

# 2023 ANNUAL SECURITY REPORT

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES & CAMPUS CRIME STATISTICS ACT  
(CONTAINING INFORMATION FOR THE 2023-24 ACADEMIC YEAR)

CLERY CRIME STATISTICS FOR 2020, 2021 & 2022



UNIVERSITY POLICE DEPARTMENT

1501 Kings Highway • Shreveport, LA 71103 • 318-675-6165

[www.lsuhs.edu/university-police](http://www.lsuhs.edu/university-police)

**LSU Health**  
SHREVEPORT®

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## RESOURCE NUMBERS

### ON-CAMPUS EMERGENCY NUMBERS

LSU Health Shreveport University Police 24 hours, 365 days	318-675-6165
Shreveport Police Department	911

### UNIVERSITY RESOURCES

<b>UNIVERSITY POLICE DEPARTMENT</b> Criminal or Incident Reporting	318-675-6165
<b>HOTLINE</b>	318-675-3873
Chief Vaughn Burris Director of Public Safety BRI Building, Ground Floor University Police Department <a href="mailto:vaughn.burris@lsuhs.edu">vaughn.burris@lsuhs.edu</a>	318-675-6161
<b>SAVE (SEXUAL ASSAULT AND VIOLENCE EDUCATION)</b> Prevention and Education School of Medicine Building C, Room 2-448 <a href="mailto:shvSAVE@lsuhs.edu">shvSAVE@lsuhs.edu</a>	318-813-SAVE (7283)
<b>TITLE IX OFFICE</b> Sammy Wyatt Title IX Campus Coordinator Building C, Room 1-421 <a href="mailto:swyatt@lsuhs.edu">swyatt@lsuhs.edu</a>	318-675-8502
Grace Nickels Deputy Title IX Campus Coordinator <a href="mailto:grace.nickels@lsuhs.edu">grace.nickels@lsuhs.edu</a>	318-813-7283
<b>UNIVERSITY OMBUDS OFFICE</b> (Confidential Support)	225-578-0337
<b>STUDENT COUNSELING CENTER</b> (Confidential Support) 1801 Fairfield, Suite 210 Shreveport, LA	318-813-6100  24-hour crisis line: 318-510-7475
<b>MEDICAL CARE/EVIDENCE COLLECTION</b> Ochsner LSU Health Shreveport 1541 Kings Hwy. Shreveport, LA	318-626-0000

## RESOURCE NUMBERS CONTINUED

### CSA REPORTING PHONE NUMBERS

Title IX Campus Coordinator	318-675-8502
Deputy Title IX Campus Coordinator	318-813-7283
School of Medicine Office for Student Affairs	318-675-5339
School of Allied Professionals	318-813-2900 318-813-2908 318-813-2931
SAHP – Student Life Office	318-813-2898
School of Graduate Studies	318-675-7572
Office of the Registrar	318-675-5205
Office of Graduate Medical Education	318-675-7629

### SUBSTANCE ABUSE PROGRAMS

<b>ALLIED HEALTH PROFESSIONS STUDENTS</b>	
<b>GRADUATE</b>	<b>MEDICAL</b>
Graduate Students Office for Student Affairs LSUHSC - Shreveport 1501 Kings Hwy Shreveport, LA 71130-3932 318-675-6802	Office for Student Affairs LSU School of Medicine 1501 Kings Highway Shreveport, La. 71130 318-675-5339
<b>NURSES</b>	<b>PHYSICIANS</b>
Ms. Betty Anderson Nursing Services LSU Health Sciences Center 1501 Kings Highway Shreveport, LA 71130 Phone 674-7397	Impaired Physicians Program LSU School of Medicine 1501 Kings Highway Shreveport, LA 70130 Phone: 674-7656
<b>EMPLOYEES - LSU HEALTH SCIENCES CENTER</b>	
Employee Assistance Program LSU Health Sciences Center-Shreveport 1501 Kings Highway Shreveport, LA 71130-3932	

## RESOURCE NUMBERS CONTINUED

### LOCAL RESOURCES

Criminal Reporting	
Caddo Parish Sheriff's Office	318-675-2170
Shreveport Police Department	318-673-7300
Medical Care/Evidence Collection	
Christus Health Shreveport-Bossier	318-681-4500
Willis-Knighton Medical Center	318-212-4000
Project Celebration, Inc.	318-256-6242
Sexual Assault Crisis Center	318-227-7900
Sexual Assault Hotlines	
DeSoto, Natchitoches, Red River & Sabine Parishes	318-256-6242
Bossier, Caddo & Webster Parishes	318-227-7900
Statewide	888-995-7273
Domestic Violence Hotlines	
DeSoto, Natchitoches, Red River & Sabine Parishes	318-256-3408
Bossier, Caddo & Webster Parishes	318-226-5015
Statewide	888-411-1333

### STATE RESOURCES

LCADV (Louisiana Coalition Against Domestic Violence)	888-411-1333
LaFASA (Louisiana Foundation Against Sexual Assault)	888-372-8995

### NATIONAL RESOURCES

National Center for Victims of Crime	202-467-8700
National Domestic Violence Hotline	800-799-SAFE (7233)
National Sexual Violence Resource Center	877-739-3895
RAINN: Rape Abuse & Incest National Network	800-656-HOPE (4673)

## MESSAGE FROM THE CHANCELLOR

LSU Health Shreveport takes very seriously the safety of students, employees and campus visitors, as demonstrated by our investment in newly upgraded space in a highly visible location, soon-to-be installed lighting and upgraded communications equipment, and, especially, our commissioned officers. These officers have our utmost respect and support and are led by an experienced and dedicated individual – Chief Vaughn Burris.

We are fortunate to have such a capable leader who offers over three decades of progressive experience in directing and leading law enforcement goals and objectives.

Chief Burris is a graduate of the FBI National Academy/Section 250, the FBI Law Enforcement Executive Development Association Trilogy and holds a degree in Criminal Justice. His service as a Captain on the Lafayette Police Department included stints as a Precinct Commander and Assistant to the Chief. He additionally served as Commander of the Lafayette Dignitary Protection Team, United States Secret Service Task Force, Hostage Negotiation Team, Sexual Assault Response Team, and Incident Commander for Mardi Gras and International Festival Operations. Chief Burris co-authored policies regarding officer involved shootings investigation protocol.



On behalf of our students, staff and faculty, thank you to Chief Burris and his entire team for their relentless pursuit of crime prevention and safety on the LSU Health Shreveport campus.

David S. Guzick, MD, PhD  
Chancellor, LSU Health Shreveport

## MESSAGE FROM THE DIRECTOR OF PUBLIC SAFETY

*Your Safety is our Priority!*



The LSU Health Shreveport University Police Department remains committed to crime prevention, education, and ensuring the safety of all our students, faculty, and staff.

Committed to protecting our Shreveport campus are 33 commissioned law enforcement officers, 4 facility guards, and 6 communications officers, who work around the clock to ensure the safety and well-being of the students, faculty, staff, and visitors. It is paramount that safety and security remains a fundamental process to the educational experience and that our campus community is served with respect and dignity.

This year we saw a great change made to the LSU Health Shreveport University Police Department with the addition of its new home on campus. Centrally located in the heart of campus, the new department is strategically located to provide easy accessibility to all, while enhancing police visibility

and response. So many in the campus community have provided positive feedback on the newest addition to public safety and all would agree that this is a visual confirmation of the investments we are making to improve the feeling of safety on our campus.

We as a group should continue to encourage input, questions, and concerns to maintain continual improvements to safety. A well-informed campus is a safe campus; thus, the University Police Department is committed to open, transparent communication and invites you to contact us anytime at 318-675-6165. Through our collaborative efforts, we can enhance the safety and security of our campus environment. This Annual Security Report serves as a resource to provide practical and relevant information and services that can help you prevent and better respond to an emergency or crime.

We ALL play a part in making our campus safe. As your University Police Department, we will never give Safety a Day Off!

*Chief Vaughn Burris*

Director, Department of Public Safety LSU Health Shreveport  
University Police Department



## INTRODUCTION TO THE CLERY ACT

Campus safety is highly valued at LSU Health Shreveport (LSUHS) and is committed to the safety and security of all students, employees, faculty, staff, patients, and visitors. Maintaining a safe and secure campus requires a close working relationship between all members of the LSUHS campus community.

Our Annual Security Report includes safety and security-related information required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act. The Clery Act was named in memory of Jeanne Clery, a freshman attending Lehigh University. On April 5, 1986, Jeanne was murdered by Joseph Henry, a fellow student she did not know. Henry entered the building through propped open doors. Students often used boxes to prop doors open so they could easily come and go. That night, Jeanne left her door unlocked for her roommate who had misplaced her key and in the middle of the night, she was awakened by Henry burglarizing her room. When Jeanne caught him off guard he raped and brutally murdered her. It was later revealed that Henry had been out all-night drinking after losing a student election and was out looking to steal; the crime was random.

Jeanne's parents, Connie and Howard Clery, were unaware of the dangers that lurked around the campus. They were shocked to learn there had been thirty-eight violent crimes on the campus in the three years preceding Jeanne's death. This vital information was not provided to the public and they believed if the students knew about the dangers, then they would have taken more precautions. It would have also aided in their decision to send their daughter somewhere else – somewhere safer. In 1987, the Clery's founded Security On Campus, Inc. and began lobbying state legislatures and Congress to require colleges to report campus crimes. Their devotion paid off and in 1990, Congress enacted the Crime Awareness and Campus Security Act. It was later renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, but today it is commonly known as the Clery Act.

The Clery Act requires colleges and universities participating in federal student aid to disclose information about campus crime statistics occurring on Clery geography along with their campus security and safety policies (20 USC§1092f). The Annual Security Report includes the university's policies concerning campus safety and crime prevention, sexual assault, alcohol and drugs, access to the campus, as well as other important policies and safety information. Compliance with the provisions set forth in this document and specified by the Violence Against Women Reauthorization Act of 2013 does not constitute a violation of section 444 of the General Education Provisions Act (20 USC § 1232g), also known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Each year, by October 1<sup>st</sup>, institutions must publish and distribute their Annual Security and Fire Safety Report (if applicable) to current employees and students. The Clery Act requires colleges and universities to:

1. Disclose crime statistics for the campus, public property immediately adjacent to or running through the campus, and certain non-campus facilities. Statistics also include liquor, drug, and weapon law violations if they result in a disciplinary referral or arrest and submit collected crime statistics to the U.S. Department of Education.

2. Provide timely warning notices of those crimes that pose an ongoing threat to students and employees, and issue emergency notifications upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.
3. Have emergency response and evacuation procedures.
4. Have in place primary and ongoing prevention and awareness programs and campaigns for students and employees.
5. Have procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking.
6. Disclose in a public crime log any crime that occurred on-campus or within the patrol jurisdiction of the campus police, crimes reported by a Campus Security Authorities and local law enforcement agencies.
7. Publish previous three years of campus crime and fire safety statistics and certain campus security policy statements. Please note the Fire Safety Report is not required because LSUHS does not have any on-campus housing facilities.
8. Disclose missing-student notification procedures that pertain to students residing in any on-campus student housing facilities. Please note this is not required because LSUHS does not have any on-campus housing facilities.
9. Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility. Please note the Fire Safety Report is not required because LSUHS does not have any on-campus housing facilities.

The U.S. Department of Education monitors compliance and can impose civil penalties per violation. Non-compliance with the Clery Act is a very costly concern for colleges and universities. The cost is currently \$62,689 for each infraction. In addition to fines and punitive damages, institutions could lose financial aid funding causing significant damage to the institution's reputation, deterring potential applicants, and impacting enrollment.

This report should be a valuable, informative tool. Please review the information carefully and become familiar with the services and programs available to our campus community. Personal safety is the responsibility of all, and we need your assistance in helping maintain a safe campus environment.

## CRIME OR EMERGENCY REPORTING

The success of any law enforcement agency and the safety of the campus is contingent on receiving timely reporting. LSUHS encourages accurate and prompt reporting of all crimes to the Department of Public Safety also known as University Police Department (UPD) or local law enforcement agencies, even when the victim of a crime elects to or is unable to make such a report. In the event of an emergency or ongoing threat, please get to a safe location first and then report the incident. To report any criminal or suspicious activity, fire, or other emergency you are urged to notify UPD in a timely manner by calling 318-675-6165 or 911 or in person we are located in the BRI Building, Ground Floor, UPD entrance is located to the right of the elevators. Crimes occurring off-campus should be reported to the appropriate local law enforcement agencies.

UPD dispatchers are available 24 hours a day to dispatch police officers. When a crime or an emergency is reported to the dispatcher, the department will initiate the required action by dispatching an officer to meet with the victim to file an incident report. Criminal reports are initially investigated by officers of the Patrol Division. Patrol responsibilities include searching for suspects, collecting available evidence, and filing police reports. Reports that require additional investigation are reviewed by the Investigations Division and, when appropriate, are assigned to an Investigator for a follow-up investigation.

Calling dispatch to report crimes and emergencies will typically generate a law enforcement response. Whenever possible, the survivor or witness of the crime should call directly to report the incident. Firsthand information is always more accurate and complete. It is critical for the safety of the entire campus community that all incidents are reported in a timely manner which will allow UPD to assess the complaint for the purpose of issuing timely warnings or emergency notifications.

When calling to report a crime or incident, please be ready to give as much as you can of the following information:

- A brief description of the occurrence.
- When and where the incident occurred.
- Where and when the suspect(s) was last seen.
- If there were any weapons involved.
- A description of the suspect(s) (including gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos/scars, etc.).
- Any other relevant information.

Police reports could be forwarded to other departments as necessary for review and referral based on the reported incident. LSUHS comprises of three schools (School of Allied Health Professions, School of Graduate Studies, and School of Medicine) and each have their own policies that outline standards of conduct governing their constituents and provide procedures for sanctioning violations of those standards. Allegations of student misconduct are forwarded to the designated official at the school the student attends for review. Any matters involving employees are forwarded to Human Resources for review. When appropriate, an incident will be referred to the Title IX Office for review.

UPD also records and monitors when they are notified by local law enforcement agencies of any criminal activity by students at off-campus student organizations that the institution recognizes and that are engaged in by students attending the institution. UPD makes every effort to provide a record of the incident to the Dean's Office for review and follow-up action.

There are many different reporting options available for the campus community. While some reporting options will initiate a police investigation, others will not. Below are the other methods of reporting.

### REPORTING USING LSU SHIELD MOBILE APP



**IMPROVE YOUR SAFETY & SECURITY ON CAMPUS**

**WITH LSU SHIELD**

*DOWNLOAD IT NOW FOR FREE!*

**LSU SHIELD**

*Emergency*

My Locations

iReports

FriendWatch

Campus Map

Emergency Resources

- iOS and Android compatible
- Available to everyone: students, staff, faculty, and visitors
- Summon emergency services by telephone with a single button
- Submit non-emergency reports including picture and video
- Two-way chat with LSU Health Shreveport Police
- Submit anonymously
- Instantly notify pre-identified contacts of your safety and location
- Friend Watch feature allows your pre-identified contacts to monitor your safety
- Plus much more!

**LSU Health SHREVEPORT.**

GET IT ON Google Play

Download on the App Store

[www.lsuhs.edu/university-police](http://www.lsuhs.edu/university-police)

### REPORTING TO HUMAN RESOURCES, DEAN OF THE RESPECTIVE SCHOOL, OR DIRECTOR OF GRADUATE MEDICAL EDUCATION

Any member of the campus community who has a sexual harassment complaint against a supervisor, co-worker, visitor, faculty member, student or other person, has the right and obligation to bring the problem to LSUHS' attention. Any supervisor who witnesses such conduct or receives a complaint must report the incident to Human Resource Management, an appropriate administrator or the Dean of the respective school. It is the responsibility of all LSUHS employees in a supervisory capacity to ensure that the work/academic environment is free from sexual harassment.

A staff member who believes he or she has been sexually harassed, should immediately report the incident to the Assistant Director of Employee Relations, Human Resource Management 318-675-5611 or to the Director of Human Resource Management 318- 675-5610 or to an appropriate administrator or the Dean of the respective school. In addition, staff members may report the incident to any supervisor. Any recipient of such a complaint shall notify Human Resource Management.

### **STUDENTS**

School of Medicine Office for Student Affairs	318-675-5339
School of Allied Professionals	318-813-2900 318-813-2908 318-813-2931
School of Graduate Studies	318-675-7572

### **RESIDENTS & FELLOWS**

Office of Graduate Medical Education	318-675-7629
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### **REPORTING TO TITLE IX**

The Title IX policy outlines procedures for addressing and resolving allegations of power-based violence including sex- and gender-based harassment and discrimination, and Sexual Misconduct (e.g. sexual assault, stalking, dating violence, domestic violence, sexual exploitation, retaliation, etc.). Such procedures are required and governed by (1) Title IX of the Education Amendments of 1972 which prohibits sex discrimination in any education program or activity receiving federal financial assistance, (2) Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature, and (3) the Board of Regents Uniform Policy on Power-Based Violence. Reports can be made in person, via phone, email, or online reporting at <https://www.lsu.ethicspoint.com/>.

Sammy Wyatt, PhD, MBA, CFE, CHC, CCEP, EnCE  
Title IX Campus Coordinator  
[swyatt@lsuhs.edu](mailto:swyatt@lsuhs.edu)  
318-675-8502

Grace Nickels, EdD  
Deputy Title IX Campus Coordinator  
[grace.nickels@lsuhs.edu](mailto:grace.nickels@lsuhs.edu)  
318-813-7283

### **REPORTING VIA LSU ETHICS, INTEGRITY, AND MISCONDUCT**

EthicsPoint is operated on secure servers and is not part of the LSUHS website or intranet. This helpline is provided for all LSU campuses. It is not a 911 or emergency service. Do not use the website to report events presenting an immediate threat to life or property. Reports submitted through this service may not receive an immediate response. If you require emergency assistance, please contact UPD at 318-675-6165 or 911.

At LSUHS, we strive for excellence within our institutions, and we pride ourselves in fostering an environment which upholds the highest ethical standards. It is our belief that every member of our community plays an integral role in contributing to these efforts.

We ask for your support in assisting our LSUHS community in maintaining these principles. While we do not believe unethical actions characterize LSUHS, we want to ensure there are effective ways to report activities we believe to be inappropriate. To aid in that effort, the University has implemented the LSU Ethics, Integrity and Misconduct Helpline, a telephone and Internet-based reporting system.

You may use this Helpline to report concerns including but not limited to:

- Fraud, Waste, and Abuse - financial irregularities including the unauthorized taking or misuse of university resources, false claims, improper procurement or contracting activities, payroll abuse, and other financial conflicts of interest.
- Title IX – sexual harassment, sexual assault, dating violence, video voyeurism, stalking, and retaliation.
- Human Resources – employment practices, working conditions, and employee misconduct, including but not limited to discrimination, harassment, workplace violence, and substance abuse.

LSUHS is providing the Helpline because we are committed to encouraging open and honest communication, and we want to encourage the members of the LSUHS community to continue to report issues and/or concerns through established reporting channels whenever possible. We also understand the importance of confidentiality when it comes to reporting; therefore, we encourage the use of the Helpline in those situations where you wish to remain anonymous.

LSUHS assures Helpline reports will be handled promptly and judiciously. No retaliatory action will be taken against anyone for reporting or inquiring in good faith about potential misconduct or breaches of laws, rules, regulations, or university policies, or for seeking guidance on how to handle suspected misconduct or breaches.

If you would like to report a theft of institution property, please notify UPD.

Persons who believe they have been targets of harassment or related retaliation are encouraged to report the incident(s) immediately to appropriate administrative officials as set forth below. The complaint should be made as soon as possible. Delay in reporting makes it more difficult to investigate fairly and adequately the incident and may contribute to the repetition of offensive behavior.

Employees, faculty, staff, students, and visitors may also file a report via the LSU Ethics, Integrity, and Misconduct Helpline at <https://www.lsu.ethicspoint.com> or toll-free at 855-561-4099.

## **REPORTING TO CAMPUS SECURITY AUTHORITIES**

LSUHS respects and understands that someone might not want to disclose information about a crime to UPD, but they might feel more comfortable reporting to a Campus Security

Authority (CSA). However, CSAs are federally mandated to forward reports of crime brought to their attention to UPD as soon as practically possible by completing the online CSA Reporting Form. The online CSA Reporting form does not generate a law enforcement response. Submitted forms may not be reviewed immediately if received after business hours; the site is not monitored 24 hours a day. Anytime you would like UPD to be contacted, the CSA will assist you in connecting with them. Please note that if the CSA is told a threat or emergency is taking place, the CSA will contact UPD at 318-675-6165; for them to determine if a timely warning or emergency notification needs to be issued to alert the campus community. After UPD has been contacted about possible threat, CSA will then complete the form and provide the reporting party with the options and resources available to them.

There are times when a victim might feel reluctant to file a report due to the process or even losing their anonymity. In those circumstances, victims are encouraged to make a voluntary, confidential report to one of the designated CSAs. At a minimum, the victim will receive important counseling and referral information. If confidentiality is requested, the CSA would not include the victim’s personal identifiable information on the form, but all other details regarding the incident would need to be included. Please note that confidentiality of crime reports made to CSAs cannot be promised. Regardless of the wishes of the complainant or reporting party, confidentiality may not be able to be maintained due to Title IX requirements. Nevertheless, in such cases LSUHS will try to protect identities to the extent allowed by the circumstances and law.

The goal is to ensure you receive information on resources that are available to you regardless of law enforcement involvement. The form submitted assists the Clery Coordinator in determining if the incident is Clery reportable for inclusion in the annual statistics report and the Daily Crime Log to meet the Clery Act requirements.

LSUHS has many identified CSAs on campus, the following offices are officially designated as places where campus community members can report crimes:

**CSA REPORTING PHONE NUMBERS**

Title IX Campus Coordinator	318-675-8502
Deputy Title IX Campus Coordinator	318-813-7283
School of Medicine Office for Student Affairs	318-675-5339
School of Allied Professionals	318-813-2900 318-813-2908 318-813-2931
SAHP – Student Life Office	318-813-2898
School of Graduate Studies	318-675-7572
Office of the Registrar	318-675-5205
Office of Graduate Medical Education	318-675-7629

## **VOLUNTARY, CONFIDENTIAL REPORTING**

We understand and respect a victim may not wish to pursue a criminal investigation and that is ultimately their decision. Some victims may feel reluctant to file reports due to the process, the chance of losing their anonymity, or fear retaliation for having made a protected disclosure or for cooperating with an investigation. In those circumstances, victims are encouraged to file a voluntary, confidential report to one of the designated CSAs.

If an individual requests confidentiality when reporting, depending upon the circumstances of the crime, it may be able to be filed confidentially. Personal identifying information will not be disclosed on the online CSA Reporting Form without the individual's permission or as required by law. Initials can be used, but only if the individual agrees. This will help ensure incidents are not double counted. Only general information about incidents will be included in the report, such as nature of the crime, date, time, and general location of the incident without revealing their identity. The purpose is to comply with their wish to keep the matter confidential, while taking steps to enhance the future safety of the victim and others in the community. It also allows the University to keep an accurate record of the number of incidents involving students, employees, and visitors to determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

There may be instances when the university must act regardless of the wishes of the complainant or reporting party; therefore, confidentiality is not always promised. Disclosure may be legally required if the reported conduct poses a threat of serious harm to the reporting party or others or if the reported conduct involves suspected abuse or neglect of a minor. Allegations involving sexual harassment (including sexual violence) must be reported to the University's Title IX Coordinator. All reasonable steps will be taken to honor these requests as permitted by state law or university processes.

## **REPORTING EXEMPTION**

### **PROFESSIONAL COUNSELORS**

Campus counselors, when acting in their official capacities as employees, are not considered to be a CSA and are not required to report crimes for inclusion in the annual disclosure of crime statistics. They are encouraged if and when they deem it appropriate to inform person being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The Clery Act defines counselors as:

A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.

A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is



functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

The professional or pastoral counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may have learned about. This exemption is intended to protect the counselor-client role. However, there may be situations in which counselors are in fact under a legal obligation to report a crime when not acting in their role as a pastoral or professional counselor. LSUHS is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

### **NON-PROFESSIONAL COUNSELORS**

Non-professional counselors or advocates are individuals who are not professional or pastoral counselors, but work or volunteer in on-campus sexual assault centers, victim advocacy offices, women's centers, or health centers, including front desk staff and students, and provide assistance to students who experience sexual violence, should report aggregate data, but are not required to report, without the student's consent, incidents of sexual violence to the school in a way that identifies the student.

## CAMPUS SECURITY AUTHORITIES

The job of campus safety does not rest solely in the hands of UPD; this is a collaborative effort throughout LSUHS, Ochsner LSU Health Shreveport, Ochsner LSU Health Shreveport - Monroe Medical Center, and other Ochsner facilities. Our goal is to empower community members at LSUHS to take an active role in their safety and the safety of the community by keeping them informed! Campus Security Authority (CSA) is a Clery term that encompasses groups of individuals and organizations associated with an institution. CSAs are an integral part of the Clery Act because students will not always report crimes to campus police, but may feel comfortable reporting to someone they know or have a rapport with.

### WHO IS A CSA?

CSAs are identified by function, not title. The definition is intentionally broad to include as many people as possible to ensure all crimes are reported. You cannot decline to be a CSA - if your role fits the definition, then you are a CSA.

The Act defines four general categories of CSAs:

1. A campus police or campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g. an individual who is responsible for monitoring the entrance into institutional property).
3. Any individual or organization specified in an institution's statement of campus security police as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

To determine which individuals are CSAs, one must consider job functions, not title. These are officials whose functions involve direct relationships with students that are beyond the classroom (not simply related to the class/course material). If someone has significant responsibility for student and campus activities, then they are a CSA. Some examples in this category include, but are not limited to:

- All employees of University Police Department
- Advisors (both academic & student organization)
- Greek Affairs Coordinators
- Guest Relations/Security Attendants
- Title IX Coordinators/Investigators
- Student Activity Coordinators
- Deans/Directors of student-related programs
- Student peer education advisors
- Victim Advocates/others providing advocacy services
- Director of campus health or counseling center

- Any faculty or staff employee that leads or participates in education travel experiences sponsored or organized primarily by the University
- Personnel whose job functions involve supervising student employees

Individuals who do not deal with students outside of a normal classroom or business setting are not considered CSAs. The following non-CSA positions and functions include, but are not limited to:

- Faculty member without responsibility for student/campus activity beyond the classroom;
- Physicians/nurses in Health Center who only provide care for students;
- Clerical or administrative support staff;
- Cafeteria/facilities maintenance/information technology staff.

## CSA TRAINING

Identified CSAs are offered training through:

- New Employee Orientation Training
- Mandatory Annual Campus Education Day (CED) Online Training Module
- Dedicated campus web page providing overview of CSA responsibilities and presentations for new and existing CSAs.
- Entire University Police Department is required to review CSA training materials and take a mandatory test with a passing grade of 80%.

Learn more about your requirements per the Clery Act by reviewing the materials provided on UPD's website <https://inside.lsuhs.edu/departments/public-safety/campus-security-authorities>.

## CSA PROCEDURE

The party reporting does not need to be University-affiliated, and the report does not have to lead to police involvement. CSAs need to support the individual and provide them with the options and resources that are available. CSAs are not responsible for investigating an incident. They are not required to report incidents they overhear while students are talking in the hallway; something a student mentions during an in-class discussion; anything mentioned during a speech or other form of group meetings or presentations; or anything the CSA learns about in an indirect manner.

The following is an example of what you can tell a reporting party who comes to you:

"I feel that you are about to tell me about a possible crime. I should let you know right now that as part of my position on campus I am a federally mandated crime reporter for the University. That means that I am required to report this incident to UPD for data gathering. Would you like to help me fill out reporting form?"

If there is no threat or emergency, ask the reporting party if they would like assistance contacting UPD to file a report. If they do, then contact UPD and ask for an officer to be

dispatched to your location to complete the report. If they do not want UPD involved, then you will be responsible for submitting the online CSA Reporting form.

The online reporting form contains all the questions you will need to ask the reporting party <https://forms.lsuhs.edu/Forms/csacrimereporting>. Please note the online reporting form should not be used to generate a law enforcement response. The online reporting form might not be reviewed until the next business day if submitted after business hours. If an emergency or threat is in progress, you need to immediately call 318-675-6165 (a timely warning or emergency notification may need to be issued to alert the campus community) and then submit the form. You should not hold on to any report; submit the report as soon as possible – even if the reporting party changes their mind. If you are unsure if something reported is a Clery crime or whether it took place on Clery Geography, we ask you to submit a report anyway and UPD will make the determination. *If in doubt, fill it out!*

UPD does not have an anonymous reporting form; however, you can ask the reporting party if they agree to using their initials instead of their full name. This ensures we are not double counting incidents for our annual statistical reporting requirements. All Title IX incidents must be reported to Title IX and you will need to inform reporting party that confidentiality may not be possible, but will try to maintain it to an extent allowed by the circumstances and law. CSAs with dual responsibilities should note that while there may be some overlap between Clery and Title IX, the reporting methods are different for both and must be done separately. Reporting to one does not fulfill both CSA and Responsible Employee requirements.

There are certain circumstances when a CSA is not required to submit a form. For example, if another CSA told you they already submitted a form or an officer is at the reporting party's location to complete a report, then you do not have to submit a form.

You are also required to offer the person available resources and victim assistance information such as:

- On-campus programs for assisting victims of sexual and /or other forms of assault,
- Information on procedures for seeking medical help,
- Information on counseling and psychological services, and
- Human Resources, Title IX or Dean of Students.

Annually, the Clery Coordinator sends an email to CSAs to complete a form requesting the number of incidents reported to them for the previous year. Your response is required. The Clery Coordinator maintains a file for all email requests and CSA online reporting forms received for recordkeeping purposes.

## **ABOUT LSUHS UPD**

LSUHS UPD is a fully functioning police department with over 30 sworn and commissioned police officers, who are here to serve and protect the campus community 24 hours a day, seven days a week, 365 days a year. UPD Officers have successfully completed an accredited law enforcement academy, commissioned by the Louisiana Department of Public Safety, certified through Peace Officers Standards and Training (P.O.S.T.), and complete in-service trainings and re-certifications annually to maintain and improve their skills.

UPD is tasked with patrolling the campus to deter crime, responding to calls for service and assistance, writing reports, conducting investigations, assisting with medical and fire emergencies, traffic accidents, pedestrian escorts, issuing parking violations, enforcing state laws, and other incidents requiring police intervention.

UPD staffs and operates a 24-hour state-of-the-art Dispatch Communication Headquarters Center equipped with CAD System (computer-aided dispatch), radio system, and eight full-size screens to view surveillance cameras throughout the medical school buildings. Our Communication Officers monitor the fire and panic alarm systems as well as control gate access to parking lots. Our Communication Officers answer all emergency and non-emergency phone calls and dispatches officers. They are also responsible for entering information into the National Crime Information Center (NCIC - a central database for tracking) and searching for any crime-related information such as stolen items, protection order files, fugitives, missing, or wanted persons.

UPD has four facility guards that maintain a presence in the parking lots to monitor suspicious activity and enforce rules and regulations. Guards provide information and assistance to any individual in need. They ensure lighting in their assigned areas are in working order and that entry and exit gates are working properly. They also notify Communications Officers of any suspicious persons, events, or activities and request officers if needed.

## **VISION, MISSION, AND PRINCIPLES**

### **VISION OF THE LSUHS UPD**

We are a dynamic organization devoted to improvement, excellence, maintaining customer satisfaction, and operating on the Principles of Quality Leadership.

### **MISSION STATEMENT**

We believe in the dignity and worth of all people.

We are committed to:

- Providing high-quality, community-oriented police services with sensitivity
- Protecting constitutional rights
- Problem solving
- Teamwork

- Openness
- Continuous improvement
- Planning for the future
- Providing leadership to the police profession

We are proud of the diversity of our work force which permits us to grow as individuals in respect of each other.

