BOARD OF REGENTS
P. O. Box 3677
Baton Rouge, LA 70821-3677
Phone (225) 342-4253, FAX (225) 342-9318
www.regents.state.la.us

AGENDA ITEM IX.
Louisiana Board of Regents
February 23, 2015
Pennington Biomedical Research Center

IX. Planning, Research and Performance Committee

    A. Consent Agenda
        1. R.S. 17:1808 (Licensure)
           a. Initial Licenses
               1) Rush University Medical Center
           b. License Renewals
               1) Arizona State University
               2) Pearl River Community College
               3) Southern Arkansas University

        2. Proprietary Schools Advisory Commission
           a. Initial Licenses
               1) Baton Rouge Dental Assisting School, LLC
               2) Feliciana Medical Training Academy, LLC
               3) Fortress Consulting and Education, LLC
           b. License Renewals

    B. R.S. 17:1808
        1. Delta International University

    C. GRAD Act
        1. 2nd Quarter Report of Board of Regents GRAD Act Intervention Policy for SUBR, SULC and SUS
        2. SU A&M Request to Revise GRAD Act Benchmarks/Targets for Years 5 and 6

    D. Board of Regents Uniform Policy on Sexual Misconduct

Rush University Medical Center
Chicago, Illinois

BACKGROUND

Rush University Medical Center (Rush) is not incorporated in the State of Louisiana. The private non-profit institution was founded in 1972 and since then has expanded from one college with fewer than 100 students to four colleges and more than 2,000 students. The University includes Rush medical College, the College of Nursing, the College of Health Sciences and the Graduate College. Rush is headquartered in Chicago, Illinois and is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools.

ACADEMIC PROGRAM

Rush proposes to offer a variety of online programs to Louisiana residents, including bachelors programs in imaging sciences, vascular technology, and perfusion technology, masters programs in health systems management, clinical nutrition, physician assistant studies, clinical laboratory management, occupational therapy, perfusion technology, speech-language pathology, and research administration, a specialist in blood banking, and doctorate programs in audiology, nursing practice, and medicine. Typically, the online nature of the delivery system would not require licensure. However, since most of the programs being proposed by Rush require clinical experiences, licensure is necessary.

FACULTY

Rush employs 26 faculty to support its online programs available to Louisiana residents, twenty on a full-time basis. Eleven of the 26 faculty are trained at the doctoral level from accredited institutions, while the others hold masters degrees.

FACILITIES

Since Rush operates its programs online with administrative and academic support in Chicago, Illinois, there are no out-of-state physical facilities in Louisiana. Students will complete clinical experiences at various locations within the State.

STAFF RECOMMENDATION

Given the credentials of its faculty, the college's and programs' accreditation, and the general oversight by the home campus, the senior staff recommends that the Board of Regents issue an initial operating license to Rush University Medical Center, located in Chicago, Illinois.

Agenda Item IX.A.1.b.1

Arizona State University
Scottsdale, Arizona

BACKGROUND

Arizona State University (ASU) is not incorporated in the State of Louisiana. The institution is a public comprehensive university in the state of Arizona and is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools.

ACADEMIC PROGRAM

ASU offers a wide variety of undergraduate and graduate programs online, ranging from undergraduate certificate programs to the doctorate. Typically, the online nature of the delivery system would not require licensure. However, since some of the health-related programs require clinical/internship experiences, licensure is necessary.

FACULTY

ASU reports that most of its faculty are involved at some level in delivering online education. The institution employs 2,053 faculty, 1,196 on a full-time basis. Of the 2,053 faculty reported to support its various online programs, 41 are trained at the doctoral level.

FACILITIES

Since ASU operates programs online with administrative and academic support in Scottsdale, there are no out-of-state physical facilities in Louisiana. Depending on the academic program, students will complete clinical experiences at various locations in Louisiana.

STAFF RECOMMENDATION

Given the credentials of its faculty, the institution's and academic programs' accreditation, and the general oversight by the home campus, the senior staff recommends that the Board of Regents accept Arizona State University's application for license renewal.

Pearl River Community College
Poplarville, Mississippi

BACKGROUND

Pearl River Community College is not incorporated in Louisiana. The community college was first licensed by the Board of Regents in 1993. The institution is a publicly-supported community college located in Poplarville, Mississippi and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools. At this time, the institution is offering clinical nursing instruction in Slidell, Louisiana. The college's nursing program is accredited by the Accreditation Commission for Education in Nursing (ACEN).

FACULTY AND STUDENTS

Twenty-six faculty teach at Pearl River Community College's nursing facility in Poplarville. Faculty are required to hold master's degrees from regionally accredited institutions. All faculty are recruited, screened, and employed through the central campus in Poplarville. Although the college reported open admission to the institution, admission of students to its nursing program is selective.

FACILITIES

The nursing facility on the Poplarville campus includes classrooms, nursing laboratories, and administrative and faculty offices. Since the institution operates its program on the home campus, there are no physical facilities in Louisiana. Students complete clinical experiences at various locations within Louisiana.

ACADEMIC PROGRAM

Pearl River Community College currently offers an associate degree program in nursing through its Poplarville facility. Instruction provided in Louisiana is limited to nursing clinical experiences. Students receive instruction in a lecture format and through supervised clinical rotations.

STAFF RECOMMENDATION

Given the credentials of its faculty, the admission standards of the program, the institution's facilities and library resources, and the oversight provided by the main campus, senior staff recommends that the Board of Regents accept Pearl River Community College's application for license renewal in keeping with the institution's current operation of providing clinical experiences for its nursing students in Louisiana.

**Southern Arkansas University
Magnolia, Arkansas**

BACKGROUND

Southern Arkansas University (SAU) first registered with the Board of Regents in 1993. The institution is domiciled in the state of Arkansas and provides clinical nursing instruction in Louisiana. The institution is accredited by the North Central Association and its nursing program by the National League for Nursing.

FACULTY AND STUDENTS

SAU employs sixteen faculty members to support its nursing operations, fourteen full-time and two part-time. All nursing faculty hold degrees from institutions with recognized accreditation. There were 10 Louisiana students enrolled in the institution's ADN program in September, 2014.

FACILITIES

The nursing facility on the Magnolia campus includes classrooms, nursing laboratories, and administrative and faculty offices. Since the institution operates its program on the home campus, there are no physical facilities in Louisiana. Students complete clinical experiences at various nursing homes and hospitals in North Central Louisiana as clinical sites.

ACADEMIC PROGRAM

SAU offers the associate degree program in nursing. Admission to the program requires students to be high school graduates from an accredited high school. Students are also required to have a minimum score of 19 on each part of the ACT exam for unconditional admittance to the program.

STAFF RECOMMENDATION

Given the credentials of its faculty, the program completion requirements, and the oversight provided by the institution's regional and nationally recognized accrediting agencies, the senior staff recommends that the Board of Regents accept Southern Arkansas University's application for license renewal in keeping with the institution's current operations in Louisiana.

REGENTS

BOARD OF REGENTS
P. O. Box 3677
Baton Rouge, LA 70821-3677
Phone (225) 342-4253, FAX (225) 342-9318
www.regents.state.la.us

Agenda Item IX.A.2.
Minutes
Board of Regents' Proprietary Schools Advisory Commission
February 3, 2015

The Louisiana Board of Regents' Proprietary Schools Advisory Commission met on

Tuesday, February 3, 2015, at 10:12 a.m., in the Board Conference Room on the sixth floor of the

Claiborne Building, Baton Rouge.   Chair Jones called the meeting to order and the roll was called.

Commission Members Present

Melanie Amrhein
Ralph Bender, Vice-Chair
Sherrie Despino
James Dorris
James Fontenot
Keith Jones, Chair

Staff Members Present

Nancy Beall
Kristi Kron
Carol Marabella
Larry Tremblay

Commission Members Absent

Richard D'Aquin
Raymond Lalonde
Gloria Simmons

Guests Present

(See Appendix A.)

The first item of business was the election of 2015 officers for the Commission. Chair Jones reminded the Commission that state law requires the Commission to elect from its membership a chair and vice-chair annually, and the law does not restrict the number of terms an individual can serve.

Commission member Dorris nominated Mr. Bender as Chair. Mr. Fontenot nominated Mr. Jones as Chair, but Mr. Jones withdrew his name from consideration. There being no other nominations,

> **On motion of Mr. Dorris, seconded by Mr. Fontenot, the Proprietary Schools Advisory Commission unanimously elected Mr. Ralph Bender as Chair for 2015.**

Commission member Bender nominated Mr. Jones as Vice-Chair. There being no other nominations,

> **On motion of Mr. Bender, seconded by Mr. Dorris, the Proprietary Schools Advisory Commission unanimously elected Mr. Keith Jones as Vice-Chair for 2015.**

The next item of business was approval of the minutes from its meeting of November 18, 2014.

> **On motion of Mr. Bender, seconded by Mr. Fontenot, the Proprietary Schools Advisory Commission unanimously adopted the minutes of the November 18, 2014 Proprietary Schools Advisory Commission meeting.**

The next agenda item considered by the Commission was three initial license applications, the first from Baton Rouge Dental Assistant School, LLC, located in Baton Rouge, Louisiana, and represented by the school's President/Director, Dr. Farrell Fruge. Ms. Marabella reviewed the materials for the Commission, informing it that this institution would be offering one program of study, Dental Assisting, which is a ten week, 80.0 clock hour program. The program will be housed in a practicing dental office. Baton Rouge Dental Assistant School, LLC, had met all the

legal and administrative requirements to be approved for an initial license.

Following further discussion regarding competition within the geographical location of the proposed school, job prospects for Dental Assistants in the Baton Rouge area, the number of faculty, planned hours of operation, and marketing strategies for recruitment,

> **On motion of Mr. Fontenot, seconded by Mr. Dorris, the Proprietary Schools Advisory Commission unanimously recommends that the Board of Regents approve an initial operating license for Baton Rouge Dental Assistant School, LLC, located in Baton Rouge, Louisiana.**

The second initial license application considered by the Commission was from Feliciana Medical Training Academy, LLC, located in Jackson, Louisiana, and represented by the school's Owner/Director, Ms. Rhonda Givens.   Ms. Marabella reviewed the materials for the Commission, informing it that this institution would be offering one program of study, Phlebotomy Technician, which is a 80.0 clock hours program that will be offered for 10 consecutive weeks.   Feliciana Medical Training Academy, LLC, had met all the legal and administrative requirements to be approved for an initial license.

Following further discussion regarding the reasons for the owner opening the proposed school, marketing and financial plans for the school, planned hours of operation, employment opportunities for the Phlebotomy Technician, and job placement assistance available to graduates,

> **On motion of Mr. Dorris, seconded by Mr. Fontenot, the Proprietary Schools Advisory Commission unanimously recommends that the Board of Regents approve an initial operating license for Feliciana Medical Training Academy, LLC, located in Jackson, Louisiana.**

The third and final initial license application considered by the Commission was from Fortress Consulting and Education, LLC, located in Jonesboro, Louisiana, and represented by the school's owner, Ms. Christy Wyatt.   Ms. Marabella reviewed the materials for the Commission,

informing it that this institution would be offering one program of study, Certified Nurse Aide

Training, which is a three-week, 88.0 clock hour program (inclusive of both classroom and clinical

experience). The program has received the required approval from the Department of Health and

Hospitals, Health Standards Section. Fortress Consulting and Education, LLC, had met all the

legal and administrative requirements to be approved for an initial license.

Following further discussion regarding the owners' reasons for opening the proposed school,

competition in the school's geographical area, student/instructor ratio, employment opportunities

for certified nursing assistants, and planned job placement assistance to graduates,

> **On motion of Mr. Bender, seconded by Mr. Dorris, the Proprietary Schools Advisory Commission unanimously recommends that the Board of Regents approve an initial operating license for Fortress Consulting and Education, LLC, located in Jonesboro, Louisiana.**

The next agenda item considered by the Commission was operating license renewals. Ms.

Marabella informed the Commission members that there were seventeen (17) schools seeking

renewal. These schools scheduled for renewal were in complete compliance, having met all the

legal and administrative requirements to be re-licensed.

Following further discussion,

> **On motion of Mr. Bender, seconded by Ms. Amrhein, the Proprietary Schools Advisory Commission unanimously recommends that the Board of Regents renew the licenses of the following proprietary schools (initial license date in parentheses).**

> **Academy of Acadiana--Lake Charles   (12/02/10)**
> **Alexandria Dental Assistant School   (12/08/11)**
> **Becker Professional Education--Lafayette   (12/09/04)**
> **ECO Training Center, LLC   (formerly Galliano Training Center, LLC)   (12/08/05)**
> **Fleur de'Lis Healthcare Institute   (12/05/13)**
> **Herzing University   (12/07/95)**
> **Infinity College, Inc.   (12/02/10)**
> **Kenner Health Careers Institute, LLC   (12/11/03)**
> **Learning Bridge Career Institute   (12/02/10)**
> **Legally Speaking   (12/06/01)**
> **Martin International, Inc., of Louisiana   (12/16/82)**
> **NASCAR Technical Institute   (12/05/02)**
> **National Driving Academy, Inc.   (12/05/96)**
> **Pelican Training Institution   (12/08/11)**
> **Tulsa Welding School   (12/07/06)**
> **Unitech Training Academy--Alexandria   (12/04/08)**
> **Unitech Training Academy--Metairie   (12/08/11)**

Ms. Marabella informed the Commission that there were no institutions choosing not to renew their licenses this renewal cycle.

