

To: William F. Tate IV  
LSU President

From: Jane Cassidy  
Interim Vice President for Civil Rights & Title IX

Re: Biannual Report on Power-Based Violence

Date: October 14, 2021`

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 2021 are as follows:

October 10*	Report transmitted from Title IX Coordinator to Chancellor
October 24	Report transmitted from Chancellor to President
November 7	Report transmitted from President to Board of Supervisors
December 1	Report transmitted from Board of Supervisors to Board of Regents
January 15, 2022	Report transmitted from Board of Regents to Louisiana Legislature

*\*Extension to October 14 granted due to Hurricane Ida*

The Board of Regents created and published in the Uniform Policy on Power-Based Violence a spreadsheet to be used for reporting these data. This report, including the spreadsheet, is being submitted to you as the first step in this reporting structure. In a measure of accountability and transparency, our report will be placed on our website, [www.lsu.edu/titleix-review](http://www.lsu.edu/titleix-review).

For clarity in understanding the data, there is a difference between an Incident Report and a Formal Complaint. An Incident Report is the initial report filed with Title IX. It can be submitted by a victim/survivor or a third party. It documents the alleged occurrence of an incident of power-based violence and within 24 hours of submission someone from the Title IX Office reaches out to the victim/survivor (if known) to offer supportive measures. A Formal Complaint in most cases must be submitted by a Complainant (person who has been harmed; victim/survivor) and reviewed by the Title IX Coordinator to start an Investigation into the behavior of the Respondent (alleged perpetrator).

The first tab on the attached spreadsheet reflects Incident Reports related to power-based violence from the LSU A&M Campus received between and inclusive of June 29, 2021 and September 30, 2021.<sup>1</sup> LSU Title IX Coordinator Joshua Jones put together the data from reports submitted through Maxient (Student Conduct reporting software) and EthicsPoint (Employee Ethics, Integrity, and Misconduct Helpline) where the LSU community goes to report incidents of power-based violence.

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<sup>1</sup> State Law requiring these reports was signed into effect on June 29, 2021, hence this report covers three months of data. Future reports will cover six months – October through March and April through September.

Tables 1 and 2 below show the status of reports and basis of closure (Table 1) or remaining open (Table 2). Of the 63 total Incident Reports related to power-based violence received by the Title IX Coordinator during the time period covered by this report, 71% ( $n = 45$ ) have been closed without disciplinary action. Table 1 indicates the reasons for cases closing. The majority of cases were closed for one of three reasons; (1) the Complainant did not respond to or follow through on multiple attempts by the Title IX Office to reach out and provide supportive measures, (2) the Complainant did not file a Formal Complaint or requested no formal action, or (3) the identity of the Complainant or the Respondent was not known. Other reasons for closing cases included Title IX had no jurisdiction (e.g. Respondent was not a student or part of our community, Complainant graduated or otherwise left the institution, reported behavior was not a policy violation), the Complainant had received all the supportive measures requested, or some other reason (Formal Complaint withdrawn or an educational conversation with the alleged perpetrator took place).

The remaining 18 cases were open as of October 1, 2021. Most were either Complainants who wanted supportive measures only or were Complainants in initial discussions with the Title IX Office. Three of these cases were under investigation and two had not yet responded to initial outreach attempts. There are two additional points to consider. First, there are many more students receiving supportive measures than are reflected in this report because they are working with a confidential source such as Lighthouse or a Confidential Supporter on campus. No complaint has been filed with the Title IX office for many of these students. Second, there are more than three on-going investigations in the Title IX Office, but they are cases that were reported prior to June 29, 2021 which is the starting date for this report and set by the Board of Regents.

Table 1  
Cases Reported between 6/29/21 - 9/30/21 and Closed without Disciplinary Action

Status	Reason	<i>n</i>	%
Closed	Outreach unsuccessful	21	44%
Closed	No Formal Complaint	10	22%
Closed	Complainant or Respondent Unknown	8	18%
Closed	No Jurisdiction	4	9%
Closed	Supportive Measures Only	1	2%
Closed	Other	2	4%
		46	99%

Table 2  
Cases Reported between 6/29/21 - 9/30/21 and Open as of October 1, 2021

Status	Reason	<i>n</i>	%
Open	Supportive Measures Only	7	39%
Open	Initial Discussions	6	33%
Open	Under Investigation	3	17%
Open	Still Attempting Outreach	1	11%
		17	100%

During the time period covered by this report there were three cases of power-based violence that were resolved. They are not reflected in the data because they were reported to the Title IX Office prior to June 29. In all three cases the Respondent was found responsible. One case of Forcible Fondling was resolved through the Informal Resolution process, one case of Forcible Rape resulted in the Respondent being suspended, and in one case of Forcible Rape the Respondent was found responsible but the sanction is currently under appeal by the Complainant.

Table 3 below shows the aggregated data for basis of complaint among the reports. In some reports, more than one type of power-based violence is alleged, so the total of these data points ( $n = 72$ ) exceeds the 63 reports.

Table 3  
Prevalence of Reported Behaviors

Power-Based Violence Behavior	<i>n</i>	%
Sexual Assault - Forcible Rape	20	28%
Hostile Environment Sexual Harassment	13	18%
Sexual Misconduct	9	13%
Sexual Assault - Forcible Fondling	7	10%
Stalking	6	8%
Sexual Harassment	5	7%
Dating Violence	5	7%
Sexual Exploitation	3	4%
Interpersonal Violence	2	3%
Quid Pro Quo Sexual Harassment	1	1%
Domestic Violence	1	1%
	72	100%

Sexual Assault, considering both Forcible Rape and Forcible Fondling, was listed 27 times as the basis for the report. In an effort to look more closely at the outcomes of reports of Sexual Assault, Table 4 gives a picture of where those cases stood on October 1. Twenty-three of the 27 cases are closed, with over half of those closed because victims/survivors did not return messages or phone calls from staff in the Title IX Office. We have to hope they are getting supportive measures through some confidential outlet such as Lighthouse or our Confidential Supporters, or through off-campus resources such as STAR. In three cases the Complainant wanted no formal action and in three cases the Complainant wanted supportive measures only. Four cases remained open in early discussions with Title IX on October 1 and one was under investigation.

Table 4  
Status of Reports of Sexual Assault

Status	Reason	<i>n</i>
Closed	Outreach Unsuccessful	13
Closed	Complainant wanted no formal action	3
Open	Complainant wanted supportive measures only	3
Open	In early discussions	3
Closed	Complainant identity unknown	2
Closed	Formal Complaint withdrawn	1
Closed	No jurisdiction over Respondent	1
Open	Under Investigation	1

Data in Table 3 show that Sexual Harassment, often resulting in a hostile environment and once as quid pro quo, was reported 19 times. We understand this is part of the workplace and classroom culture that needs to change. We are hoping that a positive step to reduce sexual harassment in the workplace was taken with the release of an updated annual mandatory training course that addresses harassment specifically.