### **PRINCIPLES OF QUALITY LEADERSHIP**

- Improve systems and examine processes.
- Have a customer orientation and focus toward employees and citizens.
- Believe that the best way to improve the quality of work or service is to ask and listen to employees who are doing the work.
- Be committed to the problem-solving process; use it and let data, not emotions, drive decisions.
- Be a facilitator and coach. Develop an open atmosphere that encourages providing and accepting feedback.
- Encourage creativity through risk-taking and be tolerant of honest mistakes.
- Avoid “top-down”, power-oriented decision-making whenever possible.
- Manage on the behavior of 95% of employees and not on the 5% who cause problems. Deal with the 5% promptly and fairly.
- Believe in, foster, and support teamwork.
- With teamwork, develop with employee’s agreed-upon goals and a plan to achieve them.
- Seek employees input before you make key decisions.
- Strive to develop mutual respect and trust among employees.

### **AUTHORITY**

LSUHS UPD officers are vested with all of the powers, authority, and responsibilities of any police officer of the state on property owned by the university, including adjacent public streets. Police authority is derived from Section 17:1805 of the Louisiana Revised Statutes.

#### **L.R.S. 17:1805 AUTHORITY OF UNIVERSITY OR COLLEGE POLICE OFFICER**

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

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

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

and while in pursuit on or off the campus, each university or college police officer may exercise the power of arrest.

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

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

C. On and after January 1, 1975, no person shall be commissioned as a college or university police officer, unless prior to such commissioning the person has, as a minimum requirement, completed and graduated from a certified P.O.S.T. Basic Law Enforcement Training Academy of Louisiana or possesses equivalent training or experience.

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

- (1) If engaging in intelligence gathering activity.
- (2) When investigating a crime committed on campus.
- (3) When transporting prisoners in furtherance of duties as set forth in this Section.
- (4) When transporting money, securities, or other valuables on behalf of the college or university.
- (5) While providing security or protective services for visiting dignitaries to the college or university both on and off the campus.
- (6) If specifically requested by the chief law enforcement officer of the parish or city.

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

F. Notwithstanding any provision of this Section to the contrary, on July 1, 1991 and thereafter, no person shall be commissioned as a university or college police officer by the Department of Public Safety and Corrections or as otherwise provided in Subsection E of this Section until there has been a determination made by the commissioning authority that the particular public or private college or university name the police officers is in compliance with the provisions of R.S. 17:3351(C), or, in the case of a private college or university, is in

compliance with substantially similar requirements adopted by the particular institution, police officer, unless prior to such commissioning the person has, as a minimum requirement, completed and graduated from the six-week program of the Basic Law Enforcement Training Academy of Louisiana State University and Agricultural and Mechanical College or possesses equivalent training or experience.

### **WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT**

UPD fully cooperates with federal, state, and local law enforcement agencies in cases which involve both on- and off- campus jurisdiction or when the resources of another agency can be used to facilitate the resolution of an investigation. UPD maintains an excellent working relationship with Caddo Parish Sheriff's Office, Shreveport Police Department, and Louisiana State Police. Our working relationship also extends to state and local fire and emergency services organizations including Caddo-Bossier Office of Homeland Security and Emergency Preparedness. UPD compiles information, prepares reports, and submits incident reports to local and state law enforcement agencies, Caddo District Attorneys, and other requesting agencies. This includes participation in a police radio network, training programs, special events coordination, assistance with imminent or active threats to the community, patrolling areas and responding to incidents that occur in close proximity to the campus in cooperation with other local law enforcement agencies.

LSUHS does not operate any on-campus housing facilities, but UPD regularly patrols the jurisdictional area. Any criminal activity at off-campus locations of officially recognized student organizations attended by LSUHS students would normally be reported to the local law enforcement agency with jurisdiction.

LSUHS and UPD have a written memorandum of understanding with Shreveport Police Department, Caddo Parish Sheriff's Department, and the Caddo Parish District Attorneys' Office relating to communications, responsibilities, and investigations regarding reports of Power-Based Violence committed by or against students of institution.



## **CAMPUS SAFETY**

Campus safety begins with YOU, “If You See Something, Say Something.”

LSUHS encourages all employees, students, faculty, staff, and visitors to report any strange activities, crimes, or emergencies that occur on campus which may warrant a timely warning or emergency notification to immediately report it by calling UPD directly at 318-675-6165 or by contacting a CSA. The university has also communicated with neighboring law enforcement agencies asking them to notify UPD if they receive any reports or information warranting a timely warning or emergency notification to be issued.

### **SMART NOTICE EMERGENCY NOTIFICATION SYSTEM**

LSUHS provides information to students and employees about campus security procedures and encourages them to be responsible for their own security and the security of others. In order to accomplish this goal, students and employees are kept informed about crime prevention strategies. Information on reported crimes that pose serious or continuing threats to the campus community is disseminated through timely warnings and emergency notifications using the Smart Notice Emergency Notification System to employees, students, faculty, and staff. Smart Notice is a web-based mass notification system that is designed to alert, warn, and inform registered members of the LSUHS community of what to do in case of an emergency, disaster, crisis, or any other situation which affects the LSUHS community.

Smart Notice will send timely warnings or emergency notifications instantly and simultaneously through email, text, and/or calling two phone numbers of choice. You can also update your account to manage notification preferences at any time. Campus community members are highly encouraged to enroll in Smart Notice at <https://public.coderedweb.com/CGE/08B006DCF478>. If you enter your work email and work phone number and you are not at work or do not have immediate access to your work email when a notification is sent out, then you will not receive the alert. List numbers and email addresses that you have access to at all times so you do not miss out on these notifications.

### **TIMELY WARNINGS**

A Timely Warning is sent to alert the campus community to potentially dangerous criminal situations on campus to have the time and information necessary to take appropriate precautions. Timely warnings will be distributed as soon as pertinent information is available and in a manner that is timely. Timely warnings aid in the prevention of similar crimes by helping members of the campus community protect themselves.

When an event has been reported to UPD or brought to their attention by a CSA, the responding officer immediately notifies supervisor on duty who then notifies the Director of Public Safety (or designee). The Director of Public Safety or designee reviews the reported incident to determine if it poses a potentially serious or on-going threat to the community and if the distribution of a timely warning is warranted. After confirmation, a campus-wide timely warning will be issued to all students, employees, or other members of the campus community, including visitors. Other methods of communication may include the alert and warning siren system, university-wide emails, university website under Emergency Alerts

section, on-campus announcement television, or coordinated use of public media outlets and public address systems. On-campus posted signs will be placed on doors to alert visitors and non-Smart Notice users of the emergency.

Timely warnings are usually distributed when the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications have occurred: major incidents of arson, murder/non-negligent manslaughter, robbery, or other crimes as deemed necessary by the Director of Public Safety or designee. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by UPD. For example, a disagreement between two students has resulted in an assault, there may be no on-going threat to the other campus community members and a timely warning would not be distributed. In cases involving sexual assault, are often reported long after the incident occurred, thus, there is no ability to distribute a “timely” warning to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by UPD. In cases of delayed reporting of an incident to the university, it may be so delayed there is no possibility of issuing a timely warning to the community; as a general guideline, a report that is filed more than three days after the date of the alleged incident may not allow for a timely warning to be issued.

A timely warning will not be issued if the department apprehends the suspect and the threat of imminent danger has been mitigated. It should be noted that outside law enforcement agencies do not always immediately notify UPD of emergent incidents so there may be delays in reporting also resulting in the delay of a timely warning being issued or not being issued at all.

Again, timely warning determinations are made on a case-by-case basis in light of all known circumstances surrounding a crime, including when and where the incident occurred, when it was reported, and the amount of information available, whether a continuing danger exists to the campus community, and the possible risk of compromising law enforcement efforts. The process the university will follow when issuing or determining to issue a timely warning is simple and designed to expedite decision making and notification of the campus community. When all the following criteria have been met, a timely warning will be issued:

1. a crime has been reported to UPD,
2. the crime is a Clery Act crime,
3. the crime reported has occurred on Clery Act geography, and
4. the circumstances present a serious or ongoing threat to the community.

The content of the timely warning message, at a minimum, will include the following:

1. the date/time of the incident,
2. the location, and
3. the nature of the crime.

The warning may also provide brief information about the situation if warranted and information that promotes safety, such as crime prevention and safety tips; information to assist individuals in protecting themselves such as what to do or what not to do; UPD contact information; and any other information as deemed appropriate. Suspect description(s) will

only be provided when deemed appropriate and if there is sufficient detail. However, caution will be taken to not issue such a lengthy warning that it cannot be quickly understood by recipients.

Timely warnings will be distributed as soon as pertinent information becomes available to UPD, in a manner that withholds the names of the victims as confidential, and with the goal of aiding in the prevention of similar occurrences. The university is not required to issue a timely warning with respect to crimes reported to a pastoral or professional counselor. The university is not required to issue a follow-up message when a timely warning is issued but may be supplemented with a text message or other method on a case-by-case basis at the discretion of the Director of Public Safety.

## **ISSUANCE PROCESS OF TIMELY WARNINGS**

The following are responsible for the issuance of timely warnings and when time allows, will follow the procedures outlined below. If time does not permit, then timely warnings may be sent without consulting with University officials that if in their judgement delay in issuing the notification would compromise the health and safety of LSUHS campus community. Other instances that allow diverting from this procedure are when those designated below are actively involved in an incident or any other reason determined by University officials.

The individuals/departments or their designees are authorized to determine whether a timely warning should be issued, as circumstances permit, may include:

- Director of Public Safety,
- Shift Supervisor/Officer-in-Charge of Public Safety, or
- any trained member of Smart Notice.

The individuals/departments or their designees are responsible for determining content for a timely warning may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,
- Director of Public Safety, or
- any trained member of Smart Notice.

The individuals/departments or their designees are responsible for sending a timely warning may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,
- Director of Public Safety, or
- any trained member of Smart Notice.

## EMERGENCY NOTIFICATIONS

An emergency notification can include Clery-reportable crimes as well as other types of emergencies happening right now or about to happen. The types of incidents that may cause an immediate threat to the community and therefore require an emergency notification could include, but are not limited to an active shooter on campus, a hostage situation, a riot, a serious gas leak, a fire/explosion, hazmat spill, tornado warning, or other risk factors. In the event of an emergency, LSUHS will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of anyone on campus. The university will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If there is an immediate threat to the health or safety of anyone occurring on campus, the university will follow its emergency notification procedures (when possible), including the use of some or all of the following methods depending on the type of emergency: Smart Notice Emergency Notification System (alert sent to email, cell phone, text, and voice message-as designated by user); fire alarm (where available), alert and warning siren system (where available), university-wide emails, university website under Emergency Alerts section, on-campus announcement television, coordinated use of public media outlets and public address systems, or in-person communication. If any of these systems fail or the University deems it appropriate, in-person communication may be used to communicate an emergency. On-campus posted signs will be placed on doors to alert visitors and non-Smart Notice users of an emergency.

Several factors will be taken into account including, but not limited to, the building or segment of the population threatened, the nature of the threat, and the credibility of the information received. Authorizers are responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with University officials, local first responders, and/or the national weather service. Upon confirmation, Authorizers will determine the content of the message and then contact the Smart Notice Sender with the approved content of the message for distribution. LSUHS will use some or all of the methods described to communicate the threat to the campus community or to the appropriate segment of the community, if the threat is limited to a specific building or segment of the population. The message sent may differ due to the segment of the campus community it is sent to. It may state to stay away from an area versus a lockdown procedure in effect for specific on-campus buildings. The entire campus will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole or when there are time constraints and the message needs to be sent out. There will be a continued assessment of the situation and additional segments of the campus community may be notified if a situation warrants.

Universities that follow its emergency notification procedure are not required to issue a timely warning based on the same circumstances; however, the university must provide adequate follow-up information to the campus community as needed. If needed, follow-up

information will be distributed when additional information becomes available. Follow-up information may be distributed using some or all of the identified communication systems (except fire alarms).

Incidents, emergencies, or events may impact the surrounding community in addition to the LSUHS campus requiring disseminating information to the larger community. If this occurs, UPD will contact local law enforcement agencies and notify them of the threat to the larger community. Local law enforcement agencies have the responsibility to contact local broadcasting channels to have a breaking news alert issued.

## **ISSUANCE PROCESS OF EMERGENCY NOTIFICATIONS**

The following are responsible for the issuance of emergency notifications and when time allows, will follow the procedures outlined below. If time does not permit, emergency notifications may be sent without consulting with University officials that if in their judgement delay in issuing the notification when a significant emergency or dangerous situation poses an immediate threat to the health and safety of LSUHS campus community. Other instances that allow diverting from this procedure are when those designated below are actively involved in an incident or any other reason determined by University officials.

The individuals/departments or their designees are authorized to determine whether an emergency notification should be issued, as circumstances permit, may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,
- Director of Public Safety,
- Shift Supervisor/Officer-in-Charge of Public Safety, or
- any trained member of Smart Notice.

The individuals/departments or their designees are responsible for determining content and appropriate segment or segments of the campus community for an emergency notification may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,
- Director of Public Safety, or
- any trained member of Smart Notice.

The individuals/departments or their designees are responsible for sending an emergency notification may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,

- Director of Public Safety, or
- any trained member of Smart Notice.

The individuals/departments or their designees are authorized to determine follow-up information for emergency notification should be issued, as additional information becomes available, may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,
- Director of Public Safety,
- Shift Supervisor/Officer-in-Charge of Public Safety, or
- any trained member of Smart Notice.

The individuals/departments or their designees are responsible for sending follow-up information for an emergency notification may include:

- Chancellor,
- Executive Director of Facility Operations,
- Executive Director of Communication and Public Affairs,
- Director of Safety Services,
- Director of Public Safety, or
- any trained member of Smart Notice.

### **CAMPUS SAFETY TIP EMAILS**

Campus Safety Tip emails could be distributed for crimes that do not rise to the level of causing a serious or continuing threat to the university community but are situations the campus community should be aware of. Examples include, but are not limited to:

- Investigations of a series of car break-ins or catalytic converter thefts;
- A pattern of activities that puts students, staff, or faculty at risk; or
- Prevention notices, etc.

### **SAFETY TIPS**

Safety is a shared responsibility and as members of the campus community, everyone should help to make the campus a safer place. Using some simple safety precautions will greatly reduce your chance of becoming a victim of crime. One simple piece of information you should always have handy is your location. If there is an emergency, responders will ask for your location, address, etc., so have this information readily available.

#### **Protecting yourself on campus**

Remember the number to UPD is 318-675-6165.

Request escorts from UPD when walking alone to the parking lots.

Notify UPD when you are working alone, after hours.

Be aware of your surroundings, report suspicious person(s) immediately.

Have the LSU Shield Mobile Safety App open on your cell phone.

Always lock your car. Never leave the windows down while it is unattended.

Do not leave tempting valuables or property visible inside the car. Lock these items in the trunk.

Lock bikes to bike racks with hardened-alloy locks and chains or u-shaped locks to prevent thefts.

### **Protecting yourself off campus**

Lock your door, even when you intend to return home shortly or even if you are just going down the hall. It takes a thief ten seconds or less to enter an open room and steal your property.

Take extra time to ensure that your windows and doors are locked, especially when you are alone or at night.

Do not leave valuables lying out in plain sight. Record the serial number of your valuables or engrave a unique identification number on the item.

Store emergency numbers in your mobile phone and place them next to your home phone.

Do not leave messages on your door indicating that you are away and when you will return.

Do not let strangers enter dormitory or premises.

Do not prop open outer doors.

If someone asks to use your phone for an emergency call, offer to telephone for them instead of allowing them access.

Do not put your address on your key ring.

Get to know your neighbors.

Do not leave keys in hiding places. Thieves will find them. Carry your keys or make sure that anyone who truly needs them has their own copy.

To report suspicious persons or activity on campus, call UPD at 318-675-6165 or activate the LSU SHIELD Mobile Safety App. To report when off campus, call 911.

Open a savings or checking account instead of keeping money in your room.

Keep ATM cards in a safe place, keep your PIN secret. When possible, only use ATM's during the day.

Instead of carrying large sums of cash use a charge card. Some charge cards insure property purchased with those cards against loss, theft, or damage.

If you are in immediate danger, call 911; try to stay calm and get away at the first opportunity.

### **Protect yourself when walking**

Avoid walking alone at night unless absolutely necessary.

Stay on well lit, commonly traveled routes and avoid shortcuts and dark, isolated areas.

Walk purposefully, know where you are going and project a confident image.

Avoid potentially dangerous situations.

If you feel threatened, cross the street, locate an emergency phone, or enter a store or place of business even if you have just left it.

Have your keys ready in hand when approaching your vehicle or door; not buried in a purse or in your pocket.

### **Protecting yourself when driving**

Look into your car before getting in. Lock doors and roll up windows once inside for protection.

Never pick up strangers!

Drive to a police or fire station or open place of business if you feel you are being followed.

Do not stop to help occupants of stopped or disabled vehicles. Continue driving to the nearest phone and call assistance for them.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **EMERGENCY RESPONSE**

The primary mission of the LSUHS is to provide education, patient care services, research, and community outreach. The Office of Safety Services has an established Emergency Response Plan in place to provide the campus community with information about emergency response and evacuation procedures. The Emergency Response Plan is to provide all-hazards guidance intended to preserve life, protect property, and contain an incident, emergency, or event on campus in order to continue the mission. An incident is defined as "an occurrence or event, natural or human-caused, which requires a response to protect life or property." An incident may evolve into an emergency when that event



overwhelms or nearly overwhelms day-to-day resources, plans, and personnel in place to manage them, while causing a significant disruption of normal business in all or a portion of the campus. Incidents and emergencies can range from a small utility failure or criminal act that can be handled locally to a major weather event, flood event, or chemical/biological release that may exceed internal capabilities and requires external response support. The Emergency Response Plan establishes an incident organization to direct and control operations during an emergency situation by assigning responsibilities to specific entities. The Emergency Response Plan acknowledges the existence of campus personnel and resources that respond to internal incidents on a daily basis, and the existence of internal department plans and procedures for response, recovery, and mitigation that are implemented on a daily basis. Nothing in the Emergency Response Plan, or any element thereof, should be construed as limiting the use of good judgment and common sense in matters not foreseen or addressed by the Emergency Response Plan.

According to Homeland Security Presidential Directive 5 and the U.S. Department of Education, Institutions of Higher Education are among local agencies that must adopt NIMS if they receive Federal grant funds. The National Incident Management System (NIMS) is a set of principles adopted by LSUHS. NIMS provides a systematic, proactive approach guiding government agencies at all levels, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life or property and harm to the environment. This system ensures that those involved in incident response/recovery understand what their roles are and have the tools they need to be effective. LSUHS has adopted NIMS and the use of the Incident Command System (ICS) and in accordance with the U.S. Department of Education (ED) guidance, has identified “key personnel” such as Executive Leaders, General Personnel, Command Staff, and Incident Managers to complete specific courses in order for individuals to meet the organizational NIMS compliance. LSUHS participates in local governments’ NIMS preparedness programs. Identified personnel participate in training and exercising the Emergency Response Plan’s procedures. LSUHS Office of Safety Services is charged with ensuring that the training and equipment necessary for an appropriate response will be available.

The Office of Safety Services shall have the authority to enforce compliance with the requirements and other applicable environmental and safety regulations. Enforcement action will be taken after consultation, unless there is an immediate danger to the health and safety of personnel or an immediate danger to LSUHS property. In the event of immediate danger or major noncompliance, the Director of Safety or designee(s) will be responsible for taking any actions, including facility closure, required for protection of the health and safety of personnel or protection of University property. The Director of Safety will notify administration of any facility closures. Remedial actions will be required before a closed facility will be reopened.

Each and every employee shall be responsible for his/her own safety, for promoting the safety of co-workers, and for protecting the local environment. Vice Chancellors, Deans, Directors, and Department Heads shall implement the safety and environmental program in their areas of administrative responsibility and shall be accountable through their respective administrative channels for the control of accidents and hazardous exposures in the work environment.

The Office of Safety Services is the principal provider/coordinator of all LSUHS safety and environmental requirements, including, but not limited to:

1. Providing resources for the identification, evaluation, and control of hazardous situations,
2. Providing safety, security criteria, and assessments for research and teaching labs working with potentially hazardous chemicals, biological or physical agents or processes,
3. Developing and issuing rules and procedures,
4. Consulting with employees and management, and
5. Providing safety training, hazardous waste disposal, and occupational safety and health exposure evaluations.

## **EVACUATION PROCEDURES**

Evacuation is an orderly removal of staff, visitors and patients from an identified area or building. Notification may be broadcast openly through paging system or in a more discreet manner such as a phone call, messenger, emails, etc. In all cases, when the notice is made to evacuate, all persons shall leave the building immediately in an orderly manner using established evacuation routes. Proceed to your pre-determined gathering point, established within individual departments, or as directed by the command center staff. Do not re-enter the building until directed to do so by emergency response personnel. Departmental Supervisors or designees will attempt to account for all employees of their department and report any missing persons to the command center. After an all-clear of an emergency, an after-action debriefing for the Incident Command Team will occur as soon as possible.

The Office of Safety Services coordinates all tests (exercises, drills, and follow-through activities.) Each year at least one scheduled functional exercise is held to test emergency response and evacuation on a campus-wide scale and have been designed and implemented to ensure proper operation and to minimize panic and confusion among building occupants who sometimes change rooms or work throughout the building. Exercises are announced and all occupants are notified about the test one week prior through the weekly newsletter or via electronic bulletin boards. The scenarios for these exercises change from year-to-year and include several departments from across the campus. The exercise prepares building occupants for an organized evacuation in case of a fire or other emergency as well as to learn the locations of the emergency exits in the buildings and the sound of the fire alarms. It also provides guidance about the direction they should travel when exiting each facility for a short-term building evacuation.

In addition to exercises, occupants are also educated about evacuation procedures called drills. Drills are conducted annually and may be announced or unannounced. Drills might be conducted separately or in conjunction with an exercise. Drills provide the university with an opportunity to test the operation of the fire alarm system components, paging system, or Smart Notice Emergency Notification System.

LSUHS tests are designed with clear written objectives and are followed by an after-action review process. The Office of Safety Services is responsible for maintaining records of each test (exercise and drill) including a description, the date and time, and whether the test was announced or unannounced. In addition, the Office of Safety Services will schedule an after-

action meeting after each test and provide a template for the after-action report critique to the Incident Command Team. The Incident Command Team will evaluate the performance of the previous emergency and make any needed modifications to the Emergency Response Plan and Safety Policies before the next emergency.

To view more information regarding emergency response and evacuations, please visit the Office of Safety Services intranet webpage <https://inside.lsuhs.edu/departments/safety-services/safety-policies/campus-safety-manual>.

## **Types of Evacuations**

### **Building Evacuation**

- All building evacuations will occur when a fire alarm sounds and/or upon notification announced over the intercom system.
- When an alarm is activated or notification received, leave the building by going to the nearest exit and alert others to do the same.
- Exit in a calm fashion.
- Assist handicapped in exiting the building.
- Do not use the elevator.
- Once outside the building proceed to a clear area away from the affected building or area.
- Keep all entry areas and walkways clear for emergency vehicles and personnel.
- Do not return to the evacuated building until the area has been cleared by an authorized official.

### **Campus Grounds Evacuation**

- Evacuation of all or part of the campus grounds will be announced by Intercom System.
- All persons are to immediately vacate the area of the campus in question and relocate to another part of the campus or vacate the campus as instructed.
- Proceed toward the nearest safe emergency exit.
- Close all doors behind you to keep smoke out of the stairway. If the stairway should become unsafe, proceed to a safe area away from smoke and fire, closing doors behind you to isolate the smoke.
- If you are in a room with a window, signal rescuers by any means necessary. If possible, place a cloth or wet cloth (if possible) at the bottom of the door to prevent smoke from entering.
- Persons who cannot speak loudly should carry a whistle or other means of attracting assistance.
- If evacuation of the campus by vehicle is restricted or blocked, evacuation of the campus by foot may be necessary to get away from the crisis area.

### **Non-Ambulatory Persons**

When assisting someone, always consult the person about the following:

- Ways the person would prefer to be removed from the wheelchair.

- Whether to extend/move extremities when lifting because of pain or medical equipment etc.
- If a seat cushion should be brought along with the person if he or she is removed from the chair.
- If the person would prefer being carried forward or backward on a flight of stairs.
- If the person prefers a stretcher, chair with cushion or medical assistance when being removed from the wheelchair.
- If possible - wheelchairs should not be used in stairwells. Ask others to help in assisting moving immobile person to avoid fall injuries.

### **Visually Impaired Persons**

- Tell the person the nature of the emergency.
- Offer to guide him or her to safety.
- As you walk, say where you are and advise of any obstacles.
- When safety is reached help to orient the person and ask if additional assistance is needed.
- Do not leave the person alone.

### **Hearing Impaired Persons**

Since alarms may not be heard and some buildings do not have visual alarms, do one of the following:

- Write a note explaining the nature of the emergency. Write down where they should exit to.
- Turn light switch on and off to gain attention, then indicate through gestures or writing what is happening and what to do.

### **Shelter in Place**

Shelter in Place is a term used to seek shelter outside of public view within a confined area. Employees should remain calm and clear the hallway of patients, visitors, and staff. If possible, close all blinds, stay out of sight, turn out all lights, lock and barricade all doors leading into the confined area, silence all phones, and remain quiet.

### **Lockdown**

Lockdown is the temporary sheltering technique utilized to limit exposure to an emergency situation or serious incident. It may be utilized to secure all or part of the campus from outside threats as determined by the Hospital Administrator or his designee. In the event of a public safety emergency, e.g. "Active Shooter", Weapons of Mass Destruction, Biological/Chemical Contamination, Civil Disturbance, it may become necessary to "lockdown" a building or buildings on campus to minimize the overall exposure to danger and to initiate an immediate and proper response to minimize the risk and number of casualties.

When alerted, occupants of any building within the subject area will lock all doors and windows, if applicable and will not allow entry or exit to anyone until the all-clear has been sounded. Theoretically, this procedure converts any building into a large "Safe Room." Lockdown is accomplished by a combination of measures; one measure by electronically locking entry doors where the system is available, another by the building occupants or

Building Administrator or designee locking all entry/exit doors, or a combination of using both of the aforementioned measures.

Upon notification of the need for a lockdown, the UPD Supervisor on Duty will initiate this plan. The level of lockdown will be at the discretion and consultation with the Building Administrator or designee. Outside Law Enforcement agencies may be contacted as necessary.

### **Levels Of Lockdown**

#### **Total Lockdown:**

This is the highest level of facility and perimeter security. During a total lockdown, ALL perimeter doors are secured and NO ONE is allowed to *enter* or *exit* the facility. In facilities that cannot be secured remotely a representative from these buildings will be contacted and requested to secure the exterior doors manually. UPD officers in uniform or designees may be assigned to key exit/entrance points.

#### **Partial Lockdown:**

A partial lockdown involves locking down only those facilities affected by the event, i.e. ACC/WCC may be locked down while the lock down of the Viral Disease Clinic may not be necessary. ALL foot traffic is directed toward predesignated controlled entrances/exits. UPD (or designee) will maintain control at these locations. Each person attempting to enter or exit shall be screened in accordance with policy. All doors and elevators leading to and from the Emergency Department will be secured. UPD personnel/designees will be assigned to these areas. The ED Physician, Director (or designee), Administrator on Call, or the Incident Commander will make the decision to lockdown the ED.

#### **Controlled Lockdown:**

During a controlled lockdown specific entry/exit only, all perimeter doors are secured. UPD personnel/designees are assigned to these doors as needed. Each person attempting to enter shall be identified and authorization verified before entry is granted. Each person attempting to enter or exit shall be screened.

The decision to terminate or discontinue a total or controlled lockdown will be at the direction of the Administrator (or designee) in consultation with the Director of Public Safety and/or the Incident Commander.

## **Active Shooter Incident**

What to do in an active shooter event.

Remember during an active shooting to RUN. HIDE. FIGHT.

### **Be Informed**

- Sign up for an active shooter training.
- If you see something, say something to the authorities right away.
- Sign up to receive local emergency alerts and register your contact information with any work-sponsored alert system.
- Be aware of your environment and any possible dangers.

### **Make a Plan**

- Make a plan with your family and make sure everyone knows what to do if confronted with an active shooter.
- Wherever you go look for the two nearest exits, have an escape path in mind and identify places you could hide if necessary.
- Understand the plans for individuals with disabilities or other access and functional needs.

### **DURING**

**RUN** and escape if possible.

- Getting away from the shooter or shooters is the top priority.
- Leave your belongings behind and get away.
- Help others escape, if possible, but evacuate regardless of whether others agree to follow.
- Warn and prevent individuals from entering an area where the active shooter may be.
- Call 9-1-1 when you are safe and describe the shooter, location and weapons.

**HIDE** if escape is not possible.

- Get out of the shooter's view and stay very quiet.
- Silence all electronic devices and make sure they won't vibrate.
- Lock and block doors, close blinds and turn off lights.
- Don't hide in groups. Spread out along walls or hide separately to make it more difficult for the shooter.
- Try to communicate with police silently. Use text message or social media to tag your location or put a sign in a window.
- Stay in place until law enforcement gives you the all-clear.
- Your hiding place should be out of the shooter's view and provide protection if shots are fired in your direction.

**FIGHT** as an absolute last resort.

- Commit to your actions and act as aggressively as possible against the shooter.
- Recruit others to ambush the shooter with makeshift weapons like chairs, fire extinguishers, scissors, books, etc.
- Be prepared to cause severe or lethal injury to the shooter.
- Throw items and improvise weapons to distract and disarm the shooter.

### **AFTER**

- Keep hands visible and empty.
- Know that law enforcement's first task is to end the incident and they may have to pass injured along the way.
- Officers may be armed with rifles, shotguns or handguns and may use pepper spray or tear gas to control the situation.
- Officers will shout commands and may push individuals to the ground for their safety.

- Follow law enforcement instructions and evacuate in the direction they come from unless otherwise instructed.
- Take care of yourself first and then you may be able to help the wounded before first responders arrive.
- If the injured are in immediate danger, help get them to safety.
- While you wait for first responders to arrive, provide first aid. Apply direct pressure to wounded areas and use tourniquets if you have been trained to do so.
- Turn wounded people onto their sides if they are unconscious and keep them warm.
- Consider seeking professional help for you and your family to cope with the long-term effects of the trauma.

## **Fire or Smoke**

LSUHS recognizes that staff, students, visitors, patients, and property must be protected from fire and smoke. LSUHS has designed and implemented processes for the management of fire safety.

These processes include:

- Fire detection, alarm, and suppression
- Structural and fire protection system integrity
- Interim Life Safety Measures during fire safety system compromise
- Response procedures in the event of a fire
- Evacuation procedures
- Orientation, continuous training, and drills

## **General Fire Response**

The general fire response for all buildings is a four-step procedure called RACE:

- **Rescue** – Escort or carry anyone in immediate danger of fire or smoke to a place of safety.
- **Alarm** – Activate the nearest fire alarm pull station if the building is equipped with fire alarms. Call UPD at 675-6165 and give your name, exact fire location, and type of fire. Some buildings require 911 to also be notified.
- **Confine** – Close all doors to the fire area as you leave the room. Shut off room gas flow meters if possible.
- **Extinguish/Evacuate** – If the fire is small attempt to extinguish the fire with a fire extinguisher. If necessary, begin evacuation of the area.