The next item on the agenda was an update on program approvals.   Chair Jones reminded the Commission that staff approved these updates administratively and course approvals were being shared for informational purposes only.

Under Report from Staff, Dr. Tremblay informed the Commission that the work activities in the proprietary schools section are progressing well and he complimented the staff on their job performance.

The next meeting of the Proprietary Schools Advisory Commission is scheduled for Tuesday, March 10, 2015, at 10:00 a.m., in Room 1-190 of the Claiborne Building.   There being no further business, the meeting adjourned at 11:05 a.m.

APPENDIX A
GUESTS

C. Farrell Fruge, Jr.   Baton Rouge Dental Assistant School, LLC

Rhonda M. Givens   Feliciana Medical Training Academy, LLC

Agenda Item IX.B.

Delta International University
Executive Summary

History and Background of Delta International University.

The Board of Regents received an initial license application from Delta International University (DIU) in May, 2007. During the next two years, staff worked with DIU to strengthen the application. Following an evaluation from outside consultants and further work by DIU, at its meeting in May, 2009, the Board of Regents approved a three-year license for DIU with a series of stipulations. This initial period of licensure required step-by-step evidence of continuous progress toward accreditation with the Distance Education and Training Council (DETC).

Activities Between 2009 and 2013

As required, DIU submitted annual reports to the Regents' staff outlining its efforts to gain accreditation with DETC. The institution experienced considerable staff turnover in academic affairs in its early years, causing disruption in the orderly process of seeking accreditation with DETC.

The process to apply for DETC accreditation involves numerous steps, including a Readiness Assessment. First time applicants for accreditation are required to undergo a Readiness Assessment by an independent DETC-appointed evaluator to assist the applicant in preparing for a full on-site examination. A Readiness Assessment review of DIU was conducted in February 2012. The review identified numerous shortcomings in the Self-Evaluation Report, concluding that DIU was not reasonably prepared to undergo a full on-site examination.

At its meeting in May 2012, based on the efforts of DIU to obtain accreditation with DETC and DETC's commitment and schedule for moving forward with the process, the Board of Regents approved an extension of the operating license for DIU until January 31, 2013. DIU submitted its second Self-Evaluation Report in November 2012 addressing all the issues identified in the previous Readiness Assessment report. The report was reviewed by a DETC-appointed evaluator who recommended that DIU be allowed to move forward with the final submission of the accreditation application, including all curricula materials. Based on this progress towards accreditation, in January 2013, the Board of Regents extended the operating license for DIU through January 2014, at which time it would evaluate the institution's progress.

In May 2013, DIU submitted all materials required in preparation for a site review to DETC. A site visit by DETC was scheduled for October 2013. However, after receiving the preliminary review of its curricula in late summer prior to the scheduled site visit, DIU sought to delay its onsite review to allow additional time to respond to issues identified in the curricula review. DETC staff supported the request to delay the site visit.

Activities During 2014 and 2015

NOTE: On January 1, 2015, the Distance Education and Training Council (DETC) became the Distance Education Accrediting Commission (DEAC), more clearly reflecting its mission.

Regents' staff remained in contact with DETC staff throughout the process. In early January 2014, DIU resubmitted its full application to DETC, followed by its self-evaluation, including revised curricula. According to DETC staff, a site visit was to be scheduled in late spring/early summer 2014 with a final decision by the Commission on Accreditation scheduled for its annual meeting in January 2015. Based on these activities, at its meeting in January 2014, the Board of Regents approved a third extension of the operating license for Delta International University until January 31, 2015. At that time, based primarily on the final accreditation determination of the Distance Education and Training Council scheduled for January 2015, the Board of Regents would determine what action to take regarding the operating license for DIU.

Delta International University reapplied for DEAC accreditation in January 2014. Due to numerous delays in submitting additional required information, the application was not deemed complete by DEAC staff until September 2014. Following receipt of the complete application, DEAC Guidelines grant the applicant 60 days to submit its Self-Evaluation Report (SER) for the Readiness Assessment. According to staff at DEAC, DIU did not submit its payment for the SER in a timely manner, nearly three weeks after receipt of the SER, causing further delays.

The SER was recently reviewed by a DEAC evaluator for the Readiness Assessment. The DEAC evaluator concluded that the SER was not complete according to DEAC policies and would have to be revised and resubmitted. DEAC contacted DIU on January 23, 2015 to submit an updated version of the SER. DIU explained on January 30, 2015 that it would submit a complete file. As of Friday, February 13, 2015, DEAC had not received the updated file or a status report on the updated file. Meanwhile, Dr. Tremblay has been informed by DEAC staff that based on DIU's progression through the process, the earliest the Commission would review DIU's application for accreditation would be at its January 2016 meeting.

Senior Staff Recommendation

Delta International University first submitted an application for a license in 2007 and was initially granted a 3-year license in 2009. Since that time, there have been numerous attempts by DIU to gain accreditation with DETC (now DEAC). During that time, the Board of Regents has extended the operating license for DIU on three occasions. A typical timeframe to complete the accreditation process with DEAC is 18-24 months.

According to reports submitted by DIU, enrollment at the institution is made up entirely of students from other countries. Of the 33 students who have been enrolled over the past six months, only one is from the United States. A large majority are from Africa (68%), with the balance from Asia and Europe. Students from countries outside America typically rely on any

U.S. authorization as proof of academic quality. The Board of Regents needs to protect the integrity of any academic offerings which carry the seal of the State of Louisiana.

The senior staff believes that over the past five years DIU has had more than ample opportunity to seek and gain accreditation with DEAC, and therefore recommends that the Planning, Research and Performance Committee deny the application for either an extension of the current operating license or a new operating license for Delta International University.

Agenda Item IX.C.1.

Executive Summary

Under the GRAD Act, an institution's failure to meet the GRAD Act requirements results in the loss of GRAD Act benefits, including losing the authority to increase tuition, 15% performance funding, and eligibility for autonomies for the next academic year. The Board of Regents GRAD Act Intervention Policy allows the 15% Performance Funding to be retained by the respective management board and held in a GRAD Act Remediation and Performance Improvement Fund Escrow Account.

If the institution which failed the GRAD Act desires to earn access to some portion of the performance funding from the GRAD Act Remediation and Performance Improvement Fund, it must submit and have approved by the Commissioner of Higher Education a remediation plan. Once approved, the Commissioner of Higher Education enters into a GRAD Act Performance Improvement Contract, allowing the institution to earn up to a maximum of 75% of the funds being held by the management board on its behalf. The remaining 25% may be allocated to system institutions to strengthen GRAD Act related activities.

In compliance with the Intervention Policy, SUBR, SULC and SUS had their combined remediation plans and the SU System and SUNO improvement plans approved by its management board and the Senior Advisor to the Board of Regents. According to the schedule in the GRAD Act Performance Improvement Contract and the SU System and SUNO Improvement Plan, the SU System submitted and the Board of Regents approved the first quarterly reports in October 2014.

The senior staff has reviewed the 2nd quarter report (attached) and determined that it meets the requirements of the GRAD Act Performance Improvement Contract and the BOR GRAD Act Intervention Policy. Therefore, the senior staff recommends that the Planning, Research and Performance Committee approve the combined 2nd quarter report from SUBR, SULC and SUS and the 2nd quarter report for the SU System office and SUNO, authorizing the SU Board of Supervisors to release a portion of the funds to the system office and the campuses on the predetermined schedule included in the GRAD Act Performance Improvement Contract and the SU System and SUNO Improvement Plans.

The Southern University System

Year 4 - GRAD Act Remediation Plan
Quarterly Report – Second Quarter
10/15/2014 to 1/15/2015

January 15, 2015

Southern University System
GRAD Act Remediation Plan
Quarterly Progress Report – 2nd Quarter

I. Introduction

The Southern University System Office (SUS) has worked closely with the four institutions that are assessed by GRAD Act targets and measures. This support aims to ensure activities outlined in Year 4 Remediation Plans are implemented and to enhance the overall quality of the educational experience on all of our campuses. This is the second of four quarterly reports (October 15, 2015 through January 15, 2015) delineating remediation activities approved by the Board of Regents. These activities were coordinated by:

- The Southern University System
- Southern University and A&M College (SUBR)
- Southern University Shreveport (SUSLA)
- Southern University Law Center (SULC)

Those activities under the auspices of the Southern University System will also benefit the Southern University New Orleans (SUNO) campus which met Year 4 GRAD Act targets. Below is an update on system-wide GRAD Act activities. The campus reports, with their supporting documentation, will follow.

II. Southern System Activities

First Quarter Activity 1: Data Integrity and Process Management Summit

In partnership with the offices of Planning and Institutional Research (PAIR) on each campus, the System office will coordinate a Data Integrity and Process Management Summit to ensure data reliability not only for GRAD Act purposes but also for internal analytics and to improve operational efficiency. The SUBR PAIR Office has reached out to Regents personnel to determine a suitable date for their participation in the data summit. It is projected that the summit will occur on November 13 – 14 of 2014.

Second Quarter Activity 1: The data summit was held in November 2014 with 52 participants from across the Southern System (Attachment 1 – Sign-In Sheets). Representatives from the Louisiana Board of Regents made presentations on data integrity and reporting for GRAD Act. There was also a presentation from the FBI on cyber security and opportunities for campus and functional groups to explore challenges and possible solutions to data issues (Attachment 2 & 3 – Summit Agenda and Notes). In response to several issues raised at the summit, a follow-up Banner Users Group (BUG) teleconference was held on December 3, 2014 (Attachment 4 & 5 – BUG Agenda/Summary) with discussions of holding these meetings on a regular basis for Banner users across the System (Attachment 6 – BUG Invite list).

First Quarter Activity 2: "SU Smiles" Customer Service Training

The Southern University System Division of Human Resources launched its customer service initiative called "SU Smiles" in July 2014 in anticipation of the Fall 2014 registration period. As of October 2, 2014, one Noel Levitz based session consisted of 66 participants and one Myra Golden based session,

"Handling Difficult Customers" had 52 participants. All participants were asked to attend the two separate sessions totaling four hours of training. Participant feedback is currently being reviewed and will be summarized in the next Quarterly Report. These trainings will continue on all campuses throughout the Southern System over the remainder of the academic year.

Second Quarter Activity 2: The overarching theme for the Spring 2015 Faculty and Staff Institute at SUSLA was "Back to Basics" and featured customer service strategies across multiple areas (Attachment 7 – Institute Program). A total of 336 faculty and staff attended the workshop (Attachment 8 – Sign-In Sheets). Three sessions were dedicated to customer service throughout the day. The first session, "Ask the Experts" addressed customer service from the perspective of providing students with proper information. The second session was a rotating session dedicated to enrollment processes, student advisement, the FASFA and financial aid.

Mr. Dennis Brown, President of Destiny Investments, hosted a workshop during the Faculty and Staff Institute which served as the culmination of a series of five customer service workshops with the campus across the previous semester. Each campus Division participated in an individual workshop throughout Fall 2014. In January 2015, Mr. Brown's workshop served as a capstone to the work he had done with several units across the SUSLA community.

In addition to the seminars, the campus now has a customer service survey, accessed by a QR Code located on the back of the Institute Program. Through this online survey, faculty, staff, students, and community members can access a customer service survey. The survey went live in November of 2014 and averages roughly 30-40 responses per month. From the survey results, a Jaguar of the Month is selected by the Chancellor. Also, to reinforce new customer service strategies, a webinar on quality customer service in higher education is scheduled for all front-line employees on February 24, 2015.

The System Human Resources Office has reviewed participant feedback from "SU Smiles" workshops conducted at SUBR and SUNO in the Spring of 2014 (Attachment 9 – SU Smiles Evaluations Summary). Electronic surveys were administered immediately following the SU Smiles training program implementation at Southern University. A Kirkpatrick level three survey was used to gauge participant feedback on what they had learned and would likely utilize as part of their customer service delivery. From the participant responses, 100% "Agreed" or "Strongly Agreed" that the SU Smiles program met their expectations and that they were clear on how to use what they had learned on the job. The next System-wide customer service survey and training is scheduled for Fall 2015.

First Quarter Activity 3: GRAD Act Grant Guidelines
In support of student progression and retention, all GRAD Act campuses have been allocated funds that can be awarded to students who are unable to enroll in school due to financial hardship. The System office has drafted guidelines for the disbursement of these funds to ensure they are utilized by the targeted student group. These guidelines will be reviewed and ratified at a System Academic Council meeting on Wednesday, October 15.

Second Quarter Activity 3: The System Academic Council met on October 15 and reviewed and approved the GRAD Act Grant Guidelines (Attachment 10 – Approved Guidelines). Southern campuses have started to disburse these hardship and need-based grants to promote student retention. In the Fall 2014 semester, two awards in the amount of $500 each were made at the Law Center. At SUSLA, 14 students received GRAD Act grants totaling $8,000. In addition to GRAD Act support designated for need-based grants, SUBR has raised additional funds to issue awards of roughly $1,000 to 120 students across the fall and spring semesters.

Southern University and A&M College
GRAD Act Remediation Plan
Quarterly Progress Report – 2nd Quarter

A. First-to-Second Year Retention Rate

First Quarter Activity 1: Identify and contact the Fall 2013 cohort students who have not registered for the Fall 2014 term.

