TIGERS ARE COMMITTED
Helping Navigate Your Options in Response to Sexual Misconduct/Violence
INTRODUCTION

Louisiana State University is committed to providing a safe living, learning, and working environment.

If you have experienced sexual assault, domestic violence, dating violence, or stalking, remember that you are not alone. The purpose of this booklet is to provide you with guidance on caring for yourself and understanding your rights, the resources available to you, and the university’s procedures.

You may have already spoken with the university’s Title IX coordinator, a member of the university’s Title IX investigator team, or a member of the Louisiana State University Police Department about the incident; if so, this booklet will serve as a supplement to that conversation.

The university’s Policy on Sexual Misconduct, a copy of which can be found at lsu.edu/titleix, provides a more complete explanation of the university’s policies and procedures concerning prohibited conduct, including care and support options and the university’s procedures for promptly, thoroughly, and equitably investigating and resolving reports of prohibited conduct. Please see the “Learn More” section on the website where LSU’s Permanent Memorandum 73, accountability processes, Senate Bill 255, Act 172, and after hours assistance can be located.

The term “prohibited conduct,” as used in this booklet, refers to sexual misconduct, sexual assault, sexual harassment, sexual exploitation, domestic/dating violence, and stalking.

These terms and other related terms are defined in Appendix 1. For the purpose of this booklet, the “complainant” is the person who reports that they have been subjected to prohibited conduct. The “respondent” is the person who has been accused of committing prohibited conduct.

DEVELOPED FOR YOU BY THE:
Title IX Coordinator
Jennie Stewart
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WHAT TO DO FIRST

IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT/VIOLENCE

STEP 1
Go to a safe place.

STEP 2
Take care of yourself.

STEP 3
Consider reporting options.

STEP 4
Connect with ongoing support and assistance.
STEP 1: Go to a safe place.

Talk to someone you trust.

As soon as you are in a safe place, tell someone you can trust about the incident—a faculty and/or staff member, a friend, resident assistant or Residence Life Coordinator (RLC), or counselor—someone who can provide emotional support and objectively help you make a plan.

Campus residents who don’t feel comfortable in their living space may request relocation to a crisis room. Residential Life staff may assist residents who need immediate, safe spaces.

Preserve all physical evidence.

If you have experienced sexual assault, if possible avoid changing your clothing, bathing, showering, using a douche, using the bathroom, brushing your teeth, drinking liquids, washing your hands or face, or combing your hair.

If you change your clothes, evidence is best preserved in a paper (not plastic) bag. Preservation of evidence does not mean that you have to pursue criminal charges, but it keeps that option open for you.

STEP 2: Take care of yourself.

Seek medical or emotional care.

You may seek medical care at any time following an assault, but we strongly recommend that you do so immediately (within 72 hours). A medical professional will examine you, provide appropriate medical treatment, and, if applicable, talk with you about the prevention of sexually transmitted infections and pregnancy. You may seek medical care or medical advice by contacting one of the following.

Lighthouse Program
LSU Student Health Center
225-578-5718
lsu.edu/lighthouse

The Lighthouse Program, housed in the Student Health Center, can provide confidential guidance and support to LSU students who have directly experienced interpersonal violence. The period after a traumatic event can be confusing. Lighthouse Advocates ensure that no survivor or student-at-risk has to navigate the medical, legal, mental health, or university system alone. Lighthouse Advocates will provide options for recovery including assistance with:

- Obtaining medical care and/or collecting evidence
- Obtaining emotional support
- Arranging safe housing
- Securing academic accommodations
- Filing a police report
- Filing a university disciplinary report

Because the Lighthouse Program is part of the Student Health Center access to medical care and mental health support is seamless and immediate. In addition, evidence can be collected at the Student Health Center, if desired. There is no cost for Lighthouse Program services.
**What is the SANE program?**

SANE stands for Sexual Assault Nurse Examiner. The SANE program allows survivors of sexual trauma to have a forensic medical exam (FME) or "sexual assault evidence collection kit" collected by a SANE. A SANE is specially trained in collecting evidence and working with survivors of sexual assault.

Please note that the collection of evidence in an FME relating to sexual violence can only be performed by trained personnel at a hospital emergency room or at the LSU Health Center through the East Baton Rouge Parish Coroner’s SANE program. Physical examinations by other health care providers are likely to impede potential future legal remedies.

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**Emotional Support**

If you wish to speak confidentially with someone, you can contact one of the following:

- **LSU Student Health Center, Mental Health Services**
  - 225-578-8774
  - lsu.edu/shc

  Licensed mental health professionals are available from 8 a.m. to 5 p.m., Monday through Friday.

- **Sexual Trauma Awareness & Response (STAR)**
  - 24/7 service available
  - 855-435-STAR (7827)
  - star.ngo

  A licensed counselor or STAR staff member can guide you in exploring options available and provide you with information and emotional support. Whether you seek immediate assistance or choose to wait, counseling can help you deal with the psychological impact and begin the healing process.