## **Fire Plans**

Fire plans provide procedures to follow to minimize risk to staff, students, visitors, and patients. Each building has a fire plan and many departments and units have additional fire policies and procedures. Staff should familiarize themselves with fire plans and departmental and unit policies and procedures to know the appropriate action to take in the event of a fire. The building fire plans can be viewed on the Office of Safety Services intranet webpage at <https://inside.lsuhs.edu/departments/safety-services/emergency-information/fire>:

- Medical School (B and C Buildings)
- Business Administration

- Biomedical Research Institute (BRI)
- Comp Care (A Building)
- Allied Health
- Non-Clinic Business Buildings (All other buildings not listed)

### **Fire Extinguishers**

Fire extinguishers put out fire by taking away fire elements (oxygen, heat, fuel, or the chemical reaction that is fire). Before attempting to use a fire extinguisher, know the type of fuel that is burning and use the appropriately rated fire extinguisher. Attempt to put out a fire only if the fire is small and an unobstructed escape route is available.

The method for using a fire extinguisher is called PASS:

- **Pull**–Pull the pin.
- **Aim**–Aim at the base of the fire.
- **Squeeze**–Squeeze the top handle.
- **Sweep**–Sweep from side to side. Extinguish the nearest fire and then move outwards.

### **Tornado**

Purpose: To protect staff, students, patients, and visitors should a tornado threaten or strike LSUHS buildings.

#### Policy:

#### **I. Plan Activation**

A. This plan will be put into effect when either a tornado is sighted from a LSUHS building or a report is received of a tornado within the immediate vicinity of the building.

B. The following announcement will be made: “Code Gray, we are in a tornado alert situation. Please move to the hallway corridors or interior rooms.”

C. During normal working hours, the Chancellor’s Office or designated representative shall be responsible for initiating the alert. On holidays, weekends, or nights, the hospital house manager will be responsible for initiating the alert.

#### **II. Movement**

A. Staff, students, patients, and visitors that are outside or in rooms with outside windows should move to an interior corridor or a windowless area when the alert announcement is made. In lobby areas, UPD will direct people to move away from the glass doors and windows.

B. In patient care areas, staff will supervise the movement of patients to corridors.

1. Place blankets, linens, mattresses on the floor to lie on.



2. Move patient care equipment needed to care for patients to the corridor.
3. Maintain appropriate space in corridor for personnel to move safely among patients.
4. Close all doors.
5. Personnel shall assist patients in lying flat or sitting down with head covered with blanket.

C. All patient rooms in which non-ambulatory patients are located shall be secured, if possible, by pulling drapes and/or lowering window shades to protect patients from flying glass. Patients shall be moved, when possible, across the room as far as possible from the windows.

### **III. Plan Termination**

The alert will be canceled via the following announcement: “Code Gray, tornado alert condition is canceled.”

### **SECURITY OF, MAINTENANCE OF, AND ACCESS TO CAMPUS FACILITIES**

Academic and Administrative Buildings are secured by UPD Officers. Hours of security may vary from building to building, depending on use. Most of LSUHS Academic and Administration Buildings are open during normal business hours; however, some buildings are restricted from public access and require an access badge to gain entry. Every night, UPD conducts Mandatory After-Hours Securement of Buildings Checks to ensure doors and restricted areas are locked. Unlocked areas are thoroughly searched until the building is fully secured and then locked. Entrance into buildings after-hours is granted by badge scan only.

Buildings are equipped with fire safety equipment that includes smoke detectors and/or heat sensors that activate the central fire alarm system. Also located in various locations on campus are panic alarms. These are small gray boxes that can be installed under desks or attached to a wall. Depressing both sides will send a silent alarm to UPD and officers will respond to the alarm location. For information about installation and costs please contact the Physical Plant.

UPD regularly patrols the campus and parking lots and reports any needed corrections on malfunctioning lights and other conditions deemed unsafe. UPD Investigation Division conducts a Day-Time Vulnerability Survey making observations of safety/security concerns including walkways, parking lots, and any landscaping concerns that might need attention. A Night-Time Vulnerability Survey is also completed making observations of safety/security concerns during hours of darkness and offering advice to correct any areas of concerns. Although crimes and safety issues can occur at any time, some crimes such as burglaries, thefts, and robberies increase during night-time hours to help conceal their activities.

LSUHS makes every effort to ensure that the campus facilities, buildings, and grounds are designed and maintained to promote safety and reduce criminal opportunity. Particular attention is paid to the design of landscaping and exterior lighting. Facilities and landscaping

are maintained in a manner that minimizes hazardous conditions. LSUHS Physical Plant is responsible for facility planning, construction, renovations, operation, maintenance and repair of buildings, grounds, and utilities.

With the exception of events that are open to the general public and advertised as such, the university's facilities and programs are generally reserved for accomplishing the objectives and programs of the university. Visitors and non-university affiliated groups seeking to utilize university facilities are expected to make prior arrangements with the appropriate university office. Authorization to use LSUHS facilities is determined by university regulations then in effect. Use of academic and administrative buildings may be scheduled by accessing our institution's secure intranet Room Reservations and Cancellation Form.

## CAMPUS SECURITY POLICIES

### VIOLENCE AGAINST WOMEN ACT

The Violence Against Women Act (VAWA) was enacted in 1994 to raise awareness of domestic violence and assault crimes against women. It has been updated and modified numerous times, most notably to expand the coverage to include basically all humans (men, transgender, transsexual, etc.). Violence is violence no matter what gender the victim is!

LSUHS is committed to providing a learning, working, and living environment that promotes integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex, gender, and sexual misconduct which includes sex discrimination, sexual harassment, retaliation and includes VAWA offenses such as dating violence, domestic violence, sexual assault, and stalking. LSUHS offers Awareness and Prevention Programs to educate the campus community on domestic violence, dating violence, sexual assault and stalking and provides information about services available to victims, whether the offense took place on- or off-campus.

Once an incident has been reported, LSUHS will provide written notification to students and employees (regardless of whether the victim chooses to report the crime to campus police or local law enforcement) for the following:

- Rights and options and existing resources available for victims within the institution such as: counseling, health and mental health, victim advocacy, legal assistance, visa & immigration assistance, student financial aid, and other services available for victims.
- Other available supportive measures, including health care, counseling, academic adjustments, work adjustments, etc.
- Available assistance in, and how to request changes to academic, living, transportation, working situations, or protective measures if the victim requests and if they are reasonably available.
- Existing resources available for victims within the larger community such as: counseling, health and mental health, victim advocacy, legal assistance, visa & immigration assistance, student financial aid, and other services available for victims.

### VAWA DEFINITIONS

#### **Consent**

To engage in sexual activity must exist from the beginning to the end of each instance of sexual activity. Consent is demonstrated through mutually understandable words 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 a person who the alleged offender knows or should reasonably know is incapacitated. The responsibility of obtaining consent, through mutually understandable words or actions, rests with the person initiating sexual

activity. Use of alcohol or drugs does not diminish the 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.

#### **Consent as defined by Louisiana Law**

A freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance shall not constitute consent.

#### **Consent as defined by University**

Clear, knowing, and voluntary permission demonstrated through mutually understandable words or actions clearly indicating willingness to engage in a specific sexual activity and any conditions on the activity. It is active, not passive; and silence, absent actions evidencing permission, is not consent.

Responsibility for obtaining consent lies with the individual initiating the sexual activity. Consent to engage in sexual activity may be withdrawn by any person at any time, as long as the withdrawal is reasonably and clearly communicated. Once withdrawal of consent is expressed, the sexual activity must immediately cease. Consent is automatically withdrawn by a person who, during the activity, becomes incapacitated. A current or previous consensual intimate relationship between the parties does not itself imply consent or preclude a finding of responsibility.

To give consent, a person must be of legal age. Consent cannot be obtained through coercion, fraud, or from a person whom the alleged offender knows or should reasonably know is incapacitated. Use of alcohol or drugs does not diminish the responsibility to obtain consent.

#### **Dating Violence as defined by VAWA**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

Dating Violence includes but is not limited to:

#### **Dating Violence as defined by the 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.

#### **Dating Violence as defined by 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 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:

- a. The length of the relationship,
- b. The type of relationship, and
- c. The frequency of interaction between the persons involved in the relationship.

#### **Dating Violence as defined by University**

Violence, when on the basis of sex or gender, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

#### **Domestic Violence as defined by VAWA**

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family 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.

Domestic Violence includes but is not limited to:

#### **Domestic Violence as defined by the 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:

- a. By a current or former spouse or intimate partner of the victim;
- b. By a person with whom the victim shares a child in common;
- c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d. By a person similarly situated to a spouse of the victim under the domestic or family
- e. Violence laws of the jurisdiction in which the crime of violence occurred; or
- f. 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.

#### **Domestic Abuse as defined by Louisiana Law**

Abuse and violence including but 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).

Family violence as defined by in Louisiana Law: 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).

### **Domestic Violence as defined by University**

A felony or misdemeanor crime of violence, when on the basis of sex or gender, committed by a current or former spouse or intimate partner of the Complainant; a person with whom the Complainant shares a child in common; a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Louisiana; or by any other person against an adult or youth who is protected from that person's acts under the domestic abuse or family violence laws of Louisiana.

\*To categorize an incident as Domestic Violence, the relationship between the parties must be more than people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

### **Sexual assault as defined by VAWA**

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. An offense that meets the definition of rape, forcible fondling, incest or statutory rape as used in the FBI's UCR program.

#### **Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.

#### **Fondling**

The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

#### **Incest**

Nonforcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

#### **Statutory Rape**

Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault also includes but is not limited to:

### **Sexual Assault as defined by the Clery Act**

Any offense that meets the definition of rape, fondling, incest, or statutory rape as used in

the FBI's UCR program.

### **Sexual Assault as defined by Louisiana Law**

Sexual Assault defined in La. R.S. § 14:43.1 as Sexual Battery. Sexual Battery is the intentional engaging in any of the following acts with another person where the offender acts without the consent of the victim, or where the act is consensual but the other person, who is not the spouse of the offender, has not yet attained fifteen years of age and is at least three years younger than the offender:

- (1) The touching of the anus or genitals of the victim by the offender using any instrumentality or any part of the body of the offender, or
- (2) The touching of the anus or genitals of the offender by the victim using any instrumentality or any part of the body of the victim.

### **Sexual Assault as defined by University**

#### Sexual Assault

a. Sex Offenses, Forcible – Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent.

- (1) Forcible Rape – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- (2) Forcible Sodomy – Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- (3) Sexual Assault With An Object – To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- (4) Forcible Fondling – The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

b. Sex Offenses, Nonforcible – Nonforcible sexual intercourse.

- (1) Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Louisiana law.
- (2) Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent of Louisiana.

c. Sexual Assault also includes sexual battery as defined in La. R.S. § 14:43.1.

### **Stalking as defined by VAWA**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking includes but is not limited to:

### **Stalking as defined by the Clery Act**

(1) The 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) the 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 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).

### **Stalking as defined by Louisiana Law**

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)

### **Stalking as defined by University**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:



- a. Fear for the person’s safety or the safety of others; or
- b. Suffer substantial emotional distress.
- c. For the purposes of this definition
  - (1) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
  - (2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
  - (3) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.
  - (4) Nothing in these definitions will be interpreted in a way that violates the First Amendment rights of any individual.

## STEPS FOR SEXUAL ASSAULT VICTIMS

It’s hard to know what to do, how to feel, or what your options are after a sexual assault. Please know that you are not alone. If you are in immediate danger or seriously injured, call 911. Below are some things to keep in mind:

- **Your safety is important.** Are you in a safe place? If you’re not feeling safe, consider reaching out to someone you trust for support. You don’t have to go through this alone.
- **What happened was not your fault.** Something happened to you that you did not want to happen—and that is not OK!
- **Call the National Sexual Assault Hotline at 800.656.HOPE (4673).** You will be connected to a trained staff member from a local sexual assault service provider in your area. They will direct you to the appropriate local health facility that can care for survivors of sexual assault. Some service providers may be able to send a trained advocate to accompany you.
- When you call the National Sexual Assault Hotline, a staff member will walk you through the process of getting help at your own pace.
- Preserving DNA evidence and electronic evidence is critical.
- You may wish to seek medical attention to treat any possible injuries and to check for injuries you may not be able to see.
- You have the choice to report it to campus police or local law enforcement. A report is not needed to get a medical attention or a sexual assault forensic exam.

## REPORTING A SEXUAL ASSAULT

LSUHS encourages individuals to report a sexual assault to the appropriate officials because it is the only way action can be taken against an alleged violator of the University policy. Reporting in a timely manner and a medical examination within 72 hours are critical in preserving evidence, but an individual may report an incident at any time. You may report the incident to the University regardless of whether you choose to press formal criminal charges; the decision to report to law enforcement is entirely up to you. Reporting an incident to the University allows the University to take steps to prevent the recurrence of

harassment and correct its discriminatory effects, if appropriate. Any individual who has experienced any form of sexual misconduct is also urged to utilize supportive measures available through the University whether or not the person who caused the harm is a University community member. Supportive measures are available whether or not a formal complaint is filed.

Understanding how to report and what takes place after reporting can take away some of the unknowns and help you feel more prepared. There is no limitation on when a victim can report a crime to police. However, there is a statute of limitation on when charges can be filed and a case can be prosecuted. Statutes of limitation vary by state, type of crime, age of the victim, and various other factors.

You have several options for reporting sexual assault:

- **Call 911.** If you are in immediate danger, dial 911.
- **Contact LSUHS UPD.** Call 318-675-6165. If the incident did not take place on campus, UPD will assist the victim with reporting to the local law enforcement agency with jurisdiction.
  - The victim will be informed that the Title IX Coordinator must be made aware of any report involving Title IX incidents. Title IX may begin their own investigation.
- **Contact the local police department.** If the incident took place off campus, please call the direct line of your local police station or visit the station in person.
- **Visit a medical center.** If you are being treated for injuries resulting from sexual assault, tell a medical professional that you wish to report the crime. The medical professional will contact UPD or local law enforcement agency depending on where the incident took place.
  - You will be escorted to the Emergency Room for medical attention.
  - A SANE Nurse will collect evidence for a Sexual Assault Forensic Exam.
  - A Patient Advocate will be contacted. You can decide if you want to speak to the advocate or not. The advocate can provide you with confidential support and let you know about your options.

## REPORTING TO LSUHS

- Anyone subjected to any type of sexual misconduct can file a complaint with the Title IX office. Reports can be made in person, via phone, email, or online reporting at <https://www.lsu.ethicspoint.com/>.
  - Sammy Wyatt, PhD, MBA, CFE, CHC, CCEP, EnCE  
Chief Compliance and Investigation Officer, Title IX Campus Coordinator  
[swyatt@lsuhs.edu](mailto:swyatt@lsuhs.edu)  
318-675-8502
  - Grace Nickels, EdD  
Deputy Title IX Campus Coordinator & S.A.V.E Coordinator  
[grace.nickels@lsuhs.edu](mailto:grace.nickels@lsuhs.edu)  
318-813-7283

- Contact any Campus Security Authority

Title IX Campus Coordinator	318-675-8502
Deputy Title IX Campus Coordinator	318-813-7283
School of Medicine Office for Student Affairs	318-675-5339
School of Allied Professionals	318-813-2900 318-813-2908 318-813-2931
SAHP – Student Life Office	318-813-2898
School of Graduate Studies	318-675-7572
Office of the Registrar	318-675-5205
Office of Graduate Medical Education	318-675-7629

- To file a criminal report with UPD dial 318-675-6165. You can also file a report in person (BRI Building, Ground Floor – UPD entrance is located to the right of the elevators).

What happens when you report the incident to UPD? When an incident is reported, a University Police Officer will inform you about university and external resources available to you, including information about preserving evidence, obtaining medical care, and contacting the SAVE Program. The officer will complete a report when the incident took place on-campus. Off-campus incidents are the primary responsibility of law enforcement agency in the jurisdiction where the incident took place. The report will be important to you in case you wish to bring charges, immediately or at a later date. You may be asked questions about the scene of the crime, witnesses, and what happened before and after the incident. You should be aware that the report registered with both police departments is considered part of the public record, which means they would be made available upon request. It is always your option whether to notify University or local law enforcement.

Records are open to the public in the state of Louisiana with the exception of pending criminal litigations, juvenile status offenders, sexual offense victims, security procedures, trade secrets, and some public employee information (LA R.S. 44:3J(1)). LSUHS complies with recordkeeping, including Clery Act reporting and disclosures (annual security report and daily crime log) without the inclusion of personal identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)). LSUHS will maintain confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Institutions may disclose only information that is necessary to provide the accommodations or protective measures and should carefully consider who may have access to this information to minimize the risk to a victim's confidentiality.

Personal identifiable information means individually identifying information for or about an individual likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected including: a first and last name, home or other physical address, contact information (including postal, email, phone or fax number), social security number, driver's license number, passport number, or student identification number; and

any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

### **PRESERVING EVIDENCE AND SEXUAL ASSAULT FORENSIC EXAM**

It is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. If possible, a victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. If possible, any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of dating or domestic violence should be documented if possible, including through the preservation of photographic evidence. If possible, evidence of stalking, including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way.

DNA evidence from a crime like sexual assault can be collected from the crime scene, but it can also be collected from your body, clothes, and other personal belongings. You may choose to have a sexual assault forensic exam, sometimes known as a “rape kit” to preserve possible DNA evidence and receive important medical care. You do not have to report the crime to have an exam, but the process gives you the chance for evidence to be safely stored should you decide to report at a later time.

Preparing for a sexual assault forensic exam:

If you are able, try to avoid activities that could potentially damage evidence such as:

- Bathing
- Showering
- Using the restroom
- Changing clothes
- Combing hair
- Cleaning up the area

It’s natural to want to go through these motions after a traumatic experience. If you have done any of these activities, you can still have an exam performed. You may want to bring a spare change of clothes with you to the hospital or health facility where you are going to have the exam. In most cases, DNA evidence needs to be collected within 72 hours in order to be analyzed by a crime lab, but a sexual assault forensic exam can reveal other forms of evidence beyond this time frame that can be useful if you decide to report.

### **POLICIES AND PROCEDURES OF SEXUAL MISCONDUCT**

LSU Permanent Memorandum 73 - Prohibiting Power-based Violence, including Sex- and Gender-based Harassment and Discrimination, and Sexual Misconduct outlines the procedures for addressing and resolving allegations of power-based violence including sex- and gender-based harassment and discrimination, and sexual misconduct (e.g. sexual assault, stalking, dating violence, domestic violence, sexual exploitation, retaliation, etc.) for all LSU campuses. Such procedures are required and governed by (1) Title IX of the Education Amendments of 1972 which prohibits sex discrimination in any education program or activity receiving federal financial assistance, (2) Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature, and (3) the Board of Regents Uniform Policy on Power-Based

Violence. LSUHS Title IX Coordinator is responsible for administering this policy at all University locations. The [Title IX PM73](#) policy, procedures, programs and resources can be viewed, in its entirety, in the UNIVERSITY POLICES section of this annual security report.

Power-based violence, and sex- and gender-based harassment and discrimination, including sexual misconduct, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation, violate an individual's fundamental rights and personal dignity and will not be tolerated. LSUHS prohibits and is committed to an environment free of discrimination on the basis of sex, gender, and Sexual Misconduct. This policy affirms these principles and provides recourse for individuals whose rights have been violated.

LSUHS will take prompt, thorough, and impartial action to discipline those who violate this policy, prevent recurrence of prohibited behavior, and effect equitable remedies. Parties will receive a prompt, fair, and impartial process conducted by trained investigators and decision-makers, who receive bi-annual training.

The policy affirms these principles and provides recourse for individuals whose rights have been violated and applies to all members of the University community, including faculty, staff, students, volunteers, organizations, and any other affiliate that participates in activities associated with LSUHS.

Title IX law applies to educational institutions and specifically covers sexual misconduct under a limited set of circumstances. Title IX has jurisdiction over conduct that occurs:

- Where the complainant is an LSUHS student, or an LSUHS employee acting within their job responsibilities;
- Where LSUHS exercised substantial control over the Respondent in the context of where or how the alleged incident occurred;
- In the course of LSUHS operations;
- On an LSUHS campus or any other University owned, leased, controlled or operated location;
- Within the bounds of the United States; and
- At any LSUHS sponsored event or organizational activity in the United States whether on or off campus.

Further, even when the respondent is not a member of the LSUHS community, supportive measures, remedies, and resources may be available to the complainant by contacting the Title IX Coordinator.

## **RIGHTS OF COMPLAINANTS AND RESPONDENTS**

The complainant shall have the discretion and right to decide whether or when to file a formal complaint, report to law enforcement, and determine whether to proceed with a formal complaint. The complainant also has the right to receive assistance from LSUHS in doing so.

The respondent shall have the right to be presumed not responsible of all allegations until found responsible for the alleged conduct by a hearing panel under this policy.

The complainant and respondent have equal rights, including but not limited to:

- To be treated with dignity and respect by LSUHS officials;
- To receive a prompt, fair, and impartial process consistent with these procedures;
- To be offered and to receive reasonable supportive measures;
- To receive timely, written notice of the allegations, proceedings, processes and outcomes under this policy;
- To have an advisor of their choice present at any meeting or hearing under this policy and to have that advisor conduct cross-examination of the parties and witnesses in a hearing;
- To refuse to engage in informal resolution of a formal complaint;
- To present witnesses, including fact and expert witnesses, and any relevant evidence;
- To receive amnesty for certain student misconduct, such as drug or alcohol violations, that occurred ancillary to the complaint at hand and consistent with this policy;
- To not have inadmissible prior sexual history/predisposition used by the decision-maker;
- To be free from retaliation for reporting violations of this policy or cooperating with an investigation;
- A right to review and comment on all evidence prior to a decision being made (for administrative resolution and formal resolution);
- To be simultaneously informed in writing of the outcome or resolution of the complaint, any sanctions, and the rationale for the outcome, any appeal, or any other decision considered final;
- To exercise a right of appeal as afforded in this policy.

Additionally, parties participating in a Formal Resolution also have the following rights:

- The right to review and comment on all relevant and directly related evidence at least 10 days prior to completion of the final investigation report;
- The right to review and comment on the final investigation report (if applicable) at least 10 days prior to a decision;
- The right to be present for the entire hearing, whether in person or via video technology.

## **INITIAL CONTACT WITH COMPLAINANT**

Upon notice of a possible complaint through an Incident Report, the Title IX Coordinator will provide the Complainant information on, and assistance with, reporting options including filing a Formal Complaint with LSUHS, and filing a criminal complaint with law enforcement. The Title IX Coordinator will also provide the Complainant with options for other available supportive measures, including health care, counseling, academic adjustments, work adjustments, etc., regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Individuals are strongly encouraged to report the offense to campus police or local law enforcement if they believe criminal conduct occurred (i.e. sexual assault, sexual battery,

stalking, etc.). The Title IX Coordinator will offer to assist the individual in contacting campus or local law enforcement if the individual chooses, as well as the option to decline to notify authorities. If individual chooses to notify campus police, then an officer from UPD will be dispatched to their location to complete incident report.

To the extent possible, the Complainant, and those who receive the complaint, should preserve evidence and not disturb a potential crime scene. This includes preserving all text or email communications that may be related to the incident. To preserve evidence, individuals should avoid showering, changing clothes, combing hair, drinking, or eating until after a physical exam has been completed.

## **SUPPORTIVE MEASURES**

The Title IX Coordinator and Deputy Title IX Coordinator can assist with the process for filing a complaint as well as the process for an investigation. They are responsible for providing supportive measures regardless of whether a formal complaint is filed. LSUHS will protect the privacy of those who report incidents of sexual misconduct to the extent permissible by law. Supportive measures are maintained as confidential to the extent possible, provided confidentiality does not impair the University's ability to provide those supportive measures. Such supportive measures, as reasonably available, may include, but are not limited to:

- Referral for counseling, medical, or other healthcare services;
- Referral to campus or local advocacy programs;
- Referral to campus or local law enforcement;
- Referral to community-based service providers
- Safety Planning;
- Implementing a no contact order, or other contact limitations;
- Student financial aid counseling;
- Relocating an on-campus student's housing to a difference on-campus location;
- Changing an employee's work environment (e.g. reporting structure, office/workspace relocation);
- Transportation accommodations;
- Academic support, extensions of deadlines, or other course/program- related adjustments;
- Alternative course completion options (e.g. Remote, Online, Incompletes, Withdrawals, etc.);
- Referred for visa/immigration assistance;
- Any other actions deemed appropriate by the Title IX Coordinator.

## **COMPLAINT AND INVESTIGATION**

In order for an investigation into a complaint of sex- or gender-based harassment and discrimination to occur, the Complainant, or under certain circumstances the Title IX Coordinator, must file a Formal Complaint. This is a step beyond an incident report, which is the first notification to the Title IX office that a possible violation occurred. The incident report does not trigger an investigation. The Formal Complaint will be reviewed and a determination made as to whether the offense meets the criteria to be considered as a Title

IX complaint. If it does, a Title IX investigation will proceed. If it does not, the allegation may be investigated under the Code of Conduct or other policies.

## **INITIAL RESPONSE TO REPORTS**

Upon actual knowledge of a report of sex- or gender-based harassment and discrimination, including Sexual Misconduct through an Incident Report, regardless of whether it occurred on- or off-campus, the Title IX Coordinator will promptly contact the Complainant to discuss and provide the impacted individual with written notice of available options, remedies, and services. This will include:

- The availability of supportive measures regardless of whether a Formal Complaint is filed;
- The process for filing a Formal Complaint as well as process for an investigation including an appeal;
- Complainants preference for manner of resolving the complaint and any barriers to proceeding;
- Information on the rights and responsibilities as a party in this matter including the right to have an Advisor of their choice;
- Jurisdiction of Title IX policy versus power-based violence conduct and differences between procedures;
- Instruct the Complainant not to destroy any potentially relevant documentation in any format;
- Explain the prohibition against retaliation;
- Provide a copy of PM 73 and any other relevant policies;
- The right to file a complaint with law enforcement, if the conduct alleged is criminal in nature, and to be assisted in doing so; and
- The legal requirement to communicate necessary non-identifiable details of the report to the campus police department for entry into the institution's daily crime log.

If the Title IX Coordinator has cause to believe that, as a result of the incident, there is reason to believe the safety of any person is in imminent danger, the Title IX Coordinator must immediately inform the Chancellor of the campus.

## **PREPONDERANCE OF THE EVIDENCE STANDARD**

All investigations and proceedings, including disciplinary hearings, relating to prohibited conduct are conducted using a "Preponderance of the Evidence" standard.

## **ADVISORS**

Each party is permitted to have an Advisor of their choice present with them in all meetings and proceedings under this policy. The Advisor may be, but is not required to be, an attorney. The Advisor must participate in a training session on protocol in order to serve in this role during a Hearing Panel. The Advisor may not answer questions on behalf of their advisee. They also cannot act as a spokesperson except during a Prehearing Conference or the Hearing when conducting cross- examination of a party or a witness.



Once a party shares the identity and contact email address for their Advisor, that Advisor shall be copied on correspondence from LSUHS on the case in accordance with the Procedures section of this policy. A party may change Advisors at any time but must provide prompt notice to the Title IX Coordinator and/or the Title IX Investigator.

## **TRAINING**

The University will ensure there is an adequate pool of willing and trained members who are available year-round to serve in the resolution process pool. Members can be faculty, administrators, staff, or students who are recruited or selected because of their ability to remain neutral and open-minded. Members of the pool will serve three-year rotating terms and must participate in bi-annual training provided by the Office for Compliance and Investigations. Training will ensure all pool members are equipped to serve as Hearing Panelist, Hearing Panel Chair, Appeals Reviewer, or as Advisor for the Complainant or the Respondent, but cannot serve in more than one role for a given case.

## **NOTICE TO COMPLAINANTS AND RESPONDENTS**

When an investigation commences the Respondent, the Complainant, and their Advisors shall be sent a detailed, written Notice of the Investigation and Allegation (NOIA) including, at a minimum, the following:

- As summary of the allegation with reasonable specificity;
- The identity of the parties (if known);
- The specific policies implicated;
- The date and location of the incident (if known);
- The right for the parties to have an Advisor of their choice, who may be – but is not required to be – an attorney, present for all resolution- related proceedings, and that LSUHS can help appoint an Advisor, if desired by the party.
- A statement that LSUHS presumes the Respondent is not responsible of all allegations until found responsible for the alleged conduct by a hearing panel under this policy;
- A statement that the parties may inspect and review evidence, including the investigation report, consistent with these procedures, prior to a decision being made;
- A statement about LSUHS policy on retaliation;
- A statement indicating that LSUHS policy prohibits knowingly false statements or knowingly submitting false information during the resolution process;
- A request to meet with the Title IX Investigator;
- An indication that the resolution process complies with Title IX's Regulations contained in Section 106.45 of 20 U.S.C. 1681;
- The notice of investigation and allegations may be amended during the course of the investigation, and that any amendments will be promptly communicated to the parties.

## **TIME FRAMES**

The Investigator will make a good faith effort to conduct a thorough, prompt, and impartial investigation based on the facts and circumstances of each complaint within 45 days of the

receipt of the Formal Complaint. This timeframe may expand or contract based on factors such as the complexity or severity of the allegation, as well as the involvement of external parties (e.g. law enforcement). Complex or consolidated investigations may take longer.

## **RESIGNATION WHILE A CASE IS PENDING**

If a student permanently resigns from LSUHS or an employee resigns or retires from LSUHS while a case is pending, the Title IX Coordinator will have the discretion to continue the investigation to the extent possible. The employee also will not be eligible for rehire. In either case, LSUHS will, continue to address and remedy any systemic issues or concerns that contributed to the alleged violation, and provide supportive measures to the Complainant and others, as deemed necessary or appropriate by the Title IX Coordinator.

## **PROCEDURES FOR UNIVERSITY DISCIPLINARY ACTION IN CASES OF SEXUAL MISCONDUCT**

The following are procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a college official. There are three options for resolution following the filing of a Formal Complaint: Informal Resolution, Administrative Resolution, and Formal Resolution.

Informal Resolution is a voluntary process intended to provide parties the opportunity to mutually control the outcome and can be used at any time during the resolution process. Informal Resolution does not use an investigation, calling of witnesses, or a report of findings with sanctions. The parties themselves create an outcome that resolves the complaint.

Administrative Resolution is the procedure by which allegations in a Formal Complaint are sex- or gender-based but do not rise to the level of requiring a Formal Hearing under Title IX, are otherwise identified as power-based violence, or for which Informal Resolution is either inappropriate or where one or both parties chose not to use Informal Resolution. The Administrative Resolution includes an investigation into the allegations and a single Decision-Maker who will determine the findings and sanctions.

Formal Resolution is used for Title IX cases, as well as any case where suspension, expulsion, or termination is possible. Formal Resolution involves a thorough and impartial investigation, a review of all evidence and the investigation report by the parties, a live hearing before an impartial panel of three individuals, and a decision by those decision-makers.

## **DECISION MAKING**

Once the Decision-Maker, the parties and their Advisors have received a copy of the final investigation report, the Decision-Maker will review the investigation report, as well as all relevant evidence, the parties' additional statements, and responses to the draft investigation report. The Decision-Maker will then apply the preponderance of the evidence standard when determining responsibility. In order to find a Respondent responsible under the preponderance of the evidence standard, the evidence must show that the charge is more

likely supported than not. If the Respondent is found responsible, the Decision-Maker may request input from the parties to evaluate possible sanctions. The Decision-Maker may also request input from relevant LSUHS officials in determining the appropriate sanctions (e.g.: HR, Student Affairs, etc.). Prior conduct history of the Respondent will also be considered when determining an appropriate sanction.

The Decision-Maker will prepare and provide to the Title IX Coordinator, typically within 10 business days of receiving the final investigation report, a written determination which will include:

- Identification of the allegations constituting a violation of this policy;
- A description of the procedural steps taken from receipt of the Formal Complaint through determination, including any notifications to the parties, interviews with parties and witnesses, evidence gathered and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the policy to the facts;
- A statement explaining the sanction for each policy violation found “responsible;”
- Whether additional remedies designed to restore or preserve equal access will be provided by LSUHS to the Complainant.

