

2019 Regular Session

HOUSE BILL NO. 294

BY REPRESENTATIVE CARPENTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HIGHER EDUCATION: Provides for anonymous sexual assault climate surveys at public postsecondary educational institutions

1 AN ACT

2 To enact R.S. 17:3399.17 and to repeal R.S. 17:3351(H), relative to surveys about sexual  
3 assault on campuses of public postsecondary education institutions; to provide  
4 relative to the required anonymous sexual assault climate surveys; to provide for  
5 procedures; to provide for reporting; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3399.17 is hereby enacted to read as follows:

8 §3399.17. Public postsecondary education institutions; sexual assault surveys

9 A.(1) Each public postsecondary education institution shall administer an  
10 anonymous sexual assault climate survey to its students once every three years. If an  
11 institution administers other surveys with regard to campus safety, the sexual assault  
12 survey may be included as a separate component of any such survey provided that  
13 the sexual assault component is clearly identified as such.

14 (2) Participation in the sexual assault climate survey shall be voluntary; no  
15 student shall be required or coerced to participate in the survey nor shall any student  
16 face retribution or negative consequence of any kind for declining to participate.

17 B. The Board of Regents shall:

18 (1) Develop the survey in consultation with the public postsecondary  
19 education management boards and in accordance with national best practices.

1           (2) Work with the management boards in researching and selecting the best  
2           method of developing and administering the survey.

3           (3) Submit a written report on survey results to the House Committee on  
4           Education, Senate Committee on Education, and the governor not later than  
5           September first following administration of the survey. The report shall summarize  
6           results from each public postsecondary education institution and the state as a whole.

7           (4) Publish the survey results on the board's website and in any other location  
8           or venue the board deems necessary or appropriate.

9           C. Each public postsecondary institution shall:

10           (1) Administer a survey during the 2022-2023 academic year and every third  
11           year thereafter.

12           (2) Report survey results to the Board of Regents.

13           Section 2. R.S. 17:3351(H) is hereby repealed in its entirety.

14           Section 3. This Act shall become effective upon signature by the governor or, if not  
15 signed by the governor, upon expiration of the time for bills to become law without signature  
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
18 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 294 Engrossed

2019 Regular Session

Carpenter

**Abstract:** Provides relative to sexual assault climate surveys on college campuses.

Present law requires that, when funding is made available, each public postsecondary education institution shall administer an annual, anonymous sexual assault climate survey to its students. Proposed law retains present law except removes the stipulation that administration of the survey is subject to funding and changes frequency of administration of the survey from annual to triennial. Proposed law allows for inclusion of sexual assault climate survey as separate and clearly identified component of broader campus safety surveys.

Present law requires the Bd. of Regents, in consultation with the public postsecondary education management boards, to establish procedures for the administration of the survey. Authorizes use of the Center on Violence Against Women and Children at the Rutgers

University School of Social Work as a model. Proposed law requires the Bd. of Regents, in consultation with the public postsecondary education management boards, to research and select the best method of developing and administering the survey.

Present law additionally requires the Bd. of Regents to:

- (1) Submit a written report, not later than Sept. 1st of each year, regarding the survey results to the House Committee on Education, Senate Committee on Education, and the governor.
- (2) Publish the survey results on the board's website and in any other location or venue the board deems necessary or appropriate.

Proposed law retains present law except changes frequency of submission of written report from every year to every three years, with the first report due by Sept. 1, 2023.

Present law requires each public postsecondary education institution to report survey results to the Bd. of Regents. Proposed law retains present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3399.17; Repeals R.S. 17:3351(H))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Require that the Bd. of Regents research and select the best method for survey development and administration, instead of requiring the board to research and select an agency or vendor to assist in survey development.