establish protocols regarding where the forensic examination of the suspect will take place, and what steps will be involved. It is essential that the victim and suspect examinations must take place in different locations.

1. Protocol for Suspect Examination
   a. Immediately after the preliminary suspect interview, the investigating officer shall determine whether a forensic sexual assault examination should be obtained for the suspect.
   b. A search warrant may be needed to collect any evidence from the body of the suspect or even to collect clothing. If the suspect consents to such evidence collection procedures, documentation of voluntary consent shall be provided in the police report.
   c. The investigator shall clearly document the suspect’s freedom to decline any part of the examination and to leave at any time.

2. Evidence Collection
   a. The forensic examiner shall document the suspect’s medical history, document all injuries that are observed, and collect biological and trace evidence from the suspect’s body
   b. If in custody, the suspect shall be given a *Miranda warning* before being asked medical history questions by the forensic examiner or investigator
   c. If the suspect invokes his right to remain silent, the examiner shall bypass the medical history portion of the examination and continue documenting any visible injury and collecting the appropriate specimens
   d. Both the examiner and attending officer shall be prepared to document any spontaneous statements made by the suspect regardless of whether or not the suspect is in custody and whether or not the suspect was provided with a *Miranda warning*

H. Role of the Supervisor

First-line supervisors shall demonstrate a detailed understanding of victim issues and proper response by subordinates.
Supervisors shall:

1. Respond to assist officers investigating felony sexual assaults
2. Exhibit sensitivity to victims and ensure that victims are dealt with properly by clarifying their expectations of line officers
3. Assist in locating resources to effectively investigate sexual assaults
4. Encourage problem-solving partnerships to enhance cooperation between the department and community organizations such as rape crisis centers and forensic examination programs using a victim-centered approach
5. Include victim services information regularly at roll call
6. Develop and encourage community partnerships to reduce the risk of sexual assault
7. Create opportunities for ongoing training to improve the skills needed to properly investigate sexual assault
8. Work to increase interagency communication between law enforcement and prosecutors to ease the transition for victims moving from the investigation phase to prosecution
9. Incorporate victim services issues into the evaluations of officers and detectives
10. Recognize and reward officers for rendering effective victim services

I. Anonymous Rape Kits:

A. Collection of Kits

The University of Louisiana at Lafayette Police Department will collect and store kits received from local area hospitals and medical facilities whereas the incident was reported to have occurred within the jurisdiction of the UL Lafayette Police Department

B. Anonymous Rape Kits will be held in evidence in accordance with SANE protocol.

J. Procedure for Collecting Anonymous Rape Kits:

1. The on-duty officer or the Sexual Assault Investigator will respond to Rape Response or to the medical facility.
2. MAKE SURE TO ASK AND RECORD IF THERE IS BLOOD OR URINE COLLECTED IN THE KIT.
3. If blood and/or urine is in the kit, contact the Investigator or the Evidence Custodian as soon as possible.
4. Complete an Incident/Offense Report, and forward the report immediately to investigations.

______________________________
Joey J. Sturm
Director of Public Safety
Chief of Police

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Reporting Options

☐ Phone Call  
Sexual Assault Response Team Member: __________________________

☐ Meeting  
Phone Number: __________________________

Introduction: You can change your mind about the type of report you wish to file at any time in the future, to do so contact UL Lafayette PD. If you do not choose to file any of the following reports, a confidential Sexual Assault Form will be forwarded to the Clery Compliance Coordinator to capture this incident in the annual statistics. This form will not name the victim or accused. The information provided will include the date the incident occurred, the location, and the proper classification of the incident so the statistic can be counted.

Option 1: You don’t have to file any of the listed reports. If this option is your choice please initial here:

Do not file any reports.  
Initials __________________________

Option 2: Do you want to file a UL Lafayette PD Report? The department will fully investigate the incident and forward the case file to the District Attorney’s Office for review and prosecution. If you choose to pursue criminal charges and probable cause is determined, the subject will be arrested for violation of the applicable state statute(s).

Note: The report will list you as the victim and will name the accused. The report will be forwarded to the Office of Student Life and Conduct, and they will begin the judicial process.

Yes: Initials ______________  No: Initials __________________________

Option 3: If you said “no” to Reporting Option #1

Do you want to file a Limited Confidential UL Lafayette PD Report?

Note: The Incident Report will describe the incident but will not include the name of the Subject or Accused. This report is typically sent to Office of Student Life and Conduct. A Supplemental Report is written and includes the name of the victim and accused and is maintained by UL Lafayette PD. The Supplemental Report is not forwarded to the Office of Student Life and Conduct along with the incident narrative. This means the Office of Student Life and Conduct will not have access to your name or the name of the accused, so that office will not be able to initiate Judicial Action. Remember, police records, specifically the initial report is subject to the Public Records Law, but the name of the victim is NOT.

Yes: Initials ______________  No: Initials __________________________

Option 4: You have the option to file a report with the institution’s Title IX Coordinator. The Title IX Coordinator for the Institution is the Chief Human Resources Officer. He/she is located in Martin Hall 200 University Circle first floor and can be reached at (337) 482-6242. The institution has adopted and published grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX, including sexual harassment and sexual assaults carried out by employees, other students or third parties. This information can be found at: Louisiana.edu. Further, the institution does not discriminate on the basis of sex in educational programs or activities that the institution operates.

Do you want to file a report directly with the Title IX Coordinator?

Yes: Initials ______________  No: Initials __________________________
MEMORANDUM OF AGREEMENT

LAFAYETTE PARISH SEXUAL ASSAULT RESPONSE TEAM (SART)

This working agreement is recognized as a cooperative, collaborative commitment between each agency listed below, and proof of commitment is acknowledged by the signature of each agency’s representative.

In May 2006, with the implementation of Hearts of Hope’s Sexual Assault Nurse Examiners Program, it became evident that the creation of a Lafayette parish Sexual Assault Response Team would improve collaborative efforts in the local community response to sexual assault. Prior collaborations among the different agencies have, until that time, been informal and unwritten arrangements. With signature to this Memorandum of Understanding, all representatives are demonstrating a commitment to the process of implementing a SART by agreeing to participate in trainings that would help support the goals and activities of the team and by participating in the SART process as defined below.

All agency representatives acknowledge that they have had the opportunity to review and approve the project's proposed budget and that their input and feedback have been solicited for purposes of inclusion in the proposed project activities.
The District Attorney's Office of the 15th Judicial District, Lafayette, Louisiana agrees to:

- Designate a liaison to serve on the Lafayette Parish Sexual Assault Response Team (SART) and to serve as the agency's contact person.
- Use Sexual Assault Nurse Examiners (SANEs) as witnesses during sexual assault trials;
- Provide reasonable notification of upcoming trials to the SANEs who will be called to testify;
- Meet with the SANE prior to a trial to review the case; and
- Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings;
- Provide, through the Victim Assistance Division, law enforcement assistance with CVC reimbursement;
- Develop and support the policies and procedures to establish and maintain the SART

The Lafayette Parish Sheriff's Office agrees to:

- Serve as a fiscal agent for the SART Development and Implementation Project when grant opportunities apply.
- Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency's contact person;
- Refer sexual assault survivors to the Sexual Abuse Response Center (SARC);
- Refer sexual assault survivors to the SANE services as appropriate;
- Provide a case or incident report number;
- Receive forensic evidence that has been collected from the survivor and / or perpetrator.
- Follow law enforcement established protocol regarding evidence collection and storage;
- Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings
- Develop and support the policies and procedures to establish and maintain the SART

The Lafayette Parish Correctional Center agrees to:

- Designate a liaison to serve on the Sexual Assault Response Team (SART)
  and to serve as the agency's contact person;
- Refer sexual assault survivors to the Sexual Abuse Response Center (SARC);
- Refer sexual assault survivors to the SANE services as appropriate;
- Provide a case or incident report number;
- Receive forensic evidence that has been collected from the survivor and / or perpetrator.
• Follow law enforcement established protocol regarding evidence collection and storage;

• Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings.

• Develop and support the policies and procedures to establish and maintain the SART.

The Lafayette City Police Department agrees to:

• Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency’s contact person;

• Refer sexual assault survivors to the Sexual Abuse Response Center (SARC);

• Refer sexual assault survivors to the SANE services as appropriate;

• Provide a case or incident report number;

• Receive forensic evidence that has been collected from the survivor and/or perpetrator.

• Follow law enforcement established protocol regarding evidence collection and storage;

• Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings.
Develop and support the policies and procedures to establish and maintain the SART

The University of Louisiana at Lafayette Police Department agrees to:

- Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency's contact person;
- Refer sexual assault survivors to the Sexual Abuse Response Center (SARC);
- Refer sexual assault survivors to the SANE services as appropriate;
- Provide a case or incident report number;
- Receive forensic evidence that has been collected from the survivor and / or perpetrator;
- Follow law enforcement established protocol regarding evidence collection and storage;
- Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings;
- Develop and support the policies and procedures to establish and maintain the SART

The Broussard Police Department agrees to:

- Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency's contact person;
• Refer sexual assault survivors to the Sexual Abuse Response Center (SARC);
• Refer sexual assault survivors to the SANE services as appropriate;
• Provide a case or incident report number;
• Receive forensic evidence that has been collected from the survivor and / or perpetrator.
• Follow law enforcement established protocol regarding evidence collection and storage;
• Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings
• Develop and support the policies and procedures to establish and maintain the SART

The Hearts of Hope Sexual Abuse Response Center agrees to:
• Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency’s contact person;
• Recruit and contract a part-time Sexual Assault Response Team Coordinator who will administer, oversee and / or execute the activities necessary for protocol development and implementation and:
• House and equip the office of the Sexual Assault Response Team Administrator who will coordinate case tracking efforts, maintain regular
communication with team members, and oversee protocol development and implementation;

- Provide a 24 hour a day, 7 day a week hotline for law enforcement to call;
- Refer sexual assault survivors to the SANE services as appropriate;
- Demonstrate a less than one hour response from time of call received to time advocate arrives in the emergency room;
- Follow established protocol with area hospitals for advocates in the emergency and examining room;
- Maintain confidentiality of victims;
- Be available for survivors of all ages, their family members and friends;
- Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings.
- Educate all advocates on the SANE-SART team and processes;
- Develop and support the policies and procedures to establish and maintain the SART

The Faith House Domestic Abuse Center agrees to:

- Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency’s contact person;
• Provide a 24 hour a day, 7 day a week hotline for law enforcement to call;

• Refer sexual assault survivors to the SANE and SARC services as appropriate;

• Maintain confidentiality of victims;

• Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings.

• Develop and support the policies and procedures to establish and maintain the SART

The Acadiana Crime Lab agrees to:

• Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency’s contact person;

• Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings.

• Develop and support the policies and procedures to establish and maintain the SART
The Hearts of Hope Sexual Assault Nurse Examiner (SANE) Program agrees to:

- Designate a liaison to serve on the Sexual Assault Response Team (SART) and to serve as the agency's contact person;
- Demonstrate a less than one hour response from time of call received to time SANE arrives in the emergency room;
- Notify the SARC that a survivor has arrived in the ED;
- Provide the SARC advocate the opportunity to establish a relationship with the survivor(s), if the survivor agrees. This includes survivors of all ages, their family members, and friends;
- Provide sexual assault evidence collection kit;
- Provide consistency in the sexual assault examination of survivors;
- Provide consistency in the evidence collection from perpetrators;
- Provide a copy of evidence collection and all other documentation pertaining to sexual assault exam to law enforcement prior to sealing the kit, if possible;
- Maintain chain of forensic evidence and hand off to law enforcement agent;
- Properly prepare for upcoming hearings;
- Meet with law enforcement investigators and the District Attorney or Assistant District Attorney to review the case;
- Maintain contact with law enforcement investigators and the District Attorney’s Office;
• Provide educational in-services to all local hospitals and law enforcement agencies about SANE services; SAEC kit, and the compassionate care of the survivor for first responders;

• Maintain confidentiality of victims;

• Maintain communication and contact with the SART and other involved agencies, including regular participation at the Lafayette Parish SART meetings.

• Develop and support the policies and procedures to establish and maintain the SART
This Memorandum of Agreement is hereby accepted and adopted by the following:

Kevin Ardoin, Laboratory Director, Acadiana Crime Lab

Jim Craft, Chief, Lafayette Police Department

Brannon Decou, Chief, Broussard Police Department

Jill Dugas, Executive Director, Hearts of Hope

Mike Harson, District Attorney, 15th Judicial District

Billi Lacombe, Executive Director, Faith House

Mike Neustrom, Sheriff, Lafayette Parish Sheriff’s Office

Rob Reardon, Director, Lafayette Parish Correctional Center

E. Joseph Savoie, President, University of Louisiana Lafayette
## TITLE IX Compliance Training

<table>
<thead>
<tr>
<th>Title IX Compliance Training</th>
<th>Activity</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training</td>
<td>Investigator Training</td>
<td>Initial upon appointment</td>
</tr>
<tr>
<td></td>
<td>Title of each Class</td>
<td></td>
</tr>
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<td></td>
<td>“Investigators Responsibilities and Attributes”</td>
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<td></td>
<td>“Conducting an Investigation”</td>
<td></td>
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<td>“Interview and Interrogation – Obtaining Written Statements and an Interview of Statement Analysis”</td>
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<td></td>
<td>CD Webinar</td>
<td>As Needed and Upon Finding of Violation</td>
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<tr>
<td>Clery Training</td>
<td>For Staff positions designated as Campus Security Authorities (CSA)</td>
<td>Annually</td>
</tr>
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</table>
Title IX

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.”

Sexual harassment is a form of gender discrimination and therefore prohibited under Title IX. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

The following are examples of types of conduct that may constitute sexual harassment:

- Verbal, non-verbal, and physical sexual behaviors
- Remarks about a person's body
- Whistling or cat calls; looking a person up and down or staring in a sexually suggestive manner
- Sexually explicit visuals such as pin-ups
- Inappropriate touching, patting, hugging, massaging, and other gestures that a reasonable person of the same sex as the recipient would find offensive
- Physical assault or coerced sexual activity
- Demands or subtle pressure for sexual favors
- Obscene phone calls, texts, email, or gestures

Any person (student, faculty, staff or guest) who believes that discriminatory practices have been engaged in based upon gender may discuss their concerns and file informal or formal complaints of possible violations of Title IX with the UL Lafayette Title IX Coordinator.

Retaliation against individuals who report and/or file complaints of discrimination or harassment, who cooperate in investigations or who participate in hearings will not be tolerated. Acts of retaliation should be reported to the Title IX Coordinator.

The University of Louisiana at Lafayette is an Affirmative Action/Equal Opportunity Employer.

A Member of the University of Louisiana System
Title IX

Need help? Contact

www.louisiana.edu/ethicsreport
337-482-6447
University Police Department
337-482-6480
Hebert Boulevard
O.K. Allen Hall
Saunders Wellness Center
Consulting Center
337-482-2566
Room 211, Martin Hall
Vice President of Student Affairs
Dean of Students: Pat Cottonham
337-482-1394
EOO Room 309, Martin Hall
Director of Operational Review and
Title IX Coordinator: Christie Breather

seeking resolution that is on the record and the circumstances under which the complaint and
location of the incident; a description of the
name of the alleged harasser; the date and
circumstances. The statement should include the
written statement describing the alleged
harassment. Should be submitted to the Title IX
harassment to file a complaint. If a satisfactory solution cannot be reached and

Filing a Complaint

In the Title IX Office, a statement that will be kept in a confidential file. The
statement behalf may be asked to sign a
statement that the alleged victim is
residential satisfaction or action will be required. If a
point and no further action will be required. If a
satisfactory resolution can be worked out at this
in many cases, a
identify forms of support or immediate
a general understanding of the policy, and to
order to gather information, to provide
schedule a meeting with the alleged victim in
harassment, the Title IX Coordinator will
file a report of sexual

Sexual Harassment

Sexual harassment has been defined by the

Once notified of an allegation of sexual

What happens when I make a report of

Any educational program or activity
subjected to discrimination under
or be
excluded from participation in, or be
shall, on the basis of sex, be
"No person in the United States

Receiving Federal financial

assistance

A member of the University of Louisiana
Employer

in Affirmative Action/Equal Opportunity

of Louisiana at Lafayette is

www.louisiana.edu/ethicsreport
337-482-6447
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EOO Room 309, Martin Hall
Director of Operational Review and
Title IX Coordinator: Christie Breather
HARASSMENT

WHO ARE THE TARGETS OF SEXUAL HARASSMENT?

Definition of Retaliation

Retaliation against individuals who report in good faith alleged breaches of sexual harassment policies, or for related complaints, is any adverse action taken against an employee by a student or another employee, who in good faith participates in, or assists in an investigation of, or provides information to, a complaint.

Retaliation against witnesses, beneficiaries, or those who serve as independent auditors, is any adverse action taken against an employee by a student or another employee, who in good faith participates in, or assists in an investigation of, or provides information to, a complaint.

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Implementing Regulations at:
Title IX of the Education Amendments of 1972

Financial assistance, educational programs or activities receiving Federal
of, or be subjected to discrimination under any
be excluded from participation in, be denied the benefits
"No person in the United States shall, on the basis of sex,

Title IX
any position that has students reporting to them; and University Police.

Directors; Housing—including Residence Hall Coordinators, Program Directors, Advisors;

Examples include: Vice Presidents, Deans (Associate and Assistant), Department Heads;

Is someone a student could reasonably believe has the authority or responsibility

Has the duty to report harassment or other types of misconduct to appropriate officials

Has the authority to take action to redress harassment

Responsible Employee includes any employee who:

A responsible employee includes any employee instead,

Although all persons who wish to report incidents of sexual harassment are

Responsible Employees and Title IX
Sexual Harassment

Sexual Harassment is defined as unwelcome behavior of a sexual nature by faculty, administrators, staff, students, and other individuals covered by this policy.

Sexual Harassment includes any verbal, written, physical, or other conduct...

This conduct does not intend to interfere, intimidate, school or work environment even if the person engaging in activities by creating an intimidating, hostile, or offensive learn or work or participate in University programs or substantially interfering with an individual's ability to objectively regarded by a reasonable person as objectively regarded by a reasonable person as a sexual nature when such conduct would be of a sexual nature by faculty, administrators, staff, students, and other individuals covered by this policy.

It includes any verbal, written, physical or other conduct...
August 15, 2014

Vice President Patricia Cottonham
Vice President for Student Affairs
UL Lafayette Campus

RE: Mandatory training- “Recognizing and Preventing Violent Behavior”

Dear Vice President Cottonham,

I am requesting authorization for mandatory on-line training for all faculty and staff on “Recognizing and Preventing Violent Behavior” to be administered through the Human Resources training section. We currently have the following on-line programs mandated and administered by HR:

Active Shooter
Sexual Harassment
Ethics
Campus Security Authority training (for those meeting the definition)
Title IX

This would be the sixth required training to be conducted on an annual basis. In the near future, there will be recommendations for additional mandatory training related to VOWA and Clery Compliance. HR has the training materials prepared to be placed on moodle and are awaiting approval to activate and send notice to all faculty and staff.

This training is a significant component of our Threat Assessment Team and process on the campus. Mandatory training for all faculty and staff will further our early intervention efforts.

Should you have any questions, please contact me at your convenience.

Respectfully,

[Signature]

Joey Sturm
Director of Public Safety
Chief of Police

CC: Mrs. Courtney Tucker, HR
Dr. Greg Zerangue, Associate DPS- Clery Compliance
Dr. Brian Frederick, Counseling and Testing
Mandatory Sexual Harassment & Ethics Training

Mandated Yearly Sexual Harassment Training

All employees of the University of Louisiana at Lafayette are required to complete Sexual Harassment training once per calendar year. This includes anyone employed in the following designations: classified employee, unclassified employee, faculty, adjunct employee, casual labor, transient, fellow, graduate or teaching assistant and student worker.

The Sexual Harassment training was mandated by Louisiana Senate Concurrent Resolution 107 passed in 2012 wherein the Louisiana Senate resolved that all state agencies should provide one hour of sexual harassment training to each public employee each year. UL-Lafayette has made the e-course, HR Preventing Sexual Harassment, available for all UL-Lafayette employees through Moodle. This course will teach employees how to define sexual harassment, identify potentially harassing behaviors, recognize forms of sexual harassment and partner with Human Resources in the complaint process at the University.

Here are instructions on how to access the e-course:

- This training will not work with Internet Explorer. You must use Mozilla Firefox and make sure pop-ups are enabled for the training to work properly.
- Log in to ULINK using your assigned CLID and Password.
- Click on the Moodle icon located on the top right of your screen.
- Log in to Moodle using the same CLID and Password you used for ULINK. The log in area is located on the far right side of your screen.
- Once logged in to Moodle the HR Preventing Sexual Harassment training should be assigned to you under My Courses on the right hand side of your screen. If it is not listed, please email trainingcoordinator@louisiana.edu so it can be assigned to you.
- Click on the course name and then click Enter to begin the e-course. Again, make sure you are using Mozilla Firefox and have enabled popups.
- You must complete all three (3) sections of the course and take the required test at the end. Once completed in its entirety, each employee will automatically be given credit for taking the course. There is nothing that you need to print or send to Human Resources. These completions will be tracked by Human Resources.
ATTACHMENT 2

Code of Student Conduct and Appeal Procedures

2013 Annual Security and Fire Report
Code of Student Conduct and Appeal Procedures

Code of Student Conduct and Appeal Procedures

Section One
TITLE

1.1 This code shall be cited as the University of Louisiana at Lafayette Code of Student Conduct and Appeal Procedures.

Section Two
DEFINITIONS

2.1 Vice President - Chief Student Officer for the University.

Dean - reference hereinafter implies the staff of the Dean of Students, any members of the staff of the Office of Student Life and Conduct and/or their designee, unless otherwise specified.

2.2 University - the University of Louisiana at Lafayette.

2.3 Student - any person who has registered in the university in any way.

2.5 University Official - any person employed by the university and assigned administrative or professional responsibilities.
2.6 University Employee – any person employed by the University for any purpose.

2.7 Ombudsman – informs students of their rights and to protect those rights during deliberations involving disciplinary action and course grade appeal.

2.8 University premises or related premises – all lands, buildings and facilities owned, leased or controlled by the university.

2.9 Normal University Communication Channels – the use of any university employee to contact a student including but not limited to contact by phone, through class via faculty or by note delivered to the student or to the student's room or by personal verbal contact and by use of the mail.

2.10 Residence Hall – a university owned married student housing unit, a university owned student residence hall or cooperative.

2.11 Class Day - a day on which classes or reading periods are regularly scheduled or on which regular semester or summer session final examinations are given.

2.12 Complaint – a written statement of the essential facts constituting a violation of a university regulation or rule.

2.13 Probative – serving to help prove a point.

2.14 Committee – the Student Discipline Committee

Section Three
ADMINISTRATION OF DISCIPLINE

Under the direction of the President, the Vice President for Student Affairs (or designee) is primarily responsible for administration of student discipline.

The committee consists of eleven (11) members and is composed of four (4) faculty members appointed by the president; two (2) students appointed by the president; and two (2) faculty members and three (3) students recommended by the president of the Student Government Association to the president of the university within the constitutional limits of that body.

The chairman is appointed by the president and shall instruct the committee on student disciplinary policies, rules and hearing procedures. The chairman will conduct the proceedings in a spirit of fair play but any of the chairman’s decisions may be overruled by a simple majority vote of the committee.

All faculty members shall serve for staggered terms; student members are to serve from the first day of appointment until the end of their tenure as a student or until they resign from the committee or fail to maintain a minimum of six (6) credit hours per regular semester. Student members shall be enrolled for a minimum of six (6) credit hours of course work.

3.5 The committee will elect a vice-chairman.

3.6 A quorum will consist of any six (6) members.

If a member cannot serve, the member shall notify the chairman of the committee and immediately resign. The committee may remove a member by a simple majority vote of the membership for malfeasance of committee responsibilities. In either of the above cases a replacement will be named by the appropriate person for the remainder of the term.

Section Four
INITIATION OF DISCIPLINARY PROCEEDINGS

When the dean (or designee) receives information that a student has allegedly violated any rule or regulation of the Board of Supervisors, the University, or its various divisions, the dean (or designee) shall investigate the alleged violation. After completing the preliminary investigation, the dean (or designee) may

4.1 Dismiss the allegation as unfounded, or

4.2 Summon the student for a conference, and after conferring with the student, dismiss the allegation;

4.3 Proceed administratively under Section Six if it is determined that the alleged violation may be resolved without requiring committee action; or

4.4 Prepare a charge and proceed under Section Seven.

4.5 If the alleged violation is not a disciplinary matter, but needs attention, the dean (or designee) will then refer it to the proper university committee or person.

Section Five
SUMMONING A STUDENT

The dean may summon a student to appear in connection with an alleged violation by sending the student a written notice, return receipt requested. The letter shall direct the student to appear at a specified time and place.

5.1 A student may also be summoned by the dean using normal university communication channels.

5.2 The dean may place on disciplinary probation a student who fails, without good cause, to comply with sub-section 5.1 or 5.2 and may institute proceedings against the student under Section Seven or sub-section 14.13.

Section Six
ADMINISTRATIVE DISPOSITION OF A VIOLATION
6.1 The dean may administratively dispose of any violation that
the dean determines without a hearing under Section Seven.

If this course of action is pursued, the student and the dean
will sign a Letter of Agreement as to the terms of the
disposition of the violation. The student must be informed in
writing that this Letter of Agreement may be appealed to the
committee within seven (7) school days if the student so
chooses.

6.3 This agreement will remain confidential between the student
and the dean’s office except that the committee may have
access to these records.

6.4 The dean may take action other than by judicial proceedings
in any case of student conduct involving health,
psychological, or mental disturbance, or other unusual
circumstances.

6.5 In administratively disposing of a minor violation, the dean
may impose any penalty authorized by sub-sections 14.2,

Section Seven
HEARING

7.1 The dean will refer any case that is not settled
administratively, or any case that results from violation of
administrative Letter of Agreement to the Student Discipline
Committee through the chairman.

7.2 The chairman presides over the hearing and all matters shall
remain confidential.

7.3 The duties of the chairman shall be to ascertain that the dean
has satisfactorily performed the requirements of Section
Eight; and

7.4 The chairman shall rule on the admissibility of information,
motions, and objections to the procedure in accordance with
Section Twelve.

Section Eight
DUTIES OF DEANS WITH REFERENCE
TO HEARINGS

8.1 The dean shall, with concurrence of the chairman

8.2 Set the date, time and place for the hearing and notify the
student defendant of same.

8.3 Summon students and/or university employees to serve as
witnesses and insure the presence of documentary and other
information requested by the student defendant or the
committee;

8.4 Report non-compliance of a summons by a university
employee to the appropriate administrative official.
8.3 Arrange for recording of the hearing as provided in subsection 13.9.

8.6 Arrange for a suitable room, necessary equipment and clerical assistance to the committee for a hearing; and

8.7 Present the case on behalf of the university.

Section Nine
NOTICE

The dean shall notify the student defendant by letter of the date, time and place for the hearing. In the event that a student is appealing, the student shall be notified through normal university communication channels as defined in section 2.9. In the event that a hearing must be rescheduled, the new date and time shall be communicated through normal university communication channels as defined in section 2.9.

The letter of notice shall be either hand carried, or sent by certified mail, return receipt requested, addressed to the student defendant at the address appearing in the Registrar’s records. If the student defendant is an unmarried minor, a copy of the letter shall be sent to the student’s parents or guardian.

The letter of notice shall specify a hearing date not less than three (3), nor more than ten (10), class days after the date of the letter. If the student desires, the student may, in writing, waive any of the aforementioned time limitations.

The committee chairman, for good cause, may postpone the hearing and shall direct the dean to notify all interested persons of the new hearing date, time and place.

A letter mailed under subsections 9.1 and 9.2 shall direct the student defendant to appear before the committee on the date, time and place specified for the hearing.

The notice shall advise the student defendant of the rights of students in disciplinary hearings: to a private hearing, to appear in person with or without the ombudsman at the hearing, to challenge members of the hearing committee, to summon persons and argue on their own behalf, to question each person who gives a statement against the student, to view the list of people to be called to give a statement against the student, to view information to be presented in the hearing and to have the right to appeal. The student may have one other person (that person may not be an attorney) in the room who will not be able to speak.

The dean shall have the right to question any person giving a statement in the student defendant’s behalf or to question the student defendant if the student defendant chooses to give a statement.

The Dean may proceed under subsection 14.6 and 14.13 against a student defendant who fails without good cause to comply with a letter sent under this section or, at the dean’s
discretion, the Dean may proceed with the hearing in the student's absence.

Section Ten
PRELIMINARY MATTERS

Cases in which charges arise out of a single transaction or occurrence against one or more students may be heard together. However, the committee may grant a separate hearing to any student if the student can demonstrate good cause.

At least one (1) class day prior to the hearing date, the student concerned shall furnish the dean with the name of each witness that the student wants to be summoned, and a request for a separate hearing (as referenced in 10.1), if desired, and the grounds for such a request.

Section Eleven
CHALLENGES AND RECUSALS OF COMMITTEE MEMBERS

If the accused student or the dean is not satisfied with the fairness or objectivity of any member of the committee, either may challenge that member. Each party is allowed two (2) challenges.

Each side is allowed one (1) pre-emptory challenge and one (1) challenge for cause. In the challenge for cause, the decision of the committee is final.

The challenged member shall leave the hearing room and shall not participate in the deliberation or the voting.

Any committee members wishing to recuse themselves from hearing a particular case may do so by notifying the committee chairman.

Recused committee members shall leave the hearing room and shall not participate in the deliberation or the voting.

Should a quorum be negated through challenge or recusal, the hearing shall proceed as if a quorum were present.

Section Twelve
PROCEDURE

The hearing is informal and the chairman shall provide reasonable opportunities for witnesses to be heard.

The hearing is closed and all matters shall remain confidential.

The following persons may attend: members of the Student Discipline Committee, the dean and the dean's staff, the student defendant, the Ombudsman, and only one (1) other person accompanying the student defendant. The student defendant may have counsel who may only serve in an
advisory role. That person may not be an attorney. Only the Ombudsman and the student defendant may address the committee, ask questions to the witnesses and present testimony and rebuttal summations. The counsel may ONLY ADVISE the student defendant.

12.4 The committee shall proceed generally as follows during the hearing:

12.5 The chairman informs the student of the rights of students in disciplinary hearings as listed in subsection 9.6 and any other information the committee wishes to provide.

12.6 The dean or chairman of the Student Discipline Committee reads the charge.

12.7 The dean presents the university's case.

12.8 The student defendant presents his/her defense.

12.9 The committee members will have an opportunity to question any person giving a statement.

12.10 The dean and the student defendant may present rebuttal information and argument.

12.11 Since the burden of proof rests with the university, it will have the last summation.

12.12 The committee deliberates in private and decides the issue of responsible or not responsible; the issue will be determined by simple majority of the voting members.

12.13 If the committee finds the student defendant responsible or if the student pleads responsible, the dean and the student defendant may present information and argument on an appropriate penalty as provided under Section Fourteen.

12.14 The committee then deliberates in private and determines an appropriate penalty and the committee informs the student of the decision and penalty, if any.

12.15 The committee chairman will give the decision and penalty in writing to the president of the university for appropriate action.

Section Thirteen
INFORMATION

Legal rules of evidence do not apply to these hearings but the committee may admit and give probative effect to evidence that possesses probative value and is commonly accepted by reasonable people. The committee shall honor the rules of privileged information recognized by law, and in addition, shall recognize as privileged, communication between a student and a member of the staff of the University Student Health Services and the Counseling Center.

13.1

13.2
The committee shall presume a student defendant not responsible of the alleged violation until it is convinced of the student defendant's responsibility by a preponderance of the information standard (i.e., it is more likely than not that the respondent was responsible for the prohibited behavior). If it is not possible for the panel to make a decision the same day as the hearing, the panel will reconvene as soon as possible and shall meet until a decision is reached. (updated 12/16/13)

A person/student shall give a statement and/or produce documentary and other information unless the statement, document or other information is privileged or self-incriminating.

A student defendant may not be compelled to give a statement.

All information shall be offered to the committee during the hearing and made a part of the hearing record.

Documentary information may be admitted in the form of copies or extracts or by incorporation through reference.

Other physical information may be admitted in the same manner. Other physical information may be photographed or described for the record.

The committee shall decide the issue of responsible or not responsible and an appropriate penalty solely on the basis of admitted information.

The committee may consider a student defendant's disciplinary record in determining an appropriate penalty after finding the student responsible of the alleged violation.

A tape recording shall be made of the hearing under the supervision of the dean and shall remain confidential.

Section Fourteen
SANCTIONS

The dean, under Section Six, or the Student Discipline Committee, after a hearing under Section Seven, may impose one or more of the following penalties:

14.1 Admonition - a written reprimand from the dean to the student on whom this penalty is imposed.

14.2 Warning probation - indicates that further violation of regulations will result in more severe disciplinary action. The dean shall impose warning probation for a period of not more than one (1) calendar year, and the student shall be removed automatically from probation when the imposed period expires.

14.3 Disciplinary probation - indicates that further violations may result in suspension. Disciplinary probation may not be imposed for more than two (2) calendar years.
Withholding of a diploma – imposed upon a student who has disciplinary action pending. The penalty terminates on clearance of the disciplinary matter. Withholding of a diploma may be imposed as a disciplinary sanction when appropriate.

14.6

Holds to be placed on student’s transcript are as follows:

A hold will be placed on a student’s transcript that has left the university and has disciplinary action pending or has been suspended from the university and has disciplinary action pending or has been suspended from the university under Section 14.13.

A hold will be placed on a student’s transcript when a sanction of 14.14, 14.15 or 14.16 is imposed by the Student Discipline Committee or through a Letter of Agreement.

14.7

Indebtedness - Students who incur a debt to the university and do not clear that debt by pre-registration or regular registration will have their registration or diploma held and not released until the debt is paid. Other action may be taken against a student for indebtedness to the university.

Restitution - reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

14.8

Suspension of rights and privileges – an elastic penalty. The dean or the Student Discipline Committee may impose limitations or requirements to fit the particular case. This includes, but is not limited to fines to be imposed for various violations. Fines may be assessed to an individual student and/or a group of students (i.e., organizations).

The following shall apply:

Admonition & warning ........... $25.00
Warning probation, ................ not less than $30 not more than $100
Disciplinary probation, ............ not less than $105 not more than $200
Repeat offenses .................. doubled

Suspension of eligibility for official athletic and non-athletic extracurricular activities – may prohibit, during the period of suspension, the student on whom this penalty is imposed from joining a registered student organization, taking part in a registered student organization’s activities, or attending its meetings or functions; and from participating in an official athletic or non-athletic extracurricular activity. A suspension may be imposed under this subsection for more than one (1) calendar year.

14.10

Failing grade – may be assigned to a student for a course in which the student was found guilty of scholastic dishonesty. Lesser penalties may be imposed by the instructor.

14.11

Denial of degree – a student found guilty of scholastic dishonesty may be denied a degree.

14.12

Voluntary resignation – shall result in assignment of W's. The agreement and conditions as set forth shall be honored in full by the Student Discipline Committee.

Temporary suspension until administrative hearing can be held – would be used by the dean in the event of a threat of safety to the university community or if a student refuses to answer a summons. Immediate notice shall be given for a hearing. The student will be notified within two (2) school days. The hearing shall be held within three (3) school days of the notification. During the period of suspension the student is prohibited from visiting the university campus without prior approval of the dean, from being initiated into an honorary, social or service organization, and from receiving credit at a component of the university system for scholastic work done in residence or by correspondence or extension.

Suspension from the university – the student is suspended for a specified period of time and may automatically apply for re-entry to the university once this period of time expires. During the period of suspension the student is prohibited from visiting the university campus without prior approval of the dean, from being initiated into an honorary, social or service organization, and from receiving credit at a component of the university system for scholastic work done in residence or by correspondence or extension. Upon suspension the student's academic record will reflect W's in the semester in which they were dismissed or grades as recorded by the Registrar. Upon suspension a hold will be placed on the student's academic record for the duration of the suspension.

Dismissal from the university – a student is suspended for an indefinite period of time with a minimum of one (1) year. The student must fulfill specified requirements as set forth by the Student Discipline Committee and may only be re-admitted by the action of the Student Discipline Committee. The student must present convincing evidence of reform and ability to abide by and respect rules and regulations of the university. During the period of suspension the student is prohibited from visiting the university campus without prior approval of the dean, from being initiated into an honorary, social or service organization, and from receiving credit at a component of the university system for scholastic work done in residence or by correspondence or extension. Upon dismissal from the university the student's academic record will reflect W's in the semester in which they were dismissed or grades as recorded by the Registrar. Upon dismissal a hold will be placed on the student's academic record for the duration of the dismissal.

Expulsion from the university – a student is expelled from the university and may never return to the university. The student is prohibited from visiting the university campus without prior approval of the dean, from being initiated into an honorary, social or service organization, and from receiving credit at a component of the university system for scholastic work done in residence or by correspondence or extension. Upon expulsion from the university the student's academic record will reflect W's in the semester in which they were dismissed or grades as recorded by the Registrar. Upon expulsion from the university a hold will be placed on the student's academic record for the duration of the expulsion.
Section Fifteen
STUDENT CONDUCT

15.1 The preceding violations as stated in this section are offenses for which a disciplinary proceeding may be initiated, but the university expects from its students, organizations and various groups or entities that represent or are University related a higher standard of conduct than the minimum required to avoid discipline.

15.2 The disciplinary sanctions outlined in Section Fourteen may be applied to any student who commits or attempts to commit, either singly or in concert with others, any of the following acts of misconduct whether or not the violation occurs on university property or in connection with any university authorized activity and not withholding any action taken by civil authorities on account of the violation if such a violation causes that student to be a clear and present danger or threat to the university community or impedes and/or deters the university from its purposes, functions, goals or processes.

15.3 The university expects all students to obey the law, to show respect for properly constituted authority, to fulfill contractual obligations, to maintain absolute integrity and a high standard of individual honor in scholastic work and personal conduct, both on and off campus.

15.4 Disregard for the physical well-being or rights or property of others.

15.5 Physical abuse or threat thereof against any person or persons, or other conduct which threatens or endangers the health or safety of any such person or persons.

15.6 Endangering one's own physical well-being, including but not limited to attempting or threatening suicide.

15.7 Theft, larceny, embezzlement, bribery, or the temporary taking of the property of another or possession of stolen goods or attempted theft.

15.8 Academic cheating or plagiarism.

15.9 Breaching campus safety or security. This includes but is not limited to Unauthorized access or use of University facilities or University-related facilities or premises, intentionally damaging door locks, unauthorized possession of university keys or access cards; duplicating university keys or access cards, or propping open of exterior residence hall doors; tampering with fire safety equipment such as fire extinguishers, smoke detectors, alarm pull stations or emergency exits; obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions.

15.10 Unauthorized use or possession on the campus of firearms (to include replicas and air pistols), ammunition, explosives, fireworks, or other dangerous weapons, substances, or materials.
15.11 Illegal manufacture, sale, possession or use of narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens, and/or other similar known drugs and/or chemicals.

15.12 Vandalism, littering, malicious destruction, damage, defacing, or misuse of public or private property, including library materials (electronic resources).

15.13 Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university event or university-authorized event.

15.14 Obstructing or restraining the passage of any person at an exit or entrance to the university campus, property, building, and classroom or otherwise denying freedom of ingress and egress on campus.

15.15 Setting a fire or the attempt to set a fire on the campus, buildings, or properties or campus related premises without proper authority.

15.16 Forgery, alteration, or misuse of any university documents, records, or identification cards.

15.17 Furnishing false information with intent to deceive.

15.18 N/A

15.19 Gambling.

15.20 Failure to promptly meet university related financial obligations.

15.21 False Reporting of Emergency. The making of a false report of a bomb, fire or other emergency in any building, structure or facility on university premises or university related premises by means of activating a fire alarm or in any other manner.

15.22 Public profanity.

15.22a Obscene conduct on the university campus.

15.22b Indecent or lewd conduct, perversions or illicit sexual relations. For complete information regarding the conduct defined under 15.22b used by the Dean of Students Office staff when responding to an allegation of sexual assault, please refer to the Sexual Assault and Abuse Definitions page.

15.22c Any communication, publication, or display that taken altogether appeals to the prurient interests in sex, portrays sexual literary, artistic, political or scientific value, all as judged according to the average person in the university community as obscene and/or indecent or inappropriate.

15.23 Profanity or abusive or foul language directed toward a person or persons.

15.24
Disruption of, or interference with any university academic or non-academic activities. This includes inappropriate behavior, disorderly conduct and use of electronic devices (i.e. phones, cellular phones, etc.)

Disorderly conduct, including rioting, inciting to riot, assembling to riot, raiding, inciting to raid and assembling to raid university units or university related facilities.

15.26 Haz ing or stalking; cyber stalking; physical or mental harassment; cyber bullying, in any form on or off the campus, including but not limited to, forms of digital communication such as texting, use of Facebook, Twitter, social networking sites, instant text messaging, and YouTube.

15.27 Burning, or the attempt to burn, candles, incense or any flammable substance which may present a fire hazard, or danger to property or person and/or persons on the university campus.

In order to protect the safety and welfare of students and employees of the university, and to protect the property of the university, it is hereby declared that it shall be a violation of this code for students on any property either owned or controlled by the university not to identify themselves to a university employee by displaying their student identification card in response to a request.

15.29 Alcoholic beverages – possession or consumption of alcoholic beverages in any form on university premises or university related premises, except in those areas of the university premises or university related premises where the President of the University (or designee) has authorized the serving of alcoholic beverages, subject to prescribed regulations.

15.30 Violation of any or all published rules governing conduct in residence halls, dining halls, University Union, or conduct on University premises including fraternity and sorority housing or university related premises.

15.31 Violation of any published policies, rules and/or regulations, by any official university office such as, but not limited to Housing, Office of Student Life and Conduct, Admissions, Registrar, Business Office, Academic Deans. University's copyright policy*, Library Database Use Policy. University Police Department or the Office of the Vice President for Student Affairs.

15.32 Failure to follow the directions, instructions or directives of a university official or employee including faculty and staff, hall staff, police officers, student workers and others properly delegated.

15.33 Interference with performance of duties of any university official or employee including faculty and staff, residence hall staff and student workers.

15.34 Theft, sale and/or possession of stolen books or property of another.

15.35 Failure to answer a university summons.
Violation of any published rulings of the Board of Supervisors and Board of Regents such as, but not limited to, rules pertaining to university housing.

Failure to maintain a local and/or current mailing and resident address with the Registrar's Office.

Malfassance of or misuse of elective or appointive office in a student organization or university committee which is injurious to said organization, its members, or the welfare of the university community. Presidents and students elected or appointed to specific leadership positions are held accountable for the actions of their organization/committee.

Violation of any civil or criminal ordinances or laws if such violation causes that student to be a clear and present danger or threat to the university community, or impeded and/or deters the university from its purposes, functions, goals or processes.

Failure to comply with a Letter of Agreement or any sanction placed on a student by the Student Discipline Committee or Student Life and Conduct Dean.

Unauthorized or illegal entry into anyone's room or personal property.

Climbing or hanging from balconies and railings is prohibited. Climbing, sitting on, or standing on roofs is prohibited. This is to include fraternity and sorority houses and all university owned properties.

*University Copyright Policy may be viewed in the University Copyright Handbook.

Section Sixteen
CONDUCT OF STUDENT ORGANIZATIONS

A student organization is defined as any group of University of Louisiana at Lafayette students and its members who have been officially approved and recognized by the University.

All student organizations must abide by the policies and procedures as outlined by the University Organizations Committee.

Student organizations found in violation of the code of students conduct are subject to sanctions that would be applicable as outlined in section 14 of the code of student conduct. Student organizations and their individual members are responsible for knowing and abiding by all university regulations as included in, but not limited to, Code of Student Conduct and Appeal Procedures, Student Handbook, University Catalog, National policies, special rules designed by governing groups (example IFC, NPHC, Panhellenic, SGA, Union Program Council, etc.), and the University Hazing Policy. In addition, student organizations and their individual members are held responsible for knowing and abiding by all local, state and federal laws.
Student organizations are held accountable for any actions or activities that result in harm or could constitute a hazard to emotional or physical health or safety of members or prospective members of the organization or any other person.

The fact that a student organization is held responsible for actions and activities does not eliminate the individual student's accountability under the provision of the Code of Student Conduct and Appeal Procedures.

The fact that individual students are held accountable for actions taken while participating in an organization's activity while representing the organization does not eliminate the accountability of the organization for its actions.

Violation of any stated university policy may result in disciplinary action taken against the organization as outlined in previous sections of the Code of Student Conduct and Appeal Procedures, and/or may result in action taken by the University Organizations Committee.

Student organizations may be held responsible for the acts of individual members.

Section Seventeen
RECORDS

The university shall maintain for every student who has received any disciplinary sanction from the Student Discipline Committee under Section Fourteen a written disciplinary record, as well as a tape recording of the proceedings, that shall reflect the nature of the charge, the penalty assessed, and any pertinent information. This information shall remain confidential.

At the dean's discretion, the Registrar shall place on the student's permanent academic record an entry describing any sanctions imposed on the student by either the dean or the Student Discipline Committee.

A hold may be placed on the account/transcript of a student or former student by the Registrar at the direction of the dean in order to uphold the purposes, goals and processes of the university.

The university's policy on release of student education records is stated in the current university catalog under the section entitled "Rules and Regulations."

Section Eighteen
APPEAL PROCEDURES

Discipline Appeal Procedure

The student shall have the right to appeal any sanction or probation or suspension, dismissal, or expulsion regardless of whether this sanction is imposed by the decision of the dean or the Student Discipline Committee.
18.2 The appeal must be made in writing within seven (7) school days of the date of the decision.

If the student wishes to appeal the decision of the dean, the student may write a letter of appeal to the chairman of the Student Discipline Committee.

If the student wishes to appeal the decision of the Student Discipline Committee, the student may appeal to the University of Louisiana Board of Supervisors. If the student chooses to appeal to the Board of Supervisors after all administrative procedures have been exhausted at the institutional level, the appeal must be within thirty (30) calendar days of the institution’s decision. The Board’s review is limited to a determination of compliance with established and appropriate procedures at the institutional level. The student shall be notified of the Board’s decision.

Academic Appeal Procedure

The university is dedicated to learning, to the advancement of knowledge, and to the development of ethically sensitive and responsible persons. It seeks to achieve its goals through a sound educational program that encourages independence and maturity. Upon enrolling in the University each student assumes an obligation to obey all rules and regulations, whether of an academic or non-academic nature, made by properly constituted authorities including, but not necessarily limited to, those rules contained in all university publications and in the Code of Student Conduct. Each student is further obliged to preserve faithfully all property provided to the student by the state for educational purposes and to discharge all duties of a student with diligence, fidelity, and honor.

A graduate student who is penalized for the violation of any rule or regulation of the university has the right of appeal. The student may initiate an appeal of the specific rule or regulation in the Office of the Dean of the Graduate School in the case of an academic matter, or in the case of a non-academic matter, under the rules specified by the Code of Student Conduct.

The University of Louisiana at Lafayette tries very hard to ensure that its rules, regulations, and policies are fair and impartial and that its faculty and staff apply these in a uniform manner. However, the university also recognizes that the best of rules, regulations, and policies will not take care of every one of a student’s problems. Those students who have a problem which comes into conflict with a university rule, regulation, or policy need to be aware of the circumstances under which their problem will receive the personalized attention of the university. To provide that information to each one of UL Lafayette’s students, the following guide to appealing the application of rules, regulations, or policies and/or the actions of a faculty or staff member is presented.

18.8 Academic Suspension – A student placed on academic suspension may appeal for waiver of suspension provided the student can present documented evidence to substantiate extenuating circumstances which interrupted the student’s academic program. Extenuating circumstances might include,
but are not limited to, prolonged medical problems, death in the immediate family, natural disaster, and military obligations. Students must provide documented proof of extenuating circumstances showing direct due cause.

A student may appeal for a waiver of suspension by following the steps listed below:

- Contact Junior Division two (2) weeks prior to the beginning of the semester in which the student wishes to return to UL Lafayette. An appointment will be scheduled with a Junior Division Counselor to complete an academic performance plan.
- Write a letter of appeal to the Committee on Academic Affairs and Standards following the approved format.
- Take or mail the letter to the student's academic dean.
- Arrange for a personal interview with the academic dean who will then present the appeal to the Committee on Academic Affairs and Standards, a council of administrators, faculty and students, which will decide whether or not to accept the appeal.

Academic Regulations - The "Rules and Regulations" of the university are contained in the official undergraduate and graduate bulletins. In order to request a waiver of any academic regulation contained in these pages students should consult with their academic adviser, department head, and academic dean concerning the matter. University regulations often provide the academic dean with some discretion in application of some of these rules and regulations, and the academic dean may be able to solve the student's problem at that level. If the academic dean cannot solve the student's problem, then the academic dean may take the appeal to the Committee on Academic Affairs and Standards for their consideration.

Fee Assessment - If a student feels that fees have been improperly assessed, that student should contact the Office of the Vice President for Business and Finance to find out the name of the current chairman of the Fee Committee. The student should then contact that individual who will either handle the problem or present it to the full Fee Committee for resolution.

Final Grade in a Course - Students who feel they have received an unfair or capricious final grade in a course may appeal that grade provided one of the criteria contained in 18.11a through 18.11d is met. The following appeal procedure shall not be used to question the professional judgment of an instructor or the content of an examination. Only final grades in a course may be appealed.

When the student contends that the professor has violated the professor's own specified grading standards or has imposed criteria different from those used to evaluate the academic work of other students in the class.