The Title IX Coordinator is responsible for effective implementation of any sanctions and sharing of outcomes. Both the Complainant and Respondent will be informed in writing of the outcome of any corrective action or disciplinary process.

## **FORMAL RESOLUTION**

The Formal Resolution process is the procedure by which allegations in a Formal Complaint are presented in a formal PM 73 Hearing for a determination as to whether any of the policies were violated.

The determination as to whether or not a matter rises to the level of a Formal Resolution is made by a Title IX Coordinator and must account not just for the nature and severity of the alleged violation but also for the disciplinary history of the Respondent. Formal Resolution is used where the allegation either constitutes a possible violation of Title IX (as defined in this policy), or where probable cause indicates that an allegation, if true, could reasonably result in suspension, expulsion, or termination of the Respondent.

The Hearing Panel shall deliberate in closed session with only panelists present. Deliberations are not recorded. The Hearing Panel is to apply the preponderance of the evidence standard when determining responsibility. A simple majority vote is required to determine the finding. In order to find a Respondent responsible under the preponderance of the evidence standard, the evidence must show that the charge is more likely supported than not. If the Respondent is found in violation for one or more of the allegations, the Panel will then shift to determining the appropriate sanctions.

Each party is permitted to have an Advisor present with them throughout the Hearing. The Advisor may not answer questions on behalf of their advisee, and their role in the hearing is limited to cross-examination and questioning of the other party and the witnesses, and to

consult with their advisee throughout the Hearing as needed.

At the beginning of the Hearing, the Investigator will present a summary of the final Investigation Report and the relevant evidence and will be subject to questioning by the Decision-Makers and the parties' Advisors. Once the Investigator has presented their report, relevant evidence, and been questioned by the Panel and the parties' Advisors, witnesses will provide relevant information in turn. At the conclusion of each party's or witness's presentation of evidence, the members of the Hearing Panel will be allowed to ask questions, followed by cross-examination by the parties' Advisors. At the conclusion of the hearing, the parties may provide the Chair with a written, sealed impact statement for the panel to consider only during the sanctioning phase of deliberations, if the Respondent is found in violation.

## **DISCIPLINARY SANCTIONS**

In cases where the Respondent is an employee, the Panel may also consult with Human Resources Management to ensure the sanction is consistent with employment-related laws, regulations, and policies.

The Hearing Panel will prepare and provide to the Title IX Coordinator, typically within five business days of the Hearing, a written Determination Letter which must include:

1. Identification of the allegations constituting violation of the sex- or gender-based harassment and discrimination policy, as well as any other concurrent or ancillary policies;
2. A description of the procedural steps taken from receipt of the Formal Complaint through determination, including any notifications to the parties, interviews with parties and witnesses, evidence gathered and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the policy to the facts;
5. A rationale for each finding;
6. A statement explaining the sanction for each policy violation found "responsible;"
7. Whether additional remedies designed to restore or preserve equal access will be provided by LSUHS to the Complainant.

Students found responsible for violating this policy may expect the range of sanctions to include, but not be limited to, warning, disciplinary probation, deferred suspension, suspension, expulsion, psychological assessment, counseling, social restrictions, limited presence on campus, and/or revocation of admission or degree. Additional sanctions may also be imposed when appropriate. Students for whom sanctions are assigned will have a notation placed on their transcript indicating they have been found responsible for violations of policy.

An employee found responsible for violating this policy may expect the range of sanctions to include, but not be limited to, suspension, administrative leave, demotion, psychological assessment, counseling, restricted presence on campus and/or termination of employment.

Both the Complainant and Respondent will be informed in writing of the outcome of any corrective action or disciplinary process. With limited exceptions such as imminent risk to the safety of others, sanctions from a Formal Hearing are not implemented until the conclusion of the appeals process.

## **APPEALS**

Any party may appeal a determination made by the Decision-Maker or the Hearing Panel. The Appeals process is to be deferential to the Hearing Panel's decisions. The process is not a rehearing. In most cases, the appeals are confined to a review of the relevant evidence, the Investigation Report, the Hearing Panel's determination letter and the recording of the hearing. The Appeals Review is also limited to specific grounds intended to ensure the decision of the Decision-Maker or the Hearing Panel was materially fair and consistent with LSUHS policies.

Decisions of the Appeal Reviewer are final. In the event of remand for rehearing, the subsequent Hearing Panel outcome may be appealed in accordance with the provisions herein. Otherwise, any appeal right exercised under this policy shall complete the process.

## **RECORD KEEPING**

Records created or received under this policy will be maintained for at least seven years from the date each case is closed. The following shall be kept as part of the record:

- Each investigation including any determination regarding responsibility, whether through the Formal or Administrative processes;
- Any audio or audiovisual recording or transcript of a hearing;
- Any disciplinary sanctions imposed on the Respondent;
- Any remedies provided to the Complainant designed to restore or preserve equal access to LSUHS education program or activity;
- Any appeal and result therefrom;
- Any informal resolution and result therefrom;
- All materials used to train Title IX Coordinators, Investigators, decision-makers, and any person who facilitates an informal resolution process; and
- Records of any actions, including supportive measures, taken in response to a report or Formal Complaint. These records will also include:
  - The basis for all conclusions that the response was not deliberately indifferent;
  - Any measures designed to restore or preserve access to LSUHS education program or activity; and
  - If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Unless waived in writing by the complainant, the identity of the complainant is confidential and not subject to disclosure. The following exceptions apply:

1. Identified to someone employed by the institution to investigate allegations if the

disclosure is necessary to investigate the report.

2. Identified to a law enforcement officer if necessary to conduct a criminal investigation into the allegations of the report.
3. Identified to the alleged perpetrator of the incident to the extent required by law.
4. Identified to a potential witness to the incident in order to conduct an investigation of the report.

LSUHS may be required to disclose information on a need-to-know basis in order to properly address a complaint, when there is a threat to others, pursuant to subpoena, or other court or administrative order, or as required by applicable law. Violations of confidentiality or privacy by any other persons involved in the resolution, investigation or administration of the complaint, including any employee, faculty, staff, or student may result in disciplinary or corrective action. LSUHS will maintain any and all records in accordance with state and federal laws. The FERPA Exception: FERPA, the Federal Education Rights and Privacy Act, protects the privacy of a students' educational records. Any disclosures in regard to the Clery Act, would only be in context to an exception as it applies in the case of a Health or Safety Emergency.

## **RETALIATION**

LSUHS expressly prohibits retaliation against an individual who reports incidents of power-based violence, the parties involved, and their witnesses. Specifically, retaliation against anyone who in good faith reports what they believe to be power-based violence, cooperates with an investigation covered in this policy, or opposes conduct they believe to violate this policy may be subject to disciplinary action. However, an individual who reports retaliation but is identified as the perpetrator of, or having assisted in the perpetration of, the power-based violence reported, will still be subjected to an investigation and potential disciplinary action under this policy. Anyone who believes they have been retaliated against should immediately report it to the Title IX Coordinator who will treat it as an incident report.

## **BYSTANDER INTERVENTION**

It is our intent that our policies addressing sexual assault, domestic and dating violence, and stalking will also protect "bystanders" who witness or intervene to stop violence.

What is a bystander? A bystander is a person who witnesses an event or incident and takes NO action.

- Onlooker
- Passerby
- Observer
- Eyewitness
- Watcher
- Non-participant
- Spectator
- Witness
- Gawker

What is bystander intervention? Any person or group of people who interrupt behaviors

that prevent violence. Everyone benefits by intervening. No crime is committed; therefore, there is no victim. Safe and positive options 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. Bystander intervention 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.

#### BYSTANDER TIP #1 'THE FAKE FRIEND'

An effective and safe way of intervening in harassment situations is to become a 'fake friend' of the target. However, make sure you check in with the target before, to see if she/he actually needs assistance.

#### BYSTANDER TIP #2 'CALL OUT THE HARASSER'

Most harassers stop once their behavior is acknowledged and reprimanded. Use three simple steps to call out the harasser.

- Name the act – 'You're groping that woman'
- State a principle – 'That's not OK'
- Make a command – 'Stop harassing people'

#### BYSTANDER TIP #3 'MAKE YOUR PRESENCE FELT'

Let the harasser know that you see, recognize, and condemn the behavior. Something as simple as spilling your coffee or asking for directions/time (or ringing the doorbell) can work wonders.

#### BYSTANDER TIP #4 'CHECK IN WITH THE TARGET'

- "Are you OK?"
- "Do you need any help?"
- "Is that person bothering you?"

One question alone can deter a harasser who believes no one will intervene. Also, the target knows you've got their back!

#### BYSTANDER TIP #5 'BE A ROLE MODEL'

This is possibly the most effective to end street harassment. If you treat others with respect and choose to raise your voice when you see someone being harassed - your peers, friends, family, and anyone around you will learn from you.

## **RISK REDUCTION**

LSUHS is committed to maintaining a safe campus for all members of the university community and providing options designed to decrease perpetration and bystander inaction, to increase empowerment for victims in order to promote safety, and to help individuals and communities address conditions that facilitate violence. Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame and with recognition that only those who commit Sexual misconduct are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a nonconsensual sexual act. With this in mind, LSUHS suggests the following tips in campus programming and messaging to help keep our community safe and reduce personal risk.

### **RISK REDUCTION TIPS**

If you find a friend in a situation that concerns you, consider the following strategies to intervene safely and effectively:

- Create a distraction to interrupt the flow of events
- Involve others to help you
- Make an excuse to remove a friend from the situation
- Point out the unwanted behavior in a safe and respectful manner
- Call for help, if needed

Sexual assault is never a victim's fault. However, there are ways that may reduce the risk of being sexually assaulted including being prepared, alert, and assertive. Consider the following tips:

- Be aware of your surroundings
- Practice responsible drinking; alcohol is a factor in many sexual assaults
- Never leave your drink unattended
- Don't accept drinks from someone you don't know or trust
- Stay with your friends and make sure your friends stay with you
- Be careful of online relationships
- Trust your instincts

We are reminded to think about relationships, specifically relationships that may be, or become abusive. Be aware of the signs:

- Is one of the partners verbally and emotionally abusive?
- Is one of the partners isolating the other from friends and family?
- Is one of the partners controlling, intimidating or always jealous?
- Is there a threat of harm?

### **PRIMARY PREVENTION & AWARENESS PROGRAMS and ONGOING PREVENTION & AWARENESS CAMPAIGNS**

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, acquaintance rape, sexual assault, domestic violence, dating violence or stalking that occur among its students LSUHS utilizes initiatives to promote awareness, education, risk



reduction and prevention programs to encourage individuals to report concerns or complaints. LSUHS prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking and collaborates with multiple departments across campus in providing primary prevention and awareness programs.

Primary Prevention Programs provides programming, 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.

Awareness Programs are 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 perpetration. These programs are designed to inform the campus community of security procedures as well as practices to encourage students and employees to be responsible for their own security and the security of others.

Primary Prevention & Awareness Programs are provided to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking and must be completed by all incoming students and new employees at the beginning of the semester or upon hire.

Ongoing Prevention & Awareness Campaigns provides 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.

Ongoing Prevention & Awareness Campaigns are also provided to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking and must be completed by all current students and employees annually.

The following are programs held at LSUHS:

<b>PRIMARY PREVENTION &amp; AWARENESS PROGRAM FOR INCOMING STUDENTS AND NEW EMPLOYEES</b>	<b>ONGOING PREVENTION &amp; AWARENESS CAMPAIGNS FOR CURRENT EMPLOYEES AND STUDENTS</b>
Title IX and SAVE Program Training	Dating & Domestic Violence Awareness (October)
Student Orientation	Preventing Stalking Awareness (January)
Employee Orientation	Preventing Sexual Assault Awareness (April)
New Hire Mandatory Training	Campus Education Day (CED Training)
Power-Based Violence/Title IX Online Training (only Employees & Graduate Assistants)	Power-Based Violence/Title IX Online Training (only Employees & Graduate Assistants)
	Personal Protection Measures Training
	Self Defense Classes
	Alice Training (Active Shooter) Classes
	Safety On Campus Presentation
	Campus Safety Awareness Month

Upon request, any department or student organization can contact the UPD at 318-675-6165 to create presentations and provide informational seminars on any safety and security topics.

### **Additional Campus Safety Information**

LSUHS department liaisons attend Safety Committee Meetings six times a year to exchange information and ideas related to policing, safety, security, campus crimes, and other related community concerns and reviews all information and makes recommendations for improvements.

A School Safety Committee was formed and comprises of university students, faculty, and staff in order to gain a diverse perspective on subject matters. On-going meetings allow the students, faculty, and staff to address any areas of concern.

Online polls conducted about current safety and security issues on campus and at the hospital. The information received proved to be a valuable tool in gaining insight on areas of security and safety deficiency based on students, faculty, employees, and staff's objectives.

Campus shuttle services are provided in a safe, reliable, and professional manner that meets your transportation needs. Shuttle service is available weekdays from 6:30am until 7:00pm. This service consists of a contracted charter bus.

UPD provides safety escorts to members of the campus community twenty-four hours a day, seven days a week, upon request. This service provides students, employees, faculty, and staff with a walking or motor vehicle escort to their vehicle to members who feel uncomfortable walking during the hours of darkness. Escorts during daylight hours may be provided when safety concerns exist. If you wish to request the escort service, please call UPD at 318-675-6165. If an officer has not arrived, please do not walk alone! Call the number again, the officer may be on a service call. Please note that if the officer receives a call for assistance, calls for police service must take precedence over the escort. For example, a report of any crime, accident or alarm will supersede a police escort request.

UPD hosts a series of events in recognition of Campus Safety Awareness Month (CSAM) throughout September. CSAM brings awareness to the campus community about the safety and support tools our campus provides. This year, UPD held another Breakfast & Safety Fair which gives the campus community an opportunity to stop by for breakfast and meet with the UPD and Title IX Deputy Coordinator. Self-Defense presentation showed how to confidently respond to multiple types of attacks. ALICE Training provided resourceful information on what to do during and after an active shooter event. UPD and the Office of Institutional Wellness offered a Campus Safety Walk giving participants a chance to walk around the campus and discuss any health and safety issues or concerns.

## RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

### UNIVERSITY RESOURCES

#### **SAVE Program Office**

Prevention and Education  
School of Medicine  
Building C, Room 2-448  
318-813-SAVE (7283)  
[shvSAVE@lsuhs.edu](mailto:shvSAVE@lsuhs.edu)

#### **Student Counseling Center**

(Confidential)  
1801 Fairfield, Suite 210  
318-813-6100  
<https://www.lsuhs.edu/our-schools/counseling-center>

#### **University Ombuds Office**

(Confidential)  
345 Hatcher Hall, Baton Rouge, LA 70803  
225-578-0337  
<https://www.lsu.edu/ombuds/index.php>

#### **LSUHS UPD**

Report Crime or Incident 318-675-6165 HOTLINE 318-675-3873  
Chief Vaughn Burris – Director  
BRI Building, Ground Floor - UPD  
318-675-6161  
[vaughn.burris@lsuhs.edu](mailto:vaughn.burris@lsuhs.edu)

#### **Title IX Office**

Sammy Wyatt, PhD, MBA, CFE, CHC, CCEP, EnCE  
Title IX Campus Coordinator  
[swyatt@lsuhs.edu](mailto:swyatt@lsuhs.edu)  
318-675-8502

Grace Nickels, EdD

Deputy Title IX Campus Coordinator Specialist  
[grace.nickels@lsuhs.edu](mailto:grace.nickels@lsuhs.edu)  
318-813-7283

#### **Medical Care/Evidence Collection**

Ochsner LSU Health Shreveport  
318-626-0000  
<https://www.ochsnerlsuhs.org>

## **SAVE PROGRAM**

LSUHS is committed to providing non-judgmental and appropriate support services for all sexual assault survivors, regardless of gender, ethnicity, sexual orientation, age, ability, or whether or not they report the crime to law enforcement. The Sexual Assault and Violence Education (SAVE) Program provides training, educational awareness programming, and support services to the LSUHS campus community. The goal of the program is to reduce incidence of power-based violence (e.g., dating/domestic violence, sexual assault, sexual harassment, stalking) on- and off-campus. Program provides individuals with information on identifying forms of power-based violence and responding in situations in which they witness or experience harm. Students, faculty, and staff may seek resources and support services from the SAVE Program in the event they experience any form of power-based violence.

SAVE Program staff are authorized to facilitate supportive measures and will assist with reporting incidents to the Title IX Coordinator and/or law enforcement (if desired). SAVE Program staff are required to report incidents for statistical reporting requirements of the Clery Act to UPD without disclosing any personal identifying information. The university has a vested interest in obtaining an accurate account of the number of sexual assaults occurring on- or off-campus involving student survivors.

## **STUDENT COUNSELING CENTER**

Our goal is to serve LSUHS students and engage our entire academic community as we work to build a culture of support and connection with student well-being. We accomplish mental health and personal development by collaborating directly with students to overcome challenges and difficulties that may interfere with academic, emotional, and personal success. The Student Counseling Center helps remove barriers to learning by providing accessible psychological and psychiatric assessment, short-term psychotherapy, medication management, consultation and crisis intervention, community referrals, workshops and psychoeducational programming to currently enrolled students.

Our clinical professionals provide a safe, non-judgmental and confidential environment for students to discuss concerns. The staff provides an individualized approach to care, and strives to provide students with ample opportunities to:

- develop greater insight and self-understanding
- identify and solve problems
- reduce emotional distress
- manage relationship difficulties
- improve cognitive, emotional, academic, and social functioning
- explore and understand cultural and other identities

Our work also involves information, trainings, and tools to help students. Together, we can achieve a climate of emotional well-being where each student can engage thoughtfully as an active community member and support their fellow students.

Participation in mental health services is confidential. We will not give any information to anyone without your written consent. This includes your parents and other offices or

departments in the university. Our records are defined as confidential medical records by both state and federal law. There are a few exceptions to the rules of confidentiality in which we may be ethically or legally bound to disclose certain information. These include cases of: child or elder abuse or neglect, court orders to release information, or situations where we believe the client is a serious and immediate danger to self or others. Please feel free to discuss your questions about privacy and confidentiality with your counselor.

## **OFF-CAMPUS RESOURCES**

### **PROJECT CELEBRATION, INC.**

Project Celebration, Inc. (PCI) is a nonprofit organization located in Northwest Louisiana. The agency provides direct services to survivors of domestic violence, sexual assault and children experiencing violence. They currently provide services in Bossier, Caddo, DeSoto, Natchitoches, Red River, Sabine and Webster Parishes.

PCI has carefully designed their services to fit the needs of the community. They currently operate 2 domestic violence shelters that provide safe housing for women and children fleeing domestic violence. Taylor House DV Shelter is located in Sabine Parish and PCI DV Shelter is located in Caddo Parish. They also have outreach offices in each parish to provide services to nonresidential clients. PCI also offers free services to sexual assault survivors such as medical, personal and court advocacy. All services through the organization are free and confidential. They never share your name or information with anyone outside their organization and work tirelessly to ensure they provide safe and effective services to all in need.

#### **Advocacy Center and Safe Shelter**

Project Celebration, Inc.

318-256-6242

<http://www.projectcelebration.com>

#### **Sexual Assault Response Team (SART)**

Caddo Parish Coroner's Office

318-227-7900 HOT LINE

<http://caddocoroner.com/sex-crime-investigation>

#### **Medical Care/Evidence Collection**

Christus Health Shreveport-Bossier

318-681-4500

<https://christushealthsb.org>

Willis-Knighton Medical Center

318-212-4000

<https://www.wkhs.com>

## **HOTLINES**

### **Sexual Assault Hotlines**

DeSoto, Natchitoches, Red River & Sabine Parishes

318-256-6242

Bossier, Caddo & Webster Parishes

318-227-7900

Statewide

888-995-7273

### **Domestic Violence Hotlines**

DeSoto, Natchitoches, Red River & Sabine Parishes

318-256-3408

Bossier, Caddo & Webster Parishes

318-226-5015

Statewide

888-411-1333

### **RAINN.ORG**

National Sexual Assault Hotline (available 24/7)

To find your local service provider contact RAINN at 800-656-HOPE (4673)

Online chat: <https://hotline.rainn.org/online>

## **REGISTERED SEX OFFENDERS**

The Campus Sex Crimes Prevention Act (CSCPA) is a federal law enacted on October 28, 2000, that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus. The Act further amends the Family Education Rights and Privacy Act of 1974 to clarify that nothing in that Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act which requires states to form registries of offenders convicted of sexually violent offenses or offenses against children, and to form more rigorous registration requirements for sex offenders.

The State of Louisiana requires convicted sex offenders to register in accordance with Louisiana Law Revised Statute 15:542 - Registration of Sex Offenders and Child Predators - all persons who have been convicted of sexual assault crimes must register their residence and other information with local law enforcement. If they become involved as a student or an employee at an institution of postsecondary education, they must make them aware of their presence at the institution. The sex offender shall also register with the campus law enforcement agency of the institution at least one business day prior to the beginning of the school term or semester.

Any member of the campus community who wishes to obtain further information regarding sexual offenders and predators in our state should contact Louisiana State Police (LSP) Sex Offender and Child Predatory Registry (SOCPR) at 1-800-858-0551. LSP maintains the SOCPR for the state and is responsible for the enforcement of the applicable sections of the law cited above. Information about any individual affiliated with LSUHS regarding this matter can be found on the LA State Police website <http://www.lsp.org/socpr/default.html>.

Caddo Parish Sheriff's Office (CPSO) manages and monitors sex offender registrants in Caddo Parish. CPSO has partnered with OffenderWatch, the nation's leading sex offender management and community notification tool. UPD is enrolled in the program and receives email notifications from CPSO when an offender registers or moves in within 1 mile of the campus.

## **CAMPUS SECURITY POLICIES NOT APPLICABLE TO LSUHS**

The following statements are not applicable to LSUHS:

### **NEXT OF KIN NOTIFICATION**

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results on any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **FIRE SAFETY REPORT**

LSUHS is not required to maintain or publish a Fire Safety Report because LSUHS does not operate any on-campus housing facilities.

### **MISSING STUDENT NOTIFICATION**

LSUHS does not provide on-campus housing and is not required to post missing student protocols; however, anyone who suspects an LSUHS student or employee is missing should report it immediately to UPD at 318-675-6165, or to the local law enforcement agency with jurisdiction in the area where the individual resides.

## **ANNUAL DISCLOSURE OF CRIME STATISTICS**

### **PREPARING THE ANNUAL SECURITY REPORT**

In addition to Federal and State laws, LSUHS complies with the Jeanne Clery Disclosure of Campus Security Police and Crime Statistics Act. UPD is responsible for preparing, publishing, and distributing the Clery Act's Annual Security Report.

The Annual Security Report highlights safety practices and resources that are available to all current LSUHS community members. Statistics concerning reported Clery crimes (including Violence Against Women Act and hate crimes) that occurred for the previous three years are included in this report. This includes Clery crimes that occurred within property owned, leased, or controlled by LSUHS and on public property immediately adjacent to or on thoroughfares running through the campus. LSUHS campus is connected to a hospital currently owned and controlled by Ochsner LSU Health Shreveport. Clery reportable crimes that occurred in Ochsner's buildings and property are included in this report. Crimes that occurred at Ochsner LSU Health Shreveport – Monroe Medical Center, which is considered our non-campus location, are also included in this report.

Crime statistics are collected by the Clery Coordinator through several methods. The main method is when UPD dispatchers and officers enter directly received reports of alleged crimes into an integrated Computer Aided-Dispatch System (CAD) and Records Management System (RMS). Reports are reviewed by Clery Coordinator to ensure it is classified in the correct crime category. Reported crimes are recorded in accordance with the crime definitions outlined in the FBI National Incident-Based Reporting System (NIBRS) User Manual and UCR Hate Crime Data Collection Guidelines and Training Manual.

In addition to the crime data reported to UPD, we also collect and include information about crimes and disciplinary referrals reported to Campus Security Authorities (campus officials with significant responsibility for student and campus activities).

Certified letters are mailed annually to local law enforcement agencies requesting their Clery crime statistics on-campus, non-campus, and public property (not including businesses and residential homes) adjacent to and within the university's campuses. Local law enforcement agencies are not required to provide statistics; however, documentation is required to show a good faith effort was made.

All statistics are then reviewed by the Clery Coordinator for accuracy and inclusion in the annual security report. The drafted annual security report is forwarded to the Director of Public Safety for review and then to the Chancellor for final approval. The Annual Security Report is distributed and made available to all current and prospective students and employees of the institution. Crime statistics are then submitted to the Department of Education via web-based data collection system.

### **DISCLOSURE OF CRIME STATISTICS**

An email announcing the availability of our Annual Security Report is sent to the entire LSUHS campus community no later than October 1. The email contains a brief description of the information contained in the report as well as a direct web link to the report.



LSUHS also announces the reports availability in the LSUHS weekly newsletter.

Anyone, including prospective students and employees, can request a printed copy of the report to be mailed. You can request a copy to be mailed to you by contacting Angela Jackson at 318-675-6162, or send an email [angela.jackson@lsuhs.edu](mailto:angela.jackson@lsuhs.edu). You can also request a copy in person Monday through Friday from 7 a.m. to 3 p.m. We are in the BRI Building, Ground Floor – UPD, Room 21A. The Annual Security Report can be viewed on LSUHS UPD’s webpage at <https://www.lsuhs.edu/about/university-police/annual-security-report>.

### **DAILY CRIME LOGS**

UPD is responsible for maintaining the Daily Crime Log. The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents reported to the UPD and CSAs. The daily crime log will not usually match the crime statistics reported in the Annual Security Report because the daily crime log includes all crimes not just Clery crimes reported.

Incidents are entered into CAD and RMS systems following receipt of a call for service including responding to incidents within UPD patrol jurisdiction. The daily crime log does not include the name of victims or suspects or personal identifiable information. The daily crime log includes the case report number, the date and time the incident was reported, the date(s) and time(s) the incident occurred, the location where the incident occurred, the classification of the offense, and the disposition (if known) of the reported incident. Limited information may be temporarily withheld from the daily crime log if it is determined by clear and convincing evidence that the release of the information would jeopardize an ongoing investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

The daily crime log is updated within two business days of being notified of an incident. Daily crime logs are retained for seven years. The previous months daily crime logs can be viewed online at <https://www.lsuhs.edu/about/university-police/crime-report>. The daily crime log is accessible to the public and the most current 60-day period log can be viewed at any time in person Monday through Friday from 7 a.m. to 3 p.m. We are located in the BRI Building, Ground Floor – UPD, Room 21A. Any requests for logs more than 60 days old will be fulfilled within two business days. You may contact LSUHS UPD at 318-675-6162 or email your requests to [angela.jackson@lsuhs.edu](mailto:angela.jackson@lsuhs.edu).

## **CLERY CRIMES DEFINITIONS**

The Clery reportable crimes are divided into four categories: Primary Criminal Offenses, Hate Crimes, Violence Against Women Act offenses, and Arrests and Referrals for Disciplinary Actions. The following definitions and statistics are reported in accordance with the Department of Education's guidelines.

### **PRIMARY CRIMINAL OFFENSES**

#### **Murder/Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, suicides, fetal deaths, traffic fatalities, accidental deaths, and justifiable homicides are excluded. Assaults with intent to murder and attempts to murder should be classified as aggravated assault.

#### **Manslaughter by Negligence**

The killing of another person through gross negligence.

#### **Robbery**

The taking or attempting to take anything from value of the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

#### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

#### **Burglary**

The unlawful entry of a structure to commit a felony or a theft. (For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.)

#### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle (classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding).

#### **Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

### **SEX OFFENSES**

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. An offense that meets the definition of rape, forcible fondling, incest or statutory rape as used in the FBI's UCR program.

**Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.

**Fondling**

The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest**

Nonforcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

**Statutory Rape**

Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**HATE CRIMES**

Hate Crimes includes all of the primary criminal offenses that manifest evidence that the victim was intentionally selected because of the perpetrator's bias (categories listed below) against the victim, plus the following criminal offenses.

**Larceny-Theft**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault**

The unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe lacerations, or loss of consciousness.

**Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Vandalism**

To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**CATEGORIES OF BIAS****Race**

a preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a

distinct division of humankind.

**Religion**

a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation**

a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Gender**

preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender.

**Gender Identity**

preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity. Gender non-conforming describes a person who does not conform to the gender-based expectations of society. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**Ethnicity**

a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that race refers to a grouping based mostly upon biological criteria, while ethnicity also encompasses additional cultural factors.

**National Origin**

a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

**Disability** – a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

**VIOLENCE AGAINST WOMEN ACT OFFENSES**

**Domestic Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the length of

the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

### **Dating Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

### **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **WEAPONS, DRUG & LIQUOR VIOLATIONS**

### **Arrest**

persons processed by arrest, citation, or summons.

### **Referred for Disciplinary Action**

the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction.

### **Weapons**

the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

### **Drug Abuse Violations**

the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession,

transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drug.

**Liquor Law Violations**

the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

## CLERY GEOGRAPHY

### ON-CAMPUS

Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including owned or controlled parking lots; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor i.e. WOW Cafe).

On-Campus property includes owned/leased/controlled academic, administrative, and support buildings, university land/property, university streets, sidewalks, and parking lots and is within one mile of the campus border.

Contiguous (reasonably): Contiguous refers to a building or property owned or controlled by an institution that the university or students consider to be, and treated as, an integral part of the main or core campus.

Controlled by University: A building, property or a portion of a building or property that is directly or indirectly rented or leased by the college, even if no payment is involved in the transactions. Any type of written agreement (including an informal one, such as a letter or an e-mail) for use of a building or property, or a portion by the university will result in control by the college.

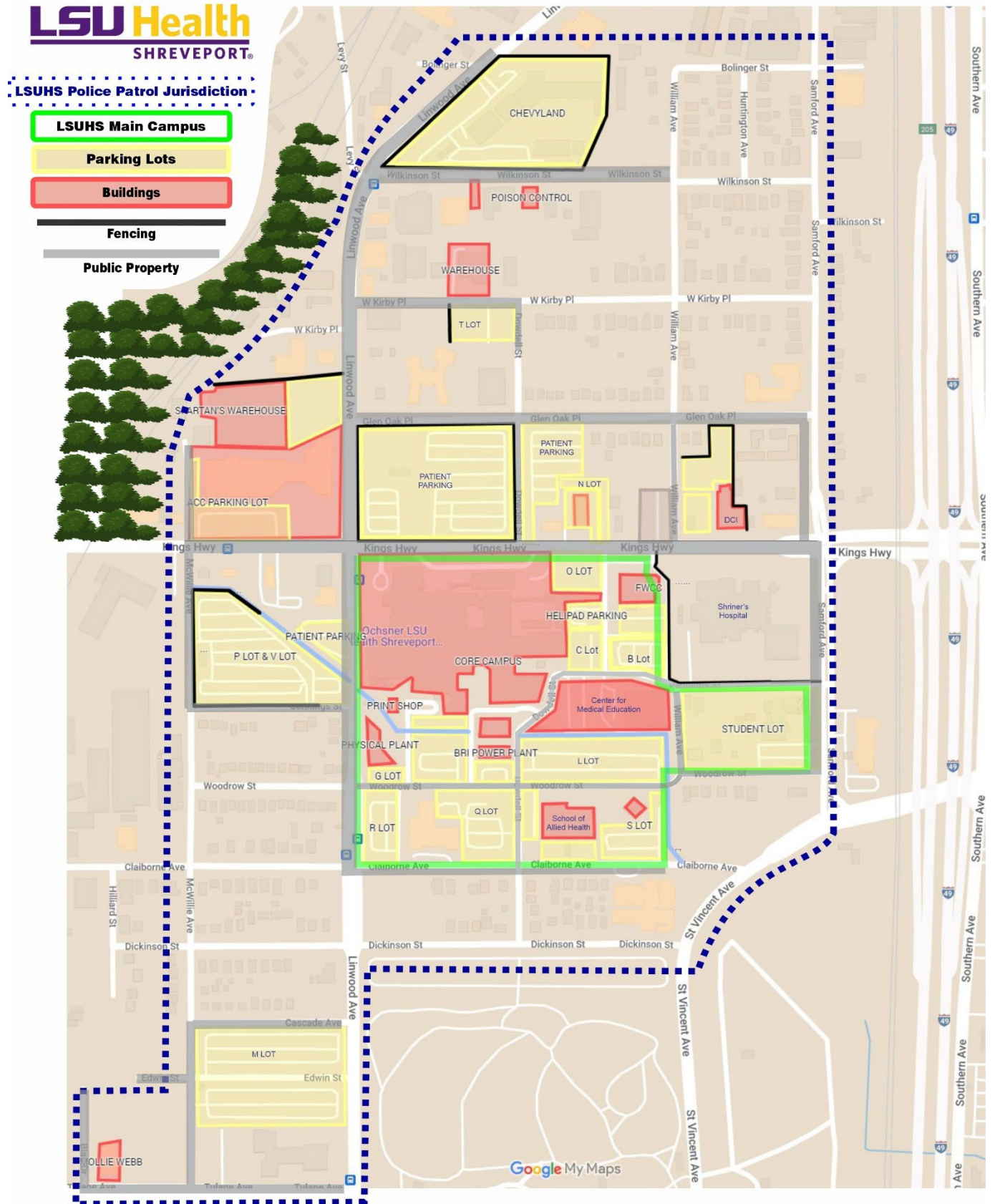
Directly Support University's Educational Purposes: The function of a building or property that directly supports or relates to the institution's educational purposes. This can mean classes, housing, internships, jobs or work-study, locations used to access campus services like parking office, counseling center, student health center, classrooms, labs, or administrative buildings.