- **The Phone**
  - 24/7 service available
  - 225-924-5781
  - crisischat.org

  This crisis center provides emotional support, crisis intervention, and suicide prevention services.
STEP 3: Consider reporting the incident.

Reporting sexual misconduct/violence to law enforcement and/or the university is a personal choice that only you can make. The university strongly encourages you to report an incident of sexual misconduct. Reporting the incident is the only way that the university and/or law enforcement can take action. Reporting the incident and having a medical examination performed immediately—within 72 hours (in sexual assault cases)—is critical in preserving evidence and allowing law enforcement or the university to respond effectively, but you may report an incident at any time. You may report an incident of sexual misconduct/violence to:

**LSU Cares**
225-578-8663
lsu.edu/lsucares

**Student Advocacy & Accountability**
225-578-4307
lsu.edu/saa

If you prefer to do so in person or by phone:

**Campus Authorities**

**Title IX Campus Coordinator**
Jennie Stewart
225-578-3918
jstewart@lsu.edu

**Title IX Deputy Coordinator for Employees**
Gaston Reinoso
225-578-8200
gastonr@lsu.edu

**Title IX Deputy Coordinator for Students**
Mari Fuentes-Martin
225-578-9442
mari@lsu.edu

**Law Enforcement Authorities**

You may report an incident to law enforcement before, during, or after an investigation or resolution of the incident by the university. You have the right to decline to report the incident to law enforcement. Even if you do not report the incident to law enforcement, you may still access medical care, counseling, and other support from LSU by notifying the Title IX coordinator, the Health Center, Lighthouse Program, Student Advocacy and Accountability, or LSU Cares.

**LSU Police Department**
225-578-3231
911

If the incident occurred on campus, please contact the LSUPD. Contact LSUPD if you would like an officer to take you to a local hospital or the LSU Health Center for a medical examination. A Sexual Assault Nurse Examiner (SANE) practitioner can be made available through the Student Health Center.

Calling 911, contacting STAR, contacting the LSU Health Center, or contacting LSUPD does not mean that you must make a formal report to the university or law enforcement.

A forensic medical examination simply preserves evidence in the event that you wish to pursue a criminal prosecution. If unwanted sexual activity occurred and if you think that you might want to prosecute, you are strongly encouraged to have a medical examination for the collection and preservation of evidence within 72 hours.

**Baton Rouge Police Department**
225-389-3800
911

**East Baton Rouge Parish Sheriff’s Office**
225-389-5000
911
Step 4: Seek an order of protection.

Pursue an order of protection if you choose. Contact the Lighthouse Program or STAR if you need assistance in pursuing legal remedies such as orders of protection.

How to obtain a restraining order in East Baton Rouge Parish:

A restraining order is a court order that prohibits someone from abusing, threatening, harassing, or stalking you.

Where you must file your request depends on the serving jurisdiction and relationship (e.g., Baton Rouge City Court vs. 19th JDC Family Court). A judge can grant a temporary order for your protection while you are waiting for your scheduled hearing.

Steps to file a restraining order:

1. Determine the filing location.
2. File the correct petition.
3. Attend the scheduled hearing.
What to expect if you report an incident to law enforcement:

We hope you will decide to report the incident to the police. While there is no way to change what has happened, you have the right to seek justice and may be able to help stop sexual misconduct/violence from happening to someone else—but the decision to report or not to report is yours to make. You are not legally obligated to report.

If you visit the emergency room or SANE nurse and tell the nurse you have been sexually assaulted, the clinician will offer a sexual assault forensic examination. This involves collecting evidence of the attack—such as hairs, fluids, and fibers—and preserving the evidence for forensic analysis. If you think you might want to pursue prosecution but are still unsure, we recommend that you make the police report right away while the evidence is still present and your memory is detailed.

If you choose not to make a police report at that time, the medical provider will provide the examination materials to local law enforcement with a unique identifying number that will also be provided to you. In Louisiana, the law enforcement agency with jurisdiction will store the examination materials for up to one year.

If in that time you decide to make a police report, you may report to the law enforcement agency with jurisdiction and refer to the unique identifying number so that your examination materials may be matched up with your police report for evidentiary purposes. The district attorney will decide whether to pursue prosecution; however, it is unusual for cases to proceed without the cooperation of the victim. Reporting the incident to law enforcement does not obligate you to cooperate with the district attorney’s criminal prosecution. If prosecution is pursued, the chance of success will be much higher if you reported and allowed evidence to be collected immediately after the incident.

