

# SOUTHERN UNIVERSITY BOARD OF SUPERVISORS

*(following Personnel Affairs Committee)*

Friday, October 23, 2015

Southern University Board of Supervisors Meeting Room

2<sup>nd</sup> Floor, JS Clark Administration Building

Baton Rouge, Louisiana 70813

## AGENDA

1. Call to Order and Invocation
2. Roll Call
3. Adoption of the Agenda
4. Public Comments
5. Action Items
  - A. Minutes of the September 25, 2015, regular meeting of the Board of Supervisors
  - B. Committee Reports and Recommendations
    1. Finance Committee
    2. Personnel Affairs Committee
  - C. Approval of SU System and SUBR Organizational Structure
  - D. Authorization to Search for Chancellor, Southern University Agricultural Research and Extension Center
  - E. Appeal Hearing, Shaboyd P. Cannon *(Executive Session may be required)*
  - F. Approval of Sexual Assault and Title IX Policies
    - a. SU System amended Policy
    - b. SUBR
    - c. SUNO
    - d. SUSLA
    - e. SULC
  - G. Approval of Thad Tatum Settlement Agreement *(Executive Session may be required)*
  - H. Resolutions
6. Informational Items
  - A. Priority Projects Updates, by campus
  - B. Interim Financial Report as of September 2015, SUS
  - C. Drones, All Terrain Vehicles and Traffic
  - D. Update on SUSLA Chancellor Search
  - E. Update of SULC Chancellor Search
  - F. System President's Report
  - G. Campus Reports
7. Other Business
8. Adjournment

**Southern University and A&M College System  
Board of Supervisors Meeting  
2<sup>nd</sup> Floor; J.S. Clark Administration Building  
Baton Rouge, Louisiana  
9 a.m.  
Friday, September 25, 2015**

**Minutes**

The meeting of the Southern University Board of Supervisors was convened by Chairman Leon R. Tarver, II. The Reverend Joe R. Gant gave the invocation.

**PRESENT:**

Dr. Leon R. Tarver II  
Mr. Raymond M. Fondel, Jr.  
Dr. Curman L. Gaines  
Reverend Joe R. Gant, Jr.  
Mr. Myron K. Lawson  
Atty. Patrick Magee  
Mr. Darren G. Mire  
Mr. Mike A. Small  
Mrs. Ann A. Smith  
Reverend Samuel C. Tolbert, Jr.  
Dr. Rani G. Whifield

**ABSENT:**

Mr. Calvin W. Braxton, Sr.-Vice Chair  
Atty. Tony M. Clayton  
Mr. Dominique Diamond  
Reverend Donald Ray Henry  
Mr. Richard T. Hilliard

**UNIVERSITY PERSONNEL ATTENDING**

System President-Chancellor Ray L. Belton  
System Vice President Flandus McClinton, Jr.  
Chancellor Victor Ukpolo (SUNO)  
Interim Chancellors Adell Brown (SUAREC), John Pierre (SULC), and Sam Gilliam (SUSLA)

**BOARD COUNSEL**

Atty. Jason DeCuir and Atty. Tracie Woods

# ACADEMIC AFFAIRS COMMITTEE

9 a.m.

Friday, September 25, 2015

Board of Supervisors Meeting Room  
2<sup>nd</sup> Floor; J.S. Clark Administration Building  
Baton Rouge, Louisiana

The Academic Affairs Committee was called to order by Mrs. Ann Smith Chair.

## Roll Call

Present: Mrs. Ann Smith, Chair Dr. Curman Gaines, Vice Chair, Rev. Joe R. Gant, Jr., Mr. Michael Small, Dr. Rani G. Whitfield, Dr. Leon R. Tarver II

Absent: Atty. Tony M. Clayton

A quorum was established.

### 3. Adoption of the Agenda

On the motion of Rev. Joe Gant seconded by Mr. Michael Small the agenda was adopted as printed.

Motion carried unanimously.

### 4. Public Comments

None.

### 5. Action Item

#### A. Approval of Grad Act Year 5 Remediation Plan, SUSLA

Interim Chancellor S. Albert Gilliam presented the remediation plan for SUSLA for consideration by the board.

On the motion of Rev. Joe Gant and seconded by Dr. Curman Gaines the SUSLA remediation plan was approved.

Motion carried unanimously.