The following are some examples of On-Campus locations (this list is not all-inclusive):

- LSU Health Shreveport
- Ochsner LSU Health Shreveport Medical Center
- Feist-Weiller Cancer Center
- ACC/Women's Clinic Building
- Mollie E. Webb Speech & Hearing Center
- Chevy Land Parking Lot

# ON-CAMPUS MAP - SHREVEPORT

## LSU Health Shreveport & Ochsner LSU Health Shreveport





## **NON-CAMPUS**

Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

The following are some examples of Non-Campus locations (this list is not all-inclusive):

- Ochsner LSU Health Shreveport - Monroe Medical Center
- Ochsner St. Mary's Medical Center
- Ochsner Internal Medicine and Pediatrics
- Ochsner Health Center
- Ochsner & Oceans Healthcare Louisiana Behavioral Health

Not all off-campus student travel and activities need to be reported. To be Clery reportable, the activity must meet certain requirements.

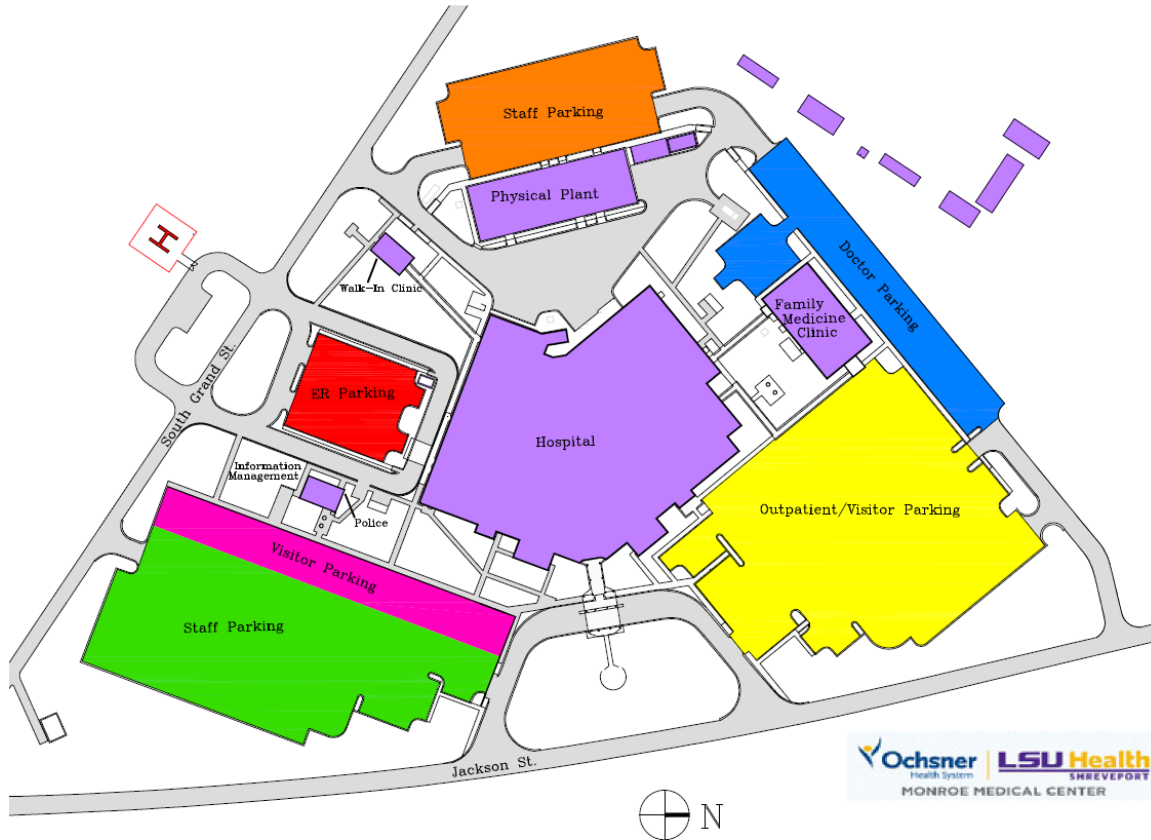
First, the university must have control over the space used for the student travel or activity. Control, as defined by the Clery Act, means that there is a written agreement (no matter how informal) directly between the university and the end provider for use of the space. Some examples of a written agreement include reserving hotel rooms, leasing apartments, leasing space for athletic purposes, or an agreement for academic space. Even if the agreement is in e-mail form, and there is no charge associated with the agreement, the space may still qualify as Clery reportable.

Second, the controlled space must be used in direct support of, or in relation to, the institution's educational purposes and frequented by students. Examples of "frequently used by students" is defined as meeting at least one of the following criteria:

- More than one night.
- Twice in one year separately.
- Once per year every year.

## NON-CAMPUS MAP - MONROE

Ochsner LSU Health Shreveport – Monroe Medical Center



### PUBLIC PROPERTY

All public property, including thoroughfares, city streets, sidewalks in front of private businesses and public owned parking facilities, that are within the campus, or adjacent to and accessible from the campus. LSUHS crime statistics do not include crimes that occur in privately-owned homes or business within or adjacent to the campus boundaries.

Department of Education uses the “sidewalk/street/sidewalk” rule to determine the boundary of public property. Nothing beyond the second sidewalk is included in crime statistics. If there is no second sidewalk, then it does not include anything beyond the street.

The following are some examples of Public Property (this list is not all-inclusive):

- 1400 – 1700 Block of Kings Hwy.
- 2500 – 2700 Block of Linwood Avenue
- 3200 – 3300 Block of William Avenue

### SEPARATE CAMPUS

A separate location that the institution owns or controls, is not reasonably geographically contiguous with the main campus, has an organized program of study, and there is at least one person on site acting in an administrative capacity.

LSUHS does not have a separate campus.

LSUHS CRIME STATISTICS



2023

CLERY CRIME STATISTICS FOR CALENDAR YEARS 2020, 2021 & 2022

OFFENSE	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
MURDER & NON NEGLIGENT MANSLAUGHTER	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEX OFFENSE-FORCIBLE: RAPE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEX OFFENSE-FORCIBLE: FONDLING	2022	2	1	0
	2021	1	3	0
	2020	4	0	2
SEX OFFENSE-NON-FORCIBLE: INCEST	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEX OFFENSE-NON-FORCIBLE: STATUTORY RAPE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ROBBERY	2022	2	0	0
	2021	1	0	0
	2020	0	0	0
AGGRAVATED ASSAULT	2022	6	6	0
	2021	17	6	2
	2020	12	4	0
BURGLARY	2022	3	0	0
	2021	0	0	0
	2020	1	2	0
MOTOR VEHICLE THEFT	2022	2	2	0
	2021	1	0	0
	2020	2	0	0
ARSON	2022	0	0	0
	2021	0	1	0
	2020	1	0	0

**LSUHS CRIME STATISTICS CONTINUED**

OFFENSE	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2022	12	2	0
	2021	11	4	1
	2020	8	4	1
DATING VIOLENCE	2022	5	1	0
	2021	5	0	0
	2020	3	2	0
STALKING	2022	11	1	0
	2021	6	2	0
	2020	11	2	1

OFFENSE	YEAR	ON CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
ARRESTS: WEAPONS	2022	5	0	0
	2021	6	0	0
	2020	4	0	0
DISCIPLINARY: WEAPONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARRESTS: DRUG VIOLATIONS	2022	20	3	1
	2021	18	3	0
	2020	15	3	0
DISCIPLINARY: DRUG VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARRESTS: LIQUOR VIOLATIONS	2022	2	0	0
	2021	4	0	0
	2020	5	0	0
DISCIPLINARY: LIQUOR VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

UNFOUNDED CRIMES
2022: Two unfounded crimes.
2021: Three unfounded crimes.
2020: One unfounded crime.

HATE CRIMES
2022: One on-campus simple assault incident characterized by race bias.
2021: No Hate Crimes reported.
2020: No Hate Crimes reported.

ON CAMPUS NOTES
LSU Health Shreveport campus is connected to Ochsner LSU Health Shreveport. On Campus statistics include crimes which occur in buildings and property owned and operated by Ochsner LSU Health Shreveport.

NON-CAMPUS NOTES
Non-Campus statistics include crimes which occur in buildings and property owned and operated by Ochsner LSU Health Shreveport St. Mary's Medical Center and Ochsner LSU Health Shreveport - Monroe Medical Center.

# UNIVERSITY POLICIES

## SMOKING POLICY

CHANCELLOR'S MEMORANDA-10

JULY 13, 2010

### No Smoking Policy

It is the policy of Louisiana State University Health Sciences Center (HSC) to respect the rights of smokers and non-smokers alike. In addition, in accordance with laws and regulations cited below, the LSU Health Sciences Center reserves the right to prohibit smoking on its premises for reasons of public health and safety, improved customer satisfaction, the protection of environmentally sensitive materials and to address the concerns of individual non-smokers.

Effective July 1, 2010, LSUHSC-Shreveport properties is a smoke free organization. Smoking will be prohibited on all properties, leased or owned, of the Health Sciences Center. This policy is in effect for all employees, students, patients, and visitors of the Health Sciences Center.

On an ongoing basis, the Health Sciences Center will make resources available to help employees with their personal smoking cessation efforts. Furthermore, and as it relates to employees, it is the responsibility of supervisors to ensure that employees comply with the No Smoking Policy. Employees who violate the No Smoking Policy may be subject to disciplinary action, up to and including termination.

Clinical staff will inform patients of the policy and ensure they are in compliance. Health Sciences Center administrative and supervisory personnel are directed to advise persons of the no smoking policy when they encounter violations and to inform Human Resources and/or the UPD as appropriate.

UPD is authorized to enforce the smoking policy as police officers deem appropriate. Violators will be encouraged to extinguish smoking material and/or to smoke on the public sidewalks. In dealing with violators, police officers are authorized to:

- remind violators that second-hand smoke is harmful to patients and employees;
- issue verbal warnings;
- issue written citations;
- prohibit non-emergency readmission to facilities;
- bar persons from property; and
- arrest/prosecute persons who refuse to comply.

## WEAPONS POLICY

The use of weapons by UPD personnel is governed by state law and departmental regulation. In compliance with Louisiana State Law, the introduction of a weapon on the grounds or in the facilities owned or controlled by LSUHS and Ochsner LSU Health Shreveport is prohibited and the following statutes apply on campus and hospital grounds:

**Louisiana Law Revised Statute 14:95.2(A)** Carrying a firearm or dangerous weapon by a student or non-student on school property, at school-sponsored functions, or in a firearm-free zone is unlawful and shall be defined as possession of any firearm or dangerous weapon, on one's person, at any time while on a school campus, on school transportation, or at any school-sponsored function in a specific designated area including but not limited to athletic competitions, dances, parties, or any extracurricular activities, or within one thousand feet of any school campus. A firearm is defined as any pistol, revolver, rifle, shotgun, machine gun, submachine gun, or assault rifle, which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive. A dangerous weapon is defined as any gas, liquid or other substance.

**Louisiana Law Revised Statute 14:402.1(A)** Taking of contraband to hospitals unlawful; penalty. It shall be unlawful for any person to introduce or attempt to introduce into or upon the grounds or buildings of any hospital or related facility, except through regular channels as authorized by the administrator of the hospital, any of the following articles which are hereby declared contraband for the purposes of this Section, namely: Any intoxicating beverage or beverage which causes or may cause an intoxicating effect, any controlled dangerous substance that has not been prescribed or recommended in accordance with the Uniform Controlled Dangerous Substances Law at R.S. 40:961 et seq., and any firearm or other instrumentality customarily considered a dangerous weapon possessed by a person who is prohibited from possessing the firearm or instrumentality pursuant to state or federal law.

LSUHS UPD is authorized to enforce weapon violations as police officers deem appropriate. In dealing with violators, police officers are authorized to:

- check individual for any other weapon(s);
- clear weapon of ammunition;
- hold weapon(s) in evidence storage;
- escort individual to vehicle while officer carries and places weapon in trunk or other storage area in vehicle to secure weapon safely;
- run individual's criminal background check;
- issue verbal warnings;
- issue written citations;
- refer students to Dean for disciplinary action;
- prohibit non-emergency readmission to facilities;
- bar persons from property; and
- arrest/prosecute persons who refuse to comply.

## ALCOHOL POLICY

LSUHS seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety, and welfare of all members of its community. In keeping with these objectives, LSUHS has established a policy governing the possession, sale and consumption of alcoholic beverages on LSUHS property which conforms to Louisiana State Law. The university does authorize alcoholic beverages on campus for sanctioned events complying with state law.

LSUHS complies with all federal and state laws which regulate the sale and use of alcohol. The university neither condones nor shields from prosecution any individual found in violation of the Louisiana Alcoholic Beverage Control laws. Possession or consumption of alcoholic beverages on property owned or controlled by LSUHS is prohibited. Underage possession and/or consumption of alcoholic beverages on property owned or controlled by LSUHS is prohibited. Intentionally or knowingly selling or intentionally or knowingly "furnishing" alcoholic beverages to persons under the age of 21 or to persons obviously inebriated is not permitted on property owned or controlled by LSUHS.

LSUHS UPD is authorized to enforce liquor law violations as police officers deem appropriate. In dealing with violators, police officers are authorized to:

- check individual for any other contraband;
- dispose of any liquor;
- run individual's criminal background check;
- issue verbal warnings;
- issue written citations;
- refer students to Dean for disciplinary action;
- prohibit non-emergency readmission to facilities;
- bar persons from property; and
- arrest/prosecute persons who refuse to comply.

## GUIDELINES FOR THE RESPONSIBLE USE OF ALCOHOL

CHANCELLOR'S MEMORANDA 12 Guidelines for the Responsible Use of Alcohol  
June 1, 2001

### I. Scope

This policy applies to all LSUHSC faculty, staff, residents, and students.

### II. Purpose

The excessive use of intoxicating beverages may adversely affect the academic and professional performance of faculty, staff, residents, and students. The purpose of this policy is to establish guidelines for responsible use of alcohol at LSUHSC and LSUHSC sponsored functions.

### III. Policy

The use of alcohol is prohibited in classroom buildings, laboratories, auditoriums, library buildings, faculty and administrative offices, athletic facilities, and all other public campus areas. Alcohol may be served for special events on campus sponsored by the institution with written authorization from the Dean, Chancellor, or their authorized designee and when the following guidelines for responsible use of alcohol are followed. The guidelines also apply to the use of alcohol at LSUHSC sponsored functions off campus.

### IV. Guidelines

1. The sponsor of the event must implement precautionary measures to insure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated.
2. The sponsor of the event must limit direct access of alcoholic beverages to the person(s) designated as the server(s). A server is defined as an individual who has undergone approved server training and/or works for a caterer.
3. The consumption of alcoholic beverages is to be permitted only within the approved area designated for the event.
4. Nonalcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
5. A reasonable portion of the budget for the event shall be designated for the purchase of food items.
6. Drinking contests are prohibited at all LSUHSC activities and functions.
7. Advertisements for any LSUHSC event where alcoholic beverages are served shall mention the availability of nonalcoholic beverages as prominently as alcohol.
8. Alcohol must not be used as an inducement to participate in a campus event.
9. Promotional materials including advertising for any LSUHSC event shall not make reference to the quantity of alcoholic beverages (such as the number of kegs of beer)





available.

10. The LSUHSC University Police Department will be notified of all functions on campus at which alcoholic beverages will be served.
11. The rules and regulations of the residence hall(s) shall govern the use of alcohol within the residence hall(s).
12. With respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by LSUHSC.
13. For functions that include the sale of alcoholic beverages, all the appropriate permits shall be obtained from the Alcohol Beverage Control Board.

## **DRUG POLICY**

LSUHS complies with all federal and state laws which prohibit the use, possession, and sale of illegal drugs. The university is a drug-free zone under Louisiana law and will not shield any student, employee or visitor from action by civil authorities. Any person known to be possessing, using, or distributing such illegal drugs is subject to disciplinary action and possible arrest, imprisonment or fine according to Louisiana State Law.

LSUHS UPD is authorized to enforce drug violations as police officers deem appropriate. In dealing with violators, police officers are authorized to:

- check individual for any other contraband;
- collect drug/drug paraphernalia in evidence for disposal or submit to crime lab;
- run individual's criminal background check;
- issue verbal warnings;
- issue written citations;
- refer students to Dean for disciplinary action;
- prohibit non-emergency readmission to facilities;
- bar persons from property; and
- arrest/prosecute persons who refuse to comply.

## **DRUG FREE WORKPLACE AND WORKFORCE**

CHANCELLOR'S MEMORANDA 7

June 1, 2001

### **Purpose**

To state the University's commitment to providing a drug free workplace and workforce pursuant to the provisions of the federal Drug Free Workplace Act of 1988 and interim Department of Defense rules for a program to achieve and maintain a drug free workforce.

### **Definitions**

"drug free workplace" means a site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the federal Drug Free Workplace Act of 1988.

"drug free workforce" means employees engaged in the performance of Department of Defense contracts who have been granted access to classified information; or employees in other positions that the contractor determines involve National Security, health or safety, or functions other than the foregoing requiring a high degree of trust and confidence.

"Controlled substance" means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

"Criminal drug statute" means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentences, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

General Policy Louisiana State University Health Sciences Center is committed to providing a drug free workplace and seeks to make its employees aware of the dangers of drug abuse in the workplace as well as the availability of drug counseling, rehabilitation and employee assistance through various communications media. In accordance with the Drug Free Workplace Act of 1988 and pursuant to applicable law, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited. Workplace shall include any location on University property in addition to any location from which an individual conducts University business while such business is being conducted. Without reference to any sanctions which may be assessed through criminal justice processes, violators of this policy will be subject to University disciplinary action up to and including termination of employment.

## **OPERATING PROCEDURES**

Violations of law regarding controlled substances (illegal drugs) that occur in the workplace are to be reported to the LSUHSC Campus Police. Action by LSUHSC upon conviction of any employee for violation of the law as provided herein may include but is not limited to written disciplinary action, suspension without pay, demotion, and/or mandatory participation in a

drug abuse assistance or rehabilitation program at the employee's expense, or termination of employment. Specific provisions regarding a drug free workplace apply to employees directly engaged in the performance of work pursuant to the provisions of a federal grant or contract. These provisions are described in Attachment of work pursuant to the provisions of a federal grant or contract. These provisions are described in Attachment I.

Further specific provisions regarding a drug free workforce apply to employees directly engaged in the performance of work pursuant to Department of Defense contracts who have been granted access to classified information: or employees in other positions that the contractor determines involve National Security, health or safety, or functions other than the foregoing requiring a high degree of trust and confidence. These provisions are described in Attachment II.

#### ADDENDUM I: DRUG FREE WORKPLACE

The federal Drug Free Workplace Act of 1988 contains specific requirements relating to University employees who are engaged in the performance of a federal grant or contract as follows:

Each such employee must receive a copy of the University policy providing a drug free workplace, which shall be provided through the official promulgation of this Policy Statement and such other means as may be appropriate, and each such employee:

1. Agree as a condition of employment to abide by the terms of the drug free workplace policy.
2. Must notify the LSUHSC Office of Human Resource Management of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

The University is required to:

1. Notify the granting agency; within 10 days after receiving notice of conviction as above, or otherwise receiving notice of such conviction, the Director of Human Resource Management must notify the Grants Office so that they may comply with the federal requirements for notifying the federal funding agency within 10 days.
2. Within 30 days after receiving such notice, impose a sanction on, up to and including termination of employment, or require satisfactory participation in a drug abuse assistance or drug rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency at the employee's expense by any employee so convicted with such sanction or required participation to be coordinated by the Office of Human Resource Management through normal LSUHSC administrative processes.

#### ADDENDUM II: DRUG FREE WORKPLACE

In addition to requirements of the Drug Free Workplace Act of 1988 which apply to all employees engaged in the performance of a federal grant or contract, the Department of

Defense has issued regulations which specifically apply to employees engaged in the performance of a Department of Defense contract which are provided below.

Covered employees include those employees engaged in the performance of Department of Defense contracts as follows:

1. All Department of Defense contracts, involving access to classified information.
2. Any other Department of Defense contract when the contracting officer determines such application to be necessary for reasons of national security or for the purposes of protecting the health or safety of those using or affected by the product of or the performance of the contract (except for commercial or commercial-type products).
3. Excepted are any contracts or parts of contracts to be performed outside of the United States, its territories, and possessions, except as otherwise determined by the contracting officer.

For those Department of Defense contracts to which these regulations apply, the following specific conditions or appropriate alternatives apply:

“(1) Employee assistance programs emphasizing high level direction, education, counseling, rehabilitation, and coordination with available community resources (which shall be as provided through any LSUHSC Employee Assistance Program);

“(2) Supervisory training to assist in identifying and addressing illegal drug use by Contractor employees (which shall be as provided through the Office of Human Resource Management);

“(3) Provision for self-referrals as well as supervisory referrals to treatment with maximum respect for individual confidentiality consistent with safety and security issues (which shall be as provided through the provisions of any LSUHSC Employee Assistance Program and this Policy Statement);

“(4) Provision for identifying illegal drug users, including testing on a controlled and carefully monitored basis. Employee drug testing programs shall be established taking account of the following:

“(c) Contractor programs shall include the following, or appropriate alternative.

“(ii) In addition, the Contractor may establish a program for employee drug testing--

“(A) When there is a reasonable suspicion that an employee uses illegal drugs; or

“(B) When a employee has been involved in an accident or unsafe practice;

“(C) As a part of or as a follow-up to counseling or rehabilitation for illegal drug use;

“(D) As a part of a voluntary employee drug testing program.

“(iii) The Contractor may establish a program to test applicants for employment for illegal drug use.

“(iv) For the purpose of administering this clause, testing for illegal drugs may be limited to those substances for which testing is prescribed by section 2.1 of Subpart B of the Mandatory Guidelines for Federal Workplace Drug Testing Program,” (53 FR 11980 (April 11, 1988)) issued by the Department of Health and Human Services.

“(d) Contractors shall adopt appropriate personnel procedures to deal with employees who are found to be using drugs illegally. Contractors shall not allow any employee to remain on

duty or perform in a sensitive position who is found to use illegal drugs until such time as the contractor, in accordance with procedures established by the contractor, determines that the employee may perform in such a position.

“(e) The provisions of this clause pertaining to drug testing programs shall not apply to the extent they are inconsistent with state or local law, or with an existing collective bargaining agreement; provided that with respect to the latter, the Contractor agrees that those issues that are in conflict will be a subject of negotiation at the next collective bargaining session.”

Listed below are substance abuse programs offered by professional organizations or societies for specific groups.

<b>ALLIED HEALTH PROFESSIONS STUDENTS</b>	
<b>GRADUATE</b>	<b>MEDICAL</b>
Graduate Students Office for Student Affairs LSUHSC - Shreveport 1501 Kings Hwy Shreveport, LA 711130-3932 318-675-6802	Office for Student Affairs LSU School of Medicine 1501 Kings Highway Shreveport, La. 71130 318-675-5339
<b>NURSES</b>	<b>PHYSICIANS</b>
Ms. Betty Anderson Nursing Services 1501 Kings Highway LSU Health Sciences Center Shreveport, LA 71130 Phone 674-7397	Impaired Physicians Program LSU School of Medicine, Shreveport 1501 Kings' Highway Shreveport, LA 70130 Phone: 674-7656
<b>EMPLOYEES - LSU HEALTH SCIENCES CENTER</b>	
Employee Assistance Program LSU Health Sciences Center-Shreveport 1501 Kings Highway Shreveport, LA 71130-3932	

#### EMPLOYEE ASSISTANCE PROGRAM

An Employee Assistance Program is being established at LSU Health Sciences Center to assist employees who may be suffering from substance abuse or addiction to controlled CM-7 Drug Free Workplace and Workforce Page 4 substances. Services to be provided are described below:

**INFORMATION AND REFERRAL:** A counselor who will provide patient information on professional agencies and individuals in the community who are qualified to assist the patient in the resolution of his/her problem.

**ASSESSMENT/PROBLEM CLARIFICATION:** The E.A.P. counselor during an initial assessment will clarify problem areas and identify clinical needs by psychosocial histories and individual/family interviews. Identification of problems and/or clinical issues will be made with recommendations that can resolve the problem when possible. If resolution is not possible then referral to an appropriate resource which will assist the patient in the resolution of their problem will be made.

**SHORT TERM COUNSELING:** The counselor will provide short term counseling of a problem clarifying/solving nature to assist patients with problems which can adequately be resolved and/or addressed in 1 to 5 counseling sessions.

**EXCEPTIONS:** Exceptions to the foregoing will be made when it is deemed in the patient's interest to be referred upon initial contact and/or assessment.

**MEDICAL INSURANCE:** Employees should check their hospitalization insurance to determine their policy's coverage for mental health counseling. This might be of some limited assistance if there is a need for long term counseling.

**PATIENT ADVOCACY:** The counselor will serve in the capacity as advocate for the patient in obtaining services as appropriate to his/her needs, serve as a liaison for the patient on an as needed basis and additionally provide follow-up on the referral. To facilitate expeditious and appropriate referrals to community services, a current file of all potential service providers will be maintained.

**SUPERVISORY AND DRUG SCREEN REFERRALS:** The counselor operating under the guidelines governing confidentiality will provide a clinical assessment and referral to the patient and provide to LSUHSC only information regarding the patient's level of cooperation and participation in the E.A.P. services and recommended referral only after a release of information has been obtained from the patient. After obtaining a release of information, monthly follow up reports may be provided to management.

**CONFIDENTIALITY:** Patient records will be handled in accordance with the confidentiality requirements of PL93-282 and the Federal regulations of 42 CFR Part 21 (section 2.11n) and P193-579 (Privacy Act). Treatment records will never become part of an employee's personnel and medical files, but will remain available only to the E.A.P. staff. Records will be stored securely, and professional standards of content, legibility and timeliness will be maintained.

**SUBSTANCE AND ALCOHOL ABUSE POLICY**  
**ADMINISTRATIVE DIRECTIVE 2.8.5**  
August 1, 2003

**A. PURPOSE**

Louisiana State Health Sciences Center Health Sciences Center - Shreveport is committed to maintaining an environment, which supports the research, teaching, and service mission of the Health Sciences Center. Although the Health Sciences Center respects an employee's right to privacy, the illegal use of drugs or alcohol within the Health Sciences Center community interferes with the accomplishment of the Health Sciences Center's mission.

Louisiana State Law prohibits the consumption, possession, distribution, and possession with intent to distribute, or manufacture of drugs described as controlled dangerous substances in the Louisiana Revised Statutes 40:964; and other statutes define the illegal possession and/or use of alcohol. Further, various federal and state laws and regulations apply to the employees of Louisiana State Health Sciences Center, including the Federal Drug Free Workplace Act of 1988, The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), Revised Statutes of the State of Louisiana and Executive Order MJF 93-38. This policy is specifically directed at illegal actions involving alcohol and controlled drugs. Other Health Sciences Center policies govern the legal use of alcoholic beverages in its facilities and on its premises.

**B. DEFINITIONS**

"drug free workplace" means a site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Federal Drug Free Workplace Act of 1988.

"controlled substance" means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

"criminal drug statute" means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

"misuse use of alcohol" means any possession, consumption or other use of an alcoholic beverage in violation of this policy.

"conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentences, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

"employee" includes faculty, other academic, unclassified, classified, graduate assistants, and student employees and any other person having an employment relationship with the Health Sciences Center.



## C. GENERAL POLICY

Louisiana State Health Sciences Center is committed to providing a workplace free from the illegal use of drugs and alcohol and seeks to make its employees aware of the dangers of drug and alcohol abuse as well as the availability of drug counseling, rehabilitation and employee assistance through various communications media available to it. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited as is the illegal possession and/or consumption of alcohol. Workplace shall include any location on Health Sciences Center property in addition to any location from which an individual conducts Health Sciences Center business while such business is being conducted. Without reference to any sanctions, which may be assessed through criminal justice processes, violators of this policy will be subject to Health Sciences Center disciplinary action up to and including termination of employment.

### Employee Education, Prevention, Counseling

Human Resource Management will notify all employees at least once each year of its policies and procedures governing the illegal use of alcoholic beverages and drugs and through appropriate media, make employees aware of the dangers of abusive or illegal use of alcohol or drugs. Specific attention is directed to the harmful effects of certain illegal controlled substances described in Exhibit II. Through the Health Sciences Center Employee Assistance Program, employees with drug and alcohol related problems may seek help.

## D. PROHIBITIONS

To establish and maintain a safe work environment, LSUHSC-SHREVEPORT prohibits an employee being on the job while having alcohol in his/her body that is above the prohibited alcohol concentration levels, prohibit the use of or presence of illegal drugs or other dangerous substances in the bodies of its employees while on duty, on call and/or engaged in LSUHSC-SHREVEPORT business on or off LSUHSC-SHREVEPORT premises. LSUHSC-SHREVEPORT further prohibits the sale, purchase, transfer, concealment, transportation, storage, possession, distribution, cultivation, manufacture, and dispensing of illegal or unauthorized drugs or related paraphernalia while on duty, on call and/or engaged in LSUHSC-SHREVEPORT business on or off LSUHSC-SHREVEPORT premises.

The prohibitions of this policy extend to the following:

A. Illegal drugs, unauthorized controlled substances, abuse of inhalants, look-alike drugs, designer and synthetic drugs, and any other unauthorized drugs, abnormal or dangerous substances which may affect an employee's mood, senses, responses, motor functions, or alter or affect a person's perception, performance, judgment or reactions while working, including those drugs identified in Schedules I through V of Louisiana R.S. 40:964 or Section 202 of the Controlled Substances Act, 21 U.S.C. 812. NOTE: Illegal drugs include:

1. Any drug which is not legally obtainable.

2. Any drug which is legally obtainable but has not been legally obtained; or
3. Legally obtained (prescription) drugs not being used for prescribed purposes or in excess of prescribed dosages.
4. Misuse of alcoholic or intoxicating beverages; and
5. Drug related paraphernalia as defined in R.S. 40:1031, including any unauthorized material or equipment or items used or designated for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing into the human body those substances covered by this policy.