In accordance with the GRAD Act Year 4 remediation plan, Southern University and A&M College at Baton Rouge (SUBR) identified first-time, full-time, degree-seeking students from the Fall 2013 cohort who had not registered for the Fall 2014 term. To better track 1st-to-2nd year cohort students, a daily report was modified to identify the cohort students according to enrollment, financial, and financial aid statuses of the unregistered students. It was shared with the Chancellor, Finance, and Financial Aid offices. Beginning July 16, 2014, lists of 1st-to-2nd year (2013) and 1st-to-3rd year (2012) unregistered cohort students were developed by the Office of Planning, Assessment, and Institutional Research (PAIR) with student contact information including name, address, primary phone number, and email address. These students were contacted by advisors from the Center for Student Success (CSS), and the Center for Teaching and Learning Excellence (CTLE). The table below provides an overview of this activity and preliminary results. Subsequent reports will specify the actual number of students who enrolled in the Fall 2014 semester following this activity.

Results of SUBR Outreach Calls to Prospective Returning Students (08/25 – 08/27/2014)	
Description	**Number**
Total number of calls made	1,205
Left voicemail	474
No answer and no voicemail	47
Actual students reached	357
Students pledging to submit appeal that week	113
Students paying out of pocket or had already paid	97
Students awaiting appeal decision	58
Students stating they weren't returning for fall	83
Hung up	2
Not returning due to graduation	4

The SUBR administration has taken an active role in implementing the remediation plan and coordinating retention efforts. Chancellor Flandus McClinton includes these items as part of the regular agenda for Senior Leadership team meetings and required the group to participate in making some of the outreach calls to non-returning students. As the first day of the Fall 2014 semester approached, the Chancellor divided the cohort lists into segments of students and asked the Senior Leadership team to contact the students via email or phone. The PAIR office also coordinated an email campaign with updates on pre-registered and enrolled status of the 1st-to-2nd year cohort students.

Second Quarter Activity 1: The University instituted an aggressive student outreach campaign to promote retention. Activities included emails, manual and automated phone calls to the

unregistered students. Of the students contacted during these first quarter activities, 344 students returned for the Fall 2014 semester. By the end of the semester, 239 of these students were still enrolled with 10 students placed on probation and 62 suspensions.

First Quarter Activity 2: Notify students who require academic or financial aid appeals at least two weeks prior to the start of the fall term.
On May 22, 2014, the Office of Financial Aid began distributing the first round of Satisfactory Academic Progress (SAP) letters to students in jeopardy of losing financial aid eligibility. The letter explains that SAP is measured both qualitatively by Grade Point Average, and quantitatively by an earned/attempted hour ratio and/maximum attempted hours allowed for a program. The letter also specifies which of the two requirements the student failed to meet. The letter explains the appeal process necessary to reinstate financial aid eligibility and includes a link to the required form, the latest postmarked due dates for the appeal, and the address where the form must be submitted. In addition to the financial aid letter, the CSS also distributed an email to students informing them of negative academic or financial aid status and information on the appeal process to reinstate good standing. This email also includes the appeal form and submission guidelines. Both academic and financial aid advisors are working to reinforce messages and doubling their efforts to ensure students understand the SAP process and what is necessary to resume and maintain good academic/financial aid standing.

Second Quarter Activity 2: Efforts were coordinated between the Registrar, the Director of the Center for Student Success and Financial Aid Director to ensure the proper evaluation of student performance and to encourage the early completion and submission of appeal applications. Once a student appeal has been received and evaluated, if approved, the student must then register for classes.

To ensure students are more aware of SAP requirements, a financial aid representative has attended Freshman Seminar courses advising the students of SAP guidelines and financial aid options. At least six out of the 18 (30%) Freshman Seminar part 1 courses had a Financial Aid representative meet with their class. A financial aid representative will be attending the second part of the Freshman Seminar courses during the Spring 2015 semester. The Freshman Seminar course is a required course for all first-time students within their first 36 credit hours at the institution. According to the Center for Student Success this effort has reduced the number of appeals between the Fall 2014 and Spring 2015 semesters by 25%.

First Quarter Activity 3: In Fall 2014, require an advisor release in Banner for all returning students who have not completed 36 hours from the Fall 2013 freshman cohort.
SUBR utilizes the Ellucian Banner product as its Student Information System (SIS). Banner allows administrators to place several types of restrictions on student accounts to require students to take certain actions such as seeing an advisor before completing registration. As part of SUBR's retention enhancement efforts, every student who enters our system as a first-time freshman has a registration "HOLD" in Banner, regardless of full-/part-time or degree/non-degree seeking status. As students attempt to generate a class schedule online, the student portal, Banner Self-Service, notifies students that they have a "HOLD" on their account and in order to register for classes they must see their CTLE advisor. CTLE is responsible for advising all students with less than 36 hours. Every CTLE advisor has Banner authorization to bypass the "HOLD" and register students once they provide students both verbal and written information regarding the "HOLD." This information is a part of the CTLE orientation and is reviewed in one-on-one sessions students have with their advisors.

Second Quarter Activity 3: The "HOLD" on student accounts was implemented and completed successfully for 768 continuing students from the Fall 2013 cohort. This process was both recommended and supported by the CTLE advisors. This process afforded the advisors an opportunity to have a face-to-face discussion with students about their academic options. The CTLE advisors are exploring the merits of an "intrusive advising" approach which promotes direct and regular contact with students. The advisor's process in Banner is to by-pass the registration "HOLD" with a passkey implemented upon accessing the student's initial record. Once the advisor by-passes the registration hold, the advisor is able to register the students into their courses (Attachment 1 - Student Profile Report indicating "HOLDS").

First Quarter Activity 4: **The PAIR office will prepare detailed student profiles in Banner which identify students' declared majors and departmental advisors.**
SUBR utilizes Evision's Argos software system as one of its data reporting resources. The PAIR office created a student information module within Argos that compiles critical student retention data queried directly from the Banner SIS. As noted in the supporting documentation, the student's academic history, advisors, test scores, "HOLDS" as well as, upon selection, the course schedule and the registration activity of that semester are provided. This Argos report is available to all instructors and advisors. Instructors may benefit from seeing the student's schedule for that semester and determining the scope of a student's course load. Similarly, instructors may have a better understanding of a student's level of preparation by having access to ACT or Compass scores. It is expected that providing these reports to advisors and instructors will facilitate better student support and ultimately more student success.

Second Quarter Activity 4: The Student Tracking System (STS) advisory tool was created with input from CTLE advisors (Attachment 2 - Argos CTLE-STS Student Dashboard). They recommended the form layout and contents. The information presented on this form is obtained by accessing data from several Banner forms that an advisor would have to access separately including information on the primary advisor, secondary advisor, "HOLDS" details, individual test scores (ACT, SAT, etc.), student schedule, registration activity, each term attended with corresponding academic standing, degree program(s), student classification, level, payment status, total credit hours attempted and earned per term, overall attempted and earned by term, and overall GPA. A few of the Banner forms needed to obtain this information are SPAIDEN, SOAHOLD, SOATEST, SHATERM, SCACRSE, and SFAREGS. This one-stop shop concept is currently being enhanced with additional functionality. This form was used by CTLE advisors for all students entering and continuing at SUBR with less than 36 hours. Again, the advisors are enhancing the student advising experience by having at their fingertips pertinent student information.

First Quarter Activity 5: **On Banner class rosters and student profiles, provide student classification information (freshman, sophomore, junior, senior) in order for faculty to appropriately tailor referral services to promote successful course completion and progression.**
In conjunction with the Registrar's office, PAIR utilizes the Argos module and scheduler to generate and distribute a class roster for every course. Each roster provides the course identification information as well the list of enrolled students, registration type, payment status, and classification. The roster was later enhanced to provide cohort information as well. Instructors have been asked to assist with the retention of students who had not paid their fees prior to the census date to avoid having their classes purged.
Second Quarter Activity 5: The PAIR and Registrar's offices are providing class rosters to every instructor of record for each course offered in the Spring 2015 semester. The instructors speak to

those students having not completed the payment process to encourage them to do so prior to the census date. The instructors are also able to easily identify the attendance record as recorded in the mid-term grade field. A notation of 'SH' denotes a 'SHOW' and 'NS' denotes a 'NO SHOW'. If a student's attendance has been reported incorrectly, has not been reported at all, or if the student added the course after the instructor completed their attendance reporting, the instructors are contacted to resolve this discrepancy before the census period has ended in order to properly document the student's attendance.

The class schedule books with enrollment headcounts and attendance reporting are provided to the Deans. The Deans encourage the chairs and instructors to manage attendance reporting, add additional courses, cancel courses that have low enrollment or low paid enrollment headcounts (Attachment 3 - Course Roster).

B. First-to-Third Year Retention Rate

First Quarter Activity 1: Identify and contact the Fall 2012 cohort students who have not registered for the Fall 2014 term. SUBR has contacted students who did not register for the Fall 2014 semester and will continue reaching out to students who have not paid their fees by the census date.

As noted in Activity 1, outreach for 1st-to-3rd year cohorts was conducted simultaneously with that of the 1st-to-2nd year cohort. Advisors from CTLE, Financial Aid, CSS, and instructors assisted in making these calls and emails to targeted students. As previously noted, the PAIR office provided daily updates on the pre-registration and registration status of the 1st-to-3rd year cohort retention for Year 5.

Second Quarter Activity 1: Utilizing the communication strategy previously discussed, two sub-groups of students were contacted: (1) students not registered for the Fall 2014 semester and (2) students not meeting the Satisfactory Academic Progress (SAP) requirements. The subsequent enrollment impact from this activity is summarized below.

(1) Students not registered for the Fall 2014 semester - A total of 310 students from the Fall 2012 cohort were contacted, of which 238 enrolled in and completed the Fall 2014 semester. For those completing the Fall 2014 semester, six students were placed on probation, and 22 were suspended. These students have been contact by the Center for Student Success. All others completed the term in good standing.

(2) Students not meeting SAP requirements - During this reporting period, 250 unregistered students were contacted of which 189 enrolled for the Fall semester. By the end of the semester, of the 440 who returned, 28 had been suspended.

First Quarter Activity 2: Notify students who require academic or financial aid appeals at least two weeks prior to the start of the fall term.

As noted in Activity 2, outreach for 1st-to-3rd year retention occurred simultaneous with that of the 1st-to-2nd year cohort students. This activity was collaboratively completed by instructors, CTLE, CSS and Financial Aid advisors who were addressing these students with added vigor to support retention efforts.

Second Quarter Activity 2: As performed in the first quarter, students were notified of their academic and SAP status at the end of the Fall 2014 semester. Although this activity refers to appeals for the Fall semester, this same process is followed for students going into the Spring semester needing to file SAP appeals.

First Quarter Activity 3: In Fall 2014, require an advisor release in Banner for all returning students who have not completed 36 hours from the Fall 2012 freshman cohort.
Since CTLE manages students with 36 hours or less, the 1st-to-3rd year students should be transitioning to academic departments for advising. The Academic departments have the same Banner authorization as the CTLE advisors to bypass the **"HOLD"** and complete the registration process. All of the Deans, Chairs, and Dean's Designees have been trained on this process. The goal of this engagement is to ensure advisement has occurred between the student and the department. Additional permissions have been granted to the departments in the cases of restricted or reserved courses within the department's own purview. If the advisor is comfortable with the aptitude of the student and feels the student will be able to matriculate through their program of study, the **"HOLD"** may be released from the student's account enabling the student to manage the registration process fully online. Such students are able to register for courses independent of their advisor; however, departmental advisement on a regular basis is still strongly encouraged.

Second Quarter Activity 3: The "HOLD" on the student's account was implemented and completed successfully for 439 students from Fall 2012. This process was both recommended and endorsed by the CTLE advisors. This process afforded the advisors an opportunity to have a face-to-face discussion with students in accordance with the "intrusive advising" framework the campus is now exploring. The advisor's process in Banner is to by-pass the registration hold with a passkey implemented upon accessing the student's initial record, meeting with and advising the student. Once the advisor by-passes the registration hold, the advisor is able to register the students into their courses (Attachment 4 - Student Profile Report).

First Quarter Activity 4: The PAIR office will prepare detailed student profiles in Banner which identify students' declared majors and departmental advisors.
This activity for 1st-to-3rd year retention was completed simultaneously as that of the 1st-to-2nd year cohort. As noted in Activity 5, the PAIR and Registrar's offices worked in conjunction to complete this task and it is now reflected on the Banner screens for all students.

Second Quarter Activity 4: The PAIR and Registrar's offices facilitated the completion of this task as noted in the previous semester (Attachment 5 - Argos CTLE-STS Student Dashboard).

C. Completer Rate

Activity 1: Identify students with at least 100 earned credit hours to assess their suitability for the Bachelor of Interdisciplinary Studies (BIS) degree. The BIS offers five concentrations, each comprised of at least 15 hours across two areas of study. The BIS program follows a prescribed structure of 120 credit hours that may serve as a reasonable option for students who have accumulated a large number of hours in different disciplines and have not yet satisfied the requirements for a particular major.

First Quarter Activity 1: There was no deliverable at that time.

Second Quarter Activity 1: The PAIR Office created an Argos Report with several options. This Argos report features the following components:

1. Select a semester.
2. Select a specific major(s) or all majors.
3. Select a specific student type (New first time, Transfer, etc.) or all types.
4. Select a specific student classification (Freshman, Junior, Doctoral, etc.) or all classifications.
5. Select only students whose cumulative GPA is greater than 2.0. (OPTIONAL)
6. Select only students whose total earned hours are greater than 100. (OPTIONAL)

The report is accessible to the Deans, Chairs, CTLE advisors, CSS advisors, and Administrators. The program is utilized to begin the process of targeting students who may be eligible for graduation. As noted in SUBR GRAD Act Reports, over the past four years, the graduation rate has been less than 35% over six years for a standard four-year baccalaureate degree. The academic records for these students will be evaluated to determine whether they would be suitable candidates for the BIS (Attachment 6 - Students by Major Report).