In most cases, the police will come to you and take a statement about what occurred. In addition to taking a statement, police will collect physical evidence. While some physical evidence will be collected by a nurse or doctor, the police may also ask to examine the scene of the sexual assault and collect bedding, clothing, or other items. The police interview may take as long as several hours, depending on the circumstances of your case. Some questions will probably feel intrusive, and the officer will probably go over the details several times. The extensive questioning is not because the police do not believe you; it is the officer’s job to get every detail down precisely.

Due to the traumatic effect of sexual assaults on survivors, multiple interviews may be required to get all of the pertinent details of the assault. This is not unusual, and investigators are trained to understand the neurobiology of trauma. Investigators understand that as time passes, additional information may come to light. Throughout the process, law enforcement officials will keep you aware of the progress of your case. If you report the incident to the LSUPD, they may contact the Title IX coordinator, and an appropriate university official will get in touch with you.

What to expect if you report an incident to the university:

If you report an incident of prohibited conduct to the university, the university's Title IX coordinator, a deputy Title IX coordinator, or a member of the Title IX team will work with you to evaluate your care and support needs and discuss your options under university policy.

Reporting prohibited conduct to the university empowers you to obtain the care and support you need and enables the university to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, taking disciplinary action against a respondent.

The university recognizes that your decision on how to proceed after reporting an incident is a process that may unfold over time; thus, at the time a report is made to the university, you do not have to decide whether to request or choose any particular course of action.

Regardless of which course of action you choose, the university will provide you with care and support even if the university’s ability to investigate the incident and pursue disciplinary or other remedial action is limited.
University Care and Support

After you report the incident to the university, the university can support you in a variety of ways:

- Informing you of your rights under the University’s Title IX/PM-73 grievance procedures
- Assisting you in reporting an incident to law enforcement, if you want to report the incident
- Arranging appointments with follow-up, on-campus support services or off-campus support services (for example, arranging an appointment with STAR to discuss options for pursuing an order of protection in East Baton Rouge Police) Providing medical and counseling services
- If the other party is an LSU student or employee, issuing a no-contact directive to the respondent, which prohibits the respondent from having verbal, physical, or written contact with you for a definite or indefinite period of time
- Exploring changes in living, academic, and working arrangements
- Exploring changes in class schedules, including adjustments so that you and the respondent do not share the same classes
- Assisting you in communicating with faculty
- Providing academic support, including disability accommodations
- Exploring the options of retaking a course, dropping a course, or withdrawing for a semester without penalty

These support services are available to you even if you do not want to report the incident to LSUPD or the local police department.
Confidentiality

Mental Health Service, within the Student Health Center, is designated as a confidential resource and staff can talk with you about support and options.

Other university employees who are not confidential resources will protect the privacy of your report to the maximum extent possible under the circumstances and share the information you reported only within the limited circle of university employees who need to be involved in responding to the report.

If you report an incident of prohibited conduct to the university, you have the right to:

- Request that your name not be disclosed to the respondent
- Request that the university not investigate the incident further or pursue disciplinary action against the respondent
- Decline to participate in a university investigation or disciplinary proceeding
- Decline to disclose the identity of the respondent to the university
- Request that the university not investigate the incident further or pursue disciplinary action against the respondent
- Decline to disclose the identity of the respondent

The university (typically the Title IX coordinator) will evaluate a request that your name not be disclosed to the respondent or a request that the university not investigate the incident further or pursue disciplinary action against the respondent. If the university honors such a request, then the university’s ability to respond fully to the incident (e.g., meaningfully investigate the incident and pursue disciplinary action against the respondent or take other remedial action) may be limited.

In accordance with the Family Educational Rights and Privacy Act of 1974, or FERPA, personally identifiable information concerning a student reported to a university official who is not a law enforcement officer (for example, to the Title IX coordinator or a member of the CARE team) will not be disclosed to third parties outside the university without the written consent of the student except in response to a lawfully issued subpoena or as otherwise required or allowed by law.

If a party to a case makes a request to review documents concerning the investigation, FERPA requires that the university grant the student’s request to inspect and review records that relate specifically to him or her, but the university will redact the party’s name and any other identifying information to the maximum extent possible.

In addition, after the university has formally charged a student or employee with violating university policy, the respondent will have a due process right to be informed of the nature of the allegations against him or her.

In contrast to a report to a university administrative official, incident reports prepared by LSUPD for law enforcement purposes are generally considered public records under Public Records Act and are not protected by FERPA, which means they will be made available to any citizen upon request unless the report is part of an ongoing criminal investigation.

In addition, the LSUPD is required by federal law to report the occurrence of certain crimes on campus, including sex offenses, in an annual report of crime statistics, but the report does not contain any personally identifiable information. LSUPD is also required by federal law to issue timely warnings for certain crimes that represent serious or continuing threats to the safety of students or employees, but such warnings do not contain any personally identifiable information.