### 6. Other Business

Mrs. Ann Smith stated that she and Dr. Tarver had attended the meeting of the Board of Regents (BOR) on September 24. She invited Chancellor Victor Ukpolo to make an announcement. Dr. Ukpolo stated the BOR approved the SUNO campus to offer a doctorate degree in Social Work and stated that SUNO. The program is scheduled to begin its inaugural class during the Fall 2016 semester. President-Chancellor Belton and Dr. Leon R. Tarver II, Board chair commended the leadership of Dr. Ukpolo and other SUNO campus leaders for the achievement.

### 7. Adjournment

On the motion of Rev. Joe Gant and seconded by Mr. Michael Small the committee adjourned.

Motion carried unanimously.

## **FACILITIES AND PROPERTY COMMITTEE**

*(Following the Academic Affairs Committee)*

**Friday, September 25, 2015**

**Board of Supervisors Meeting Room  
2<sup>nd</sup> Floor; J.S. Clark Administration Building  
Baton Rouge, Louisiana**

### Minutes

By request of Dr. Leon Tarver II, Board chair, in the absence of Rev. Donald Ray Henry, the Facilities and Property Committee was called to order by Rev. Joe R. Gant.

#### **Roll Call**

Present: Mrs. Ann A. Smith, Rev. Joe R. Gant, Jr., Mr. Myron Lawson, Atty. Patrick Magee, and Dr. Leon R. Tarver II

Absent: Rev. Donald Ray Henry, Mr. Richard T. Hilliard and Mr. Calvin W. Braxton, Sr.

A quorum was established.

#### **3. Adoption of the Agenda**

On the motion of Dr. Leon Tarver II and seconded by Ms. Ann Smith the agenda was adopted.

#### **4. Public Comments**

None.

#### **5. Informational Items**

##### **A. Priority Project Updates by Campus**

Upon recommendation by President-Chancellor Belton, Mr. Flandus McClinton gave the report on behalf of the campuses. Each Board member received a copy of the priority projects document. Special attention was called to one item: the Roosevelt Steptoe Avenue Bridge. Mr. McClinton stated that the bridge was closed so that repairs could be completed and stated that the bridge would reopen October 9, 2015.

##### **B. Board of Regents Site Visit**

Each Board member received a copy of the schedule for the Board of Regents' site visits for the SU System campuses and Rev. Joe Gant encouraged Board members to visit the areas highlighted in the report.

#### **6. Other Business**

None.

#### **7. Adjournment**

On the motion of Atty. Patrick Magee and seconded by Mr. Raymond Fondel the committee adjourned.

Motion carried unanimously.

**FINANCE COMMITTEE**  
*(Following the Facilities and Property Committee)*  
**Friday, September 25, 2015**  
**Board of Supervisors Meeting Room**  
**2<sup>nd</sup> Floor; J.S. Clark Administration Building**  
**Baton Rouge, Louisiana**

Minutes

By request of Board Chair Dr. Leon R. Tarver II, in the absence of Committee Chair Atty. Tony Clayton, and Committee Vice Chair Mr. Calvin Braxton, the Finance Committee was called to order by Dr. Curman Gaines.

**Roll Call**

Present: Dr. Curman Gaines, Mr. Myron Lawson, Atty. Patrick Magee, Mr. Michael Small and Dr. Leon R. Tarver II

A quorum was established.

**3. Adoption of the Agenda**

On the motion of Dr. Leon Tarver II and seconded by Mr. Patrick Magee the agenda was adopted.

Motion carried unanimously.

**4. Public Comments**

None.

**5. Informational Items**

A. Interim Financial Report as of August 2015, SUS

Upon recommendation of President-Chancellor Belton, Mr. Flandus McClinton highlighted various areas of the printed reports that were distributed to each Board member. He attended the budget hearings at the Board of Regents and stated that all operating budgets had been approved by the Regents during its September meeting.

**6. Other Business**

Atty. Patrick Magee questioned whether or not the campuses had a plan to offset budget cuts that may be forthcoming. President-Chancellor Belton stated that each campus has a 5% contingency available for the FY 2015-16 that would absorb the shortfall and in addition he stated that vacant positions would be frozen and spending would be curtailed.

**7. Adjournment**

On the motion of Atty. Patrick Magee and seconded by Dr. Leon Tarver II the committee adjourned.