Activity 2: Provide professional development to academic advisors to enhance the advising process. The professional development will promote general advising, advising at-risk students, and support for students declaring or changing their major. The institution understands that retention and proper matriculation improves the graduation rate.

First Quarter Activity 2: This activity was scheduled for implementation during the second reporting period.

Second Quarter Activity 2: SUBR Administrators and CTLE Advisors participated in a half-day webinar on intrusive and proactive advising entitled, *"Intrusive Tutoring: Utilizing Advising Coaching & Counseling Strategies to Enhance Tutoring Sessions."* Approximately 100 people participated in the webinar and face-to-face training including representatives from the Deans, Vice Chancellors, Academic Council, CTLE and the Center for Student Success. The next training on Intrusive Advising will take place in Spring 2015 after midterm exams.

First Quarter Activity 3: Distribute program curriculum (degree audit) sheets to ensure students are aware of the requirements for their respective degree programs. Approximately 93% of the student population has changed their major at least once.

First Quarter Activity 3: There was no deliverable at that time.

Second Quarter Activity -3: The program curriculum sheets (balance sheets) are posted on the SUBR website: The URL to the program sheets is rooted from the Academic Affairs home page at http://www.subr.edu/index.cfm/subhome/45. Sample listings and documentation are provided below.
Biology Education
http://www.subr.edu/assets/CollegeofEducation/docs/ProgramofStudies/BiologyEducationMinor APSrev9-2014.doc
Accounting
http://www.subr.edu/assets/DeptofEconFinAcct/121ACCT8-13-13.pdf
Computer Science
http://www.cmps.subr.edu/images/pdfs/balance-sheet/Sci_2014-2016.pdf

Civil Engineering
http://www.subr.edu/assets/CivilEngineering/pdfs/CEDegreerequirements.pdf

First Quarter Activity 4: Identify the current graduation applications and verify that all transfer credits have been applied (if applicable). Ensure advisors are aware of transfer credits earned at another institution. These courses must be recorded and articulated by the Registrar's Office in order to promote accurate advising.

First Quarter Activity 4: There was no deliverable at that time.

Second Quarter Activity 4: Transfer credits must be articulated for a student to graduate and utilize those courses as either a direct fulfillment or substitution for a course required for degree completion. In the Banner form where degree applicants are noted and awarded, the GRAD Act Year 5 Status Report (Attachment 7 - GRAD Act Year 5 Status Report) is provided weekly throughout the semester. When the status report is run, it performs a union against the transfer credit form, SHATRNS, and verifies that any transfer credit has been articulated. In some cases a student transfers credit from multiple institutions and, as such, each institution will receive a transfer institution number for that particular student also denoting the period of time spent at said institution. The next block will provide for the courses under the equivalent course detail section. During this process if there are any credit(s) that can be transferred that are incomplete in the system, it will be completed to ensure the proper calculation of the term and cumulative grade point average (Attachment 8 – Banner form - SHATRNS).

Southern University, Shreveport (SUSLA)
GRAD Act Remediation Plan
Quarterly Progress Report – 2nd Quarter

V. Southern University Shreveport (SUSLA) Activities

A. First-to-Second Year Retention and Institutional Completer Rate

1st Quarter ACTIVITY 1: Provide training and professional development to ensure appropriate coding with specific clarification for College Connect program participants. Coding initiatives will address sub-cohort designations for associate and baccalaureate degree seeking with transfer intentions thus preventing inaccurate retention calculations.

In response to this activity, the Director of Admissions has instituted the following coding system to ensure that students are coded properly to align with Board of Regents guidelines.

Student Code	Student Type	Description
N	New First-Time Freshman	Students who have never attended a regionally-accredited institution since graduating from high school. Includes students who enrolled in summer school immediately following graduation from high school. Also includes students with advanced standing due to dual enrollment credits.
T	Transfer Student	Students who have attended a regionally-accredited institution since graduating from high school.
R	Re-Admit Student	Former SUSLA students who are returning.
F	Re-Admit Transfer Student	Former SUSLA students who enrolled in another regionally-accredited institution since last enrolled at SUSLA.
O	Cross Registered Student	LSUS students who participate in the cross enrollment agreement between LSUS and SUSLA.
E	Adult/Continuing Ed Student	Currently used for LPN students.
V/X	Visiting/Summer Only Student	Students enrolled at SUSLA but whose home institution is another school.
D	Preparatory Student	Dual enrollment students.

Additionally, the following student cohorts were created (effective Spring 2014) to improve student coding:

College Connect Students	**Cohort Code**
SUBR College Connect	SUBR (Baccalaureate Degree Seeking)
SUNO College Connect	SUNO (Baccalaureate Degree Seeking)
Dual Enrollment Students	**Cohort Code**
Preparatory Students	PREP

Training and professional development for SUSLA staff working with the College Connect Program will be conducted by the Southern University System through the system-wide Data Integrity and Process Management summit in November of 2014. It is expected that best practices in student reporting and data warehousing will be reviewed at that time.

2nd Quarter - ACTIVITY 1: No additional activity was conducted on the coding system during this reporting period. The coding system implemented in Fall 2014 was utilized for Spring 2015.

1st Quarter ACTIVITY 2: Improve institutional completer rate through processes designed to facilitate degree completion.

To ensure that prospective graduates have satisfied all requirements for graduation, the Registrar's Office has developed the "Registrar's Rap Session" for students who are on track to complete degree requirements. The "Registrar's Rap Session" occurred October 10 -11, 2014. Agenda topics included Graduation Process, Degree Plans, Transfer Credits, Collegiate Assessment of Academic Proficiency (CAAP) Exam, Course Substitutions, and Exit Loan Counseling.

2nd Quarter - ACTIVITY 2: The "Registrar's Rap Sessions" conducted October 10 and 11, 2014 were assessed using a satisfaction survey on a scale of 1-5 where 1=Very Unsatisfied, 2=Unsatisfied, 3=No opinion, 4=Satisfied, and 5=Very Satisfied. In the October 10, 2014 Session, ten students attended and nine students completed the Registrar's Rap Session Survey. Results from the survey showed that 11% were "Satisfied" and 89% were "Very Satisfied" with the overall information shared by the Registrar's Office during the activity.

In the October 11, 2014 Rap Session, seven students attended the session and all completed the Registrar's Rap Session Survey. Results from the survey showed that 14% were "Satisfied" and 86% were "Very Satisfied" with the overall information shared by the Registrar's Office during the Rap Session (Attachment 1 – Registrar's Rap Session Surveys).

The "Registrar's Rap" session will be repeated four times each year and primarily targets students seeking problem resolution. While SUSLA would like to see more attendance at these sessions, the Registrar's Office strives to resolve student issues on a daily and continuous basis. The campus will continue promoting the "Registrar's Rap Sessions" more broadly to students as an opportunity to learn more about progression, graduation requirements, calculating GPA and other general information. For Spring 2015, the "Registrar's Rap Sessions" are scheduled for January 30-31 and April 17-18.

1st Quarter ACTIVITY 3: Contact via phone, email and post those students who enrolled in the Fall 2013 cohort who have not registered for Fall 2014 and/or who have not been cleared by financial aid.

This activity encompassed 1,127 calls to students who enrolled in the Fall of 2013 cohort but did not register for Fall 2014. The calls resulted in contact with 327 prospective returning students who also received a follow-up letter in addition to the call. Data from this activity is being assessed and will be revisited in subsequent quarterly reports to determine how many students were actually retained as a direct result of this activity.

2nd Quarter - ACTIVITY 3: Of the 327 students from the Fall 2013 cohort who were contacted during the first quarter, 227 students were readmitted for the Fall 2014 semester. The campus could not determine to what extent the returning students came back as a direct result of the outreach efforts. A mechanism will be developed and implemented to determine the direct effectiveness of calls, manual and/or automated, as well as mail-outs. The Phone Tree activity was

conducted for the Spring semester with automated calls to 13,282 students, some of whom had enrolled in the Fall of 2014 cohort but did not enroll for Spring 2015 (Attachment 2 – Phone Tree Log Summary). The majority of the calls were made in an effort to recruit students back to the campus, many of whom had "stopped out" as far back as 2004. The overall impact of these calls will be reviewed in the next reporting period.

1st Quarter ACTIVITY 4: Host "Back to Jag Day" to encourage students who have stopped out to return to the university. The Enrollment Management Office will research all former students who have 12 or less hours to degree completion. SUSLA will contact them individually via email, phone tree messaging, and direct mail. Data on all students contacted and their associated problem impeding progression will be recorded and assessed.

In response to this activity, a report was generated by the IT department and an initial phone-tree was conducted reaching out to students who had "stopped out" at SUSLA from Fall 2010 to Fall 2014. Also from the generated report, e-mails were sent to over 900 previously enrolled students requesting their presence at "Back to Jag Day" 2014. Additionally, two hundred students received letters and admissions applications encouraging them to attend "Back to Jag Day." The information was also placed on SUSLA's social media sites. Finally, over 100 personal calls were made to select students whose completed credit hours and status made them likely candidates to return to SUSLA.

The "Back to Jag Day" was held on Saturday, August 2, 2014 from 10 am to noon. The day was meant to provide assistance and problem resolution for students who hadn't returned to SUSLA due to financial or academic issues. The event featured "SUSLA At-a-Glance," an introduction to the Center for Student Success, and an overview of SUSLA's structured advisement program. Other critical topics like financial aid and career options were also presented. Of the 70 students who RSVP'd for the event, 63 attended. JAG Day 2014 yielded roughly 35 students who took steps to reinstate their enrollment at SUSLA. The next Quarterly Report will provide details on the number of students who were able to enroll at SUSLA for the Fall 2014 semester and plans to conduct another "Back to Jag Day" for Spring 2015.

2nd Quarter - ACTIVITY 4: A total of nine students enrolled back into SUSLA as a result of last quarter's "Back to Jag Day" activity. Students who had issues with readmission due to academic/financial aid suspension or default issues were advised accordingly. The "Back to Jag Day" activity was repeated and letters were sent to 750 students (Attachment 3 – Back to Jag Day Sample Letter) encouraging them to attend "Back to Jag Day. The activity was held on December 6, 2014 from 10 a.m. to Noon to provide assistance and problem resolution for students who hadn't returned to SUSLA due to financial or academic issues. Unfortunately, only 14 students participated in the program (Attachment 4 – Back to Jag Day Attendance Sheet).

It is expected that there would be fewer issues with Spring registration and financial aid processes; however, the campus will continue its efforts to promote and increase awareness of the benefits of attending "Back to Jag Day". The students who did attend the Jag Day were assessed and advised accordingly as shown in the Jag Day Attendance Sheet. Staff members worked with potential readmit students before the students attended Back to Jag Day. Therefore, the comments indicated in the Attendance Sheet point to where in the admission/enrollment process the student was at the time the student was assessed. Eight of the fourteen students who attended the Jag Day have been readmitted and enrolled back into SUSLA.

1st Quarter ACTIVITY 5: Gather and analyze student data to determine risk levels and appropriate intervention protocols. This process will require new intake forms assessing non-cognitive skills. Review intake forms to identify risk levels according to persistence barriers and adverse academic behaviors. This information will help determine risk levels and action plans for the most appropriate interventions to treat each risk level.

In response to this activity, the new "Student Intake Form" has been developed to collect information on non-cognitive skills such as, personality traits, interpersonal and motivational habits/attributes and self-regulated learning. This self-reported information is combined with performance and demographic data from Banner to determine student risk levels. In addition, faculty members are asked to submit "Early Alert Referral" forms, as needed, for students who are at risk of poor academic performance. Students identified by faculty of being at risk, and reinstated students on financial aid probation referred to the Center for Student Success, are required to complete the Student Intake Form and meet with an advisor to develop an Academic Action Plan. Data assessed and advisor actions taken will be reported in subsequent quarters.

2nd Quarter - ACTIVITY 5: Under this activity, SUSLA has secured funding and ventured to establish a contract with Unicon, a leading provider of IT consulting services for colleges and universities, to install a Student Success Plan (SSP) system. It is projected that this system will be fully operational for Fall 2015. In preparation for SSP installation and development, the Center for Student Success (CSS) has implemented an intake process for first-time entering freshmen (Intake Form included with first quarter attachments). This information will be entered into the SSP system to customize its core feature, "My GPS", with students' strengths, challenges and academic goals to facilitate the development of two distinct plans. One plan will be "My Academic Plan" (MAP), which provides an ideal pathway to program completion and the other, an action plan that comprises tasks for students to overcome identified challenges to success. Currently, transactions between the student, advisor and other resourceful persons are noted in the action plan to track progress.

In the newly installed SSP system, this information will be recorded in a "Journal." The newly created "Intake Form" and "Academic Action Plan" have enhanced data collection for first-time entering freshmen students. These current activities have enhanced data collection. For example, in Fall 2014, CSS collected 233 intake forms from the 285 freshmen enrolled in the college success course; however 1,117 first-time entering and continuing freshmen (including transfers) enrolled for Fall 2014. During Spring 2015 registration, 233 intake forms have been completed for the 301 first-time, entering freshmen enrolled to date. Data collection for first-time entering freshmen has improved and it is expected that tracking these students will be similarly improved over subsequent semesters.

Information on activities 6, 7 and 8 will be presented in Quarter 3 and Quarter 4 reports as delineated in the originally approved Remediation Plan.