When the student has been charged by the professor with cheating, plagiarism, or collusion resulting in a reduced grade or a grade of "F" in the course and the student contends that the charges are untrue and the penalty therefore unjust.
When the student has either been given the grade of "F" in a course or been given a grade lower than what the student earned through proper academic work because the professor accuses the student of being in violation of University Rules or Regulations, discipline for which should be administered by the Vice President for Student Affairs (or designee) and not by the instructor in any given course.

When the instructor demands as a condition of passing a course any condition not germane to the subject matter of the course.

In order to appeal a final grade under these guidelines a student must start the appeal process within thirty (30) school days of the end of the semester or summer session in which the grade was received. Initiation of the appeals procedure is accomplished by the student notifying the university Ombudsman in writing of the student’s intention to appeal a final grade and providing the Ombudsman with specific information concerning the appeal.

If unsuccessful, the student then meets with the University Ombudsman who will guide the student through the remainder of the appeals process. Copies of the Guidelines for Appealing Unfair and/or Capricious Final Grades can be obtained from the Ombudsman or the Academic Vice President.

Residency Status - If a student feels that he/she has been improperly classified as to residency status, the student should contact the Office of the Vice President for Business and Finance to find out the name of the current chairman of the University Residency Committee. The student should then contact that individual who will either handle the problem or arrange to present it to the full committee for resolution.

Unfair Application of Rules, Regulation or Policy - If a student feels that any employee of the university has unfairly applied a "Rule, Regulation, or Policy," the student may appeal that decision to the employee’s immediate supervisor. If the student is not aware of who the immediate supervisor of the employee is, the student should contact the Office of the Vice President for Student Affairs, who will provide the needed information.

Students are cautioned not to institute frivolous appeals under this section, since university Rules, Regulations and Policies exist for the orderly transaction of university business.

Unfair, Rude or Capricious Treatment - If students feel that they have received unfair, rude, or capricious treatment from any university employee, the student may bring the complaint to that individual employee's immediate supervisor. If the student is not aware of who that employee's immediate supervisor is, the student should contact the Office of the Vice President for Student Affairs, who will provide the needed information.

Students are cautioned not to bring frivolous or unfounded complaints under this section, since counter complaints may be filed against them in these instances.
Parking Appeal Procedure

The university’s “Traffic Code” permits a student to appeal any university parking violation which the student feels was issued for an unjust reason. The appeal should state that the student would like to appeal the penalties assessed for a parking citation committed while operating a moveable vehicle on the university campus. Appeal forms are available only online.

18.17 The following regulations apply to the appeal request:

- This request must be submitted within 96 hours or four class days (excluding weekends and holidays) of the issuance of the citation.
- The Initial Appeal request is submitted to the Hearing Officer online for adjudication. An e-mail will be sent to the appellant in a short period of time.
- If the appellant wishes to further the appeal, the appellant may contact the Parking and Transit office who will assist the appellant in furthering the appeal to the Parking Appeals Committee.
- It is necessary for the student to appear before the Parking Appeals Committee upon notification by the Parking and Transit office. Time, date and location will be supplied prior to the hearing.
- Students may prepare their own cases and present the information to the committee.
- Any officer or university official issuing the violation or any witness in the student’s behalf may be requested to attend the hearing.
- Failure to appear on the assigned day of the hearing without prior notification to the committee chairperson’s office will result in the denial of the appeal.
- All violations remain valid and outstanding pending the decision of the appeals committee.

18.19 Appeal forms are available only online.

Financial Aid Appeal Procedure

Students receiving financial aid must maintain minimum satisfactory progress standards. Students must be eligible to enroll according to the Academic Standards of the University of Louisiana at Lafayette. This means that if a student has been approved for financial aid and is in good standing or on academic probation, the student is eligible to attend and is also eligible to receive financial aid. In addition, students must meet the requirements specified by their particular financial aid program. See your financial aid advisor or Junior Division counselors for more information.

18.20 If a student is placed on financial aid suspension due to failure to maintain minimum credit hour requirements, they have the following options:

- Pay for tuition with a minimum of six hours in fall or spring semesters or three hours in the summer term, earn the GPA and complete the minimum number of hours on the above chart, and you will earn back FA. (Does not apply to students over the maximum hours.)
- May appeal your FA Suspension online through ULink.
  Additional requirements may apply if your appeal is approved.

Student Affairs Appeal Procedure

Purpose – The Student Affairs Appeals Court has concurrent jurisdiction over the committees which make recommendations to the Vice President for Student Affairs: University Emergency Response and Preparedness Committee, Communications, Fraternities-Sororities, Parking and Planning, Parking Appeals, Religious Activities, Student Health, Office of Disability Services, University Organizations, SGA Child Development Center Advisory Board. The committee has the power to concur with the decision of the lower committee or make recommendations to reverse the decision of the lower committees listed above. If requested by the Vice President for Student Affairs, the committee may also hear cases concerning administrative policy which affects students and matters not in the jurisdiction of any other committee or other committee decisions referred by the Vice President of Student Affairs.

If there are grounds, the decision of this committee may be appealed in writing within five (5) school days to the chairman of the Student Affairs Appeals Committee. The written appeal must explain in full the grounds upon which the appeal is being made. It should be hand delivered to the chairman. The only grounds upon which the Student Affairs Appeals Committee will hear an appeal are as follows:

- Due process was not observed in the committee.
- New evidence has been presented since the decision of the committee; therefore, the appeals committee will re-consider the case to the committee.
- Misinterpretation or misapplication of fact or rule occurred in the committee.
- The policies and procedures of the committee were not observed.

The rights of the plaintiff include:

- To appeal the decision of a lower committee.
- To appear before the Student Affairs Appeals Committee, if the committee decides to hear the appeal based on grounds.
- To present an appeal to the Vice President of Student Affairs, if the committee declines to hear the plaintiff’s appeal.

Procedure for Originating Appeals:

- A student wishing to make an appeal presents the appeal and the grounds for it in writing to the chairman of the committee (see the Office of the Vice President for Student Affairs for the name of the chairman) or to the vice-chairman if the chairman is absent. If an appeal is against a decision rendered in a lower committee, the appeal must be made within five (5) school days from the time the decision was rendered.

- If a lower committee has not considered a student’s case within a reasonable time, ordinarily two weeks, then the
student may make an appeal directly to the court for a
decision.
- If time is of the essence, the student making an appeal may
request a Stay of Action. The chairman of the committee, or
the vice-chairman if the chairman is absent, grants the Stay
of Action when appropriate. This Stay of Action is effective
as long as the student’s case is under appeal.

Section Nineteen
SEXUAL HARASSMENT

The University of Louisiana at Lafayette is committed to
creating and maintaining a campus environment where all
individuals are treated with respect and dignity and where all
are free to participate in a lively exchange of ideas. Each
student has the right to learn and each employee has the
right to work in an environment free of sexual harassment
and one in which ideas may be freely expressed.

At the University of Louisiana at Lafayette, sexual harassment,
whether verbal, physical, written, or visual, is unacceptable
and will not be tolerated. Harassment is unlawful and hurts all
members of the educational community. Each incident of
harassment contributes to a general atmosphere in which the
entire community suffers the consequences and in which all
students and employees may feel that their safety and
equality are compromised.

Harassment has no legitimate educational purpose. Any
employee or student, male or female, who engages in conduct
prohibited by this policy shall be disciplined as provided by
law, university policies, and applicable employment
agreements.

UL Lafayette will not tolerate any sexual harassment of any
person affiliated with UL Lafayette by any person affiliated
with UL Lafayette (including non-employees, such as vendors
and independent consultants), and will not tolerate academic
or employment retaliation, including but not limited to,
termination of anyone reporting harassment or providing
information related to such a complaint.

Applicable Procedures Any individuals who believe that they
have been harassed may bring a complaint or file a grievance.
Complaints will be handled informally while grievances will
involve a formal investigation and may result in hearings.

Bringing a Complaint

Any member of the university community who believes that
he/she has been the victim of sexual harassment as defined
above may bring the matter to the attention of the Associate
Dean of Students, Room 211, Martin Hall (482-6272), the
Title IX Coordinator, Room 305, Martin Hall (482-1394), or
one of the professional counselors in the Counseling Center,
Olivier Hall (482-6480) or the University Ombudsman (482-
5947), Corcoran Hall.

The complaint should be presented to the complaint as promptly as
possible after the alleged harassment occurs. One
consequence of failure to present a complaint promptly is
that it may preclude recourse to legal procedures should the
complainant decide to pursue them at a later date.

The initial discussion between the complainant and the
university officer will be kept confidential with no written
records. In many cases a satisfactory resolution of the
complaint can be worked out at this point and no further
action is required.

If a satisfactory solution to a complaint cannot be reached
and the individual (grievant) decides to proceed, a written
statement describing the alleged harassment should be
submitted to the grievance officer designated by the
president. Cases involving sexual harassment are particularly
sensitive and demand special attention to issues of
confidentiality. Dissemination of information related to the
case should be limited in order that the privacy of all
individuals involved is safeguarded as fully as possible.

The grievance officer shall inform the alleged offender of the
allegation and the identity of the grievant. A written
statement of the complaint shall be given to both parties.
Every effort shall be made to protect the grievant from
retaliatory action by those named in the grievance.

Promptly after the grievance is submitted, the grievance
officer should initiate appropriate steps to effect an informal
resolution of the grievance acceptable to both parties.

The grievant, if unsatisfied with the informal resolution
proposed above, shall have access to the formal grievance
procedures of the university upon prompt submission of a
written request:

Review of a grievance against a faculty and/or staff member is
conducted by a committee of peers. Members of a peer review
committee should meet with the grievance officer to discuss
the grievance. Unless the committee concludes that the
complaint is without merit, the parties to the dispute should
be invited to appear before the committee and to confront
any adverse witnesses. The committee, with assistance from
staff, may conduct its own informal inquiry, call witnesses,
and gather whatever information it deems necessary in
reaching a determination as to the merits of the allegations.
Once such a determination has been reached, it should be
communicated in writing to both parties.

Corrective action and/or disciplinary measures, if the review
committee's findings do not lead to a mutually acceptable
resolution, and if the committee believes that a reasonable
cause exists for seeking sanctions against the faculty and/or
staff offender, the grievance officer will forward the
recommendations immediately to the president and/or
designee. The president and/or designee shall then proceed
in the manner set forth in the applicable grievance procedure.

The entire policy on Sexual Harassment may be obtained in
the Dean of Student Office, Room 211, Martin Hall, or the
Office of Student Life and Conduct, First Floor, Buchanan Hall.

SEXUAL ABUSE AND ASSAULT
19.8 Statement of Policy. The University Of Louisiana at Lafayette will not tolerate sexual assault or abuse, such as rape (including acquaintance rape) or other forms of nonconsensual sexual activity. These acts degrade the victims, our campus community, and society in general. While the University cannot control all the factors in society that lead to sexual assault and abuse, the University strives to create an environment that is free of acts of violence.

RIGHTS OF COMPLAINANT

19.9 Throughout the Judicial process, the complainant maintains certain rights to ensure fairness and safety. Some of those rights are outlined below.

19.9a To have the assistance of a victim/witness advocate throughout the entire Judicial Affairs Process.

19.9b To have an Administrative Directive sent immediately to the accused that forbids him/her from contacting you by any method, including through friends or acquaintances.

19.9c If an Administrative Directive is violated the accused may receive an interim Expulsion.

19.9d To be relocated within the residence halls if a threat is present or in some cases to have the accused relocated.

19.9e To hear the outcome of the discipline process.

19.10 In the event of a hearing.

19.10a To present testimony either in person or by phone.

19.10b To be questioned and provide responses to the accused through a third party.

19.10c If presenting testimony in person, the option to observe the entire hearing.

19.10d To meet with the presenter prior to and during the hearing to develop questions.

19.10e To submit a victim impact statement to be considered by the Hearing Board before a sanction is assigned.

RIGHTS OF THE ACCUSED

19.11 Throughout the Judicial Process, accused students maintain certain rights to ensure fairness. In order for the victim/witness complainant to have as much information as possible concerning the process, some of those rights in reference to a discipline hearing are outlined below.

19.12 To be informed in writing of all charges at least five (5) business days before any hearing. This right may be waived by the accused.

19.13 To decline to testify or answer questions.
19.14 To question witnesses that appear in person or by telephone at any hearing and to present witnesses of fact.

19.15 To appeal the hearing decision if it involves Expulsion.

19.16 In cases where the accused student is facing criminal charges, their attorney may be present, but not actively participate.

Section Twenty
STATEMENT OF STUDENT RIGHTS

The University of Louisiana at Lafayette exists to educate its students, to advance, preserve and disseminate knowledge through research and scholarship, and to advance the public interest and the welfare of society as a whole. Essential to such purposes is an orderly climate of academic integrity, of rational and critical inquiry, of intellectual freedom, and of freedom of individual thought and expression consistent with the rights of others. To the end that such a climate may be established and maintained, UL Lafayette as an institution and each member of the university community have reciprocal rights and obligations. It is the obligation of the university as an institution to ensure orderly operation, to preserve academic freedom, to protect the rights of all members of the university community, to prohibit acts that materially and substantially interfere with legitimate educational objectives or interfere with the rights of others, and to institute disciplinary action where conduct adversely affects the university community's pursuit of its educational objectives.

For all UL Lafayette students, enrollment at the university confers certain rights and requires certain obligations that are defined below. It is expected that students will understand and respect the rights of others. It is also expected that all students be aware of their rights and obligations. Unfamiliarity with the following is not an excuse for failure to carry out one's obligations as a student member of the university community.

Expression - Students have the right and are encouraged to express their views on all issues. This expression may be verbal or in writing and is guaranteed by the first amendment concept of freedom of speech and press. In exercising this right, students have the obligation not to interfere with the academic process. The university shall provide all students a proper forum through which their views may be expressed which will not impair their right of expression and simultaneously maintain an orderly climate of academic pursuit. All publications and broadcasts are subject to the canons of responsible journalism and community standards, including the avoidance of libel, avoidance of indecency or obscenity, undocumented allegations, and techniques of harassment and innuendo. Freedom of expression may be subject to reasonable time, place and manner regulations that are content-neutral, serve a significant university interest and leave open ample alternative channels for communication of the information.

Association and Assembly - Student groups may peacefully assemble and may express opinions publicly and privately. Students have the right to organize and join organizations to promote their common interests. These organizations are
obligated to receive official recognition and follow the guidelines of the University Organizations Committee. Only approved organizations may enjoy the rights and privileges accorded by the university including the right to invite speakers to campus to address the group or student body. The university administration may cancel a speaker’s reservation when there is a clear and present danger that the appearance would threaten the orderly operation of the university.

Privacy - Students have the right to have their academic and disciplinary records kept confidential subject to existing state and federal law. No official records shall be kept that reflect any alleged political activity or belief of students. No official records of students shall be available to unauthorized persons within the institution or to any person outside the institution without the expressed consent of the student involved except under legal compulsion. The university, on request, will make available to a student all of his or her records.

Equal Protection and Due Process - No student shall be subject to any regulation that discriminates on the basis of race, age, sex, political affiliation, religion, handicap or national origin; nor shall any regulation in any way deny any student due or equal protection under the law. Each student shall be treated as a unique individual and shall be accorded due respect. In the case of disciplinary action against a student, the procedures for due process, equal protection and appeal are outlined in the Code of Student Conduct and Appeal Procedures. The Code also outlines the procedures used for all appeals, including the appeal of academic sanctions, parking sanctions, financial aid procedures, residency status, fee assessments, and unfair or capricious treatment.

Section Twenty-One
ANTI-HAZING POLICY
Introduction and Rationale

University sanctioned organizations are based on “scholarship,” “friendship,” and “common experiences and interest” which are to be gained through mutual respect, loyalty and pride. It was never intended that these qualities be gained through ridicule, embarrassment or servitude.

Organizations at UL Lafayette are expected to be partners in the process of fulfilling the mission of the University by creating and maintaining educational standards within their organizations that are conducive to personal growth and development. If organizations are to remain an integral part of the University, they must set educational directions. That is the key to eliminating hazing. The ideal associate new member education program should encourage and emphasize the approved ideals and purposes of the organization such as personal friendships, scholarship, cultural awareness, financial responsibility, spiritual awareness, ritual importance, social development, resources available on campus and in the community, leadership, recreational development, alumni relations or community service.

Definition
21.2 Hazing, as defined by the Board of Supervisors is "any action taken or situation created, whether on or off college or university property, which is life threatening to the individual, and kidnapping, paddling, slapping, branding, burning with cigarette, or any such activities which are life threatening to the individual or are intended to hurt or to humiliate physically or mentally." Hazing in any form is strictly forbidden by the University through the Code of Student Conduct. Actions and activities which are explicitly prohibited include, but are not limited to the following:

21.3 All forms of physical activity not part of an organized, voluntary athletic contest or not specifically directed toward constructive work.

21.4 Paddling, beating, or otherwise permitting members or alumni members to hit associates, new or potential members.

21.5 Any activity that might reasonably bring physical harm to the individual.

21.6 Morally degrading or humiliating games or activities that make an individual the object of amusement, ridicule, or intimidation, or any action or situation which subjugates an individual to a condition where he/she might tend to lose self-respect or suffer injury.

21.7 Kidnap, road trips, etc., which are conducted in a manner that endangers the health or safety of an associate or active.

21.8 Requiring associates to consume large amounts of alcohol and/or drinking games.

21.9 Activities that interfere in any way with any individual’s academic efforts, e.g., causing exhaustion, loss of sleep, or loss of reasonable study time.

21.10 Activities that interfere with an individual’s employment or family obligations.

21.11 Forcing, coercing, or permitting students to eat or drink foreign or unusual substances such as raw meat, raw eggs, salt water, onions, etc.

21.12 The use of obscenities and vulgarity in dress or requiring associates to wear any degrading or uncomfortable garments.

21.13 Preventing associates from wearing any required garments or accessories.

21.14 Having substances such as eggs, paint, honey, etc., thrown at, poured on, or otherwise applied to the bodies of associates.

21.15 Subjecting an individual to cruel and unusual psychological conditions, any form of verbal harassment.

21.16 Any requirement which compels an individual to participate in any activity which is illegal, perverse, publicly indecent, contrary to the individual’s genuine morals and/or beliefs.
21.17 Pledge members being solely responsible for chapter obligations.

21.18 Any action which is in violation of the University's Code of Student Conduct.

Officers/members/potential members will be held responsible for not reporting hazing activity for which they have knowledge of. It shall be the duty of all current and potential student organization members to report immediately, in writing, any violation of this policy to the Dean of Student Affairs. Infractions of these regulations will result in disciplinary procedures being initiated according to the regulations prescribed in the University's Code of Student Conduct and Appeal Procedures. Organization presidents must sign that they have received and understand the University Anti-Hazing Policy before they are re-certified each year. Failure to do so will jeopardize the organization's relationship with UL Lafayette.

In addition, UL Lafayette Greek students must attend an anti-hazing meeting and sign the anti-hazing and grade release form. Failure to do so will jeopardize their relationship with the UL Lafayette Greek System.

21.21 Any activity or meeting before the official membership process has started (pre-pledging activities).
The safety and well-being of the students, faculty, staff, and visitors are a priority here at the University of Louisiana at Lafayette. Through the assistance of several other University departments, every effort is made to better serve the University community and provide a safe environment in which the mission of the University may be attained. However, a truly safe campus can only be achieved through the cooperation of all students, faculty, and staff. This guide is a part of our effort to ensure this collaborative endeavor is successful. We hope you will read it carefully and use this information to help foster a safe environment for yourself and others on the University campus.

Joey Sturm
Director of Public Safety
Chief of Police
UL LAFAYETTE POLICE DEPARTMENT

Authority and Role

The UL Lafayette Police Department is a department within the Division of Public Safety and is a team of professionals working to provide a safe environment in which the educational mission of the University can be fully realized. The UL Lafayette Police Department is service-oriented and tailored to meet the needs of a large progressive institution. The department provides police services such as police patrol, taking of crime/offense reports, criminal investigations, traffic supervision, emergency first aid, the maintenance of public order, and other related services. The department’s ability to function as an independent law enforcement agency enables it to provide assistance while still maintaining the autonomy of the University.

The UL Lafayette Police Department provides a 24-hour-a-day patrol protection to the campus and its satellite facilities. Officers are vested with full law enforcement powers and responsibilities of any law enforcement officer of the state on property owned or operated by the University, including adjacent streets. Title 17 Section 1805 (A) of the Louisiana Revised Statutes grants police powers to University officers. In addition, this law grants officers the authorization to carry concealed weapons, powers of arrest on and off campus, jurisdictional boundaries, and authorization for the investigation of crimes occurring within ones jurisdiction to include the entire state. Officers must successfully complete a minimum of 360 hours of basic law enforcement training at a Louisiana Peace Officers Standards and Training (POST) approved academy. In addition, officers also receive advanced training in areas of criminal investigation, firearms, OUI detection, defense tactics, legal updates, narcotics, forensics, etc.

The UL Lafayette Police Department has a working relationship with all local, state, and federal law enforcement agencies. The department is part of a parish-wide emergency preparedness response team and responds when requested by other agencies. Additionally, the UL Lafayette Police Department is a member of the FBI JJTF (Joint Terrorism Task Force).

The University also uses a private contract security guard service for access control at the University’s residence halls during nighttime hours. Daytime hours are staffed by student workers managed by the Housing and Student Life and Conduct Departments. Additionally, there are Community Assistants assigned to each residence hall. An Area Coordinator, a professional staff person, is assigned to each residence hall area. They live on-site. These persons serve as additional “eyes and ears” for reporting.

Reporting Crimes or Emergencies

The UL Lafayette Police Department is located in Bittle Hall on the UL Lafayette Campus, 210 Hebrard Boulevard. The department is open 24 hours a day and is staffed by commissioned police officers. Students have 24 hour access to emergency phone lines to UL Lafayette Police Department as well as 911. If you are the victim of a crime, involved in an emergency, a witness to an incident, learn of something suspicious, and/or in need of assistance, contact the UL Lafayette Police Department on an on-campus phone by dialing:

- 2-6447 or 911
• To contact the UL Lafayette Police Department on an off-campus line
dial 482-6447 (long distance code is “337”).
• 911

Accurate and Prompt Reporting

Community members, students, faculty, staff and guests are encouraged to
report all crimes and public safety related incidents to the UL Lafayette Police
Department in a timely manner and, when applicable, also to the Title IX
Coordinator at (337) 482-1463. Reporting in a timely manner allows for the police
department to assess the complaint for the purpose of making timely warnings
reports and the annual statistical disclosure of the complaint. Failure to report as
soon as practical hinders our ability to review for timely warnings.

Additionally, approximately 51 Emergency Blue Light phones automatically ring
in the UL Lafayette PD communications area.

The UL Lafayette Police Department and, when applicable, Title IX Office will
investigate all complaints. A person wishing to file a report with the UL Lafayette PD
has the right to file a report with local law enforcement agencies, to wit: Lafayette Police
Department, Lafayette Parish Sheriff’s Office, Iberia Parish Sheriff’s Office, St. Martin
Parish Sheriff’s Office and/or Acadia Parish Sheriff’s Office depending on the
jurisdiction.

Any Code of Student Conduct violations will be forwarded to the Office of Student
Life and Conduct for review. Any employee matters will be forwarded to Human
Resources for review. When appropriate, an incident will be referred to the Title IX
Office for review.

Off-Campus Crime & Student Organizations

If local law enforcement is contacted about criminal activity occurring off-campus
involving UL Lafayette students, that agency may notify UL Lafayette PD. However,
there is no official policy requiring such notification. Students in these cases may be
subject to arrest by the local law enforcement agency and University disciplinary
proceedings through the Office of Student Life and Conduct.

UL Lafayette does have an official recognized student organization that has housing
facilities “off campus.” There are several recognized student organizations that occupy
privately owned houses within the south campus area (Fraternity and Sorority Row). The
houses are located on university property. If LPD is called by a citizen to respond, LPD
will typically notify UL Lafayette PD to respond with them or they will notify UL
Lafayette PD to respond as the primary agency. This is part of the existing Memorandum
of Understanding.

Limited Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the University
system or the criminal justice system, you may still consider making a confidential
report. The purpose of a confidential report is to comply with your wish to keep the
matter confidential, while taking steps to ensure the future safety of yourself and others.
With such information, the University can keep an accurate record of the number of
incidents involving students, employees, and visitors; determine where there is a pattern
of crime with regard to a particular location, method, or assailant; and alert the campus
community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution, and when they involve allegations of sexual harassment (including sexual violence) are made available to the University’s Title IX Coordinator. Reporting procedures applicable to allegations of sexual assault are further discussed later in this brochure.

The UL Lafayette Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the UL Lafayette Police Department cannot hold reports of crime in confidence. Furthermore, the police department is obligated to report the name of the victim and perpetrator to the Title IX Coordinator. The Title IX Coordinator can generally accept confidential reports. There may be some instances in which the Title IX Coordinator may not be able to ensure confidentiality. The University has an obligation to evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all community members.

Confidential reports of crime may also be made to the UL Lafayette TIPS Hotline at 482-TIPS. The TIPS line is monitored by the UL Lafayette PD communications officer. The TIPS line should not be used to report emergencies. For emergencies dial 911 or (337) 482-6447. Additionally, TIPS can be reported on line at http://police.louisiana.edu.

Confidential Crime Reporting and Counselors

Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Counselors are defined as:

Pastoral Counselor
An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Memorandum of Understanding

The University recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the University. All persons on the campus are subject to these laws and rules at all times. All law enforcement agencies are expected to check in with the UL Lafayette Police Department when on campus to investigate further an investigation they are working on for their respective jurisdiction. Additionally, all law enforcement agencies with
concurrent jurisdiction recognize that the UL Lafayette Police Department is the primary law enforcement unit to handle any crime that occurs on the campus.

The UL Lafayette Police Department enjoys an especially good relationship with the Lafayette Police Department and the Lafayette Parish Sheriff’s Office as well as with the St. Martin Parish Sheriff’s Office (Cade Farm), Acadia Parish Sheriff’s Office and the Iberia Parish Sheriff’s Office (New Iberia Research Center). The primary agency designation exists and is described in a “memorandum of understanding” (MOU) between UL Lafayette Police Department and the aforementioned agencies. UL Lafayette Police is responsible for all crimes occurring on the campus to include our public property areas for reporting of Clergy and FBI Uniform Crime Reporting (UCR). Any Clergy crime coming to the attention of another agency shall be turned over to the agency with primary jurisdiction on the campus to include the University’s public property areas, to wit: UL Lafayette Police Department. In addition, the University requests the Lafayette Police Department provides annually, UCR statistics for the areas surrounding the campus in a one mile radius. The UL Lafayette Police Department also receives a daily call for service report from the Lafayette Police Department that includes a one mile radius surrounding the campus. This aids the department in generating timely notifications to the University community concerning crimes that occur within the City of Lafayette within a one mile radius of the campus.

Each agency notifies each other in the event of a major crime via telephone, two way radio or in person. In addition, the UL Lafayette Police Department and the Lafayette Police Department participate in an additional MOU that governs a partnership between both agencies titled “CUSP” City and University Safety Program whereby each agency assigns an officer to a single patrol vehicle to provide patrol, safety programs, intelligence gathering and operational support for the areas surrounding the campus where students reside and/or socialize, but not on the campus.

**Notifying the UL Lafayette Community about Reported Crimes**

**Timely Warnings**

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety/Chief of Police or designee, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning(s) are generally written and distributed through the university e-mail system to students, faculty and staff. The message will be drafted by police department’s Public Information Officer or designee and sent to the University’s Communication and Marketing Office for dissemination. During after hours, the Communication and Marketing Office is responsible for maintaining an on-call person 24/7 to assist in the timely warning dissemination. Updates to the UL Lafayette community about any particular case resulting in a Security and Safety alert may be distributed via blast email, may be posted on the UL Lafayette Police website, or may be shared with the media, including and specifically The Vermilion Newspaper. Safety and Security alerts may be posted in campus buildings on the monitors in various locations. These alerts are usually distributed for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: arson, criminal homicide, and robbery. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and whether there is a continuing danger to the campus community. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other UL Lafayette community
members and a Safety and Security Alert would not be distributed. The Chief of Police or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Safety and Security alert is warranted. Safety and Security Alerts may also be issued for other crime classifications, as deemed necessary.

A daily crime and fire log is available for review 24 hours a day on the UL Lafayette PD website at [http://police.louisiana.edu](http://police.louisiana.edu) or at the UL Lafayette Police Department located at 210 Hebrard Blvd, Lafayette, Louisiana from 7:30 am to 5:00 pm Monday through Thursday and 7:30 am to 12:30 pm on Fridays, excluding holidays. The information in the crime log typically includes the case number, classification, date reported, date occurred, time occurred, general location, and disposition of each reported crime.

Incidents reported to UL Lafayette PD that fall into one of the required reporting classifications will be disclosed as a statistic in this annual brochure published by the UL Lafayette PD.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the UL Lafayette Police Department may also post the warning on the police department’s website at: [http://www.police.louisiana.edu](http://www.police.louisiana.edu), providing the University community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances immediately to the UL Lafayette Police Department, by phone (337-482-6447) or in person at the police department located at 210 Hebrard Blvd, Lafayette, Louisiana.

Additionally, the Director of Public Safety/Chief of Police or designee, may issue an immediate Emergency Notification System warning concerning an imminent threat to public safety. This Emergency Notification System alert uses the following modes of communication: land line telephone, cell phone, text messages, RSS feeds on monitors throughout the campus, University on campus computer screens, website alert, and could include face to face notification as well as public address systems such as bull horns and police unit pa.

**Access to Campus Facilities**

The UL Lafayette campus is open to the public even though some portions of the campus are surrounded by fencing such as residence halls and athletic facilities. The campus has multiple city streets that are either contiguous to the University property and/or traverse through the campus. The police department is located on the main campus at 210 Hebrard Blvd. Bittle Hall and is open 24/7/365. Other Academic buildings are typically secured after the end of evening courses, typically 9:00 pm. Custodial staff remains working through 12 midnight in most buildings. Schedules of buildings fluctuate dependent upon the nature of the academic work and the semester. Dupre Library typically closes at 6:00 pm during the summer, 12 midnight during the fall and spring semester, and may remain open all night during the week leading up to final exams. The residence halls are restricted to residents and their approved guests, and other approved members of the University community. Each resident has an access control card (Cajun Card) to allow entry into the buildings. Additionally, a private contract guard service staffs each main entry to the residence halls from 12 midnight to 8:00 am during times of occupancy. The Housing department maintains a student worker during all other times of occupancy. Special arrangements are made for private contract guard service in residence halls during summer sessions when camps are in session and
residence halls are in use. Residents are cautioned against allowing entry to strangers or any unauthorized persons into the residence halls and are urged to require individuals seeking entry to use their access control cards. UL Lafayette Police officers regularly patrol the residence halls either on foot or bike. Community Assistants, House Directors, and Area Coordinators also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. These staff and UL Lafayette Police officers also conduct periodic educational sessions on prevention of various crimes including crimes against property and persons—specifically sexual assault and acquaintance rape.

**Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UL Lafayette PD regularly patrols campus and reports malfunctioning lights and other unsafe conditions to Facilities Management for correction. Facilities Management does periodic lighting surveys at night. UL Lafayette PD does this twice annually and sends a report to Facilities Management to address new lighting concerns in addition to lights that are malfunctioning. Other members of the University community are helpful when they report equipment problems to UL Lafayette PD or to Facilities Management. Additionally, unsafe conditions can be reported via the web at [http://police.louisiana.edu](http://police.louisiana.edu).

**University Emergency Preparedness**

The University of Louisiana at Lafayette primarily resides within the City and Parish of Lafayette, Louisiana. As such, the University must abide by and is protected for emergencies by the policies and regulations set forth in the City and Parish of Lafayette, Louisiana – Lafayette Parish Office of Homeland Security and Preparedness (Laf.OHSEP).

However, the University must be prepared for specific emergencies that may occur within the campus. The Division of Public Safety members attend Laf.OHSEP meetings and receive specialized training on emergency preparedness. Public safety administrators and police supervisory and line personnel have received training in Incident Command and Responding to Critical Incidents on Campus. The Incident Command System (ICS) is utilized when responding to incidents and police officers work with other Division of Public Safety units, UL Lafayette departments, and local public safety agencies to manage, mitigate, and recover from incidents. Additional preparations have been previously adopted by the police department. These documents are called Procedural Orders and exist for situations such as fires, proximity threats, terrorism, bomb emergencies and threats, suspicious packages, unusual occurrences, disasters, civil disturbances, mass arrests, etc. These Procedural Orders and other police department policies are updated regularly. Additionally, designated areas of operation outside of public safety are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. These plans are termed functional annexes.

The University conducts numerous emergency exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.
General information about the emergency response and evacuation procedures for UL Lafayette is publicized each year as part of the University’s Clery Act compliance efforts, and is available at the UL Lafayette Police Department and the Division of Public Safety website [http://louisiana.edu/CampusLife/PublicSafety](http://louisiana.edu/CampusLife/PublicSafety). Functional Annexes are maintained by each department and updates are mandated annually with the updated documents housed with the Division of Public Safety, Emergency Management.

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**All Hazard Emergency Operations Plan**

1.2

**Purpose**

The University of Louisiana Lafayette (UL Lafayette) Emergency Operations Plan (EOP) establishes University policies, methodology, responsibilities and operations designed to effectively and efficiently leverage the human capital and resources of the University. The primary objectives of the EOP are:

- protect health and safety of people in the threatened or impacted area
- contain and control emergency incidents
- minimize damage to University property, facilities, research, and the environment
- minimize disruption of University activities and operations
- resume normal University activities and operations in a timely manner

1.2

**Scope**

The UL Lafayette EOP provides the framework for the coordination and delivery of preparedness, response, recovery, and mitigation assistance to students, visitors, and employees threatened or impacted by a large scale emergency or disaster situation affecting UL Lafayette.

The EOP was developed and is maintained through collaboration with University stakeholders as well as public, private, non-government, and volunteers with assigned responsibilities and recognized in the plan.

The EOP takes an all-hazards approach to natural and human caused incidents that include but are not limited to those listed in section 2.2. It is scalable by design to afford maximum flexibility to University officials, decision-makers, and local and state partners.

This plan addresses preparedness, response, recovery and mitigation activities, it is at all times activated and relevant. Activities and tasks, including those assigned in the functional annexes that are part of this EOP, needed in response to an incident will be activated and directed by the University President, Emergency Management Executive Group (EMEG) or appropriate individual(s) as designated in succession of authority. The EOP is applicable to all departments, agencies or organizations that provide assistance or conduct operations in the context of actual or potential incidents that may impact the UL Lafayette.
Notification to the UL Lafayette Community
about an Immediate Threat
Emergency Notification Systems

The Division of Public Safety and the Communications and Marketing receive information from various offices/departments on campus, such as the police department, environmental health and safety/emergency management and physical security systems. If one of these units confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the UL Lafayette Community, the Division of Public Safety will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the UL Lafayette community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population/campus. The Division of Public Safety will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including but not limited to: UL Lafayette PD, LPD, LPSO, LFD), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the UL Lafayette community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the UL Lafayette campus community. These methods of communication include UL Lafayette ENS, a system that provides email, phone and text message alerts to members of the UL Lafayette community. Students, staff, and faculty are automatically signed up for email alerts through their official UL Lafayette email address. To add/modify your email address or mobile phone number to this service, you must log onto to u-link at http://louisiana.edu and click on u-link then click on ENS tab. Currently, this service is only available to UL Lafayette community members. Students and employees may enter up to three phone numbers and 2 email addresses for their respective emergency notification system profile. Students are encouraged to include their parents/loved ones in their profile. The ENS system is tied into the social media pages including Facebook at: https://www.facebook.com/officialullafayette

and Twitter at:

https://twitter.com/ULLafayette.

ENS alerts may also be received directly on your computer as the alerts will take over the main website page and the message will scroll on the monitor of each University computer.

Updates will be communicated via the same systems. Individuals can call into the ENS advisory information phone number (337) 482-2222 for updates. Members of the community at large who are interested in receiving information about emergencies on campus should use the website, social media or call the information line at (337) 482-2222.
The UL Lafayette community members are encouraged to notify the UL Lafayette PD of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students, faculty, staff, or visitors on campus. UL Lafayette PD has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, UL Lafayette PD has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

**Emergency Response and Evacuation Testing Procedures**

**Summary of the Emergency Response Plan**

The University’s All Hazards Emergency Operations Plan includes information about Incident Teams; University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts numerous emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

UL Lafayette police officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually UL Lafayette PD, Lafayette PD, Lafayette Fire and Lafayette HAZMAT, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other UL Lafayette departments and other local, state, or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for UL Lafayette is publicized each year as part of the institution’s Clery Act compliance efforts, and that information is available on the UL Lafayette PD website. Detailed information and updates to the UL Lafayette All Hazards Emergency Operations Plan and associated Functional Annexes which include departmental Contingency and Continuity Plans are available on the Public Safety website at [http://police.louisiana.edu](http://police.louisiana.edu).

**Summary of Emergency Evacuation Procedures**

An evacuation drill is coordinated by UL Environmental Health and Safety each semester for all residential facilities on campus. Thus, the emergency response and evacuation procedures are tested at least twice each year and, for some of the buildings, multiple times a year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. UL Lafayette Environmental Health and Safety does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations...
on campus, and other factors such as the location and nature of the threat. In both cases, UL Lafayette PD and Housing Programs staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At UL Lafayette, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. Palm cards with educational information are distributed to residents re-entering a facility immediately after an evacuation drill. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components. Evacuation drills are monitored by UL Lafayette PD, EHS, and the Housing Programs Department to evaluate egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first floor meetings and during other educational sessions that they can participate in throughout the year. The House Staff members are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

Shelter-in-Place Procedures –

What it Means to “Shelter-in-Place”
If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance
If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, UL LAFAYETTE Cajun Card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”
A shelter-in-place notification may come from several sources, including UL LAFAYETTE PD, Housing Staff members, other University employees, the state government, Lafayette PD, Lafayette Parish Sheriff’s Office, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter-in-Place”
No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:
1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
   - An interior room;
   - Above ground level; and
   - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (House Staff, faculty, or other staff) to call the list in to UL Lafayette PD so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.
9. Call the (337) 482-2222 line for updated information related to an Emergency Notification Alert message.

Campus Wide Evacuation

If you are directed to evacuate the entire campus, you should leave the main campus area and do not return until directed to do so. It is important to evacuate by foot, bicycle, and/or vehicle as soon as possible based on your individual circumstance. There will be traffic congestion and it is important to avoid major intersections and leave the outlying areas of the University community. The Division of Public Safety has a traffic evacuation plan that involves area law enforcement agencies; however, remember that the University would be the 17th largest city in the state if it were classified as a city. The mass evacuation of the campus will adversely impact traffic in the Lafayette area. You should decide on your own the appropriate method for leaving the campus depending on your location and your circumstances. Simply walking on foot may be the best option if traffic congestion is a concern. You can expect limited cell phone coverage during this type of incident. The University will continue to use its Emergency Notification System, social media, and the 482-2222 emergency line to disseminate information concerning the incident and the evacuation. In addition, during an emergency and when practical, local media coverage will be used to assist in the dissemination of information.

Residence hall students should stay tuned to the information sources for direction should a campus wide evacuation or partial evacuation of residence halls take place. The Housing Department will be involved in relocation housing in the event of a protracted incident.

Faculty and staff essential personnel will be directed by the Division of Public Safety to assist in the evacuation process and/or management of the incident where appropriate. There will typically be a designated staging area, to be determined and communicated, for essential personnel to be briefed on the situation and incident objectives.

Education Programs

The UL Lafayette Police Department provides various programs and systems designed to enhance the safety and well-being of the University community. Campus security and
fire safety procedures are discussed at new student orientation and residence hall orientation at the beginning of each semester. The UL Lafayette PD, Environmental Health and Safety, Student Affairs, including Student Life and Conduct, Housing, Residence Hall staff, Student Health Services and Counseling and Testing participate in forums and programs in residence halls to address students and to explain University security, public safety, and fire safety measures and procedures at UL Lafayette. Members of the police department conduct crime prevention and general security and safety awareness presentations scheduled by the police department as well as when requested by various community groups, including students and employees of the University. During these presentations, the following information is typically provided: crime prevention tips, statistics on crime at UL Lafayette, fire safety information, information regarding security procedures and practices, including encouraging participants to be responsible for their own security/safety and for the security/safety for others on campus, such as bystander training. In addition, UL Lafayette PD sets up demonstrations with the Mobile Operations Center and crime prevention awareness displays at various locations throughout the year. This provides for one-on-one interaction to answer questions and enter into a dialogue concerning safety and security. New employee orientation includes the distribution of this very document. The UL Lafayette PD also periodically sponsors a women’s self-defense class and will provide said class to any organization requesting. During the 2012 year, UL Lafayette PD conducted 14 events and presentations and staffed crime prevention tables. UL Lafayette PD also participates in Student Affairs programs. The Student Affairs areas conducted 100 programs including information regarding alcohol education, fire safety, personal safety, and crime prevention for the UL Lafayette community. Environmental Health and Safety participated in and/or conducted 320 educational programs for students and employees.

Blue Light Emergency System

The UL Lafayette Police Department operates 51 emergency telephones installed at various locations throughout the campus. The Code Blue Stations are easily recognizable by a tall blue pole with a light at the top or attached to a building with the signature blue light located on top of the device. When the user pushes the easily accessible emergency button, the phone automatically dials the number and direct contact is made with the UL Lafayette Police Department. A blue strobe light is activated and an officer is dispatched to the location. The Code Blue System provides the opportunity for immediate contact with police officers. Our hope is that the system provides a feeling of security to all who walk the University campus.

Police Bike Patrol

UL Lafayette Police Department utilizes a Bike Patrol to supplement vehicle and foot patrol as part of its overall effort to make the campus safe. The Bike Patrol enables officers to cover more of an area and at the same time allows for quick response should the need arise. Officers are also better able to converse with students, faculty, and staff when utilizing bike patrol.

482-2TIP: Crime Stoppers Tips Line

The UL Lafayette Police Department operates an anonymous Crime Stoppers Tips Line to assist the department and the community in the prevention and solving of crime. Members of the community are encouraged to report any information regarding crimes that may or have occurred by dialing 482-2TIP or 2-2TIP and follow the instructions given. All callers will remain anonymous.
On-Call Response Team

In addition to on-duty police officers, the University has an on-call response team consisting of the Vice President of Student Affairs, Dean of Students, Chief of Police, Student Affairs staff, Counseling and Testing staff, and additional police personnel. In most cases, this team can be assembled from initial contact. In cases of facility problems, there are standby personnel available for call-out by the UL Lafayette Police Department.

Escort Van Service

The Parking and Transit Department provides an evening on campus escort service using shuttles which are available 7 days a week to students, staff, faculty and visitors who request it by calling (337) 262-1740. Escorts are provided to and from campus within the main campus and campus south areas from 7 pm to 12 midnight weekdays and 12 noon to 12 midnight on weekends.

Self Defense Program

This program is offered to all members of the UL Lafayette Community. The program teaches basic self-defense skills and techniques. The programs assist participants in gaining confidence in their own abilities, as well as making them more aware of their surroundings.

Operation Safeguard

The UL Lafayette PD promotes Operation Safeguard program, engraving serial numbers or owner’s recognized numbers on items of value, and makes engravers available upon request at no charge.

Physical Security Systems

The Division of Public Safety maintains a campus wide system that records over 480 cameras, controls over 100 access control points, and has separate burglary/intrusion alarms, duress alarms, and fire alarm systems.

Other areas of Education can be found on the UL Lafayette PD Website:

How to respond when an active shooter is in your vicinity

- Information Guide (PDF)

Information about the Jeanne Clery Act

- UL Clery Brochure (PDF)

Reference Guide for Emergencies

- UL Emergency Procedure Guide, Pt. 1 (PDF)
- UL Emergency Procedure Guide, Pt. 2 (PDF)
  - See more at: [http://police.test.ucs.louisiana.edu/staying-safe/guides#stash.N1uxd3g0.dpuf](http://police.test.ucs.louisiana.edu/staying-safe/guides#stash.N1uxd3g0.dpuf)

Additionally, video presentations on Recognizing and Preventing Violence on Campus, Intimate Partner Violence and Stalking- The Impact on the Workplace, and Safe Travel are presented.

See Something, Say Something Campaign
**Not reporting a crime encourages it**

If you see something, say something.

Report suspicious activity:
Call UL Lafayette Police at 337-482-6447

For more information visit www.police.louisiana.edu

**Courtesy Officer Program**

The UL Lafayette PD and the Housing Department sponsor a Courtesy Officer Program whereby two commissioned police officers reside in Legacy Park—an on campus Apartment Complex. These officers provide a presence when off-duty, educational programs and lead a community awareness group, Legacy Watch.

**Crime Statistics**

The information below provides context for the crime statistics reported as part of compliance with the Clery Act.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the UL Lafayette Police Department, the request from Lafayette PD, Iberia SO, St. Martin SO, Acadia SO, and non-police officials (as defined below). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all University Deans, Directors, and Department Heads. Statistical information is requested and provided to UL Lafayette PD by the Student Health Center Director and Title IX Coordinator.

All statistics are gathered, compiled, and reported to the University via this report, entitled "Annual Security and Fire Safety Report" which is published by UL Lafayette PD. UL Lafayette PD submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.
UL Lafayette PD sends an email to every enrolled student and current employee on an annual basis. The email includes a brief summary of the contents of this report. The email also includes the address for the UL Lafayette PD website where the “Annual Security and Fire Safety Report” brochure can be found online (http://police.louisiana.edu/jeanne-clery-act/annual-reports) and a physical copy may be obtained by making a request to the UL Lafayette PD.

The statistics in this brochure are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law (the Clery Act).

The number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic.

In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, each person who was arrested is indicated in the arrest statistics.

The statistics captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law, and Illegal Weapons violations indicates the number of people referred to the Office of Student Life and Conduct for disciplinary action for violations of those specific laws. Being “found responsible” for a violation includes a referral that resulted in a student being charged by the Office of Student Life and Conduct and a record of the action being kept on file.

The statistics in the Hate Crime charts are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported each year. The only exceptions to this are the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault, or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender’s bias. For example, a subject assaults a victim, this is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias, against the victim’s race, sexual orientation, gender, religion, ethnicity, or disability, the assault is then also classified as a hate/bias crime.

Statistics for “Residential Facilities” are also counted in the “On Campus” crime category. The law requires institutions to break out the number of “On Campus” crimes that occur in residential facilities.

Statistics under the heading of “Referred for Disciplinary Action” include those individuals referred to the Office of Student Life and Conduct for disciplinary action.
The numbers include incidents that are reported to via UL Lafayette PD referrals and referrals provided directly to the Office of Student Life and Conduct from other members of the UL Lafayette community.

**Annual Fire Safety Report**

UL Lafayette PD & the UL Environmental Health And Safety Office publishes this safety report as part of its annual Clery Act Compliance document, which contains information with respect to fire safety practices and standards for UL Lafayette. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire, if applicable. The compliance document is available for review by making a request to the UL Lafayette PD (337-482-6447).

If a fire occurs in one of the UL Dorms, Apartments, or any Resident Hall, community members should immediately call the UL Lafayette Police Department at (337) 482-6447 or 911. Once the UL Lafayette PD is contacted, they will summon the fire department. If a member of the housing staff ever finds evidence of a fire in a trashcan, cigarette disposal container, recycling container, etc., they should not touch the container and should report the incident to the UL Lafayette PD immediately and wait for an officer’s response. The officer will document the incident prior to removing the container.

Fire alarms alert residents of potential hazards and are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Do not use the elevator. Community Advisors should familiarize themselves with the exits in each building. If a student is caught in the elevator, push the emergency phone button. The emergency phone will ring to the UL Lafayette PD communications, who will summon help.

Fire exits may be used only in cases of emergency. Residents should not exit or enter through any exits other than the designated primary entrance(s) to the building. Use of fire exits at any other time will result in disciplinary action.

All occupants of a building (residents and guests) must immediately evacuate the building when the fire alarms sound. Students should report immediately to the designated gathering location for the building and report to the Housing & Residence Life Staff on site. Upon arrival at the designated evacuation location, the residents must check in with the staff on site to confirm the resident's presence and safety. Failure to immediately evacuate the building, gather in the designated location, and/or check in with staff on site will result in disciplinary action. The setting of false fire alarms and/or the improper and/or unauthorized use of fire safety equipment (fire extinguishers, smoke detectors, exit signs, etc.) compromises the safety of all residents and is prohibited. Burning any substance and/or setting fires in the housing areas, including lighting candles and/or igniting flyers, decorations, or other posted materials, is not permitted under any circumstances. Violations of fire safety regulations will result in disciplinary action. Evacuation Sites for the residents halls of UL Lafayette are as follows:

**Rose Garden:**
- Randolph & Bonin Hall evacuates to the inside courtyard (in the rear of Randolph Hall).
- Harris Hall evacuates to the front of Hamilton Hall.
• Coronna Hall evacuates to the front of Hamilton Hall.

Taft Street:
• Baker & Huger Halls evacuate to the parking lot of Hamilton (in the rear of Hamilton Hall).

Conference Center:
• Conference Center evacuates to the sidewalk across the street (along the side of Montgomery Hall).

Legacy Park:
• Center of the back parking lot for all buildings.

Cajun Village:
• Center of the back parking lot for all buildings.

UL Lafayette Fire Protection Systems

The residence halls on the UL Lafayette campus are equipped with automatic fire detection, suppression and alarm systems that are constantly monitored by Accel Fire Protection & Securities. Please refer to Table 1 of this document for more information about fire detection, notification and suppression systems in each residence hall.