E. ALCOHOL MISUSE POLICY

Alcohol misuse is prohibited. This prohibition extends to 1) use of alcohol on the job; 2) having a prohibited alcohol concentration level in the individual's blood system while on the job. Any employee exhibiting behavior and/or appearance characteristic of alcohol misuse or whose job performance appears to be impaired by alcohol or who is involved in an accident in which the misuse of alcohol is suspected may be required to submit to a test for the presence of alcohol.

F. PRESCRIPTION/LEGAL DRUGS

The use of drugs/medications prescribed by a licensed physician is permitted provided that it will not affect the employee's work performance. The employee shall notify his/her direct supervisor of any drugs/medications prescribed by a licensed physician in those instances when the physician or pharmacy advises that the employee's performance could be impaired or when the employee believes use of the prescribed drugs/ medications will impair his/her ability to perform his/her usual duties and responsibilities. Employees are encouraged to utilize accrued leave, with approval, in those instances where impaired functioning is a distinct possibility.

Employees are encouraged to maintain prescribed drugs/medications in the original prescription containers, which properly identify the employee's name, medication name, issuing physician, and dosage.

LSUHSC-SHREVEPORT reserves the right to have the Medical Director for Occupational Health determine if use of a prescription drug/medication produces effects which may impair the employee's performance or increase the risk of injury to the employee or others.

If such is the case, LSUHSC-SHREVEPORT reserves the right to suspend the work activity of the employee during the period in which the employee's ability to safely perform his/her job may be adversely affected by the consumption of such medication.

G. DRUG TESTS/SCREENS

LSUHSC-SHREVEPORT reserves the right to require drug screening for pre-employment, re-employment or reinstatement. All employees are subject to being tested for drugs under the following circumstances:

1. Post-Accident/Incident - following an accident that occurs during the course and scope of an employee's employment that a) involves circumstances leading to a reasonable suspicion of the employee's drug use, b) results in a fatality, c) results in or causes the release of hazardous waste or materials, or d) involves an on-the-job injury or potentially serious accident, injury, or incident in which safety precautions were violated, equipment or property was damaged, or unusually careless acts were performed. Such testing is required of any employee who is directly involved in such an incident and whose action or inaction may have been a causative factor.
2. Reasonable Suspicion - a supervisor's belief, based upon reliable, objective, and articulable facts that a person is violating this policy. A decision to test must be based on direct observation of specific physical, behavioral, or performance indicators based on, but not limited to, any of the following:
  - Observable behavior or physical symptoms
  - A pattern of abnormal or erratic behavior
  - Arrest of a drug-related offense
  - Being identified as the subject of a criminal investigation regarding drugs
  - Evidence of drug tampering or misappropriation
  - Patterns of absenteeism or tardiness
  - Drowsiness or sleepiness
  - Alcohol or drug odors on the breath
  - Confusion, slurred or incoherent speech
  - Unusually aggressive behavior
  - Unexplained mood changes
  - Lack of manual dexterity or excessive sloppiness
  - Unexplained work/school related accidents or injuries
  - Illegible or errant charting
  - Leaving work areas for extended periods or unexplained reasons
3. Rehabilitative - required for those employees participating in substance abuse after-care treatment, pursuant to the terms of the rehabilitation agreement.
4. Random Testing-randomly performed for employees whose responsibilities of employment include operating a public vehicle, performing maintenance on a public vehicle or supervising any public employee who operates or maintains a public vehicle (the Office of Human Resource Management maintains a complete list of designated positions).

Individuals will have an equal chance of being chosen, regardless of whether they have been previously tested.

Once an individual is notified they have been chosen for random testing, they must report to the Occupational Health Clinic within two (2) hours of notification. Failure to report and submit to the drug screen may result in immediate termination of employment.

## H. TARGET DRUGS

Drug testing of LSUHSC-SHREVEPORT employees pursuant to this policy shall target the presence of the following drugs or their metabolites in the body:

1. Cannabinoids (marijuana);
2. Opiates;
3. Methamphetamine;
4. Cocaine metabolite; and
5. Phencyclidine (PCP)

Additional tests for additional drugs or their metabolites may be performed if circumstances warrant. Further, LSUHSC-SHREVEPORT will test for the presence of alcohol through breath or blood testing methodologies if circumstances warrant.

## I. TESTING PROCEDURE

LSUHSC-Shreveport requires any individual who observes an LSUHSC-Shreveport affiliated individual whose behavior appears impaired or unsafe due to the possible use/abuse of alcohol or drugs to report the observations to their supervisor immediately. An individual whose behavior is impaired or unsafe while at work is required to immediately submit to alcohol and drug testing. Refusal to submit for testing when requested may result in immediate termination of employment.

Supervisors who observe or receive any information about an individual's impairment or unsafe conditions from alcohol or drugs or who have an individual involved in an accident for which testing is appropriate should proceed as follows: (1) If possible, have a witness observe the individual's behavior or physical condition. (2) Inform the individual that refusal to submit to the alcohol/drug test is a terminable offense. (3) Escort the individual to the Occupational Health Clinic or if after hours contact the House Supervisor on duty for the administration of the alcohol/drug screen. (4) The individual will be sent home by taxi and suspended without pay pending the test results. (5) Should an individual refuse to be tested, the supervisor in charge will suspend the individual without pay; notify Human Resource Management, Employee Relations, so that the process for termination can be initiated.

Procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen:

These procedures shall require that an appropriate chain of custody form be used from the time of collection to receipt by the laboratory and that, upon receipt in the laboratory, an appropriate laboratory chain of custody forms shall, at a minimum, include the entry documenting date and purpose each time a specimen or aliquot is handled or transferred and shall identify each individual in the chain of custody.

Test results shall be documented and maintained with strict confidentiality. Positive test results and samples will be maintained in accordance with law and applicable

medical standards.

J. SEARCHES/INSPECTIONS

In furtherance of this policy, employees are hereby notified that Health Sciences Center offices and work sites are the property of the Health Sciences Center and there is no expectation of privacy with regard to Health Sciences Center offices and work sites.

Under appropriate circumstances and in accordance with the law, the Health Sciences Center, in conjunction with law enforcement authorities, reserves the right to conduct unannounced searches and inspection of LSUHSC-SHREVEPORT facilities and properties, including vehicles.

K. ENFORCEMENT

Each alleged violation of this policy will be handled on a case-by-case basis. Certain employees may be rehabilitated, while others may have manifested total disregard for the health, welfare, and safety of themselves or others. Participation in the LSUHSC-SHREVEPORT Employee Assistance Program may be treated by the Health Sciences Center as a positive attempt by the employee to combat his/her substance abuse problem and indicative of a future desire to adhere to this policy. However, participation in the EAP will not shield the employee from enforcement of this policy and disciplinary action, where appropriate. After a review of all data, including any offenses or additional test results produced by the employee, appropriate action will be taken, up to and including termination.

L. DRUG AND ALCOHOL ARRESTS/CONVICTIONS

Any LSUHSC-SHREVEPORT employee convicted of a criminal drug or drug-related offense, which occurs on or off duty, must notify his/her immediate supervisor within the next workday or immediately upon the employee's return to the workplace. Upon final disposition of the criminal proceedings, LSUHSC-SHREVEPORT will review all evidence to determine whether disciplinary action, including termination, is warranted. In all cases involving an employee's arrest on a drug or drug-related offense, which occurs on the job or on LSUHSC-SHREVEPORT premises, prompt investigation will be conducted, and, disciplinary action taken, if warranted.

The Federal Drug-Free Workplace Act of 1988 requires that each employee notify his/her supervisor within five (5) days of conviction of any criminal drug statutes when such offense occurred in the workplace, while on official business, during work hours, or when in on-call duty status. Federal law requires that LSUHSC-SHREVEPORT report within ten (10) days any such criminal drug statute conviction to each Federal Agency from which grants or contracts are received.

Employees whose jobs require driving, are required to notify their immediate supervisor if their driving privileges are suspended or revoked. Supervisors are required to report all suspensions and/or revocations to the Employee Relations Section of Human Resource Management. DUI convictions create a distinct problem

in the workplace as a result of the driver's license forfeiture provisions of Louisiana R.S. 32:414 and Louisiana R.S. 32:661, ET SEQ.

Employees who operate department vehicles on a regular and recurring basis may be forced to utilize accrued annual leave or be placed in leave without pay status during the pendency of any period of suspension. Affected employees are encouraged to seek restricted/hardship licenses, which authorize driving for employment purposes.

Employees returning to work after any such suspension shall be required to provide proof of restoration of driving privileges.

#### M. CRIMINAL PENALTIES

Employees are responsible under both Health Sciences Center policy and state law for their conduct. It is the policy of the LSUHSC- Shreveport to arrest and refer for prosecution any person who violates state or federal law concerning alcohol or drugs while within the jurisdiction of the LSUHSC-Shreveport Police Department.

It is unlawful in Louisiana to produce, manufacture, distribute or dispense or possess with intent to produce, manufacture, distribute, or dispense controlled dangerous substance classified in Schedule I, Schedule II, Schedule III, Schedule IV or Schedule IV unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner or as a provider in R.S. 40:978, while acting in the course of his or her professional practice, or except otherwise authorized by law.

Penalties under Louisiana law for violation of laws regulating controlled dangerous substances are as follows:

Schedule I (R.S. 40:966 includes various opiates, hallucinogens, depressants, and stimulants). The maximum penalty provided by law for possession of Schedule I drugs, upon conviction, is imprisonment at hard labor for not less than four years nor more than ten years without benefit of probation or suspension of sentence and, in addition, may require a fine to be paid up to \$5,000.

Schedule II (R.S. 40:967 includes other opiates and depressants). The maximum penalty for violating Louisiana law concerning controlled dangerous substances under Schedule II, upon conviction, is imprisonment at hard labor for not less than 5 years nor more than 30 years and, in addition, may require a fine of not more than \$15,000.

Schedule III and IV (R. S. 40:968 and 40:969 includes stimulants, depressants, and other narcotics). The maximum penalty for violating Louisiana law concerning controlled dangerous substances under Schedules III and IV, upon conviction, shall be a maximum term of imprisonment at hard labor for not more than 10 years, and in addition, may be sentenced to pay a fine of not more than \$15,000.

Schedule V (R.S. 40:970). The maximum penalty for violating Louisiana law concerning controlled dangerous substances under Schedule V, upon conviction, is a term of imprisonment at hard labor for not more than 5 years and, in addition, may

be sentenced to pay a fine of not more than \$5,000.

The Revised Louisiana Criminal Code carries specific penalties for possession of marijuana. For a first conviction, the offender shall be fined not more than \$500, imprisoned in the parish jail for not more than 6 months, or both. For a second conviction of possession of marijuana, the offender shall be fined not more than \$2,000 and imprisoned with or without hard labor for not more than 5 years, or both.

For a third conviction of possession of marijuana, the offender shall be sentenced to imprisonment with or without hard labor for not more than 20 years. More severe penalties exist for possession of marijuana with the intent to distribute and for the actual distribution of marijuana.

The Louisiana Criminal Code (R.S. 14:91.5) defines the unlawful purchase, consumption and public possession of alcoholic beverages by any person under the age of twenty- one years (except under narrowly specified exceptions). A fifty dollar fine is assessed for violation of this statute. For the unlawful purchase of alcoholic beverages by adults on behalf of minors (R.S. 14:91.3), the penalty is a fine of not more than \$300 or imprisonment for not more than 30 days. For operating a vehicle while intoxicated (R.S. 14:98), the penalty for a first conviction is a fine of not less than \$125 nor more than \$500 and imprisonment for not less than ten days nor more than six months which may be modified by imposing a court-approved substance abuse program and driver improvement program. For second and third convictions, more serious penalties are imposed.

#### N. REHABILITATION

Management may, as a condition of continued employment, require the employee to enter a treatment/rehabilitation program. If time off is required for the treatment program, the Medical Center's leave policies will apply. The employee must provide permission for the treatment center to provide continuing communication and regular reports to the Medical Center's Medical Review Officer.

After successful completion of the treatment/rehabilitation program, the employee must continue with an appropriate follow-up program that usually runs one to three years. The Medical Center's Medical Review Officer will determine the follow-up treatment program.

Withdrawal or failure to successfully complete the treatment program may result in termination.

Submission to periodic random drug screen upon request is required and is a condition for continued employment.

Personnel returning to work will not be allowed to have possession of narcotic keys or to work with controlled substances until the employee demonstrate to the satisfaction of management that he/she can administer narcotics.

Any continuing evidence of chemical abuse will result in notification to state or

federal law enforcement agencies and/or National Licensing Boards, if appropriate.

O. REPORTING

In accordance with Executive Order MJF 98-38, the LSU System Office will report to the Office of Governor the number of employees affected by the drug testing program, the categories of testing being conducted, the costs of testing, and the effectiveness of the program annually. Source: Drug-Free Workplace Act of 1988. Drug-Free Schools and Communities Act Amendments of 1989, Executive Order MJF 98-38.

P. CONFIDENTIALITY

LSUHSC-SHREVEPORT respects the individual rights of its employees. Any employee involvement in the LSUHSC-SHREVEPORT Employee Assistance Program (EAP) or other rehabilitative program for substance abuse problems will be handled with confidentiality. Employees seeking such assistance shall be protected from abuse, ridicule, retribution, and retaliatory action. All medical information obtained will be protected as confidential unless otherwise required by law or overriding public health and safety concerns.

The results of all drug screens obtained in compliance with this policy will be confidential, except on a need to know basis. LSUHSC-SHREVEPORT may deliver any illegal drug, controlled dangerous substance, or other substance prohibited by this policy, discovered on LSUHSC-SHREVEPORT property or on the person of a LSUHSC-SHREVEPORT employee to appropriate law enforcement agencies. Likewise, any employee engaged in the sale, attempted sale, distribution, or transfer of illegal drugs or controlled substances while on duty or on LSUHSC-SHREVEPORT property will be referred to appropriate law enforcement authorities.

Q. CONCLUSION

The use of illegal drugs and abuse of alcohol or other controlled substances, on or off duty, is inconsistent with law-abiding behavior expected of the citizens of the State of Louisiana. LSUHSC-SHREVEPORT will not tolerate substance abuse or use, which imperils the health and well being of its employees and the public, or threatens its service to the public. LSUHSC-Shreveport's intention, through this policy, is to adhere to the Federal Drug-Free Workplace Act of 1988, The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), Revised Statutes of the State of Louisiana and Executive Order No. MJF 98-38 all in an effort to maintain a safe, healthful, and productive work environment for its employees and to promote public safety.

EXHIBIT I

*Drug Free Workplace*

The Federal Drug Free Workplace Act of 1988 contains specific requirements relating to Health Sciences Center employees who are engaged in the performance of a federal grant or contract as follows:



Each such employee must receive a copy of the Health Sciences Center policy providing a drug free workplace, which shall be provided through the official promulgation of this Policy Statement and such other means as may be appropriate, and each such employee:

1. Agrees as a condition of employment to abide by the terms of the drug free workplace policy.
2. Must notify the LSUHSC-SHREVEPORT Office of Human Resource Management of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

The Health Sciences Center is required to:

1. Notify the granting agency; within 10 days after receiving notice of conviction as above, or otherwise receiving notice of such conviction which notification shall be by the LSUHSC- SHREVEPORT Office of Human Resource Management.
2. Within 30 days after receiving such notice, impose a sanction on, up to and including termination, or require satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency by any employee so convicted with such sanction or required participation to be coordinated by the Office of Human Resource Management through the normal LSUHSC-SHREVEPORT administrative processes.
3. Make a good faith effort to continue to maintain a drug free workplace through implementation of the requirements of the Act.

## EXHIBIT II

### *Alcohol - Uses and Effects*

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including peer, spouse, and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with

poor nutrition, can also lead to permanent damage to vital organs such as the brain, liver, and digestive system.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics.

## STUDENT RIGHTS AND RESPONSIBILITIES

CHANCELLOR'S MEMORANDA 21  
Student Rights and Responsibilities  
May 31, 2023

### CM 21: Student Rights and Responsibilities

The Louisiana State University Health Sciences Center Shreveport (LSUHCS-S) is dedicated to providing its students, residents, faculty, staff, and patients with an environment of respect, dignity, and support. The diverse backgrounds, personalities, and learning needs of individual students must be considered at all times in order to foster appropriate and effective teacher-learner relationships. Honesty, fairness, evenhanded treatment, and respect for students' physical and emotional well-being are the foundation of establishing an effective learning environment.

Each of the three schools that comprise the LSUHSC-S community (School of Allied Health Professions, School of Graduate Studies, and School of Medicine) has developed policies that outline standards of conduct governing their constituents and provide procedures for sanctioning violations of those standards. This Memorandum of Student Rights and Responsibilities does not replace those standards; nor does it constrain the procedures or sanctions provided by those policies.

This Memorandum describes possible behaviors which are inconsistent with the values of the Health Sciences Center community; it outlines procedures to respond to such behaviors; and it suggests possible sanctions/interventions which are intended to educate and to safeguard members of the LSUHSC-S community.

### Student's Rights

Mistreatment and abuse of students by faculty, residents, or staff is contrary to the educational objectives of the LSU Health Shreveport and will not be tolerated. Mistreatment and abuse include, but are not limited to, berating, belittling, or humiliation; physical punishment or threats; intimidation; sexual harassment; harassment or discrimination based on race, gender, sexual preference, age, religion, physical or learning disabilities; assigning a grade for reasons other than the student's performance; assigning tasks for punishment or non-educational purposes; requiring the performance of personal services; or failing to give students credit for work they have done. Additionally, students have the right to file a complaint for alleged mistreatment.

Students have rights as guaranteed by the U.S. Constitution and all appropriate federal, state and local laws. Primary among those is the right to a fair and impartial hearing, if the student is accused of misconduct or violating university regulations. LSU Health Shreveport has existing policies and procedures that relate to the following: financial aid; sexual harassment; final grade appeal; parking; illegal drugs; alcohol; firearms/weapons; a student's access to records, and privacy; computer/internet/email use; dress and professional conduct; health insurance; and liability insurance. Issues that relate to these specific policies, which may be found on the LSUHS website, should be addressed to the appropriate office.

## Procedure for Addressing Student Complaints

Each of the three schools of LSUHSC-Shreveport has a policy and procedure for addressing student grievances/complaints as follows:

- School of Allied Health Professions (SAHP) -the student complaint procedure can be found here or in the section titled Student Complaints and Conduct of the School of Allied Health Professions Student Handbook.
- School of Graduate Studies (SGS) - the student complaint procedure including a link to the on-line student complaint form can be found here or in the School of Graduate Studies Student Handbook.
- School of Medicine (SOM) - the student complaint procedure including a link to the on-line student complaint form can be found here or in the School of Medicine section of the LSUHSC-S Catalog.

## Student Responsibilities

The LSUHSC-S is dedicated to providing its students, residents, faculty, staff, and patients with an environment of respect, dignity, and support. The diverse backgrounds, personalities, and learning needs of individual students must be considered at all times in order to foster appropriate and effective teacher-learner relationships. Honesty, fairness, evenhanded treatment, and respect for students' physical and emotional well-being are the foundation of establishing an effective learning environment.

Louisiana State University Health Sciences Center Shreveport (LSUHSC-S) students should explicitly uphold the basic principles of behavior that constitute the highest standards of academic, professional and ethical conduct. Students are responsible for complying with all policies/procedures, rules and regulations and other information published by LSUHSC- S.

Students are expected to:

- Exhibit the highest standard of personal, academic professional and ethical behavior.
- Treat faculty, staff, peers, clients, patients, and others with dignity and respect.
- Abide by the Code of Conduct that applies to their specific professional discipline.
- Abide by all federal, state and local laws.

Students who violate any of the above when involved in any school or school-related activity/function, whether on or off campus, will be subject to disciplinary action. Any disciplinary action imposed by the School may precede or follow a course independent of any penalty imposed by any off-campus authority.

Misconduct for which students are subject to discipline is outlined, but not limited to the categories below:

## Academic Dishonesty

To obtain an unfair advantage by (a) cheating on examinations or other academic work (b) unauthorized collaboration on an academic assignment; (c) retaining, possessing, memorizing, using, or circulating previously given examination materials, where those materials clearly indicate that they are to be sequestered; (d) intentionally obstructing or interfering with another student's academic work.

Furnishing false or misleading information to any University office, official, faculty member, staff member, or student acting in an official capacity, or giving false or misleading testimony or other falsified evidence at any campus disciplinary proceeding.

Forgery, alteration, falsification or misuse of any University document, record, or instrument of identification. To misrepresent or falsify research data. To misrepresent or falsify data or results concerning a patient's clinical status or to break the confidentiality of any person in treatment or rehabilitation.

Disruption or obstruction of teaching, research, administrative, or disciplinary proceedings of the University. This includes public service or other authorized University activities on or off the University premises.

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct, which threatens or endangers the health or safety of any person. Speech protected by the first amendment is not a violation of this provision, although statements which reasonably threaten or endanger the health or safety of any person are not protected speech.

Breach of computer security or unauthorized use of computer facilities, including but not limited to: Unauthorized entry into a file; Unauthorized transfer or copy of a file; Unauthorized use of another individual's username and password; Use of computing facilities to interfere with the work of another student, faculty, or staff; Use of computing facilities to send obscene or abusive message; Negligence in protecting passwords.

Malicious treatment, harassment, threat or intimidation of others, including sexual harassment.

Mistreatment and abuse of students by faculty, residents, staff or fellow students is contrary to the educational objectives of the LSUHSC in Shreveport and will not be tolerated. Mistreatment and abuse include, but are not limited to, berating, belittling, or humiliation; physical punishment or threats; intimidation; harassment or discrimination based on race, gender, sexual preference, age, religion, physical or learning disabilities; assigning a grade for reasons other than the student's performance; assigning tasks for punishment or non-educational purposes; requiring the performance of personal services; or failing to give students credit for work they have done. Sexual harassment in any form is not condoned and policies and procedures governing this type of mistreatment is covered under LSUHSC-S Title IX policies and procedures.

Failure to report violations of the Student Code of Conduct.

## CODE OF CONDUCT

October 15, 2015

The Code of Conduct is a compass meant to strengthen the moral and ethical environment at LSU Health Shreveport by providing guidance on the principles, standards, and responsibilities of conduct for all employees in the performance of their duties. Each student, employee, director, member of the medical staff, contractor, vendor, agent, and volunteer must carry out their duties for LSU Health Shreveport in accordance with this Code of Conduct.

The Code of Conduct of LSU Health Shreveport provides the guiding standards for the decisions and actions of employees and affiliates. Although this Code can neither cover every situation in the daily conduct of the many varied activities nor substitute for common sense, individual judgment or personal integrity, it is the duty of each employee and affiliate of LSU Health Shreveport to adhere, without exception, to the principles set forth herein, and comply with the terms of this Code of Conduct.

I shall conduct all activities in a manner that will promote integrity and compliance while practicing sound ethical and professional judgment. I shall abide by regulations set forth by state and federal healthcare programs and their appointed agents in conjunction with the policies and procedures established by LSU Health Shreveport.

I shall prepare and complete accurate medical records, student records, financial information, and bills. I understand that I am directly responsible for the accuracy and completeness of data entries that are entered into LSU Health Shreveport computer systems.

I shall report suspected non-compliant behavior that violates any statute, regulation, or guideline applicable to a state or federal healthcare program or policy. I have the right to remain anonymous when reporting and all reports are confidential.

As an employee and/or affiliate, I will not be retaliated against for reporting suspect behaviors in any form or fashion.

I shall disclose to the compliance officer any information received from state or federal healthcare programs or their agents upon receipt. I will participate in any reviews, investigations, or audits whether conducted by an internal or external agency.

I shall refuse any type of illegal offers, remuneration, or payments to induce referrals or preferential treatment from a third party.

LSU Health Shreveport has a legal and ethical responsibility to safeguard the privacy of all patients and students and protect information that is defined as confidential. Confidential information includes information contained in manual documentation as well as information stored in the facilities' computer systems. Patient, student, personnel, financial, and other business records contain confidential information. I understand that information regarded as confidential must be maintained in the strictest of confidence. Release of information must be provided by the appropriate, authorized personnel. I shall not disclose confidential information to any person, other than as necessary in the course of my affiliation with LSU

## Health Shreveport.

Institutional computer systems and the data in those systems may be accessed only by authorization from Administration. I shall not reveal user identification codes or passwords or use another employee's user identification code/password. Additional security violations may include, but are not limited to, failing to sign off when leaving the computer unattended; modifying my own medical or employment record; requesting that another employee access my employment or medical record; allowing another employee to use my password; accessing medical or employment records without having a legitimate reason; allowing anyone else to view confidential information while I am signed on to a computer system; using another employee's access code; or revealing confidential information or business/financial details of patients and/or employees.

All privacy and security violations should be reported to the Compliance Office and such incidents will be investigated.

I shall complete the mandated LSU Health Shreveport annual training requirements.

All employees shall adhere to the Code of Conduct as a condition of employment. All employees and affiliated professionals can be suspended, terminated, or barred from further employment or affiliation with LSU Health Shreveport as a result of non-compliant behavior.

The failure to abide by this agreement may result in legal action, including possible fines and/or imprisonment in accordance with applicable Louisiana State and Federal Law.

## SEXUAL HARASSMENT

### 2.1.1 SEXUAL HARASSMENT

June 1, 1999

#### A. Policy

LSU Health Sciences Center - Shreveport is committed to providing a professional work environment that maintains equality, dignity and respect for all members of its community. In keeping with this commitment, the Health Sciences Center prohibits discriminatory practices, including sexual harassment. Any sexual harassment, whether verbal, physical or environmental, is unacceptable and will not be tolerated. The purpose of this policy is to define sexual harassment and to establish a procedure whereby alleged sexually harassed employees, staff and students may lodge a complaint immediately.

#### B. Definition

Sexual harassment is illegal under federal (section 703 of Title VII of the Civil Rights Act of 1964), state and local law. It is defined as any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as basis for an employment decision affecting the individual; or
3. The conduct has the purpose or effect of unreasonable interfering with the individual's performance or of creating an intimidating, hostile or offensive working environment.

Types of behavior that constitute sexual harassment may include, but are not limited to:

- unwelcome sexual flirtations, advances or propositions;
- derogatory, vulgar or graphic written or oral statements regarding one's sexuality, gender or sexual experience;
- unnecessary touching, patting, pinching or attention to an individual's body;
- physical assault;
- unwanted sexual compliments, innuendo, suggestions or jokes; or the display of sexually suggestive pictures or objects

#### C. Procedures

Any member of the Health Sciences Center Community who has a sexual harassment complaint against a supervisor, co-worker, visitor, faculty member, student or other person, has the right and obligation to bring the problem to Health Sciences Center's attention. Any supervisor who witnesses such conduct or receives a complaint must report the incident to Human Resource Management, an appropriate administrator or the Dean of the respective school. It is the responsibility of all LSU Health Sciences Center employees in a supervisory capacity to ensure that the work/academic



environment is free from sexual harassment.

A staff member who believes he or she has been sexually harassed, should immediately report the incident to the Assistant Director of Employee Relations, Human Resource Management 318-675-5611 or to the Director of Human Resource Management 318-675-5610 or to an appropriate administrator or the Dean of the respective school. In addition, staff members may report the incident to any supervisor. Any recipient of such a complaint shall notify Human Resource Management.

The Department of Human Resource Management will be responsible for investigating complaints of sexual harassment occurring between staff members; complaints made by staff against students; and complaints made by staff against other third parties. Human Resource Management will either investigate or assist those responsible for investigating complaints made by or against faculty members, students or House Staff Officers.

Actions taken to investigate and resolve sexual harassment complaints shall be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. An investigation may include interviews with the parties involved, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The individuals involved in the complaint will be notified of the results of the investigation.

The Health Sciences Center will not tolerate discrimination or retaliation against any individual who makes a good-faith sexual harassment complaint, even if the investigation produces insufficient evidence to support the complaint, or any other individual who participates in the investigation of a sexual harassment complaint. If the investigation substantiates the complaint, appropriate corrective measures and/or disciplinary action, up to and including termination, will be taken swiftly.

LSU Health Sciences Center – Shreveport will make every reasonable effort to ensure that all members of the Health Sciences Center community are familiar with this policy. You are encouraged to address questions or concerns regarding this policy with the Assistant Director for Employee Relations, Human Resource Management.

## HARASSMENT

### 2.1.3 HARASSMENT

January 3, 2023

#### A. GENERAL

Louisiana State University Health Sciences Center-Shreveport (LSUHSC-S) is committed to providing and promoting an environment for employees, faculty, staff, students, and campus visitors that is free from all forms of harassment. Harassment will not be tolerated, and LSUHSC-S will take appropriate action to prevent, correct, and, where warranted, discipline behavior that violates this policy.

This document provides procedural guidance for the prevention of harassment prohibited by federal law and the resolution of any such harassment at LSUHSC-S. This policy applies only to harassment that is not sexual in nature. Sexual harassment is separately addressed in AD 2.1.1 Sexual Harassment. LSUHSC-S employees and students are encouraged to participate in preventive education and trainings on prohibited harassment, which are offered by a variety of departments and divisions, including the Department of Human Resources.

#### B. APPLICABILITY

This policy applies to all employees, faculty, staff, and students.

#### C. DEFINITIONS

1. Prohibited Harassment (not of a sexual nature) – Abusive or hostile conduct that is directed toward or inflicted upon another person based on genetic information, race, color, religion, ethnicity, national origin, sex (which includes sexual orientation, gender identity, and gender expression), age, disability, or veteran’s status and which, because of its severity and/or pervasiveness, unreasonably interferes with an individual’s work or academic performance.

Harassment is typically based on stereotyped prejudices and includes, but is not limited to, the following examples, where they are generally part of a pattern of conduct meeting the standard set forth above: slurs, jokes, objectionable epithets, or other verbal, graphic, or physical conduct that demeans, insults, or intimidates an individual because of their race, color, religion, ethnicity, national origin, age, sex, disability, or veteran status. Conduct must be deemed severe and/or pervasive from both a subjective and an objective perspective.

In determining whether conduct constitutes prohibited harassment, the following understandings shall apply:

a. Harassment must be distinguished from behavior which, even though unpleasant or uncomfortable, is appropriate to the carrying out of instructional or supervisory responsibilities (e.g., criticism of work, corrective discipline, performance

evaluation; discussion of controversial topics germane to an academic subject);

b. The totality of the circumstances must be evaluated to determine whether a particular act or course of conduct constitutes harassment, including the frequency, severity, and context of the questioned conduct and whether the conduct was physically threatening and humiliating or a mere utterance;

c. The conduct alleged to be harassment will be evaluated from the perspective of a reasonable person in a similar situation and not simply the particular sensitivity or reaction of an individual;

d. An isolated incident of hostile behavior, although offensive, usually will not be sufficient to establish a claim of illegal harassment. For example, generally, a single sexual joke, offensive epithet, or request for a date does not constitute sexual harassment; however, being subjected to such jokes, epithets or requests repeatedly may constitute sexual harassment. However, administrators and supervisors should take corrective action when such isolated incidents occur, in order to ensure that repetition of that or similar conduct does not rise to the level of illegal harassment; and

e. Although repeated incidents of hostile conduct generally create a stronger claim of harassment, a serious incident, even if isolated, may be sufficient.

2. Retaliation – Any action that has the effect of punishing a person for engaging in a legally protected activity, such as alleging harassment, making a harassment complaint, or assisting in a harassment investigation. Examples of retaliatory adverse employment actions include suspension, demotion, or termination. In addition, this policy prohibits retaliation in the form of harassment, intimidation, threats, or coercion, or in the form of any materially adverse harm that would dissuade a reasonable student or employee from filing a harassment complaint or participating in a harassment investigation.

## E. PROCEDURES

### 1. Reporting of Harassment or Related Retaliation Allegations

a. LSUHSC-S encourages students, faculty, and staff to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of harassment. Retaliation against persons who oppose or complain about harassment is strictly prohibited.