B. SUSLA Nursing Passage Rate

1st Quarter ACTIVITY 1: Amend and adhere to School of Nursing persistence/progression policy to provide students with expanded opportunities for NCLEX licensure attainment and

implement processes for tracking and evaluation of program learning competencies essential for degree completion and exam passage rates.

This activity has been initiated and the faculty members of the School of Nursing are reviewing the student progression policy for and consistency with similar programs. This is also being done in preparation for a Follow-Up Report for the Accreditation Commission for Education in Nursing (ACEN). The nursing program is reviewing its curriculum to enhance student learning outcomes that are better aligned with current guidelines and standards of nursing practice from the Louisiana State Board of Nursing, the National League for Nursing's Outcomes, and Competencies for Graduates of Associate Degree Programs in Nursing, the Institute of Medicine's Report on the Future of Nursing, and the Quality and Safety Education for Nurses (QSEN) initiative. The use of these current standards to review and revise the nursing program will provide a better learning experience for the nursing students and greater opportunities for career placement and advancement.

2nd Quarter - ACTIVITY 1: The Nursing Progression policy was reviewed and determined to be comparable to other nursing programs. Student learning outcomes have been revised to better align with current standards of nursing practice from numerous credentialing agencies including the Louisiana State Board of Nursing, the National League for Nursing's Outcomes and Competencies for Graduates of Associate Degree Programs in Nursing, and the Quality and Safety Education for Nurses competencies. The School of Nursing aims to prepare entry level nursing professionals who are proficient in industry competencies. To this end, the School of Nursing has streamlined its student learning outcomes from ten to the following six:

1. Demonstrate safety and quality when implementing nursing care to patients while recognizing individual preferences and socioeconomic, religious, and cultural differences.
2. Conduct assessments using a holistic approach to make sound nursing judgments and to design and prioritize care that is patient-centered and that promotes positive outcomes for individuals, families, and groups.
3. Demonstrate therapeutic communication, caring, and professionalism that fosters a working relationship with individuals, families, groups, and peers and collaboration with the interdisciplinary team.
4. Facilitate education to empower individuals, families, and groups to develop new, healthful behaviors which foster positive patient outcomes.
5. Demonstrate the use of legal, ethical, and value principles that foster professional conduct and accepted standards of nursing practice.
6. Demonstrate lifelong learning by expanding nursing knowledge through the examination of evidence and best practices and the use of current technology to improve the quality of care for individuals, families, and groups.

In order to determine student performance with these competencies, students complete a self-assessment indicating how well they are able to satisfy the desired outcomes. The School of Nursing assesses the degree of success of the student learning outcomes via two major measures:
- First time NCLEX-RN pass rates that are greater than or equal to the state and national averages

- Graduate satisfaction surveys: 80% of graduate respondents report agreement with being well-prepared to meet the learning outcomes. 80% report overall satisfaction with preparation received at SUSLA (Attachment 5 – Graduate Nursing Survey).

1st Quarter ACTIVITY 2: Initiate NCLEX-RN 10,000 software for student study supplement. Currently, the School of Nursing uses NCLEX 4000 as a study aid prior to taking end of course standardized exams.

In response to this activity, a requisition was placed for purchase of the NCLEX-RN 10,000 software on September 26, 2014. The requisition has been processed by the Purchasing Office and the order has been placed. The goal was to have the resource in the hands of students by October 1. However, upon receipt, it will still give students about six weeks usage in preparation for the Health and Environmental Sciences Institute (HESI) exams prior to graduation, and about three months usage prior to taking the NCLEX-RN in January 2015. We will carefully monitor student usage of the NCLEX preparation resource and report its impact on student pass rates.

2nd Quarter - ACTIVITY 2: The NCLEX10,000 software has been installed and individual licenses of the NCLEX 10,000 software were given to students in October 2014 to install on their personal computers (Attachment 6 – NCLEX10,000 Student Sign-up Sheet). Assignments were also given as a means of mandating students' use of software as well as proof of completion (Attachment 7 – Sample Practice Test Score) showing that students completed the assignment. Assignments scheduled prior to October 20, 2014 were completed through NCLEX 4,000 (Attachment 8 – NCLEX Assignment Schedule). The Health Education Systems Incorporated (HESI) Exit exam was initially administered on November 25, 2014 with retakes on December 1 and 17, 2014. Thirty-seven students completed all three course components (lecture, clinical, and standardized exam) and had their degrees conferred on December 18, 2014. Thirty-five of the thirty-seven graduates also attended the Hurst NCLEX review – a three-day facilitated review held on January 6-8, 2015 from 8:00 am to 4:30 pm. Graduates will schedule their NCLEX-RN upon approval from the Louisiana State Board of Nursing and their receipt of the "Authorization to Test" from the state. The results of the licensing exam are expected by early February.

Southern University Law Center
GRAD Act Remediation Plan
Quarterly Progress Report – 2nd Quarter

VII. Southern University Law Center (SULC) Activities

In keeping with the Southern University Law Center GRAD ACT Remediation plan approved by the Board of Regents, the Law Center has, to date, made the following progress towards improving its bar passage rates:

1st Quarter ACTIVITY 1: Statutory Analysis Course

The Law Center Administration has requested that the Chairperson of the Curriculum Committee begin discussion with the Curriculum Committee regarding a plan to add Statutory Analysis to the list of required courses for students requiring additional support towards program completion. The course would be required for students with a grade point average of 2.5 and below at the beginning of their 3L year for full-time day division students and 4L year, for part-time day students, and part-time evening students. The request seeks to have the curricular change effective for the Fall semester of 2015. For Fall 2014, the Statutory Analysis course has eight students enrolled as an elective. Other supplemental bar preparation courses include:

	Course	Enrollment
a.	Advance Federal Practice	4
b.	Special Problems in Business	11
c.	Special Problems in Commercial Law	4

The Statutory Analysis course will be offered in Spring 2015 along with Advanced Civil Code, Advanced Constitutional Law, Advanced Federal Practice, and Advanced Torts as bar preparation-related courses. An update on the implementation of this course and its impact on Student Success will be included in subsequent Quarterly Reports.

2nd Quarter ACTIVITY 1: Statutory Analysis Course - The Statutory Analysis course is being offered this semester (Spring 2015). The enrollment for the course during the spring 2015 semester is 34. Other supplemental bar preparation courses offered in the spring semester of 2015 include:

	Course	Enrollment
a.	Advance Federal Practice	4
b.	Matrimonial Regimes	56
c.	Advanced Torts	37
d.	Special Problems in Business Law	6

The offering of more bar preparation type courses has already contributed to improve bar passage rates. The first-time bar passage rates released in October for July 2014 examinees was 60.36% as compared to a first time bar passage rate of 41.7% for the July 2013 examinees from SULC. The Curriculum Committee is studying the pros and cons of making Statutory Analysis a required course for the incoming class of 2015.

1st Quarter ACTIVITY 2: Comprehensive Exam Requirement
Chancellor Pitcher and Professor Shawn Vance visited the Thurgood Marshall School of Law at Texas Southern University in Houston, Texas in September 2014 to study a comprehensive exam process that has been implemented by that institution. Professor Shawn Vance is developing a proposal for the Southern University Law Center faculty to adopt a similar comprehensive examination process for the 2015-2016 academic year. The proposal will address exam protocol and process and an exam schedule. The potential advantages of adopting a comprehensive exam process include improving bar passage rates and improving the assessment of student learning outcomes. The proposal is expected to be presented to the faculty in November. Subsequent reports will provide updates on the status of this effort.

2nd Quarter ACTIVITY 2: Chancellor Pitcher and Professor Shawn Vance made a report to the faculty about their visit to the Thurgood Marshall School of Law at Texas Southern University. The purpose of the visit was to learn more about a comprehensive exam process that had been implemented at that institution. At the November 2014 SULC faculty meeting, the faculty voted to defer making any decisions about the design and implementation of a comprehensive exam at SULC until a fully vetted proposal could be shared with the faculty. This proposal is under development and is scheduled to be vetted with the faculty prior to the end of the spring 2015 semester. An update on this proposal will be included in the next quarterly report.

1st Quarter ACTIVITY 3: Hire Additional Academic Counselors
This academic year, the Law Center intends to double the number of academic counselors to more effectively monitor student performance and implement interventions for struggling students. The Law Center currently has two academic counselors who serve approximately 80 students per semester. The addition of two counselors will reduce the student-to-counselor ratio by one-half to 20-to-l. The Law Center prepared a position vacancy announcement (PVA) for these positions and anticipates that one position should be filled by the end of the semester. Progress on filling these positions will be included in subsequent reports.

2nd Quarter ACTIVITY 3: The Law Center hired an additional academic counselor in November 2014 and now has a total of three academic counselors. A fourth academic counselor will be hired prior to the Fall 2015 semester (Attachment 1 – Tamiko Brown Chatman Resume).

Agenda Item IX. C. 1.

THE SOUTHERN UNIVERSITY SYSTEM

YEAR 4- GRAD ACT REMEDIATION PLAN

QUARTERLY REORT – SECOND QUARTER

10/15/204 – 01/15/2015

SUPPORTING DOCUMENTATION

Under Separate Cover

Executive Summary

Background

Act No. 741 of the 2010 Regular Session (The GRAD Act) authorizes the Board of Regents to,
... modify the established targets for performance objectives contained in an institution's performance agreement in the event extraordinary circumstances prevent the institution from meeting such targets. Such modifications shall be subject to approval by the Joint Legislative Committee on the Budget.

The Board of Regents has interpreted the language cited above to include circumstances beyond the control of the institution that would directly impact the achievement of established targets. These circumstances would include natural and manmade disasters as well as changes in factors outside the control of the institution but directly related to the institution's ability to meet established targets.

Southern University and A&M College is requesting the Board of Regents to adjust its 5th-year benchmarks and 6th-year targets for the following measures: 1st to 2nd year retention, 1st to 3rd year retention, undergraduate completers and graduate completers. This request is based primarily on the impacts of two events, (1) the declaration of financial exigency and (2) the U.S. Department of Education's revisions to the Pell Grant eligibility rules. The background, including details of the aforementioned events and requested modifications based on the impacts of these events, is outlined in the attached document.

Representatives of Southern University and A&M College and the Southern University System will present the request to the Committee/Board at its meeting on February 23rd.

Recommendation

Based on the impacts of the declaration of financial exigency and the revisions to the U.S. Department of Education's Pell Grant program and the disproportionate effects on Southern University and A&M College, the senior staff recommends that the Board of Regents approve the university's request to revise its GRAD Act benchmarks and targets to more clearly reflect the reality of the institution's current and near-term condition.

SOUTHERN UNIVERSITY AND A&M COLLEGE REQUEST TO MODIFY GRAD ACT TARGETS – YEARS 5 AND 6

January 2015

Historical Background

The mission of Southern University and A&M College (SUBR) is to provide opportunities for a diverse student population to achieve a high-quality, global education. More than ninety percent of the student population at SUBR are low-income, first-generation, and minority students. There are many challenges associated with educating students from these demographic groups; however, SUBR has much to celebrate. Over ninety-six percent of all academic programs are nationally accredited by specialty area organizations. The institution is fully accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) and is proud of its rich heritage of preparing undergraduate and graduate students for purposeful, rewarding lives.

The University aims to maintain this legacy despite significant financial issues, a comprehensive academic reorganization process and substantial decreases among faculty and staff over the past three years. Amidst this institutional transition, SUBR has established more robust articulation agreements, increased transfer rates, aligned programs with workforce initiatives, and increased efficiencies across operational and academic units. These advances, however, are not reflected in the institution's GRAD Act performance as the Baton Rouge campus struggles to meet student success targets that were established in 2010. This document explores factors contributing to GRAD Act under-performance and requests a modification to student success targets for Years 5 and 6.

SUBR's Current GRAD Act Agreement

The overall purpose of the GRAD Act is to encourage Louisiana colleges and universities to improve performance through specific, measurable objectives aimed at improving college completion and meeting state workforce and economic development needs. The four performance objectives of this agreement are to:

- Increase student success;
- Increase articulation and transfer;
- Enhance responsiveness to regional and statewide workforce and economic development needs; and
- Increase institutional efficiency and accountability.

According to the GRAD Act, the Board of Regents may modify the established targets in an institution's performance agreement in the event extraordinary circumstances prevent the institution from meeting the established targets. Such modifications shall be subject to approval by the Joint Legislative Committee on the Budget. The SUBR administration, in partnership with the Southern System, is petitioning the Board of Regents to consider modifying some GRAD Act targets in light of exceptional circumstances that have adversely impacted student progression and enrollment at SUBR since the establishment of current GRAD Act targets.

In 2010-2011 when SUBR's GRAD Act targets were established, enrollment was trending higher and financial allocations were more substantial. No one anticipated the turbulent times the University has endured over the past four years. Reductions in state appropriations, more rigorous admission standards, and, ultimately, the declaration of financial exigency in 2011 made the attainment of several student success targets problematic. The following tables illustrate the widening gap between SUBR's GRAD Act targets and actual performance.