Procedures for Students and Employees in the Event of a Fire:
Note: The information provided in this section supplements, but does not supersede, regulations set forth by the National Fire Protection Association (NFPA) and their Life Safety Code (NFPA 101). A complete copy of these codes is available in the Facility Management Department.

Chapter 4 of the NFPA Life Safety Codes designates all non-residence buildings on campus as “business occupancy” (see LSC 4-1.8). Residence halls, dormitories, and apartments are designated as “residential occupancy” (see LSC 4-1.6).

General Fire Safety: In case of a serious fire or smoke:
• If possible, pull the nearest fire alarm station.
• Leave the building immediately.
• Once evacuated, dial 911 from a nearby telephone.
• The proper evacuation routes are posted. If you cannot find this information, contact the EH&S office at 482-1840 or safetyman@louisiana.edu.
• The point of assembly after evacuation is also located on the Emergency Information Floor Plan.
• Keep all fire doors closed. Do not tamper with the self-closing systems on these doors, if they exist.
• Smoke only in designated areas. Use ashtrays when smoking (see section 8.5).
• Store flammables only in approved containers.

To prepare for an emergency before the fire alarm rings:
• Familiarize yourself with the closest exit and an alternate exit.
• Locate the fire extinguishers in the building. Know how to use a fire extinguisher. For use of a fire extinguisher, please visit the safety website, www.safety.louisiana.edu.

• Locate the fire alarm pull stations in the building.

• Know your Departmental or the Building Safety Coordinator (DSC). This person will act as the liaison with emergency personnel. Your building may have more than one DSC; make sure you know who you have to interact with.

• Know where the “Safe Haven” is for the building. The Safe Haven is an area designated by the DSC for all employees to meet outside the building. This area allows the DSC to determine that everyone is safely out of the building.

• The safe area for handicap persons inside the building (if multistory) is in the designated stairwell. Emergency personnel will rescue them from this area.

• If applicable, know where all stairs are located.

The fire alarm has just rung in the building. What do you do now?
• DO NOT ASSUME THAT THE RINGING ALARM IS A FALSE ALARM.

• Exit the building in an orderly manner.

• Exit the building via the closest route (unless you see fire or smoke).

• If you are the person discovering the smoke, on your way out of the building – pull the fire alarm (located at all exit doors).

• Do not use the elevators.

• Do not attempt to fight the fire.

• Upon exiting the building, go immediately to the “Safe Haven”. Make sure the Community Assistant knows that you are safely out of the building.

• Call University Police (337-482-6447) if no one has done so already or dial 911 from any university phone and it will connect you to University Police. (If you dial 911 from a cellular phone, let the dispatcher know you are calling from UL Lafayette Campus and they will transfer you to the UL Lafayette PD).

• Follow University Police instructions.

Plans for Future Improvements in Fire Safety

The University continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety Standards. Future improvements will be made as needed as part of the ongoing assessment process. The University is investigating the replacement of Legacy Park communications conduit with Fiber Optic Technology. This cannot be done at this time due to incompatibility between the different panels.

Health and Safety Inspections

Health & Safety Inspections are conducted to ensure the health and safety of all residents. Health and Safety inspections are completed on a quarterly basis and residents are provided with at least 72 hours of advance notice via hall postings. Community Assistants and/or other authorized University personnel conduct these inspections and check for health and safety violations, general cleanliness, and maintenance needs. Residents in violation of University policies may be fined or sanctioned.

• Inspections of each apartment will be conducted and a copy of the evaluation will be left in the room/apartment.
• If conditions are found that are out of compliance or require attention, the
resident(s) will be asked to make the necessary corrections within 72 hours for a
second inspection.
• If the same or similar condition(s) exist during the second inspection, the
resident(s) will face additional administrative action and fines.
• Repeated violations of health or safety standards may result in removal from the
on campus community.

The H&S inspections are primarily designed to find and eliminate safety violations.
The inspections include, but are not limited to, a visual examination of electrical cords,
sprinkler heads, smoke detectors, fire extinguishers, fire evacuation floor plans in place,
floor conditions and other life safety systems. These inspections are conducted quarterly
by the Departmental Safety Coordinators and a full function test on these systems is
conducted at minimum of once a year.

In addition, each room is examined for the presence of prohibited items (candles, non-
surge protected extension cords, portable cooking appliances and the like) or prohibited
activity (smoking, tampering with life safety equipment, etc.).

Fire Drills – Resident Halls

The purpose of a fire drill is to simulate a fire in a building whereby occupants of that
building are evacuated. By doing this, these occupants can anticipate what will happen if
a real fire occurs. This anticipation helps to minimize panic and confusion among the
building occupants.

Fire Drill Guidelines:
• Fire Drills shall be conducted at all dormitories at least twice per year. Two drills
will be scheduled during both the Fall and Spring semesters (one during the day
and one at night).
• The Dean of Students shall coordinate the scheduling of these drills with the
Environmental Health and Safety Director and the Assistant Safety Director.
• Students and other building occupants shall not be notified of the fire drill.
• At the time of the fire drill, the fire alarm shall be sounded throughout the
building.
• Building personnel shall alert all residents to evacuate the building.
• The entire fire drill shall be documented using the FDR-9-01 form.
• Once completed, the deans of students shall review the fire drill and offer
suggestions to housing employees.
• Records associated with the fire drill shall be kept on file with the Environmental
Health and Safety Director and the Housing Director.

False Alarm Procedures:
• False alarms will be treated as fire drills and documented accordingly.
• False alarms will be documented using the FDR-9-0 form and simply treated as
additional fire drills for the building.
• After a false alarm in a residence hall, an email message will be distributed to
building residents, the next business day, informing them of the cause of the
activation and reason of the evacuation.
The FDR-9-01 (Figure 1) form shall be used to document all scheduled fire drills and false alarms that result in the evacuation of the building. This document is available for download from the EH&S website at http://www.safety.louisiana.edu. Housing administrators are responsible for ensuring this documentation. Hall directors shall assist in completing this documentation. Housing administrators shall send a copy of each FDR-9-01 form to the EH&S office. Assistance in completing the FDR-9-01 form can be obtained from the Assistant Safety Director at (337-482-1840). The following page contains a blank copy of the FDR-9-01 form.

Fire Extinguisher Safety

The University utilizes 4 types of fire extinguishers for different hazards. These include:

A Common Combustibles (wood, paper, trash, cloth)
B Flammable Liquids (gasoline, natural gas, solvents carbon dioxide)
C Live Electrical Equipment (computers, fax machines)
K Cooking materials (cooking oils and fats) **wet chemical

The location of fire extinguishers is posted on the Emergency Information Floor Plan Maps for every building. If you cannot find this information, contact the EH&S office at (337-482-1840) or safetyman@louisiana.edu.

- Ensure that the proper type of fire extinguisher for a particular area is available and operable.
- As per Life Safety Code (LSC) 27-7.2, business and residential occupants shall be periodically instructed on how to properly use a portable fire extinguisher.
- Use the PASS guide when operating a fire extinguisher:
  - Pull the pin (or Press the puncture lever)
  - Aim the fire extinguisher toward the base of the fire
  - Squeeze or press the handle
  - Sweep, from side to side, at the base of the fire until it appears to be out.
- After using a fire extinguisher, always back away from the location of the fire.
- Departmental Safety Coordinators shall inspect portable fire extinguishers during their building safety inspections.
- A contracted external vendor shall certify fire extinguishers yearly.
- For replacing uncharged or discharged fire extinguishers, or to request additional fire extinguishers, please contact the Assistant Safety Director at 482-1840.

Fire Safety Tips

A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors such as fire doors in corridors or stairwells of residence halls are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should not be propped open.

Sprinklers are very effective in preventing the spread of fire when operating correctly. Please DO NOT hang material from the piping.
Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of University Policy.

The majority of fires that are caused by smoking material are the result of a cigarette being disposed of incorrectly. Smoking is NOT ALLOWED in any Residence Hall on campus.

**Dormitory Safety Rules**

*Note: The following rules supplement, but do not supersede, guidelines in the handbook entitled Residence Hall Handbook... A guide to On-Campus Living.*

- Possession, consumption, sale, manufacturer, or furnishing alcoholic beverages or any drug or drug paraphernalia in the residence hall or residence hall rooms is prohibited.
- The UL Lafayette Campus is a Drug-Free and Weapons-Free Zone (see sections 14 and 15).
- Students must familiarize themselves with the locations of all fire extinguishers and fire exits.
- In the event of a residence fire, residents should grab a towel and exit the building immediately.
- Smoking is permitted in designated areas only.
- Tampering with fire equipment or falsely activating fire alarms is prohibited in residence halls.
- Tampering with or disrupting the service of elevators is prohibited in residence halls.
- Students must follow the guidelines in section 8.33 with respect to electrical safety and room decorations.
- Every residence hall has designated areas for microwaves, and some contain kitchen areas. Residents are responsible for keeping the kitchen areas clean after each use.
- Cooking of any kind is not allowed in residence hall rooms. This includes the use of hot plates, coffee makers, toasters, toaster ovens, sandwich makers, and microwaves.
- Small space heaters are permitted in residence hall rooms provided they do not cause electrical circuit breakers to trip when in use.

**Section 8.33 General Campus Electrical Safety**

*Note: The information provided in this section supplements, but does not supersede, regulations set forth by the National Electrical Code. A copy of this code is available in the Facility Management.*

The following information pertains to electrical issues that apply to all campus employees and students.
• Do not attempt to repair an electrical circuit of any kind. To report broken circuits or any other electrical problem, call the Facility Management at 482-6440 or email at workorder@louisiana.edu.

• If an activity you are doing “trips” an electrical breaker, do not attempt to reset the breaker. Report this problem to the Facility Management at 482-6440 or email at workorder@louisiana.edu.

• Do not use an electrical receptacle or switch whose faceplate is missing or displays burn marks.

• Unplug and do not use any electrical device that emits a burnt odor.

• Do not use any device whose electrical cords are frayed or cut.

• Do not use receptacle splitters or other devices that are designed to allow multiple devices to be plugged into one receptacle. Power strips for computers are acceptable provided they are equipped with a circuit breaker or surge protection device. Only one power strip should be used in any wall receptacle – attaching multiple power strips in line with one another is unsafe and prohibited.

• Occasionally, fluorescent light fixtures will emit a burning smell. This is usually caused by a faulty ballast and is easily fixed. Turn off the light immediately and contact the Facility Management at 482-6440 or email at workorder@louisiana.edu.

• When not in use, turn off the lights in a room. Conserve energy wherever possible.

Extension Cords

• Extension cords may not be hung over sharp edges such as nails or bolts.

• Extension cords cannot cross aisles as this creates a tripping hazard.

• Extension cords cannot be used as a substitute for fixed or permanent wiring.

• Extension cords cannot be used inside walls, above ceilings, across floors in the path of walkways, or along doorways and windows.

• When using an extension cord, ensure that the cord wire size is adequate for the devices that are to be powered by that cord. If you are unsure about this, contact EH&S office at 482-5357.

Christmas and Other Electrical Decorations

• Use only approved cool bulb lighting strings.

• Ensure that lighting strings are operable and not missing bulbs before they are installed.

• Do not use lighting strings that are frayed, broken, or cut.

• Do not overload the building circuit with lighting strings. To accommodate multiple strings, do not use receptacle splitters. Power strips are acceptable provided they are equipped with a circuit breaker or surge protection device.

• Do not leave Christmas lights unattended while they are illuminated.

• Illumination is not allowed on artificial trees made of metal. This is both a fire hazard and a shocking hazard.

Illegal Drugs & Weapons Policy

The entire campus is considered a “Drug Free Zone” and a “Gun Free Zone” as outlined in Title 40 Section 981.3 and Title 14 Section 95.2 of the Louisiana Revised Statutes.
The University does not condone the possession, use, and/or distribution of marijuana, LSD, or other hallucinogenic substances, narcotics, or drug paraphernalia by anyone. Any individual known to be in possession, using, or distributing such drugs is subject to University disciplinary action, arrest, imprisonment, or can be fined according to state law.

The University prohibits the use or possession of firearms while on campus. Anyone in violation is subject to disciplinary action and/or arrest according to state law.

**Alcoholic Beverages**

**Drug & Alcohol Abuse Policy/Programs**

The University of Louisiana at Lafayette seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety, and welfare of all members of the community. In keeping with these objectives, the University has established a policy and guidelines governing the possession, sale, and consumption of alcoholic beverages on the University campus, and conforming to the laws of Louisiana. The University is committed to promoting the health and safety of its campus community through a program of alcohol education and the implementation of a relevant policy. A copy of this policy may be obtained by going to [http://counselingandtesting.louisiana.edu/content/slidde/alcohol-and-drugs/campus-alcohol-drug-policy](http://counselingandtesting.louisiana.edu/content/slidde/alcohol-and-drugs/campus-alcohol-drug-policy).

The University affirms its adherence to the following principles:

- The misuse and/or abuse of alcoholic beverages and related behavior, such as disorderly conduct, illness due to excessive consumption of alcohol, and destruction of property, pose a danger to an individual member of the University community and to the community at large.
- The promotion of alcoholic beverage consumption as the primary focus of on- or off-campus activities is inappropriate because it invites members of the University community to violate the University regulations and state law.
- Consumption of alcoholic beverages should only be by persons of legal age and by personal choice.
- Those that choose to consume alcoholic beverages should do so responsibly and in moderation.
- Consumption of alcoholic beverages should not be the main focus of an event or the only means of refreshment at an event.
- The responsibility for proper consumption of alcoholic beverages and for compliance with state law rests with each individual member of the University community.
- The University will contact by one and/or letter of underage students who violate the Alcohol Policy.
- The University does not condone the violations of laws proscribing possession, use, or sale of alcoholic beverages and possession, use, sale, manufacture, or distribution of illegal drugs. Members of the UL Lafayette community should know that violations of the laws concerning illegal drugs may lead to disciplinary action, which may include eviction from residence halls, revocation of other privileges, or suspension or expulsion from the University. Disciplinary action may be taken in order to protect the interests of the University and the rights and safety of others.

Abuse of alcohol and drugs can have a dramatic impact on the professional, academic and family life. The University, therefore, encourages members of the community who may be experiencing difficulty with drugs or alcohol to contact the UL Lafayette
Counseling and Testing Center at 220 Hebrard Blvd., OK Allen Hall-Saucier Wellness Center (337) 482-6480.

Sex Offenders Registry

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, The University of Louisiana at Lafayette Police Department is providing a link to the Louisiana State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. Any person who uses information contained in or accessed through the Louisiana State Police Sex Offender and Child Predator Registry Website to threaten, intimidate, or harass any individual, including registrants or family members, or who otherwise misuses this information, may be subject to criminal prosecution or civil liability. The Louisiana State Police is responsible for maintaining this registry. Follow the link below to access the Louisiana State Police website.

http://www.lsp.org/socpr/default.html

Policy on Missing Persons

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify UL Lafayette Police Department at (337) 482-6447. UL Lafayette Police Department will generate a missing person report and initiate an investigation.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so through the UL Lafayette Housing web site. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should the UL Lafayette Police Department determine that the student has been missing for 24 hours, the UL Lafayette Police Department will notify the student’s emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the student’s parent or legal guardian immediately after the UL Lafayette Police Department has determined that the student has been missing for 24 hours. Additionally, UL Lafayette PD will notify all local law enforcement agencies of the missing person as a part of the investigation within 24 hours.

Response to Sexual Assault
Student Code of Conduct

Rape and all forms of sexual assault are violations of the UL Lafayette Code of Conduct.

Male Victims

While most victims of sexual assault are women, some men are also victims. Male victims at UL Lafayette receive the same services as women. Emotional support, counseling about options, information about resources related to legal issues and medical treatment are available to assist all those recovering from sexual assault.

Prevention and Education

Programs and information are available through the UL Lafayette PD Crime Prevention Section (210 Hebrard Blvd.), Student Health Services and Counseling and Testing (220 Hebrard Blvd. - OK Allen- Saucier Wellness Center), Dean of Students Office (200 University Circle, Martin Hall), and the Office of Student Life and Conduct (111 Boucher Street- Buchanan Hall).

Guidelines for Assistance

1- If you are raped or sexually assaulted:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, NOT plastic, bag.
- Get medical attention as soon as possible to make sure you are physically well and to permit the collection of important evidence in the event you may later wish to take legal action.
- Contact UL Lafayette PD (follow procedures outlined on page 1-2 of this brochure.
- Talk with an advocate or a counselor who will maintain privacy, help explain your options, give you information, and provide emotional support.
- Contact someone you trust to be with you and support you.

Past Abuse

Many individuals experience sexual assault and never tell anyone about it at the time of the incident. If you were victimized weeks or years ago, assistance is still available to you. Talking with someone now may help you cope better with abuse from the past, whether it was rape, child sexual abuse, incest, or sexual harassment.

2- Medical Treatment

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries you may have sustained, second, to determine the risk of sexually transmitted diseases or pregnancy and take preventive measures; and third, to gather evidence that could aid criminal prosecution. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of evidence may be diminished.
Immediate Emergency Services

A special exam should be conducted as soon as possible following an assault to ensure your physical well-being and to collect evidence that may be useful in criminal proceedings. The exam can be conducted without the involvement of law enforcement personnel. Even if you have not been physically hurt, this forensic exam is strongly recommended to maintain all your legal options. After the evidence is collected, it can be stored in case you wish to press criminal charges. The exam is generally performed by a Sexual Abuse Nurse Examiner (SANE).

- Students can receive the exam for free by going to the Student Health Services located at Saucier Hall. Additionally, students can go to a local hospital—Lafayette General Hospital or Our Lady of Lourdes. Hearts of Hope and UL Lafayette Counseling and Testing both can provide follow-up care. These locations follow the national standards for victim care, rape exams, and evidence collection procedures.
- Note: Ordinarily the police will be contacted by the Hospital personnel whenever they provide treatment for injuries resulting from a crime. If you seek treatment at a local hospital and the police are contacted, this does not mean that you have to proceed with criminal charges. In addition, it is recommended that a survivor use a hospital in the parish/state where the offense occurred.

Transportation

UL Lafayette PD will provide transportation to the hospital 24/7 and can be reached by calling (337) 482-6447.

Non-Medical Procedures

Even if you do not have evidence collected at the Hospital, it is still important to get medical attention. An exam in this case should include treatment of any physical problems and various lab tests for sexually transmitted diseases and pregnancy. This non-emergency treatment can be arranged with your family doctor or with the Student Health Service (220 Hebrard Blvd. OK Allen Hall- Saucier Wellness Center). Colleges and Universities play an important educational and administrative role in addressing the nation-wide problem of sexual offenses. The University of Louisiana at Lafayette follows its Code of Student Conduct and official University policies including state law in responding to such violations. In compliance with federal and state regulations of 1993, the University now extends this formal policy regarding sexual offenses. This policy also outlines the University's services and programs offering education and treatment with regard to sexual offenses.

3- Response and Consultative Team

When an alleged rape or sexual offense occurs on campus, the University urges students, staff, or visitors to contact UL Lafayette Police Department to report the incident as soon as possible. If the offense occurs off campus, students may still contact the UL Lafayette Police Department who will assist in contacting the appropriate outside agencies. In addition to on-duty police officers, the University has an on-call response team consisting of the Vice President of Student Affairs, Dean of Students, Chief of Police, Office of Student Life and Conduct staff, Counseling and Testing staff, and additional police personnel. In most cases, this team can be assembled from initial contact.
The UL Lafayette PD has investigations and victim’s rights policies in place for direction for police officers to assist the victim and aid in the investigation. The UL Lafayette PD is a member of the communities Sexual Abuse Response Team (SART) and its lead investigator is a member of the SART Board.

The Dean of Students representative, when contacted, will assist the victim with information and resources to assist the survivor with information and resources in order for the victim to make informed decisions regarding the incident. This information would include: assisting the survivor in identifying his or her medical, legal, counseling, and academic needs; identifying the appropriate campus and/or community services to provide necessary assistance; providing follow-up with the survivor to determine if the services have been obtained and have met the survivor’s needs; and explaining options, such as filing a report with UL Lafayette PD and/or LPD, reviewing disciplinary options available through the University’s student disciplinary system, discussing housing options, and acting as an educator about rape and sexual assault. The on-call University administrator can be contacted 24/7/365 by contacting UL Lafayette PD and asking to be contacted by the “Dean on Call.”

4- Counseling and Emotional Support

On Campus

It is a personal decision whether the victim chooses to pursue criminal charges for rape or sexual assault, but the University strongly encourages victims to do so. If students decide not to report a sexual offense crime, they are encouraged to call or have a friend call the police, the Sexual Abuse Response Center, or the Dean of Students Office and report the crime anonymously. Whether the offense is reported or prosecution is pursued, the victim should consult a trained counselor for help in dealing with the emotional aftermath of a rape. Counselors are available at the Counseling and Testing Center on campus (220 Hebrard Blvd. OK Allen Hall-Saucier Wellness Center) and can be contacted by calling (337) 482-6480. Students may be seen by appointment or on an emergency walk in basis. After hours, contact can be made by calling UL Lafayette PD at (337) 482-6447 and asking to be contacted by the “Counselor on Call.” Additionally, Student Health Services (220 Hebrard Blvd. OK Allen Hall-Saucier Wellness Center) and the Sexual Abuse Response Center (337) 237-7273 (available 24/7/365) also offer counseling assistance. Talking with a counselor or psychologist in no way compels a victim to take any further action. They can inform you of common emotional reactions and discuss coping methods that may assist you immediately following the assault and later. Talking about your concerns with a counselor in a safe and supportive environment may help you sort through your feelings and decide what to do. You do not need to disclose your name if you call for a counselor. Counselors will not reveal your identity to anyone without your permission.

If a UL Lafayette Community member becomes the victim of a crime, the UL Lafayette PD Coordinator of Victim Services offers direct services, assistance and referrals. The Coordinator provides assistance to victims/survivors of a sexual assault by assisting them in obtaining the services and better understands their options. The UL Lafayette PD Coordinator works with other University offices and external agencies to assist the victim in receiving effective, comprehensive services and compassionate responses.

Off Campus
The Hearts of Hope and Sexual Abuse Response Center has a Rape Crisis Hotline that provides a confidential 24/7 advocacy and free short term counseling at (337) 237-7273.

5. Reporting to UL Lafayette Police Department

This can be done immediately by following the procedures as addressed on page 1-2 of this document. The reason for reporting to UL Lafayette PD are: 1) to take action which may prevent further victimization, including issuing a Safety and Security Alert to warn the campus community of an impending threat to their safety; 2) to apprehend the assailant; 3) to seek justice for the wrong that has been done to you; and 4) to have the incident recorded for purposes of reporting statistics about incidents that occurred on the campus.

If you choose to report the incident, a UL Lafayette PD officer will take a statement from you regarding what happened. The officer will ask you to describe the assailant(s) and may ask questions about the scene of the crime, any witnesses, and what happened before and after the incident. You may have a support person with you during the interview. Note: Reporting an incident is a separate step from choosing to prosecute. When you file a report, you are NOT obligated to continue with legal proceedings or University disciplinary action. Remember, you can choose whether or not to participate in proceedings at any point.

6. Confidential Reporting

If you are assaulted and do not want to pursue action within the University system or criminal justice system, you may still want to consider making a confidential report. These reports contain the information you provide about the assault, but your name and the name of the person who assaulted you are maintained separately in a confidential supplement to the report. The UL Lafayette Police Department has limited confidential reporting. The department will investigate these assaults and keep your identity confidential as long as doing so does not prevent the University from responding effectively to the assault and protecting other members of the campus community. The University also uses this information to keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of assaults with regard to a particular location, method, or assailant; and alert the campus community to potential danger. State law requires the UL Lafayette Police Department to publish an initial report for all crimes; however, the name of a victim will not be released in sexual assault cases nor will a juvenile's name be released. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution, and are made available to the University's Title IX Coordinator. When you file this report, you are NOT obligated to continue with legal proceedings or University disciplinary action. Remember, you can choose whether or not to participate in proceedings at any point.

7. University Disciplinary Action

If you have been sexually assaulted by another student or group of students and are considering whether to seek disciplinary action against the assailant(s), you are encouraged to discuss the matter with a representative from the Dean of Students (337) 482-6276 or Office of Student Life and Conduct (337) 482-6373. That person will explain the University’s disciplinary process relating to sexual assault. This discussion does not obligate you to pursue official action.
Sanctions for students will be imposed under the guidance of the Office of the Vice President of Student Affairs and in accordance with the University Code of Student Conduct and Appeals Procedures. Sanctions applying to faculty and staff will be in accordance with University policies and procedures for faculty and staff.

A victim may choose to pursue action through the University disciplinary system if the offense was committed by another student. The Office of the Dean of Students is available to advise victims of their rights under the Code of Student Conduct and Appeals Procedures. Individuals accused of sexual assault may also be subject to interim measures pending the completion of the disciplinary process. Those students found responsible for violating the Code of Conduct may be suspended or expelled. Pursuant to the University’s disciplinary procedures, both the accuser and the accused are entitled to have an advisor or support person present during the hearing. Students who alleged sexual assault by another student may request a change in their academic and living situations on campus after the alleged incident takes place if such changes are reasonably available. Finally, in accordance with federal regulations, both the accuser and the accused will be informed of the outcome of any campus disciplinary proceeding alleging sexual assault. For more details on these proceedings, consult the Code of Student Conduct. The University encourages students to report their experience to the Dean of Students Office, even if they choose not to pursue disciplinary action.

The University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined Appendix A Part 99 Title 34, United States Code of Federal Regulations), or non-forcible sex offense, the final results of a University disciplinary proceeding against a student who is the alleged perpetrator. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the alleged victim for the purpose of this policy.

If you have been sexually assaulted or harassed by a non-student UL Lafayette employee, this is a violation of the law and University policy. Students should contact the UL Lafayette PD, Dean of Students, Office of Student Life and Conduct or Title IX Coordinator.

For more information or assistance, please contact:

UL Lafayette Police Department..............482-6447
Counseling & Testing..........................482-6480
Student Personnel............................482-6373
Dean of Students Office.....................482-6276
Sexual Abuse Response Center................233-7273
Student Health Services........................482-6827
Title IX Coordinator...........................482-6242

8. Criminal Investigation and Charges

If you want to press criminal charges, call the UL Lafayette PD so that we can assist you with the legal process. Depending on the timing of your report and preference, it may be possible for you to make a statement in the presence of both a UL Lafayette Police Officer and the judicial affairs officer. If it is possible for the assailant to be apprehended, the suspect may make an initial appearance before an appropriate judicial authority and then be arraigned.
You do not need to be present for these proceedings. The assailant may be jailed or released on bail depending upon the circumstances. One of the usual conditions of bail is that the suspect(s) not make any attempt to contact you. If you are contacted by the suspect or feel threatened in any way, you should immediately call UL Lafayette PD and the local police jurisdiction you reside in if you live off campus. Under some circumstances bail may be revoked and additional charges may be filed if necessary.

9. Title IX Reporting

Individuals may also report a sex offense to the University’s Title IX Coordinator. This individual is responsible for coordinating the University’s compliance with Title IX. This Title IX Coordinator is the Chief Human Resources Officer and is located at 100 University Circle Martin Hall 1st floor and can be contacted at (337) 482-6242.

The UL Lafayette Sexual Harassment Policy and Grievance process can be found on the http://louisiana.edu human resources website.
## Campus Crime Statistics

### 2010 through 2012

University of Louisiana at Lafayette

Crimes reported to the UL Lafayette Police Department, Main Campus

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<tr>
<th>Crimes/Location</th>
<th>2010 Campus Stats</th>
<th>2010 Local Police Department Stats for the 12-Month Period Ending 2010</th>
<th>2011 Campus Stats</th>
<th>2011 Local Police Department Stats for the 12-Month Period Ending 2011</th>
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*Local Police Department Statistics Not Available. We cannot determine if the statistics we obtained from local and/or state law enforcement agencies are for our Clery geography.

- Non-Campus refers to University property not contiguous to the main campus. Campus South to include, Cajun Field (football, basketball, softball, track and athletic complexes), Bourgeois Hall, Blackham Coliseum, Horse Farm, Horticulture Center, Poultry Farm, National Wetlands Research Center, and the University Research Park. Cade Farm and New Iberia Research Center are considered satellite facilities and are listed separately.

- N/A refers to information that was not applicable or was not provided.
## Residence Hall

### Fire Statistics/Fire Safety System

2012

Fires reported to the UL Lafayette Police Department

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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Throughout</td>
<td>Y (Monitored)</td>
<td>Y</td>
</tr>
<tr>
<td>Cajun Village</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Throughout</td>
<td>Single Station</td>
<td>Y</td>
</tr>
</tbody>
</table>
ATTACHMENT
University of Louisiana at Monroe

Report on Sexual Assaults on Campus, 2009 – 2013
This report on rape and sexual assault on campus is prepared and submitted by the University of Louisiana at Monroe ("ULM") to the University of Louisiana System and the Louisiana Board of Regents in response to the July 11, 2014 request of Senator Jean-Paul Morrell, Chair of the Senate Committee on Judiciary B. The requested information is restated followed by the University’s response.

(1) The number of sexual assaults that have been reported on each campus for the preceding five calendar years (1/1/2009 – 12/31/2013).

**RESPONSE:** As described below, a total of six (6) sexual assaults have been reported on the ULM campus during preceding five years (1/1/2009 – 12/31/2013).

<table>
<thead>
<tr>
<th>Calendar Year</th>
<th>Number of Sexual Assaults Reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>0</td>
</tr>
<tr>
<td>2010</td>
<td>1</td>
</tr>
<tr>
<td>2011</td>
<td>3 (including report of one (1) sexual assault alleged to have occurred in 2009)</td>
</tr>
<tr>
<td>2012</td>
<td>1</td>
</tr>
<tr>
<td>2013</td>
<td>1</td>
</tr>
</tbody>
</table>

(2) The number of sexual assault investigations that have been conducted on each campus for the preceding five calendar years (1/1/2009 – 12/31/2013).

**RESPONSE:** The six (6) sexual assaults referenced in ULM’s response to Question 1 were investigated in accordance with University policies and procedures.

(3) The written policy governing sexual assaults on each campus specifically including any sexual assault response employee training requirements.

**RESPONSE:** The following responsive documents are attached to this report.

- Exhibit 2: ULM Counseling Center Procedures for Responding to Sexual Assault
- Exhibit 3: Report on Sexual Awareness, Sexual Misconduct, Sexual Harassment, and Title IX Training Activities, 2009 – to present
(4) The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited to any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.

**RESPONSE:** Investigations of sexual assault and/or rape allegations are conducted by university employees who have been trained in conducting such investigations and certified by the Association of Title IX Administrators (ATIXA). The University’s Sexual Misconduct Complaint Resolution Procedures (Effective July 9, 2012, Revised April 14, 2014) is attached to this report as Exhibit 4.

END OF REPORT
University of Louisiana at Monroe

Report on Sexual Assaults on Campus, 2009 – 2013

EXHIBIT 1

ULM SEXUAL MISCONDUCT COMPLAINT POLICY
SEXUAL MISCONDUCT COMPLAINT
POLICY

Department of Human Resources
Effective: July 9, 2012
Revised: April 14, 2014

FORWARD

It is the policy of the University of Louisiana at Monroe that all employees, students, visitors, and
authorized users of the university’s facilities be able to enjoy a campus environment free from all
forms of harassment based upon race, sexual orientation, age, gender, national origin, religion,
color, disability, or veteran status.

Politeness and friendliness are virtues that members of the university community seek to
demonstrate in their day-to-day interactions. Rude and/or hostile behaviors not only violate the
university’s tradition of respect for others, but also they undermine rational discourse and
interfere with the educational process.

The University of Louisiana at Monroe is committed to offering all employees, students, visitors,
and authorized users of university facilities a campus environment free from all forms of sexual
misconduct and workplace harassment. No employee (i.e., staff, faculty, or administrator) or
student, male or female, should be subjected to unsolicited and unwelcome verbal or physical
overtures or conduct. All members of the university community should be treated with dignity
and fairness without harassing conduct, which stifles productivity and hampers academic and
professional motivation.

All students, faculty, staff, administrators, and contracted personnel will be held accountable for
compliance with this policy; any violation of this policy may lead to disciplinary action to include
suspension or removal. Every member of the university community is hereby apprised that
sexual misconduct may subject an individual not only to institutional discipline but also to
personal liability. In cases where it is determined that sexual misconduct may have occurred,
the university will take appropriate disciplinary action with or without the concurrence of the
complainant.

Further, it is incumbent upon all members of the university community to report documentable
instances of sexual misconduct. Failure to do so could result in disciplinary action up to and
including suspension or termination. Any person who receives or becomes aware of a
complaint of sexual misconduct or other violation of this policy should report the complaint to the
Title IX/EOO coordinator as soon as possible (normally within two work days of being made
aware of the violation).

The health, safety, and well-being of students, employees, campus visitors, and authorized
users are the university’s primary concern. If you or someone you know may be the victim of
any form of sexual misconduct, you are strongly urged to seek immediate assistance.
If the University is open, employees, students and non-students may file a report in person during regular business hours (7:30 a.m. to 5:00 p.m., Monday – Thursday; 7:30 a.m. to 11:30 a.m., Friday) with the Title IX/EOO coordinator in Student Services, Student Center 239:

Pamela Jackson, M.Ed.
Interim Dean of Students, Student Affairs
Title IX Coordinator
Office of Student Services
University of Louisiana Monroe
700 University Ave, Student Center 239
Monroe, LA 71209-2300
(318) 342-5230 (voice)
(318) 342-3494 (fax)

Assistance can be obtained 24 hours a day, seven days a week from the following:

- University Police
  - 1-911, emergency; on-campus
  - (318) 342-5350, off campus

- Local Hospitals:
  - Glenwood Regional Medical Center: (318) 329-4200
  - University Health Conway: (318) 330-7000
  - St. Francis Medical Center: (318) 966-4000

In addition, the ULM Counseling Center (342-5220) and the ULM Student Health Center (342-1651), both located at 1140 University Avenue, offer medical services, guidance, and support in collaboration with the Student Services Office (318-342-5230) located in the Student Center. Room 239.

A report of sexual misconduct can also be filed online 24 hours a day by clicking on the following link: [http://www.ulm.edu/titleix](http://www.ulm.edu/titleix).
OVERVIEW AND PURPOSE

This policy covers complaints of alleged sexual misconduct that involves a student or employee either as an alleged perpetrator (accused) or as the victim (complainant). Sexual misconduct, as defined by the Policy and Procedure for Sexual Misconduct Complaints (hereafter referred to as "Policy"), comprises a broad range of behaviors that will not be tolerated in the university's community of trust. For purposes of this Policy, sexual misconduct includes sexual exploitation, sexual harassment, non-consensual sexual contact, and non-consensual sexual intercourse, each as more fully defined below.

Sexual misconduct violates university policy and federal civil rights law and may also be subject to criminal prosecution. The university is committed to fostering a community that promotes prompt reporting of all types of sexual misconduct, as well as timely and fair resolution of sexual misconduct complaints. Creating a safe environment is the responsibility of all members of the university community.

As a public institution, the university also must provide due process to students or employees accused of sexual misconduct. This Policy is designed to provide a fair process for both parties while ensuring a complainant's protections under Title IX. Consistent with due process, the accused is presumed not responsible until proven otherwise under this Policy.

The university is also required and committed to upholding the First Amendment of the United States Constitution. Nothing in this policy is intended to abridge the rights or freedoms guaranteed by the First Amendment.

DEFINITIONS

Appeals Committee - the group of employees who will be appointed by the president from the group of trained employees to hear appeals of determinations of complaints regarding sexual harassment. The composition of the committee will include full time faculty and staff employed by the university. The faculty committee members should be tenured and hold a nine- or twelve-month appointments.


Dating Violence - violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence - includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
Effective Consent - words or actions that show a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Effective consent cannot be gained by force, by ignoring or acting without regard to the objections of another, or by taking advantage of the incapacitation of another where the accused knows or reasonably should have known of such incapacitation. Effective consent is also absent when the activity in question exceeds the scope of effective consent previously given. Incapacitation may, but does not always, affect whether someone is knowingly and voluntarily engaging in particular conduct. See Incapacitation.

Force - physical force, violence, threat, intimidation, or coercion.

Hostile Environment - environment created by harassment based upon sex or on gender stereotypes which, because it is so severe or pervasive, unreasonably interferes with a person's University employment, academic performance or participation in University programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile, or offensive.

Human Resources Office - the office of Human Resources, located in Coenen Hall, Room 115.

Incapacitation - the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol or other drug is involved, one does not have to be intoxicated or drunk to be considered incapacitated. Rather, incapacitation is determined by how the alcohol consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the accused knew, or a sober, reasonable person in the position of the accused should have known, that the complainant was incapacitated. Because incapacitation may be difficult to discern, individuals are strongly encouraged to err on the side of caution (i.e., when in doubt, assume that another person is incapacitated and therefore unable to give effective consent). Being intoxicated or drunk is never a defense to a complaint of sexual misconduct under this Policy.

Investigators - the individuals designated by the president to conduct investigations of alleged sexual misconduct, and to determine whether there is good cause to grant a hearing as further described below.

Non-Consensual Sexual Contact - sexual contact that occurs without effective consent.

Non-Consensual Sexual Intercourse - any sexual intercourse, however slight, which occurs with any object by a man or woman upon a man or woman and which is by force and/or without consent. Intercourse includes vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the contact or penetration.

Preponderance of Evidence - the information shows that it is "more likely than not" that the accused individual violated this Policy.

Sexual Assault - a forcible or nonforcible sex offense as further defined in the Clery Act. A single instance of sexual assault can constitute a hostile environment.

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1 Sokolow, Brett A., Lewis W. Scott, Shuster, Saundra K., NCHERM Institute on Responding to Campus Sexual Misconduct. 2010, p. 49.
Sexual Contact - the deliberate touching of a person’s intimate parts, including genitalia, groin, breast, buttocks, or clothing covering any of those areas; or using force to cause a person to touch his or her own intimate parts or the intimate parts of another person.

Sexual Exploitation - taking sexual advantage of another person without effective consent and includes, without limitations, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing, or transmitting identifiable images of private sexual activity and/or the intimate parts of another person, including genitalia, groin, breasts, or buttocks; allowing third parties to observe private sexual acts; engaging in voyeurism; and/or knowingly or recklessly exposing another person to a significant risk of sexually-transmitted infection, including HIV.

Sexual Harassment - any unwelcome conduct of a sexual nature. Sexual harassment includes, but is not limited to, unsolicited, deliberate, or repeated:

1. Frequent and/or repeated touching, sexual flirtation, advances, or propositions which are not welcomed and/or desired;

2. Unwelcome jokes, stories, comments, innuendos, or other sexually-oriented statements which are specifically designed to embarrass or humiliate through their sexual subject matter content;

3. Unwelcome sexual communication, such as graphic or degrading comments about one’s gender related to personal appearance;

4. Unwelcome sexual advances, requests for sexual favors, or other offensive verbal or physical contact of a sexual nature;

5. Unwelcome display of sexually-explicit materials, objects, or pictures in an individual’s place of work or study;

6. Creating or arranging situations specifically designed to violate privacy in an unwelcome and undesired manner.

Sexual Intercourse - includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the contact or penetration.

Sexual Misconduct - a broad term encompassing sexual exploitation, sexual harassment, non-consensual sexual contact, and non-consensual sexual intercourse, as defined in this Policy. Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate sexual relationship. Sexual misconduct can be committed by men or women, and it can occur between people of the same or different sex.

Student Services Office - the office of Student Services/Student Conduct, located in the Student Center, Room 239.

Stalking - engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.
Standards of Conduct - the University's Standards of Conduct.

Title IX Coordinator – individual whose responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

University - the University of Louisiana at Monroe.

JURISDICTION

Personal Jurisdiction

Any person may file a complaint of sexual misconduct against employees, students, visitors, and authorized users of university facilities and/or resources under this Policy. A university student means any student who is registered or enrolled at the university (a) at the time of the alleged sexual misconduct (including sexual misconduct that is alleged to have occurred during any academic recess), provided that there is an expectation of such student's continued enrollment at the University; and (b) at the time that a formal complaint is delivered to the Investigators.

Geographic Jurisdiction

This Policy applies to any allegation of sexual misconduct that involves a university student or employee regardless of where the alleged sexual misconduct occurred. Although there is no geographical limitation to invoking this Policy, sexual misconduct that is alleged to have occurred at a significant distance from the university may be more difficult to investigate. In addition, with respect to any complaint (a) by a person who is not a member of the university community and (b) relating to conduct that occurs off of the physical property of the University but which is sufficiently related to the university, the university reserves the right to determine, in its sole discretion, whether the conduct described in the complaint constitutes a sufficient risk to the university community to warrant investigating the complaint.

TIMING

Timing of Complaints and Availability of Procedures

If it is determined that there is personal jurisdiction over the accused student, there is no time limit to invoking this Policy in responding to complaints of alleged sexual misconduct. Nevertheless, individuals are encouraged to report alleged sexual misconduct immediately in order to maximize the university's ability to obtain evidence and conduct a thorough, impartial, and reliable investigation. Failure to promptly report alleged sexual misconduct may result in the loss of relevant evidence and witness testimony and may impair the university's ability to enforce this Policy.
RETALIATION AND RELATED MISCONDUCT

Retaliation

It is a violation of university policy, as well as state and federal laws, to retaliate against any person making a complaint of sexual misconduct or against any person cooperating in the investigation of any allegation of sexual misconduct, including testifying as a witness. The university will not tolerate any form of retaliation against any employee, student, or others for filing a bona fide complaint under this Policy or for assisting in a complaint investigation. For these purposes, retaliation includes intimidation, threats, harassment, and other adverse actions threatened or taken against any such complainant or third party. Retaliation should be reported promptly to the Title IX coordinator and may result in disciplinary action independent of the sanctions or interim measures imposed in response to the underlying allegations of sexual misconduct.

Other Related Misconduct

In accordance with this Policy, the Title IX coordinator is empowered to hear allegations of sexual misconduct and any violations of the University’s Standards of Conduct directly related to the alleged sexual misconduct or any alleged violations of this Policy, as well as to recommend sanctions in response. Such related misconduct may include, without limitation, violations of rules of privacy, violations of university directives, and/or violations of other Standards of Conduct that occurred in the course of the alleged sexual misconduct.

Individuals who participate in the investigation process, whether as parties to the investigation or as witnesses, are expected to provide truthful information in accordance with the university’s Standards of Conduct. It is not the practice of the university to pursue disciplinary action against a complainant or witness for his or her improper use of alcohol or drugs (e.g., underage drinking), provided that such student is acting in good faith as a complainant or witness to the events of the alleged sexual misconduct.

CRIMINAL PROCEEDINGS

Effect of Criminal Proceedings

Since sexual misconduct may constitute both a violation of university policy and criminal activity, the university encourages individuals to report alleged sexual misconduct promptly to law enforcement agencies. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether sexual misconduct for purposes of this Policy has occurred. In other words, conduct may constitute sexual misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute.

The filing of a complaint of sexual misconduct under this Policy is independent of any criminal investigation or proceeding. Except that the university’s investigation may be delayed temporarily while criminal investigators are gathering evidence, the university will not wait for the conclusion of the criminal investigation or proceedings to commence its own investigation and take interim measures to protect the complainant and the university community as necessary.

Victims of domestic violence, dating violence, sexual assault, or stalking have a right to notify or not notify proper law enforcement authorities, including on-campus and local police and may
also opt to be assisted by campus authorities in notifying such authorities if the student or employee so chooses. In the event that incidents which meet the definition of domestic violence, dating violence, sexual assault, or stalking are reported through this complaint policy, additional information will be provided to the complainant in accordance with the Clery Act.

**ROMANTIC RELATIONSHIPS IN POWER DIFFERENTIALS**

Louisiana law does not allow the university to prohibit romantic relationships between faculty and students, teaching assistants and students, supervisors and subordinates, or employees and students; but such relationships are deemed unwise and inappropriate and therefore are strongly discouraged. Employees and students should be aware that such consensual romantic relationships could lead to charges of misconduct, particularly if these relationships involve a significant power differential, as they place the individuals involved in a working or learning environment which may be uncomfortable or negative.

If a personal relationship should develop between two people with power differentials, anyone with a supervisory or educational responsibility for the employee, faculty member, or student should arrange with his or her supervisor to divest himself/herself of that responsibility. These relationships may be subject to concerns about the validity of consent, conflicts of interest, and unfair treatment of other students or employees. Further, such relationships can undermine the atmosphere of trust essential to the educational process and the employment relationship.

**ACADEMIC FREEDOM**

It is important to safeguard academic freedom and protect the openness and integrity of the teaching process inside the classroom. As such, it is understood that discussion of certain sexual topics and/or touching of students within certain classroom settings may well be professionally appropriate and do not necessarily constitute sexual misconduct. The context of the actions will be considered in determining whether allegations are appropriately addressed under this Policy or another university policy.

**THE PROCESS**

Upon delivery of a complaint to the Title IX coordinator, the complaint will be reviewed to determine its validity and identify options for possible resolution. All proceedings will be kept confidential to the extent required under state and federal law and to the extent possible under each specific set of circumstances.

**Informal Resolution**

**Introduction:** A complainant who wishes to file a formal complaint but does not wish to pursue Formal Resolution may request a less formal proceeding, known as “Informal Resolution.” Although less formal than Formal Resolution, Informal Resolution is an appropriate resolution process; it is not mediation.

**Purpose of Informal Resolution:** Informal Resolution is not acceptable for acts of sexual violence or sexual assault. Informal resolution provides an opportunity for the complainant to ensure that the Accused is made aware of his or her complaint by the university. The Title IX coordinator or delegate will notify the Accused of the complaint. Additionally, the Complainant can be offered an opportunity to confront the accused, if they so wish, in the presence of and facilitated by the Title IX coordinator and to communicate his or her feelings and perceptions
regarding the incident, the impact of the incident, and his or her wishes and expectations regarding protection in the future. The accused individual will have an opportunity to respond during this meeting.

**Informal Resolution Where Accused Acknowledges Responsibility:** If, during the course of the Informal Resolution, the accused individual elects to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct, the Title IX coordinator will propose a sanction(s). If both the Complainant and the Accused agree to such proposed sanction(s), the complaint will be resolved without any further rights of appeal by either party. If the accused individual fails to agree to the proposed resolution, the Formal Resolution process will be initiated.

**Informal Resolution Where Accused Contest Responsibility:** If the accused individual contests the complaint, the Title IX coordinator may impose temporary remedial measures if determined necessary. Based on information derived from the Informal Resolution proceedings and any other relevant information known to the university at the time of the Informal Resolution, Formal Resolution processes may be initiated.

**Temporary Remedial Measures:** As early as possible, the Title IX coordinator will determine whether temporary remedial measures are warranted, such as suspension from employment with or without pay, suspension from classes, issuance of a no-contact directive, reassignment of job duties, or changing class or classroom assignments. If immediate action is required to protect the complainant, the Title IX coordinator shall work with the appropriate administrator to implement such measures.

**Advisors:** The complainant and the accused may each bring an advisor to the Informal Resolution if desired. This individual can serve in a supportive capacity or may speak on the party’s behalf during the resolution meeting. The Title IX coordinator or delegate will preside over the Informal Resolution and may elect to be assisted by a trained member of the university staff.

**Election of Formal Resolution:** The university or the complainant may, at any time prior to the conclusion of the Informal Resolution, elect to end such proceedings and initiate a Formal Resolution instead. In such cases, statements or disclosures made by the parties in the course of the Informal Resolution may be considered in the subsequent Formal Resolution.

**Privacy of Informal Resolution:** In order to promote honest, direct communication, information disclosed during Informal Resolution must remain private while the Informal Resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the university.

**Formal Resolution**

**Purpose of Formal Resolution:** In the event that Informal Resolution is not utilized or is ineffective in resolving the complaint, a preliminary investigation will be conducted by the Title IX coordinator as part of the Formal Resolution process. The Title IX coordinator will determine whether there is sufficient evidence to support the sexual misconduct allegations and will provide the parties with a written decision as to whether there is sufficient evidence to indicate that the allegation of sexual misconduct has merit.
Investigation Process: The Title IX coordinator may transfer the complaint to a different complaint process or may initiate a formal investigation if it is determined that sufficient evidence exists to warrant further investigation. Both the complainant and the accused will receive information from the Title IX coordinator in writing relative to any instructions regarding the investigation process, to include an anticipated timeline for completion.

Parties to the complaint are not to conduct their own investigations such as gathering witness statements and evidence but are encouraged to provide any relevant information to the Title IX coordinator for consideration in the investigation process, including names of potential witnesses. Both parties are encouraged to provide information to the Title IX coordinator including relevant documents and names of potential witnesses to be contacted by a university-appointed investigator.

Timeline: The anticipated timeline to complete such an investigation will depend on the complexity of the investigation and the severity and extent of the harassment. The parties will be informed by the Title IX coordinator if the time period for the investigation extends past the timeline that is initially anticipated, and the coordinator’s decision regarding extensions will be final.

Determination: The Title IX coordinator will receive the investigation reports and will make a recommendation regarding a determination that is designed to bring an end to any discriminatory conduct, reasonably prevent its recurrence, and remedy any effects on the victim. Both parties will be notified in writing regarding the Title IX coordinator’s determination through the issuance of a Determination Letter as well as a Memorandum Opinion. Upon written request, either party to the complaint has the opportunity to review the information that was considered by the Investigator at a mutually-agreeable time and location on the university campus as determined by the Title IX coordinator. In the event the determination is that faculty or employee employment actions should take place, such actions will conform with all required employee/faculty procedures and requirements that are relevant to the particular individual’s employment.