Motion carried unanimously.

**GOVERNANCE COMMITTEE**  
*(Following the Finance Committee)*  
**Friday, September 25, 2015**  
**Board of Supervisors Meeting Room**  
**2<sup>nd</sup> Floor; J.S. Clark Administration Building**  
**Baton Rouge, Louisiana**

Minutes

Committee Chair Atty. Patrick Magee called the meeting to order.

**Roll Call**

Present: Atty. Patrick Magee, Mr. Michael Small, Mr. Darren Mire, Mrs. Ann Smith and Dr. Leon R. Tarver II

Absent: Rev. Donald Ray Henry and Atty. Tony M. Clayton

A quorum was established.

**3. Adoption of the Agenda**

On the motion of Mrs. Ann Smith and seconded by Rev. Joe Gant, Jr. the agenda was adopted.

Motion carried unanimously.

**4. Public Comments**

None.

**5. Informational Items**

A. Timeline for submission of materials for SU Board consideration

Atty. Winston DeCuir Jr. gave an overview of the facts that govern when materials are to be submitted to SU Board members and also to members of the public. Each Board member received a copy of the overview. Atty. DeCuir stated that Louisiana Revised Statute provides how an agenda should be posted for the public and that SU Board bylaws govern when board members receive the agenda.

After much discussion, it was stated by President-Chancellor Belton that departments are being asked to submit information at least one month in advance.

**6. Other Business**

None.

**7. Adjournment**

Upon the motion by Mrs. Ann Smith and seconded by Mr. Raymond Fondel, the committee adjourned.

Motion carried unanimously.

# PERSONNEL AFFAIRS COMMITTEE

*(Following the Governance Committee)*

Friday, September 25, 2015

Board of Supervisors Meeting Room  
2<sup>nd</sup> Floor; J.S. Clark Administration Building  
Baton Rouge, Louisiana

## Minutes

Committee Chair Atty. Patrick Magee called the meeting to order.

### Roll Call

Present: Atty. Patrick Magee, Mrs. Ann Smith, Mr. Raymond Fondel, Mr. Myron Lawson, Rev. Samuel Tolbert and Dr. Leon R. Tarver II

Absent: Mr. Calvin W. Braxton, Sr. and Atty. Tony M. Clayton

A quorum was established.

### 3. Adoption of the Agenda

On the motion of Mr. Raymond Fondel and seconded by Dr. Curman Gaines the agenda was adopted.

### 4. Public Comments

Dr. Albert Samuels, professor, Political Science, commended Dr. Belton for the search process for the Executive Vice President for Academic Affairs and Provost.

### 5. Action Items

#### A. Approval of Personnel Action on Positions greater than \$60,000

On the motion of Mr. Myron Lawson and seconded by Mrs. Ann Smith, Items 1-8 were submitted to be approved in-globo with comments from the new Executive Vice President for Academic Affairs and Provost.

Motion carried unanimously.

Item **5A-9** was discussed by Board Chair, Dr. Leon R. Tarver II. He stated that he respectfully requested members to waive the search process and approve an emergency hire so that the Board office would be staffed. Mrs. Lisa T. Green, administrative assistant and the Board Office's only employee is scheduled to begin Family Medical Leave to care for her mother on October 1. After the discussion, on the motion of Dr. Leon Tarver II and seconded by Mr. Michael Small the appointment was submitted for approval.

Motion carried unanimously.

#### B. FMLA Request for Eileen Shanklin-Andrus/12-months, SUNO

On the motion of Mr. Michael Small and seconded by Dr. Leon Tarver II, the recommendation to approve the FMLA request was presented to the Board. In discussion, Dr. Victor Ukpolo explained that he supports the request of Ms. Shanklin who was recently hired as an auditor.

Motion carried unanimously.

### 6. Other Business

None.

**7. Adjournment**

Upon the motion of Mr. Raymond Fondel, seconded by Rev. Joe Gant, the committee adjourned.

Motion carried unanimously.



## **RECRUITING AND ADMISSIONS COMMITTEE**

*(Following the Personnel Affairs Committee)*

**Friday, September 25, 2015**

**Board of Supervisors Meeting Room  
2<sup>nd</sup> Floor; J.S. Clark Administration Building  
Baton Rouge, Louisiana**

### **Minutes**

Committee Chair Dr. Curman Gaines called the meeting to order.

