

2022 Regular Session

SENATE BILL NO. 297

BY SENATOR BARROW

POSTSECONDARY ED. Provides relative to power-based violence at public postsecondary institutions. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:3399.12(5)(a) and (b), 3399.13.1(F), 3399.16(A) and (E), and  
3 3399.18(B)(17), (E), and (F), relative to power-based violence at public  
4 postsecondary institutions; to provide relative to definitions and implementation of  
5 the Campus Accountability and Safety Act; to require a report to the legislature; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3399.12(5)(a) and (b), 3399.13.1(F), 3399.16(A) and (E), and  
9 3399.18(B)(17), (E), and (F) are hereby amended and reenacted to read as follows:

10 §3399.12. Definitions

11 For the purposes of this Part, the following terms and phrases shall have the  
12 following meanings unless the context clearly indicates otherwise:

13 \* \* \*

14 (5) "Power-based violence" means any form of interpersonal violence  
15 intended to control or intimidate another person through the assertion of power over  
16 the person and shall include the following:

17 (a) Dating violence (R.S. 46:2151(~~E~~)).

1 (b) Domestic abuse and family violence (R.S. 46:2121.1~~(2)~~ and 2132~~(3)~~). For  
 2 the purposes of this Part, domestic abuse shall also include any act or threat to act  
 3 that is intended to coerce, control, punish, intimidate, or exact revenge on the other  
 4 party, for the purpose of preventing the victim from reporting to law enforcement or  
 5 requesting medical assistance or emergency victim services, or for the purpose of  
 6 depriving the victim of the means or ability to resist the abuse or escape the  
 7 relationship.

\* \* \*

8 §3399.13.1. Administrative reporting requirements

9 \* \* \*

10 F. The Board of Regents, **in consultation with the Louisiana Power-Based**  
 11 **Violence Review Panel**, shall annually submit a report to the governor, the president  
 12 of the Senate, the speaker of the House of Representatives, and the Senate and House  
 13 committees on education **and select committees on women and children** by  
 14 January fifteenth which shall include system-wide and statewide information. The  
 15 report shall also include any recommendations for legislation. The report shall be  
 16 published on the website of the Board of Regents.

17 \* \* \*

18 §3399.16. Safety education; recognition and reporting of potential threats to safety

19 A. **The Not later than the beginning of the fall semester of 2022, the**  
 20 administration of each institution, in consultation with campus or local law  
 21 enforcement agencies, shall develop and distribute information to students regarding  
 22 power-based violence, campus safety, and internet and cell phone safety and online  
 23 content that is a potential threat to school safety.

24 \* \* \*

25 E. Each institution shall adopt a policy to implement the provisions of this  
 26 **Part Section**. The policy shall require that for every report of an incident of power-  
 27 based violence or a safety threat received, the actions taken by the institution and the  
 28 campus law enforcement agency or security officers be documented. The ~~policies~~

1 **policy** shall also provide for guidelines on referring the reports to the appropriate law  
2 enforcement agencies.

3 \* \* \*

4 §3399.18. Louisiana Power-Based Violence Review Panel

5 \* \* \*

6 B. The panel shall be composed of the following members:

7 \* \* \*

8 (17) A Title IX coordinator representing a **each** public postsecondary  
9 education system. ~~The Title IX coordinator shall serve for one year, and the~~  
10 ~~membership shall rotate between the higher education systems in the following~~  
11 ~~order: the Louisiana State University System, the Southern University System, the~~  
12 ~~University of Louisiana System, and the Louisiana Community and Technical~~  
13 ~~College System. Each coordinator shall be, appointed by his system~~ **the president of**  
14 **the system.**

15 \* \* \*

16 E. ~~The commissioner of higher education shall call an organizational meeting~~  
17 ~~of the panel by August 15, 2021.~~ The panel shall elect a chairman, and any other  
18 officers deemed necessary, from among the membership.

19 F. The panel shall meet at least two times per year ~~up to a maximum of four~~  
20 ~~times per year, and may meet at other times~~ upon the call of the chair or as provided  
21 by panel rules.

22 \* \* \*

23 Section 2. This Act shall become effective upon signature by the governor or, if not  
24 signed by the governor, upon expiration of the time for bills to become law without signature  
25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
26 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
27 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

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DIGEST

SB 297 Engrossed                                  2022 Regular Session                                  Barrow

Present law provides for public postsecondary education institutions to provide for safe campuses and requires certain actions to ensure campuses are safe and that postsecondary education administrators are accountable for providing the safe environment.

Proposed law amends certain definitions and imposes implementation deadlines. Requires the Board of Regents to consult with the Louisiana Power-Based Violence Review Panel in developing the annual report. Requires the annual report to also be sent to the Senate and House select committees on women and children. Further changes the panel membership to include one Title IV coordinator from each public postsecondary system.

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

(Amends R.S. 17:3399.12(5)(a) and (b), 3399.13.1(F), 3399.16(A) and (E), and 3399.18(B)(17), (E), and (F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Requires the Board of Regents to consult with the review panel in developing the annual report and adds the Senate and House committees on women and children to the report distribution list.
2. Adds members to the review panel.