Appeal: The Title IX coordinator’s Determination Letter can be appealed in writing by either party to the Appeals Committee within seven (7) calendar days. The Appeals Committee will consider all information generated in the investigation and any additional information provided by either party before rendering a written recommendation to the university president. The president will either uphold or overturn the Title IX coordinator’s determination or put forward a combination thereof.

The Appeals Committee will provide the opportunity for the Complainant and Accused to appear before the committee to provide a verbal or written statement. The Appeals Committee also may ask either party to provide additional information to the committee.

Advisors: Legal counsel or advisors may be present at this time on behalf of either party. Such counsel may consult privately with and advise the parties during the process but may not directly address the Committee on behalf of either party. An advisor/legal counsel may not direct questions or comments to the committee but may consult with the individual being assisted. Members of the committee may ask clarifying questions.

Final Determination: The Appeals Committee will generate a report to the president, who will review the Appeals Committee’s report and make a decision regarding the status of the
employee or student. This decision may be appealed to the University of Louisiana System Board of Supervisors pursuant to any UL System Appeals Process that may be in effect.

All written determinations and reports shall comply with Title IX and Clery Act requirements, as well as any other applicable laws and regulations.

Privacy of Formal Resolution: In order to promote honest, direct communication, information disclosed during Formal Resolution must remain private while the Formal Resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the university.

Amendments:

This policy may be amended in writing by the president or the president's designee at any time.

Adopted:

[Signature]

Authorizing Agent

[Title]

Date

Revised: November 13, 2013
EXHIBIT 2

ULM COUNSELING CENTER PROCEDURES
RESPONDING TO SEXUAL ASSAULT
ULM Counseling Center Procedures

Responding to Sexual Assault
As one of the first points of contact for a victim of sexual assault, it is important for the Counseling Center staff to provide sensitive care and support to ensure that the student is not re-traumatized as a result of reporting the incident.

When a counselor is made aware of a sexual assault, their first responsibility is to ensure the immediate safety of the victim regardless of when the assault occurred. Once the victim is safe, it is important for the counselor to remember that their role is not to assess or to define the assault, or to determine whether or not the assault actually occurred. The counselor’s primary responsibility is to remain supportive of the victim.

Helpful immediate responses:
- Listen without interrupting. Encourage the student to take their time, if necessary.
- Remain calm and concerned.
- Respect the language the student is using to identify what has happened.
- Understand that individuals from different cultural backgrounds may express or experience their reactions to an assault in different ways.
- Allow for tears and expression of feelings.
- Validate the student’s experiences or reactions.
- Believe and support the student.
- Acknowledge courage and discomfort.
- Remind the student that they are not at fault.
- Help the student identify safe individuals within their existing support system.
- Encourage the student to seek medical attention.
- Recommend that the student continue with counseling in order to aid in their recovery process.
- Allow the student to make their own decisions.
- Provide resources and options.

The Importance of a Medical Examination:
- It is very important that a victim of sexual assault go promptly to a nearby hospital emergency room to ensure their physical health and to assist in the successful apprehension and prosecution of the perpetrator should the student make the decision to press charges.
- The victim should not wash, take a shower or change clothes prior to being examined so that physical evidence can be collected.
- If possible, suggest that the victim bring a change of clothes with them to the hospital, or have someone do so for them, since the clothing worn during the assault will most likely be collected by the medical team.
- The victim should receive treatment for physical injuries and be tested for sexually transmitted diseases (STDs), including HIV, at a hospital or at a health clinic. The ULM Health Clinic is available to assist with these services.
- Seeing the doctor and having an evidentiary rape kit completed does not mean the victim must prosecute their attacker, but it does increase the potential for success if the victim chooses to do so.

Student Safety and Formal Complaint Information:
- After a sexual assault has occurred, it is extremely important to ensure the victim’s personal safety. If they fear their attacker knows their whereabouts, it is very important to assist the student in locating safe housing. Temporary living arrangements may need to be made so the victim will have a safe place to stay. If the student resides in campus housing, Residential Life
may assist in reassigning the student to a residence hall room in an undisclosed location. If the student resides off-campus, Wellspring can assist by providing temporary safe housing in the community. Other options include family and friends.

- Restraining orders, which prevent the attacker from contacting the victim, are available through the court system. The Family Justice Center can assist with this process.
- If the attacker is a student, the Office of Student Services can also mandate that the attacker have no contact with the victim. To file a complaint with this office, the victim completes an online Incident Reporting Form located at http://www.ulm.edu/titleix/.
- If the attacker is a faculty or staff member, the victim can file a complaint with Human Resources.
- ULM’s Title IX Policy, located at http://www.ulm.edu/titleix/, addresses sexual misconduct complaints against students, faculty, and staff and provides detailed information on the procedures to follow if sexual violence has occurred.
- According to Title IX, the Counseling Center and the ULM Health Clinic are considered confidential resources and are exempt from reporting the incident.
- If the perpetrator is associated with the University (student, faculty, staff), the victim has a choice as to whether to make a formal complaint with University Police and/or to pursue disciplinary action against the perpetrator through the Office of Student Services. Title IX complaints are also made through the Office of Student Services. **If the victim informs the counselor they do not want to make a formal complaint, the counselor should request that they sign a Refusal to File a Formal Complaint Form.

Resource Information:
- University Police Department – 342-5350 or 1-911 from campus phone
- Monroe Police Department – 329-2600
- ULM Health Clinic – 342-1651
- Local Emergency Room – St. Francis North, 309 Jackson St., Monroe, LA – 966-4000 or Biomedical Research Foundation Hospital, 4864 Jackson St., Monroe, LA - 330-7000
- Office of Student Services (ULM) – 342-5230
- The Wellspring Counseling and Family Development Center – 323-1505
- Family Justice Center – 998-6030
- Residential Life (ULM) – 342-5246
EXHIBIT 3

ULM SEXUAL AWARENESS, SEXUAL MISCONDUCT, SEXUAL HARASSMENT AND TITLE IX TRAINING SESSIONS
### The University of Louisiana at Monroe

**Sexual Awareness, Sexual Misconduct, Sexual Harassment, & Title IX Training**

<table>
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<tr>
<th>DATE</th>
<th>TRAINING</th>
<th>SUBJECT OF TRAINING</th>
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<td>9/15/2009</td>
<td>Training for Students</td>
<td>Victimization and Abuse - Presented by Sandy Dietle, Counselor for the ULM Counseling Center</td>
</tr>
<tr>
<td>9/17/2009</td>
<td>Training for Students</td>
<td>Self-Defense: Are You Prepared to Protect Yourself - Hosted by ULM Counseling Center and presented by Captain Dan Chason, ULM Police Department</td>
</tr>
<tr>
<td>10/7/2009</td>
<td>Training for Students</td>
<td>Sexual Assault Awareness - Presented by Karen Foster, Director of the ULM Counseling Center</td>
</tr>
<tr>
<td>10/14/2009</td>
<td>Training for Residents on Campus</td>
<td>Sexual Assault Awareness (Residents) - Presented by Karen Foster, Director of the Counseling Center</td>
</tr>
<tr>
<td>11/9/2009</td>
<td>Training for Counselors</td>
<td>ULM Counseling Center staff attended &quot;College Sexual Assault Prevention&quot; Conference in Baton Rouge. Hosted by the Louisiana Foundation Against Sexual Assault.</td>
</tr>
<tr>
<td>12/3/2009</td>
<td>Training for Students</td>
<td>ULM Counseling Center Director, Karen Foster, served as panel member for Violence Prevention and Intervention Program’s Domestic Violence Forum</td>
</tr>
<tr>
<td>9/22/2010</td>
<td>Training for Residents on Campus</td>
<td>Alcohol and Acquaintance Rape: Strategies to Protect Yourself - Presented by Karen Foster, Director of the ULM Counseling Center</td>
</tr>
<tr>
<td>10/13/2010</td>
<td>Training for Students</td>
<td>Domestic Violence Awareness - Presented by Sandy Dietle, Counselor for the ULM Counseling Center</td>
</tr>
<tr>
<td>11/16/2010</td>
<td>Training for Students</td>
<td>Abusive Relationships - Presented by Sandy Dietle, Counselor for the ULM Counseling Center. Program conducted for Interpersonal Communication class.</td>
</tr>
<tr>
<td>12/7/2010</td>
<td>Training for Counselors</td>
<td>ULM Counseling Center staff participated in Green Dot Bystander Training presented by the Violence Prevention and Intervention Program</td>
</tr>
<tr>
<td>2/23/2011</td>
<td>Outreach to Students</td>
<td>ULM Counseling Center provided students in Student Union Building with brochures and informative material on sexual assault prevention and resources available to victims of sexual assault.</td>
</tr>
<tr>
<td>2/23/2011</td>
<td>Training for Residents on Campus</td>
<td>Sexual Assault Awareness - Presented by Sandy Dietle, Counselor for the ULM Counseling Center</td>
</tr>
<tr>
<td>3/2/2011</td>
<td>Training for Residents on Campus</td>
<td>Sexual Assault Awareness - Presented by Monetta Givens, Counselor for the ULM Counseling Center. Program conducted in Masur Hall.</td>
</tr>
<tr>
<td>4/13/2011</td>
<td>Training for Students</td>
<td>Sexual Assault Awareness - Presented by Sandy Dietle, Counselor for the ULM Counseling Center</td>
</tr>
<tr>
<td>4/14/2011</td>
<td>Training for Students</td>
<td>ULM Counseling Center Counselor, Sandy Dietle, served as panel member for Violence Prevention and Intervention Program’s Sexual Assault Forum.</td>
</tr>
<tr>
<td>5/5/2011</td>
<td>Training for Counselors</td>
<td>ULM Counseling Center staff attended &quot;Dating Violence/Sexual Assault/Stalking Awareness&quot; program presented by Violence Prevention and Intervention Program.</td>
</tr>
<tr>
<td>8/16/2011</td>
<td>Training for Faculty</td>
<td>An Overview from the Office of Civil Rights Title IX’s Application of Sexual Harassment and Sexual Violence - Presented by Dr. Wayne Brumfield, Camile Currier and Pamela Jackson</td>
</tr>
<tr>
<td>9/8/2011</td>
<td>Training for Residents on Campus</td>
<td>Sexual Assault Awareness - Presented by Karen Foster, Director of the ULM Counseling Center</td>
</tr>
<tr>
<td>9/22/2011</td>
<td>Training for Residents on Campus</td>
<td>Sexual Assault Awareness - Presented by Karen Foster, Director of the ULM Counseling Center</td>
</tr>
<tr>
<td>10/17/2011</td>
<td>Title IX Coordinator Training and Certification</td>
<td>Title IX Coordinator and Administrator Training and Certification through NCHERM/ATIXA - Katrinna Branson and Pamela Jackson</td>
</tr>
<tr>
<td>11/15/2011</td>
<td>Training for Students</td>
<td>Domestic Violence - Presented by Traci Clark, Counselor for the ULM Counseling Center. Program conducted for Interpersonal Communication class.</td>
</tr>
<tr>
<td>1/9/2012</td>
<td>Training for Employees</td>
<td>EEO Training by Winston DeCuir</td>
</tr>
<tr>
<td>3/9/2012</td>
<td>Training for Counselors</td>
<td>ULM Counseling Center staff participated in Title IX Training.</td>
</tr>
<tr>
<td>2/13/2012</td>
<td>Training for Students</td>
<td>Dating Violence/Sexual Assault/Stalking Awareness - Presented by Dr. Hanser and Dr. Saulsberry</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
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<tr>
<td>2/16/2012</td>
<td>Training for Students</td>
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<tr>
<td></td>
<td>Dating Violence/Defense Awareness - Presented by Chason</td>
<td></td>
</tr>
<tr>
<td>2/27/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>Green Dot Bystander Training</td>
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<tr>
<td>2/29/2012</td>
<td>Training for Hearing Boards</td>
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<tr>
<td></td>
<td>Service-Learning and Addressing Sexual Violence and Abuse on Campus (Webinar)</td>
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</tr>
<tr>
<td>3/15/2012</td>
<td>Training for Students</td>
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<tr>
<td></td>
<td>Dating Violence/Defense Awareness - Presented by Chason</td>
<td></td>
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<tr>
<td>3/19/2012</td>
<td>Training for Students</td>
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<tr>
<td></td>
<td>Green Dot Bystander Training</td>
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<tr>
<td>3/23/2012</td>
<td>Training for Hearing Boards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The ATIXA Civil Rights Investigation Model (Webinar)</td>
<td></td>
</tr>
<tr>
<td>3/28/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>Dating Violence/Defense Awareness - Presented by Chason</td>
<td></td>
</tr>
<tr>
<td>4/2/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>Domestic Violence Forum with Dr. Hanser &amp; Dr. Saulsberry</td>
<td></td>
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<tr>
<td>4/17/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>Dating Violence Defense Awareness</td>
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<tr>
<td>4/19/2012</td>
<td>Training for Students</td>
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<tr>
<td></td>
<td>Dating Violence/Sexual Assault/Stalking Awareness with Renee Smith (Chief DV Investigator, OPSO)</td>
<td></td>
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<tr>
<td>4/19/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>ULM Counseling Center Counselor, Traci Clark, served as panel member for Violence Prevention and Intervention Program’s Sexual Assault Forum</td>
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<tr>
<td>4/23/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>Rape/Agression Self Defense (RAD) by Dr. Robert Hanser</td>
<td></td>
</tr>
<tr>
<td>6/16/2012</td>
<td>Title IX Investigator Training and Administrator Certification</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Investigator Training and Certification for Title IX through ATIXA- Pamela Jackson, Camille Currier, Katrina Branson and Robert Bice</td>
<td></td>
</tr>
<tr>
<td>7/17/2012</td>
<td>Training for Hearing Boards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sexual Misconduct and Title IX investigations (Webinar)</td>
<td></td>
</tr>
<tr>
<td>8/15/2012</td>
<td>Training for Counselors</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ULM Counseling Center staff participated in Title IX Training.</td>
<td></td>
</tr>
<tr>
<td>9/11/2012</td>
<td>Training for Residents on Campus</td>
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<tr>
<td></td>
<td>Sexual Assault Awareness - Presented by Traci Clark, Counselor for the ULM Counseling Center.</td>
<td></td>
</tr>
<tr>
<td>10/9/2012</td>
<td>Training for Residents on Campus</td>
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<tr>
<td></td>
<td>Sexual Assault Awareness - Presented by Traci Clark, Counselor for the ULM Counseling Center.</td>
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</tr>
<tr>
<td>10/16/2012</td>
<td>Training for Residents on Campus</td>
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<tr>
<td></td>
<td>Sexual Assault Awareness - Presented by Traci Clark, Counselor for the ULM Counseling Center.</td>
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</tr>
<tr>
<td>10/19/2012</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>Title IX Training for Res. Life Staff (RA’s and HD’s) - Presented by Katrina Branson</td>
<td></td>
</tr>
<tr>
<td>10/31/2012</td>
<td>Training for Employees</td>
<td></td>
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<tr>
<td></td>
<td>Employee and EEO</td>
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</tr>
<tr>
<td>11/7/2012</td>
<td>Training for Students</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relationship Abuse - Presented by Traci Clark, Counselor for the ULM Counseling Center, Interpersonal Communication class.</td>
<td></td>
</tr>
<tr>
<td>4/18/2013</td>
<td>Training for Students</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ULM Counseling Center Director, Karen Foster, served as panel member for Violence Prevention and Intervention Program’s Sexual Assault Forum</td>
<td></td>
</tr>
<tr>
<td>5/26/2013</td>
<td>Training for Hearing Boards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Violence Against Women Act UPDATE: What Campuses Need to Know &amp; Do (Webinar)</td>
<td></td>
</tr>
<tr>
<td>8/14/2013</td>
<td>Training for Employees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Title IX Training - Presented by Wesley Johnson, Attorney at Law</td>
<td></td>
</tr>
<tr>
<td>8/27/2013</td>
<td>Training for Residents on Campus</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sexual Assault Awareness - Presented by Karen Foster, Director of the ULM Counseling Center (2 sessions)</td>
<td></td>
</tr>
<tr>
<td>8/28/2013</td>
<td>Training for Residents on Campus</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sexual Assault Awareness - Presented by Traci Clark, Counselor for the ULM Counseling Center (2 sessions)</td>
<td></td>
</tr>
<tr>
<td>10/1/2013</td>
<td>Training for Students</td>
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<tr>
<td></td>
<td>Dating Violence - Presented by Karen Foster, Director of the ULM Counseling Center.</td>
<td></td>
</tr>
<tr>
<td>10/23/2013</td>
<td>Training for Employees</td>
<td></td>
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<tr>
<td></td>
<td>Make-up Title IX Training - University</td>
<td></td>
</tr>
<tr>
<td>10/29/2013</td>
<td>Training for Students</td>
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</tr>
<tr>
<td></td>
<td>Dating Violence - Presented by Karen Foster, Director of the ULM Counseling Center.</td>
<td></td>
</tr>
<tr>
<td>10/30/2013</td>
<td>Training for Students</td>
<td></td>
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<tr>
<td></td>
<td>ULM Counseling Center Director, Karen Foster, served as panel member for Violence Prevention and Intervention Program’s Domestic Violence Forum</td>
<td></td>
</tr>
<tr>
<td>11/14/2013</td>
<td>Training for Employees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Make-up Title IX Training - University</td>
<td></td>
</tr>
<tr>
<td>11/20/2013</td>
<td>Training for Students</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Destructive Relationships - Presented by Karen Foster, Director of the ULM Counseling Center, Interpersonal Communication class.</td>
<td></td>
</tr>
<tr>
<td>11/21/2013</td>
<td>Training for Students</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot;For Guys Eyes Only&quot; - Presented by Dr. Wayne Brumfield and the ULM Counseling Center.</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Topic</td>
<td>Details</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>12/6/2013</td>
<td>Training for Employees</td>
<td>Make-up Title IX Training - University</td>
</tr>
<tr>
<td>1/17/2014</td>
<td>Title IX Investigator Training and Administrator Certification</td>
<td>Title IX Investigator Comprehensive Training and Certification through ATIXA - Tresea Buckhaults, Dr. Mkay Bonner, Meghan Marza</td>
</tr>
<tr>
<td>1/17/2014</td>
<td>Title IX Training and Administrator Certification</td>
<td>Title IX Coordinator and Administrator Training through ATIXA - Dr. Robert Hansen</td>
</tr>
<tr>
<td>1/28/2014</td>
<td>Title IX Training and Administrator Certification</td>
<td>Advanced Coordinator and Administrator Training - Pamela Jackson</td>
</tr>
<tr>
<td>2/9/2014</td>
<td>Training for Students</td>
<td>Relationship Management Skills by the Counseling Center</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>Training for Hearing Boards</td>
<td>OVW Task Force - Listening Session (Webinar) for Campus Law Enforcement, Local Law Enforcement, Student Conduct, Campus Disciplinary/Judicial Boards and Title IX Coordinators. 3 university employees, a) Pamela Jackson, b) Dr. Mkay Bonner, and c) Dr. Robert Hansen along with Mark Johnson, with the Monroe Police Department participated in the webinar.</td>
</tr>
<tr>
<td>3/10/2014</td>
<td>Student Training for Greek Organizations</td>
<td>&quot;Just Yell Fire&quot; Presented by West Monroe Police Department and Greek Life</td>
</tr>
<tr>
<td>3/13/2014</td>
<td>Training for Hearing Boards</td>
<td>Title IX Training: Webinar, Hearing Board Training for Best Practices (22 of the Title IX Appeals Committee Panel and Wesley Johnson, Attorney at Law attended.</td>
</tr>
<tr>
<td>4/3/2014</td>
<td>Training/Event for Students</td>
<td>&quot;Walk a Mile in her Shoes&quot; event – A Violence Prevention and Intervention Program for students. Presented by: Dr. Pamela Sauberry</td>
</tr>
<tr>
<td>4/3/2014</td>
<td>Training for Students</td>
<td>Student Title IX Training Presented by Wesley Johnson, Attorney at Law. &quot;Clear Consent, in Reference to Sexual Activity – There's nothing fuzzy about it! Mandatory training for Student Organizations and Greek Life (Fraternities and Sororities).</td>
</tr>
<tr>
<td>4/8/2014</td>
<td>Training for Students</td>
<td>Sexual Assault Awareness - Presented by Karen Foster, Director of the ULM Counseling Center.</td>
</tr>
<tr>
<td>4/12/2014</td>
<td>Training for Students</td>
<td>Sexual Assault Awareness - ULM Counseling Center</td>
</tr>
<tr>
<td>8/7/2014</td>
<td>Training for Counselors</td>
<td>ULM Counseling Center staff will attend the seminar &quot;Restoring Life After Sexual Assault.&quot;</td>
</tr>
<tr>
<td>8/12/2014</td>
<td>Training for Faculty</td>
<td>Faculty Engagement and Campus Save Act for the Classroom - Presentation by Dr. Robert Hansen</td>
</tr>
<tr>
<td>8/12/2014</td>
<td>Training for Employees</td>
<td>Title IX Training - Presented by Wesley Johnson, Attorney at Law</td>
</tr>
<tr>
<td>8/17/2014</td>
<td>Training for residents on campus</td>
<td>Title IX Training - Presented by Dr. Robert Hansen</td>
</tr>
<tr>
<td>8/25/2014</td>
<td>Training for Students</td>
<td>Sexual Assault Awareness (two sessions) - ULM Counseling Center</td>
</tr>
<tr>
<td>8/26/2014</td>
<td>Training for Students</td>
<td>Sexual Assault Awareness (two sessions) - ULM Counseling Center</td>
</tr>
<tr>
<td>10/21/2014</td>
<td>Training for Students</td>
<td>Recognizing Dating Violence - ULM Counseling Center</td>
</tr>
</tbody>
</table>
EXHIBIT 4

ULM SEXUAL MISCONDUCT FORMAL COMPLAINT RESOLUTION PROCEDURE
1. **FORMAL COMPLAINT**
   If the complainant wishes to file a formal complaint or if the situation otherwise warrants a formal investigation and the complainant has not already completed a Report Form, the Title IX Complaint Form should be completed and signed by either the complainant or the Title IX coordinator on behalf of the complainant. The Title IX coordinator can also complete a form on behalf of the complainant depending on the circumstances (e.g., anonymous complainant, telephone complaint). This complaint form can be supplemented with supporting documentation; however, in order to maintain privacy for all parties, a copy of the formal complaint is the only document which will be released to either party. All other documentation will be made available to either party or their advisors upon request at a mutually-agreeable time and location, typically during normal business hours in the Human Resources Department.

2. **PRELIMINARY INVESTIGATION**
   The preliminary investigation is a review of the incident description, files history, facts, and patterns. It should include an interview with the complainant and a review of the written complaint, as well as any supporting documentation that is provided. The Title IX coordinator will generally conduct the preliminary investigation. If after the preliminary investigation the Title IX coordinator determines that the complaint is properly handled through another complaint mechanism, the complaint should be routed accordingly. If there is sufficient evidence to indicate that the allegation of sexual misconduct should be investigated in accordance with the sexual misconduct policy, he/she should move forward as follows:

   a. **Notify the president that a sexual misconduct investigation is being initiated.**
      The president or his designee will appoint a trained investigator(s) and select three to four individuals from the established pool of trained employees to serve on the Appeals Committee. The president will also designate a chair for the Appeals Committee. The president's office will provide this information to the Title IX coordinator, who will then move forward with the next step in the process.

   b. **Simultaneously notify both the complainant and the accused through the Complaint Notice regarding the fact that a sexual misconduct investigation will take place.**
      The Complaint Notification will provide instructions regarding the investigation process and the Title IX coordinator's anticipated timeline for completion of the investigation. If the anticipated timeline for completion needs to be extended at any time, the Title IX coordinator will simultaneously notify both parties in writing of the deadline extension and provide a new anticipated timeline for completion.
The names of the appeals committee members should be provided together, along with an opportunity for either party to object together with reasons for their objection. Instructions to both parties not to conduct their own investigation and to provide any relevant information such as a list of potential witnesses to the Title IX coordinator are provided in the *Complaint Notice*. Instructions should also be included in the notification regarding privacy of information as well as a determination regarding any preliminary steps that should be taken pending the outcome of the investigation.

The timeline for this process is generally two (2) days; every effort should be made to provide the notification letter to the parties within this timeframe. The *Complaint Notice* will also provide the parties with an opportunity to provide an alternative address to receive all correspondence regarding the complaint. The notice will instruct the parties that the university will use the office address that is on file that unless an alternative address is provided in writing. A copy of the *Complaint Form* will be attached to the *Complaint Notice*. Instructions will be provided as to how either party can request an opportunity to review the file.

3. **INVESTIGATION**
Investigator(s) will interview all individuals involved in the complaint and compile documentation such as written and recorded statements. Both the Complainant and the Accused may have advisors to support and assist them during the investigation, determination, and appeal stages of the process. The investigation should be initiated within five (5) days of the decision to proceed with an investigation. In the event that the investigation is not initiated within this timeframe, the investigator and/or the Title IX coordinator should document the reasons for any delay.

The investigations should be completed and all documentation provided to the Title IX coordinator by the investigator(s) within 21 days. Reasons for deviations from this timeline should be documented in the report.

4. **COMPLAINT DETERMINATION**
The Title IX coordinator will receive the Investigation reports and will make a determination as to whether specific violations of the *Sexual Misconduct Policy* were or were not substantiated using the preponderance-of-the-evidence standard. A determination can also be made that the allegations, while made in good faith, were not true. The Title IX coordinator may contact either party to ask clarifying questions prior to making a determination but is not required to do so.

Both parties will be notified in writing regarding the Title IX coordinator's determination through the issuance of a *Determination Letter* as well as a *Memorandum Opinion*. The Title IX coordinator will provide a copy of the *Determination Letter* to both parties via regular mail to the address provided or the address on file with the university if an alternative address is provided. In order to allow committee members to begin coordinating their calendars in the event of an appeal, the Title IX coordinator will notify the Appeals Committee of the fact that said letter will be being issued.
The *Determination Letter* will contain only the following information: name of the accused; a determination as to whether specific violations of the *Sexual Misconduct Policy* were or were not substantiated using the preponderance-of-the-evidence standard; and disciplinary consequences, if any result from the investigation.

If a determination is made that the allegations were substantiated, the *Determination Letter* will include proactive measures to be initiated by the University which are designed to bring an end to any discriminatory conduct, reasonably prevent its recurrence, and remedy any effects on the victim. These can include, but are not limited to, sanctions against the accused. Details of any consequences or directives to the accused that relate directly to the complainant will also be provided.

The parties will also be informed that either party to the complaint will be given the opportunity to review the information that was considered by the investigator, who will determine a mutually-agreeable time and location on the university campus for the review. Additionally, the *Determination Letter* will inform the parties of their right to appeal the determination of the Title IX coordinator to the Hearing Committee.

The *Memorandum Opinion* will explain the Title IX coordinator's reasoning for the decision and will be made available for review to either party upon request and to the Hearing Committee if an appeal of the Title IX coordinator's determination is made by either party. Complaints that involve allegations of conduct addressed in the Clery Act may require additional disclosure requirements. In addition to a copy of the *Determination Letter*, the *Letter to the Complainant* will also be sent.

If either party requests an opportunity to review the additional investigation materials, including the *Memorandum Opinion*, the Title IX coordinator will make arrangements for that party to review the materials at a mutually-agreeable time in the conference room adjacent to the Title IX Office. Notice of this right will be provided to each party throughout the process; there is no deadline to request this opportunity. This opportunity must not be delayed, since a party's decision to appeal must be made within 7 business days of receipt of the *Determination Letter*.

If either party submits a written appeal of the Title IX coordinator's determination, the predetermined Appeals Committee will be convened, with an *Appeal Letter* to be sent to both parties.

5. **Appeal**

Within seven (7) business days of receiving notification of either party's request to appeal the determination of the Title IX coordinator or as soon possible thereafter, the Title IX coordinator will provide the parties with information regarding the appeals process. This will include an explanation of the right of either party to address the Appeals Committee.

The Appeals Committee will meet to review all documents privately and will listen to one or both parties; the committee will entertain the parties separately if requested. The committee
can also contact the Investigator(s), the Title IX coordinator, or either party for clarification of information.

In the event that either party requests the opportunity to address the Appeals Committee, a courtroom model will not be followed and formal rules of evidence will not be observed. An advisor, including legal counsel, may be present on behalf of either party. Such counsel may consult privately with and advise the respective party during the proceedings but may not directly participate on behalf of the party. An advisor/legal counsel may not direct questions or comments to the committee but may consult with the individual being assisted. The committee chair will not allow an advisor or legal counsel’s presence to inhibit the conduct of the appeal hearing.

The Appeals Committee will provide opportunity for the Complainant and Accused to appear before the committee to provide a verbal or written statement addressing the reason the decision of the Title IX coordinator should or should not be upheld. Verbal statements by the Complainant or the Accused are limited to 15 minutes, and no other individuals will be allowed to make statements on their behalf or in their stead. Upon timely request by the Complainant or Accused, the university may be able to accommodate statements via electronic means in appropriate circumstances.

A recording will be made of these statements, and the chair of the Appeals Committee will make arrangements for duplication of the recording upon request. The Complainant, Accused, along with any advisors, will be excused after both individuals have had the opportunity to provide a statement. If either the Complainant or Accused chooses not to submit a statement or appear before the committee, the Appeals Committee will make the recommendation based on the information received. If the committee determines that unresolved issues exist that would be clarified by the presentation of additional information, the chair may suspend the hearing and reconvene it in a timely manner after receipt of such additional information.

The Appeals Committee will formulate a decision based upon a preponderance of evidence as to whether the Title IX coordinator’s determination was fair and proportionate to any violation. As part of its deliberations, the committee will also consider whether the determination will (a) result in an end to the violation in question; (b) reasonably prevent a recurrence of a similar violation; and (c) remedy the effects of the violation on the Complainant and the university community.

The committee chair will draft a written recommendation to uphold or overturn the decision of the Title IX Coordinator in whole or in part. The recommendation will be submitted to the president of the university.

The president of the university will review the Appeals Committee’s report and will concur with the recommendation or will make a different decision regarding the status of the employee or student. Accompanying documents, as well as any recorded statements from the Complainant and Accused made at the hearing, may also be reviewed.
The time period between the Appeals Committee meeting and the president’s review is approximately 1 week. Official notification to the parties will follow in a formal letter, with a copy to the Title IX coordinator.

6. **SANCTIONS**

   If a student is found in violation of policy and is declared ineligible to re-enroll at the university or ineligible to re-enroll until after a certain date, the university registrar will make that notation and place a hold on the student’s academic transcript.

   If an employee is found in violation of policy, the director of Human Resources will place a notation in the employee’s personnel record.

   The imposing of sanctions represents the end of the process at the university level. The Accused and the Complainant have the right to appeal to the University of Louisiana System Board of Supervisors pursuant to any UL System appeals process that may be in effect.

**Amendments:**

These internal procedures amend the *Sexual Complaint Procedures* adopted on 7-9-12.

**Adopted:**

[Signature]

Authorizing Agent

[Signature]

Title

4-16-14

Date
ATTACHMENT

O
Sandra Cyprian

From: Peter J Fos <pfos@uno.edu>
Sent: Monday, August 18, 2014 3:33 PM
To: Sandra Cyprian
Subject: FW: La. Senate Request dated 7-11-14
Attachments: State senate request resonce.docx, 7 3 - Criminal Investigations.pdf

Follow Up Flag: Flag for follow up
Flag Status: Completed

Sandra,

Attached please find the report from the University of New Orleans regarding sexual assaults on campus.

Thanks.

PJF

Peter J. Fos, Ph.D., M.P.H.
President
The University of New Orleans
2000 Administration Building Annex
2000 Lakeshore Drive
New Orleans, LA 70148
504-280-5536
504-280-6872 Fax
www.uno.edu

THE HEARTBEAT of
the CRESCENT CITY

From: Gregg Lassen
Sent: Monday, August 18, 2014 1:22 PM
To: Linda K Jouet
Cc: Peter J Fos
Subject: FW: La. Senate Request dated 7-11-14

This is Chief Harrington’s response to the request from the state senate....thanks,gregg

From: Tracey T. Gobin
Sent: Monday, August 18, 2014 12:56 PM
To: Gregg Lassen  
Subject: FW: La. Senate Request dated 7-11-14  

Please see the attached response from Chief Harrington regarding the La. Senate request. It now has to go to the President’s Office.  

Thank you!

Tracey T. Gobin  
Administrative Assistant 5  
Office of Business Affairs  
Phone 504.280.6209  
Fax 504.280.7474  
tgobin@uno.edu

From: Thomas R. Harrington  
Sent: Monday, August 18, 2014 12:51 PM  
To: Tracey T. Gobin  
Subject: La. Senate Request dated 7-11-14  

Please see attached response and attachment.

Tom Harrington  
Chief of Police Thomas R. Harrington  
Asst. Vice President of Public Safety  
University of New Orleans  
2000 Lakeshore Dr.  
New Orleans, LA. 70148  
504-280-1154
The University of New Orleans Police Department (UNOPD) reports the following:

UNOPD conducted 0 investigations that fit the criteria of sexual assaults or rapes in the proceeding five year CLERY reporting period.

(1) The number of sexual assaults that have been reported on each campus for the preceding five calendar years (1/1/2009-12/31/2013);

One Carnal Knowledge of a Juvenile
Occurrence: 11/10/2013
Investigation conducted by New Orleans Police Departments - Special Victims / Sex Crimes Unit, One Arrest

(2) The number of sexual assaults investigations that have been conducted on each campus for the preceding five calendar years (1/1/2009-12/31/2013);

One Carnal Knowledge of a Juvenile
Occurrence: 11/10/2013
Investigation conducted by New Orleans Police Departments - Special Victims / Sex Crimes Unit, One Arrest

(3) The written policy governing sexual assaults on each campus, specifically including any sexual assault response employee training requirements; and

See attached documents and hyper link as submitted by Human Resources


(4) The written investigation and adjudication procedure for sexual assaults on each campus, including but not limited to any special provision that allow agencies / departments other than campus police and / or other law enforcement agencies to investigate sexual assaults and / or rape allegations.

The New Orleans Police Department Special Victims / Sex Crimes Unit conducts all investigations related to sexual assaults and or rape allegations. See attached document.
THE UNIVERSITY OF NEW ORLEANS
UNIVERSITY POLICE

Submitted by: Student Accountability, Advocacy and Disability Services

(1) Number of sexual assault reports to this office in the preceding five calendar years*:
All offenses filed under sexual misconduct under the student code of conduct: **total reports**

(2) Number of sexual assault investigations conducted by my office in the preceding five calendar years:
4 cases addressed—one student resigned.

(3) The written policy governing sexual assaults on campus, specifically including any sexual assault response employee training requirements**:

(4) Written investigation and adjudication procedures involving students**: 
PURPOSE

1. The purpose of this regulation is to establish guidelines for receiving, processing, and conducting criminal investigations.

POLICY

2. It shall be the policy of the Police Department to investigate criminal incidents which occur on University of New Orleans owned or leased property and to assist other law enforcement agencies to ensure each criminal complaint is investigated as fully as possible.

3. Nothing in this regulation shall preclude any officer from making an arrest based on probable cause prior to the arrival of the appropriate investigative unit.

PROCEDURES

Investigative Responsibility

4. Uniformed patrol units shall respond to every call for service.

5. Patrol units shall be responsible for on-scene and follow-up investigations of all state, municipal offenses and any other investigations as assigned by the Chief of Police and or his/her designee.

6. The Investigative Unit shall conduct follow-up investigations except for the following:

   a. Police Shootings shall be investigated by the Louisiana State Police.

   b. The New Orleans Police Department has specialized training in the following areas and will be the primary investigative agency on a investigations for all of the following:

      i. Murder;
      ii. Child Abuse;
      iii. Juvenile Offenses;
      iv. Sex Offenses;
      v. Aggravated Kidnappings;
Chapter 5.7

vi. Aggravated Arson;

vii. Parental Kidnappings; and

viii. Vehicle Fatalities

7. The New Orleans Police Department shall be contacted on all suicides and unclassified deaths.

8. Robbery investigations shall be determined on a case by case basis.

9. The Investigative Unit shall assume the follow-up responsibility of any of the above listed offenses if it does not meet the criteria for follow-up by either the State Police or the New Orleans Police Department.

10. When dealing with victims of crimes, patrol officers shall remain with the victim, if requested to do so, and assist with other requests such as providing reasonable transportation, calling family members, etc.

11. When applicable, platoon supervisors shall ensure proper University support units are made aware of incidents which have occurred.
August 27, 2014

Mr. Ronald Mason, Jr., President
Southern University System
J.S. Clark Administration Building, 4th Floor
Baton Rouge, Louisiana 70813

Dear President Mason:

The Division for Student Affairs and Enrollment Management, Southern University Police Department, Office of Human Resources, and Center for Social Research have coordinated a response to Senator Jean-Paul Morrell’s request for campus information regarding sexual assault incidents. Please note the following regarding the Senator’s request:

**Items 1 and 2**
The following sexual assault incidents were reported on campus:
- 2009 – 0
- 2010 – 0
- 2011 – 2
- 2012 – 4 (1 incident was reported in 2013, but occurred in 2012)
- 2013 – 3

The nine sexual assaults that were reported on campus during the 2009-2013 academic years were all formally investigated.

**Item 3**
The policies governing Southern University and A&M College regarding sexual assault/misconduct are found in the *Student Code of Conduct* and the *Gender-Based Sexual Misconduct (Title IX) Policy*. These policies provide awareness of and action steps pertaining to sexual misconduct incidents. Information is provided for students to clearly discern the parameters constituting sexual conduct and subsequent action steps.

Several sections contained in the *Gender-Based Sexual Misconduct (Title IX) Policy* include:
- Formal Resolution Procedures for Complaints Against Students
- Information and Assistance with contact names and phone numbers

Overall, these policies communicate that Southern University and A&M College has a zero tolerance policy for sexual assault/misconduct. I have enclosed a copy of the *Student Code of Conduct* and the *Gender-Based Sexual Misconduct Policy* for your review.

Baton Rouge, Louisiana 70813-0400 (225) 771-2011
*A People’s Institution Serving The State, The Nation, and The World.*
In addition to the aforementioned policies, the following information is provided:

- **Sexual Assault Response Team (SART)**
  SART is intended to coordinate resources on campus and in the community to effectively respond to sexual assault incidents among students, collect evidence with sensitivity to the victim, and provide the best possible care to victims of sexual assault.

  SART includes representatives from a broad range of campus and community organizations concerned with the needs of sexual assault victims, including participation from the health care, victim services, student counseling, student housing and law enforcement sectors. SART is coordinated by the Southern University Student Health Center. Campus participation in SART is facilitated by representatives from the Division for Student Affairs and Enrollment Management, Office of Academic Affairs, Southern Police Department, Southern University Counseling Center, Title IX Representative, the Center for Teaching and Learning Excellence, student representatives, the Center for Social Research, and the Student Health Center. In addition, representatives from the Sexual Trauma Awareness & Response Center (STAR) serve as a link to provide community support.

- **Southern University Stop the Violence Against Women Project**
  The Southern University Stop the Violence Against Women Project provides training for campus administrators, campus security personnel and disciplinary or judicial boards to more effectively identify and respond to violent crimes against women on campus including the crimes of dating. SU-SVAW works to develop, enlarge and strengthen victim services programs and improve delivery of services.

  Southern University and A&M College has five certified Advocates on campus. These advocates completed 40 hours of sexual violence training. Victim advocates provide support, answer questions and provide information about the criminal investigation and medical examination processes. Advocates provide one-on-one emotional, physical and social support based on need. Advocates do not participate in the gathering of evidence, fact-finding or the investigation of the assault. Advocates provide confidential and compassionate information and support.

- **Training**
  Presently, it is not mandatory for students to attend sexual assault awareness training however faculty, staff, and administrators are required to complete an annual Preventing Sexual Harassment course.

  Southern University police officers are required to engage in 8 hours of sexual misconduct training conducted by a local rape crisis center. The trainer was a certified sexual assault advocate and an attorney. Training areas included:

  - Law and Investigative Strategies
  - Preliminary Investigation: Guidelines for first responders
  - Confidentially
  - Victim Services
  - Victim rights
Item 4
The policies and regulations for investigations and adjudication procedures are also found in the Student Code of Conduct. The primary purpose of the Southern University and A&M College student judicial system is to help govern the University community by regulating student conduct and by enforcing the University's Student Code of Conduct consistent with the principles of due process of laws applicable to state universities. I have enclosed a copy of the Student Judicial System and Procedures for your review.

The Division for Student Affairs and Enrollment Management as well as the aforementioned University partners are committed to ensuring the safety and success of our students and the campus community as a whole. Moreover, the University continues to be committed to providing opportunities to our campus community in achieving a high-quality, global educational experience, engaging in scholarly, research, and creative activities, and giving meaningful public service to the communities that we serve.

Sincerely,

Flandus McClinton, Jr.
Acting Chancellor and
Vice Chancellor for Finance and Administration
Purpose

The Southern University and A&M College Student Code of Conduct sets forth, in a concise and uniform manner, responsibilities which members of the University community owe one another. The Student Code of Conduct also sets forth administrative and judicial procedures whereby those students who are accused of violating rules, policies, and regulations may be afforded due process and fair and just sanctions. Southern University and A&M College is committed to protecting the full constitutional rights of its students. Southern University and A&M College and the members of its community have equal obligations to one another in protecting the educational environment. The University has equal obligations to protect the integrity of its educational mission and the interests of its student body.

The following policies, Student Code of Conduct provisions, penalties, and sanctions have been established to protect the rights and interests of all members of the University community. The Student Code of Conduct is updated periodically, as laws in higher education change and state laws regarding the rights of students attending a state institution in Louisiana are enforced. The current Student Code of Conduct supersedes any previously published Student Code of Conduct. It is intended for internal distribution (i.e., use within the University community).

University Policies

In an effort to provide students with an atmosphere conducive to academic success, through Southern University and A&M College’s comprehensive Student Code of Conduct by which students are governed, the following administrative policies have been established:

- **Academic Policy:** Regulations governing academic dishonesty and probation of students enrolled at Southern University and A&M College are contained in the University’s two-year course catalog. Included in this publication are rules, procedures, and regulations governing academic grievance procedures and students’ academic performance. The University catalog is issued through various academic departments.

- **Alcoholic Beverage Policy:** The Chancellor, on the recommendation of the Vice Chancellor for Student Affairs, may grant permission to any person, group of persons, or any organization to serve, or permit the serving of, alcoholic beverages at University facilities during social events. No alcoholic beverage shall be served to any person under the age of 21, nor shall any person under the age of 21 be permitted to consume any alcoholic beverage within the confines of University facilities. The consumption of alcoholic beverages in residential facilities and the restrooms and hallways of University facilities is prohibited. Students are prohibited from having empty alcohol bottles in residential facilities.

- **Appropriate Academic Attire:** Students are expected to dress in a manner representative of a higher education institution. Integrity in appearance and personal cleanliness are most important in determining what impressions students make on fellow students, professors, and visitors. Inappropriate academic attire should not be worn while attending classes, performing work-study assignments, attending assemblies and other University functions. Special occasions (e.g. banquets; convocations; coronations; employment; graduation; luncheon plays; professional exploration day) dictate that business or formal wear be worn. Sporting events and other social functions require informal but respectable attire. Headgear is inappropriate for males during all indoor activities. "Do rags" or scarves are considered inappropriate attire for an institution of higher learning. Similarly, sagging or unbelled pants is considered inappropriate dress. Any excessively tight or revealing clothing is considered inappropriate attire. Bedroom or shower slippers should not be worn outside of one’s residential area. Under garments should not be visible, under any circumstances.

- **Children on Campus:** Unsupervised children are not allowed on campus. Students are expected to arrange for their personal child care in such a manner as to prevent the involvement of the University. The University assumes no responsibility for the supervision of the children of students. Students are prohibited from bringing children to class or leaving children unattended on the University campus. Students failing to comply with this policy will not be admitted to classes, and may be asked to leave campus until child care arrangements can be made.

- **Conduct at Activities:** Organizations are responsible for the conduct of those attending their activities. If security is needed for any activity, the organization must pay for the security from its own funds. This should be considered when budgeting the organization’s funds. Organizations can be suspended for the misconduct of their members and attendees of organization programs/events.

Revised and Updated: June 2013
• **Drug-Free Campus Policy:** Any student in possession of drugs on the Southern University and A&M College campus shall be expelled immediately. The Vice Chancellor for Student Affairs and/or the Dean of Students will advise students on individual rights and will ensure that due process is afforded by the University.

• **Drug-Free Workplace Policy:** The Drug-free Workplace Act of 1988 requires the institution, as a federal grantee, to certify that the institution provides a drug-free workplace. The drug-free workplace requirement applies to all offices and departments of an institution that receives campus-based funds. Sub-grantees, such as organizations that contract with the institution, are excluded from these provisions. Drug-free Schools and Communities Act Amendments of 1989 require the institution to certify that it has adopted and implemented a program to prevent drug and alcohol abuse by its students and employees.

• **Electronic Device Policy:** Cellular phones, PDAs, and other electronic devices should not be activated or operated in classrooms, laboratories, libraries, business offices, convocations and assemblies unless express written permission to activate or to operate the devices have been authorized by the classroom instructor or the University administrator and/or supervisor in charge of the facility/area in question. Refer to course syllabi for additional information.

• **Fighting/Disruptive Activities Policy:** Any student engaged in fighting or other disruptive activities shall be suspended for a period of two full semesters following the effective date of suspension. In cases involving damage and/or destruction of University and State property, students shall be required to pay for all damages and destruction in addition to adhering to disciplinary actions being taken against the student(s).

• **Fund-Raising/Solicitation:** The University does not permit unauthorized fundraising activities by individual students or by student groups. Student organizations that wish to sell merchandise on campus must request permission in writing from the Coordinator of Student Programs and Greek Life. Students are not permitted to sell merchandise on an individual basis. Further, if the University's administration agrees that a project merits funds contributed by the campus, then a University activity must be planned and approved through appropriate committees.

• **Noise Policy:** The Southern University Police Department enforces a policy regarding low-level noise emanating from vehicles or from audio equipment carried by pedestrians. The **Student Code of Conduct** provides sanctions for noise at two levels of violation:

  - **Code One:** Offense No. 6, Disruption/Obstruction
  - **Code Two:** Offense No. 2, Disruption/Obstruction

For students, violations of these codes carry sanctions ranging from warning to suspension. Individuals who are not students will be arrested and their vehicles banned from the campus. Violations for students include:

  - **First Offense:** Warning
  - **Second Offense:** Fine assessed, decal removed, probation enforced
  - **Third Offense:** Vehicle impounded; fines assessed for violation, towing, and impoundment; disciplinary action taken with maximum penalty of suspension.

Pedestrians carrying high-volume audio equipment will receive citations, and the equipment will be confiscated and held until the end of the semester. If the student is suspended, the equipment will be returned at the end of the suspension. The University will assume no liability for the condition of confiscated equipment.

• **Parental Notification of Alcohol and Drug Violations:** In the event a student under the age of twenty-one (21) violates laws governing the use and possession of alcohol or other controlled substances, the parents of the dependent student will be notified by the Dean of Students. This includes federal, state, and local laws, rules and regulations. The notification of parents is an intervention that is based upon assisting students in making safe and healthy life choices.

• **Personal Checks and Credit Cards:** The University does not accept personal checks. Students may pay their university accounts with cashier’s checks or money orders. The University also accepts Discover, MasterCard, and Visa.

• **Pets:** All pets – including but not specifically limited to dogs, cats, bird, snakes/reptiles, horses and other animals - are not allowed in any university building or on the Southern University and A&M College campus.

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Revised and Updated: June 2013
campus. To protect the interest and safety of students and employees, any individual failing to comply with this policy shall be requested to leave the campus until off-campus accommodation for the pet(s) and animals can be arranged. Pets are considered animals, domestic or wild, in the company of a student, faculty/staff member, guest, or visitor to the University. This policy does not apply to service dogs. Students living in University residential facilities found in violation of this policy will be subject to eviction.

- **Probation and Dismissal Policies:** Any student dismissed from the University for disciplinary purposes shall forfeit all fees paid to the University and shall be held liable for any debts owed the University. Any student placed on suspension upon returning to the University will be placed on disciplinary probation.
- **Resident Student Automobile Policy:** A student must have earned at least 24 hours credit with a minimum 2.0 cumulative grade-point average in order to receive permission to operate an automobile on campus.
- **Semester/Summer Breaks:** Students are required to remove all personal belongings from residence halls during breaks between semesters or sessions.
- **Sexual Misconduct:** Southern University and A&M College does not tolerate sexual misconduct in any form, including acquaintance rape. Campus sexual misconduct procedures apply to all registered students, faculty, and staff, as well as guests to Southern University and A&M College.
- **Student ID Policy:** Students are required to carry a Southern University and A&M College ID card at all times. Failure to do so may subject students to a reasonable detention by appropriate University authorities as well as prevent admission/passage into University events, programs, and facilities.
- **Tobacco Use Policy:** The use, sale, or distribution of tobacco-related products is prohibited in all buildings, facilities, and property owned, leased and operated by Southern University System.
- **Search Policy:** For Residential Life and Housing facilities, University officials may enter a student's room when an emergency exists, where there is reasonable cause to believe there is a clear and present danger, or where there is a reasonable belief that contraband is present which interferes with the educational process of the University, or where the health, safety, and morals of the campus community are compromised.
- **Student Organizations Policy:** Student organizations are subject to Student Code of Conduct provisions. If a student organization is reported to have violated university policies, procedures, rules, or regulations printed in the Student Code of Conduct, the Coordinator of Student Organizations and Dean of Students will review the case and inform the organization of further actions. In cases involving organizations affiliated with a national body, the national organization will be notified of the disciplinary sanction imposed upon its local affiliate.
- **Travel Policy:** All students and student groups who travel off campus to represent the University at specific functions must adhere to the University’s travel policy for student organizations. A copy of this policy can be obtained from the Office of Student Programs.
- **Weapons Policy:** Any student in possession of a weapon (gun, knife, or any other lethal instrument) on the Southern University campus shall be expelled immediately. Weapons may not be stored in automobiles, residence halls, or any other building on campus. Violators are subject to University disciplinary action and will be punished by law. Items not considered weapons, but are used with the intent to inflict bodily harm, will be subject to interpretation by the Dean of Students.

