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March 23, 2021

Dear Chairmen Carter, Dampf, Price and Rutledge:

The Louisiana Board of Regents (“BOR”) is deeply committed to working with Louisiana’s institutions to implement policies which mandate the provision for all of our students of a safe learning environment that is free from sexual misconduct, as provided in Title IX of Education Amendments of 1972 (“Title IX”) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) along with their implementing regulations and other applicable laws. As you know, this challenge is not unique to Louisiana. As a 2019 survey by The Association of American Universities (AAU) indicates, there is a 13% rate of non-consensual sexual contact in higher education institutions.

To aid in accomplishing this mandate, Executive Order No. BJ 2014-14 was issued in 2014, and the state’s legislature enacted Act 172—the “Campus Accountability and Safety Act”—during its 2015 Regular Session. To further support the state’s efforts to prevent sexual misconduct on higher education campuses, the BOR, working directly with the management boards, adopted its Uniform Policy on Sexual Misconduct (“Policy”) on February 23, 2015. The BOR’s Policy is applicable to all Louisiana public postsecondary education institutions and, since its enactment, has been amended in accordance with state laws, Title IX, and the Clery Act.

As you know, on March 10, 2021, the members of the Louisiana Legislative Women’s Caucus joined the meeting of the Senate Select Committee on Women and Children to receive responses from all public university systems in Louisiana regarding the handling of sexual misconduct cases on their campuses and university policies governing such incidents. Louisiana’s Higher Education Commissioner Kim Hunter Reed joined your presidents in hearing the testimonies of women who came forward to discuss their experiences with sexual misconduct on campus, including their issues in receiving due process and support services from their institutions.

More needs to be done to protect students enrolled in Louisiana’s postsecondary institutions from sexual misconduct. Specifically, we all must ensure enforcement of all sexual misconduct and related policies, implement sexual misconduct and prevention programs, and provide support services for students who raise allegations of sexual misconduct. While the BOR is committed to developing comprehensive policies, we must also ensure consistent and strong implementation, which is the critical responsibility of the management boards. As the state’s higher education coordinating agency, the BOR stands prepared to assist our state’s institutions in this endeavor. Accordingly, we submit the following inquiries to each system’s management boards, based on the March 10<sup>th</sup> meeting:

1. Share your system’s sexual misconduct policies (you may provide a website link in lieu of hard copies);.
2. For each of your system’s institutions, list the sexual assault prevention and awareness programs, including the date(s) of the provision of such programs.
3. For each institution, disclose all points of contact for reporting sexual harassment and sexual assault, including any websites, phone numbers, and locations for reporting.
4. Describe each institution’s Title IX office(s), including staffing and location.
5. Confirm that any and all employment contracts, including agreements with any and all contractors, include a morality clause.
6. The BOR uniform policy requires a minimum of two confidential advisors per campus. Disclose the number of confidential advisors designated by each of your system’s institutions and the most recent date that each of the designated confidential advisors have completed their mandatory training.
7. List all support services provided by your institutions to sexual assault complainants, indicating the locations at which this information is accessible to all students.
8. Disclose any policies related to protecting complainants from penalties arising from dormitory or campus

residential lease cancellation.

9. Confirm that each institution in your system has entered into a written memorandum of understanding with law enforcement and criminal justice agencies in the parish(es) in which it is located. Specify the most recent date(s) such MOUs have been updated.
10. Disclose any and all sexual harassment and assault policies specific to the athletics departments of each institution in your system (you may provide a website link in lieu of hard copies).
11. Disclose your system's policies concerning the holding of transcripts and accompanying transfer of any student who is the subject of a potential Title IX violation or pending hearing (you may provide a website link in lieu of hard copies).
12. Disclose any and all policies concerning the intersection of hazing and Title IX (you may provide a website link in lieu of hard copies).
13. Confirm that each institution in your system has established a task force to address sexual misconduct and furnish meeting dates, from 2018 to the present, of such a task force.

The foregoing inquiries all speak to the need for transparency and accountability concerning reporting, addressing, and prevention of sexual misconduct on campus. Your response should be forwarded to the BOR by April 9, 2021. We appreciate your assistance with these requests, and look forward to working with each of the systems' higher education management boards to support our students.

Sincerely,



Blake R. David, Chair  
Louisiana Board of Regents



Kim Hunter Reed, Ph.D.  
Commissioner of Higher Education