

To: Williams F. Tate IV
LSU President

From: Todd Manuel
Vice President for Inclusion, Civil Rights & Title IX

Re: Biannual Report on Power-Based Violence

Date: April 24, 2023

Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature outlines a biannual reporting requirement for institutions of higher education detailing incidents of power-based violence reported on their campuses. This reporting requirement ensures that every level of leadership between the campus and the Legislature has an opportunity to see and respond to the data. The reporting deadlines for the April cycle as follows:

April 10	Report from the Title IX Coordinator to Chancellor
April 24	Report from the Chancellor to President
May 8	Report from President to Board of Supervisors
June 1	Interim Report from Board of Supervisors to Board of Regents

The Board of Regents created and published in the Uniform Policy on Power-Based Violence spreadsheets and forms to be used for reporting these data. The spreadsheet containing data on all reports and formal complaints as well as form B2 accompany this memorandum and will be posted along with this memorandum on the LSU website to continue efforts around accountability and transparency to the LSU community.

Form B2

Form B2 provides data on the Confidential Advisors, Responsible employees, and formal complaints. Key takeaways from the spring 2023 reporting cycle:

- Number of employees was gathered from a Workday report and includes employees in Faculty, Staff, and Graduate Assistant positions, minus the number of Confidential Advisors.
- The number of Confidential Advisors is reflective of best practices recommended by the Board of Regents which is one Confidential Advisor to 1,500 students. There are currently 24 Confidential Advisors and another is currently completing the training. The names of the 24 employees can be found at www.lsu.edu/support/talk-to-someone.php
- The 2023 Power-based Violence training has not yet launched so the number presented is zero. The fall 2023 biannual report will capture the percentage of employees who have completed the training.

- During the October 1, 2022 through March 31, 2023 timeframe, there were five formal complaints filed. In two of those cases, the formal complaints were resolved utilizing an informal resolution procedure that resulted in a signed agreement between the parties. Both informal resolutions included a facilitated dialogue between the parties. The other three formal complaints are within the investigation phase. Of those three formal complaints, two were filed by the complainants and one was filed by the Title IX Coordinator. One of the formal complaints filed is a complaint of retaliation.
- There were no reported instances of False Reports.

The following information is offered to provide more specificity and perspective on the action taken by the Office of Civil Rights & Title IX over the past six months. We use this data to inform our practices as well as our prevention programming.

Spreadsheet B1

The Office of Civil Rights & Title IX received a total of 133 reports which are all included on Tab 1 of the spreadsheet. 71 (53%) were considered Title IX complaints and 62 (47%) were considered Power-Based Violence complaints. Those labeled as Power-Based Violence complaints are ones we know are not under the jurisdiction of Title IX.

Of the 133 reports received by the Title IX Coordinator during this period a total of 124 (93%) reports are considered closed. Of the closed reports, 117 reports (93%) were closed without a formal investigation, 5 other reports (5%) were closed after being referred either to HRM, Residence Life, SAA, or the department for resolution, and 2 reports (2%) were closed after a successful informal resolution (See *Table 1*). Disciplinary action may have occurred through other processes on the 5 referrals.

Table 1

Reports made between 10/1/2022 – 3/31/2023 and Closed as of April 1, 2023

Status	Reason	n	%
Closed	Complainant not responsive to outreach	57	46%
Closed	Complainant requested supportive measures only	24	19%
Closed	Complainant requested no further action	19	15%
Closed	Complainant anonymous	6	5%
Closed	Lack of jurisdiction	4	3%
Closed	Complainant not currently enrolled	3	2%
Closed	Informal Resolution	2	2%
Closed	Respondent Not Enrolled	3	2%
Closed	Referred to HRM	2	2%
Closed	Complaint did not meet definition of a policy violation	1	1%
Closed	Resolved at the department/unit level	1	1%
Closed	Resolved through SAA/Residence Life	1	1%
Closed	Resolved by Contractor	1	1%
		124	100%

The most requested supportive measures were academic in nature such as requesting an excused absence, extension of a deadline, switching to another class section, or flexibility in academic work. Other supportive measures requested include educational conversations with respondents, letters of support to in receiving services, referrals to health and mental health resources, housing relocations, and the issuance of no contact directives. This data does not include supportive measures that have been obtained through the Lighthouse Program as they are a confidential resource.

There are 9 reports (7%) of the original 133 reports that remain open as of April 1, 2023 (See *Table 2*). Multiple attempts at contact are made when a survivor does not open the outreach email that is sent to them.