**Hazing Policy**

Southern University and A&M College defines hazing as any willful act by any one student alone or acting with others, directed against any other student that:

- Subjects the student(s) to indignity or humiliation;
- Intimidates the student by threatening or ostracizing him/her in public;
- Submits the student to shame or disgrace among fellow students;
- Humbles, or is calculated to humble the pride, stifle the ambition, or blight the courage of the student attacked;
- Discourages the student from remaining at Southern University and A&M College, or causes the student to leave the University rather than to submit to such acts;
- Constitutes a legal assault, by striking, beating, bruising, maiming or any other act of physical violence, or even seriously threatening to do such acts.

Students should be aware of Louisiana Revised Statute, Title 17 Education, Chapter 5, State Colleges and

Revised and Updated: June 2013
Universities, Part III Miscellaneous Provisions pertaining to the Hazing Statute 1801 (§1801. Hazing Prohibited; penalties). This statute reads:

Hazing in any form, or the use of any method of initiation into fraternal organizations in any educational institution supported wholly or in part by public funds, which is likely to cause bodily danger or physical punishment to any student or other person attending any such institution is prohibited. Whoever violates the provisions of this Section shall be fined not less than ten dollars nor more than one hundred dollars, or imprisoned for not less than ten days nor more than thirty days, or both, and in addition, shall be suspended from the educational institution and not permitted to return during the current session or term in which the violation occurs.

Student Travel Policy

Overview
The purpose of Student Travel Policy is to acknowledge the responsibilities that are necessary complements to rights and authority of any student traveling on behalf of Southern University and A&M College. Southern University and A&M College student travelers are among many student representatives that have contributed to a long history of excellence, dignity and pride at the University. The Southern University and A&M College Student Travel Policy is a complement to travel policies set forth by Southern University and A&M College and the State of Louisiana, and the policies, rules and regulations set forth by the Southern University and A&M College Student Code of Conduct. The following regulations are in exact accordance with the aforementioned purpose and seek to ensure that students represent Southern University and A&M College in a positive manner.

General Behavior
Southern University and A&M College students are chosen to travel on behalf of the University because they exemplify character that is representative of the University. The opportunity to travel on behalf of Southern University and A&M College is an honor as well as an enjoyable experience. Students must conduct themselves in an orderly manner while traveling on behalf of the University. Failure to comply with travel rules and regulations will result in dismissal and/or a ban from future travel.

Southern University and A&M College student travelers must be mindful of the following:

- Students must work cooperatively with the attending advisor or travel coordinator.
- Students must be committed to a positive representation of Southern University and A&M College.
- Proper preparation for and knowledge of the travel itinerary is the responsibility of the student.
- Students must contact an advisor in advance if they are unable to attend an event or trip.
- Students in constant violation of the University’s Student Code of Conduct will not be allowed to travel.
- A faculty/staff advisor must accompany students when traveling on behalf of the University. The number of chaperones must be proportionate to the group traveling.
- If at any time students plan to leave designated areas, the advisor or trip coordinator must be notified for approval.
- When lodging is provided:
  - Smoking within the hotel confines is prohibited.
  - Phone calls (via hotel telephone), ordering movies/videos, or lude acts while residing at the hotel are prohibited.
  - Private parties on the hotel premises are prohibited.

Southern University and A&M College students who represent the University away from the campus are still governed by the rules and regulations outlined in the University’s Student Code of Conduct. Violations that may subject student travelers to sanctions, including but not limited to a travel ban include:

- Violation of travel expectations
- Displaying a negative or uncooperative attitude
- Use of profanity, alcohol or drugs, or displaying vulgar behavior

Travel Attire
Students representing Southern University and A&M College must wear collegial attire. Students should always communicate

Revised and Updated: June 2013
with the advisor or travel coordinator for preferred dress and presentation. Student travelers must abide by the following:

- Clothing must be clean and in good condition.
- Pants worn by students should be fit for the occasion and should not fall below waistline (no sagging).
- Shirts/blouses worn by students must be fit for the occasion.
- Skirts/ dresses worn by students must be in good taste and should hang at least three inches above the knee.

Commencement Conduct

Southern University and A&M College’s Commencement is held primarily for graduates and their families. It is an occasion honoring important educational accomplishments. It is celebratory, yet formal affair that requires dignity and professionalism from all attendees. The ceremony is formal out of respect for the effort that graduates put into earning their degree and the family members who have come to witness their success. Understanding and cooperation from all attendees in keeping the ceremony formal and free of distractions, such as pranks, unwarranted behavior, excessive celebrations, dancing or “strolling” down the aisle and vocal disruptions, will help make the event worthwhile.

Southern University and A&M College maintains a proud tradition of announcing each graduate’s name. The last graduate is as important as the first. Once graduates have entered the floor of the arena, they must remain seated until they are signaled to proceed to the stage. After leaving the stage, graduates are expected to remain seated until the conclusion of the ceremony. Courtesy, attention and decorum are important and expected by graduates, their families and guests.

The use of cellular phones and devices during the ceremony is prohibited. Individuals arriving to Commencement intoxicated or dressed inappropriately will not be allowed to participate. Graduates must be dressed in business attire or better. Shoes are expected to be black or navy blue.

Failure to comply will result in immediate removal from the ceremony.

Student Code of Conduct

Student Code of Conduct violations are handled through the Office of the Dean of Students. The Dean of Students is the chief judicial administrative officer. The University’s judicial system outlines the full process for violations of the Student Code of Conduct. A student committing several related offenses at one time will have one hearing. A decision will be rendered on each offense. The Dean of Students will determine if sanctions are to run concurrently. The following actions or behaviors on University premises (except where otherwise specifically stated) constitute Student Code of Conduct violations, which subject a student or student organization to one or more sanctions:

Code One Offenses

Code One Offenses may result in disciplinary probation, fine (not to exceed $500), suspension, or expulsion. The severity of each offense shall determine the appropriate sanction to be imposed. Violations that severely endanger or harm human life or property are considered major offenses that carry the maximum sanction of expulsion.

1. Academic Dishonesty: any deliberate attempt to gain an unfair advantage in academic work. Examples of academic dishonesty include cheating, falsification of information, fraud, plagiarism, and unauthorized access to academic records or computer systems; this includes assisting another student with such acts; providing information, material, or other assistance with knowledge that such assistance could be used in violation of the Student Code of Conduct or other University policies, or providing false information in connection with any inquiry regarding academic dishonesty.

   • Unfair advantage: receiving, stealing, reproducing, or circulating examination materials prior to an examination; receiving, stealing, destroying, defacing, or concealing materials for the purpose of depriving others of their use; unauthorized collaborating on an academic assignment; failure to return assignments or an examination as instructed; intentionally obstructing or interfering with another student’s academic work; or engaging in any activity with the purpose of creating or obtaining an unfair academic advantage over other students.

Revised and Updated: June 2013
• **Cheating:** unauthorized use of information, notes, or study aids on an examination; altering graded assignments; or submitting work done by another person.
• **Falsification of information:** intentionally furnishing false or misleading information; altering documents; forging signatures; or impersonating someone in an examination.
• **Plagiarism:** presentation or submission of work (in part or in whole) by someone else, as if it were one’s own.
• **Unauthorized access to academic or computer systems:** viewing, altering, or dispensing academic, administrative, or computer records; modifying academic, administrative, or computer records, computer programs, or systems; or interfering with the use or availability of academic, administrative, or computer records or computer systems.

2. **Aiding and Abetting:** knowingly providing information, material, protection, or other assistance to another person with knowledge that such aid or participation could be used to violate, escape, or abate prosecution or university, local, state, or federal laws, sanctions, or penalties.

3. **Arson:** intentionally burning or attempting to burn public or private property belonging to another, with or without intent to defraud, obstruct security, or endanger human life.

4. **Bribery:** offering money, service, or any item to a student, administrator, faculty, or staff member so as to influence the partiality of, so as to receive University property, grades, and/or services for one’s self or another, or so as to gain an advantage or special treatment for one’s self or for another.

5. **Destruction or Misuse of Property:** damaging, destroying, defacing, abusing, tampering, or misusing property belonging to another person or entity, or attempting to do so; this includes any attempt to destroy or alter the function or performance of University equipment or property, and includes misuse of the University name, logo, or seal.

6. **Disruption/Obstruction:** any major action which obstructs, or attempts to obstruct, an official University function, such as teaching, research, administration, or other campus activity; throwing or causing the projection of any object or substance which may damage or deface University or private property; or causing personal injury or disruption, including but not limited to quarreling, fighting, public intoxication, playing loud music, or any attempt to encourage an individual’s participation in such activities. (See Code Two, Offense Number 2, Disruption/Obstruction.)

7. **Falsification of Information, False Testimony, and Fraud:** furnishing false or misleading information or identification to a University official; failing to provide accurate information to a University official; any unauthorized reproducing, copying, possession, submission, misuse, or attempted misuse of University documents; forging, falsifying, tampering, altering, or attempting to alter University documents; misrepresentation of a University official.

8. **Failure to Comply/Appear:** failure to follow a directive made by a University official performing his or her duties, which could potentially endanger or endangers the safety of persons or property. (See Code Two, Offense Number 3, Failure to Comply/Appear.)

9. **False Reporting of an Emergency:** intentionally making a false report of a bomb, fire, or other emergency regarding property or personal injury, including abuse of 911 and fire alarms.

10. **Harassment:** including but not limited to stalking, physical force, or violence that involves deliberate interference, or a threat to interfere, with an individual’s personal safety, academic efforts, employment, or participation in University-sponsored activities or behaviors, which causes another person to have a reasonable apprehension that such harm will occur. (See Code One, Number 18, Sexual Harassment; Code One, Number 19, Stalking; and Code Two, Number 15, Unwanted and Uninvited Contact.)

11. **Hazing:** any conduct, act, or method of coercion of another to do an act of initiation or an act for admission in to any organization, which willfully or recklessly causes significant physical or mental harm to any student or other person, occurring on or off University premises. (See Code Two, Offense Number 5, Hazing.) Any activity or behavior meeting the above definition shall be considered a forced activity, notwithstanding the willingness of the individual involved to participate in such activity. Examples of hazing include, but are not limited to, beating or branding, forced consumption of food, liquor or other beverages, or drugs; forced deprivation of sleep or rest; forced exclusion from social contact; and/or forced conduct which could result in embarrassment to any person.

12. **Illegal Use of Alcoholic Beverages:** purchasing, selling, or making available to underage persons alcoholic beverages; or providing funding for alcoholic beverages in violation of state or local statutes.
and/or University policy. (See Code Two, Offense Number 6, Illegal Use of Alcoholic Beverages.)

- **Alcoholic beverage**: beer, porter, cordial liquors, or specialty drinks, brandy, whiskey, fruit juices or wines, rum, gin, or any fluid or solid capable of being converted into a fluid for human consumption, and all similar distilled beverages having alcoholic content or more than six percent by volume, including alcohol, or as may be now or hereafter defined by law as an alcoholic beverage (Louisiana Law RS 26:2).

13. **Moral Turpitude**: an act of baseness, vileness or depravity, which brings shame to the University and is in contradiction to the letter and spirit of the University’s *Student Code of Conduct*, good citizenship and ethics, is prohibited. Included in this are inappropriate postings on the internet and social media in acts of baseness, vileness or depravity. Violators will be subject to disciplinary action.

14. **Physical Assault or Threat of Physical Assault**: the use, attempted use, or threat of physical assault upon any person, including, but not limited to, intentionally inflicting bodily injury upon any person; any attempt to intentionally inflict bodily injury upon any person; threatened use of physical assault.

15. **Possession, Use, Distribution, Sale, or Manufacture of Controlled Substances**: knowingly possessing, using, distributing, selling, and/or manufacturing illegal drugs or controlled substances, including but not limited to, narcotics, barbiturates, hallucinogens, marijuana, or amphetamines.

16. **Possession or Use of Weapons**: unauthorized possession or use of any type of firearm, ammunition, explosive, other weapon, or firework. Weapons may not be stored in automobiles, residence halls, or any other building on campus. Violators are subject to University disciplinary action and will be punished by law. Items not considered weapons but are used with the intent to inflict bodily harm will be subject to interpretation by the Dean of Students.

- **Weapon**: any device, apparatus, substance, or object capable of causing or inflicting injury or death, whether designed or adapted specifically for use as a weapon, or possessed or used as a weapon.

17. **Repeated Offenses**: repeated violations of the University’s *Student Code of Conduct* or of any University policy for which a sanction has been previously imposed.

18. **Sexual Assault**: engaging in sexual acts with, or directed against, another person by force, coercion, or in the event the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity.

Examples of sexual assault include, but are not limited to, sexual penetration or attempt of penetration (Sexual penetration is defined as any degree of insertion of a penis, hand, finger, tongue, or any object into a person’s anus or vulva, or any degree of insertion of genitalia into the mouth); and sexually explicit touching or attempted touching of clothed or unclothed body part (e.g., genitals, breast, anus, etc.) of another person with a body part or object. Examples of sexually explicit touching include, but are not limited to, the touching or attempted touching, of genitalia, breasts, inner thigh, or buttocks of any person with a body part or any object, either directly or through clothing.

- **Consent**: can only be conveyed 1) by verbal agreement to participate in a sexual activity; or 2) by verbal or non-verbal communications mutually established and understood within an ongoing relationship to signify agreement to participate in a sexual activity, unless a person is incapacitated. If a person is or in any way becomes incapacitated during a sexual activity, regardless of whether he or she is conscious or simply traumatized, it is understood that he or she does not consent. Also note that:
  - Being in an ongoing relationship does not preclude the possibility of sexual assault or misconduct occurring within that relationship.
  - A verbal "no," even if it may sound indecisive or insincere, constitutes lack of consent. When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent.
  - If a person gives consent and changes his or her mind during the sexual activity, he or she must verbally communicate his or her decision to no longer proceed.

Revised and Updated: June 2013 8
o It is incumbent upon individuals involved in any sexual activity to either obtain or give consent prior to any such activity, and again, prior to sexual penetration.

o If at any time during sexual interaction any confusion or ambiguity should arise regarding the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify, verbally, the other’s willingness to continue.

o The use of alcohol or other drugs shall not diminish one’s responsibility to obtain consent. Again, incapacitation refers to the inability to give consent, regardless to whether one is asleep, unconscious, and/or losing and regaining consciousness, clearly mentally or physically diminished, or simply traumatized; this is not limited to incapacitation under the influence of alcohol or other drugs. Evidence of incapacitation may include difficulty walking or standing, the presence of vomit, the inability to speak, etc.

- Coercion: refers to the threat of immediate physical harm or the administration of a drug, intoxicant or similar substance that impairs the faculties of a person.

19. Sexual Harassment: the use of explicit or implicit threats concerning terms or conditions of the threatened person’s education, employment, housing, or participation in a University activity as a way to gain sex and/or sexual favors.

20. Stalking: any repeated behavior or activity that causes another person to experience emotional distress, threat of safety, or reasonable fear of bodily injury. Such behaviors or activities may include, but are not limited to:

- Repeated following of another person.
- Repeated monitoring or surveillance of another person.
- Repeated, unwelcome communication, such as giving face-to-face messages, telephone calls, voice messages, electronic mail, written letters or notes, unwanted gifts, etc. (See Code Two, Number 15, Unwelcome and Uninvited Contact.)

21. Theft/Identity Theft: taking or attempted taking without consent, or unauthorized use of funds or property, such act constituting a criminal felony under Louisiana law; this includes the misuse or unauthorized use of University funds, or of student organization funds administered through the University. (See Code Two, Offense Number 13.)

22. Unauthorized Access to Records, Equipment, or Telephone or Other Communication Devices: unauthorized use of, access to, or an attempt to gain access to University records, equipment, or telephone or other communication devices including, but not limited to, paper/computer files, computer systems/software, telephones, fax machines, etc.

23. Unauthorized Entry and Failure to Vacate: Attempted or unauthorized entry into any building, structure, or facility; this includes forcible entry, and, without prior approval to remain on the premises, the failure to vacate University facilities during hours of visitation, at closing, or at the directive of a University official.

- Improper use of keys: knowingly using, duplicating, or causing to be duplicated, any key for any facility, building, or room without proper authorization; or failure to return University-issued keys to the proper University officials; these violations are considered unauthorized entry or failure to vacate.

24. Violation of Probation: See Code One, Offense Number 8, Failure to Comply/Appear.

25. Violations of Federal, State, or Local Laws: alleged violations of local laws and statutes which occur on or off campus are subject to internal University investigation, review, and action, in addition to any action by appropriate civil authorities.

Code Two Offenses
Code Two Offenses may result in disciplinary probation, fine (not to exceed $500), or suspension. Violations of Office of Residential Life and Housing regulations are subject to expulsion from residential facilities, in addition. The circumstances or facts of a student’s case shall determine the appropriate sanction to be imposed. Repeated Code Two Offenses may result in more severe sanctions.

Revised and Updated: June 2013
1. **Off-campus Incidents:** students or student organizations engaging in any illegal act off campus.

2. **Disruption/Obstruction:** any minor action which annoys or disrupts an official University function, such as teaching, research, administration, or other campus activity; this includes but is not limited to quarreling, fighting, public intoxication, playing loud music, or any attempt to encourage an individual’s participation in such activities. (See Code One, Offense Number 6, Disruption/Obstruction.)

3. **Failure to Comply/Appear:** failure to follow a directive made by a University official performing his or her duties; failure to appear before a University official who is, or a committee which is, conducting a judicial proceeding or investigation; failure to comply with any sanction imposed under the University’s **Student Code of Conduct.** (See Code One, Offense Number 8, Failure to Comply/Appear.)

4. **Gambling:** wagering, or assisting in the wager of, money or any other item of value.

5. **Hazing:** any conduct, act, or method of coercion of another to do an act of initiation or an act for admission in to any organization, which willfully or recklessly causes, or creates a substantial risk of causing, physical or mental harm to any student or other person, occurring on or off University premises. (See Code One, Offense Number 11, Hazing.)

6. **Illegal Use of Alcoholic Beverages:** possession or consumption of alcohol by a person who is under 21 years of age. (See Code One, Offense Number 12, Illegal Use of Alcoholic Beverages.)

7. **Negligent Bodily Injury:** careless or reckless behavior resulting in bodily injury or which could result in bodily injury to any person.

8. **Negligent Destruction of Property:** careless or reckless behavior resulting in damages, defacement, or destruction of property belonging to another person or entity.

9. **Profanity** — use of abusive, vulgar, or irreverent language.

10. **Possession, Distributing, Selling, or Manufacturing Counterfeit Drug-related Paraphernalia:** knowingly possessing, distributing, selling, or manufacturing counterfeit drug or related drug paraphernalia.

11. **Possession of Stolen Property:** knowingly possessing, using, or attempting to use stolen property.

12. **Sexual Misconduct:** indecent and/or offensive actions that are of a sexual nature including, but not limited to, voyeurism, exposure, or sexually explicit communication (e.g., via electronic or voice messages, photos, graphics, etc.)

13. **Theft/Identity Theft:** taking or attempted taking without consent, or unauthorized use of funds or property, such act constituting a criminal misdemeanor under Louisiana law; this includes the misuse or unauthorized use of University funds, or of student organization funds administered through the University.

14. **Unauthorized Posting or Distribution of Materials:** unauthorized posting or distribution of materials; or failure to abide by University policies and regulations on posting and distribution of materials on University premises.

15. **Unwelcome and Uninvited Contact:** a single behavior or act that causes another person to experience emotional distress, threat of safety, or reasonable fear of bodily injury. Such behaviors or activities may include, but are not limited to:

   - Following another person.
   - Monitoring or surveillance of another person.
   - Unwelcome communication, such as giving a face-to-face message, telephone call, voice message, electronic mail, written letter or note, unwanted gift, etc. (See Code One, Offense Number 19, Stalking.)

16. **Violation of University Housing Regulations:** violations of regulations and rules governing the operations of residence halls; this includes, but is not limited to, policies governing room/bathroom maintenance, quiet hours, telephones, visitation, etc. (See literature issued by the Office of Residential Life and Housing)

**Code Three Offenses**
A student found guilty of any of the following acts may be subject to the maximum sanction of disciplinary suspension and may not be allowed to reside on campus.

1. **Public Drinking:** public drinking is the imbibing or drinking of alcoholic beverages in or on any campus street, alley, sidewalk, right-of-way, park, playground, square, or unenclosed boundary of the Southern
University campus. An alcoholic beverage is defined as beer, porter, cordial liquors or specialty drinks, brandy, whiskey, fruit juices or wines, rum, gin, or any fluid or solid capable of being converted into a fluid for human consumption and all similar distilled beverages having an alcoholic content of more than six percent by volume, including alcohol, or as may be now or hereafter defined by law as an alcoholic beverage (Louisiana Law RS 26:2). It shall be unlawful for any person to possess any type of opened container — re-closeable containers included—containing any alcoholic beverage, as defined herein, or to drink any such alcoholic beverage from any opened container in or on any campus street, alley, sidewalk, right-of-way, park, playground, square, or unenclosed boundary of the Southern University and A&M College campus. It shall be unlawful for any person to possess any containers containing alcoholic beverages, in or upon a campus parking lot.

2. **Possession of Marijuana**: possession of marijuana when such possession would constitute a misdemeanor at law.

3. **Unauthorized Use of Alcoholic Beverages**: possession or consumption of alcoholic beverages in any form on University-owned or -controlled property, except where authorized by University officials; failure to comply with state and/or University regulations regarding the use and sale of beer and/or intoxicating liquors on University-owned or -controlled property; disorderly conduct resulting from the illegal use or the abuse of alcoholic beverages.

4. **Possession and/or Use of Fireworks**: possession or use of fireworks of any description on university premises.

5. **Gambling**: wager at any time, in any form.

6. **Violation of Rules Regarding Residence Halls and Dining Facilities**: violation of the following policies, rules, or regulations adopted for use in governing and operating residence halls and dining facilities, including, but not limited to, visitation policy, quiet hours policy, and other rules and regulations governing residence halls; rules and regulations posted in or distributed by residence halls; rules, regulations, and policies set forth in the housing contract.

7. **Unauthorized Occupancy in Residence Hall**: residing in residence halls without paying security deposit and room rent.

8. **Aiding and Abetting**: conspiring with, helping, procuring, or encouraging another person to engage in Code Three violations.

9. **Unauthorized Use of Loud Speakers**: use of loud speakers on University property without prior approval of the appropriate officials.

10. **Illegal Posting**: posting of signs or other materials without authorization from the appropriate offices.

11. **Illegal Registering of Automobiles**: registering an automobile for any freshman residing in on-campus housing who has not been authorized to operate a vehicle on campus.

12. **Use of Profanity**: engaging in abusive, vulgar, or irreverent language.

**Disciplinary Procedures/Sanctions**

A student admitted to Southern University and A&M College accepts responsibility to conform to all University regulations. Any student who fails to meet this obligation shall be subject to disciplinary sanctions including, but not limited to, expulsion, suspension, fine (not to exceed $500), probation, campus service, and warning. The Division of Student Affairs will make every effort to make regulations available. Students are required to become familiar with all regulations and are held accountable for any misconduct, even in the absence of such familiarity.

Student organizations also are governed by the **Student Code of Conduct**. Student organizations in violation of university policies shall be subject to the maximum of termination or loss of recognition from the University. Any lesser sanction includes but is not limited to restriction or suspension of the use of University facilities and services; suspension of the privilege to sponsor fundraising events; the loss of all funds allocated by the University; and restitution of damages. Penalties and sanctions governing all students include, but are not limited to, the following:

- **Disciplinary Warning**: This is official notification to students that their behavior has been unacceptable. Any further misconduct will result in additional sanctions. These sanctions are a part of the official record but are removed at the time the student completes a degree program.

- **Disciplinary Probation**: This is notice to a student or student organization that any further major disciplinary violation may result in suspension. Special restrictions may also be imposed as a condition of probation. Such restriction may include one or more of the following conditions:
Letter of Reprimand: A written statement of reproof to the student or organization.

Restrictions: Exclusion of a student or organization from, or modified participation by a
student or organization in, specific or all campus activities or facilities; or embargo of
privileges.

Restitution: Financial reimbursement or replacement of damaged or lost property.

Mandatory Withdrawal: Forced removal from an academic course in which an offense
occurred, without credit for the course.

Educational Program: An opportunity for personal development.

Community Service: An assigned number of hours of service to an on or off-campus
organization.

Eviction: Removal from residence facilities or other campus facilities as designated in the
written notification. Fees will not be refunded to a student who is evicted from residence
facilities.

Emergency Administrative Suspension: The University shall enforce this policy when a student’s
continued presence on campus interferes with the educational process of the University, or where the
health, safety, and morals of the campus community are compromised. This constitutes convincing
danger to the normal function of the University or to the student personally in such situations as
supported by case law (e.g. Woodruff v. West Virginia Board of Regents, 1971, establishes that the
University shall suspend the student immediately on an emergency basis). Students placed on
emergency administrative suspension shall remain on suspension until a judicial hearing is held and
a final determination is made in the pending case.

Disciplinary Suspension: Prohibition from attending classes and from being present without
permission on any campus of the Southern University System for the duration of the sanction. The
sanction may not exceed a period of more than two full semesters following the effective date of
suspension due to the severity of the crime. If required by the sanction, students who have been
suspended must petition for re-enrollment through the Dean of Students and/or the University
Judicial Committee. Once eligible to return to the University, suspended students must apply for
readmission.

Disciplinary Expulsion: Prohibition from attending classes and from being present without
permission on any campus of the Southern University System. An expelled student may not apply for
(re)admission to any institution in the Southern University System.

Other Sanctions: The Dean of Students and/or the University Judicial Committee may impose
appropriate sanctions due to damage or misuse of university property. Sanctions include, but are not
limited to, behavioral counseling, community service, and fines. Student privileges and access to
campus facilities also may be restricted.

Other Provisions

A student who fails to respond to an administrative request to appear before a hearing body shall be prohibited
from attending classes and participating in extracurricular activities. The student will be placed on emergency
administrative suspension until compliance with the administrative request to appear has been met.

The Chancellor, on the recommendation of the Vice Chancellor for Student Affairs, reserves the right to appoint
an ad hoc committee to hear matters regarding a student when the student’s conduct is detrimental to the
University.

The Chancellor, on the recommendation of the Vice Chancellor for Student Affairs, may expel, dismiss or
suspend any student when the student’s conduct is detrimental to the University and involves disruption of the
University process or is dangerous to the health, safety and morals of the University community.

The Chancellor, on the recommendation of the Vice Chancellor for Student Affairs, may dismiss or expel any
student, pending a later hearing date if requested, under the following circumstances:

- The continued presence of the student on campus is likely to create interference with the educational
  process and/or the orderly operation of the University.

- The continued presence of the student on campus is likely to endanger the health, safety, welfare or
  property of the University community.

Revised and Updated: June 2013

12
- The Chancellor, on the recommendation of the Vice Chancellor for Student Affairs, may dismiss or expel any student, pending a later hearing date if requested, who is convicted of or pleaded guilty to a criminal offense of a kind which interferes with the orderly operation of the University, or a kind which, if the student were allowed to remain enrolled, would endanger the health, safety, or property of the members of the campus community.

Amending the Student Code of Conduct
Any Southern University and A&M College registered student may propose changes to the Student Code of Conduct. Proposed amendments should be submitted in writing to the Dean of Students for review and then submitted to the Vice Chancellor for Student Affairs, who will coordinate an extensive review of the proposed amendments. The Vice Chancellor for Student Affairs submits recommendations to the Chancellor for approval.
I. Introduction

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. These behaviors are clear impediments to creating an educational atmosphere which is free from discrimination. As a result, an institution receiving federal funds must promulgate strategies and policies which demonstrate its ability to uphold the law and comply with applicable regulations. When the Complainant or Respondent is a student, the violation falls under the provisions of Title IX.

This Southern University at Baton Rouge (SUBR) campus policy utilizes the term "gender-based sexual misconduct" to encompass all behaviors that involve gender-based violations of an individual’s rights specifically manifested by sexual behavior and actions. Accordingly, this term is inclusive of conduct considered to constitute sexual harassment, non-consensual sexual contact or intercourse (of which sexual violence would be included), sexual exploitation, stalking, intimate partner violence, and other forms of inappropriate behavior that are linked with the sex/gender of the Complainant and/or Respondent. These behaviors, when deemed to have occurred, deprives an individual of their rights, and/or access to an education or employment which constitutes a violation of this policy.

Members of the SUBR campus community which includes students, faculty, administrators, guests, and visitors have the right to be free from sexual misconduct of any type. Therefore, SUBR is firmly committed to maintaining a climate of respect and safety for everyone. All members of the SUBR campus community are expected to conduct themselves in a manner that does not infringe upon
the rights of others. As a result, this campus has a zero tolerance policy for gender-based sexual misconduct. When an allegation of sexual misconduct is brought to the attention of the appropriate Campus Representative, and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions cease and are never repeated. In addition, SUBR’s response will provide individuals who bring forth complaints with reasonable remedies that will insure full participation in their educational and/or employment activities.

Nothing in this policy shall abridge academic freedom or SUBR’s educational mission.

II. Jurisdiction

All students, faculty, staff, administrators, affiliates and others participating in SUBR programs and activities are subject to this policy. SUBR has jurisdiction over, and will respond to allegations of sexual misconduct occurring on campus premises, at SUBR affiliated activities and/or where the misconduct involves students, faculty, staff, administrators, guests and visitors of this campus.

Reports of incidents of sexual misconduct committed by a student, faculty or staff at a location other than the SUBR campus and which affects the SUBR campus community are covered by this policy. Discipline for violations of this policy may include, but are not limited to, termination, expulsion and/or other appropriate institutional sanctions; and affiliates and program participants may be removed from SUBR programs and/or prevented from returning to campus.

III. Overview of Policy Expectations With Respect to Physical Sexual Misconduct

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent must be a clear and sober “YES”. Non-verbal consent is not as clear as discussing what is or isn’t sexually permissible. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent can also be withdrawn at any point during sexual activity.
Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if he/she cannot fully understand the details of a sexual interaction (who, what, when, where, why, how or how long) because he/she lacks the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Anything but a clear, knowing and voluntary "YES" to any sexual activity is equivalent to a "No".

IV. Overview of Policy Expectations With Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as professor and student or supervisor and student employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcomed may become unwelcomed. Even when both parties have consented at the outset to romantic or sexual involvement, this past consent may not remove grounds for a later charge of violation.

For the personal protection of members of this campus community, relationships in which power differentials are inherent (faculty-student, staff-student, or administrator-student, etc.) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the individual/employee from the supervisory or evaluative responsibility, or shift them out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.
V. Definitions and Definitions of Violations

Allegation. A statement by a Complainant that he/she believes an act of sexual misconduct has occurred.

Bullying. Typically is portrayed as aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power. It often includes comments about race, color, national origin, sex, sexual orientation or disability and frequently involves an imbalance of power, aggression, and a negative repeated behavior.

Campus Representative. Any individual who, in the course of his/her duties as a SUBR employee, is in the position to assist a member of the campus community who has been sexually assaulted.

Coercion. Unreasonable pressure for sexual activity. When someone makes it clear that he/she does not want to engage in sexual behavior, or that he/she does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.

Complainant/Victim. The person making an allegation or complaint of sexual misconduct.

Complaint. A formal notification, either orally or in writing, of the belief that sexual misconduct has occurred.

Consent. Consent must be clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober “YES”. Consent may not be inferred from silence, passivity, or lack of active resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute, and consent to one form of sexual activity. It does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one’s responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity because of circumstances or the behavior of another, or due to their age. Examples of such situations may include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment.
Cyber-Bullying. Cyber-bullying occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another person using the Internet, interactive and digital technologies, or mobile phones. Those who are electronically engaged can be cyber-bullied at any time or location, making the effect of cyber-bullying ubiquitous and acute. Harassment, hazing and stalking often are used to encompass cyber-stalking or cyber-bullying activities. The severity of the act and state law dictate what is criminal. Examples include flaming, harassment, hazing or stalking. The difference should be assessed through the: 1) kind of threat (e.g. name-calling, threat of harm, bomb, etc.); 2) frequency of threat (how often it occurs); and 3) source and nature of threats. Generally speaking, bullying is an on-going behavior. Hazing is often done once or twice during orientations or initiations, but may be more acute.

Dating Violence. Occurs when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes and education levels. It can happen on a first date, or during a long term relationship. It can happen whether the individual is young or old, and/or in a heterosexual or same-sex relationship. Dating violence can include physical abuse (hitting, shoving, kicking, biting, throwing things), emotional abuse (yelling, naming-calling, bullying, embarrassing), and sexual abuse (forcing a partner to do something sexual).

Domestic Violence. Occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called domestic violence. Domestic violence and abuse are used for one purpose and one purpose only, for one person to gain and maintain total control over another person. An abuser does not “play fair”. Abusers use fear, guilt, shame and intimidation to maintain power and control. The abuser may also threaten or hurt the individual or those around the victim or complainant. Domestic violence and abuse does not discriminate. It happens in heterosexual or same-sex relationships. It occurs within all age ranges, ethnic backgrounds and economic levels. While women are more commonly victimized, men can also be abused, especially, verbally and emotionally, although sometimes even physically as well.

Force. The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance or produces consent. There is no requirement that a person has to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is
forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Gender-based harassment.** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

**Gender-based misconduct.** Is comprised of a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, and intimate partner violence are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Gender-based misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of gender-based misconduct include:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcomed touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcomed references to various parts of the body;
- Belittling remarks about a person’s gender or belittling remarks about a person’s sexual orientation based in gender-stereotyping;
- Inappropriate sexual innuendoes or humor;
- Videotaping and photographing someone or people without consent;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;
- Sexually explicit profanity; and/or
- Use of e-mail, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.
Gender Discrimination. Unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

Hearing Board. This is an administrative body which, among other things, conducts hearings under this policy. It is comprised of students, faculty and staff.

Impairment. The state of being diminished, weakened or damaged, especially mentally or physically.

Incapacitation. Incapacity can result from mental disability, sleep deprivation, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be or, based on the circumstances, should reasonably have known to be mentally or physically incapacitated, constitutes a violation of this policy. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another’s ability to give consent.

Inebriated. To be made drunk; to exhilarate, confuse or stupefy a person mentally or emotionally.

Intimate Partner Violence (IPV). Physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur in heterosexual or same-sex relationships, whether co-habiting or not, and does not require sexual intimacy. IPV can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

Intimidation. To make timid, fill with fear; to overcome or cow, as through the force of personality or a superior display of strength which can control an individual’s actions.

Intoxication. Inebriation; drunkenness.

Investigator. Is the Title IX Coordinator, or his/her designee, who is officially responsible for administrative investigations of all reports and/or allegations
pertaining to a violation of this Gender-Based Sexual Misconduct Policy filed by students and employees.

**Rape.** Is forced sexual intercourse that is perpetrated against the will of the complainant or when he/she is unable to or incapable of giving consent (i.e. unconscious, asleep or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the Complainant. Rape is complete at the point of penetration no matter how slight that penetration.

**Reproductive Coercion.** Explicit male behaviors to promote pregnancy (unwanted by a woman). Reproductive coercion can include “birth control sabotage” (e.g. interference with contraception) and/or “pregnancy coercion”, such, as telling a woman not to use contraception and threatening to leave her if she doesn’t get pregnant.

**Respondent.** The person whose actions are alleged to have violated this Gender-Based Sexual Misconduct Policy.

**Sexual Assault.** Is engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person:

a) Sexual penetration without the consent of the other person;

b) Sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physcial incapacity; and/or

c) Sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Sexual Contact.** The deliberate touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person’s intimate parts.

**Sexual Intercourse.** Means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Misconduct.** Is the broad term encompassing, “Sexual Exploitation”, “Sexual Harassment”, “Non-Consensual Sexual Contact,” and “Non-
Consensual Sexual Intercourse", as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of sexual misconduct may include the following:

Sexual Misconduct Offenses.

- Sexual Harassment

Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from SUBR’s educational programs. The unwelcomed behavior may be based on power differentials [quid pro quo i.e. "you have to give something to get something"] which creates a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious or unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking or gender-based bullying.

- Non-Consensual Sexual Contact [or attempts to commit same]

Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with or by breasts, buttocks, groin, genitals, mouth or other orifice.

- Non-Consensual Sexual Intercourse [or attempts to commit same]

Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger and oral
copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

- **Sexual Exploitation**

  Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

  - Invasion of sexual privacy;
  - Prostituting another person;
  - Non-consensual video, photography or audio-taping of sexual activity;
  - Going beyond the boundaries of consent (such as letting someone hide in a closet to watch you having consensual sex);
  - Engaging in voyeurism;
  - Knowingly transmitting a STD or HIV to another person;
  - Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals; and/or
  - Sexually-based stalking and/or bullying.

**Standard of Proof.** The Department of Education's Office of Civil Rights has interpreted Title IX to require institutions to evaluate evidence of alleged Sexual Misconduct under a “preponderance of the evidence” standard and that is the standard adopted by this policy. A preponderance of the evidence means that the information shows that it is “more likely than not” that the accused student or Respondent violated this policy. In the context of a judicial hearing hereunder, the accused student or Respondent will be found to be responsible for the
alleged sexual misconduct if it concludes, by a unanimous vote, that such sexual misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the SUBR Office of the Dean of Students shall carefully consider all of the evidence presented and follow the procedures stated in this policy and the SUBR University Student Judicial System and Procedures in order to ensure as fair a hearing as possible for all parties.

**Stalking.** Behavior where a person follows, places under surveillance, or contacts, another person without the consent of the other person for the purpose of harassing and intimidating the other person. The term "contact" means to make or attempt to make any communication, including, but not limited to, communication in person, by telephone, by mail, by broadcast, by computer or computer network, or by any other electronic device. "Harassing and intimidating" refers to communication directed at a person that causes emotional distress because of a reasonable fear for the person’s safety or safety of others, and which serves no legitimate purpose. It does not require that an overt threat of death or bodily injury be made.

**Student.** Any person currently or previously enrolled at the SUBR campus pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

**Title IX Coordinator.** The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance efforts on behalf of SUBR.

**University Judicial Process.** Encompasses a series of actions and procedures administered by the SUBR Office of the Dean of Students which are designed to safeguard a student’s right to due process. This process does not include the observance and/or application of state and/or federal rules of civil procedures.

**University Official.** Any person employed by SUBR, performing administrative or professional responsibilities.

**VI. Sexual Exploitation And Other Misconduct Offenses that fall under Title IX when Gender-Based**

A. Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.

B. Discrimination which is defined as actions that deprive other members of the campus community of educational or employment access, benefits or opportunities on the basis of gender.
C. Intimidation which is defined as implied threats or acts that cause an unreasonable fear of harm in another.

D. Hazing which is defined as acts likely to cause physical or psychological harm or social ostracism to any person on the SUBR campus, when related to admission, initiation, pledging, joining or any other group-affiliation activity.

E. Bullying which is defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).

F. Violence between those in an intimate relationship toward each other.

G. Stalking which is defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the SUBR campus community; or the safety of any of the immediate faculty and/or staff family members of this campus.

VII. Procedure

A. Complaints

1. Formal Complaint

Any member of the SUBR campus community, guest, visitor or other interested party may make a report of an alleged violation of the Gender-Based Sexual Misconduct Policy. Complaints must be in writing and submitted within one hundred and twenty (120) days following the date of the alleged incident of sexual misconduct. While SUBR is firmly committed to protecting all students from harassment or discrimination in education programs and/or activities, failure to file a timely complaint may adversely affect the ability of SUBR to take appropriate actions under this policy.

2. The Complaint Process

a) The individual accused of conduct violating this Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the request for a formal investigation or otherwise be given a full and complete written statement of the
b) allegations and a copy of the Gender-Based Sexual Misconduct Policy (Title IX) by the Title IX Coordinator or his/her designee.

c) The individual accused of conduct violating the Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the request for a formal investigation or otherwise a review of relevant documents, as appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and through investigation. Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.

d) Upon request, the Complainant and Respondent may each have either an advisor or attorney representative present when he or she is required to do so pursuant to the applicable provisions of SUBR University Student Judicial System and Procedures.

e) At any time during the investigation, it may be recommended that interim protections or remedies for the Complainant and/or witnesses be provided by SUBR.

f) The investigation shall be completed as promptly as possible and in most cases, within sixty (60) working days of the date that the request for formal investigation was filed. After the completion of the investigation, the Title IX Coordinator will prepare a written report.

g) An investigation will result in a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence and a recommendation for corrective or disciplinary action. If the investigation involves allegations of student-on-student sexual misconduct, and the investigation results in a finding that this policy has been violated, the Title IX Coordinator will file a complaint with the SUBR Office of the Dean of Students and the complaint will be processed under the provisions of the SUBR University Student Judicial System and Procedures. In such cases, the Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the Complainant to determine in what capacity he/she will participate (i.e., co-complainant, witness, or no participation).
h) Within fifteen (15) business days of taking corrective and/or disciplinary action against a Respondent, or a decision not to take any action, the SUBR Office of the Dean of Students shall provide written notification to the Title IX Coordinator of what action, if any has been taken, including the results of any appeals.

B. Special Complaint Process Provisions

a) Attempted violations: In most circumstances, SUBR will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.

b) SUBR as Complainant: If the Complainant/Victim does not wish to release his/her name or file charges, then, as necessary, SUBR reserves the right to initiate a complaint, to serve as a Complainant and to initiate the University Judicial Process without a formal complaint being made by the victim of sexual misconduct.

c) False Reports: SUBR will not tolerate intentional false reporting of incidents. It is a violation of SUBR University Policies and Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate Louisiana criminal statutes and civil defamation laws.

d) Immunity for Victims and Witnesses: The SUBR campus community encourages the reporting of sexual misconduct violations and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report an incident to a Campus Representative or to participate in the University Judicial Process because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this campus community that as many victims as possible choose to report to Campus Representatives, and that witnesses come forward to share what they know. To encourage reporting, SUBR pursues a policy of assisting victims of crimes and witnesses. Limited immunity is provided from specific policy violations related to the incident. While minor sexual misconduct violations cannot be
completely overlooked, SUBR will provide further education, rather than responses, in such cases.

e) **Bystander Engagement:** Welfare of SUBR students is of paramount importance. At times, students on and off campus may need assistance. SUBR encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as a student who is underage and has been drinking might hesitate to help take a sexual misconduct victim to the Southern University Police Department). SUBR will pursue a policy of limited immunity for students who offer help to others in need.

f) **Parental Notification:** SUBR’s primary relationship is with the student and not the parent. It reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and alcohol and other drug violations. Additionally, Campus Representatives will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication. SUBR also reserves the right to designate which University official may have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

g) **Notification of Outcomes:** The outcome of a sexual misconduct adjudication is part of the educational record of the accused student or Respondent, and is protected from release under federal law (FERPA), and SUBR’s confidentiality of records policies. Moreover, SUBR observes legal exceptions as follows:

- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking and relationship violence incidents have an absolute right to be informed of the outcome, essential findings and sanctions of the SUBR Office of the Dean of Students, in writing, without conditions or limitations.
• SUBR may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a University policy that is a “crime of violence”, including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. SUBR will release this information to the Complainant in any of these offenses regardless of the outcome.

h) Alternative Testimony Options: For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the Complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside the physical presence of the accused individual, such as in another room or by electronic means such as videoconferencing. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student or Respondent.

i) Past Sexual History/Character: The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or University judicial process unless such information is determined to be highly relevant. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance by the Title IX Coordinator. While previous conduct violations by the accused student or Respondent are not generally admissible as information in determining responsibility for the present alleged violation, the Title IX Coordinator may supply previous complaint information to be considered in sanctioning or may consider it himself/herself only if:

a) The Respondent was previously found to be responsible;
b) The previous incident was substantially similar to the present allegation; and/or

c) Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student or Respondent.

C. Formal Resolution Procedures for Complaints Against Faculty and Non-Faculty Employees

Title IX complaints filed by students against employees of SUBR will follow procedures outlined in the Southern University System Personnel Handbook. A hard copy of this document can be obtained from the System Office of Human Resources on the SUBR campus at the J.S. Clark Annex Building, 1st Floor.

D. Formal Resolution Procedures for Complaints Against Students

1. Complaints Against Students

   a) Complaints will be assigned to the Title IX Coordinator, who will investigate the allegation(s). Following an investigation, a preliminary meeting will be held with the Respondent to review the complaint and other information gathered. After the complaint is investigated, the University judicial process is initiated. The SUBR Office of the Dean of Students will administer the University judicial process in accordance with the SUBR University Policies and Student Code of Conduct guidelines.

   b) Complainants and Respondents have the right to have an adviser of his/her choice present during the University judicial process. An adviser may provide support and advice but not actively participate in the hearing. Attorneys may act as advisers, but may not argue a case or attempt to introduce legal procedures.

   c) Hearings conducted by the SUBR Office of the Dean of Students will be closed to the public. SUBR reserves the right to review individuals attending hearings based on their involvement with the incident. All information presented during these proceedings is confidential and will only be released if
subpoenaed or with the Complainant’s or Respondent’s permission except for final results of non-consensual sexual intercourse or other violent acts, which will only be released to the victim of the act.

d) Prospective witnesses, other than the Complainant/victim and Respondent may be excluded from a University judicial process hearing during statements made by other participants.

e) Oral and/or written statements may be considered and will be weighed as deemed appropriate. Complainants and/or Respondents are responsible for ensuring witnesses or documents are available at the time of the hearing.

f) Respondents will be afforded an opportunity to hear and respond to all information presented against them.

g) Complainants and/or Respondents may request the removal of any participants in the University judicial process hearing they feel may be biased against them.

h) All participants are expected to act with integrity by providing honest answers, following established procedures and maintaining confidentiality.

i) University judicial process hearings will be conducted in a civil manner with any participant disrupting the process being excluded from the remainder of the hearing.

j) Pending resolution of a complaint, a student’s status may only be altered to protect SUBR’s interests and/or the safety and security of individual members of the campus community. Such actions may include interim suspensions, restriction of privileges including access to certain areas of the campus, and no-contact directives.

k) Determination of responsibility for violating this policy will be based on the standard of a preponderance of the evidence presented at the University judicial process hearing.
l) If it is determined that the Respondent is responsible for sexual misconduct, i.e., the sexual misconduct more likely than not occurred, the Complainant may present a statement recommending a sanction (the "Impact Statement"). The Respondent will be provided with an opportunity to respond to the Impact Statement. The Hearing Board is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, discretion may be applied to permit the presence of other persons.

m) Written notification of the outcome of the University judicial process hearing, including the reasons for the decision, findings of fact and an explanation of the sanctions, will be sent within a reasonable time frame from the conclusion of the matter. Notifications will be sent to the Complainant and Respondent. Other notifications may be sent in order for SUBR to comply with applicable victim notification laws for reporting the results of the University judicial hearing process.

2. Student Appeal Process

a) The outcome of any University judicial process hearing may be appealed by either the Complainant or Respondent. All appeals will be pursued in accordance with the SUBR University Policies and Student Code of Conduct. Appeals must be based on at least one of the following reasons to be considered:

b) Procedural errors in the operation of the University judicial process hearing were substantial enough to have effectively denied the student a fair hearing.

c) Availability of new and significant evidence that was not available at the original hearing in spite of diligent efforts by the student to collect such information.

d) Lack of substantial information presented at the hearing to support the decision on responsibility for a violation.

e) Severity of the sanctions does not match the severity of the violation.
3. Student Sanctions

Student Sanction Statement

a) Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous SUBR student conduct code violations.

b) Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.

c) Any student found responsible for violating the Sexual Exploitation or Sexual Harassment provisions of this policy will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous SUBR student conduct code violations.