Retaliation

Louisiana State University’s PM-73 and Title IX prohibits retaliation against anyone who reports sexual harassment, sexual assault, or sexual misconduct. The university will take reasonable steps to prevent retaliation and will take strong responsive action if retaliation occurs.

Amnesty

An individual or group who, in good faith, reports sexual misconduct, either as a complainant or a third party witness, shall not be sanctioned for a nonviolent student conduct violation, such as underage drinking, at or near the time of the complained incident, provided that any such violation did not and does not place the health and safety of any other person at risk.
What is LSU Cares?

LSU Cares is a university initiative dedicated to the well-being of students and promotion of a community that cares about each of its members.

The purpose of LSU Cares is to provide an online reporting portal for students, faculty, staff, and parents/families to report concerns in an appropriate way.

What happens after a report is submitted?

LSU Cares works with students to empower them to use campus and community resources.

When a report is received, staff will review the details and then determine a response that includes appropriate campus resources or referrals.

If you are not sure which report to make, just submit a report and we will route it to the appropriate staff member.

If you need to report an emergency, dial 911.

Questions? Contact Student Advocacy & Accountability to talk to someone about a student concern.

care@lsu.edu • 225-578-4307 • lsu.edu/lsucares
On-campus Resources, A-Z

Dean of Students
Support and resources
225-578-9442
lsu.edu/students/deanofstudents

Disability Services
Academic accommodations
225-578-5919
lsu.edu/disability

The Lighthouse Program
Confidential support and resources
225-578-5718
lsu.edu/lighthouse

LSU Care Team
Support and resources
333 LSU Student Union
225-578-4307
lsu.edu/lsucares

LSU Police Department*
Criminal reporting
South Stadium Road
Non-emergency: 225-578-3231
Emergency: 911
lsu.edu/police

Residential Life*
Room changes, banning respondents from communities, arranging emergency space for students
lsu.edu/reslife

Student Advocacy and Accountability
Assistance to students in crisis, distress, and of concern
340 LSU Student Union
225-578-4307
dossaa@lsu.edu
lsu.edu/saa

Student Health Center
Medical, mental health, and wellness services
Infirmary Road
225-578-6271
lsu.edu/shc

Title IX Campus Coordinator
Reporting and advocacy
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University Administration Building
3810 West Lakeshore Drive, Suite 123
225-578-3918
jstewart@lsu.edu

Title IX Deputy Coordinator for Employees
Reporting and advocacy
Gaston Reinoso
LSU Office of Human Resource Management
110 Thomas Boyd Hall
225-578-8200
gaston2@lsu.edu
lsu.edu/hrm

Title IX Deputy Coordinator for Students
Reporting and advocacy
Mari Fuentes-Martin
LSU Dean of Students
333 Student Union
225-578-9442
mari@lsu.edu
students.lsu.edu/deanofstudents

Off-campus Resources [24/7]

Baton Rouge Police Department*
Criminal reporting
Non-emergency: 225-389-3800
Emergency: 911
brgov.com/dept/brpd

Rape, Abuse & Incest National Network (RAINN)*
800-656-4673
rainn.org

Sexual Trauma Awareness and Response (STAR)*
Community support and resources
855-435-7827
star.ngo

East Baton Rouge Sheriff*
Criminal reporting
Non-emergency: 225-389-5000
Emergency: 911
ebrso.org

* 24-hour services
Appendix 1: PM-73, Title IX & Sexual Misconduct Definitions

1. **Advisor of Choice** is someone a student or employee has the right to have present during any meeting conducted under this policy.

   The advisor may not have personal involvement regarding any facts or circumstances of the alleged misconduct. The advisor’s only function shall be to assist and/or consult with the student or employee.

   The advisor may not act as a spokesperson. The advisor may be an attorney but participation shall be limited, as stated above.

2. **Consent** means the affirmative and voluntary agreement to engage in a specific sexual activity during a sexual encounter.

   Consent cannot be given by any individual who is mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or under duress, threat, coercion, or force; or inferred under circumstances in which consent is not clear, including but not limited to the absence of “no” or “stop,” or the existence of prior or current relationship or sexual activity.

3. **Coercion** is the use of express or implied threats, intimidation, or physical force that places an individual in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity.

   Coercion also includes administering a drug, intoxicant, or similar substance with the intent to impair that person’s ability to consent prior to engaging in sexual activity.

4. **Dating Violence** includes violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the victim: (1) The existence of such a relationship shall be determined based on the report and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. [2]

   For the purpose of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

   Dating violence does not include acts covered under the definition of domestic violence. [3]

   For the purposes of complying with Title 34 CFR 668.41, of the federal register and pertaining to the annual security report under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [Clery Act], any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

5. **Domestic Violence** includes (1) A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has 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. [2]

   For the purposes of complying with Title 34 CFR 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

6. **Hostile Environment** includes conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a student’s or employee’s ability to participate in or benefit from the education program or from one’s employment, or to create a hostile or abusive educational or work environment.
7. **Incapacitation** includes a person's inability to provide consent due to the use of drugs or alcohol, when the person is asleep or unconscious, or because of an intellectual or other disability that prevents the individual from having the capacity to give consent.