An employee/student is protected against retaliation for their opposition to harassment as long as the employee/student has a reasonable and “good faith” belief that the complained of conduct is prohibited, even if it turns out that the complainant was mistaken as to the legality of the conduct. It is a violation of LSUHSC-S's policy to retaliate against the complainant(s), respondent(s), witnesses or others involved in the review of such complaints. Any employee who retaliates against an employee or a student in violation of the law and/or LSUHSC-S's Harassment policy is subject to disciplinary action, including and up to termination.

This policy shall not be used to bring frivolous or malicious complaints against students, faculty, staff, or other employees. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action may be taken against the person bringing the complaint.

b. Persons who believe they have been targets of harassment or related retaliation are encouraged to report the incident(s) immediately to appropriate administrative officials as set forth below. The complaint should be made as soon as possible. Delay in reporting makes it more difficult to investigate fairly and adequately the incident and may contribute to the repetition of offensive behavior.

c. Complaints may be made by a victim or a witness of harassment by an employee.

d. A complaint may be made verbally. A written statement should follow as soon as possible. A complaint should contain the following information:

i. Date and time of the incident

ii. Location of act

iii. Name of alleged who began the harassment

iv. A factual, unbiased description of the conduct

v. Names of witnesses to the incident

vi. What results are being sought

e. Complaints should be submitted by the victim or witness to the complainant's immediate supervisor or to the Office for Compliance and Investigation.

f. Employees, faculty, staff, students, and visitors may also file a report via the LSU Ethics, Integrity, and Misconduct Helpline at <https://www.lsu.ethicspoint.com> or toll-free at 855-561-4099.

g. The Office for Compliance and Investigation shall conduct a confidential investigation. It will protect the privacy of the individuals involved and ensure that the complainant and the accused are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only on a "need to know" basis. At the conclusion of the investigation, a report of the incident with a conclusion and recommendations, if substantiated, will be completed and provided to the chancellor for appropriate action.

h. If the individual is on faculty, medical staff, or a house officer, the information and recommendations shall be given to a review committee. The Committee shall be the Chair of the Department, the Chancellor/Dean of the Medical School, and a Hospital Administrator or their designee.

i. If it is found that harassment did occur, action ranging from a letter of reprimand

to termination of employment will be applied.

#### E. RESPONSIBILITIES

The Office for Compliance and Investigation is responsible for ensuring compliance with this policy. All employees, faculty, staff, and students are required to fully cooperate with an investigation.

#### F. EXCEPTIONS

None.

#### G. DISCIPLINARY ACTIONS

Any employee who violates this policy may be subject to disciplinary action up to and including dismissal from employment.

## **TITLE IX POLICY**

### **PERMANENT MEMORANDUM 73**

Policy Prohibiting Power-based Violence, including Sex- and Gender-based Harassment and Discrimination and Sexual Misconduct

Monitoring Unit: Office of Civil Rights & Title IX

Initially Issued: December 15, 2015

Last Revised: January 19, 2022

## **I. PURPOSE AND COMMITMENT**

This Permanent Memorandum outlines the procedures for addressing and resolving allegations of power-based violence including sex- and gender-based harassment and discrimination, and Sexual Misconduct (e.g. sexual assault, stalking, dating violence, domestic violence, sexual exploitation, retaliation, etc.). Such procedures are required and governed by (1) Title IX of the Education Amendments of 1972 which prohibits sex discrimination in any education program or activity receiving federal financial assistance, (2) Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature, and (3) the Board of Regents Uniform Policy on Power-Based Violence. LSU's Title IX Coordinator<sup>1</sup> is responsible for administering this policy at all University locations.

Power-based violence, and sex- and gender-based harassment and discrimination, including Sexual Misconduct, violate an individual's fundamental rights and personal dignity and will not be tolerated. LSU prohibits and is committed to an environment free of discrimination on the basis of sex, gender, and Sexual Misconduct. This policy affirms these principles and provides recourse for individuals whose rights have been violated.

LSU will affirmatively promote prevention, awareness and training programs to encourage individuals to report concerns or complaints. Everyone has a responsibility to prevent and report acts of prohibited conduct. Any LSU employee who has knowledge of sex- and gender-based harassment and discrimination, including Sexual Misconduct, must file a report with the Title IX Coordinator<sup>2</sup>.

LSU will take prompt, thorough, and impartial action to discipline those who violate this policy, prevent recurrence of prohibited behavior, and effect equitable remedies.

## **II. NONDISCRIMINATION NOTICE**

LSU is committed to creating an environment of inclusion and respect among students, faculty, staff and the community at large. LSU does not discriminate on the basis of race, creed, color, marital status, sexual orientation, gender identity, gender expression, religion, sex, national or ethnic origin, age, disability, genetic information, veteran's status, or any other status or organization protected by state or federal law, in its programs and activities.

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<sup>1</sup> The term "LSU Title IX Coordinator" refers to the LSU A&M Coordinator, who also serves as the System Coordinator.

<sup>2</sup> The term "Title IX Coordinator" refers to either the LSU Title IX Coordinator, the respective Title IX Campus Coordinator, or their designee.

This includes all aspects of LSU's education programs and activities, including admission and employment. The entire LSU community is responsible for fostering a welcome environment conducive to learning and working.

Inquiries regarding the non-discrimination policy should be directed to the individual or individuals designated in each campus's applicable policy. Inquiries about the application of Title IX or this policy may be directed to the Title IX Coordinator. Inquiries or concerns regarding Title IX may also be made to the U.S. Department of Education Office for Civil Rights; Dallas office, [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov), (214) 661-9600.

This Permanent Memorandum applies to incidents of power-based violence including harassment and discrimination on the basis of sex, gender, gender identity, gender expression, and sexual orientation.

### III. DEFINITIONS

#### A. GENERAL DEFINITIONS

**Actual Knowledge:** Any reasonable information of sex- and gender-based harassment and discrimination, including Sexual Misconduct or allegations of such provided to a Title IX Coordinator, Deputy Coordinator, or any other Mandatory Reporter. Actual Knowledge would also include personal observation by any employee of such conduct.

**Administrative Resolution:** A process by which allegations and evidence are presented to a Decision-Maker for determination as to whether a Respondent is responsible for a violation of this policy. Administrative Resolution is not used in cases where the allegation could violate Title IX, or where probable cause indicates that the Respondent found in violation faces suspension or expulsion from LSU, or termination of employment.

**Advisor:** May be any person not otherwise a party or witness to the case, selected by a party or appointed by LSU to accompany the party to meetings related to the Resolution Process, to advise the party on that process, and to conduct questioning for the party at the Hearing, if any. The Advisor may, but is not required to, be an attorney. Participation shall be limited as stated herein.

**Confidential Resource:** Those deemed confidential by law or professional ethics, or individuals explicitly selected, trained, and designated by LSU to provide confidential support to students and employees for concerns arising under this policy. Confidential Resources may also help facilitate supportive measures and assist with reporting to Title IX and/or law enforcement, if desired by the Complainant.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute power-based violence, or sex- or gender-based harassment or discrimination under this policy.

**Decision-Maker:** A trained individual who reviews all relevant and directly related evidence including the investigation report and makes a decision regarding responsibility based on preponderance of the evidence as well as any applicable sanctions. A Decision-Maker is used

during the Administrative Resolution Process.

**Determination Letter:** A letter provided by the Hearing Panel to the parties and their Advisors at the conclusion of the Formal Resolution Process. This letter summarizes the allegations and applicable policies, the investigation, and the findings and sanctions of the panel.

**Formal Complaint:** A document filed by a Complainant or signed by the Title IX Coordinator alleging sex- or gender-based harassment or discrimination (including Sexual Misconduct) against one or more Respondents, and requesting LSU to investigate the allegation.

**Formal Resolution:** A process by which allegations and evidence are presented in a live hearing to a Hearing Panel for determination as to whether a Respondent is responsible for a violation of this policy.

**Hearing Panel:** A body of three trained individuals assembled to hear testimony and weigh evidence resulting in a decision regarding responsibility based on the preponderance of the evidence.

**Incident Report:** Initial report alleging sex- or gender-based harassment or discrimination. An Incident Report does not, by itself, trigger an investigation.

**Informal Resolution:** A process whereby the parties voluntarily work with a professional to reach a mutually agreeable resolution of the complaint.

**Interim Measures:** Remedial measures taken to help deescalate and offer a short- term temporary resolution during the pendency of a resolution under this policy.

**Mandatory Reporter:** Any employee given the duty of reporting actual notice of incidents of sexual violence or any other misconduct prohibited by this policy. All LSU employees including Graduate Assistants are considered Mandatory Reporters (also referred to as “responsible employees”) with a few notable exceptions which are identified in this policy.

**Notice:** A report of sex- or gender-based discrimination or harassment, including Sexual Misconduct, made to the Title IX Coordinator, Deputy Coordinator or any Mandatory Reporter.

**Resolution Process Pool:** A pool of trained LSU officials who can serve in any of the following roles at the direction of a Title IX Coordinator: Hearing Panelist, Hearing Panel Chair, Appeals Reviewer, or as Advisor for the Complainant or the Respondent. Pool members cannot serve in more than one role for a given case.

**Respondent:** A person alleged to have engaged in actions that could constitute power-based violence, or sex- or gender-based harassment or discrimination, including Sexual Misconduct, under this policy.

**Title IX Coordinator:** Individual designated by the University to be responsible for responding to all complaints of possible sex- or gender-based harassment or discrimination and to coordinate appropriate responses to such complaints. All references to Title IX Coordinator in this document include Title IX Coordinator or designee.



## B. POLICY DEFINITIONS

**Coercion:** The use of unreasonable express or implied threats, intimidation, or physical force placing an individual in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. Coercion may include administering a drug, intoxicant or other substance with the intent to incapacitate prior to engaging in sexual activity.

**Consent:** Clear, knowing, and voluntary permission demonstrated through mutually understandable words or actions clearly indicating willingness to engage in a specific sexual activity and any conditions on the activity. It is active, not passive; and silence, absent actions evidencing permission, is not consent. Responsibility for obtaining consent lies with the individual initiating the sexual activity.

Consent to engage in sexual activity may be withdrawn by any person at any time, as long as the withdrawal is reasonably and clearly communicated. Once withdrawal of consent is expressed, the sexual activity must immediately cease. Consent is automatically withdrawn by a person who, during the activity, becomes incapacitated. A current or previous consensual intimate relationship between the parties does not itself imply consent or preclude a finding of responsibility.

To give consent, a person must be of legal age. Consent cannot be obtained through coercion, fraud, or from a person whom the alleged offender knows or should reasonably know is incapacitated. Use of alcohol or drugs does not diminish the responsibility to obtain consent.

**Dating Violence:** Violence, when on the basis of sex or gender, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

**Domestic Violence:** A felony or misdemeanor crime of violence, when on the basis of sex or gender, committed by a current or former spouse or intimate partner of the Complainant; a person with whom the Complainant shares a child in common; a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Louisiana; or by any other person against an adult or youth who is protected from that person's acts under the domestic abuse or family violence laws of Louisiana.

\*To categorize an incident as Domestic Violence, the relationship between the parties must be more than people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**Hazing:** Acts likely to cause physical or psychological harm or social ostracism to any person within the LSU community when related to the admission, initiation, pledging, joining, or any other group-affiliation activity. Hazing falls under this policy when based either in whole or in-part on sex- or gender-based harassment and discrimination.

**Hostile Environment Harassment:** Unwelcome conduct, determined by a reasonable person, to be so severe, pervasive, and objectively offensive, that it effectively denies a person equal access to an education program or activity.

**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, drunkenness or intoxication is not necessarily the same as incapacitation. 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 or stand without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance.

**Intimidation:** Implied threats or acts that cause an unreasonable fear of harm in another.

**Power-based Violence:** Any form of interpersonal violence intended to control or intimidate another person through the assertion of power of the person, including but not limited to dating violence, domestic violence, sexual assault, sexual harassment, and stalking. Violations categorized as power-based violence are further described in the Louisiana Board of Regents Policy on Power-Based Violence/Sexual Misconduct.

**Quid Pro Quo Sexual Harassment:** An employee conditioning the provision of aid, benefit, or service on the Complainant's participation in unwelcome sexual conduct.

**Retaliation:** Any acts against an individual for the purpose of interfering with or discouraging an individual from exercising a right or privilege under this policy. Activities protected from retaliation include reporting or opposing sex- or gender- based harassment and discrimination; filing a Formal Complaint; and participation in an investigation, process or Hearing, whether as a party, witness, Hearing Panel member, appeals officer, or Advisor. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion or discrimination.

**Sex and Gender Discrimination:** Behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs, activities and services because of a person's actual or perceived sex or gender.

**Sexual Assault:** Sexual contact or penetration without consent

- a. **Sex Offenses, Forcible:** Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent.
  - i. **Forcible Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
  - ii. **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will, or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or

- permanent mental or physical incapacity.
- iii. **Sexual Assault With An Object:** To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- iv. **Forcible Fondling:** The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non- consensually), or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- b. **Sex Offenses, Non-forcible:** Non-forcible sexual intercourse.
  - i. **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Louisiana law.
  - ii. **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent of Louisiana.
- c. Sexual Assault also includes sexual battery as defined in La. R.S. 14:43.1.

**Sexual Exploitation:** An individual taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. 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, human trafficking, 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.

**Sexual Harassment:** Conduct on the basis of sex or gender that satisfies one or more of the following:

- a. Quid pro Quo Harassment;
- b. Hostile Environment Harassment; or
- c. Retaliation.

**Sexual Misconduct:** 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. Examples include but are not limited to threatening or causing physical harm; extreme verbal, emotional, or psychological abuse; or other conduct which threatens or endangers the health or safety of any person. For the purpose of this Policy, Sexual Misconduct includes, but is not limited to, sexual abuse, violence of a sexual nature, Sexual Harassment, Sexual Assault, Sexual Exploitation, as well as Dating Violence, Domestic Violence and Stalking when on the basis of sex or gender, as well as crimes of a sexual nature as defined in Title 14 of the Louisiana Revised Statutes or at La. R.S. 44:51.

**Sexually-Oriented Criminal Offense:** Any sexual assault offense as defined in La. R.S. 44:51, and any sexual abuse offense as defined in La. R.S. 14:403.

**Sexual Orientation Discrimination:** Behaviors and actions that deny or limit a person’s ability to benefit from, and/or fully participate in the educational programs, activities, and services because of a person’s actual or perceived sexual orientation.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

- a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.  
Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.
- c. Nothing in these definitions will be interpreted in a way that violates the First Amendment rights of any individual.

#### IV. SCOPE OF POLICY

This policy applies to all members of the University community, including faculty, staff, students, volunteers, organizations, and any other affiliate that participates in activities associated with LSU.

Title IX law applies to educational institutions and specifically covers sexual misconduct under a limited set of circumstances. Title IX has jurisdiction over conduct that occurs:

- a. Where the Complainant is an LSU student, or an LSU employee acting within their job responsibilities;
- b. Where LSU exercised substantial control over the Respondent in the context of where or how the alleged incident occurred;
- c. In the course of LSU’s operations;
- d. On an LSU campus or any other University owned, leased, controlled or operated location;
- e. Within the bounds of the United States; and
- f. At any LSU sponsored event or organizational activity in the United States whether on or off campus.

Sex- or gender-based harassment and discrimination have broad jurisdiction that includes all Title IX allegations, but also many more allegations that involve possible sex- or gender-based harassment or discrimination that do not rise to the level of a Title IX violation. If the sex- or gender-based harassment or discrimination does not meet Title IX jurisdictional requirements, then the allegation is “dismissed” as a Title IX case. The case still may be

considered for possible investigation and resolution under this policy or the applicable student code of conduct, employee policies, or other relevant policy or procedure. (i.e. non-sex or gender-based misconduct). Such cases include, but are not limited to:

- a. Sex- or gender-based harassment or discrimination that does not meet the required definitions under Title IX;
- b. Off-campus or online conduct, social media or other electronic media/communication where:
  - i. The University deems that the off-campus sexual misconduct effectively deprives someone access to LSU’s educational programs or employment;
  - ii. The Title IX Coordinator, in their discretion, exercises jurisdiction, such as when the Sexual Misconduct may affect the safety or well- being of the LSU community
- c. Instances of power-based violence that are independent of sexual misconduct.

Further, even when the Respondent is not a member of the LSU community, supportive measures, remedies, and resources may be available to the Complainant by contacting the Title IX Coordinator.

Students are responsible for their conduct from notice of admission through the awarding of a degree or departure from the University. Employees are covered by this policy when representing LSU (or deemed to be a representative of LSU) whether before, during, or after work. This policy also applies to any person who is both a student and an employee at LSU.

This policy may also address any alleged misconduct (e.g.: student code of conduct, employee code of conduct, etc.) that is ancillary to or concurrent with alleged violations of this policy. Officials in the Resolution Process may consult with relevant departments (e.g.: HR, Student Affairs, Academic Affairs, etc.) regarding the ancillary or concurrent misconduct to help ensure greater uniformity in addressing such conduct.

This policy is not intended to infringe on or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, due processes clauses of the Fifth and Fourteenth Amendments and the Fourth Amendment. Additionally, this policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matter protected by academic freedom.

## V. PROCEDURES

Addressing allegations of sex- or gender-based harassment and discrimination is a necessarily detailed process committed to a fair and impartial resolution. In the sections below, the process is largely outlined in chronological order of reporting, supportive measures, investigating, options for resolution, and appeal. The LSU Title IX Coordinator will aid in administering the process and serve as a consultant on cases involving Power- Based Violence and Sexual Misconduct on all LSU campuses. Individual campuses are encouraged to adopt a Policy Statement to support this Permanent Memorandum by providing more explicit information at the local level.

## **Amnesty Policy**

LSU encourages reporting and seeks to remove barriers in reporting of power-based violence and sex- or gender- based harassment or discrimination, including sexual misconduct. A Complainant and/or witness who, in good faith, reports an alleged violation of this policy and/or serves as a witness may not be disciplined by the institution in which they are enrolled or employed for code of conduct violations reasonably related to the incident, such as underage drinking or unauthorized use of facilities, provided such violation did not place the health and safety of any other person at significant risk of harm. Immunity does not apply to a person who perpetrates or assists in the perpetration of the reported incident.

## **Retaliation**

LSU expressly prohibits retaliation against an individual who reports incidents of power-based violence, the parties involved, and their witnesses. Specifically, retaliation against anyone who in good faith reports what they believe to be power-based violence, cooperates with an investigation covered in this policy, or opposes conduct they believe to violate this policy may be subject to disciplinary action. However, an individual who reports retaliation but is identified as the perpetrator of, or having assisted in the perpetration of, the power-based violence reported, will still be subjected to an investigation and potential disciplinary action under this policy. Anyone who believes they have been retaliated against should immediately report it to the Title IX Coordinator who will treat it as an Incident Report.

## **LSU Title IX Coordinator and Title IX Campus Coordinators**

The LSU Title IX Coordinator serves as the Title IX Campus Coordinator for the LSU A&M campus and is responsible for administering this policy at all University locations. The LSU Title IX Coordinator can be contacted at:

LSU Title IX Coordinator  
118 Himes Hall  
Baton Rouge, LA 70803  
[titleix@lsu.edu](mailto:titleix@lsu.edu)  
Phone: 225-578-9000  
Fax: 225-578-4442

Each campus has a designated Title IX Campus Coordinator who serves as the local responder to complaints of power-based violence and Sexual Misconduct on individual campuses and is responsible for managing intake, providing supportive measures, convening Hearing Panels, and implementing sanctions. The Campus Coordinator works closely with the LSU Title IX Coordinator throughout the investigation and resolution processes. A listing of Title IX Campus Coordinators can be found here:

<https://www.lsu.edu/civil-rights/about/contact-us.php>

### **A. REPORTING MISCONDUCT**

#### **1. Mandatory Reporting**

All employees, with few exceptions, are required to report instances of sex- or gender-based harassment and discrimination, including Sexual Misconduct and Power-Based Violence (e.g. sexual assault, stalking, dating violence, domestic violence, sexual exploitation, retaliation, etc.) for which they are not the Complainant, but of which they are aware. The term “employee” includes students working in a position such as a teaching assistant or a residential advisor. An employee who fails to promptly make the report without good cause or, with the intent to harm or deceive, knowingly makes a report that is false, **shall be terminated** in accordance with the institution’s disciplinary procedures.

1. Reports must be made to Title IX Coordinator. Incident Reports must include the following information if known:
  - a. Identity of the alleged Complainant;
  - b. Identity of the alleged perpetrator;
  - c. Type of power-based violence or retaliation alleged to have been committed;
  - d. Any other information about witnesses, location, date, and time that the incident occurred; and
  - e. Any other relevant information
2. Reports to the Title IX Coordinator can be made in person, via phone, online, or email. A link to each campus’ Title IX page may be found on the LSU Title IX page at <https://www.lsu.edu/titleix/>
3. In the event that the incident is a safety threat to the individual or the community, the report should be shared with a campus CARE team and/or law enforcement as appropriate.

Anyone subjected to any type of power-based violence is encouraged to file a complaint with the Title IX office. Any individual who has experienced any form of power-based violence is also urged to utilize supportive measures available through the University whether or not the person who caused the harm is a University community member. Supportive measures are available whether or not a Formal Complaint is filed.

## 2. Limited Exceptions

There are limited exceptions to the reporting requirement. These exceptions represent LSU’s commitment to providing victims and survivors of power-based trauma with confidential support and resources needed to address their needs. Employees who do not have to report power-based trauma to the Title IX Coordinator:

1. The following are confidential by reason of law:
  - a. Mental health counselors acting within the scope of their licensure at the time of the report;
  - b. Staff operating in a Student Health Center capacity at the time of the report;

- c. Staff providing services through a psychological services or other HIPAA protected center acting within the scope of their licensure at the time of the report;
  - d. Clergy acting within the scope of their credentials at the time of the report.
2. Campuses may designate others as Confidential Resources so long as they receive annual training and are specifically listed on the campus's webpage.

Note, these confidential resources must still report non-identifiable data consistent with the Clery Act's requirements.

3. The following are exceptions to the Mandatory Reporter reporting requirement:
- a. Information disclosed at public awareness events (e.g.: Take Back the Night, candlelight vigils, protests, speak outs), or other public forums in which individuals may disclose incidents of prohibited conduct as part of educating others, or
  - b. Disclosures made in the course of academic work product consistent with the assignment (ex. Public speaking class, creative writing assignment, group work)
  - c. Disclosure is made indirectly, as in overhearing a conversation

In such cases, faculty are encouraged to contact the student to determine whether or not the student intended to report the matter to LSU to obtain supportive measures and/or to file a complaint. If so, the faculty member should report the matter to the Title IX Coordinator, in a manner consistent with this policy. In either case, the faculty member is encouraged to provide the student with the Title IX Coordinator's contact information.

### **3. Confidentiality**

Unless waived in writing by the Complainant, the identity of the Complainant is confidential and not subject to disclosure. The following exceptions apply:

- 1. Identified to someone employed by the institution to investigate allegations if the disclosure is necessary to investigate the report
- 2. Identified to a law enforcement officer if necessary to conduct a criminal investigation into the allegations of the report
- 3. Identified to the alleged perpetrator of the incident to the extent required by law
- 4. Identified to a potential witness to the incident in order to conduct an investigation of the report

### **4. Initial Contact with Complainant**

Upon notice of a possible complaint through an Incident Report, the Title IX



Coordinator will provide the Complainant information on, and assistance with, reporting options including filing a Formal Complaint with LSU, and filing a criminal complaint with law enforcement (if applicable). The Title IX Coordinator will also provide the Complainant with options for other available supportive measures, including health care, counseling, academic adjustments, work adjustments, etc.

Individuals are strongly encouraged to report the offense to campus police or local law enforcement if they believe criminal conduct occurred (i.e. sexual assault, sexual battery, stalking, etc.). The Title IX Coordinator will offer to assist the individual in contacting campus or local law enforcement.

To the extent possible, the Complainant, and those who receive the complaint, should preserve evidence and not disturb a potential crime scene. (This includes preserving all text or email communications that may be related to the incident).

## **5. Supportive Measures**

Supportive measures are offered to both parties upon receipt of notice of an alleged violation of this policy. It is not required that the matter be investigated for the parties to receive supportive measures. Such measures often apply while the resolution process under this policy is pending, and such measures can continue even following the conclusion of the process. LSU will implement measures in a way that does not unreasonably burden the other party.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered without fee or charge to the parties to restore or preserve access to LSU's education program or activity, including measures designed to protect the safety of all parties and/or LSU's educational environment, and/or to deter harassment, discrimination, or retaliation.

The Title IX Coordinator shall bear responsibility for coordinating the effective implementation of supportive measures. Supportive measures are maintained as confidential to the extent possible, provided confidentiality does not impair LSU's ability to provide those supportive measures. Such supportive measures may include, but are not limited to:

- a. Referral for counseling, medical, or other healthcare services;
- b. Referral to campus or local advocacy programs; Referral to campus or local law enforcement;
- c. Referral to community-based service providers
- d. Safety Planning;
- e. Implementing a no contact order, or other contact limitations;
- f. Student financial aid counseling;
- g. Relocating an on-campus student's housing to a different on-campus location;
- h. Changing an employee's work environment (e.g. reporting structure,

- office/workspace relocation);
- i. Transportation accommodations;
- j. Academic support, extensions of deadlines, or other course/program-related adjustments;
- k. Alternative course completion options (e.g. Remote, Online, Incompletes, Withdrawals, etc.);
- l. Referred for visa/immigration assistance;
- m. Any other actions deemed appropriate by the Title IX Coordinator.

A Title IX Coordinator may suspend a Respondent from participating in the education program or activity on an emergency basis, and a Complainant has the right to request the Respondent be barred from a class in which the Complainant is enrolled. Should such action be warranted based on threat assessment, the dean, provost, and any other appropriate individuals such as the Athletic Director shall be notified in writing and informed of the limitations as well as the predicted timeline. In all cases where the Respondent has been removed from classes or participation in activities for which a scholarship has been awarded, every effort will be made to resolve the case expeditiously. The interim action shall be in effect while request for review and review are pending.

In order to determine whether an emergency removal or limitation is warranted, a Title IX Coordinator must undertake an individualized safety and risk analysis, resulting in a determination that the Respondent presents an immediate threat to the physical health or safety of any other individual arising from the allegations. Written notice of the emergency removal will be provided to the Respondent through, at a minimum, the institutional email address. The following timeline will be adhered to:

- a. The Respondent shall have a right to notify the Title IX Coordinator in writing within three business days of any request to challenge the suspension or limitation;
- b. The Title IX Coordinator shall provide an opportunity to meet (virtually or in person, at the discretion of the Title IX Coordinator) within three business days of receipt of notice;
- c. Title IX Coordinator shall provide notice in writing of the decision within three business days after the meeting via institutional email.

## **6. Rights of Complainant and Respondent Following a Report**

The Complainant shall have the discretion and right to decide whether or when to file a Formal Complaint, report to law enforcement, and determine whether to proceed with a Formal Complaint. The Complainant also has the right to receive assistance from LSU in doing so.

The Respondent shall have the right to be presumed not responsible of all allegations until found responsible for the alleged conduct by a Hearing Panel under this policy.

The Complainant and Respondent have equal rights, including but not limited to:

- a. To be treated with dignity and respect by LSU officials;
- b. To receive a prompt, fair, and impartial process consistent with these procedures;
- c. To be offered and to receive reasonable supportive measures;
- d. To receive timely, written notice of the allegations, proceedings, processes and outcomes under this policy;
- e. To have an Advisor of their choice present at any meeting or hearing under this policy and to have that Advisor conduct cross-examination of the parties and witnesses in a hearing;
- f. To refuse to engage in informal resolution of a Formal Complaint;
- g. To present witnesses, including fact and expert witnesses, and any relevant evidence;
- h. To receive amnesty for certain student misconduct, such as drug or alcohol violations, that occurred ancillary to the complaint at hand and consistent with this policy;
- i. To not have inadmissible prior sexual history/predisposition used by the Decision-Maker;
- j. To be free from retaliation for reporting violations of this policy or cooperating with an investigation;
- k. A right to review and comment on all evidence prior to a decision being made (for Administrative Resolution and Formal Resolution);
- l. To be simultaneously informed in writing of the outcome or resolution of the complaint, any sanctions, and the rationale for the outcome, any appeal, or any other decision considered final;
- m. To exercise a right of appeal as afforded in this policy.

Additionally, parties participating in a Formal Resolution also have the following rights:

- a. The right to review and comment on all relevant and directly related evidence at least 10 days prior to completion of the final investigation report;
- b. The right to review and comment on the final investigation report (if applicable) at least 10 days prior to a decision;
- c. The right to be present for the entire hearing, whether in person or via video technology.

Campuses are encouraged to elaborate in a separate Victim's Rights policy.

## **B. COMPLAINT AND INVESTIGATION**

In order for an investigation into a complaint of sex- or gender-based harassment and discrimination to occur, the Complainant, or under certain circumstances the Title IX Coordinator, must file a Formal Complaint. This is a step beyond an Incident Report, which is the first notification to the Title IX office that a possible violation occurred. The Incident Report does not trigger an investigation. The Formal Complaint will be

reviewed and a determination made as to whether the offense meets the criteria to be considered as a Title IX complaint. If it does, a Title IX investigation will proceed. If it does not, the allegation may be investigated under the student Code of Conduct or other employee policies. Below is a detailed explanation of the process.

## **1. Initial Response to Reports**

Upon Actual Knowledge of a report of sex- or gender-based harassment and discrimination, including Sexual Misconduct through an Incident Report, the Title IX Coordinator will promptly contact the Complainant to discuss and provide the following:

- a. The availability of supportive measures regardless of whether a Formal Complaint is filed;
- b. The process for filing a Formal Complaint as well as process for an investigation including an appeal;
- c. Complainants preference for manner of resolving the complaint and any barriers to proceeding;
- d. Information on the rights and responsibilities as a party in this matter including the right to have an Advisor of their choice;
- e. Jurisdiction of Title IX policy versus power-based violence conduct and differences between procedures;
- f. Instruct the Complainant not to destroy any potentially relevant documentation in any format;
- g. Explain the prohibition against retaliation;
- h. Provide a copy of PM 73 and any other relevant policies;
- i. The right to file a complaint with law enforcement, if the conduct alleged is criminal in nature, and to be assisted in doing so; and
- j. The legal requirement to communicate necessary non- identifiable details of the report to the campus police department for entry into the institution's daily crime log.

If the Title IX Coordinator has cause to believe that, as a result of the incident, there is reason to believe the safety of any person is in imminent danger, the Title IX Coordinator must immediately inform the Chancellor of the campus.

## **2. Formal Complaint Process**

The Formal Complaint Process commences with the filing of a Formal Complaint by a Complainant or signed by a Title IX Coordinator alleging sex- or gender-based harassment or discrimination, including Sexual Misconduct, against one or more Respondents and requesting LSU to investigate the allegation. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, electronic mail, or submission through designated online portals.

A Complainant may file a Formal Complaint with a Title IX Coordinator at any time; there is no time limitation on doing so. A Formal Complaint must be submitted by the Complainant and include the following components:

- a. Facts alleging prohibited conduct under this policy including time, date, location, name of individuals involved;
- b. A signature (electronic or handwritten) or other designation that the Complainant is the individual choosing to file a Formal Complaint;
- c. Some allegation or evidence the conduct occurred at a location or event covered by this policy; and
- d. A statement that the Complainant is a student, employee, or other person seeking to participate in a program or activity of the university.

The Title IX Coordinator will assess whether all necessary components are present in the complaint; whether the allegation, if true, would be a violation of Title IX and/or other applicable code of conduct or policies related to sex or gender discrimination; and whether the complaint falls within the Title IX jurisdiction. The Title IX Coordinator will make the decision to either begin a

Title IX investigation, dismiss the Title IX complaint but begin an investigation outside of Title IX, or dismiss the complaint as a whole.