4. Range of Sanctions

The following sanctions comprise a range of official actions that may be imposed for violation of this policy by individuals or groups. One or more sanctions may be imposed at the discretion of the SUBR Office of the Dean of Students in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain the rationale behind regulations. This list does not limit the actions available and is not inclusive of all possible actions that could be taken as a result of a violation of this policy. Students found responsible for violations will receive a minimum disciplinary warning with expulsion being the maximum sanction.

a) Disciplinary Warning: This action is taken when the individual's conduct or involvement merits an official admonition that can be either verbal or written. The student is warned that further misconduct may result in more severe disciplinary action. A disciplinary warning is intended to promote reflection on the
decisions and behavior leading up to a violation and promotes an increased awareness of SUBR's behavioral expectations.¹

b) Disciplinary Probation: This action is designed to assist students in developing behavior appropriate to the SUBR campus community through placing them on a warning status. There are three (3) types of probation which may be imposed, depending on the type and severity of the violation.²

(1) Residence Hall Probation: Privileges of residents, including visitation, may be revoked for all or part of the time the resident is on probation. The resident is also informed that further violations may result in greater levels of sanctions. This level of probation is intended to provide the student with an opportunity to reflect on, and learn from, his/her behavior while increasing awareness of the impact of his/her behavior on themselves and others and SUBR's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

(2) University Probation Level I: A change in student status involving written notice of the probation, its terms and time limit as established by the University judicial process. The student is notified that further infractions of any SUBR regulation may result in more stringent restrictions being placed on his/her actions. This level of probation is intended to provide the student with an opportunity to reflect on and learn from his/her behavior on themselves and others and the SUBR's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

(3) University Probation Level II: This is the most serious level of Sexual Misconduct sanctions, short of suspension from SUBR, during which the student is considered not in good standing. The student remains enrolled under circumstances defined by the SUBR Office of the Dean of Students and may not represent SUBR in any official capacity or hold office in any student organizations including, but not limited to, varsity or non-varsity intercollegiate

¹ Supplements the “Disciplinary Warning” provision currently reflected in the SUBR University Policies and Student Code of Conduct (Revised and Updated: June 2013) at pp. 10-11.
² Supplements the “Disciplinary Probation” provision currently reflected in the SUBR University Policies and Student Code of Conduct (Revised and Updated: June 2013) at p. 11
athletic events or teams, recognized student organizations, theater
groups or productions, musical organizations or officer positions.
This probation level indicates to the student that further violation(s)
of SUBR regulations will result in more stringent action, including
but not limited to, suspension or expulsion. This level of probation
is intended to promote reflection on the student’s behavior and
decisions while stressing the making of mature decisions, engaging
in critical thinking and preventing more inappropriate behaviors
from recurring.

c) Behavior Contract: A student may enter into a written agreement
with SUBR during the University judicial process concerning
expectations for future behavior and decisions to assist in
preventing inappropriate behavior from recurring.

d) Residence Hall Reassignment or Removal: This action is an
involuntary reassignment to another residence hall or removal
from on-campus housing altogether for a designated period of time
and may include restricted visitation privileges. Usually, a student
is given forty-eight (48) hours to remove all belongings from an
assigned space and reimbursement of room charges will be based
on SUBR’s refund schedule for removals. This sanction is
imposed to protect the welfare of a residence hall or floor
community, and students having this sanction imposed should
reflect on the behaviors necessary for an individual to be part of a
residential community by respecting others, and developing critical
thinking skills and mature decision-making skills.\(^3\)

e) Restriction of Privileges: This action consists of an effort to
assist students in developing an awareness of the responsibilities
that go along with privileges and increase an awareness of
appropriate behavior and how decisions impact themselves and
others. Under this sanction, students may be restricted from
entering certain buildings, attending certain events or using
specific programs due to their behavior. Residence hall students

\(^3\) Supplements the “Eviction” provision currently reflected in the SUBR University Policies and Student Code of Conduct
(Revised and Updated: June 2013) at p. 11.
may have their visitation privileges restricted or revoked for a certain time period, or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the Office of the Dean of Students based on the incident.

f) **No-contact Directive:** This action is implemented at the discretion of the chairperson of the Hearing Board directing a student to avoid initiating contact with another member of the SUBR campus community, it may include limiting access to certain areas to avoid incidental contact. A No-Contact Directive may be imposed at a student’s request in the absence of a Hearing Board decision if it does not involve any accommodation changes. Contact includes direct interactions in person or through technology, as well as the use of third parties to interact. The No-Contact Directive is not limited by location. They can be issued open-ended and would only be considered if the person who originally requested it asked to have it canceled.

g) **Suspension of Group Recognition:** This action consists of the withdrawal of all or part of the official recognition of a group for a stated period of time and will include conditions for reinstatement of recognition. This sanction is intended to assist groups in developing a stronger sense of the responsibilities that go along with the privileges of SUBR recognition and commitment to be a positive part of the campus community.

h) **Revocation of Group Recognition:** This action is permanent cancellation of the official SUBR recognition and privileges of a group found in violation of this policy.

i) **Restitution Fines:** A student or organization may be required to make payment to SUBR or to another specified person(s) or group(s) for damages incurred as a result of a violations of this policy. Restitution fines may be imposed by SUBR in addition to any other sanction to promote responsibility for actions and an awareness of the consequences of behavior.

j) **Restitution Service:** As part of the sanctioning process, students can be required to perform service to assist in developing
increased awareness of the impact of their decisions and strengthen critical thinking abilities to identify appropriate behavior. These services can include performing assigned duties, sponsoring programs, etc.

k) Educational Activity: A student or organization may be required to complete an educational activity or project relating to a violation of this policy to assist in their developing increased awareness of the impact of their decisions, strengthen critical thinking abilities to identify appropriate behavior, and develop an increased sense of responsibility, integrity and civility.

l) Registration Hold: A hold may be placed on a student's registration if the student has failed to complete a sanction or withdraws prior to official resolution of a complaint. Holds are intended to be temporary until the sanction is complete. Registration holds may also be used during periods of interim suspension, suspension or expulsion.

m) Interim Suspension: The SUBR Dean of Students may recommend the suspension of a student for an interim period, pending the outcome of the University judicial process, whenever there is evidence that the continued presence of the student at SUBR poses a substantial threat to the safety and/or well-being of any member of the SUBR campus community or private property. An interim suspension may be effective immediately without prior notice; however, the decision may be appealed to the Vice-Chancellor of Student Affairs. The student shall be given an opportunity to appear personally before the Hearing Board within ten (10) business days from the effective date of the interim suspension unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. Both the student[s] and SUBR must agree to an extension that may be left open-ended. By agreeing to an extension, the Respondent/student accepts the decision of interim suspension and any conditions imposed as part of it.

During an interim suspension, the Respondent/student will be barred from all or part of SUBR's premises, as designated by the SUBR Dean of Students. A Respondent/student under interim suspension who returns to a portion of the campus from which he/she was barred without permission from the SUBR Dean of
Students will be subjected to dismissal and/or arrest for trespassing.  

n) Suspension: This action is an involuntary separation of a Respondent/student from SUBR for a designated period of time after which he/she is eligible to return. The SUBR Dean of Students may establish requirements for reinstatement, which must be fulfilled to his/her satisfaction. The Respondent/student may not participate in any SUBR sponsored activity and may be barred from SUBR premises during the suspension period. Reimbursement of charges or fees for students removed from the campus due to sexual misconduct will follow the University's official refund schedule for withdrawals. This action is designed to protect members of the SUBR campus community and their property, promote critical thinking and mature decision-making skills, and promote self-reflection on behavior and the impact it has had on the Respondent/student and others.

o) Expulsion: The action entails involuntary and permanent separation from SUBR. The Respondent/student will be barred from all campuses activities within the Southern University System and property following expulsion. Reimbursement of charges or fees for students removed from campus due to sexual misconduct will follow the official refund schedule for withdrawals.

E. Retention of Records Regarding the Gender-Based Sexual Misconduct Policy

The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions. All written records associated with the resolution of a complaint pertaining to the
formal investigation will be maintained in accordance with all pertinent SUBR policies and procedures.

D. Confidentiality and Privacy

A Complainant/victim may make a request for confidentiality/privacy at any point. This type of request means that the Complainant/victim does not want his/her identity known to the Respondent and witnesses, or that the Complainant/victim wishes to withdraw a report. If at any point the Complainant/victim requests privacy, SUBR will make all reasonable attempts to comply with this request. In situations where a Complainant/victim requests confidentiality/privacy, SUBR's ability to investigate and respond to the allegations may be limited.

SUBR is required by Title IX to weigh the Complainant/victim's request for confidentiality/privacy within its commitment to provide a reasonably safe and non-discriminatory environment. The Complainant/victim will be notified by the appropriate Campus Representative if it is determined that SUBR cannot maintain her/his confidentiality/privacy. The Complainant/victim's identity will be revealed to those individuals who need to know the name of the Complainant in order for an investigation to commence.

In situations where SUBR becomes aware of a pattern of behavior by a single student or Respondent, it will take all appropriate actions in an attempt to protect the campus from gender-based misconduct by that individual.

If the offender is unknown or is not a member of the campus community, SUBR staff will assist individuals in identifying appropriate campus resources or local authorities, if that person would like to file a report.

When a report of gender-based sexual misconduct is filed, the Complainant/victim, the Respondent and all identified witnesses who are named in the investigation, will be notified of SUBR's expectation of confidentiality and privacy. SUBR will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in gender-based sexual misconduct investigations and hearings. Breaches of confidentiality and privacy against the Complainant/victim or witnesses
and may warrant a separate misconduct hearing.

E. Amnesty

While SUBR does not condone underage drinking or violation of any other policies, it considers reporting sexual assault and sexual misconduct to be of paramount importance. To encourage reporting and adjudication of sexual assault and misconduct, SUBR will extend limited amnesty to students who have been the victim of sexual misconduct. SUBR will generally not seek to hold the student responsible for his/her own violations of the law (e.g. underage drinking), or of the SUBR University Policies and Student Code of Conduct in which he or she may have been involved during the period immediately surrounding the sexual misconduct.

F. Retaliation

Retaliation against any person who alleges a violation of the Gender-Based Sexual Misconduct Policy or who reports or assists SUBR in the investigation of a complaint under this policy may result in disciplinary action up to and including termination or expulsion by SUBR. Retaliation against any person who is the Complainant/victim of sexual misconduct is prohibited as well. There will be no retaliation against those who report or assist the SUBR campus in the investigation of a complaint. Retaliation against the Complainant/victim or witnesses may warrant a separate University judicial process hearing.

VIII. Information and Assistance

The Title IX Coordinator’s role is to oversee SUBR’s compliance with Title IX regulation and will:

A. Serve as a resource for students wishing to report any acts of sexual misconduct or gender-based discrimination, i.e. violations of Title IX.

B. Provide oversight for all Title IX activities and identify patterns, issues or problems regarding sexual misconduct complaints.

C. Review and support the informational initiatives enabling students, staff, administrators and faculty to fully understand sexual violence and sexual harassment as forms of sexual discrimination and further educate the SUBR campus community about all related policies and procedures.
D. Conduct all initial investigations of sexual misconduct complaints and issue written copy of findings.

SUBR's Title IX Coordinator and contact information are:

Mr. Lester Pourciau
Vice-President, Human Resources
Lester_Pourciau@subr.edu
225-771-0040

If a student believes that he/she has experienced sexual harassment and/or any form of sexual misconduct, they are strongly encouraged to file a complaint with SUBR, with the police or with both.

IX. Resources for Students Reporting Gender-Based Sexual Misconduct

SUBR's primary concern is with the health, safety, and well-being of its students and the University community. Students who have experienced any form of gender-based sexual misconduct are urged to seek immediate assistance. Assistance can be obtained twenty-four (24) hours a day, seven (7) days a week from:

A. Southern University Health Center
   225-771-4770

B. Southern University Counseling Center
   225-771-2480

C. Southern University Police Department—SUBR
   225-771-2770

D. STAR Center (Sexual Trauma Awareness & Response)

E. Rape Crisis Hotline 225-383-RAPE (225-383-7278)
   prevention@brstar.org

F. SUBR Office of Student Affairs
   225-771-3922
Reviewed by:
Brandon Dumas, SUBR
Vice-Chancellor of Student Affairs

Marcus Coléman
SUBR Dean of Students

Lester Pourciau
SUB Vice-President of Human Resources

Approved by:
Ronald Mason, Jr.
System President

Date: 5/29/14

James L. Llorens, Ph.D
SUBR Chancellor

Date: 5/29/14
APPENDIX A

COMPLAINANT'S STATEMENT OF RIGHTS

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;

2. The right to be treated with respect by University officials;

3. The right of both the Complainant and Respondent to have the same opportunity to have others present (in support or advisory roles) during the University judicial process hearing;

4. The right not to be discouraged by University officials from reporting sexual misconduct offenses to both on-campus and off-campus authorities;

5. The right to be informed of the outcome and sanctions imposed as the result of a University judicial process hearing involving a sexual misconduct offense, usually within forty-eight (48) hours of the end of that hearing;

6. The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by Campus Representatives in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the Complainant/victim's desire;

7. The right to be notified of available counseling, mental health or student services for the Complainant/victim both on campus and in the community;

8. The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the Complainant/victim and if such changes are reasonably available. (No formal complaint, or investigation, campus or criminal, need occur before this option is available.) Accomodations may include:

- Change of an on-campus student’s housing to a different on-campus location if space is available;
- Assistance from University support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Exam (paper, assignment) rescheduling;
- Taking an Incomplete in a class;
- Transferring class sections;
- Temporary withdrawal; and/or
- Alternative course completion options.
9. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process hearing;

10. The right to make an Impact Statement at the University judicial process hearing and to have that statement considered in determining a sanction;

11. The right to a campus no-contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;

12. The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement;

13. The right to appeal the (finding and) sanctions imposed by the SUBR Office of the Dean of Students, in accordance with the standards for appeal established by the institution;

14. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least forty-eight (48) hours prior to the University judicial process hearing;

15. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness’s identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the alleged Complainant/victim, which will always be revealed);

16. The right to preservation of privacy, to the extent possible and allowed by law;

17. The right to a hearing closed to the public;

18. The right to petition that any member of the Hearing Board be removed on the basis of demonstrated bias;

19. The right to bring a victim advocate or adviser to all phases of the investigation and University judicial process hearing;

20. The right to give testimony in the University judicial process hearing by means other than being in the same room with the Respondent;

21. The right to ask the investigator(s) to identify and question relevant witnesses, including expert witnesses;
22. The right to be fully informed of the University judicial process rules and procedures, as well as the nature and extent of all alleged violations contained within the complaint;

23. The right to have the University request the presence of student, faculty and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of witnesses (including the Respondent) and the right to challenge documentary evidence;

24. The right to be present for all testimony given and evidence presented before the Hearing Board;

25. The right to have complaints heard by the Hearing Board members and appeal officers who have received annual sexual misconduct training;

26. The right to have a Hearing Board comprised of representatives of both genders;

27. The right to have University policies and procedures followed without material deviation;

28. The right to be informed in advance of any public release of information regarding the complaint if possible; and

29. The right not to have released to the public any personally identifiable information, without his or her consent.
APPENDIX B

RESPONDENT’S STATEMENT OF RIGHTS

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;

2. The right to be treated with respect by University officials;

3. The right to be informed of, and have access to, campus resources for medical, counseling and advisory services;

4. The right to be fully informed of the nature, rules and procedures of the University judicial hearing process and to timely receive written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;

5. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;

6. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process;

7. The right to make an Impact Statement during the University judicial process hearing and to have that statement considered in determining a sanction;

8. The right to appeal the finding and sanction of the Hearing Board, in accordance with the standards for appeal established by SUBR;

9. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, usually within forty-eight (48) hours prior to the University judicial process hearing;

10. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness’s identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the Complainant/victim, which will always be revealed);

11. The right to a hearing closed to the public;

12. The right to petition that any member of the Hearing Board be removed on the basis of bias;
13. The right to have the Hearing Board request the presence of student, faulty and staff witnesses, and the opportunity to ask questions, directly or indirectly, of witnesses and the right to challenge documentary evidence;

14. The right to have complaints heard and/or appealed by individuals who have received annual sexual misconduct adjudication training;

15. The right to have SUBR policies and procedures followed without material deviation;

16. The right to have an adviser or advocate accompany and assist in the University judicial process. This adviser can be anyone but the adviser may not take part directly in the hearing itself, though he/she may communicate with the Respondent as necessary;

17. The right to a fundamentally fair hearing, as defined by SUBR policies and procedures;

18. The right to an outcome based solely on evidence presented during the University judicial process hearing. Such evidence shall be credible, relevant, based in fact, and without prejudice;

19. The right to written notice of the outcome and sanction of the Hearing Board;

20. The right to have the Hearing Board comprised of representatives of both genders; and

21. The right to be informed, in advance when possible, of any public release of information regarding the complaint.
APPENDIX C

FREQUENTLY ASKED QUESTIONS ABOUT THE GENDER-BASED/SEXUAL MISCONDUCT POLICY (TITLE IX)

Some of the most commonly asked questions regarding a Gender-Based/Sexual Misconduct Policy and procedures are summarized below:

❖ Does information about a complaint remain private?

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with SUBR's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the Complainant/victim or the Respondent may lead to action by SUBR as it can be viewed as a form of retaliation if being done to malign or impinge a person's character.

In all complaints of sexual misconduct, all parties will be informed of the outcome. If there is a report of an act of alleged sexual misconduct to a SUBR Campus Representative and there is evidence that a felony has occurred, the Southern University Police Department will be notified. This does not mean charges will be automatically filed but that a victim must speak with the police, and the institution is legally required to notify law enforcement authorities. SUBR must also statistically report the occurrence on-campus major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

❖ Will my parents be told?

No, not unless you tell them. Whether you are the Complainant/victim or the Respondent, SUBR's disciplinary relationship is with the student and not his/her parent(s). University officials will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication.

❖ Will the Respondent know my identity?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the Respondent has a right to know the identity of the Complainant/victim. If there is a hearing, SUBR does provide options for questioning without confrontation, including using a room divider or using separate hearing rooms.
Do I have to name the perpetrator?

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete Confidentiality Policy contained in this policy to better understand SUBR's legal obligations depending on what information you share with different University officials). Complainants should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively but will result in an investigation based on the information provided.

What do I do if I am accused of sexual misconduct?

DO NOT contact the Complainant/victim. You may immediately want to contact someone in the campus community who can act as your adviser. You may also contact the Title IX Coordinator who can explain SUBR's procedures for addressing sexual misconduct complaints. As a Respondent, you will be contacted for an interview by the Title IX Coordinator or his/her designee. You may ask any question you have during this interview. You may also want to talk to a confidential counselor at the SU Counseling Center or seek other community assistance. See below regarding legal representation.

Will I (as a Complainant/victim) have to pay for counseling/medical care?

Not typically, if SUBR provides these services already.

What about legal advice?

Complainants/victims of criminal sexual misconduct need not retain a private attorney to pursue prosecution because representation will be handled by the East Baton Rouge Parish District Attorney's Office. You may want to retain an attorney if you are the Respondent or are considering filing a civil action. Respondents may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the University judicial process.

What about changing residence hall rooms?

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typical institutional policy that in emergency room changes, the student is moved to the first available and suitable room. If you want the Respondent to move, and believe that you have been the victim of sexual misconduct,
you must be willing to pursue a formal University complaint. No-Contact Directive can be imposed and temporary room changes for the accused student can usually be arranged quickly. Room changes can be accommodated if space is available. Other accommodations available to you might include:

- Assistance from University support staff in completing the relocation.
- Arranging to dissolve a housing contract and pro-rating a refund.
- Assistance with or rescheduling an academic assignment (paper, exams, etc.).
- Taking an Incomplete in a class.
- Assistance with transferring class sections.
- Temporary withdrawal.
- Assistance with alternative course completion options.
- Other accommodations for safety as necessary.

What should I do about preserving evidence of a sexual assault?

Police are in the best position to secure evidence of a crime. Physical evidence of sexual misconduct must be collected from the Complainant/victim’s person within one hundred and twenty (120) hours of the alleged incident, although evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe you have been a victim of a sexual misconduct, you should go to a hospital emergency room before washing yourself or your clothing.

If a Complainant/victim goes to the hospital, local police will be called, but the victim is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to take any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the Complainant/victim later decide to exercise it.

For the Complainant/Victim: The hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and the person can accompany you through the exam, if you want. Do not disturb the crime
scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

- **Will a Complainant/victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?**

  Usually not. The severity of the infraction will determine the nature of SUBR’s response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and SUBR does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

- **Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?**

  The use of alcohol and/or drugs by either party will not diminish the Respondent’s responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant/victim’s memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the Complainant/victim does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the Respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation of the sexual misconduct policy.

- **Will either party’s prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?**

  Not unless there is a compelling reason to believe that prior use or abuse is relevant to the current complaint.

- **What should I do if I am uncertain about what happened?**

  If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of SUBR’s sexual misconduct policy, you should contact the SUBR Title IX Coordinator. The University provides advisers who can help you to define and clarify the event(s), and advise you of your options.
Southern University and A&M College
Office of the Dean of Students

Student Judicial System

Student Judicial System and Procedures
(This document is an addendum to the Student Code of Conduct)

A People’s Institution Serving the State, the Nation, and the World
Student Judicial System

The primary purpose of the Southern University and A&M College student judicial system is to help govern the University community by regulating student conduct and by enforcing the University's Student Code of Conduct consistent with the principles of due process of laws applicable to state universities.

Definition of a Student
The term "student" denotes individuals enrolled in courses at Southern University and A&M College, whether full-time or part-time, for credit or non-credit and is inclusive of those individuals who have been notified of their acceptance for admission, persons who withdraw after allegedly violating the Student Code of Conduct, persons who are not enrolled for a particular term (but who have not officially withdrawn from the University), and those who have a continuing relationship with the University, (e.g., on academic dismissal, disciplinary suspension, or studying abroad). An individual is no longer considered a student upon graduation, official withdrawal from the University, expulsion from the University, or death. Individuals not meeting the student criteria that violate University rules and regulations are subject to all applicable local, state, and federal laws, and will be prosecuted through appropriate means.

Student Rights: Responsibilities to the University
Southern University and A&M College students have the same rights, privileges, and freedoms granted to every United States citizen. With these rights, privileges, and freedoms come the responsibility to obey federal, state, and local laws, as well as University rules and regulations. Essential to the effective functioning of the University is the protection and promotion of a special set of interests and purposes, including:

- The opportunity of students to attain their educational objectives;
- The creation and maintenance of an intellectual and educational atmosphere throughout the University;
- The protection of the health, safety, welfare, property, and human rights of all members of the University community;
- The right to privacy in accord with policy expressed in the Family Educational Rights and Privacy Act of 1974, and
- The protection and reputation of the University itself.

Students enrolled at Southern University and A&M College must ultimately assume full responsibility for their actions and must adhere to Student Code of Conduct regulations set by the University. Students should read and become familiar with the Student Code of Conduct, as well as adhere to rules and regulations set forth by the Student Code of Conduct as well as other University policies and regulations. Violations of these regulations and/or a demonstrated unwillingness to obey rules governing conduct may lead to sanctions or disciplinary action by the University. When students are away from the Southern University and A&M College campus, they are expected to conduct themselves as mature individuals. Irresponsible actions which are reported to University officials or which become public knowledge may be cause for disciplinary action. As members of an educational institution, students have a responsibility to the institution to protect and preserve the academic process. Students have the right and the responsibility to report Code violations, or any violation of University policy.

Student Rights: When Accused
An accused Southern University and A&M College student has the following rights:

- The right to the presumption of innocence until proven guilty.
- The right to a fair and impartial hearing.
- The right to be notified in writing.
- The right to an advisor of his/her choice provided that person is willing to assist and advise the student during the investigation. The advisor must be a Southern University and A&M College faculty or staff member. A student also may have an attorney present if the Dean of Students is notified within 48 hours of the student’s hearing. An advisor or attorney attending a hearing may not actively represent the accused student but may give advice to the student regarding how to present his or her defense.

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• The right to present witnesses to testify in his/her defense. The Dean of Students and/or University Judicial Committee shall have the authority to limit the number of witnesses in order to avoid unreasonable delays, where testimony would be repetitious or unnecessary.
• The right to question all witnesses who testify at the hearing.
• The right to be present during the entire hearing, except during judicial deliberations.
• The right to examine all evidence used in the judicial proceeding, including investigative findings, recordings, or transcripts of his or her hearing, for the purpose of preparing an appeal.
• The right to accept or reject the decision of a judicial hearing.
• The right to be notified in writing of a hearing decision.
• The right to attend classes and required university functions until a hearing is held and a decision is rendered. Exceptions to this right would be made if a student's presence would create a clear and present threat or interference with normal operations, judicial processes, or disciplinary sanctions.

**Student Rights: When a Victim**
A victim is defined as the person harmed by a violation of the *Student Code of Conduct* by an accused student. Victims of have the following rights:

• To have an advisor of the alleged victim's choice accompany him/her when presenting in a judicial hearing and to any other relevant meetings held throughout the University's judicial process.
• To submit a statement to the hearing body. This information may be used only in the sanctioning phase of deliberations, if the accused student is found responsible for the violations.
• To have unrelated past behavior excluded from a scheduled hearing. The Dean of Students will decide if such information is unrelated.
• To be present throughout the hearings, or portions thereof, at the discretion of the Dean of Students.
• To have personal property returned to them if in the current possession of the University. The determination of when this property may be returned is left to the Dean of Students and/or the Southern University Police Department.
• To be notified of the outcome, including both the decisions and the sanctions of the disciplinary process.

**Important Terms and Conditions**
• **Accused** — a person charged with a fault or offense.
• **Advisor** — a person who gives information, advice, or opinions.
• **Contempt** — show of willful disobedience to, or open disrespect of, a university judicial body. Acts include but are not limited to failure to appear and failure to adhere or comply.
• **Legal Counsel** — an attorney who gives advice regarding law.
• **Minor Infractions** — violations that are less severe.
• **Restitution** — to be held accountable for damages to or destruction of public/private property.
• **Sanctions** — penalties or punishment for violation of the *Student Code of Conduct*.
• **Faculty** — Any person hired by the University to conduct classroom instruction and/or research activities or who is otherwise considered by the University to be a member of its faculty.
• **Student Organization** — an administrative and functional structure of persons enrolled at the University.
• **University** — Southern University and A&M College - Baton Rouge, Louisiana
• **University Judicial Process** — actions designed to safeguard a student's right to due process. Observance of state or federal courtroom procedures is not required of the University's judicial process. The imposition of such rigid standards and time-consuming processes may interfere with administration and due process.
• **University Official** - Any person employed by the University, performing administrative or professional responsibilities.

**Grievance Procedure**
The general grievance procedure is maintained by the Dean of Students in order to ensure prompt and equitable solutions to student problems. General grievances include sexual harassment, hazing, and discrimination. Grievance forms are available in the Office of the Dean of Students. Academic grievances must be dealt with through the process outlined by the Office of Academic Affairs.  

Revised and Updated: July 2014 3
Judicial Composition
The Dean of Students, through the Vice Chancellor for Student Affairs, has administrative responsibility for the University’s judicial system and its committees. University Judicial Committee serves as a hearing board for individual or group disciplinary cases which are introduced to the committee as a result of previous or initial disciplinary action. The committee also studies and recommends policies to University administrators related to student conduct. This committee of students, faculty, and staff are appointed to one-year terms by the Vice Chancellor for Student Affairs and the Dean of Students.

University Judicial Committee Composition
The University Judicial Committee shall be composed of an Office of the Dean of Students appointee, Chief Justice of Student Government Association (SGA), an Associate Justice of the SGA, two faculty members, and two staff members appointed to serve by the Vice Chancellor for Student Affairs and Dean of Students. Alternates for the Chief Justice and Associate Justice shall be selected by the SGA Chief Justice. Members are appointed to renewable one year terms. Quorum is 2/3 of the composition of the committee. Each member shall have (1) vote.

University Jurisdiction
Southern University and A&M College students are subject to all federal, state, and local laws. Students are also subject to appropriate and reasonable disciplinary action — including suspension or expulsion — for breach of any of the University’s rules, regulations, or policies. The University may exercise jurisdiction for an offense committed off campus when:

- The victim of such offense is a student, faculty member, or staff member;
- The offense occurred at a University-sponsored or -sanctioned event;
- The accused student used his or her university status to assist in commission of the offense (for example, using a student ID card to write bad checks); or
- The offense seriously impairs pursuit of the University’s goals/objectives.

Southern University and A&M College’s judicial process does not “mirror” legal systems. The University’s judicial process is a student-focused, education-centered process; a judicial hearing is not a trial. A University based judicial hearing is a tool used to redirect the student’s behavior and/or to preserve the educational process. It is not a University function to assist students arrested by civil authorities or campus police and incarcerated; students must make their own arrangements for legal release and for any other relief.

The Judicial Process

Personal Bias
Prior to the start of a judicial hearing, any party may challenge a judicial committee or board member’s right to participate, if personal bias would prevent the committee member from rendering an objective decision. Committee members are expected to excuse themselves from hearing a case if personal bias would prevent them from rendering an objective decision.

Conduct during the Hearing Process
Every person attending or participating in a judicial hearing must:

- Refrain from disruptive conduct.
- Obey any directive or instruction from the presiding chairperson.

Notification of an Alleged Judicial Violation
Any student charged with an alleged violation of Southern University and A&M College’s Student Code of Conduct or any other University policy shall be notified by the Dean of Students of the charges against him/her; of the specific policy or Student Code of Conduct violation; and of the date, time, and place of the scheduled hearing at least 72 hours prior to the hearing, except when the accused student postpones the hearing, and provided the student has informed the university of his or her current address. If the student has not furnished the

Revised and Updated: July 2014 4
University with a current address, the University must make a reasonable attempt to notify the student:

- at the last address provided, or
- by locating the student via his or her class schedule.

Such attempts may compromise the University’s ability to provide 72 hours’ notice. In the hearing notice, the student will be given the option to accept an administrative decision (the scheduled administrative hearing with the Dean of Students) or request a hearing to appear before the University Judicial Committee. Students that opt for the administrative hearing will be required to sign an administrative hearing certification, waiving their rights to appear before the University Judicial Committee. Students that request a hearing with the University Judicial Committee must do so in writing to the Dean of Students at least 24 hours prior to the date/time of the scheduled administrative hearing on the original notice of violations. A notice of the scheduled hearing with the University Judicial Committee will be sent at least 72 hours prior to the date/time of the scheduled hearing. Students on emergency administrative suspension that request a hearing with the University Judicial Committee, the suspension will be upheld until a final decision is rendered.

Administrative Hearings
Students that opt to accept the administrative decision through an administrative hearing will go through a hearing with the Dean of Students or a designee. The student will certify that they have waived their right to appear before the University Judicial Committee. At the conclusion of the hearing, the student must sign a certification that they have received and accepted the administrative decision. The student will also receive a notification of sanctions.

Judicial Committee Hearing
Students that request a hearing with the University Judicial Committee are subject to the following:

- The student must receive an additional written charge letter at least 72 hours prior to the hearing (the student will have received an original charge letter at the pre-hearing interview). The charge letter shall inform the accused of the accused, time, and place of the hearing as well as documents to be presented and witness(es) to be heard in the case.
- The student must have an opportunity to review the information to be presented against him/her at the hearing prior to the hearing.
- The student has the right to be accompanied by legal counsel or an advisor. However, neither the legal counsel nor the advisor shall be permitted to make a presentation or question the witness(es). Students seeking to be accompanied by a legal counsel or advisor must notify the Dean of Students at least 24 hours prior to the date/time of the scheduled hearing. For students failing to meet this requirement, their advisor will not be allowed in the room for the duration of the hearing.
- The student must have an opportunity to speak in his/her defense and the right to present his/her version of the facts including statements of the witness(es).
- The student must have an opportunity to hear all information presented against him/her to question adverse witnesses personally but not through legal counsel or the advisor.
- The student has the right to make a record of the hearing at his/her own expense.

Hearing Procedures
Administrative and University Judicial Committee hearings proceed as follows:

- The committee chairperson convenes and presides over the hearing only if the appropriate quorum is present. The chairperson is charged with maintaining orderly discussions throughout the hearing and limiting testimony, giving equal time to both the complainant and the referred student. In the case of an administrative hearing, this is maintained by the Dean of Students or a designee.
- The chairperson confirms that the referred student understands his or her rights.
- The chairperson reads into the record the University’s opening statement and all statements of alleged violation(s).
- The referred student makes an opening statement, including admission or denial of charges.
- Witnesses and/or evidence are presented. Witnesses are represented one at a time.
- A witness can only be present at a hearing during his or her own testimony. Written testimony from
witnesses unable to be at a hearing may be acceptable, but the validity of the testimony will be ruled by the chairperson or the Dean of Students.

- For a University Judicial Committee hearing, committee members may cross examine any witness and/or the person being charged.
- After all witnesses, evidence, and testimony have been presented, the chairperson will ask each side if there is additional information that has not been heard pertaining to the case.
- Closing statements no longer than five minutes may be made by the referred student and complainant.
- At the conclusion of University Judicial Committee hearing, all parties will be dismissed from the room with the exception of the committee members. The committee members will determine if the student(s) is/are to be found in violation and, if so, what sanction(s) should be imposed. A simple majority vote by committee members will determine the outcome of the case. For an administrative hearing, the decision is made by the Dean of Students.
- At the conclusion of the University Judicial Committee hearing, the committee will make a recommendation for action to the Dean of Students.

If a student fails to attend a scheduled judicial hearing, the student's due process will be waived, and a decision will be rendered based on the evidence and information available at the scheduled hearing. Any sanction imposed is effective immediately. Judicial hearings may be audio taped only by the University, for appeals purposes only. All tapes are filed and remain on file as sole property of the University for future review.

Deferred Decisions
In cases where the Dean of Students and/or University Judicial Committee believes additional information is needed prior to rendering a decision, the case may be referred for further evaluation by other units. In such cases, the final decision will be deferred until information can be obtained. In cases where a student is on emergency administrative suspension prior to a scheduled hearing, the suspension will be upheld until a final decision is rendered.

Parental Notification
Pursuant to the Family Educational Rights and privacy Act (FERPA) of 1974, disciplinary information is not shared with parents or guardians without the written consent of the student in question.

Appeals
Although the decision of the Dean of Students (as well as the recommendation of the University Judicial Committee) is final, written appeals may be made to the Vice Chancellor for Student Affairs within 48 hours of the decision. An additional appeal may be made in writing to the Chancellor of Southern University and A&M College.

Disciplinary Investigation Procedures
Southern University and A&M College Office of the Dean of Students staff investigates allegations of violations of the Student Code of Conduct. All cases remain confidential and the Office always adheres to the guidelines outlined in the Family Educational Rights and Privacy Act (FERPA).

Prior to Beginning an Investigation
1. Staff will determine if the student must be removed from campus via emergency administrative suspension. This is due to safety concerns for the campus community based on the alleged violations.
   a. The length of the emergency administrative suspension is at the discretion of the Dean of Students.

2. Investigations are a two-fold process. Separate investigations are conducted by the Southern University Police Department (or other law enforcement agencies) and the Office of the Dean of Students for violations of local, state, and federal laws and the Student Code of Conduct.

3. Staff will develop an investigation outline:
   a. Identify the allegations/complaints.
   b. Identify who will be interviewed.
   c. Identify what information to review, such as:

Revised and Updated: July 2014
i. Camera logs
ii. Housing incident reports
iii. Victim statements
iv. Prior disciplinary actions
d. Interview questions are based on topics where answers can be compared and contrasted.
   i. Questions are open-ended (broad) and transition to specific to gain detail.
   ii. Follow-up questions will be asked based on information given during interviews.
   iii. Current allegations will be investigated and not necessary the student’s past behavior, although past behavior will be reviewed.
4. Staff will develop an investigation file.
   a. Documents will be obtained to prove or disprove allegations.

Conducting the Investigatory Interviews
1. Interviews will be conducted in a private, secure location.
2. Victims/witnesses will not be interviewed in groups.
3. All interviews will be audio-recorded. Opening remarks, date, time, location, purpose, person being interviewed and person(s) conducting and present during the interview will be included. If any breaks are taken, the time the recorder is off will be indicated. Once the tape is turned back on, all information will be restated. At the conclusion of the interview, the date and time and a statement of conclusion will be recorded.
4. Two staff members will participate in interviews whenever possible. One staff member will ask questions while the other takes detailed notes and assists with follow-up questions. Staff will keep detailed notes regardless of whether or not the session is recorded.
5. At the beginning of the investigation, staff will explain the nature of the investigation.
   a. The interviewee will be advised of their rights and the potential sanctions.
6. If the interviewee requests representation, staff will follow the procedures regarding counsel listed in the Student Code of Conduct.
7. Staff will not make any promises about the outcome of the investigation.
8. Staff will not give any opinion about what occurred or what the interviewee is saying.
9. The interviewee must contact Dean of Students staff if anyone else contacts them about the investigation or if they recall something not shared during their interview.
10. Staff will only document only the facts.
11. Staff will ask a series on questions, including but not limited to:
   a. Who committed the act?
   b. What was the act? When did it occur and exactly what happened? What was the interviewee doing when the act occurred?
   c. Where did it occur? How far was the interviewee from the act?
   d. How often did the act occur?
   e. Did the interviewee actually see or hear something (direct evidence) or if they concluded an act occurred based on what they saw or heard (circumstantial).
   f. How did the interviewee react to the act? What response did the interviewee make when the act occurred or afterwards?
   g. Who did the interviewee discuss the act with and when? What did the interviewee say?
   h. How did the act affect the interviewee? Has the academic performance of the interviewee been affected by virtue of the act?
   i. Who else was present when the act occurred? Who else has any knowledge of the act? Has anyone else discussed the act with the interviewee? If so, who and what did that person say? Did anyone see the interviewee immediately after the act?
   j. Did the person accused of inappropriate conduct engage in the same or similar conduct with anyone else? Who, what, where, when and how? Has anyone else complained to the interviewee about similar conduct?
   k. Did the student alleged to have engaged in misconduct contact the interviewee about the act?
   l. Does the interviewee have any notes, evidence or documentation about the act?
   m. Does the interviewee know of any other relevant information?
12. Staff will ask open-ended questions and will not interrupt the interviewee unless the person needs to be redirected to answer the question asked.
13. If the interviewee states that the allegation is false, staff will ask them how the information could have been misconstrued; what actions/statements could have caused a misunderstanding; and why the complainant or witnesses might have a reason to make false accusations.
14. The interviewee will be allowed to provide names of witnesses that could back up their side of the story. If the interviewee suggests other witnesses, staff will interview them.
15. The interviewee will be allowed to provide physical evidence or documentation regarding the incident.
16. Before the conclusion of the interview, the interviewee will be asked if there is anyone else that should be interviewed and whether they have any other relevant information.

Evaluating Results of an Investigation
After the interviews have been conducted and the evidence gathered, the Dean of Students will determine the credibility of the evidence. This will be determined based on, but not limited to, the following criteria:

1. Was there evidence of bias on the part of any witness?
   a. What is the relationship of the witness with the student being investigated?
   b. Was there motive or an interest in the outcome on the part of the witness?
2. Did the interviewee accurately explain their observations?
   a. Was the interviewee impaired?
   b. Was the interviewee’s memory clear?
3. Are all witnesses consistent in their version of the facts?
   a. Were the witnesses’ perceptions distorted or exaggerated?
   b. Were the witnesses’ timelines accurate, diminished or exaggerated?
   c. Have the witnesses attributed a motive or purpose for the incident that is not supported by the evidence?
4. All evidence will be reviewed.
   a. Staff will ensure that all witnesses have been interviewed.
   b. Staff will determine what evidence has the subject provided in his/her own defense. Is it possible that there could be other evidence that the subject, complainant or witnesses has not provided.
   c. Staff will determine if there is greater information supporting the allegation or disputing the allegation.

Concluding the Investigation
1. If the evidence supports the allegation of misconduct, staff will:
   a. Assess the severity of the Student Code of Conduct infraction.
   b. Determine if other students have been disciplined for this violation in the past? If so, what discipline was imposed?
   c. Staff will inform the complainant that the investigation has been concluded and that appropriate action has been taken.
2. If the evidence does not support the allegation of misconduct or is inconclusive, staff will:
   a. Inform the subject that the investigation does not support the allegations.
   b. Remind the subject they cannot retaliate against the complainant or witnesses.
   c. Inform the complainant that the investigation did not support the allegations.

Assembling the Investigation Report
Investigations into the allegations of violations of the Student Code of Conduct are well documented by the Office of the Dean of Students prior to sanctions being levied. The investigation report should include all information gathered during the investigation, including copies of evidence, documents or information that management relied on in making the disciplinary decision. Documentation is organized as such:

1. Letter of Discipline
2. Student Background:
   a. Full name
   b. Synopsis of academic history

Revised and Updated: July 2014
c. Copies of prior disciplinary action that remain in the student's file.
3. Documentation for any interviews:
   a. Interview notes from the complainant, the witnesses and the subject
   b. Complainant statement, if applicable
   c. Subject statements, if applicable
   d. Witness statements, if applicable
4. Documentation supporting the determination of appropriate sanctions:
   a. Proof of comparable disciplinary actions imposed on other students for similar infractions.
5. Timeline of the incident and investigation:
   a. Date of complaint/initiation of investigation
   b. Date of subject and witness interviews
   c. Date of discipline
ATTACHMENT Q
August 28, 2014

VIA HAND DELIVERY
Dr. Ronald Mason, President
Southern University System
J.S. Clark Administration Bldg.
4th Floor
Baton Rouge, Louisiana 70813

Dear President Mason:

In response to your request concerning the memorandum from Senator Morrell dated July 11, 2014, please find the Law Center’s responses to each inquiry.

(1) The number of sexual assaults that have been reported on each campus for the preceding five calendar years (1/1/2009 - 12/31/2013);

The Law Center has not had any formal sexual assault complaints reported for the period 1/1/2009-12/31/2013.

(2) The number of sexual assault investigations that have been conducted on each campus for the preceding five calendar years 1/1/2009-12/31/2013.

The Law Center has not conducted any formal sexual assault investigations during the period 1/1/2009-12/31/2013.

(3) The written policy governing sexual assaults on each campus, specifically including any sexual assault response employee training requirements.

The Office of Student Affairs currently uses the attached policy in the Code of Student Conduct for sexual assault complaints. Sexual assault is a Code One offense for which the maximum sanction is expulsion. See item #5 “Intentional Bodily Harm”. Rape, sexual assault, and/or sexually threatening actions are included within this offense.

"An Equal Educational Opportunity Institution"
No current formal training has occurred, however, the Office of Student Affairs does keep up to date on current issues in this area. The Office of Student Affairs has been currently guided by the most recent report of the White House Task Force to Protect Students from Sexual Assault - April 2014 (See attached)

(4) The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited to any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.

There is currently no written investigation and adjudication procedure specifically for allegations of sexual assault; however the investigation and adjudication provisions of the Southern University Law Center’s Non Academic Code of Conduct would generally apply to sexual assault claims. (See attached).

If you have any question, please feel free to contact me.

Sincerely,

[Signature]

Freddie Pitcher Jr.
Chancellor
NON-ACADEMIC CODE OF CONDUCT

A. Disciplinary Sanctions, Offenses and Procedures

A student admitted to the Southern University Law Center accepts the responsibility to conform to all regulations that the Law Center and University may publish. Any student who fails to meet this obligation shall be subject to disciplinary sanction as may be provided for, including, but not limited to, expulsion, suspension, probation, warning, or the imposition of reasonable fines.

THE OFFICE OF THE VICE CHANCELLOR FOR STUDENT AFFAIRS WILL MAKE REASONABLE EFFORTS TO MAKE THE REGULATIONS AVAILABLE, BUT STUDENTS ARE RESPONSIBLE FOR BECOMING FAMILIAR WITH SUCH REGULATIONS AND ARE HELD ACCOUNTABLE FOR MISCONDUCT EVEN IN THE ABSENCE OF SUCH FAMILIARITY.

B. Definitions of Penalties or Sanctions

1. Disciplinary Warning

An official notification to the student that his/her behavior has been unacceptable. Any further misconduct will result in the imposition of a greater sanction. This sanction is a part of the official record but is removed at the time the student completes his/her requirements for graduation.

2. Disciplinary Probation

An indication to a student that his/her behavior has resulted in a sanction extremely close to suspension. It is imposed for a definite period of time. Any further misconduct while on Disciplinary Probation will usually result in suspension from the Law Center.

3. Disciplinary Suspension

Prohibition from attending and from being present without permission on the property of the Law Center or any campus of Southern University for the duration of the sanction. The sanction shall not exceed a period of more than two full semesters following the effective date of suspension.

If required by the sanction, students who have been suspended must petition for re-enrollment through the Law Center's Judiciary Committee.

4. Disciplinary Withdrawal

The privilege of withdrawing from the Law Center under extenuating circumstances. Conditions may be established for readmission at the time of withdrawal.
5. **Disciplinary Expulsion**

Prohibition from ever attending and from being present without permission on the property of the Law Center or any campus of Southern University.

6. **Other Sanctions**

The Law Center Judiciary Committee may impose any other appropriate sanction, including, but not limited to, restriction of student privileges, restriction on right of access to campus facilities, work fines and monetary payment for purpose of restitution due to damage or misappropriation of Law Center or University property.

7. **Statement of Concern**

Faculty and staff members may issue a Statement of Concern to a student for violation of Code Three Offenses. Such statement shall be placed in the student's official disciplinary file and may be a basis for further disciplinary referrals.

The sanction is subject to review by the Vice Chancellor for Student Affairs.

The Statement of Concern is removed at the time the student completes his/her requirements for graduation.

C. **Interim or Emergency Suspension**

The Law Center shall invoke this policy when officials are faced with an immediate situation the facts of which indicate that a student's continued presence on campus constitutes a clear and convincing danger to the normal functions of the Law Center, to property, to others, or to the student himself/herself in such situations, as supported by case law, the Law Center shall suspend the student immediately on an emergency basis.

The suspended student shall have the right to appeal his/her case immediately until a regular hearing can be held.

D. **Code of Conduct Violations**

Cases that arise under the Non-Academic Code of Conduct may be handled administratively through the Office of the Vice Chancellor for Student Affairs. In such cases, students will be given the option of accepting an administrative decision or appearing before the Law Center's Judicial Committee. Students who opt for the administrative decision will be required to sign a form waiving their right to appear before the Law Center's Judicial Committee.

A greater or less than specified sanction for a given code category may be imposed by the judiciary body. A student committing several related offenses at one time will have one hearing.

The Law Center defines the following acts as unacceptable, with violations subject to disciplinary action as prescribed under the section on Disciplinary Procedures.
CODE ONE OFFENSES

A student found to have violated any of the following regulations may be subject to the maximum sanction of expulsion.

1. **Dishonesty.** Knowingly furnishing, with intent to deceive or gain an unfair advantage: (a) false information by forgery, alteration, or misuse of any documents or records relied on by University officials; (b) a written or oral statement known to be false (c) false identification.

2. **Violation of Probation.** Violation of the terms of probation while such probation is in effect.

3. **Repeated Offenses.** Violation of two or more Code Two offenses or repetition within two semesters of any offense included in Code Two.

4. **Disruption/Obstruction.** (a) Knowingly and intentionally obstructing or interfering with the obstructing or interfering with the orderly conduct of University affairs including teaching, research, administration, disciplinary procedures, or any University activities on University-owned or controlled property; or (b) intentionally obstructing the free flow of traffic, both pedestrian or vehicular on University-owned or controlled property; (c) intentionally throwing any object on the competing surface of an athletic event; (d) disturbing the peace and good order of the University with disruptive music at a high level hampering an atmosphere conducive to TEACHING, STUDYING, LEARNING and doing RESEARCH.

5. **Intentional Bodily Harm:** Menacing. (a) Intentionally inflicting bodily harm upon any person on University-owned controlled property; (b) intentionally taking action for the purpose of inflicting bodily harm upon the person; (c) taking any action with reckless disregard that bodily harm could result upon any person; (d) threatening to use force to inflict bodily harm upon any person on University-owned or controlled property (i.e., knowingly causing a person to believe that the offender will cause serious physical harm to one or one’s property). Such behavior includes rape, sexual assault, or sexually threatening actions.

6. **Intentional Destruction of Property.** Intentionally damaging, destroying, or defacing University property or the property of any person while on University-owned or controlled property.

7. **Theft.** Theft of property of the University, or of a member of the University community, or, of a visitor to the University, such act constituting a criminal felony.

8. ** Possession of Stolen Property.** Knowingly possessing property that may be identified as being stolen from the University or from any other person or agency, such as constituting a criminal felony.

9. **Forcible Entry.** Forcibly breaking or entering into any building, structure, or facility on University-owned or controlled property.
10. **Hazing.** Any act that causes, or is likely to cause, serious physical or mental harm or which tends to or actually injuries, frightens, demeans, degrades, or disgraces any person. The sanction imposed for violation of this policy shall be applicable to individuals and student organizations.

10. **Possession of Dangerous Weapon.** (a) Unauthorized possession or keeping of a firearm of any description, including such weapons as compressed air-guns, pellet guns, illegal knives or BB guns on University property, (b) unauthorized possession or keeping of any dangerous chemicals or explosive devices of any description on University property.

12. **Manufacture, Distribution, or Sale of Drugs, Narcotics, or Marijuana.** The manufacture, distribution, or sale of any illegal drug or narcotic, including, but not limited to, barbiturates, hallucinogens, and amphetamines.

13. **Possession of Drugs, Narcotics, or Marijuana.** (1) Illegal possession or unauthorized use of drugs or use of any illegal drug or narcotic, including but not limited to barbiturates, hallucinogens, amphetamines, cocaine, opium, and heroin. (2) Possession of marijuana and or hashish when such possession would constitute a criminal felony.

14. **Violation of Federal, State or Local Law.** (a) Violating a city, state, or federal law which (1) demonstrates the student poses a potential threat or danger to the University or University community or in which (2) the violation was directed toward another member of the University community or the University itself, (b) conviction for either a felony or repeated criminal misdemeanors.

15. **Trespassing.** Unauthorized entry to or use of University buildings and grounds.

16. **Aiding and Abetting.** Conspiring with, or knowingly helping, procuring, or encouraging another person to engage in the violation of a Code One offense.

**CODE TWO OFFENSES**

A student found guilty of any of the following acts may be subject to the maximum sanction of disciplinary suspension.

1. **Off-campus Incidents Resulting in On-campus Hearing.** Commission of illegal acts off-campus and/or conviction of crimes against criminal or civil law.

2. **Negligent Bodily Harm.** (a) Failure to exercise reasonable care, thereby causing bodily harm to any person; (b) failure to exercise reasonable care, thereby creating a substantial risk of serious bodily harm.