8. **Respondent** is any person against whom a complaint under this policy has been made.

9. **Responsible Person** is any employee who has the authority to take action to redress sexual violence or who has been given the duty of reporting incidents of sexual violence or any other misconduct prohibited by this policy by students or employees to the Title IX coordinator or other appropriate school designee. Responsible persons do not include victim's advocates, mental health counselors, or clergy.

10. **Sexual Assault** is any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

   Sexual assault includes sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, attempted rape, and includes sexual acts against people who are unable to consent either due to age or incapacitation.

11. **Sex Discrimination** includes behaviors and actions that deny or limit a person's ability to benefit from and/or fully participate in educational programs, activities, and/or services because of a person's gender.

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

13. **Sexual Harassment** includes unwelcome sexual advances, intimidation, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment, academic status, receipt of university services, participation in university activities and programs, or affects the measure of a student's academic performance; or, (2) submission to or rejection of such conduct is used as the basis for a decision affecting employment, academic status, receipt of services, participation in university activities and programs, or the measure of a student's academic performance; or, (3) such conduct has the purpose or effect of unreasonably interfering with employment or academic performance and is severe, persistent, or pervasive and/or creates an intimidating, hostile, or offensive work or educational environment.

14. **Sexual Misconduct** includes any sexual act or contact of a sexual nature that occurs, regardless of personal relationship, without the consent of the other person(s), or that occurs when the person(s) is unable to give consent or whose consent is coerced or obtained in a fraudulent manner.

   Sexual misconduct includes, but is not limited to, unwanted sexual contact with an object without consent and/or by force, video voyeurism, violence of a sexual nature, sexual abuse, non-consensual sexual intercourse, sexual exploitation, sexual assault, and obtaining, posting, or disclosure of intimate descriptions, photos or videos without express consent of the other person(s).

15. **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.
Response Procedure

The Title IX coordinator receives report from a residence hall, CARE, faculty, etc.

Selected Title IX investigators schedule appointments then meet with complainant, respondent, and witnesses.

Title IX investigators determine if a policy violation has taken place based on the preponderance of evidence standard and create a detailed report.

Complainant and Respondent are contacted and informed of outcome of investigation (violation, no violation, or insufficient evidence). If a violation is deemed to have occurred, the information will move forward for adjudication.

Appendix 2: LSU Conduct Processes

I. INITIATION OF COMPLAINTS

A. Application: This policy applies to all campuses and other administrative units. These procedures may be supplemented by more specific campus procedures that are consistent with this policy and PM-55.

Complaints of sexual discrimination that do not involve sexual misconduct or sexual assault shall be handled under any applicable campus specific policies.

Each campus shall place the protocol for filing complaints under this policy on their website.

B. Complaints: Any student or employee who believes that he or she has been subjected to sexual misconduct or any other violation of this policy has a right to report the conduct to the campus Title IX coordinator or to any other responsible person, which includes but is not limited to the campus administrator with responsibility for human resource management, student conduct, or the department head of the relevant academic department.

When the LSU Title IX coordinator becomes aware of information that indicates that a violation of this policy may have occurred, he/she or their designee shall notify the parties involved of their rights under this policy.

Persons who may have experienced criminal sexual misconduct are strongly encouraged to report the offense to campus police or local law enforcement, as well as to the campus Title IX coordinator or the persons named above.

To the extent possible, the complainant and those who receive the complaint should preserve evidence and not disturb the potential crime scene. The complainant, however, has the legal right not to provide a statement to campus police or law enforcement.
C. Notification of Complaints: Any responsible person who receives actual notice of a complaint under this policy shall promptly notify the LSU Title IX coordinator and any campus administrators, who may be involved in the resolution process. Notice of a complaint may or may not come from a formal complaint. Any supervisor, or other responsible party who witnesses or receives a report or complaint, shall notify the Title IX coordinator.

Only individuals employed as mental health counselors, victim's advocates, university chaplains, or others designated by the university as provided by law can guarantee confidentiality.

D. Interim Measures: At any time after becoming aware of a complaint, the Title IX coordinator, a deputy Title IX coordinator(s), or other responsible party, may recommend that interim protections or remedies impacting parties involved be provided by appropriate LSU officials. These protections or remedies for the parties involved or witnesses will be provided by appropriate university officials. Remedies may include issuing a timely warning to the campus community, separating the parties, placing limitations on contact between the parties, interim suspension from campus, or making alternative workplace, classroom, course scheduling, dining, or student housing arrangements. Interim measures may vary depending on the nature of the complaint, status of respondent, or other criteria. All parties shall be notified of the availability of these measures as well as the fact that such measures are put into effect.