If the Formal Complaint warrants dismissal under Title IX because it does not meet the Title IX threshold under this policy, the Complainant will be notified in writing by the Title IX Coordinator, typically within five business days of filing.

Other discretionary reasons for dismissal may include withdrawal of complaint; at the time of complaint, the Complainant is no longer participating or attempting to participate as part of the LSU community; or Respondent is no longer affiliated with LSU.

A Formal Complaint under this policy may be consolidated with other complaints when there are multiple allegations of conduct that arise out of the same facts or circumstances, such as when there are multiple Complainants or Respondents. This policy may also address any alleged misconduct (e.g. student code of conduct, employee code of conduct, etc.) that is ancillary to or concurrent with alleged violations of this policy.

In very limited circumstances, a Title IX Coordinator may file a Formal Complaint when the Complainant decides not to do so if it is determined that the allegations present a risk of substantial harm to community member(s). This may include, but is not limited to, use of threats; use of weapons; use of violence; a continued pattern of behavior; and/or predatory behavior. If the Respondent is an employee, LSU may also be required to act on alleged misconduct irrespective of a Complainant's wishes.

### **3. Advisors**

Each party is permitted to have an Advisor of their choice present with them in all meetings and proceedings under this policy. The Advisor may be, but is not required to be, an attorney. The Advisor must participate in a training session on protocol in order to serve in this role during a Hearing Panel. The Advisor may not answer questions on behalf of their advisee. They also cannot act as a

spokesperson except during a Prehearing Conference or the Hearing when conducting cross-examination of a party or a witness.

Once a party shares the identity and contact email address for their Advisor, that Advisor shall be copied on correspondence from LSU on the case in accordance with the Procedures section of this policy. A party may change Advisors at any time but must provide prompt notice to the Title IX Coordinator and/or the Title IX Investigator.

#### **4. Notice and Investigation**

Upon determining that an investigation is warranted under this policy, the LSU Title IX Coordinator will appoint the trained Investigator(s). Assigned investigators should not be the Title IX Coordinator or the Decision Maker. When an investigation commences the Respondent, the Complainant, and their Advisors shall be sent a detailed, written Notice of the Investigation and Allegation (NOIA) including, at a minimum, the following:

- a. As summary of the allegation with reasonable specificity;
- b. The identity of the parties (if known);
- c. The specific policies implicated;
- d. The date and location of the incident (if known);
- e. The right for the parties to have an Advisor of their choice, who may be – but is not required to be – an attorney, present for all resolution-related proceedings, and that LSU can help appoint an Advisor, if desired by the party.
- f. A statement that LSU presumes the Respondent is not responsible of all allegations until found responsible for the alleged conduct by a hearing panel under this policy;
- g. A statement that the parties may inspect and review evidence, including the investigation report, consistent with these procedures, prior to a decision being made;
- h. A statement about LSU’s policy on retaliation;
- i. A statement indicating that LSU policy prohibits knowingly false statements or knowingly submitting false information during the resolution process;
- j. A request to meet with the Title IX Investigator;
- k. An indication that the resolution process complies with Title IX’s Regulations contained in Section 106.45 of 20 U.S.C. 1681;
- l. The notice of investigation and allegations may be amended during the course of the investigation, and that any amendments will be promptly communicated to the parties.

The Investigator will make a good faith effort to conduct a thorough, prompt, and impartial investigation based on the facts and circumstances of each complaint within 45 days of the receipt of the Formal Complaint. This timeframe may expand or contract based on factors such as the complexity or severity of the allegation, as well as the involvement of external parties (e.g. law enforcement). Complex or consolidated investigations may take longer. The

burden of proof and burden of gathering evidence is on the University, and the University will provide the Complainant and Respondent equal opportunity to present facts, expert witnesses, and other inculpatory and exculpatory evidence. The parties will not be restricted from discussing the allegations or gathering evidence.

LSU will comply with law enforcement requests for cooperation and such cooperation may require LSU to temporarily suspend the fact-finding aspect of an investigation under this policy while the law enforcement agency is in the process of gathering evidence. LSU will promptly resume its investigation as soon as notified by law enforcement that it has completed the initial evidence gathering process. LSU may provide up to 10 business days to allow for the law enforcement agency criminal process/investigation to unfold prior to resuming the fact-finding aspect of the investigation under this policy. Police investigations and reports are not determinative of whether harassment occurred under Title IX or university policy, and therefore the University has the responsibility to respond promptly and effectively.

To maintain safety, to limit the impact of alleged misconduct, and to avoid any instance of retaliation, LSU will implement appropriate interim actions and supportive measures to the parties in the case, as well as the campus community during the law enforcement agency's investigation.

The investigation shall include meetings with the parties involved, including witnesses and any other parties the Investigator may deem appropriate. All investigation interviews will be recorded by the Investigator and no unauthorized recordings are permitted. The Respondent and Complainant will be given the opportunity to identify witnesses and request that they be interviewed. An attempt will be made to interview all available, relevant witnesses with follow-up interviews conducted as necessary.

The Investigator may seek and collect, and parties may submit, any documents or other relevant information, including, but not limited to:

- a. Photographs
- b. Emails or text messages
- c. Video or audio recordings
- d. Information from social media
- e. Screenshots or other communications

The University will not access, consider, disclose, or otherwise use records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in their professional capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains the party's voluntary, written consent to do so as part of the investigation process

At the conclusion of the investigation, the Investigator shall prepare a comprehensive draft investigative report that summarizes the investigation,

and all relevant evidence obtained. The draft report shall be sent electronically to each party and the party's Advisor, if identified. All evidence shall be included, even that on which the university does not intend to rely in reaching a determination regarding responsibility and shall include inculpatory and exculpatory evidence whether obtained from a party or other source.

The parties shall have 10 business days, from the date the draft report and the evidence are submitted to the parties, to review and submit a written response. All reasonably available evidence to be presented by the parties at the hearing must be submitted to the Investigator prior to completion of the final investigative report. The Investigator will review the comments and prepare a final report, incorporating as deemed necessary any relevant feedback.

The final investigative report shall include a description of procedural steps taken from receipt of the formal complaint up to the decision, a timeline of the alleged incident(s) and facts and circumstances surrounding the complaint. The report will fairly summarize relevant evidence, but all evidence shall be included, even that on which LSU does not intend to rely in reaching a determination regarding responsibility. This includes inculpatory and exculpatory evidence whether obtained from a party or other source. The investigative report will not make any recommendation or decision about whether a violation occurred, nor make any formal assessment of credibility. The final report will be sent electronically, along with all evidence, to each party and Advisor, if identified, and to the Decision-Maker or Hearing Panel Chair.

#### **5. Resignation While a Case is Pending**

If a student permanently resigns from LSU or an employee resigns or retires from LSU while a case is pending, the Title IX Coordinator will have the discretion to continue the investigation to the extent possible. The employee also will not be eligible for rehire. In either case, LSU will, continue to address and remedy any systemic issues or concerns that contributed to the alleged violation, and provide supportive measures to the Complainant and others, as deemed necessary or appropriate by the Title IX Coordinator.

### **C. RESOLUTIONS**

This policy has three options for resolution following the filing of a Formal Complaint: Informal Resolution, Administrative Resolution, and Formal Resolution.

Informal Resolution is a voluntary process intended to provide parties the opportunity to mutually control the outcome, and is most often used in lower-level cases of sex-or gender-based harassment or discrimination. Informal Resolution can be used at any time during the resolution process.

Administrative Resolution involves a thorough and impartial investigation, a review of all evidence and the investigation report by the parties, and an impartial Decision-Maker who reviews all evidence, the investigation report, and poses written questions to the parties in writing prior to making a decision.



Formal Resolution is used for Title IX cases, as well as any case where suspension, expulsion, or termination is possible. Formal Resolution involves a thorough and impartial investigation, a review of all evidence and the investigation report by the parties, a live hearing before an impartial panel of three individuals, and a decision by those decision-makers.

The parties may also appeal any decision from the Administrative or Formal Resolution processes.

### **Resolution Process Pool**

The University will ensure there is an adequate pool of willing and trained members who are available year-round to serve in the pool. Members can be faculty, administrators, staff, or students who are recruited or selected because of their ability to remain neutral and open-minded. Members of the pool will serve three-year rotating terms and must participate in bi-annual training provided by the Office of Civil Rights & Title IX. Training will ensure all pool members are equipped to serve as Hearing Panelist, Hearing Panel Chair, Appeals Reviewer, or as Advisor for the Complainant or the Respondent, but cannot serve in more than one role for a given case. The Title IX Coordinator or designee will assign roles for cases that present themselves.

#### **1. Informal Resolution**

Informal Resolution is a process whereby the parties work with a professional to reach a resolution of the complaint without a decision by a Decision-Maker or a Hearing Panel regarding whether a policy is violated. This process is completely voluntary and requires the consent of both parties. A party may terminate the informal resolution process at any time before conclusion. Informal Resolution can include approaches such as mediation, Restorative Justice, Alternative Dispute Resolution, or other agreements between the parties. Informal Resolution does not use an investigation, calling of witnesses, or a report of findings with sanctions. The parties themselves create an outcome that resolves the complaint.

The LSU Title IX Coordinator, in consultation with the applicable Title IX Campus Coordinator, must determine that the circumstances and parties are appropriate for informal resolution and shall appoint a trained individual to facilitate the process. Complaints involving violence that resulted in significant harm to others (e.g.: domestic violence, dating violence, etc.) are not appropriate for informal resolution.

Informal Resolution will never be required as a condition of enrollment or continuing enrollment, employment or continuing employment or enjoyment of any other right; require a waiver of right to investigation and adjudication under the Formal Resolution process; nor be utilized to resolve an allegation against a Respondent employee by a student Complainant.

If a Formal Complaint is resolved through Informal Resolution, a written agreement shall be issued including any terms, obligations or outcomes.

Agreements will be drafted by the informal process facilitator, and must have the approval of the Complainant and Respondent. Upon approval of both parties, the Formal Complaint shall be dismissed. The Agreement shall be promptly shared electronically with the parties by the Title IX Coordinator.

Discussion and information generated during the Informal Resolution process are considered confidential and shall not be used or admissible in the Formal Resolution process. Institutionally-imposed sanctions are not possible as the result of the Informal Resolution process. At the discretion of the Title IX Coordinator, however, a failure of the parties to uphold certain elements of the agreement may warrant referral for discipline. No facilitator of an informal process may be called as a witness in any procedure under this policy. The results of Informal Resolution are not subject to appeal.

## **2. Administrative Resolution**

The Administrative Resolution process is the procedure by which allegations in a Formal Complaint are sex- or gender-based but do not rise to the level of requiring a Formal Hearing under Title IX, are otherwise identified as power-based violence, or for which Informal Resolution is either inappropriate or where one or both parties chose not to use Informal Resolution. The Administrative Resolution includes an investigation into the allegations and a single Decision-Maker who will determine the findings and sanctions.

The determination as to whether or not an Administrative Resolution is appropriate is made by the Title IX Coordinator, and must account not just for the nature and severity of the alleged violation, but also for the disciplinary history of the Respondent. Cases appropriate for Formal Resolution are not able to use the Administrative Resolution process unless the Respondent has accepted responsibility for all allegations.

Administrative Resolution will never be used unless a Formal Complaint is filed. The investigation for Administrative Resolution follows the procedures set forth in Section B of this policy.

### **a. Questioning During Administrative Resolution**

At the conclusion of the investigation, but prior to dissemination of the final investigation report, the Title IX Coordinator will appoint a trained, impartial person – typically from the Resolution Process Pool or from the Administrative Law Judges from the Louisiana Department of Administrative Law – to serve as Decision-Maker in the case. The final report will then be sent to the Decision-Maker, the parties, and their Advisors. Upon receipt of the final report, the Decision-Maker will contact the parties and their Advisors and offer them the opportunity to provide a list of questions, if desired, that the party would like asked of the other party and the witnesses. These questions must be submitted within five business days following the Decision-Maker’s outreach. Upon receipt of such questions, the Decision-Maker will determine the relevance of each question and ask the relevant questions of the other party and the

witnesses. The Decision-Maker can also ask their own questions of the parties and the witnesses.

This questioning – both from the parties and by the Decision-Maker – is done in writing. This is not a formal, in-person hearing, rather a decision by a trained Decision-Maker.

b. Decision-Making

Once the Decision-Maker, the parties and their Advisors have received a copy of the final investigation report, the Decision-Maker will review the investigation report, as well as all relevant evidence, the parties' additional statements, and responses to the draft investigation report. The Decision-Maker will then apply the preponderance of the evidence standard when determining responsibility. In order to find a Respondent responsible under the preponderance of the evidence standard, the evidence must show that the charge is more likely supported than not. If the Respondent is found responsible, the Decision-Maker may request input from the parties to evaluate possible sanctions. The Decision-Maker may also request input from relevant LSU officials in determining the appropriate sanctions (e.g.: HR, Student Affairs, etc.). Prior conduct history of the Respondent will also be considered when determining an appropriate sanction.

The Decision-Maker will prepare and provide to the Title IX Coordinator, typically within 10 business days of receiving the final investigation report, a written determination which will include:

- a. Identification of the allegations constituting a violation of this policy;
- b. A description of the procedural steps taken from receipt of the Formal Complaint through determination, including any notifications to the parties, interviews with parties and witnesses, evidence gathered and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the policy to the facts;
- e. A statement explaining the sanction for each policy violation found "responsible;"
- f. Whether additional remedies designed to restore or preserve equal access will be provided by LSU to the Complainant.

The Title IX Coordinator is responsible for effective implementation of any sanctions and sharing of outcomes. Students found responsible for violating this policy may expect the range of sanctions to include, but not be limited to, warning, disciplinary probation, deferred suspension, suspension, expulsion, psychological assessment, counseling, social restrictions, limited presence on campus, and/or revocation of admission or degree. Additional sanctions may also be imposed when appropriate. Students for whom sanctions are assigned will have a notation placed on their transcript indicating they have been found responsible for violations of code of conduct. (See Appendix D)

An employee found responsible for violating this policy may expect the range of sanctions to include, but not be limited to, suspension, demotion, psychological assessment, counseling, restricted presence on campus and/or termination of employment.

Both the Complainant and Respondent will be informed in writing of the outcome of any corrective action or disciplinary process. The written determination prepared by the Decision-Maker shall be simultaneously shared electronically by the Title IX Coordinator with all parties and Advisors. With limited exceptions such as imminent risk to the safety of others, sanctions from a Formal Hearing are not implemented until the conclusion of the appeals process.

Either party can file an appeal as is described in Section D below. The determination regarding responsibility and sanctions becomes final either:

- a. If appealed, the date written notice is provided to the parties of the appeal result, or
- b. If not appealed, the date on which an appeal would no longer be considered timely.

With limited exceptions, sanctions from the Administrative Resolution process are not implemented until the conclusion of the appeals process.

### **3. Formal Resolution**

The Formal Resolution process is the procedure by which allegations in a Formal Complaint are presented in a formal PM 73 Hearing for a determination as to whether any of the policies were violated.

The determination as to whether or not a matter rises to the level of a Formal Resolution is made by a Title IX Coordinator and must account not just for the nature and severity of the alleged violation but also for the disciplinary history of the Respondent. Formal Resolution is used where the allegation either constitutes a possible violation of Title IX (as defined in this policy), or where probable cause indicates that an allegation, if true, could reasonably result in suspension, expulsion, or termination of the Respondent.

The Investigation for Formal Resolution follows the procedures set forth in Section B of this policy.

A minimum of 10 business days must pass once the final investigative report has been disseminated before the Hearing takes place. During this time, the Title IX Coordinator will secure members and name the chair of the Hearing Panel and ensure both parties have an Advisor who will be present during the Hearing Panel. At their discretion, the Hearing Panel Chair may, for good cause, issue one delay in the hearing of no more than 10 business days.

- a. Pre-Hearing Conference

A Pre-Hearing conference shall be coordinated by the Title IX Coordinator, or designee, and chaired by the Hearing Panel Chair. Parties and Advisors are encouraged, but not required, to be present. Pre-Conference hearings may be conducted in person, via video technology, or a hybrid approach depending on the wishes of the parties and the Hearing Panel Chair.

This conference shall be conducted at least two business days prior to a scheduled Hearing Panel. Pre-Hearing Conferences are not recorded.

The purpose of the pre-hearing conference shall be to:

- a. Identify the panelists and address any objections to members of the Hearing Panel;
- b. Address evidentiary issues or questions to be posed at the hearing (i.e. numbers of witnesses, use of documents, relevance of evidence, expected length of hearing, etc.);
- c. Ensure parties have Advisors available to conduct cross examination and that the Advisor is familiar with the hearing process under this policy;
- d. Provide a forum to address any questions related to the Hearing Panel process and procedures.

b. Hearing Panel

The PM 73 Hearing Panel is appointed by the Title IX Coordinator and shall consist of one chair and two other individuals trained in adjudication. Hearing Panel chairs and members are typically selected from the trained Resolution Process Pool, or from the trained group of Administrative Law Judges, but the Title IX Coordinator may go outside of that group as long as the individuals have received appropriate training. The Hearing Panel shall afford each party an opportunity to present evidence and for their Advisor to question opposing parties and witnesses.

Hearings may be conducted in person, via video technology, or a hybrid approach depending on the wishes of the parties and the Hearing Panel Chair.

c. Advisors in Hearings

Each party is permitted to have an Advisor present with them throughout the Hearing. The Advisor may not answer questions on behalf of their advisee, and their role in the hearing is limited to cross-examination and questioning of the other party and the witnesses, and to consult with their advisee throughout the Hearing as needed. If a party does not have an Advisor at the Hearing, one shall be provided by LSU at no cost, typically selected from the Resolution Process Pool. The Advisor is the only person who may conduct cross-examination on behalf of a Complainant or Respondent. An Advisor will be appointed even in situations where a party elects not to participate in the Hearing.

d. Presentation of Evidence

The following describes the Hearing process.

- 1) The Hearing Panel Chair will oversee and manage the procedure and order for presentation of evidence. The Hearing will be recorded and the recording or transcript will be made available for the parties for review. No unauthorized recordings are permitted.
- 2) At the beginning of the Hearing, the Investigator will present a summary of the final Investigation Report and the relevant evidence and will be subject to questioning by the Decision- Makers and the parties' Advisors. The Investigator will be present for the entire Hearing, but not for deliberations, and the Panel and the parties may ask clarifying questions of the Investigator throughout the hearing, as deemed appropriate by the Chair. Neither the parties (or their Advisors), nor the Decision-Makers should ask the Investigator their opinions on credibility, recommended findings or determinations.
- 3) Once the Investigator has presented their report, relevant evidence, and been questioned by the Panel and the parties' Advisors, witnesses will provide relevant information in turn. Typically, the Complainant will present first, followed by an order determined by the Hearing Panel Chair. Absent exigent circumstances, all evidence presented by the parties must have been submitted to the Investigator prior to the hearing.
- 4) At the conclusion of each party's or witness's presentation of evidence, the members of the Hearing Panel will be allowed to ask questions, followed by cross-examination by the parties' Advisors. Cross-examination must be conducted directly, orally, and in real-time by the party's Advisor, and never by a party personally. The parties must be able to see and hear each other, as well as the witnesses while each is giving testimony and answering questions.

Only questions relevant to determining whether the applicable policies have been violated or the credibility of a witness will be allowed. The Hearing Panel Chair will have sole authority to determine whether evidence presented or a question in cross-examination is relevant and whether it will be permitted. The Hearing Panel Chair must explain any decision to exclude evidence or a question as not relevant. Questions or evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless: (1) offered to prove that

someone other than the Respondent committed the conduct alleged in the complaint, or (2) concern specific incidents of the Complainant's prior sexual behavior with Respondent and are offered to prove consent. Only evidence submitted to cross-examination may be considered by the Hearing Panel to determine responsibility. The parties and witnesses must be willing to submit to cross-examination, and answer all relevant questions posed by the parties' Advisors.

- 5) At the conclusion of the hearing, the parties may provide the Chair with a written, sealed impact statement for the panel to consider only during the sanctioning phase of deliberations, if the Respondent is found in violation.

e. Absence or Failure to Appear/Answer

The Hearing Panel cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions.

f. Deliberations

The Hearing Panel shall deliberate in closed session with only panelists present. Deliberations are not recorded. The Hearing Panel is to apply the preponderance of the evidence standard when determining responsibility. A simple majority vote is required to determine the finding. In order to find a Respondent responsible under the preponderance of the evidence standard, the evidence must show that the charge is more likely supported than not. If the Respondent is found in violation for one or more of the allegations, the Panel will then shift to determining the appropriate sanctions.

g. Determining Sanctions

During sanctioning deliberations, the Panel may consider the previously submitted impact statements in determining the appropriate sanction. LSU's sanctioning guidelines, as well as the prior conduct history of the Respondent and any power differential between the Respondent and the Complainant will also be considered when determining an appropriate sanction along with the nature, severity, pervasiveness, and predation of the violation(s).

In cases where the Respondent is an employee, the Panel may also consult with HRM to ensure the sanction is consistent with employment-related laws, regulations, and policies.

The Hearing Panel will prepare and provide to the Title IX Coordinator, typically within five business days of the Hearing, a written Determination Letter which must include:

1. Identification of the allegations constituting violation of the sex- or gender-based harassment and discrimination policy, as well as any other concurrent or ancillary policies;
2. A description of the procedural steps taken from receipt of the Formal Complaint through determination, including any notifications to the parties, interviews with parties and witnesses, evidence gathered and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the policy to the facts;
5. A rationale for each finding;
6. A statement explaining the sanction for each policy violation found “responsible;”
7. Whether additional remedies designed to restore or preserve equal access will be provided by LSU to the Complainant.

The Title IX Coordinator is responsible for effective implementation of any sanctions and sharing of outcomes. The written determination prepared by the Hearing Panel chair shall be shared electronically by the Title IX Coordinator with the parties and Advisors, typically within three business days of receipt from the Hearing Panel.

The determination regarding responsibility and sanctions becomes final either:

- a. If appealed, the date written notice is provided to the parties of the appeal result, or
- b. If not appealed, the date on which an appeal would no longer be considered timely.

#### h. Possible Corrective Actions

Students found responsible for violating this policy may expect the range of sanctions to include, but not be limited to, warning, disciplinary probation, deferred suspension, suspension, expulsion, psychological assessment, counseling, social restrictions, limited presence on campus, and/or revocation of admission or degree. Additional sanctions may also be imposed when appropriate. Students for whom sanctions are assigned will have a notation placed on their transcript indicating they have been found responsible for violations of code of conduct. (See Appendix D)

An employee found responsible for violating this policy may expect the range of sanctions to include, but not be limited to, suspension, administrative leave, demotion, psychological assessment, counseling, restricted presence on campus and/or termination of employment.

Both the Complainant and Respondent will be informed in writing of the outcome of any corrective action or disciplinary process. With limited exceptions such as imminent risk to the safety of others, sanctions from a Formal Hearing are not implemented until the conclusion of the appeals process.



## **D. APPEAL**

### **1. Right of Appeal**

Any party may appeal a determination made by the Decision-Maker or the Hearing Panel. The following is an exhaustive list of the bases for appeal:

- a. The Title IX Coordinator, Investigator, Decision-Maker, or Hearing Panel members had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent specifically that affected the outcome of the matter;
- b. New evidence is discovered that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. Procedural irregularity that affected the outcome of the matter;
- d. The outcome was clearly erroneous based the facts and evidence presented to the Decision-Maker or the Hearing Panel;
- e. The sanctions imposed were inappropriate for both the violation and the disciplinary history of the Respondent.

### **2. Appeal Procedures**

The Appeals process is to be deferential to the Hearing Panel's decisions. The process is not a rehearing. In most cases, the appeals are confined to a review of the relevant evidence, the Investigation Report, the Hearing Panel's determination letter and the recording of the hearing. The Appeals Review is also limited to specific grounds intended to ensure the decision of the Decision-Maker or the Hearing Panel was materially fair and consistent with LSU policies.

A Notice of Appeal must be in writing and submitted to the Title IX Coordinator within 5 business days of email notification of the Decision- Maker's or the Hearing Panel's decision. The Notice of Appeal shall contain the name of the Complainant and Respondent; identify the ground(s) for appeal; and if the appeal is based upon discovery of new information, a description/documentation of the new information and reason it was not discoverable prior to the Hearing Panel hearing.

Upon receipt of the Notice of Appeal, the Title IX Coordinator, typically within two business days of receipt of the Notice of Appeal, shall confirm receipt of the Notice of Appeal to the appealing party, notify any other party of the appeal, and contact the LSU Title IX Coordinator (if appeal went to a campus coordinator). The other party of the appeal shall be provided five business days to submit a response to the appeal to the Title IX Coordinator.

The LSU Title IX Coordinator, shall promptly appoint an impartial Appeals Reviewer and provide the Appeals Reviewer(s) with the Notice of Appeal. The Appeals Reviewer will then determine if the Notice of Appeal is timely and contains required elements for appeal. If so, the Appeals Reviewer will notify the parties of their identities. The Appeals Reviewer(s) are individuals trained

in their responsibilities and are typically drawn from the Resolution Process Pool. If either of the parties challenges the impartiality of a Reviewer, the LSU Title IX Coordinator, in conjunction with the respective Title IX Campus Coordinator, will determine if cause exists to excuse the reviewer. If the Notice of Appeal is not timely or does not contain the required elements, then the Notice of Appeal is dismissed and the decision of the Hearing Panel becomes final.

The Title IX Coordinator shall promptly forward the evidence and information relied upon by the Decision-Maker or Hearing Panel, to the Appeals Reviewer. The evidence and information shall include, but is not limited to:

- a. The Notice of Appeal;
- b. All evidence introduced at the hearing, including the investigation report;
- c. Any pre-hearing determinations from the Hearing Panel Chair (if applicable);
- d. The written findings of the Decision-Maker or Hearing Panel; and
- e. The recording or transcript of the formal hearing (if applicable).

The Appeals Reviewer(s) shall render a written decision including finding and rationale and forward to the LSU Title IX Coordinator typically within 5 business days after receipt of the evidence and information. The reviewer may:

- a. Uphold the Hearing Panel outcome; or
- b. Overturn the Hearing Panel finding and sanction and remand for a new hearing; or
- c. Overturn the Hearing Panel sanction and remand for a sanctions-only hearing; or
- d. Overturn the Hearing Panel outcome and remand for a new or adjusted investigation (if the error was in the investigation), which is then subject to a new hearing; or
- e. Modify the Hearing Panel outcome for responsibility and/or sanctions.

The LSU Title IX Coordinator shall notify the respective Title IX Campus Coordinator who shall then notify the parties and Advisors, typically within two business days of receipt of the decision.

Decisions of the Appeal Reviewer are final. In the event of remand for rehearing, the subsequent Hearing Panel outcome may be appealed in accordance with the provisions herein. Otherwise, any appeal right exercised under this policy shall complete the process.

## VI. ADDITIONAL PROVISIONS

### A. PREEMPTION

To the extent a conflict exists between State or local law and Title IX, the

obligation to comply with Title IX is not obviated or alleviated by any State or local law. To the extent other LSU or campus-based policies may conflict with this policy, the provisions of this policy shall supersede and govern.

## **B. RECORD KEEPING**

Records created or received under this policy will be maintained for at least seven years from the date each case is closed. The following shall be kept as part of the record:

- Each investigation including any determination regarding responsibility, whether through the Formal or Administrative processes;
- Any audio or audiovisual recording or transcript of a hearing;
- Any disciplinary sanctions imposed on the Respondent;
- Any remedies provided to the Complainant designed to restore or preserve equal access to LSU's education program or activity;
- Any appeal and result therefrom;
- Any informal resolution and result therefrom;
- All materials used to train Title IX Coordinators, Investigators, decision-makers, and any person who facilitates an informal resolution process; and
- Records of any actions, including supportive measures, taken in response to a report or Formal Complaint. These records will also include:
  - o The basis for all conclusions that the response was not deliberately indifferent;
  - o Any measures designed to restore or preserve access to LSU's education program or activity; and
  - o If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

LSU may be required to disclose information on a need-to-know basis in order to properly address a complaint, when there is a threat to others, pursuant to subpoena, or other court or administrative order, or as may be required by applicable law. Violations of confidentiality or privacy by any other persons involved in the resolution, investigation or administration of the complaint, including any employee, faculty, staff, or student may result in disciplinary or corrective action.

LSU will also maintain any and all records in accordance with state and federal laws.

## **C. ADMINISTRATIVE REPORTING REQUIREMENTS**

Act 472 of the 2021 Regular Session requires biannual reporting to institutional management boards and annual reporting to the Board of Regents with

ultimate submission to the Louisiana Legislature. The Board of Regents Uniform Policy on Power-Based Violence requests an interim report from the System Board. Reporting form templates are available in the Board of Regents Uniform Policy. The following timeline is prescribed:

- a. Title IX Coordinator submits campus reports to the institution's Chancellor by October 10th and April 10th
- b. Chancellor submits biannual reports to the President by October 24th and April 24th
- c. President submits biannual report to the Board of Supervisors by November 7th and May 8th
- d. Board of Supervisors submits annual report to the Board of Regents by December 1st and an interim report to the Board of Regents by June 1st
- e. Board of Regents submits report to the Louisiana Legislature by January 15th

#### **D. TRANSCRIPT WITHHOLDING, NOTATION, AND COMMUNICATION**

Consistent with state law and Board of Regents policy, any student who has received a Notice of Investigation and Allegation as the Respondent in a Title IX Formal Complaint, who is being investigated for a complaint of power-based violence, or who has been found responsible for an incident of power-based violence shall have a notation placed on their transcript or have the transcript withheld during the investigative and adjudication process. This applies specifically to a student who is the subject of a power-based violence complaint and is attempting to transfer to another postsecondary institution in the state of Louisiana. There is nothing in this policy that prohibits a notated transcript from being the only transcript provided when one is requested by the student regardless of the intent of use.

The Sending Institution must notify the student that their transcript is being withheld or notated, and of the appeals process to have the hold or notation removed. The transcript will be withheld or notated until the student is either found not responsible for the allegations in the report of power-based violence or until a request to appeal the withholding or notation is successful, whichever occurs first.

During a pending investigation and adjudication, the notation placed on the transcript shall read "Administrative Matter Pending" or similar such that it triggers an inquiry regarding the notation by the Receiving Institution directed to the Sending Institution. If a final decision has been made on the case and the transferring student has been found responsible for power-based violence, the notation on the transcript shall read "Student Found Responsible in Violation of Code of Conduct" or similar such that it triggers an inquiry regarding the notation by the Receiving Institution directed to the Sending Institution.

When a student transcript is notated as described above, the Receiving Institution must make a timely inquiry directed to the Sending Institution regarding the purpose of the transcript notation. Upon such an inquiry, the

Sending Institution must timely disclose appropriate and factual information, consistent with the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.

If the student is not found responsible or if the student was initially found responsible and later evidence showed that the student was in fact not responsible, the Sending Institution must remove the notation and send an updated version of the transcript to the Receiving Institution (if known). Otherwise, the institution will determine the length of time the notation will remain on the student's transcript if the student was found responsible for an act of power-based violence. A student whose transcript has been held or notated as described above may appeal the hold or notation for good cause shown. The request shall be submitted to the Title IX Coordinator or designee of the Sending Institution. The institution shall notify the student of the decision no later than seven business days from the date the request was made.

## VII. RESOURCES

[Title IX of the Education Amendments of 1972](#)

[La. R.S. 14:43.1.](#)

[Title 14 of the Louisiana Revised Statutes](#)

[La. R.S. 14:403](#)

[La. R.S. 44:51](#)

[Louisiana Board of Regents Uniform Policy on Power-Based Violence](#)



Department of Public Safety  
University Police Department

**318-675-6165**

[lsuhs.edu/university-police](http://lsuhs.edu/university-police)

**If you SEE something,  
SAY something.**

**In an Emergency,  
Dial 675-6165 or 911**