SUBR 1ST to 2ND Year Retention for First-Time Full-Time, Degree Seeking							
Term	Baseline	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
	Fall 2008 to Fall 2009	Fall 2009 to Fall 2010	Fall 2010 to Fall 2011	Fall 2011 to Fall 2012	Fall 2012 to Fall 2013	Fall 2013 to Fall 2014	Fall 2014 to Fall 2015
Number in Cohort	1033	993	868	831	743		
Number Retained	741	717	611	571	501		
Target Rate	71.7%	72.0%	72.4%	72.7%	73.1%	73.4%	73.7%
Actual		72.2%	70.4%	68.7%	67.4%		
Result		Met	Met	Not Met	Not Met		

SUBR 1ST to 3rd Year Retention for First-Time, Full-Time, Degree Seeking								
Term	Baseline	Year 1	Year 2	Year 3		Year 4	Year 5	Year 6
	Fall 2007 to Fall 2009	Fall 2008 to Fall 2010	Fall 2009 to Fall 2011	Fall 2010 to Fall 2012		Fall 2011 to Fall 2013	Fall 2012 to Fall 2014	Fall 2013 to Fall 2015
Number in Cohort	1125	1034	993	868		831		
Number Retained	664	614	596	485		463		
Target Rate	59.0%	60.1%	61.0%	62.2%	3 yr. prior (57.7%)	63.2%	64.3%	65.3%
Actual		59.4%	60.0%	55.9%	2 yr. recent (57.9%)	55.7%		
Result		Met	Met	Met		Not Met		

SUBR – Completers							
Baccalaureates	Baseline 2008	Year 1 2009	Year 2 2010	Year 3 2011	Year 4 2012	Year 5 2013	Year 6 2014
Target Rate		-2.9%	1%	2%	3%	4%	5%
	895	869	904	913	922	931	940
Actual Rate		-2.9%	-7.8%	-10.9%	-4.6%		
	895	869	825	797	854		
Result		Met	Not Met	Not Met	Not Met		

Impact of Financial Exigency

Southern University continuously aims to persevere and excel in the midst of adverse circumstances. Nonetheless, through the steady reduction in financial appropriations and decreases in student enrollment, the Southern University System Board of Supervisors resolved that a financial emergency existed and a period of financial exigency began November 1, 2011 and lasted through June 30, 2012. The impact of the financial exigency has been particularly harsh on retention and graduation rates where cuts to faculty and staff positions resulted in a significant decline in course offerings for students, fewer faculty and staff advisors, and the elimination of academic programs. Consequently, these circumstances delayed degree completion in some instances when students had fewer advisors and support services to facilitate their progression. Although exigency actions ended more than two years ago, the impact of these actions continues. Noted below are several factors that directly undermined student success outcomes at SUBR:

- Academic reorganization – reduced from nine colleges to six colleges and subsequent loss of personnel;
- Program eliminations from 2011 – 2013 – 32 programs;
- Terminations/encouraged retirement incentives – 50 faculty and staff positions;
- Reduction in Student Credit Hours - reduced from 204,451 in 2010-11 to 173,113 in 2012-13;
- Reduction in course offerings by 23% as a result of fewer faculty - from 2,258 to 1,740 in Fall 2011 and Fall 2014, respectively;
- Increased average undergraduate class sizes from 35 to 50 students as a result of fewer faculty.

Modified Federal Aid Guidelines

SUBR is a Pell dependent institution. In 2011, SUBR had 78% of its enrollment receiving Pell support which decreased by six percentage points – at least twice that of other Louisiana four-year universities. Changes to the Federal Aid guidelines created financial hurdles for the majority of SUBR's students who depend upon federal assistance to remain in school and advance towards degree completion. Elimination of summer-term Pell Grants in 2012 prevented otherwise eligible students from attending summer school, and new Satisfactory Academic Progress (SAP) policies left many students without financial aid during semesters that had previously been covered. Federal Pell modifications unilaterally applied to all institutions of higher learning nationwide but had a particularly catastrophic effect on Historically Black Colleges and Universities (HBCUs). These changes, combined with financial exigency, negatively impacted both academic and student support services at SUBR. This combination of events prompted declines in retention, graduation rates, and undergraduate completers. Given their timing, the changes in Federal Aid guidelines had dire consequences for SUBR's attainment for GRAD Act targets for Year 4, and will similarly undermine realization of student success targets for Years 5 and 6. Four major Federal Aid changes and the impact on SUBR are outlined below.

1. The US Congress changed the maximum timeframe for Pell Grant Eligibility from 18 to 12 semesters. The law eliminated any grandfathering for this provision. As a result, students who

are continuing to pursue their first undergraduate degree and have received 600 percent or more of their Lifetime Eligibility Used (LEU), as determined by the Department of Education (ED), will no longer be eligible to receive Pell Grant Awards.

2. Eligibility for other aid programs, dependent upon Pell Grant Eligibility, was also lost for these students due to the loss of Pell (SEOG and Louisiana Go Grant).

3. Students are no longer eligible to receive their Pell Grants during the summer semester.

4. In October 2011, the Department of Education tightened the application for credit rules, making it more difficult for parents with low credit scores to be approved for Parent Plus loans. With so many families denied PLUS loans for the new school year, the nation's HBCUs lost a devastating 14,000 students all at once. Many newly admitted students could not matriculate as freshmen or transfers, while others had to drop out because they could not pay the full cost of attendance.

5. Satisfactory Academic Progress (SAP): Under the new rules, students lose their eligibility for aid such as Pell Grants if they're on academic probation after one semester and do not file a successful appeal. The previous limit was two semesters.

The Impact on GRAD Act Attainment

In October 2012, the SUBR Financial Aid Office reviewed data on Pell Grant recipients enrolled at SUBR. The analysis showed that of 3,882 Pell recipients, 586 (15%) had no eligibility remaining for 2012-13 academic year. The data also showed that an additional 617 (16%) had less than a year of additional eligibility, and 544 (14%) had one or more years remaining. For Pell recipients with no remaining eligibility, 169 out of 586 (29%) graduated.

Students with no Remaining Eligibility	
Term	Number
GRAD Act Yr. 4	586
GRAD Act Yr. 5	617
GRAD Act Yr. 6+	544

The students affected most by this rule change were students at the senior level who had used 12 semesters of Pell eligibility. This was determined by the total number of credit hours earned and the credit hours students still needed for degree completion. Students expecting to graduate in 2012-13 and subsequent semesters, found they could not get Pell funding nor were they eligible for Supplemental Educational Opportunity Grant (SEOG) and Louisiana Go Grant support. It is important to note that while students experienced financial hardships with the shifts in allocations of federal aid, the institution's own budget challenges prevented SUBR from providing any supplemental support to buffer students from financial shortfalls and outstanding balances. In many instances, this prevented students from resuming their academic progress.

SUBR Disproportionately Impacted by 2012 Federal Pell Changes

Pell Grant percentages for four-year Louisiana institutions were calculated using academic year data on the number of Pell Grant recipients at each school collected by the U.S. Department of Education, and fall total undergraduate enrollment collected from the Louisiana Board of Regents SSPSLOAD file. SUBR had the second highest percent of Pell Grant recipients in the state and the largest decrease from 2011 (before Pell changes) to 2012 (after Pell changes). SUBR had 78% of its enrollment receiving Pell support in 2011 which decreased by six percentage points – at least twice that of other Louisiana four-year universities. In 2012, SUBR experienced a $3.3 million reduction in funds from Pell awards.

Percent of Pell Grant Recipients for LA Four-Year Institutions			
	2011-12	**2012-13**	Change
GSU	80%	79%	-1%
SUBR	**_78%_**	**_72%_**	**_-6%_**
NWSU	45%	44%	-1%
ULM	42%	39%	-3%
MSU	42%	40%	-2%
NSU	41%	42%	+1%
SLU	37%	35%	-2%
ULL	37%	35%	-2%
LSU	21%	21%	0%

Decline in Pell Awards			
SUBR	**# of Pell Recipients**	**SUBR Award**	**% of UG Pell**
2011-2012	4,468	$19,700,844	78%
2012-2013	3,882	$16,421,572	72%

Proposed Modifications to GRAD Act Targets

The GRAD Act Legislation allows the Board of Regents to modify the agreement in the event extraordinary circumstances prevent an institution from meeting the terms of agreement. It is our recommendation that SUBR be allowed to modify future targets based upon the following extraordinary circumstances.

The **declaration of financial exigency** eliminated programs, faculty and staff positions which would have, otherwise, been available to support student progression. The affects have been far-reaching and long-lasting resulting in an academic enterprise at SUBR significantly different than the campus that envisioned the GRAD Act targets in 2010.

Federal Pell Grant changes in 2012-13 disproportionally affected SUBR compared to other Louisiana institutions and the changes impeded retention, graduation and undergraduate completer rates. Because of unanticipated federal financial aid changes implemented in 2012, SUBR's GRAD Act targets do not align with our current circumstances. With these realities in

mind, SUBR proposes to modify the following targets for the remaining two years of GRAD Act participation.

SUBR - Proposed New Student Success GRAD Act Targets						
Measure	Baseline	Year 4 Actual	Year 5 Target	Proposed Y5	Year 6 Target	Proposed Y6
1st to 2nd Year Retention	71.7%	67.4%	73.4%	68.0%	73.7%	68.1%
1st to 3rd Year Retention	59.0%	55.7%	64.3%	56.7%	65.3%	57.2%
Percent Change in Program Completers from Baseline						
Baccalaureate		-4.6%	4.0%	-15.5%	5.0%	-16%
	895	854	931	756	940	752
Masters		0.6%	3.8%	-15.1%	4.8%	-11.9%
	312	314	324	265	327	275
Doctoral		50.0%	22.2%	-44.4%	27.8%	-38.9%
	18	27	22	10	23	11

These modified targets reflect how financial exigency and Pell changes adversely impacted both retention and completers. Through enhanced advising and efforts to better track students, SUBR has halted declining retention. The revised "1st-to-2nd Year Retention" and "1st-to-3rd Year Retention" targets for Years 5 and 6 show improvement from Year 4 performance, but the institution will still fall short of original retention targets. The cumulative, compounding impact on completers, however, will take three to four years to reverse. Therefore, the modified completer targets at the Baccalaureate level show a continuing decline for upcoming years.

Agenda Item IX.D.
Board of Regents' Uniform Policy on Sexual Misconduct
Executive Summary

The requirements of Title IX and the Clery Act provide campus and public officials with the basic requirements for reporting and handling incidents of sexual assault on college campuses. However, there are large variations regarding how campuses comply. These differences were noted across Louisiana's public postsecondary institutions in a report submitted to Senator Jean-Paul Morrell in September 2014 by the Louisiana Board of Regents (BOR). Some of the variations were likely due to the absence of state law or statewide policy governing the issue. While the BOR's report highlighted a number of effective campus policies and procedures to prevent and address sexual assault, it also emphasized the need for more uniformity in campus policies and procedures.

Recognizing these inconsistencies, Governor Bobby Jindal issued an Executive Order (**BJ 2014-14**) effective October 20, 2014, that called for the Board of Regents, in collaboration with the four management boards, to establish statewide uniform policies and best practices that reduce and address sexual assault on all Louisiana public postsecondary institutions. In response to the Executive Order, BoR established a study group, which was comprised of representatives from each of the four management boards. BOR also coordinated its efforts with a legislative task force convened by Senator Morrell to identify areas that can be addressed in BOR's policy, in contrast to those that require legislation. The attached proposed policy reflects the collaborative efforts of the study group.

Summary of Proposed Policy:

1. The scope of the proposed policy was broadened to address all forms of sexual misconduct (i.e., sexual harassment and stalking), rather than narrowly focusing on incidents of sexual assault. Sexual misconduct includes, but is not limited to, sexual assault, sexual abuse, violence of a sexual nature, sexual harassment, non-consensual sexual intercourse, sexual exploitation, and video voyeurism.

2. The proposed policy seeks to balance the need for uniformity and the need for flexibility of implementation. Uniformity is achieved through mandatory requirements and key definitions in the policy with which all institutions comply. To allow implementation customized to the characteristics of each institution and sensitive to the needs of its students, the policy directs the state's four management boards to develop institutional policies that meet the requirements of the BOR's policy. The management boards are required to submit the institutional policies to BoR. The policy establishes deadlines for the development of the institutional policies and submission to BOR.

3. Concepts such as sexual harassment, retaliation, consent, incapacitation, coercion, and responsible employee are not defined in federal and state law, although they play a critical role in student sexual misconduct cases. Under the proposed policy, the aforementioned definitions have been included, expanded and clarified.

4. To adequately assess campus safety and identify campus vulnerabilities, a uniform statewide campus climate survey will be adopted and administered by all institutions. The proposed policy requires each institution to administer the statewide campus climate survey to their students within 120 days of the adoption of a statewide survey and at least once every three (3) years thereafter.

5. The proposed policy provides general descriptions of education and prevention programs that must be annually offered to students. Education and prevention programs include, but are not limited to: (1) awareness; (2) bystander intervention; (3) ongoing prevention and awareness campaigns; (4) primary prevention; and (5) risk reduction. All training programs must be documented.

6. The proposed policy requires institutions to coordinate with local law enforcement and health organizations to address and resolve incidents of sexual misconduct as appropriate. Arrangements with local law enforcement and health organizations should be reflected in a Memorandum of Understanding (MOU).

7. The proposed policy outlines resources that must be available to both the complainant and respondent following a report of sexual misconduct. Such resources include immediate and ongoing support and assistance, information regarding the right to privacy, and a timely and fair resolution process.

Staff Recommendation

The senior staff recommends approval of The Board of Regents' Policy on Sexual Misconduct.