E. Confidentiality: All parties involved in a complaint, any investigation, and/or resolution, including witnesses, are encouraged to keep information concerning the complaint private until a final decision is rendered in order to protect both the complainant and the respondent. LSU may require to divulge information on a need-to-know basis in order to properly address the 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 by any other persons involved in the resolution, investigation, or administration of the complaint, including any employee, faculty, staff, or student if identified and confirmed, may result in disciplinary or corrective action. Only individuals employed as mental health counselors, victim's advocates, university chaplains, or others designated by the university as provided by law can guarantee confidentiality.

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II. PROCESSING OF COMPLAINTS

A. Preliminary Inquiry: The Title IX coordinator or designee shall conduct or supervise the initial review of the complaint, with such assistance, as needed and/or appropriate under the circumstances, from other campus administrators with responsibilities relevant to the nature of the complaint. A complainant or respondent has the right to a confidential advisor or an advisor of choice at any stage of this process. The initial review of the complaint shall be concluded as quickly as possible, within a reasonable amount of time required to complete the review in a manner that is adequate, reliable, and impartial and based on the nature and complexity of the complaint. Generally, the initial review should be ordinarily completed within 15 business days of receipt of the complaint. The purpose of the initial inquiry is to determine whether there is reasonable cause to believe a specific policy/policies may have been violated. After completion of the preliminary inquiry, any initial determination that a policy has not been violated shall be made by the investigators. A respondent or complainant can request a review of the initial determination to the LSU Title IX coordinator, whose decision shall be final.

To ensure a prompt and thorough initial inquiry, the complainant should provide as much information as possible. A complaint may be submitted anonymously or by an individual who is not a party to the alleged violation. The following may, but is not required to be, provided in writing:

- The name of student[s] or employee[s] to include student organization, academic department, and position of the person(s) allegedly violating this policy;
- A description of the incident[s], including the date[s], location[s], and the presence of any witness(es);
- If the complainant is an employee, the alleged effect of the incident[s] on the complainant’s position, salary, benefits, promotional opportunities, work environment, or other terms or conditions of employment;
- The name[s] of other student[s] or employee[s] who might have been subject to the same or similar conduct; and/or
- Any other information the complainant believes to be relevant to the alleged sexual misconduct, discrimination, harassment, or retaliation.
B. Notice of Investigation: If, after the initial inquiry, the Title IX coordinator finds reasonable cause to believe a policy or policies may have been violated, an investigation shall be conducted.

At any time during the investigation the matter may be referred, if appropriate under this policy, to the informal resolution process.

If an investigation is warranted, then at the recommendation of the Title IX coordinator, a trained investigator(s) will conduct a full investigation into the facts and circumstances of the complaint.

The investigation may include in-person interviews with all parties involved, including witnesses and parties that the investigator(s) may deem appropriate.

Both the respondent and complainant will be given the opportunity to identify witnesses to be interviewed. The investigator may also collect and review any documents or other relevant information to include but not limited to photographs, video recordings, and/or information from social media.

Any such investigation shall be conducted by a trained person, authorized and assigned as an investigator by the Title IX coordinator, including, but not limited to, trained employees from human resource management department or the student services or student life department, or other qualified university employees.

The Title IX coordinator will notify the appropriate campus offices as necessary.

Both the respondent and complainant will be provided written notice that an investigation will be undertaken as well as the nature of the complaint.

The notice should include the specific section(s) of policy that may have been violated.

All parties will have an opportunity to identify pertinent evidence to be considered by the investigator(s).

The investigator(s) will author a written investigatory summary to include a timeline of events, facts, and circumstances surrounding the complaint.

Upon completion of the investigative summary, the Title IX coordinator or designee, in consultation with the investigator(s), will reach a finding based on a preponderance of the evidence or more likely than not that a policy was or was not violated.

Prior to issuing a finding, the Title IX coordinator may request additional investigation, should he/she deem this to be appropriate.

Upon issuance of a notice of investigation, any and all effort should be made to conduct a thorough and prompt investigation based on the facts and circumstances of each complaint ordinarily within 30 business days of the notice. Complicated or extensive investigations may take longer.

After a full investigation, a determination that a policy has or has not been violated, from a more likely than not or preponderance of the evidence standard, shall be made by the Title IX coordinator or his designee, by admission of responsibility by the respondent or by the complainant’s admission of making false charges against the respondent.

Both the complainant and the respondent will be given written notice of the results of the investigation.
III. RESOLUTION PROCEDURES

In the event that a determination has been made that from a more likely than not or preponderance of the evidence standard that a policy has been violated, the university has both informal and formal resolution procedures to address alleged violations of this policy.

Both procedures will be implemented by individuals who have received training on issues related to sexual misconduct. The complainant and respondent have the right to an advisor of choice at any stage of the informal resolution or formal resolution processes.