3. **Negligent Destruction of Property.** Failure to exercise reasonable care, thereby damaging, defacing or destroying property of the University or of any person on University-owned or controlled property.
 Unauthorized Use of Property. The unauthorized use of University owned or controlled property.

5. Repeated Offenses. Violation of two or more related Code Three offenses or repetition within two semesters of any offense included in Code Three.

6. Theft. Theft of property of the University, property of any member of the University community, or property of a visitor to the University, such act constituting a criminal misdemeanor.

7. Disturbing the Peace. Disturbing the peace and good order of the University by quarreling, wrangling, being intoxicated in public, fighting, and playing loud music.

8. Possession of Stolen Property. Knowingly being in possession of property stolen from the University or from any other person or agency that may be identified, such act constituting a misdemeanor in a criminal court as defined by Louisiana law.

9. Failure to Comply or Identify. (a) Failure to comply with directions of University Police or any other law enforcement officers acting in performance of their duties and to identify one's self to these officers when requested to do so; (b) failure to comply with the directions of University officials acting in the performance of their duties, and to identify one's self to these officials when requested to do so.

10. Unauthorized Use of University Keys. (a) Unauthorized making or causing to be made of unauthorized use of any key or keys issued for any building, laboratory, facility, or room on University premises.

11. Misuse of Identification. Transferring, lending, borrowing, altering, or otherwise misusing a student I.D. card.

12. Misuse of University Telephone. Charging any long distance telephone call or telegraph message to any telephone on University premises without proper authorization.

13. Aiding and Abetting. Conspiring with, helping, procuring, or encouraging another person to engage in the violation of a Code Two offence.

14. Willful Indecent Exposure. Willful indecent exposure, including but not limited to exhibitionism and streaking by a person in a place where there are other persons likely to be offended or likely to suffer emotional harm.
CODE THREE OFFENSES

A student found guilty of any of the following acts may be subject to the maximum sanction of disciplinary suspension.

1. **Possession of Marijuana.** Possession of marijuana and or hashish when such possession would constitute a misdemeanor under the law.

2. **Unauthorized Use of Alcoholic Beverages.** (a) Possession or consumption of alcoholic beverages in any form on University-owned or controlled property, except where authorized by University officials; (b) failure to comply with state and/or University regulations regarding the use and sale of beer and/or intoxicating liquors on University-owned or controlled property; (c) disorderly conduct resulting from the illegal use or the abuse of alcoholic beverages.

3. **Possession and/or Use of Fireworks.** Possession or use of fireworks of any description on University premises.

4. **Gambling.** Gambling at any time in any form on University-owned or controlled property.

5. **Aiding and Abetting.** Conspiring with, helping, procuring, or encouraging another person to engage in the violation of a Code Three offense.

6. **Unauthorized Use of Loud Speakers.** Use of loud speakers on University property without prior approval of the appropriate officials.

7. **Illegal Registration of Automobiles.** Registering an automobile for any first year student residing in on-campus housing who has not been authorized to operate a vehicle on campus.

8. **Use of Profanity.** Engaging in abusive, vulgar, or irreverent language.

E. **Judicial System and Procedures**

The **Judiciary Committee** shall consist of five members appointed from the faculty, student body and administration. The Committee shall be appointed by the Chancellor of the Law Center, or his designee, and have initial jurisdiction to hear all disciplinary actions, except violations of the Academic Honor code.

The **Appeals Board** shall consist of four members appointed by the Chancellor to review decisions of the Judiciary Committee. The Board shall consist of at least one member each from the faculty, student body and administration.

An additional appeal of disciplinary action may be made to the Chancellor of the Law Center. The Chancellor's decision may be appealed to the University President and then to the Board of Supervisors. Any appeal beyond the Appeals Board shall be made in writing only, unless otherwise directed by the Chancellor, President or Chairman of the Board of Supervisors.
F. Procedure

1. Any student subject to disciplinary action by the Judiciary Committee shall:
   a. Be guaranteed due process.
   b. Receive a written charge statement at least five (5) days before the hearing. The charge statement shall inform the accused of the date, time and place of the hearing, as well as documents to be presented and witnesses to be heard in the case.
   c. Have an opportunity to review prior to the hearing the information to be presented against him/her at the hearing.
   d. Have the right to be accompanied by legal counsel or an advisor. However, neither the legal counsel nor the advisor shall be permitted to speak except at the request of the Judiciary Committee.
   e. Have an opportunity to speak in his/her defense and the right to present his version of the facts through oral and written statements, including statements of witnesses.
   f. Have an opportunity to hear all information presented against him and to question adverse witnesses personally but not through legal counsel or the advisor.
   g. Be provided a written statement of the findings of fact which shall be determined and based solely on what is presented at the hearing.
   h. Have the right to examine the results and findings of the hearing.
   i. Have the right to make a record of the hearing at his/her own expense.

2. Petition to Appeal. A student shall be granted an opportunity to petition for an appeal to the Vice Chancellor for Student Affairs within forty-eight hours after notification of the Judiciary Committee’s decision on his/her case. The Vice Chancellor for Student Affairs shall forward the petition to the Appeals Board.

   The Appeals Board determines whether the student shall be granted an appeal hearing based on sufficient reason(s) indicated in the written petition. Sufficient reason(s) shall be new evidence, discrepancies in the judicial procedure and/or inappropriate sanction or unfairness.

   Appeals Board members appointed by the Chancellor cannot be persons who served on the original hearing board. The Appeals Board shall, by majority vote, grant a hearing or deny the appeal. If the hearing is granted, the appeal may be (1) denied, upholding the sanction, (2) granted, and a new hearing ordered, or (3) granted, and the sanction changed. The Board is limited to ordering a new hearing to the extent
that in their judgment a defect in the original hearing is found which was sufficiently substantial to have changed the outcome in a significant manner.

3. Appeals Process

If an appeal is granted by the Appeals Board, the procedures shall be as follows:

a. Once the written appeal has been granted, an appeal hearing will be held within the next seven days at a time which is convenient to both the student and the Appeals Board.

b. An official record of the appeal hearing shall be kept by the Vice Chancellor for Student Affairs.

c. The student may be represented by a member of the University community, his/her parents, or by legal counsel. However, the student's representative(s) shall not be permitted to speak except at the request of the Appeals Board.

d. The student may present all reasonable new evidence or arguments to show the merits of his/her appeal, but such evidence shall not be considered as requiring a new judiciary hearing unless it shows that the members of the Judiciary Committee were unreasonable in their judgment as to procedural fairness or sanction imposed. In this event the Appeals Board can grant a new hearing.

e. The Chairperson of the Appeals board shall determine the procedures of the appeal hearing and preserve its orderly operation and request the chairperson of the Judiciary Committee to provide all pertinent information requested.

f. The Appeals Board shall make its recommendations known to the Vice Chancellor for Student Affairs who has the option of approval or disapproval.

g. The Vice Chancellor for Student Affairs notifies the student and the chairperson of the Judiciary Committee of the decision within three days.

h. Usually the decision of the Vice Chancellor for Student Affairs is final. However, written appeals, under extremely unusual circumstances may be made to the Chancellor. An additional appeal may be transmitted through the Chancellor to the President. It may then be transmitted by the President to the Southern University Board of Supervisors.
NOT ALONE

The First Report of the White House Task Force to Protect Students From Sexual Assault

April 2014
Sexual violence is more than just a crime against individuals. It threatens our families, it threatens our communities; ultimately, it threatens the entire country. It tears apart the fabric of our communities. And that’s why we’re here today -- because we have the power to do something about it as a government, as a nation. We have the capacity to stop sexual assault, support those who have survived it, and bring perpetrators to justice.

President Barack Obama, January 22, 2014

Freedom from sexual assault is a basic human right... a nation’s decency is in large part measured by how it responds to violence against women... our daughters, our sisters, our wives, our mothers, our grandmothers have every single right to expect to be free from violence and sexual abuse.

Vice President Joe Biden, January 22, 2014
This report was prepared by the White House Task Force to Protect Students From Sexual Assault.

The Task Force is Co-Chaired by the Office of the Vice President and the White House Council on Women and Girls.
Table of Contents

Executive Summary ........................................................................................................... 2
Introduction ......................................................................................................................... 6
Our First Task: Listening .................................................................................................... 6
I. How Best to Identify the Problem: Campus Climate Surveys .......................... 7
II. Preventing Sexual Assault on Campus ................................................................. 9
III. Responding Effectively When a Student is Sexually Assaulted ............... 11
IV. Improving the Federal Government’s Enforcement Efforts, and Making Them More Transparent .......................................................... 16
Next Steps ....................................................................................................................... 20
Executive Summary

Why We Need to Act

One in five women is sexually assaulted in college. Most often, it’s by someone she knows – and also most often, she does not report what happened. Many survivors are left feeling isolated, ashamed or to blame. Although it happens less often, men, too, are victims of these crimes.

The President created the Task Force to Protect Students From Sexual Assault to turn this tide. As the name of our new website – NotAlone.gov – indicates, we are here to tell sexual assault survivors that they are not alone. And we’re also here to help schools live up to their obligation to protect students from sexual violence.

Over the last three months, we have had a national conversation with thousands of people who care about this issue. Today, we offer our first set of action steps and recommendations.

1. Identifying the Problem: Campus Climate Surveys

The first step in solving a problem is to name it and know the extent of it – and a campus climate survey is the best way to do that. We are providing schools with a toolkit to conduct a survey – and we urge schools to show they’re serious about the problem by conducting the survey next year. The Justice Department, too, will partner with Rutgers University’s Center on Violence Against Women and Children to pilot, evaluate and further refine the survey – and at the end of this trial period, we will explore legislative or administrative options to require schools to conduct a survey in 2016.

2. Preventing Sexual Assault – and Engaging Men

Prevention programs can change attitudes, behavior – and the culture. In addition to identifying a number of promising prevention strategies that schools can undertake now, we are also researching new ideas and solutions. But one thing we know for sure: we need to engage men as allies in this cause. Most men are not perpetrators – and when we empower men to step in when someone’s in trouble, they become an important part of the solution.

As the President and Vice President’s new Public Service Announcement puts it: if she doesn’t consent – or can’t consent – it’s a crime. And if you see it happening, help her, don’t blame her, speak up. We are also providing schools with links and information about how they can implement their own bystander intervention programs on campus.

3. Effectively Responding When a Student Is Sexually Assaulted

When one of its students is sexually assaulted, a school needs to have all the pieces of a plan in place. And that should include:

Someone a survivor can talk to in confidence

While many victims of sexual assault are ready to file a formal (or even public) complaint against an alleged offender right away – many others want time and privacy to sort through their next steps. For some, having a confidential place to go can mean the difference between getting help and staying silent.
Today, we are providing schools with a model reporting and confidentiality protocol – which, at its heart, aims to give survivors more control over the process. Victims who want their school to fully investigate an incident must be taken seriously – and know where to report. But for those who aren’t quite ready, they need to have -- and know about -- places to go for confidential advice and support.

That means a school should make it clear, up front, who on campus can maintain a victim’s confidence and who can’t – so a victim can make an informed decision about where best to turn. A school’s policy should also explain when it may need to override a confidentiality request (and pursue an alleged perpetrator) in order to help provide a safe campus for everyone. Our sample policy provides recommendations for how a school can strike that often difficult balance, while also being ever mindful of a survivor’s well-being.

New guidance from the Department of Education also makes clear that on-campus counselors and advocates – like those who work or volunteer in sexual assault centers, victim advocacy offices, women’s and health centers, as well as licensed and pastoral counselors – can talk to a survivor in confidence. In recent years, some schools have indicated that some of these counselors and advocates cannot maintain confidentiality. This new guidance clarifies that they can.

A comprehensive sexual misconduct policy
We are also providing a checklist for schools to use in drafting (or reevaluating) their own sexual misconduct policies. Although every school will need to tailor a policy to its own needs and circumstances, all schools should be sure to bring the key stakeholders – including students – to the table. Among other things, this checklist includes ideas a school could consider in deciding what is – or is not – consent to sexual activity. As we heard from many students, this can often be the essence of the matter – and a school community should work together to come up with a careful and considered understanding.

Trauma-informed training for school officials
Sexual assault is a unique crime: unlike other crimes, victims often blame themselves; the associated trauma can leave their memories fragmented; and insensitive or judgmental questions can compound a victim’s distress. Starting this year, the Justice Department, through both its Center for Campus Public Safety and its Office on Violence Against Women, will develop trauma-informed training programs for school officials and campus and local law enforcement. The Department of Education’s National Center on Safe and Supportive Learning Environments will do the same for campus health centers. This kind of training has multiple benefits: when survivors are treated with care and wisdom, they start trusting the system, and the strength of their accounts can better hold offenders accountable.

Better school disciplinary systems
Many sexual assault survivors are wary of their school’s adjudication process – which can sometimes subject them to harsh and hurtful questioning (like about their prior sexual history) by students or staff unschooled in the dynamics of these crimes. Some schools are experimenting with new models – like having a single, trained investigator do the lion’s share of the fact-finding – with very positive results. We need to learn more about these promising new ideas. And so starting this year, the Justice Department will begin assessing different models for
investigating and adjudicating campus sexual assault cases with an eye toward identifying best practices.

The Department of Education’s new guidance also urges some important improvements to many schools’ current disciplinary processes: questions about the survivor’s sexual history with anyone other than the alleged perpetrator should not be permitted; adjudicators should know that the mere fact of a previous consensual sexual relationship does not itself imply consent or preclude a finding of sexual violence; and the parties should not be allowed to personally cross-examine each other.

Partnerships with the community
Because students can be sexually assaulted at all hours of the day or night, emergency services should be available 24 hours a day, too. Other types of support can also be crucial—like longer-term therapies and advocates who can accompany survivors to medical and legal appointments. Many schools cannot themselves provide all these services, but in partnership with a local rape crisis center, they can. So, too, when both the college and the local police are simultaneously investigating a case (a criminal investigation does not relieve a school of its duty to itself investigate and respond), coordination can be crucial. So we are providing schools with a sample agreement they can use to partner with their local rape crisis center—and by June, we will provide a similar sample for forging a partnership with local law enforcement.

4. Increasing Transparency and Improving Enforcement

More transparency and information
The government is committed to making our enforcement efforts more transparent—and getting students and schools more resources to help bring an end to this violence. As part of this effort, we will post enforcement data on our new website—NotAlone.gov—and give students a roadmap for filing a complaint if they think their school has not lived up to its obligations.

Among many other things on the website, sexual assault survivors can also locate an array of services by typing in their zip codes, learn about their legal rights, see which colleges have had enforcement actions taken against them, get “plain English” definitions of some complicated legal terms and concepts; and find their states’ privacy laws. Schools and advocates can access federal guidance, learn about relevant legislation, and review the best available evidence and research. We invite everyone to take a look.

Improved Enforcement
Today, the Department of Education’s Office for Civil Rights (OCR) is releasing a 52-point guidance document that answers many frequently asked questions about a student’s rights, and a school’s obligations, under Title IX. Among many other topics, the new guidance clarifies that Title IX protects all students, regardless of their sexual orientation or gender identity, immigration status, or whether they have a disability. It also makes clear that students who report sexual violence have a right to expect their school to take steps to protect and support them, including while a school investigation is pending. The guidance also clarifies that recent amendments to the Clery Act do not alter a school’s responsibility under Title IX to respond to and prevent sexual violence.
OCR is also strengthening its enforcement procedures in a number of ways – by, for example, instituting time limits on negotiating voluntary resolution agreements and making clear that schools should provide survivors with interim relief (like changing housing or class schedules) pending the outcome of an OCR investigation. And OCR will be more visible on campus during its investigations, so students can help give OCR a fuller picture about what's happening and how a school is responding.

The Departments of Education and Justice, which both enforce Title IX, have entered into an agreement to better coordinate their efforts – as have the two offices within the Department of Education charged with enforcing Title IX and the Clery Act.

Next Steps
This report is the first step in the Task Force's work. We will continue to work toward solutions, clarity, and better coordination. We will also review the various laws and regulations that address sexual violence for possible regulatory or statutory improvements, and seek new resources to enhance enforcement. Also, campus law enforcement officials have special expertise to offer – and they should be tapped to play a more central role. We will also consider how our recommendations apply to public elementary and secondary schools – and what more we can do to help there.

The Task Force thanks everyone who has offered their wisdom, stories, expertise, and experiences over the past 90 days. Although the problem is daunting and much of what we heard was heartbreaking, we are more committed than ever to helping bring an end to this violence.
Introduction

For too many of our nation’s young people, college doesn’t turn out the way it’s supposed to.

One in five women is sexually assaulted while in college.¹ Most often, it happens her freshman or sophomore year.² In the great majority of cases (75-80%), she knows her attacker, whether as an acquaintance, classmate, friend or (ex)boyfriend.³ Many are survivors of what’s called “incapacitated assault”: they are sexually abused while drugged, drunk, passed out, or otherwise incapacitated.⁴ And although fewer and harder to gauge, college men, too, are victimized.⁵

The Administration is committed to turning this tide. The White House Task Force to Protect Students From Sexual Assault was established on January 22, 2014, with a mandate to strengthen federal enforcement efforts and provide schools with additional tools to help combat sexual assault on their campuses. Today, we are taking a series of initial steps to:

1. **Identify the scope of the problem on college campuses**;
2. **Help prevent campus sexual assault**;
3. **Help schools respond effectively when a student is assaulted**; and
4. **Improve, and make more transparent, the federal government’s enforcement efforts**.

As the Task Force recognized at the outset, campus sexual assault is a complicated, multi-dimensional problem with no easy or quick solutions. These initial recommendations do not purport to find or even identify all of them. Our work is not over.⁶

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² Krebs et al., *The Campus Sexual Assault (CSA) Study*.
³ *Ibid*.
⁵ The *CSA Study* found that 6.1% of college males were victims of either attempted or completed sexual assault. Although many advocates prefer to use the term “survivor” to describe an individual who has been sexually assaulted, the term “victim” is also widely used. This document uses the terms interchangeably and always with respect for those who have been subjected to these crimes.
⁶ This first Task Force report focuses on sexual assault at postsecondary institutions – such as colleges, universities, community colleges, graduate and professional schools, and trade schools – that receive federal financial assistance. Thus, our use of the term “schools” refers to these postsecondary institutions.
Our First Task: Listening

Many people are committed to solving this problem. To hear as many of their views as possible, the Task Force held 27 listening sessions (12 webinars and 15 in-person meetings) with stakeholders from across the country: we heard from survivors; student activists; faculty, staff and administrators from schools of all types; parents; alumni; national survivors’ rights and education associations; local and campus-based service providers and advocates; law enforcement; civil rights activists; school general counsels; men’s and women’s groups; Greek organizations; athletes; and researchers and academics in the field. Thousands of people joined the conversation.

Not surprisingly, no one idea carried the day. But certain common themes did emerge. Many schools are making important strides and are searching in earnest for solutions. A new generation of student activists is effectively pressing for change, asking hard questions, and coming up with innovative ways to make our campuses safer.

Even so, many problems loom large. Prevention and education programs vary widely, with many doing neither well. And in all too many instances, survivors of sexual violence are not at the heart of an institution’s response: they often do not have a safe, confidential place to turn after an assault, they haven’t been told how the system works, and they often believe it is working against them. We heard from many who reached out for help or action, but were told they should just put the matter behind them.

Schools, for their part, are looking for guidance on their legal obligations and best practices to keep students safe. Many participants called on the federal government to improve and better coordinate our enforcement efforts, and to be more transparent. And there was another constant refrain: get men involved. Most men are not perpetrators – and when we empower men to speak up and intervene when someone’s in trouble, they become an important part of the solution.

I. How Best to Identify the Problem: Campus Climate Surveys

When then-Senator Joe Biden wrote the Violence Against Women Act 20 years ago, he recognized a basic truth: no problem can be solved unless we name it and know the extent of it. That is especially true when it comes to campus sexual assault, which is chronically underreported: only 2% of incapacitated sexual assault survivors, and 13% of forcible rape survivors, report the crime to campus or local law enforcement.7

The reasons for non-reporting (whether to a school or to law enforcement) vary. Many survivors of acquaintance rape don’t call what happened to them rape and often blame themselves. One report found that 40% of college survivors feared reprisal by the perpetrator.8 Survivors also cite

7 Krebs et al., The Campus Sexual Assault (CSA) Study.
fear of treatment by authorities, not knowing how to report, lack of independent proof, and not wanting families or other students to find out what happened.\(^9\) Still others don’t report because they don’t want to participate in a formal college adjudication process.\(^{10}\)

For colleges and universities, breaking the cycle of violence poses a unique challenge. When a school tries to tackle the problem — by acknowledging it, drawing attention to it, and encouraging survivors to report — it can start to look like a dangerous place. On the flip side, when a school ignores the problem or discourages reporting (either actively or by treating survivors without care), it can look safer. Add to this the competition for top students or a coveted spot on a college rankings list — and a school might think it can outshine its neighbor by keeping its problem in the shadows.

We have to change that dynamic.

Schools have to get credit for being honest — and for finding out what’s really happening on campus. Reports to authorities, as we know, don’t provide a fair measure of the problem. But a campus climate survey can. When done right, these surveys can gauge the prevalence of sexual assault on campus, test students’ attitudes and awareness about the issue, and provide schools with an invaluable tool for crafting solutions. And so:

- **We are providing schools with a new toolkit for developing and conducting a climate survey.** This guide explains the methods for conducting an effective survey — and contains a set of evidence-based sample questions to get at the answers.

- **We call on colleges and universities to voluntarily conduct the survey next year.** Again, a school that is willing to get an accurate assessment of sexual assault on its campus is one that’s taking the problem — and the solution — seriously. Researchers recommend that schools conduct the survey in the winter or spring semesters, rather than when students first arrive on campus in the fall.

Rutgers University, with its leading research institute on violence against women,\(^{11}\) will pilot and evaluate the survey. Also, the Justice Department’s Office on Violence Against Women will work with its campus grantees to conduct the survey and evaluate it. And the Bureau of Justice Statistics will further refine the survey methodology. What we learn from these pilots, evaluations, and schools’ experiences will chart the path forward for everyone — and will culminate in a survey for all to use.

- **We will explore legislative or administrative options to require colleges and universities to conduct an evidence-based survey in 2016.** A mandate for schools to periodically conduct a climate survey will change the national dynamic: with a better picture of what’s really happening on campus, schools will be able to more effectively tackle the problem and measure the success of their efforts.

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\(^9\) Krebs et al., *The Campus Sexual Assault* (CSA) Study.

\(^{10}\) *Ibid*.

\(^{11}\) The Center on Violence Against Women & Children at the School of Social Work.
II. Preventing Sexual Assault on Campus

Participants in our listening sessions roundly urged the Task Force to make prevention a top priority. Some even suggested that if prevention and education efforts don’t start earlier, it’s too late by the time students get to college. While we certainly agree that this work should begin early, the college years, too, are formative. During this transition to adulthood, attitudes and behaviors are created or reinforced by peer groups. And students look to coaches, professors, administrators, and other campus leaders to set the tone. If we get this right, today’s students will leave college knowing that sexual assault is simply unacceptable. And that, in itself, can create a sea change.

Federal law now requires schools to provide sexual assault prevention and awareness programs. To help colleges and universities in this endeavor, we are providing schools with new guidance and tools.

- **Best practices for better prevention.** The Centers for Disease Control and Prevention (CDC) conducted a systematic review of primary prevention strategies for reducing sexual violence, and is releasing an advance summary of its findings. CDC’s review summarizes some of the best available research in the area, and highlights evidence-based prevention strategies that work, some that are promising, and – importantly – those that don’t work. The report points to steps colleges can take now to prevent sexual assault on their campuses.

Among other things, CDC’s review shows that effective programs are those that are sustained (not brief, one-shot educational programs), comprehensive, and address the root individual, relational and societal causes of sexual assault. It also includes a listing of prevention programs being used by colleges and universities across the country, so schools can better compare notes about effective and encouraging approaches.

- **Getting everyone to step in: bystander intervention.** Among the most promising prevention strategies – and one we heard a lot about in our listening sessions – is bystander intervention. Social norms research reveals that men often misperceive what other men think about this issue: they overestimate their peers’ acceptance of sexual assault and underestimate other men’s willingness to intervene when a woman is in trouble. And when men think their peers don’t object to abusive behavior, they are

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12. See 20 U.S.C. § 1092(f) (The Jeanne Clery Disclosure of Campus Security and Campus Crimes Statistics Act, commonly known as the Clery Act). The Department of Education is currently engaged in negotiated rule-making to implement the VAWA 2013 amendments to the Clery Act that require schools to provide education and awareness programs and to improve their campus security policies. Rule-making is scheduled to be completed in 2015, but schools are expected to make a good faith effort now to meet the new requirements.


much less likely to step in and help. Programs like *Bringing in the Bystander* work to change those perspectives – and teach men (and women) to speak out against rape myths (e.g., women who drink at parties are "asking for it") and to intervene if someone is at risk of being assaulted.

- **To help enlist men as allies, we are releasing a Public Service Announcement featuring President Obama, Vice President Biden, and celebrity actors.** The message of the PSA is simple: if she doesn’t consent – or can’t consent – it’s a crime. And if you see it happening, help her, don’t blame her, speak up. We particularly urge men’s groups, Greek organizations, coaches, alumni associations, school officials and other leaders to use the PSA to start campus conversations about sexual assault.

- **To help keep these conversations going, we are providing a basic factsheet on bystander intervention.** In addition to the CDC summary, this document identifies the messages and skills that effective programs impart, describes the various ways to get the word out (in-person workshops, social marketing campaigns, online training, interactive theater) and provides links to some of the more promising programs out there.

- **Developing new prevention strategies.** More research is needed to develop and evaluate evidence-based programming to prevent sexual violence on campus. And so:

  - In Fall 2014, the CDC, in collaboration with the Justice Department’s Office on Violence Against Women and the Department of Education, will convene a panel of experts to identify emerging, promising practices to prevent sexual assault on campus. CDC will then convene pilot teams to put the consensus recommendations into practice.

  - The Justice Department’s Office on Violence Against Women (OVW) is developing a multi-year initiative on campus sexual assault which, among other things, will test and evaluate prevention programs used by its campus grantees. Grantees will work with OVW and technical assistance experts to meet core standards and evaluate the results. The next group of campus grantees will be selected by October 2014.

  - In 2015, the CDC will solicit proposals to identify, and fill, gaps in the research on sexual violence prevention.

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III. Responding Effectively When a Student is Sexually Assaulted

Sexual assault is a crime – and while some survivors turn to the criminal justice system, others look to their schools for help or recourse. Under federal law, when a school knows or reasonably should know that one of its students has been sexually assaulted, it is obligated to act. These two systems serve different (though often overlapping) goals. The principal aim of the criminal system is to adjudicate a defendant’s guilt and serve justice. A school’s responsibility is broader: it is charged with providing a safe learning environment for all its students—and to give survivors the help they need to reclaim their educations. And that can mean a number of things—from giving a victim a confidential place to turn for advice and support, to effectively investigating and finding out what happened, to sanctioning the perpetrator, to doing everything we can to help a survivor recover. The Task Force is taking the following steps:

Giving Survivors More Control: Reporting and Confidentially Disclosing What Happened

Sexual assault survivors respond in different ways. Some are ready to make a formal complaint right away, and want their school to move swiftly to hold the perpetrator accountable.

Others, however, aren’t so sure. Sexual assault can leave victims feeling powerless—and they need support from the beginning to regain a sense of control. Some, at least at first, don’t want their assailant (or the assailant’s friends, classmates, teammates or club members) to know they’ve reported what happened. But they do want someone on campus to talk to—and many want to talk in confidence, so they can sort through their options at their own pace. If victims don’t have a confidential place to go, or think a school will launch a full-scale investigation against their wishes, many will stay silent.

In recent years, some schools have directed nearly all their employees (including those who typically offer confidential services, like rape crisis and women’s centers) to report all the details of an incident to school officials—which can mean that a survivor quickly loses control over what happens next. That practice, however well-intentioned, leaves survivors with fewer places to turn.

This is, by far, the problem we heard most about in our listening sessions. To help solve it:

- **Schools should identify trained, confidential victim advocates who can provide emergency and ongoing support.** This is a key “best practice.” The person a victim talks to first is often the most important. This person should understand the dynamics of sexual assault and the unique toll it can take on self-blaming or traumatized victims. The advocate should also be able to help get a victim needed resources and accommodations, explain how the school’s grievance and disciplinary system works, and help navigate the process. As many advocates have learned over the years, after survivors receive initial, confidential support, they often decide to proceed with a formal complaint or cooperate in an investigation.
- **We are also providing schools with a sample reporting and confidentiality protocol.** A school, of course, must make any policy its own—but a few guiding principles should universally apply. As noted, some sexual assault survivors are ready to press forward with a formal (or even public) complaint, while others need time and privacy to heal. There is no one-size-fits-all model of victim care. Instead, there must be options.

That means, at a minimum, that schools should make it clear, up front, who on campus will (or will not) share what information with whom. And a school’s policy should also explain when it may need to override a request for confidentiality (and pursue an alleged perpetrator) in order to provide a safe campus for everyone. The watchword here is clarity: both confidential resources and formal reporting options should be well and widely publicized—so a victim can make an informed decision about where best to turn.

And in all cases, the school must respond. When a student wants the school to take action against an offender—or to change dorms or working arrangements—the school must take the allegation seriously, and not dissuade a report or otherwise keep the survivor’s story under wraps. Where a survivor does not seek a full investigation, but just wants help to move on, the school needs to respond there, too. And because a school has a continuing obligation to address sexual violence campus-wide, it should always think about broader remedial action—like increasing education and prevention efforts (including to targeted groups), boosting security and surveillance at places where students have been sexually assaulted, and/or revisiting its policies and practices.

**Developing a Comprehensive Sexual Misconduct Policy**

Every college and university should have an easily accessible, user-friendly sexual misconduct policy. As the Task Force recognizes, there is no one approach that suits every school—but as we also learned, many schools don’t have adequate policies. To help:

- **We are providing schools with a checklist for a sexual misconduct policy.** This checklist provides both a suggested process for developing a policy, as well as the key elements a school should consider in drafting one. Importantly, schools should bring all the key stakeholders to the table—including students, survivors, campus security, law enforcement, resident advisors, student groups (including LGBTQ groups), on-campus advocates, and local victim service providers. Effective policies will vary in scope and detail, but an inclusive process is common to all.

We have not endeavored with this checklist to provide schools with all the answers: again, depending on its size, mission, student body, location, administrative structure and experience, a school community needs to tailor the checklist and make the policy its own.

- **By September 2014, the Task Force will provide samples of promising policy language on several other key issues.** While all schools are different, we have identified several challenging areas (in addition to confidentiality) where sample language could be helpful. These include definitions of various forms of sexual misconduct; the role of the
Title IX coordinator (recognizing that there may be various appropriate models for different schools); and the proper immediate, interim and long-term measures a school should take on behalf of survivors, whether or not they seek a full investigation.

Training for School Officials

Sexual assault can be hard to understand. Some common victim responses (like not physically resisting or yelling for help) may seem counter-intuitive to those unfamiliar with sexual victimization. New research has also found that the trauma associated with rape or sexual assault can interfere with parts of the brain that control memory — and, as a result, a victim may have impaired verbal skills, short term memory loss, memory fragmentation, and delayed recall.16 This can make understanding what happened challenging.

Personal biases also come into play.Insensitive or judgmental comments — or questions that focus on a victim’s behavior (e.g., what she was wearing, her prior sexual history) rather than on the alleged perpetrator’s — can compound a victim’s distress.

Specialized training, thus, is crucial. School officials and investigators need to understand how sexual assault occurs, how it’s perpetrated, and how victims might naturally respond both during and after an assault. To help:

- **By September 2014, the Justice Department’s Center for Campus Public Safety will develop a training program for campus officials involved in investigating and adjudicating sexual assault cases.** The Clery Act requires these officials to receive annual training on sexual assault (and also on domestic violence, dating violence and stalking). The Center will develop a trauma-informed training program consistent with the new requirements.

- **By June 2014, the Justice Department’s Office on Violence Against Women will launch a comprehensive online technical assistance project for campus officials.** Key topics will include victim services, coordinated community responses, alcohol and drug-facilitated sexual assaults, and Clery Act compliance. Webinars and materials will include the latest research, promising practices, training opportunities, policy updates, prevention programming, and recent publications. The project will feature strategies and training materials for campus and local law enforcement.

- **By December 2014, the Department of Education, through the National Center on Safe and Supportive Learning Environments, will develop trauma-informed training materials for campus health center staff.** Often, campus health centers are the first responders for victims of sexual assault. Services will vary according to the

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school's resources, but all staff should be trained on trauma-informed care – and these materials will help.

New Investigative and Adjudicative Protocols: Better Holding Offenders Accountable

Separate and apart from training, we also need to know more about what investigative and adjudicative systems work best on campus: that is, who should gather the evidence; who should make the determination whether a sexual assault occurred; who should decide the sanction; and what an appeals process, if the school has one, should look like.

Schools are experimenting with new ideas. Some are adopting different variations on the "single investigator" model, where a trained investigator or investigators interview the complainant and alleged perpetrator, gather any physical evidence, interview available witnesses – and then either render a finding, present a recommendation, or even work out an acceptance-of-responsibility agreement with the offender. These models stand in contrast to the more traditional system, where a college hearing or judicial board hears a case (sometimes tracking the adversarial, evidence-gathering criminal justice model), makes a finding, and decides the sanction.

Preliminary reports from the field suggest that these innovative models, in which college judicial boards play a much more limited role, encourage reporting and bolster trust in the process, while at the same time safeguarding an alleged perpetrator’s right to notice and to be heard. To evaluate these ideas:

- **By October 2014, the Justice Department’s Office on Violence Against Women and National Institute of Justice will begin assessing models for investigating and adjudicating campus sexual assault cases, and identify promising practices.** OVW will also further test and evaluate these models through its campus grantees – which will be selected by October 2014.

- **On April 29, 2014, the Justice Department’s SMART Office will release a solicitation for a pilot sex offender treatment program targeting college perpetrators.** Research suggests that treatment can be effective in reducing recidivism among offenders, yet no programs currently exist for the college population. Regardless of campus-imposed sanctions, we need to help reduce the risk that young perpetrators will offend again. This first-of-its kind pilot project holds out new hope for reducing sexual violence on campuses.

Providing Comprehensive Support: Partnering with the Community

Rape Crisis Centers. Sexual assault survivors often need a variety of services, both immediate and long-term, to help them regain a sense of control and safety. While some schools may be able to provide comprehensive trauma-informed services on campus, others may need to partner with community-based organizations.
Regardless of where they are provided, certain key elements should be part of a comprehensive victim-services plan. Because students can be assaulted at all hours of the day or night, crisis intervention services should be available 24 hours a day, too. Survivors also need advocates who can accompany them to medical and legal appointments. And because, for some survivors, the road to recovery is neither short nor easy, longer-term clinical therapies can be crucial.

Rape crisis centers can help schools better serve their students. These centers often provide crisis intervention, 24-hour services, longer-term therapy, support groups, accompaniment to appointments, and community education. Rape crisis centers can also help schools train students and employees and assist in developing prevention programs. And so:

- **To help schools build these partnerships, we are providing a sample Memorandum of Understanding (MOU) with a local rape crisis center.** Schools can adapt this MOU depending on their specific needs and the capacity of a local center.

- **To help schools develop or strengthen on-campus programs, we are also providing a summary of promising practices in victim services.** This guide reviews the existing research on sexual assault services and outlines the elements of an effective victim services program.

- **To assist Tribal Colleges and Universities (TCUs) with victim services, the Justice Department’s Office on Violence Against Women will continue to prioritize TCUs in its campus grant program solicitations.** OVW is working to raise awareness of funding opportunities by engaging with leading tribal organizations and partnering with the White House Initiative on American Indian and Alaska Native Education. OVW will also work with tribal domestic violence and sexual assault coalitions to provide TCUs with technical assistance on victim services.

**Local Law Enforcement.** At first blush, many may ask why all cases of sexual assault are not referred to the local prosecutor for criminal prosecution. Some, of course, are — but for many survivors, the criminal process simply does not provide the services and assistance they need to get on with their lives or to get their educations back on track. There are times, however, when the local police and a school may be simultaneously pursuing a case. A criminal investigation does not relieve a school of its independent obligation to conduct its own investigation — nor may a school wait for a criminal case to conclude to proceed. Cooperation in these situations, thus, is critical. So:

- **By June 2014, we will provide schools with a sample Memorandum of Understanding (MOU) with local law enforcement.** An MOU can help open lines of communication and increase coordination among campus security, local law enforcement and other community groups that provide victim services. An MOU can also improve security on and around campus, make investigations and prosecutions more efficient, and increase officers’ understanding of the unique needs of sexual assault victims.
Developing a Research Collaborative: Enlisting School Researchers to Find New Solutions

Many schools have research institutes that can measurably improve our thinking about sexual assault. Schools are uniquely suited to identify gaps in the research and develop methods to address them. To lead by example, three universities have committed to developing research projects that will better inform their response to the problem and contribute to the national body of work on campus sexual assault:

- The Johns Hopkins University School of Nursing will study sexual assault among student intimate partners, including LGBTQ relationships.

- The University of Texas at Austin School of Social Work will develop and evaluate training for campus law enforcement and examine the effectiveness of Sexual Assault Response Teams.

- The University of New Hampshire Prevention Innovations Center will design and evaluate a training program for incoming students on sexual assault policies and expectations for student conduct.

We invite others to join this collaborative—and to add their own research brains and resources toward finding solutions.

IV. Improving the Federal Government’s Enforcement Efforts, and Making Them More Transparent

The federal government plays an important role in combatting sexual violence. And as we outlined in our recent report, “Rape and Sexual Assault: A Renewed Call to Action,” this Administration has taken aggressive action on many fronts.

We need to build on these efforts. To better address sexual assault at our nation’s schools, we need to both strengthen our enforcement efforts and increase coordination among responsible federal agencies. Also, and importantly, we need to improve our communication with students, parents, school administrators, faculty, and the public, by making our efforts more transparent.

Some Background on the laws

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., requires schools that receive federal financial assistance to take necessary steps to prevent sexual assault on their campuses, and to respond promptly and effectively when an assault is reported. Title IV of the 1964 Civil Rights Act, 42 U.S.C. § 2000e et seq., also requires public schools to respond to sexual assaults committed against their students. The Clery Act requires colleges and
universities that participate in federal financial aid programs to report annual statistics on crime, including sexual assault and rape, on or near their campuses, and to develop and disseminate prevention policies.\footnote{Other laws also authorize the Justice Department to investigate campus sexual assaults and help campus police as well as local, tribal and state law enforcement adopt comprehensive policies and practices to address the problem. These include the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141; and the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d.}

The Department of Education's Office for Civil Rights (OCR) is charged with administrative enforcement of Title IX in schools receiving financial assistance from the Department. OCR may initiate an investigation either proactively or in response to a formal complaint. If OCR finds a Title IX violation, the school risks losing federal funds. In these cases, OCR must first seek to voluntarily resolve the non-compliance before terminating funds. Through this voluntary resolution process, OCR has entered into agreements that require schools to take a number of comprehensive steps to remedy the problem on their campuses.

The Department of Education's Federal Student Aid (FSA) office is responsible for enforcing the Clery Act, and conducts on-site reviews to ensure compliance. If a school is found to have violated Clery, FSA directs it to take steps to comply and can impose fines for violations.

The Justice Department (DOJ) is responsible for coordinating enforcement of Title IX across all federal agencies. DOJ shares authority with OCR for enforcing Title IX, and may initiate an investigation or compliance review of schools receiving DOJ financial assistance. If schools are found to violate Title IX and a voluntary resolution cannot be reached, DOJ can initiate litigation, including upon referral from other federal agencies, or seek to terminate DOJ funds. DOJ is also responsible for enforcing Title IV. DOJ can use its authority under Title IV, Title IX, and other federal civil rights statutes to bring all facets of a school, including its campus police, and local police departments into compliance with the law. DOJ can also intervene, file amicus briefs, and/or file statements of interest in court cases involving these statutes.

improving Transparency and Information sharing

The Administration is committed to making our enforcement efforts more transparent, and getting schools and students more resources. And so:

- The Task Force is launching a dedicated website -- NotAlone.gov -- to make enforcement data public and to make other resources accessible to students and schools. Although many tools and resources exist, students and schools often haven't been able to access them -- either because the materials haven't been widely available or because they are too hard to find. Today, we are changing that.

  Our new website will give students a clear explanation of their rights under Title IX and Title IV, along with a simple description of how to file a complaint with OCR and DOJ and what they should expect throughout the process. It will help students wade through often complicated legal definitions and concepts, and point them toward people who can give them confidential advice -- and those who can't.
The website will also put in one central place OCR resolution letters and agreements (except those that raise individual privacy concerns), and all DOJ federal court filings, including complaints, motions, and briefs, consent decrees, and out-of-court agreements (which are also available on DOJ’s website). These documents will be posted as a matter of course, so students, school officials, and other stakeholders can easily access the most current agreements.

The website will also contain the relevant guidance on a school’s federal obligations, best available evidence and research on prevention programs, and sample policies and model agreements.

Finally, the website will have trustworthy resources from outside the government – like hotline numbers and mental health services locatable by simply typing in a zip code. It will also have a list of resources broken down by issue – like advocacy/survivor services, student groups, or LGBTQ resources – so someone can find more issue-specific information.

- **The Task Force will continue to work with developers and advocates to find ways that tech innovations can help end the violence.** On April 11, more than 60 innovators, technologists, students, policy experts, and survivors of sexual assault gathered at the White House for a “Data Jam” to brainstorm new ways to use technology to shed light on campus sexual assault and better support survivors.

- **Federal agencies are making datasets relevant to sexual assault readily available.** In keeping with the Administration’s open data pledge, federal agencies, including the Departments of Education, Justice, Interior, and Health & Human Services have made public more than 100 datasets related to sexual assault and higher education. These datasets include survey results related to sexual violence, program evaluations, and guidance documents. This data is posted on data.gov.

- **The Department of Education is taking additional steps to make its activities more transparent.** As noted, OCR is posting nearly all recent resolution letters and agreements with schools on its website. OCR will also make public the schools that are under OCR investigation, including those that involve Title IX sexual violence allegations. This information will be made available by contacting the Department of Education.

- **The Department of Education will collect and disseminate a list of Title IX coordinators by next year.** Every school must designate at least one employee to coordinate its efforts to carry out its Title IX responsibilities. Although schools must notify students of the name and contact information of the Title IX coordinator, there is no central, national repository of coordinator contact information. The Department of Education’s Office of Postsecondary Education and OCR will collect and disseminate the list of higher education Title IX coordinators annually so anyone can easily locate a coordinator. This information will also encourage coordinators to talk to each other and share positive practices to Title IX compliance.
The Administration is also committed to improving, and better coordinating, our enforcement efforts. And so:

- **The Department of Education is providing more clarity on schools’ obligations under Title IX.** In April 2011, OCR issued groundbreaking guidance to schools on their obligations to prevent and respond to sexual violence under Title IX. Since then, schools and students have asked for further guidance and clarity – and, today, OCR is issuing its answers to these frequently asked questions.

Among many other topics, this new guidance clarifies that:

- Title IX protects all students, regardless of their sexual orientation or gender identity, immigration status, or whether they have a disability;
- non-professional on-campus counselors and advocates – like those who work or volunteer in on-campus sexual assault centers, victim advocacy offices, women’s centers and health centers – can generally talk to a survivor in confidence;
- questioning or evidence about the survivor’s sexual history with anyone other than the alleged perpetrator should not be permitted during a judicial hearing;
- adjudicators should know that the mere fact of a previous consensual dating or sexual relationship does not itself imply consent or preclude a finding of sexual violence; and
- the parties should not be allowed to personally cross-examine each other.

The Q&A also discusses (again, among many other topics) college employees’ reporting obligations; the role of the Title IX coordinator; how a school should conduct investigations; and Title IX training, education and prevention.

- **The Department of Education is strengthening its enforcement procedures.** OCR has made changes to its enforcement procedures.18

Among other things, OCR is instituting time limits for negotiating voluntary resolution agreements. By law, OCR is required to pursue a voluntary resolution with a school before initiating an enforcement action. Although this process is usually much faster than litigation, it can also take time and, as a result, be frustrating for survivors who typically remain on campus or enrolled in school for a limited time. To help guard against the risk that a school may extend negotiations to delay enforcement, OCR is placing a 90-day limit on voluntary resolution agreement negotiations where it has found a school in violation of Title IX.

OCR’s procedures also now make explicit that schools should provide survivors with interim relief – such as changing housing or class schedules, issuing no-contact orders, or providing counseling – pending the outcome of an OCR investigation. OCR will also be

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18 See [http://www2.ed.gov/about/offices/list/ocr/docs/ocrspm.html](http://www2.ed.gov/about/offices/list/ocr/docs/ocrspm.html).
more visible on campus and reach out to more students and school officials during its investigations, in order to get a fuller picture as to whether or not there is a problem on campus.

- **The Department of Education is also clarifying how key federal laws intersect.** In addition to Title IX and the Clery Act, the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of student education records, can also come into play in campus sexual violence investigations. In response to requests for guidance, the Department of Education has created a chart outlining a school’s reporting obligations under Title IX and the Clery Act, and how each intersects with FERPA. The chart shows that although the requirements of Title IX and the Clery Act may differ in some ways, they don’t conflict.

- **The Departments of Education and Justice have entered into an agreement clarifying each agency’s role vis-à-vis Title IX.** OCR and the Justice Department’s Civil Rights Division (CRT) both enforce Title IX. To increase coordination and strengthen enforcement, the agencies have entered into a formal memorandum of understanding.

- **The Department of Education offices responsible for Title IX and Clery Act enforcement have also entered into an agreement clarifying their respective roles.** As noted, the Federal Student Aid (FSA) office is responsible for Clery Act compliance, whereas OCR enforces Title IX. Sometimes, their efforts overlap. To clarify their roles and increase efficiency, FSA and OCR have formalized an agreement to ensure more efficient and effective handling of complaints and to facilitate information sharing.

**Next Steps**

The action steps and recommendations highlighted in this report are the initial phase of an ongoing plan. The Task Force is mindful, for instance, of the continuing challenges schools face in meeting Title IX and Clery Act requirements. We will continue to work toward solutions, clarity, and better coordination. We will also review the various laws and regulations that address sexual violence for possible regulatory or statutory improvements, and seek new resources to enhance enforcement. Also, campus law enforcement officials have special expertise – and they should be tapped to play a more central role. We will also consider how our recommendations apply to public elementary and secondary schools – and what more we can do to help there.

Our work continues.

ATTACHMENT R
MEMORANDUM

To: Ronald Mason, Jr., J.D.
   President, Southern University System

From: Victor Ukpolo, Ph.D.
   Chancellor

Date: July 31, 2014

Re: Information and Policy on Sexual Assaults

Southern University at New Orleans presents the following answers and information regarding sexual assaults on campus per Senator J.P. Morrell’s correspondence of July 11, 2014:

**Question 1:** The number of sexual assaults that have been reported on each campus for the preceding five calendar years (1/1/2009 - 12/31/2013).

**Response:** During this period, Campus Police received one student complaint of rape on 09/12/2013.

**Question 2:** The number of sexual assault investigations that have been conducted on each campus for the preceding five calendar years (1/1/2009 - 12/31/2013).

**Response:** The initial on scene investigation of the rape complaint reported on 09/12/2013 was conducted by Campus Police under our Item I-14-2013. New Orleans Police Department was called and assumed responsibility for the investigation under their Item I-16931-13.

**Question 3:** The written policy governing sexual assaults on each campus, specifically including any sexual assault response employee training requirements.

**Response:** SUNO’s Sexual Assault Response Team (SART) completed and submitted a revised Sexual Assault policy that was officially adopted July 25, 2014. A copy of the document is attached. It replaces the Sexual Assault policy that appears in the 2012-14 student handbook. The revised policy will appear in the 2014-16 student handbook that will be disseminated in mid-September. The Campus Sexual Violence Elimination Act (Campus SaVE Act) requires institutions to offer prevention and awareness programing for incoming students and new
Information and Policy on Sexual Assaults
Page Two

employees. SUNO’s director of human resources is working with a Southern University System trainer to develop an electronic instrument designed to inform the University community about this policy. It is anticipated that this instrument will be available by October 1, 2014.

Question 4: The written investigation and adjudication procedures for sexual assaults on each campus, including but not limited to any special provisions that allow agencies/departments other than campus police and/or other law enforcement agencies to investigate sexual assault and/or rape allegations.

Response: Campus Police is the only department authorized to conduct criminal investigations.

Please let us know if additional information is needed.

VU/hec

"An Equal Educational Opportunity Institution"
Southern University at New Orleans
SEXUAL ASSAULT POLICY
(Adopted July 25, 2014)
(Adopted pursuant to the Louisiana Revised Statute R.S. 14:41 through 43.3)

A. Statement

This policy is intended to meet the needs of the university and community. It is impossible to create a “perfect policy”, but there are basic guidelines that should be met in constructing a workable and effective sexual assault policy. This policy outlines procedures the university should follow in responding to reports of sexual assault allegedly committed by any person on campus. However; some of the procedures and services described here may also apply should an incident occur off-campus or if the victim of the assault is not a student or employee.