Table 2

Reports made between 10/1/2022 – 3/31/2022 and Open as of April 1, 2023

Status	Reason	n	%
Open	Investigation Ongoing	3	33%
Open	Still attempting contact	4	44%
Open	Pending intake meeting	2	22%
		9	99%

Table 3 shows the aggregate data for the basis of complaints among the reports. In some reports, more than one type of power-based violence is alleged, so the total of these data points (139) exceeds the total number of reports (133).

As with both previous reports, Sexual Assault remains the most reported allegation with a total of 45 (33%) with 40 reports of Sexual Assault – Forcible Rape, 4 reports of Sexual Assault – Forcible Fondling, and 1 report of Sexual Assault – Forcible Sodomy.

Table 3

Prevalence of Reported Behaviors

Power-based Violence Behavior	n	%
Sexual Assault – Forcible Rape	40	29%
Dating Violence	33	24%
Stalking	17	12%
Sexual Harassment	16	11%
Sexual Misconduct	8	6%
Domestic Violence	8	6%
Sexual Exploitation	7	5%
Sexual Assault – Forcible Fondling	4	3%
Power-based Violence	3	2%
Retaliation	2	1%
Sexual Assault – Forcible Sodomy	1	1%
	139	100%

Rape remained the most prevalent reported behavior for the Spring 2023 biannual report and has been so since biannual reporting began in the fall of 2021. The status of Sexual Assault – Forcible Rape reports are below in *Table 4*. Half of the complainants (20) responded to outreach from the Title IX Case Manager. Of those 20, 11 complainants were interested in supportive measures only while another 5 asked the office not to take any action and were not in need of supportive measures. Other reasons for closure when contact was made include the respondent not being enrolled and a lack of jurisdiction to take formal action.

1 report is open, and an investigation is ongoing while the Title IX Case Manager is still attempting contact on the other open report.

Table 4
Status of Sexual Assault – Forcible Rape reports

Status	Reason	n
Closed	Complainant not responsive to outreach	17
Closed	Complainant requested supportive measures only	11
Closed	Complainant requested no further action	5
Closed	Complainant anonymous	3
Closed	Respondent not currently enrolled	1
Closed	Lack of jurisdiction	1
Open	Formal Complaint filed – under investigation	1
Open	Still attempting contact	1
	Total	40

Form B2 – Chancellor’s Data Report 2022-2023 Academic Year, Spring Semester¹

Confidential Advisors and Responsible Employees²	Total
<ul style="list-style-type: none"> a. Number of Responsible Employees (RE) b. Number of Confidential Advisors (CA) 	
Annual Training <i>(please include number and percentage)</i> ³ <ul style="list-style-type: none"> a. Completion rate of Responsible Employees b. Completion rate of Confidential Advisors <p style="margin-left: 40px;"><i>* RE training cycle not open until after April 1st. CA training cycle August to July.</i></p>	
Responsible Employee Reporting⁴ <ul style="list-style-type: none"> a. Number of employees who made false reports <ul style="list-style-type: none"> i. Number of employees terminated b. Number of employees who made false reports <ul style="list-style-type: none"> i. Number of employees terminated 	
Power-Based Violence Formal Complaints⁵ <ul style="list-style-type: none"> a. Formal Complaints received b. Formal Complaints resulting in occurrence of power-based violence c. Formal Complaints resulting in discipline or corrective action <ul style="list-style-type: none"> Type of discipline or corrective action taken <ul style="list-style-type: none"> i. Suspension ii. Expulsion 	
Retaliation⁶ <ul style="list-style-type: none"> a. Reports of retaliation received b. Investigations c. Findings <ul style="list-style-type: none"> i. Retaliation occurred ii. Retaliation did not occur 	

¹ Beginning with AY 2022-2023, Fall Semester reporting will have an effective date of October 1st of the previous calendar year.

² In accordance with Act 472, the Chancellor’s report shall include the number of Responsible Employees (i.e., employees) and Confidential Advisors for the institution.

³ In accordance with Act 472, the Chancellor’s report shall include the number and percentage of Responsible Employees and Confidential Advisors who have completed annual training.

⁴ Although this section is not required by Act 472, for data collection purposes BOR requests statistics regarding a responsible employees’ failure to comply with reporting requirements.

⁵ In accordance with Act 472, the Chancellor’s report shall include (1) the number of Formal Complaints of power-based violence received by an institution, (2) the number of Formal Complaints which resulted in a finding that power-based violence violations occurred, (3) the number of Formal Complaints in which the finding of power-based violations resulted in discipline or corrective action, (4) the type of discipline or corrective action taken, and (5) the amount of time it took to resolve each Formal Complaint (*see 2nd form*).

⁶ In accordance with Act 472, the Chancellor’s report shall include information about retaliation which include the number of reports of retaliation, and any findings of any investigations or reports of retaliation.