Both informal and formal resolution procedures will utilize a preponderance of the evidence standard throughout the process, with respect to determinations as to whether or not there has been a violation of this policy.

As set forth below, an informal resolution procedure is available under certain circumstances.

After a full investigation, or at the request of the parties as provided in Section V. B., or if the respondent accepts responsibility for violation(s) of policy and if the investigator finds that reasonable cause exists to believe that University policy has been violated, the campus Title IX coordinator or designee will determine whether the informal resolution procedure is appropriate.

If an informal resolution is not appropriate, a formal accountability process will be scheduled, for situations involving student matters only. In situations involving an employee as a respondent, the campus Title IX coordinator or designee will determine the appropriate procedure to follow in consultation with the human resources department and/or applicable campus administrator(s).

If the Title IX coordinator or designee determines that informal resolution is appropriate, the complainant and respondent shall be advised of the option to pursue an informal resolution procedure. If both complainant and respondent agree, the informal resolution procedure will be followed, without further investigation, unless and until informal resolution is unsuccessful.

1. Informal Resolution: The use of the informal resolution procedure is optional and must be agreed upon by all parties involved.

The informal resolution procedure will not be followed: if any of the persons involved in the complaint do not wish to engage in the informal procedure; if the Title IX coordinator deems the informal resolution procedure inappropriate for the alleged offense; if the respondent does not accept responsibility for the alleged policy violation(s); or, if an attempt to utilize the informal procedure has been unsuccessful. Informal procedures are not appropriate for, or applied in, cases involving violence resulting in significant harm to others.

Additionally the parties may discontinue participation in the informal process at any time. Information obtained regarding the complaint and the investigative summary will be treated as private, with only those with a need to know being informed of the complaint.

An attempt to informally resolve the complaint shall be made by the Title IX coordinator or designee and should be ordinarily concluded within 15 calendar days of the decision to pursue informal resolution.

Such informal resolution includes meeting with each party to the complaint; review of any initial findings; review or continuance of interim remedies; and any other actions deemed appropriate by the parties and LSU. Any further inquiry or review deemed necessary should be concluded in that same period.

Once the informal resolution procedure is complete, written notification of the determination of whether or not this policy(s) was violated will be provided to the complainant and respondent.

If a determination has been made that a policy was violated, any changes in status, restrictions, limitations, or other recommended outcomes shall be given to all parties.

Any party not willing to accept the proposed informal resolution has the right to make a written request, within five calendar days upon receipt of written notification of the proposed resolution, to the office of the campus Title IX coordinator, thereby requesting the opportunity to pursue the formal resolution procedure set forth below.
2. **Formal Resolution:** If either the respondent or complainant is not in agreement with the outcome of the informal resolution process or if the university, the respondent, and/or the complainant have not consented to and/or determined that informal resolution is inappropriate or insufficient, the formal procedure will be utilized. Upon submission of written notification by either the respondent or complainant to the Title IX coordinator communicating an intent not to accept the proposed informal resolution outcome, formal consideration will be given for a formal resolution process.

The complainant and the respondent will be notified in writing the specific section(s) of policy alleged to have been violated, and the date, time, and location of the formal resolution process. Information obtained regarding the complaint will be treated as privately as possible (as set forth herein) with only those with a legitimate educational interest being informed of the complaint and the outcome of the investigation.

The formal procedure will consist of a formal review of all allegations, the initial complaint, supporting documents, investigative summary, and corresponding documentation.

For complaints involving students as respondents, the formal procedure will consist of a panel of trained hearing officers as outlined in the code of student conduct and/or policy/policies governing student conduct. For complaints involving employees as respondents, the Title IX coordinator or designee and the Office of Human Resource Management and/or applicable campus administrator will direct the formal process of the investigation. Each campus shall adopt or utilize existing procedures to address alleged violation(s) of this policy that afford both the complainant and the respondent due process as well as appeal options and other procedural rights as outlined in university policy.

The campus procedures for resolution of such complaints may be subject to review by the LSU Title IX coordinator.

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**IV. RESOLUTION/DISCIPLINARY ACTION**

LSU will take appropriate action against any person found to be in violation of this policy. [Note: violations of this policy may also be subject to individual civil or criminal liability under the state or federal law].

When an employee is deemed to have violated this policy, the Title IX coordinator and Human Resource Management and/or applicable campus administrator will jointly determine the appropriate disciplinary action, or recommendation for disciplinary action, up to and including dismissal, in accordance with applicable laws, rules, and/or LSU policies.

For violations involving students, except when acting in the capacity of an employee, the appropriate campus office or administrator responsible for student conduct, student services, or student life will determine the appropriate action, pursuant to any applicable code of student conduct and/or policy/policies governing student conduct.