B. Definition

For the purposes of this policy, Sexual assault is defined as any involuntary sexual act in which a person is threatened, coerced, or forced to engage against their will, or any sexual touching of a person who has not consented. This includes rape (such as force vaginal, anal or oral penetration), groping, forced kissing, or torture of the victim in any sexual manner as identified below: (R.S. denotes Revised Statute)

(1)
R.S. 14:41 Rape; as defined above
R.S. 14:42 Aggravated Rape
R.S. 14:42.1 Forcible Rape
R. S. 14:43 Simple Rape
R. S. 14:43.1 Sexual Battery
R. S. 14:43.2 Second Degree Sexual Battery
R. S. 14:43.3 Oral Sexual Battery

(2)
For purposes of this Section, “sex offense” shall include the perpetration or attempted perpetration of stalking (R.S. 14:40.2), misdemeanor carnal knowledge of a juvenile (R.S. 14:80.1), obscenity (R.S. 14:106), or any offense listed in R.S. 15:541(24) Sex Offender Registration Statutes.
safety, academic efforts, employment, or participation in university sponsored activities or behaviors which cause another person to believe that such harm will occur. Such acts include but are not limited to stalking, physical force, or other forms of violence."

Procedure: The Director of Student Activities and Organizations will send a written statement to the Chairperson of the Judicial Committee informing him/her of the accused name and all of the specific details of the alleged crime. It is the Chairperson’s responsibility to inform the accused in writing of the charges against him/her in writing. The accused will also be notified in writing of the date, time and place of the hearing as well as documents to be presented and the names of witnesses.

c. Disabled Student Organization

The Services for Students with Disabilities department will guide our students to contact our department and Campus Police when assaulted so we may have documentation and we can refer them to all available resources for them.

d. Office of Residential Life

All incidents of sexual assaults, sexual harassment, or other sexual misconduct (including dating violence, domestic violence or stalking) that occur in the student/faculty housing facility shall promptly be reported to campus police, the director of residential life or the Vice Chancellor of Student Affairs. If the victim is incapacitated or unable to make a report, the initial call shall be made by the community assistant/staff on duty. In instance where physical harm may be evident the victim will be urged to seek immediate medical attention.

Every effort will be made to encourage the victim to preserve physical evidence that may be essential should they decide to pursue criminal prosecution, civil action or in obtaining a civil protection order.

e. Sexual Assault Response Team (SART)

SART is a multidisciplinary interagency team of individuals working collaboratively to provide services for the campus by offering specialized sexual assault intervention services. The team approach sexual trauma with a sensitive and competent response. The team is specialized to fit the needs of the University community and work to increase reporting and conviction of sexual assaults. The Chief of Police shall serve as SART Chairman and shall call a meeting of the team as soon as possible after receiving a report of a sexual assault. The team shall consist of members from the following departments within the university: Campus Police, Health Services, Student Affairs, Student Development Center, Disabled Student Organization, Studies Activities, SGA, Human Resources, Athletics, and Residential Housing.
ATTACHMENT S
August 28, 2014

Dr. Ronald Mason, Jr, President
Southern University System
4th Floor, J. S. Clark Administration Building
Baton Rouge, La 70813

Dear President Mason:

In response to the request for information by Louisiana State Senator Jean-Paul Morrell, we have provided a detailed report outlining our number of sexual assaults, sexual assault investigations, written policy governing sexual assaults and written investigation and adjudication procedures for sexual assaults.

Please know that we take very seriously any allegations of assault and take pride in having a safe campus environment that will promote learning. With that said, this information was carefully compiled by our Chief of Police, Mr. Marshall Nelson who is a long standing officer of the law and leader of our campus safety efforts.

In advance, thank you for your consideration.

Sincerely,

Ray L. Bolton, Ph.D.
Chancellor
Southern University at Shreveport presents the following answers and information regarding sexual assaults on campus per Senator J. P. Morrell's correspondence of July 11, 2014:

**Question 1:** The number of sexual assaults that have been reported on campus for the preceding five calendar years (1/1/2009 – 12/31/2013).

**Response:** During this period, Campus Police received three student complaints of sexual assaults.

**Question 2:** The number of sexual assault investigations that have been conducted on campus for the preceding five calendar years (1/1/2009 – 12/31/13).

**Response:** During this period, Campus Police investigated three complaints of sexual assaults.

Response: To the initial (first) reported sexual assault of 10/6/10 of inappropriate touching (Sexual Battery) was investigated by Campus Police under Item 1014310.

Response: To the second reported sexual assault of 11/29/10 of rape was investigated by Campus Police under Item 1116910. Shreveport Police Department was called and assumed initial responsibility for the investigation. However, they returned it to Campus Police for final disposition.

Response: To the third reported sexual assault of 6/26/12 was investigated by Campus Police under item 061012.

**Question 3:** The written policy governing sexual assaults on our campus, specifically including any sexual assault response employee training requirements.
Response: SUSLA Police Department has recently updated the Sexual Assault Policy, with a copy attached. Currently, Section 9, of our Student Handbook is under revision to ensure total compliance with the Campus Sexual Violence Elimination Act. Prevention and awareness programs as outlined in the policy will be provided to incoming students and new employees by Human Resources, Office of Counseling, Student Services and University Police.

Question 4: The written investigation and adjudication procedures for sexual assaults on campus, including but not limited to any special provisions that allow agencies/departments other than campus police and or other law enforcement agencies to investigate sexual assault and/or rape allegations.

Response: Campus Police is the only department authorized to conduct criminal investigations.

Please advise if additional information is needed.
Southern University at Shreveport is committed to preventing sexual assault through incorporation of educational programming and the adoption of clear guidelines informing students, faculty, and staff of the University's procedures in handling such cases. Sexual assault crimes are heinous, and these crimes occurring on campus will not be tolerated under any circumstances. University community members found guilty of any sexual assault crime will be severely dealt with through the appropriate University office.

Definition:

The University shall refer to the Louisiana Criminal Law and Procedure Handbook to determine when a sexual assault has occurred. However, for purposes of this policy any form of attempted or actual non-consensual sexual contact by a member of the community, whether such person is known or unknown to the victim, against another member of the community. A person shall be deemed not to have knowingly and/or voluntarily consented within the meaning of this policy if, at the time of the attempt or of the sexual assault, the person is incapable of giving consent because of mental incapacitation, physical impairment, alcohol or drug consumption, under the age of consent, or loss of consciousness. For purposes of this policy, sexual contact shall mean any touching of the sexual or other intimate parts of a person, done for the purpose of gratifying the sexual desire of either party.

Educational Programs:

The Counseling Center either alone, or in partnership with University Police, Office of Residential Housing and subject matter specific persons will present seminars, forums and provide brochures each semester or as the need arises to promote awareness of rape, acquaintance rape, and other forcible and non-forcible sexual offenses. Additionally, University Police will routinely conduct safety and security programs during freshman orientation, sexual assault programs for groups of students throughout the year, self-defense and avoidance courses, alcohol and drug awareness programs for students in residential housing.

Guidelines for Victims:

Victims of on-campus sexual assault are advised to adhere to the following important guidelines

Preservation of evidence:

- Do not bathe, shower, douche, or change clothes
- Do not disturb the crime scene; save all clothing and items involved
- Do not brush teeth, drink anything, or smoke a cigarette until you have been examined

Although adhering to the above guidelines is most difficult under such traumatic conditions, the victim aids law enforcement agencies in the preservation of evidence when following these three recommendations.

Procedures for Reporting Assualts and Receiving Help
University community members are urged to report their own attempted or actual victimization and that of others immediately to the appropriate law enforcement agencies. Reporting is the only effective way that action can be taken against the alleged attacker and knowing your rights as a victim of a crime. Victims are to use the following procedures:

- Report the assault either in person or by telephone (318/670-9349 or Cell: 318/286-6647) to University Police, if assaulted on campus. If the victim chooses a telephone, give present location in order that police may come to the victim and personally take a report in a private atmosphere. University Police will notify the Shreveport Police Department if desired or personal contact can be made (318/673-2583 or 911) and if the victim does not wish to pursue charges, an informational report may help the police locate the attacker. A counselor from the SUSLA Counseling Center will be present, if possible, during the taking of the report.
- Following the report given to police, the victim is strongly advised to seek medical assistance from a local hospital. Call Project Celebration Sexual Assault 24-Hour Crisis Line at 318/670-4773. A volunteer escort will meet you at the hospital, stay with you through the medical examination and during your conversation with police, and provide support to ease you pain.
- A victim of sexual assault is highly encouraged to participate in follow-up counseling. Failing to openly address the emotional trauma of sexual assault can be devastating to the victim. Usually, victims undergo tremendous stress and fear of normal social interacting following such an assault. Thus, learning to cope with a multitude of feelings and fears can be accomplished through ongoing counseling. The victim may seek help through either of the following agencies: SUSLA Counseling Center (318/670-9473), Vance Student Center; Project Celebration (318/670-4773), 814 Cotton Street, Shreveport.

Report to Other University Officials: In the event a victim does not report to University Police, we encourage you to report to another official such as:

- SUSLA Department of Counseling Services 318/670-9473
- Assistant Vice Chancellor for Student Affairs 318/670-9213
- Judicial Coordinator 318/670-9331

Legal Action:

The victim may proceed to take action against the accused by:

- Pressing criminal charges through the District Attorney’s Office with the assistance of the University Police. This action is encouraged whether the accused is or is not found to be a University Student.
- If the accused is found to be a SUSLA student, the victim may request that University disciplinary proceedings begin for redress of the assault.

University Discipline Procedure:

During University disciplinary proceedings, both the victims and the accused are entitled to have an advisor present. Furthermore, both the victim and the accused shall be informed of the outcome of the disciplinary proceedings.

The Rights of the Victim in Alleged Sexual Assault Cases:
- The right not to have the victim’s past sexual history discussed during an investigation or during a hearing;
- The right to choose persons to accompany the victim throughout the investigative and disciplinary proceeding;
- The right to be present throughout the entire disciplinary proceedings;
- The right to have a University restraining order or ban imposed on the accused and/or the accuser’s friends to prohibit them from contacting or harassing the victim;
- The right to be informed of the outcome of the disciplinary proceedings dealing with the alleged sexual assault;
- The right to be informed of counseling available on the SUSLA University campus and of counseling available in the community;
- The right to change academic environments after an alleged sexual assault incident;
- The right to be informed of criminal proceeding in the city and district courts.

Penalties for Sexual Assault:

The University has the right to take disciplinary action, independent of the criminal justice system, against any students the University finds guilty of sexual assault. The University has jurisdiction in sexual assault cases occurring on the University campus. The University also may take disciplinary action in off-campus cases involving a SUSLA student as described in the Student Code of Conduct.

The University Police Office maintains all data on sexual assaults occurring on campus. This data is collected from August 1 through July 31 annually. Members of the University community who would also like to obtain this information may contact the Assistant Vice Chancellor for Student Affairs Office.

Avoiding the Occurrence of Sexual Assault:

All members of the University community are advised to exercise caution while on campus both day and night. Although students, faculty and staff comprise the majority of people found on campus, many non-University related individuals visit daily. Consequently, students and employees must use good judgment and make wise decisions in the course of daily activities on campus. Special precautions are advised in the following situations:

- Walking to and from parking areas both day and night. Have keys in hand when returning to an automobile and always check the automobile before entering.
- Walking the campus alone at night. Wait for a University Police Officer to walk with you.
- Working late at night in University offices and laboratories. (When possible, keep doors locked and let someone know you are in that area).
- Walking in dimly lit areas of the campus. (All areas needing better lighting should be reported to the University Police).
ATTACHMENT
September 5, 2014

Dear Senator Morrell,

Statistics showing that 1 in 5 women in America are sexually assaulted as college students are not just troubling – they are unacceptable. While noting that even a single assault is one too many, LSU campuses from New Orleans to Shreveport provide safe environments for our students, and we are committed to continued improvement in this area.

Among LSU campuses, the flagship in Baton Rouge has the highest number of assaults as well as the highest enrollment. For comparison, we have provided a chart documenting reported sexual assaults at peer flagship campuses with similar enrollment sizes. The data is from 2012, the most recent year available of Clery information. Numbers for 2013 will be turned in for Clery purposes on Oct. 1, 2014.

<table>
<thead>
<tr>
<th>University Name</th>
<th>Student Enrollment</th>
<th>Assaults on Campus in 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNC-Chapel Hill</td>
<td>29,127</td>
<td>21</td>
</tr>
<tr>
<td>University of Oregon</td>
<td>24,584</td>
<td>17</td>
</tr>
<tr>
<td>University of Iowa</td>
<td>31,065</td>
<td>15</td>
</tr>
<tr>
<td>University of Mass-Amherst</td>
<td>28,518</td>
<td>15</td>
</tr>
<tr>
<td>Georgia</td>
<td>34,538</td>
<td>9</td>
</tr>
<tr>
<td>Tennessee</td>
<td>27,171</td>
<td>8</td>
</tr>
<tr>
<td>Alabama</td>
<td>34,852</td>
<td>7</td>
</tr>
<tr>
<td>University of Colorado</td>
<td>31,702</td>
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</tr>
<tr>
<td>Missouri</td>
<td>34,658</td>
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</tr>
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<tr>
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<td>West Virginia</td>
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<tr>
<td>Kentucky</td>
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</tr>
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In the following pages, you will find a detailed report that addresses not only your questions, but also the prevention, awareness, and response efforts across all LSU campuses to further demonstrate our commitment to maintaining the safety and security of students who have entrusted more than just their educational needs to our university.

If you should require any additional information or have any questions after reading our report, please contact me at alexander@lsu.edu.

Sincerely,

F. King Alexander
LSU President and Chancellor
LSU Response to Senator Morrell’s Request

Submitted September 5, 2014
Throughout our report, we use the definition of sexual assault provided within LSU’s Permanent Memoranda PM 73 for consistency. PM 73, which is included as an appendix to this report, covers all LSU campuses, and defines sexual assault as:

Any type of sexual contact or behavior that occurs without the explicit consent of the recipient ... includes forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, attempted rape, and includes sexual acts against people who are unable to consent either due to age or incapacitation.

A breakdown of reported sexual assaults, as defined by LSU PM 73, by LSU campus is below. It should be noted that the AgCenter and Pennington Biomedical do not have students, and the Paul M. Hebert Law Center’s students are counted among the flagship campus and have access to the same services.

- **LSU (enrollment 30,478)**

<table>
<thead>
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<tbody>
<tr>
<td>2009</td>
<td>4</td>
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<tr>
<td>2010</td>
<td>5</td>
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<tr>
<td>2011</td>
<td>2</td>
</tr>
<tr>
<td>2012</td>
<td>3</td>
</tr>
<tr>
<td>2013</td>
<td>8</td>
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- **LSU Health Sciences Center Shreveport (enrollment 856)**

<table>
<thead>
<tr>
<th>Year of Incident</th>
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<tbody>
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<td>2</td>
</tr>
<tr>
<td>2012</td>
<td>0</td>
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<tr>
<td>2013</td>
<td>0</td>
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- **LSU Shreveport (enrollment 4,114)**

<table>
<thead>
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<th>Year of Incident</th>
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<td>0</td>
</tr>
<tr>
<td>2012</td>
<td>0</td>
</tr>
<tr>
<td>2013</td>
<td>0</td>
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- **LSU Alexandria (enrollment 2,229)**

<table>
<thead>
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<th>Year of Incident</th>
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<td>0</td>
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<tr>
<td>2012</td>
<td>0</td>
</tr>
<tr>
<td>2013</td>
<td>0</td>
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- LSU Eunice (enrollment 2,673)

<table>
<thead>
<tr>
<th>Year of Incident</th>
<th>Number of Assaults</th>
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<tr>
<td>2009</td>
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</tr>
<tr>
<td>2010</td>
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<tr>
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<td>2012</td>
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- LSU Health Sciences Center New Orleans (enrollment 2,829)

<table>
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<tr>
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</table>
All reported on-campus sexual assault incidents referenced in question one were also investigated by university or city police, depending on the campus. All reports and investigations were reported in accordance with the Clery Act.

All LSU campuses follow PM 73 as the policy governing sexual assault (Appendix).

In addition to PM 73 adherence, the following campuses provide additional training (some mandatory, some optional):

LSU has Sexual Assault Nurse Examiners who are specially trained in collecting evidence and working with survivors of sexual assault. The Sexual Assault Nurse Examiner is an LSU Student Health Center professional nurse trained in the parameters of the Sexual Assault Nurse Examiners standards. These nurses also work closely with LSU’s Lighthouse Program. Lighthouse Advocates are specially trained university personnel who can provide confidential guidance and support to LSU students who have directly experienced interpersonal violence (sexual assault, domestic violence, relationship violence, and stalking).

LSUHSC-Shreveport partners with the Caddo Parish Coroner’s office, which provides a Sexual Assault Response Team consisting of Sexual Assault Nurse Examiners who are specially trained to interact with sexual assault victims.

LSU Eunice will begin development of a training program for volunteer employees and students who wish to participate. This initiative will be led by the campus’ Title IX/AAEO Officer during the 2014-15 academic year.
PM 73 also establishes a reporting and adjudication process for all campuses, which includes the identification of a Title IX coordinator, who will conduct or supervise initial review of the complaint. LSU has both a formal and informal resolution procedure for alleged violations, but the informal route is not deemed appropriate for situations involving violence or non-consensual sexual intercourse.

The formal resolution process involves a trained investigator who will conduct a full investigation into the facts and circumstances of the complaint. The complainant and the subject of the complaint will be notified in writing of the results of any investigation and all procedures will allow both parties due process. Resolution will involve appropriate action in case of a proven violation; such resolutions may subject individuals to civil or criminal liability under state and/or federal law. LSU will cooperate with law enforcement.

A fully detailed explanation of the reporting and resolution process can be found in PM 73, which is included in the appendices of this document.
Later this year, all of Louisiana higher education will be teaming up to undergo Title IX training, ensuring that each college and university in the state is up-to-date on the most effective and current Title IX issues and solutions.

LSU has also partnered with the White House’s student-centered awareness campaigns, and will be sharing materials with student groups across the state as soon as they are made available.

**LSU**

LSU provides prevention and support initiatives for students as well as the community. The Lighthouse Program is committed to providing confidential, nonjudgmental, and appropriate support services for all sexual assault survivors, regardless of gender, ethnicity, sexual orientation, age, ability, or whether or not they report the crime. In addition, the University has a vested interest in obtaining an accurate account of the number of sexual assaults occurring on- or off-campus involving student survivors. The Lighthouse Program (previously known as Sexual Assault Victim’s Advocacy or SAVA) is designed to accomplish both of these goals, as well as to meet federal mandates. The lighthouse program provides support/medical services regarding sexual assault, domestic violence, relationship violence, and stalking.

The campus also has a sexual assault nurse examiner who is trained in collecting evidence and working with survivors of sexual assault. The primary mission of the program is to meet the needs of the LSU student who is a sexual assault survivor by providing immediate, compassionate, culturally sensitive, and comprehensive forensic evaluation and treatment by an LSU Student Health Center professional nurse trained in the parameters of the Sexual Assault Nurse Examiners standards.

The Health Promotion Staff and LSU Police Department collaborate to offer Rape Aggression Defense Classes (RAD), a 12-hour personal safety course for women. Classes are also available to staff, faculty, and community members. The Student Health Center also provides one-on-one consultations for sexual assault, educational services for sexual assault, and health and wellness fair programs. Further, the Student Health Center provides educational sessions on sexual assault prevention. The Student Health Center website also provides links to survivor resources for rape, abuse, and incest national networks, National Center for Victims of Crime, and notalone.gov.

Additionally, LSU students are required to go through a training module called “My Student Body” upon enrollment at the university. If students do not complete the requirement, they will be unable to add or drop classes. As part of My Student Body’s “Essentials” Course, Sexual Violence Prevention includes 15 articles designed to both help prevent sexual violence from occurring and help students who have experienced sexual violence. Intended for both men and women, both as victims and perpetrators, the information in this course meets all education requirements identified in the Campus Sexual Violence Elimination (SAVE) Act. The course is designed for all incoming students before they come to campus or shortly after they arrive. The articles have assessment questions that ensure the student has read and understood the material.

Finally, LSU is in the process of unveiling a 911 app for smartphones called LSU Shield. This app uses GPS technology to pinpoint users locations and offers single button access to LSUPD. Users can take photos and send them to police or report suspicious behavior. It also offers a check-in feature, so that students who might be concerned about their security in a particular situation can have an extra layer of safety. If the individual doesn’t contact their verified connections (friends and family) within a set timeframe, an alert is sent out to those connections who will then follow up and alert authorities if necessary.

**LSUHSC-Shreveport**

LSU Health Science Center in Shreveport utilizes Sexual Assault and Violence Education (SAVE) to spread prevention and support of sexual assault on campus. The program is funded through the Department of Justice and Violence Against Women Grant. The program’s goal is to reduce the risk of violence on campus;
specifically, sexual assault, domestic violence, dating violence and stalking. These initiatives are provided through an education and prevention curriculum including annual open forums, quarterly “brown-bag” luncheons, and sponsored events for awareness months. All freshmen must attend a SAVE Program training during orientation, and a bystander awareness program is currently in development.

LSU Shreveport

LSUS participates in national awareness campaigns, such as No More and RAINN Day. Students enrolled in the freshman seminar course will complete Haven, which is an online learning platform that addresses sexual assault prevention. Haven also allows the institution to gather climate surveys which gauge campus attitudes and will enable the campus to target for intervention and track behavioral change. Educational emails and posters that focus on sexual assault awareness are distributed in September and April. Access to the National Sexual Assault Hotline and dating violence links are provided on the Counseling Services webpage.

Further, Student Activities and Rec Sports will also frequently host self-defense training during national weeks designated for sexual assault prevention/awareness. And, Student Affairs offers Student Health 101, an e-magazine to all students with on-going prevention messages in addition to their other wellness content.

Rape awareness programs are also available to the campus. Programs on rape, acquaintance rape, and sexual assault are offered by the University Police Department, Student Development and Counseling, and other areas of the university. Programs are also offered any time during the semester by request of campus organizations. Student Development and Counseling is located in the Administration Building Room 220 and provides support to victims of rape, acquaintance rape, or sexual assault on a confidential basis. Other agencies which provide assistance for sexual assault victims are the Louisiana Rape Crisis Center hotline 1-888-411-1333, 1-888-995-7373 and National Sexual Assault Hotline 1-800-656-HOPE(4673).

LSU Alexandria

All RAs on campus attend an annual training to equip them with information on sexual harassment and sexual assault. All residents also have an orientation program that details staying safe on campus, specifically discussing topics such as date rape, sexual harassment, and sexual assault. A symposium titled Nonviolent Sexuality was provided for all students, faculty, and staff on campus.

Pennington

All employees go through yearly compliances, which include but are not limited to Harassment and Violence in the Workplace.

LSU Eunice

At the beginning of each semester, the Chancellor hosts a Faculty/Staff workshop to address issues related to safety, security and health for the university community. A written handout, which focuses on specific information related to sexual harassment, violence against women and the Cleary Act, is provided to all employees. Similar information is provided to student leaders at a leadership retreat and to all new students at each orientation.

Specific information and support are provided for students and employees who may need medical attention, personal counseling and/or referral, academic, or other services specific to victim’s needs. The university Office of Student Affairs and Campus Security work closely with the Eunice Police Department to assist with investigations of all reported crimes.

LSUE is in the process of focusing more on sexual assault education and outreach. For example, all on campus residents will be invited to attend a program at their resident facility that focuses on sexual assault and violence against women. Monthly “brown-bag” luncheons will also be implemented this fall with a variety of guest speakers such as law enforcement and social workers in the area who can share information regarding sexual assault.
LSUHSC NO

Students, faculty, and staff are all given brochures at orientation that focus on important information regarding sexual assault, including the “Preventing Violence on Campus” and “Campus Assistance Program” brochures. The brochures are also available in a variety of “high-traffic” areas around campus. The Campus Assistance Program offers annual education and prevention by having outside experts present on the topic of sexual assault (for example, verbal agreement with the Center for Women and Children to present on sexual assault and domestic violence during the month of October as well as an annual Peer Advocate Liaison resource fair for students). The website for Campus Assistance Program provides a list of available resources for victims and communicates the availability in orientation along with updates on information regarding sexual assault.

The campus also operates a digital signage system with alternating messages explaining ways to access the telephone and text message system for suspicious activity and crime reporting and how and where to access our Campus Assistance Program. Additionally, all students and employees receive annual training regarding this subject through the Office of Compliance online training requirements. And upon request, University Police host Rape Aggression Defense (R.A.D.) classes in which specially-trained University Police officers teach classes of Health Sciences Center women how to defend themselves against attack. During these trainings, the officers share crime statistics, discuss what to do in the event of threats of sexual assault, and describe resources that are available within and outside of the Health Sciences Center.
Permanent Memorandum No. 73 (PM-73)

Effective June 18, 2014

F. King Alexander, President

TITLE IX AND SEXUAL MISCONDUCT POLICY

TITLE IX AND SEXUAL MISCONDUCT

In accordance with Title IX and other applicable law, Louisiana State University ("LSU") is committed to providing a learning, working, and living environment that promotes integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex and sexual misconduct which includes sex discrimination, sexual harassment, dating violence, domestic violence, sexual assault, stalking and retaliation. LSU prohibits sex discrimination and sexual misconduct. This policy applies to all persons without regard to sexual orientation, gender identity and/or gender expression.

Sex discrimination and sexual misconduct violate an individual’s fundamental rights and personal dignity. LSU considers sex discrimination and sexual misconduct in all of its forms to be serious offenses. This policy has been developed to reaffirm these principles and to provide recourse for individuals whose rights have been violated. This policy establishes a mechanism for determining when rights have been violated in employment, student life, campus support services, LSU programs and/or an academic environment.

Nondiscrimination Notice

LSU does not discriminate on the basis of race, creed, color, marital status, sexual orientation, gender identity, gender expression, religion, sex, national origin, age, mental or physical disability, or veteran’s status in its programs and activities and provides equal access to its
programs and activities. Inquiries regarding the non-discrimination policy should be directed to the individual or individuals designated in each campus’ applicable policy.

I. JURISDICTION

A. This policy shall apply to conduct that occurs on an LSU campus, at LSU sponsored activities, and/or when the Student or Employee is representing LSU. LSU shall have discretion to extend jurisdiction over conduct that occurs off campus when the conduct adversely and significantly affects the learning environment or LSU community and would be a violation of this policy and/or any applicable campus policy or code of conduct, if the conduct had occurred on campus. In determining whether or not to extend jurisdiction, LSU may consider, among other factors, its ability to gather information and effect a resolution. LSU may extend jurisdiction (over off-campus conduct) if the alleged conduct by the student or employee:

1. Involved violence or produced a reasonable fear of physical harm; and/or
2. Involved any other members of the LSU community or any academic work, records, documents, or property of LSU.

B. Each Student shall be responsible for his/her conduct from the time of acceptance for admission through the actual awarding of a degree.

C. Employees are responsible for their conduct during work hours, on campus, at LSU-sponsored activities, and/or when the employee is representing LSU, or when their conduct would adversely affect LSU’s image, regardless of whether such conduct occurs on-campus or off-campus.

D. This policy also applies to any person who is both a student and an employee at LSU, arising out of, or in connection with, conduct in either or both of those capacities. Any violation of this policy may subject such person to disciplinary action, as applicable, in either or both of those capacities.

II. DEFINITIONS

“Advisor of Choice” A Student or Employee has the right to have one Advisor of his/her choice present during any meeting conducted under this policy. The Advisor may not have personal involvement regarding any facts or circumstances of the alleged misconduct. The Advisor’s only function shall be to assist and/or consult with the Student or Employee. The Advisor may not act as a spokesperson. The Advisor may be an attorney but participation shall be limited, as stated above.
"Consent" means the affirmative and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Consent cannot be given by any individual who is mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or under duress, threat, coercion, or force; or inferred under circumstances in which consent is not clear, including but not limited to the absence of "no" or "stop", or the existence of prior or current relationship or sexual activity.

"Dating Violence" includes violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the victim: (1) The existence of such a relationship shall be determined based on the report and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (2) For the purpose of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. (3) For the purposes of complying with Title 34 CFR 668.41, of the federal register and pertaining to the annual security report under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

"Domestic Violence" includes (1) A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. (2) For the purposes of complying with Title 34 CFR 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

"Hostile Environment" includes conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a student's or employee's ability to participate in or benefit from the education program or from one's employment, or to create a hostile or abusive educational or work environment.

"Incapacitation" includes a person's inability to provide consent due to the use of drugs or alcohol, when the person is asleep or unconscious, or because of an intellectual or other disability that prevents the student or employee from having the capacity to give consent.

"Responding Person" includes any student or employee against whom a complaint under this policy has been made for an alleged violation of this policy.
"Responsible Party" includes any employee who has the authority to take action to redress sexual violence or who has been given the duty of reporting incidents of sexual violence or any other misconduct by students or employees to the Title IX coordinator or other appropriate school designee; or whom a student or employee could reasonably believe has this authority or duty; or any student employees.

"Sexual assault" is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Sexual assault includes sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, attempted rape, and includes sexual acts against people who are unable to consent either due to age or incapacitation.

"Sex Discrimination" includes behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs, activities, and services because of a person's gender.

"Sexual Harassment" includes unwelcome sexual advances, intimidation, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment, academic status, receipt of university services, participation in university activities and programs, or affects the measure of a student's academic performance; or, (2) submission to or rejection of such conduct is used as the basis for a decision affecting employment, academic status, receipt of services, participation in university activities and programs, or the measure of a student's academic performance; or, (3) such conduct has the purpose or effect of unreasonably interfering with employment, academic performance and is severe, persistent, or pervasive and/or creates an intimidating, hostile, or offensive work or educational environment.

"Sexual Misconduct" includes any sexual act or contact of a sexual nature that occurs, regardless of personal relationship, without the consent of the other person(s), or that occurs when the person(s) is unable to give consent or whose consent is coerced or obtained in a fraudulent manner. Sexual misconduct includes, but is not limited to, unwanted sexual contact with an object without consent and/or by force, video voyeurism, violence of a sexual nature, sexual abuse, non-consensual sexual intercourse, sexual exploitation, sexual assault, and obtaining, posting, or disclosure of intimate descriptions, photos or videos without express consent of the other person(s).

"Stalking" includes: (1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. (2) For the purpose of this definition course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes,
conducts surveillance, threatens, or communicates to or about, a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

III. TITLE IX COORDINATORS

The President shall designate the LSU Title IX Coordinator who shall be responsible for the implementation, enforcement, and coordination of Title IX for LSU. The Chancellor of each Campus shall designate a Campus Title IX Coordinator with designated responsibilities to oversee on-campus Title IX compliance.

The President also shall designate a Deputy Title IX Coordinator for Athletics. In consultation with the Chancellors and Athletic Directors for each campus, this individual will monitor sports equity, including offerings, participation, and scholarships on all campuses for compliance with Title IX. Any investigations or complaints involving student athletes or Athletics personnel (other than those involving sports equity) shall be handled and/or investigated by the LSU Title IX Coordinator and/or the Campus Title IX Coordinators, or their designee, as appropriate under the circumstances and in accordance with this Policy.

IV. INITIATION OF COMPLAINTS

A. Application

This policy applies to all campuses and other administrative units. These procedures may be supplemented by more specific campus procedures that are consistent with this Policy and PM-55.

B. Complaints

Any student or employee who believes that he or she has been subjected to discrimination, harassment or sexual misconduct or any other violation of this policy has a right to report the conduct to the Campus Title IX Coordinator or to any other responsible party which includes: the campus administrator with responsibility for human resource management, student conduct or the department head of the relevant academic department. Persons who may have experienced criminal sexual misconduct are strongly encouraged to report the offense to campus police or local law enforcement, as well as to the Campus Title IX Coordinator or the persons named above. To the extent possible, the complainant and those who receive the complaint should preserve evidence
and not disturb the potential crime scene. The complainant, however, has the legal right not to provide a statement to campus police or law enforcement.

C. Notification of Complaints

Any person who receives a complaint under this policy shall promptly notify the Campus Title IX Coordinator, who shall be responsible for notifying LSU Title IX Coordinator and any campus administrators, who may be involved in the resolution process. Any supervisor, who witnesses or receives a report or complaint, shall notify the Campus Title IX Coordinator.

D. Interim Measures

At any time after becoming aware of a complaint, the Title IX Coordinator may recommend that interim protections or remedies for the parties involved or witnesses be provided by appropriate LSU officials. These protections or remedies for the parties involved or witnesses will be provided by appropriate University officials. Remedies may include separating the parties, placing limitations on contact between the parties, interim suspension, or making alternative workplace, classroom, course scheduling, dining, or student housing arrangements.

E. Confidentiality

All parties involved in a complaint, any investigation, and/or resolution, including witnesses, shall keep information concerning the complaint private and shall be notified of this obligation. Only individuals employed as mental health counselors, victim’s advocates and university chaplains can guarantee confidentiality. LSU may be required to divulge information on a need-to-know basis in order to properly address the complaint or pursuant to subpoena, or other court or administrative order, or as may be required by applicable law. Violations of confidentiality, if identified and confirmed, may result in disciplinary or corrective action.

V. PROCESSING OF COMPLAINT

A. Initial Review

The Campus Title IX Coordinator shall conduct or supervise the initial review of the complaint, with such assistance, as needed and/or appropriate under the circumstances, from other campus administrators with responsibilities relevant to the nature of the complaint. A responding or complaining student or employee has the right to one advisor of choice at any stage of this process. The initial review of the complaint shall be concluded as quickly as possible, within a
reasonable amount of time required to complete the review in a manner that is adequate, reliable, and impartial.

To ensure a prompt and thorough initial review, the complainant should provide as much of the following information as possible. A complaint may be submitted anonymously or by an individual who is not a party to the alleged violation. This may, but is not required to be, provided in writing:

- The name, organization, department, and position of the person or persons allegedly violating this Policy;
- A description of the incident(s), including the date(s), location(s), and the presence of any witness(es);
- If the complainant is an employee, the alleged effect of the incident(s) on the complainant’s position, salary, benefits, promotional opportunities, or other terms or conditions of employment;
- The name(s) of other student(s) or employee(s) who might have been subject to the same or similar conduct; and/or
- Any other information the complainant believes to be relevant to the alleged sexual misconduct, discrimination, harassment, or retaliation.

B. Resolution Procedures

The University has both an informal and formal resolution procedure for alleged violations of this policy. Both procedures will be implemented by individuals who have received training on issues related to sex discrimination and sexual misconduct. The complainant and the responding student or employee has the right to one advisor of choice at any stage of the Informal Resolution or Formal Resolution processes.

As set forth below, an informal resolution procedure is available under certain circumstances. After the initial review or a full investigation, if the investigator finds that reasonable cause exists to believe that this Policy has been violated, the Campus Title IX Coordinator or designee will determine whether the informal resolution procedure is appropriate. If it is not appropriate, a full investigation is required.

If the Campus Title IX Coordinator or designee determines that informal resolution is appropriate, the complainant and responding person shall be advised of the informal resolution procedure. If both consent in writing, the informal resolution procedure will be followed, without further investigation, unless and until informal resolution is unsuccessful.
A determination that there is not reasonable cause to believe that this Policy has been violated can be made only after full investigation. Such determination is subject to the approval of the Campus Title IX Coordinator or designee. In such case, the complainant, by written request, may have that determination reviewed by the LSU Title IX Coordinator, whose decision shall be final.

1. **Informal Resolution**

   The use of the informal resolution procedure is optional and must be agreed upon by all parties involved. The formal procedure will be followed: if any of the persons involved in the complaint do not wish to engage in the informal procedure; if the Campus Title IX Coordinator deems the informal procedure inappropriate for the alleged offense; or, if an attempt to utilize the informal procedure has been unsuccessful. Informal procedures are not appropriate for, or applied in, cases involving violence or non-consensual sexual intercourse. Information obtained regarding the complaint will be treated as privately as possible, with only those with a need to know being informed of the complaint. Both informal and formal resolution procedures will utilize a preponderance of the evidence standard, throughout the process, with respect to determinations as to whether, or not, there has been a violation of this Policy.

   An attempt to informally resolve the complaint shall be made or supervised by the Campus Title IX Coordinator and should be concluded within sixty (60) calendar days of the decision to pursue informal resolution. Such informal resolution can include meeting with each party to the complaint; review of any initial findings; recommending reassignment, separation or monitoring of the parties; a mediated or facilitated meeting with the parties (however, no complainant shall ever be required to meet with the responding person in an informal resolution); and any other actions deemed appropriate by the parties and LSU. Any further inquiry or review deemed necessary should be concluded in that same period. Once the informal resolution procedure is complete, written notification of the proposed resolution shall be given to all parties. Any party dissatisfied with the outcome of the informal resolution procedure has the right to make a written request, within fifteen (15) calendar days of written notification of the proposed resolution, to the office of the Campus Title IX Coordinator, that the formal resolution procedure, set forth below, be pursued.

2. **Formal Resolution:** If any party is unsatisfied with the outcome of the informal resolution process or if LSU, the accused, and/or the complainant have not consented to and/or determined that informal resolution is inappropriate or insufficient, the formal procedure will be utilized.

   In such cases, at the recommendation of the Campus Title IX Coordinator and after an initial review, a trained investigator will conduct a full investigation into the facts and circumstances of the complaint. The investigation may include in-person interviews with all parties involved and interviews of any direct witnesses. Both parties will be given the opportunity to identify
witnesses to be interviewed. The investigator may also collect and review any documents or other relevant information to include but not limited to photographs, video recordings, or other social media. All parties to the complaint will be provided written notice regarding the details of the alleged violation of this Policy prior to the initiation of the full investigation. All parties will have an opportunity to identify pertinent evidence to be considered by the investigator. The investigator will present a written investigative summary, based on a preponderance of the evidence standard, and will submit the summary to the Campus Title IX Coordinator and the LSU Title IX Coordinator, who will notify the appropriate Campus offices. Any such investigation shall be conducted by the Campus Title IX Coordinator or a trained person, authorized and assigned as an investigator by the Campus Title IX Coordinator, including, but not limited to, trained employees from human resource management department or the student services or student life department, or other qualified University employees.

The complainant and the individual who is the subject of the complaint will be notified in writing of the results of the investigation. Information obtained regarding the complaint will be treated as confidentially as possible (as set forth herein) with only those with a legitimate educational interest being informed of the complaint and the outcome of the investigation.

The formal procedure will consist of a formal review of all allegations presented by the complainant and the results of any investigation. Each Campus shall adopt procedures for Formal Resolution of complaints of violation of this Policy that afford both the complainant and the responding person due process. The Campus procedures for resolution of such complaints shall be subject to review and approval by the LSU Title IX Coordinator.

C. RESOLUTION/DISCIPLINARY ACTION

LSU will take appropriate action against any person found to be in violation of this policy. (Note: violations of this policy may subject an individual to civil or criminal liability under the state or federal law).

When an employee is deemed to have violated this policy, the Campus Title IX Coordinator and Human Resource Management will jointly determine the appropriate disciplinary action, or recommendation for disciplinary action, up to and including dismissal, in accordance with applicable laws, rules, and/or LSU policies.

For violations involving students, except when acting in the capacity of an employee, the appropriate campus office for student services or student life will determine the appropriate action, pursuant to any applicable code of student conduct and/or policy/policies governing student conduct.
In addition, to the extent possible, LSU will interact with appropriate law enforcement or third parties to address the actions of non-students or non-employees.

Violations of this Policy may result in outcomes such as residential life contract cancellation, deferred suspension, suspension, expulsion, class only restriction and separation of employment (student).

D. COOPERATION WITH LAW ENFORCEMENT

LSU will comply with law enforcement requests for cooperation and such cooperation may require LSU to temporarily suspend the fact-finding aspect of a Title IX investigation while the law enforcement agency is in the process of gathering evidence. LSU will promptly resume its Title IX investigation as soon as notified by law enforcement that it has completed the evidence gathering process. LSU may provide up to 10 calendar days to allow for the law enforcement agency criminal process/investigation to unfold prior to resuming the fact-finding aspect of the Title IX investigation.

The University will implement appropriate interim steps/remedies during the law enforcement agency's investigation to provide for the safety of the complainant and the campus community and the avoidance of retaliation.

E. RETALIATION

Retaliation against a person who has been subjected to sexual discrimination or sexual misconduct, or against one, who in good faith brings a complaint of sexual discrimination or sexual misconduct or who, in good faith, participates in the investigation of a sexual discrimination or sexual misconduct complaint, is prohibited and shall be a violation of this policy and shall constitute misconduct subject to disciplinary or other action, as described above. LSU will take steps to prevent recurrence and remedy the effects of any violation of this Policy.

F. RECORD KEEPING

Records will be kept in accordance with Louisiana law and federal law. For students, records will be kept for 7 (seven) years, except in cases of cases of suspension and expulsion, which records shall be permanent. Employment actions in violation of this policy will be filed in the employee/s' respective Employee Relations file.
G. OTHER ASSISTANCE

Campuses and the communities in which they are located can provide other assistance to persons impacted by a violation of this policy. Each campus will develop and maintain a list of departments, programs/services, or community-based agencies offering assistance to students and employees concerning issues related to this policy.

H. PREVENTION PROGRAMS

Campuses and the communities in which they are located regularly offer educational programs and prevention programs designed to inform the campus or community on the negative impact of sexual violence. Each campus will develop and maintain a list of educational programs, prevention programs, and other events designed to reduce the incidence of sexual violence on campus or within the community. Each campus should identify and include a bystander intervention program and programs addressing issue related to this policy.

I. RELATED POLICIES

To the extent other LSU or campus-based policies may conflict with this policy, the provisions of this policy shall supersede and govern.
ATTACHMENT

U
Louisiana’s
Community & Technical Colleges
Changing Lives, Creating Futures

Campus Safety Report
2009-2013
Louisiana’s Community and Technical College System (LCTCS) Campus Safety Report
2009-2013

Louisiana’s Community and Technical College System (LCTCS) is committed to providing a safe environment for all students, employees, visitors and members of the college community. In accordance with Clery Act requirements, the following data and response plans are provided regarding:

- Number of sexual assaults reported;
- Number of sexual assaults investigated;
- Policies governing sexual assaults; and
- Policies and procedures for investigating and addressing sexual assaults.

This document contains data from each of the System’s campuses outlined below:
Baton Rouge Community College
Bossier Parish Community College
Central Louisiana Technical College
Delgado Community College
Fletcher Technical Community College
Louisiana Delta Community College
Northshore Technical College
Northwest Louisiana Technical College
Nunez Community College
River Parish Community College
South Central Louisiana Community College
South Louisiana Community College
SOWELA Technical Community College
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<td>Bossier Parish Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Central Louisiana Technical College</td>
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<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Delgado Community College</td>
<td>Sexual Assault (Forcible)</td>
<td>2010</td>
<td>1</td>
</tr>
<tr>
<td>Fletcher Technical Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Louisiana Delta Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Northshore Technical College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Northwest Louisiana Technical College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Nunez Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>River Parish Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>South Central Louisiana Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>South Louisiana Community College</td>
<td>Sex Assault (Non-forcible)</td>
<td>2011</td>
<td>1</td>
</tr>
<tr>
<td>SOWELA Technical Community College</td>
<td>None</td>
<td>N/A</td>
<td>0</td>
</tr>
</tbody>
</table>

NOTE: Investigations were conducted on the two assaults.
Policy, Procedures & Written Investigation Process for Sexual Assaults

The Louisiana Community and Technical College System has an established policy regarding the reporting of sexual assaults and other criminal acts that may have occurred on or near the college campus.

At its September 2014 regularly scheduled Board meeting, the Louisiana Community and Technical College System approved the following policy revision (4.008) to include:

The head of each institution of the Louisiana Community and Technical College System shall have the responsibility for establishing security procedures in accordance with the Code of Federal Regulations Title 34, Chapter VI, Part 668 Subpart D, Section 668.46 and the Louisiana Revised Statue 17:3351 Section C. Each institution must provide a copy of their Campus Safety Policy that includes guidelines for addressing sexual assault and other violent acts. In accordance with the Campus Sexual Violence Elimination (SaVE) Act, institutions shall provide the following:

- Written policy governing sexual assaults;
- Sexual assault response;
- Employee training requirements;
- Written investigation and adjudication procedures for sexual assaults.

NOTE: All LCTCS colleges will have revised policies in place by September 30, 2014.
<table>
<thead>
<tr>
<th>College</th>
<th>Policy &amp; Procedure for Investigating &amp; Reports Sexual Assaults</th>
<th>Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baton Rouge Community College</td>
<td>BRCC shall comply with federal and state statutes, rules and regulations. As soon as possible, the Director of Public Safety will collect all information regarding the incident, and victim(s) and document the facts. The Public Safety Director will immediately notify the Baton Rouge Police should such criminal act take place. All actions and statements will be documented. A post incident response and evaluation will be conducted.</td>
<td>All employees are required to complete campus safety training. Other Trainings: Violence in the Workplace, Violence Prevention Committee</td>
</tr>
<tr>
<td>Bossier Parish Community College</td>
<td>The College shall refer to the Louisiana Criminal Law and Procedure Handbook to determine when a sexual assault has occurred. Campus Security will immediately notify the Bossier City Police should a sex assault take place. The College has the right to take disciplinary action, independent of the criminal justice system, against any student the College finds guilty of sexual assault. The College has jurisdiction in sexual assault cases occurring on the College campus. The College also may take disciplinary action in off-campus cases involving a BPCC student as defined in Sanctions 4.17-4.20 in the Code of Student Conduct.</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
</tbody>
</table>
| Central Louisiana Technical College | In the event a criminal act such as sexual assault occurs, the below process will be followed:  
  - Administration will be immediately notified.  
  - Administration will contact appropriate authorities (when necessary, the City Police/Sheriffs Department is to be notified.)  
  - Administration will alert departments utilizing code system (Code Purple).  
  
  Campus is required to post information on domestic violence and available local resources in inconspicuous locations including national domestic violence hotline telephone numbers. | All employees are required to complete campus safety training. |
| Delgado Community College | Delgado Campus Police is the primary investigative agency for crimes that occur on Delgado property owned or leased except for the following: Murder; Child Abuse; Juvenile Offenses; Sex Offenses; Aggravated Kidnappings; Aggravated Arson; Parental Kidnappings; and Vehicles | All employees are required to complete campus safety training. |
Fatalities. These offenses are investigated by the New Orleans Police Department (NOPD).

Delgado affords anyone who reports alleged sexual violence, either on or off-campus, with the following information and rights:

- Procedures that should be followed in the event of an incident of sexual violence including to whom the offense should be reported.
- Options for reporting to law enforcement including the right to be assisted by campus authorities, as well as the right to decline to report to law enforcement.
- The right to a prompt, fair and impartial investigation and resolution.
- Possible sanctions or protective measures that may result from an institutional disciplinary proceeding.

<table>
<thead>
<tr>
<th>Location</th>
<th>Details</th>
<th>Training Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fletcher Technical Community College</td>
<td>The <em>L. E. Fletcher Technical Community College - L.E. Fletcher/LAMPI</em> shall comply with federal and state statutes, rules, regulations and or guidelines. The Safety Coordinator will collect all information regarding the incident, and victim(s) and document the facts. The Safety Coordinator will immediately notify the local Police should such criminal act take place. A post incident response and evaluation will be conducted.</td>
<td>All employees are required to complete campus safety training. Violence Prevention Training.</td>
</tr>
<tr>
<td>Louisiana Delta Community College</td>
<td>Campus Safety is tasked with responding to any reports or incidents of this nature — sexual assault, which will be immediately reported to the local police. All Campus Safety reports involving students or prospective students in potential misconduct will be forwarded to Dean of Student Services for review of potential action, if this can be accomplished without jeopardizing an ongoing investigation. If additional assistance or investigation is required the local law enforcement entity will be contacted (Police or Fire Department or appropriate unit). If a sexual assault, rape or other serious crime should occur, Campus Safety will assist the victim until the arrival of the local law enforcement agency.</td>
<td>All employees are required to complete campus safety training. Crime Prevention training</td>
</tr>
<tr>
<td>Northshore Technical College</td>
<td>In the event a criminal act such as sexual assault occurs, emergency services or the appropriate law enforcement agency will be contacted immediately. The process is as follows: Shall promptly respond to the issue. Shall determine whether the appropriate law enforcement agency/security</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
<tr>
<td>Institution</td>
<td>Policy Description</td>
<td>Training Requirement</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Northwest Louisiana Technical College</td>
<td>The college relies on the local law enforcement agencies in case of any emergencies. In the event of any criminal/illegal activity such as sexual assault, the victim or any witness should notify the administration that will then contact local law enforcement authorities. A report will be written and maintained on file. Records shall also be maintained of any illegal acts that occur during any off campus school-sponsored activities.</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
<tr>
<td>Nunez Community College</td>
<td>Actions requiring discipline include, but are not limited to the following: Student Code of Conduct: Sexual offenses including rape, acquaintance rape, and other non-forcible sexual offenses. The incident should be reported as promptly as possible which will immediately be investigated by the proper authorities. Campus administration (Vice Chancellor of Academic &amp; Student Affairs) will also conduct an evaluation and investigation.</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
<tr>
<td>River Parish Community College</td>
<td>In the event a criminal act such as sexual assault occurs, emergency services or the appropriate law enforcement agency will be contacted immediately. The process is as follows: Shall promptly respond to the issue. Shall determine whether the appropriate law enforcement agency/security should be contacted in the event of a potential or actual incident of violence. The incident and investigation will be properly documented and recorded.</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
<tr>
<td>South Central Louisiana Community College</td>
<td>When an incident of this nature occur, it shall be thoroughly investigated. The Campus Administrator shall immediately notify the following: The appropriate law-enforcement authorities; The Safety Coordinator. The incident and investigation will be properly documented and recorded.</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
<tr>
<td>South Louisiana Community College</td>
<td>The SLCC process for addressing sexual assaults is as follows: If the assault occurred on campus, call the SLCC Department of Public Safety at 521-8914. If the assault occurred off campus, dial 911 for the</td>
<td>All employees are required to complete campus safety training.</td>
</tr>
</tbody>
</table>