THE LOUISIANA BOARD OF REGENTS
UNIFORM POLICY ON SEXUAL MISCONDUCT

I.   POLICY STATEMENT

All Louisiana public postsecondary institutions shall prohibit sexual misconduct. All Louisiana public postsecondary institutions shall be committed to providing a learning, working, and living environment that promotes integrity, civility, and mutual respect in an environment free from sexual misconduct as provided in Title IX and other applicable laws. All Louisiana public postsecondary institutions shall implement policies and procedures to prevent acts of sexual misconduct in compliance with this Policy and shall take prompt and appropriate action to investigate and effectively discipline those accused of such conduct in a manner consistent with the law and due process. All Louisiana public postsecondary institutions shall provide support and assistance to complainants[1] of sexual misconduct and shall report instances of sexual misconduct in accordance with law.

II.   INTRODUCTION

To aid in the state's efforts to establish statewide mandatory requirements and in accordance with Executive Order No. BJ 2014-14, the Louisiana Board of Regents ("BOR") hereby adopts this Uniform Policy on Sexual Misconduct ("Policy") applicable to all Louisiana public postsecondary education institutions. This Policy is designed to help public postsecondary institutions create and maintain safe learning, working and living environments for all individuals who participate in the institutions' activities and

---

[1] In recognition of the principle of due process, the use of terms such as "victim" and "perpetrator" are carefully avoided to refer to individuals involved in a complaint that has not yet been validated through investigation and/or adjudication. The term "complainant," as used in this Policy, refers to an individual whose report of sexual misconduct has not yet been investigated and validated. The term "victim" is used for those individuals who, after all due investigation and/or adjudication, have been found to be the target of sexual misconduct. Similarly, the term "respondent" is used to refer to individuals against whom a sexual misconduct complaint is brought, which complaint has not yet been validated through investigation and/or adjudication. In contrast, the term "perpetrator" is used to refer to an individual found guilty of sexual misconduct.

programs, including online instruction. Any non-confidential report of sexual misconduct as defined herein will be investigated, addressed and resolved by each institution under its respective policy and procedures in accordance with all applicable federal and state laws and regulations and this Policy. Each institution's policy must comply with applicable federal and state laws and regulations, and must be amended to reflect any changes to federal and state laws and regulations.

BoR recognizes that Louisiana's postsecondary institutions all possess unique characteristics (e.g., commuter vs. residential campuses, large vs. small campuses, presence of campus police and health centers vs. the lack thereof). Thus, it is within the purview of each institution's management board to review, evaluate and apply this Policy in a manner that ensures that it adequately aligns with each institution's campus characteristics and resources, provided that the interpretation and implementation are in furtherance of the requirements of this Policy and do not result in substantive changes to the Policy. Institutions may also develop supplementary procedures to further support the implementation of this Policy. However, while all Louisiana public postsecondary education institutions may develop individualized policies specifying how instances of campus sexual misconduct are addressed and resolved, this Policy establishes various mandatory obligations with which all institutional policies must comply.

This Policy shall be effective as of [MONTH, DATE, 2015]. Each institution (or a management board for each of its member institutions) shall begin establishing policies and procedures in full compliance with this Policy no later than [MONTH, DATE, 2015] and shall implement those policies no later than [MONTH, DATE, 2015]. Each management board must review the policies of each of its member institutions for compliance with this Policy and applicable laws and regulations and upon verification of such compliance, shall forward the institutional policies by [MONTH, DATE, 2015] to the BoR. Prior to the date of implementation of this Policy, each institution is strongly encouraged to continue its efforts on an interim basis in designing, evaluating, and implementing strategies that prevent and address sexual misconduct.

Upon the effective date of this Policy, all institutions shall immediately begin complying with this Policy as well as the institutional policy under the supervision and control of their management board. Each institution shall maintain the institutional policy at all times in an easily accessible manner on its website. The institutional policy shall thereafter be annually provided to all Title IX Coordinators, responsible employees, campus law enforcement officers and security personnel. Further, the institutional policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. Each management board shall ensure that its member institutions apply and implement the institutional policy in accordance with all federal and state laws and regulations.

III.   DEFINITIONS

Sexual misconduct is a 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. For the purpose of this Policy, sexual misconduct includes, but is not limited to, sexual assault, sexual abuse, violence of a sexual nature, sexual harassment, non-consensual sexual intercourse, sexual exploitation, video voyeurism, contact of a sexual nature with an object, or the obtaining, posting or disclosure of intimate descriptions, photos, or videos without the express consent or the persons depicted therein, as well as dating violence, domestic violence and stalking.

Public universities in the state of Louisiana shall use the federal and state definitions of the following terms when making all decisions regarding sexual misconduct including publication of definitions, disciplinary decisions, Clery reporting decisions, campus climate decisions, and training and prevention decisions. If there are any changes to state and federal law, definitions must be amended to reflect any changes to federal and state laws and regulations

a. **Sexual Assault as defined by the Clery Act:** an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program

b. **Sexual Assault as defined by Louisiana State Law:**

> **Non-Consensual Sexual Intercourse:** Having or attempting to have sexual intercourse, cunnilingus, or fellatio without Consent. Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger, or inanimate object.
>
> **Non-Consensual Sexual Contact:** Any intentional sexual touching, or attempted sexual touching, without Consent.

c. **Sexual Exploitation:** An act attempted or committed by a person for sexual gratification, financial gain, or other advancement through the abuse or exploitation of another person's sexuality. Examples of sexual exploitation include, but are not limited to, non-consensual observation of individuals who are undressed or engaging in sexual acts, non-consensual audio- or videotaping of sexual activity, prostituting another person, allowing others to observe a personal consensual sexual act without the knowledge or consent of all involved parties, and knowingly exposing an individual to a sexually transmitted infection without that individual's knowledge.

d. **Stalking as defined by Clery Act:** Intentional and repeated following OR harassing that would cause a reasonable person to feel alarmed OR that would cause a reasonable person to suffer emotional distress OR 2.Intentional and repeated uninvited presence at another person's: home, work place, school, or any other place which would cause a reasonable person to be alarmed OR would cause a reasonable person to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping or any other statutory

4

criminal act to the victim OR any member of the victim's family OR any person with whom the victim is acquainted 34 CFR 668.46(a)(ii)

e. **Stalking as defined by Louisiana state law:** Stalking is 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, kidnaping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted. La. RS § 14:40.2(A) "Harassing" means the repeated pattern of verbal communications or nonverbal behavior without invitation which includes but is not limited to making telephone calls, transmitting electronic mail, sending messages via a third party, or sending letters or pictures. "Pattern of conduct" means a series of acts over a period of time, however short, evidencing an intent to inflict a continuity of emotional distress upon the person. Constitutionally protected activity is not included within the meaning of pattern of conduct. La. RS § 14:40.2(C)

f. **Domestic Violence definition in Clery Act:** Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a current or former spouse or intimate partner or any other person from whom the Alleged Victim is protected under federal or Louisiana law. 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

g. **Family violence definition in Louisiana law:** means any assault, battery, or other physical abuse which occurs between family or household members, who reside together or who formerly resided together. La. RS § 46.2121.1(2)

h. **Domestic abuse definition in Louisiana law:** Includes but is not limited to 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 family or household member against another. La. RS 46:2132(3)

i. **Dating Violence definition in Clery Act:** Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Alleged Victim. The existence of such a relationship will be determined based on a consideration of the length and type of relationship and the frequency of interaction.

j. **Dating Violence definition in Louisiana law:** "Dating violence" includes but is not limited to 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. La. RS § 46.2151(C) For purposes of this Section, "dating partner" means any 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:

> (1) The length of the relationship.
> (2) The type of relationship.
> (3) The frequency of interaction between the persons involved in the relationship.

Although the following definitions are not defined by state and/or federal law, the following definitions shall also be used in institutional policy and in the implementation thereof by all Louisiana public postsecondary education institutions.

k. **Sexual Harassment**: Unwelcome conduct of a sexual nature when i) submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or education; ii) submission to or rejection of such conduct by a person is used as the basis for a decision affecting that person's employment or education; or iii) such conduct has the purpose or effect of unreasonably interfering with a person's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment, and has no legitimate relationship to the subject matter of a course or academic research. Sexual Harassment also includes non-sexual harassment or discrimination of a person because of the person's sex and/or gender, including harassment based on the person's nonconformity with gender stereotypes. For purposes of this Policy, the various forms of prohibited Sexual Harassment are referred to as "Sexual Misconduct."

l. **Retaliation**: Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this Policy, or as retribution or revenge against anyone who has reported Sexual Misconduct or Relationship Violence or who has participated (or is expected to participate) in any manner in an investigation, or proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination.

7

Title IX prohibits Retaliation. For purposes of this Policy, an attempt requires a substantial step towards committing a violation.

m. **Consent**: Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Silence alone, without actions evidencing permission, does not demonstrate Consent. Consent must be knowing and voluntary. To give Consent, a person must be of legal age. Assent does not constitute Consent if obtained through Coercion or from an individual whom the Alleged Offender knows or reasonably should know is Incapacitated. The responsibility of obtaining Consent rests with the person initiating sexual activity. Use of alcohol or drugs does not diminish one's responsibility to obtain Consent. Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of Consent has been expressed, the sexual activity must cease. Consent is automatically withdrawn by a person who is no longer capable of giving Consent. A current or previous consensual dating or sexual relationship between the Parties does not itself imply Consent or preclude a finding of responsibility.

n. **Incapacitation** An individual is considered to be Incapacitated if, by reason of mental or physical condition, the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Being drunk or intoxicated can lead to Incapacitation; however, someone who is drunk or intoxicated is not necessarily Incapacitated, as Incapacitation is a state beyond drunkenness or intoxication. Individuals who are asleep, unresponsive or unconscious are Incapacitated. Other indicators that an individual may be Incapacitated include, but are not limited to, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination,

vomiting, or inability to perform other physical or cognitive tasks without assistance.

o. **Coercion** is the use of express or implied threats, intimidation, or physical force which places an individual in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. Coercion also includes administering a drug, intoxicant, or similar substance with the intent to impair that person's ability to Consent prior to engaging in sexual activity.

p. **Responsible Employee**: Each institution must designate and publish the names and contact information for easily accessible institution employees as Responsible Employees who have the authority to take action to redress sexual violence and have been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school designee. However, an institutional decision to make all institution employees mandatory reporters of suspected or known sexual harassment or sexual misconduct to the Title IX Coordinator or other appropriate school designee does not render all institutional employees to be Responsible Employees. Employees who are authorized or required by law to keep information confidential by virtue of the employee's professional role such as Counseling Staff or similar shall not be designated as mandated reporters of sexual harassment or as Responsible Employees.

IV.   COMPLIANCE WITH FEDERAL AND STATE LAWS

Each management board's and/or institution's policy must comply with applicable federal and state laws and regulations, and must be amended to reflect any changes to federal and state laws and regulations, including but not limited to the following:

(A) Title IX of the 1972 Education Amendments which (i) prohibits discrimination on the basis of sex in educational institutions and (ii) requires colleges and universities receiving federal funding to combat gender-based violence and

harassment, and respond to survivors' needs in order to ensure that all students have equal access to education;

(B) The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), which requires (i) policies and procedures for sexual assault and (ii) requires timely warning and external reporting of crimes; and

(C) Section 304 of the Violence against Women Reauthorization Act of 2013 (VAWA), which extends the Clery Act to include dating violence, domestic violence and stalking.

Failure to comply with any applicable requirements of federal laws and regulations including those listed above shall constitute a failure to comply with this Policy. Each management board, as the entity with the authority over the day-to-day operations of its member institutions, shall make all due diligence efforts to monitor its member institutions' compliance with applicable laws and regulations, including those listed above.

A checklist released in April 2014 by the White House Task Force to Protect Students from Sexual Assault provides relevant guidance on the core components of an institutional policy. The checklist is attached hereto as Appendix A. Institutions may add supplemental provisions to those identified in the Checklist (or any future guidelines issued by the state or federal government) as necessary to protect the safety, privacy and due process rights of all concerned.

V. MANDATORY STATE REQUIREMENTS (IDENTIFIED AS BEST PRACTICES BY BoR)

In addition to compliance with federal and state laws and regulations, including those listed above, all Louisiana postsecondary education institutions shall implement the following measures to prevent and address campus sexual misconduct:

A. Campus Climate Survey

To adequately assess perceptions and behaviors of sexual misconduct on each campus, each institution must administer the statewide campus climate survey to their students within 120 days of the adoption of a statewide survey and at least once every three (3) years thereafter. BoR shall coordinate the development of the statewide survey with the management boards and their member institutions. Efforts will be taken to ensure that the survey avoids known biases regarding the gender and/or sexual orientation of victims and perpetrators of sexual misconduct. The statewide survey is intended as a tool for each institution to assess campus safety and to identify vulnerabilities. As previously mentioned, each postsecondary institution possesses unique characteristics (e.g., commuter vs. residential campuses, large vs. small campuses, presence of campus police and health centers vs. the lack thereof). Therefore each institution is encouraged to supplement the statewide survey by collecting additional information that can be utilized to develop prevention and intervention strategies appropriate for that institution.

B. Prevention and Awareness Programs

1. Each institution will annually offer education and prevention programs that include, but are not limited to: (a) awareness programs; (b) bystander intervention programs; (c) ongoing prevention and awareness campaigns; (d) primary prevention programs; and (e) education on risk reduction. Each institution must provide and document all training programs.

    a. <u>Awareness Programs</u>
    Awareness programs consist of community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce sexual misconduct.

    b. <u>Bystander Intervention</u>

11

Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

c.   <u>Ongoing Prevention and Awareness Campaigns</u>

Ongoing prevention and awareness campaigns must consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing, dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

d.   <u>Prevention Programs</u>

Primary prevention programs must consist of initiatives and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

e.   <u>Risk Reduction</u>

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate

12

violence. Additional options may include designation and publication of "red zones" (i.e., times and places of high incidence of crimes, including sexual violence).