In addition, to the extent possible, LSU will interact with appropriate law enforcement or third parties to address the actions of nonstudents or non-employees.

Violations of this policy may result in outcomes such as residential life contract cancellation, deferred suspension, suspension, expulsion, class only restriction (student), and/or disciplinary action or separation of employment.

**V. APPEAL**

Either party may appeal the findings of the investigative process in accordance with PM-73. Appeals to adjudication by HRM or student conduct may be filed consistent with existing university policies detailing appeal procedures for students or for employees.

Appeals for investigation must be submitted in writing to the Title IX coordinator or designee within 10 business days upon receipt, by the appealing complainant or the appealing respondent, of notification of the outcome of the formal resolution process.
VI. COOPERATION WITH LAW ENFORCEMENT

LSU will comply with law enforcement requests for cooperation and such cooperation may require LSU to temporarily suspend the fact-finding aspect of a Title IX investigation while the law enforcement agency is in the process of gathering evidence.

LSU will promptly resume its Title IX investigation as soon as notified by law enforcement that it has completed the evidence gathering process. LSU may provide up to 10 calendar days to allow for the law enforcement agency criminal process/investigation to unfold prior to resuming the fact-finding aspect of the Title IX investigation.

The university will implement appropriate interim steps/remedies during the law enforcement agency’s investigation to provide for the safety of the complainant, the respondent, the campus community, and to avoid any instance of retaliation.

Each campus will develop protocols to coordinate efforts with local law enforcement agencies and other organizations such as crisis centers. A Memorandum of Understanding (MOU) may be utilized to establish those protocols.

VII. RETALIATION

Retaliation against a person who has been subjected to sexual misconduct or against one who, in good faith, brings a complaint of sexual misconduct or who, in good faith, participates in the investigation of a sexual misconduct complaint, is prohibited; and shall be a violation of this policy and shall constitute misconduct subject to disciplinary or other action, as described above.

LSU will take steps to prevent recurrence and remedy the effects of any violation of this policy.

VIII. RECORD KEEPING

Records will be kept in accordance with Louisiana law and federal law. For students, records will be maintained for seven years by the Dean of Students or other office tasked with the maintenance of student records, except in cases of cases of suspension and expulsion, which records shall be permanent.

Employment actions in violation of this policy will be maintained in the employees’ respective Employee Relations file.

IX. AMNESTY POLICY

LSU encourages reporting of sexual misconduct and seeks to remove barriers to an individual or group reporting such conduct.

An individual or group who, in good faith, reports sexual misconduct, either as a complainant or a third party witness, shall not be sanctioned for a nonviolent student conduct violation, such as underage drinking, at or near the time of the complained incident, provided that any such violation did not and does not place the health and safety of any other person at risk.

Each campus policy shall include amnesty policies in accordance with ACT 172 and other applicable state laws.
In accordance with state and federal law, if a student accused of a sexually oriented criminal offense as defined in La. R.S. 44:51 or any sexual abuse offense as defined in La. R.S. 14:403 seeks to transfer to another institution during an investigation, resolution procedure, and/or adjudication procedure, the institution shall withhold the student’s transcript until such investigation or adjudication is complete and a final decision has been made.

Each institution shall inform the respondent of the institution’s obligation to withhold the transcript during the investigation.

If, upon the completion of an investigation, resolution procedure, and/or adjudication under this policy, the student is found responsible for sexually oriented criminal offenses as defined in La. R.S. 44:51 or any sexual abuse offense as defined in La. R.S. 14:403, and seeks to transfer to another institution, institutions are required to communicate such a violation, when the institution becomes aware of the student’s attempt to transfer, with the institution[s] to which the student seeks to transfer or has transferred.
LSU Cares works with students to empower them to use campus resources. When a report is received, staff will review details using a CARE approach (Communicate, Assess, Refer, Educate) and determine a response that includes appropriate campus resources.

Questions? Contact Student Advocacy & Accountability to talk to someone about a student concern.

care@lsu.edu  •  225-578-4307  •  lsu.edu/lsucares

Notes

WE’RE COMMITTED

LSU IS COMMITTED TO SUPPORTING SEXUAL VIOLENCE SURVIVORS BY PROVIDING ROBUST RESOURCES AND SERVICES TO MEET THEIR INDIVIDUAL NEEDS.

It's our shared responsibility to create and maintain a campus environment in which sexual violence against people is not tolerated and to intervene in a safe way when we see a risky situation unfolding. It could be something as simple as asking for the time to divert attention. Standing up to intervene not only helps foster safety, but sends the message that this kind of behavior is not acceptable in our community. Being an active bystander helps to shape our campus community into one where respect, consent and responsibility are valued. Talk to your friends, practice ways to intervene because it's everyone's responsibility.

Learn more at lsu.edu/titleix
We’re here for you.

lsu.edu/titleix