C. Coordination with Local Law Enforcement

Each institution must develop protocols for how it will coordinate its efforts with those of local law enforcement agencies and other organizations such as crisis centers as appropriate. The arrangement with local law enforcement or local organizations should preferably be reflected in a Memorandum of Understanding (MOU) or other such agreement. The MOU could provide for joint or shared trauma-informed training specific to assisting sexual assault victims.

D. Institutional Task Forces

Each institution must establish a task force to address sexual misconduct. All student stakeholder groups must be invited to be represented on the task force through the student body government.

VI.   MANDATORY ELEMENTS OF INSTITUTIONAL POLICIES

In addition to the above requirements, each institution's policy shall ensure prompt, fair and thorough investigation, reporting and resolution of any complaint of sexual misconduct. Issues to be addressed in the institutional policy shall adhere to the following principles:

A. Freedom of Speech
BoR supports an individual's right to freedom of speech as guaranteed by the First Amendment to the United States Constitution. The intent of this Policy is to protect all members affiliated with Louisiana's postsecondary institutions, not to regulate protected speech. Thus, all institutions shall

ensure that their policies and procedures do not infringe on any form of speech or conduct that is protected by the First Amendment.

B. Retaliation

Retaliation against an individual who in good faith complains of alleged sexual harassment or provides information in an investigation about alleged sexual misconduct, including sexual violence, is prohibited. Each institution must prohibit retaliation through its institutional policy and faithful enforcement of such policies. It must further ensure that any employee or student bringing a sexual misconduct complaint or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment and/or academic standing, nor discriminated against, terminated, or expelled because of the complaint.

C. Education and Prevention.

Each institution must offer education and prevention programs to students during the first semester of enrollment at that institution and on an ongoing basis throughout their enrollment. These programs must cover, at a minimum: (1) statements that the institution prohibits all forms of Sexual Misconduct, as defined by this Policy, and the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined by federal law; (2) the definitions of dating violence, domestic violence, sexual assault, and stalking under state law; (3) the definition of "Consent," as provided in this Policy, (4) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or to intervene when there is a real or perceived risk of dating violence, domestic violence, sexual assault, or stalking against a person other than the individual; (5) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; (6) information about the procedures that complainants should follow, and that the institution will follow, after an incident of dating violence, domestic violence, sexual

14

assault or stalking has occurred; and (7) any other content or resources that support prevention and reduction of sexual misconduct.

Every institution's education and prevention programs must reflect comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to prevent dating violence, domestic violence, sexual assault and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. These programs must be designed to consider environmental risk and preventative strategies at the individual, relationship, institutional, community, and societal levels.

D. **Procedures for Reporting and Responding to Reports of Sexual Misconduct**

   a. **Complainant May or May Not Choose to Report.** Institutions must allow complainants to file both informal and formal complaints against the respondent. If the complainant chooses to file an informal complaint, the complainant must be notified of the right to end the informal process at any time and the right to pursue a formal complaint and/or take legal action.

   b. **Confidentiality**

   Institutions that receive a report of sexual misconduct will take all reasonable measures to protect the privacy of the complainant and of the respondent, while promptly investigating and responding to the report. Institutions must take appropriate action to maintain the confidentially of the information reported, which information is subject to privacy requirements of the Family Educational Rights and Privacy Act ("FERPA"), while considering its responsibility to provide a safe and nondiscriminatory environment for students, including the complainant.

Confidential resources, such as on- or off-campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Centers are protected under state statutes and professional ethics from disclosing information about reports without written releases. Information provided to a confidential resource by a complainant of sexual misconduct cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others, and if the complainant is a minor, efforts shall be taken to comply with any additional legal requirements. Therefore, any individual who seeks the fullest legal protections and discloses in full confidentiality must speak with a confidential resource. Each institution must provide a list of such confidential resources within its campus geographic region to complainants as well as publish these resources on-line, and in various publications, including the student handbook.

c. **Support Services, including medical and mental health services**
   All institutions that receive a report of sexual misconduct must immediately provide to complainants and respondents the following: on- and off-campus resources, including but not limited to local advocacy, counseling, health and mental health services, as applicable. These support services will be offered regardless of whether the complainant chooses to formally report the incident. All institutions shall develop and distribute contact information for this purpose as well as provide such information on-line. Institutions that do not have health clinics and resources available on campus are encouraged to make arrangements with local health organizations that should be reflected in an MOU.

d. **Options for Changing Academic, Transportation and Working Arrangements**

16

All institutions will offer assistance to complainants and respondents of sexual misconduct, including but not limited to, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders. Each institution shall create and provide information specific to its campus detailing the procedures to follow after the commission of such misconduct, including people or agencies to contact for reporting purposes or to request assistance, and information on the importance of preserving physical evidence.

e. **Resolution Process**

The Title IX Coordinator and/or the investigator must provide information on the investigation and resolution process outlined in the institutional policy to the complainants and respondents. The process must be fair and timely, regardless of whether it is an informal administrative resolution phase or a formal adjudication, for complainants and respondents.

Disciplinary proceedings shall begin promptly, shall be conducted by an official trained in issues relating to sexual misconduct and shall use the preponderance of the evidence standard in making a determination concerning the alleged sexual misconduct. Both the complainant and respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of such sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled, and each shall have the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding. Both the complainant and respondent are entitled to be informed in writing of the results of any disciplinary

proceeding not later than ten (10) business days after the resolution. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity.

Appendix A: Louisiana Campus Sexual Misconduct Policy

Federal Regulations

1. **Introduction**

    a. Clear statement of institution's prohibition against sex discrimination, which includes sexual misconduct.

    b. Statement of the institution's commitment to address sexual misconduct.

2. **Scope of the Policy**

    a. Identify the persons, conduct, locations (including off campus), programs, activities, and relationships covered by the institution's sexual misconduct policy.

    b. Clearly state the policy applies to all students and employees, regardless of sexual orientation or gender identity, and explain that the policy applies to third parties.

    c. Briefly explain the institution's confidentiality policy, including reference to the more detailed confidentiality provisions in the policy. For a sample confidentiality policy go here: http://notalone.gov/assets/reporting-confidentiality-policy.pdf

3. **Options for Assistance Following an Incident of Sexual Misconduct**
    a. Immediate Assistance

        i. Identify and provide contact information for the trained on- and off-campus advocates and counselors who can provide an immediate confidential response in a crisis situation (e.g., obtain needed resources, explain reporting options, and help navigate the reporting process);

        ii. Provide emergency numbers for on- and off- campus safety, law enforcement, and other first responders (e.g., the Title IX coordinator);

        iii. Describe the sexual assault response team (SART) process and resources SART members can offer;

        iv. Identify health care options, both on- and off- campus:
            1. Ensure the complainant is aware of the options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services.

19

2. Discuss the option of seeking medical treatment in order to preserve evidence.

3. Identify where/how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE).

4. List locations, including contact information, for an advocate (e.g., a local rape crisis center, on-campus advocacy program) who can accompany a complainant to the hospital or health provider.

b. **Ongoing Assistance**

i. Counseling, Advocacy, and Support – On and Off Campus
1. Identify counseling and support for complainants of sexual misconduct, whether or not a complainant chooses to make an official report or participate in the institutional disciplinary or criminal process.

2. Identify options for disclosing confidentially with counseling, advocacy, health, mental health, or sexual-misconduct-related sources, both on and off campus.

3. Identify those who can provide ongoing support during the institutional disciplinary or criminal process.

ii. Academic Accommodations and Interim Measures
1. Describe the immediate steps and interim measures that the institution can provide to ensure the safety and well-being of the complainant, such as the ability to move dorms, change work schedules, alter academic schedules, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring).

2. Describe additional interim measures that the institution may be able to provide for complainants while an investigation is pending such as no contact orders and changing the alleged perpetrator's living arrangements or course schedule. See *Section 7.g* about interim measures.

4. **Title IX Coordinator**:
a. Identify the institution's Title IX coordinator and briefly explain the Title IX coordinator's role in the institution's overall response to sexual misconduct; provide references to sections of the policy that provide greater details regarding the Title IX coordinator's duties.

5. **Definitions**
    a. Clearly define all conduct prohibited by the policy, including::
        i. Sexual harassment

        ii. Hostile environment caused by sexual harassment

        iii. Sexual assault
            1. Non-consensual sexual contact, and
            2. Non-consensual sexual intercourse

        iv. Domestic violence

        v. Dating violence

        vi. Sexual exploitation

        vii. Stalking

        viii. Retaliation

        ix. Intimidation

    b. Additional terms that should be defined include:
        i. Consent
        The input of students and sexual assault experts can be helpful in developing a definition of consent. At minimum, the definition should recognize that:

            • consent is a voluntary agreement to engage in sexual activity;

            • someone who is incapacitated cannot consent;

            • past consent does not imply future consent;

            • silence or an absence of resistance does not imply consent;

            • consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;

            • consent can be withdrawn at any time; and

            • coercion, force, or threat of either invalidates consent.

ii. Incapacitation (such as due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent)

6. **Reporting Policies and Protocols**

a. Identify formal reporting options – e.g., criminal complaint, institutional complaint, report to "responsible employee," including the Title IX coordinator. Explain how each option works and include contact information for the people to whom one can make a report.

b. Identify alternatives to reporting – e.g., privileged or confidential disclosures

c. Describe policies governing confidentiality

i. Specify those employees to whom a student can disclose in confidence and those "responsible employees" who must report incidents (including personally identifying details) to the Title IX Coordinator. Consider particularly how a institution will ensure that a student understands an employee's reporting obligation before he or she reveals any information to that employee.

ii. Describe what information will be kept confidential and what information may be disclosed, to whom it will be disclosed, and why.

iii. Explain when the institution may not be able to honor a student's request that his or her name not be disclosed to the alleged perpetrator or that no investigatory or disciplinary action be taken. Identify the employee responsible for evaluating such requests for confidentiality or no action.

d. Explain the institution's reporting obligations under the Clery Act, including the annual reporting responsibilities of Campus Security Authorities and the institution's obligation to issue timely warnings.

e. Explain the process for third-party and anonymous reporting.

f. Ensure the policy prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness), and explain that the institution will take strong responsive action if retaliation occurs.

g. Describe when the institution will grant amnesty from drug, alcohol, and other student conduct policies.

7. **Investigation Procedures and Protocols**

    a. Identify the Title IX Coordinator(s) and explain roles and responsibilities.

    b. Identify who conducts the investigation and what an investigation might entail.

    c. Specify a reasonably prompt time frame for conducting the investigation and resolving the complaint, as well as the process for extending the timeframe.

    d. Explain the processes for preserving evidence.

    e. Provide the respondent and complainant equitable rights during the investigative process.
    f. Set forth parameters and clarify what information may and may not be shared during a parallel investigation with law enforcement (e.g., via a Memorandum of Understanding with local law enforcement).

    g. Explain that where necessary, the institution will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include the ability to change housing or dining facilities; change work schedules; alter academic schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's living arrangements or course schedule.

    h. Explain the institution's response if a complainant's request for confidentiality limits the institution's ability to investigate a particular matter. A institution may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; revising and publicizing the institution's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

8. **Grievance/Adjudication Procedures**

    a. Explain the grievance/adjudication process, including:

        i. that mediation is never appropriate in sexual misconduct cases;

ii. that the preponderance-of-the-evidence (i.e., more likely than not) standard will be used in any Title IX fact-finding and related proceedings, including any hearings;

iii. identify the adjudicators, including:

    1. the trained individuals who determine whether the alleged sexual misconduct occurred

    2. the individuals who determine the sanction

    3. a process by which either party may raise issues related to potential conflicts of interest of such individuals

iv. the persons who may attend and/or participate in the adjudication process and the extent of that participation.

b. Outline the rights and roles of both parties in the adjudication process, including:

i. notice of hearing(s) to both parties;

ii. an opportunity for both parties to present witnesses and other evidence, including:

    1. a description of the types of evidence that may or may not be presented, including but not limited to:

        a. prohibiting questioning or evidence about the complainant's prior sexual conduct with anyone other than the alleged perpetrator

        b. clarifying that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct

    2. if the institution conducts a hearing, and generally allows for cross-examination, a description of alternative methods that preclude the respondent from personally cross-examining the complainant

iii. extension of any other rights given to the alleged perpetrator to the complainant.

c. Explain the possible results of the adjudication process, including

i. sanctions;

ii. remedies/accommodations for the complainant;

iii. additional remedies for the institution community.

d. Outline how the parties will be informed of the results of the adjudication, including:

i. simultaneous written notice to both parties of the outcome of the complaint and the option to appeal, if applicable;

ii. a statement that the institution will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the proceeding.

e. Describe the appellate procedures (if appeals are permitted), including grounds for appeal, standards of review, the person/entity that will decide appeals, and the applicable reasonably prompt time frames.

9. Prevention and Education

Outline the institution's approach to prevention, including type and frequency of prevention programming and educational/outreach activities. Include bystander intervention and programs to educate students about the institution's sexual misconduct policies.

10. Training
a. Outline how faculty and staff are trained and on what issues.

b. At a minimum, the Title IX coordinator, law enforcement, "responsible employees," complainant advocates, and anyone else who is involved in responding to, investigating, or adjudicating sexual misconduct must receive adequate training.