#### **Roll Call**

Present: Dr. Curman Gaines, Mrs. Ann Smith, Mr. Raymond Fondel, Rev. Samuel Tolbert and Dr. Leon R. Tarver II

Absent: Mr. Calvin W. Braxton, Sr.

A quorum was established.

#### **3. Adoption of the Agenda**

Upon the motion by Mr. Raymond Fondel and seconded by Mr. Michael Small the agenda was adopted.

#### **4. Public Comments**

None.

#### **5. Informational Item**

##### **A. Enrollment Updates, by campus**

Dr. Victor Ukpolo gave an update of the SUNO campus stating that enrollment is increasing and that the school has met its enrollment targets; Mr. Sam Gilliam gave an update of the SUSLA campus stating that enrollment has increased and that the international student enrollment as well as dual enrollment also has increased; Atty. John Pierre gave an update on the SU Law Center stating that nationally, enrollment at law schools is down; however, at the SU Law Center, enrollment is higher than the enrollment figures compiled during Fall 2014. Dr. Dumas presented information about enrollment on the Baton Rouge campus with enrollment for first-time freshmen up by 30 percent.

##### **B. I Recruit for SU Update, Isiah Robertson**

Ms. Denise Lockett presented information on the *I Recruit* organization and its purpose and initiatives. Founder of the group, Dr. Isiah "Butch" Robertson, also gave an update on the places that he has travelled on behalf of the *I Recruit for SU* program.

#### **6. Other Business**

None

#### **7. Adjournment**

Upon the motion of Dr. Leon Tarver II and seconded by Rev. Joe Gant, the committee adjourned.

Motion carried unanimously.

# **SOUTHERN UNIVERSITY BOARD OF SUPERVISORS**

*(Following the Recruiting and Admissions Committee)*

**Friday, September 25, 2015**

**Board of Supervisors Meeting Room  
2<sup>nd</sup> Floor; J.S. Clark Administration Building  
Baton Rouge, Louisiana**

## Minutes

Board Chair Dr. Leon R. Tarver II called the meeting to order.

### **Roll Call**

Present: Dr. Leon R. Tarver II, Mr. Darren Mire, Mr. Michael Small, Atty. Patrick Magee, Mrs. Ann Smith, Mr. Raymond Fondel, Dr. Curman Gaines, Rev. Joe R. Gant, Mr. Myron Lawson, Rev. Samuel Tolbert and Dr. Leon R. Tarver II

Absent: Mr. Calvin W. Braxton, Sr. and Atty. Tony Clayton

A quorum was established.

### **3. Adoption of the Agenda**

On the motion of Mrs. Ann Smith and seconded by Mr. Raymond Fondel, the agenda was adopted with the addition of item 5B- 6 Recruiting and Admissions Committee.

Motion carried unanimously.

### **4. Public Comments**

None.

### **5. Action Items**

#### **A. Minutes of the August 25, 2015 regular meeting of the Board of Supervisors**

On the motion of Rev. Joe Gant, seconded by Mr. Raymond Fondel the following resolution was approved.

**RESOLVED** by the Board of Supervisors for the Southern University System, that the minutes of the September 25, 2015, regular meeting of the Board of Supervisors, be and it is hereby approved.

Motion carried unanimously.

#### **B. Committee Reports and Recommendations**

On the motion of Atty. Patrick Magee seconded by Rev. Joe Gant, the reports were approved in globo with the exception of the appointment of the Executive Vice President of Academic Affairs and Provost.

The motion carried unanimously.

**1. ACADEMIC AFFAIRS COMMITTEE**

**RESOLVED** by the Board of Supervisors for Southern University, upon the recommendation of the Academic Affairs Committee, that the GRAD Act remediation plan for SUSLA be and it is hereby approved.

**2. PERSONNEL AFFAIRS COMMITTEE**

**RESOLVED** by the Board of Supervisors for Southern University, upon the recommendation of the Personnel Affairs Committee, that the Administration's recommendation for approval of positions with salaries greater than \$60,000 be and they are hereby approved.

<b>Name</b>	<b>Title/Campus</b>	<b>Salary</b>
1. Dr. M. Christopher Brown*	Executive Vice President for Academic Affairs & Provost <b>New Appointment, SUS/SUBR</b>	<b>\$200,000</b>
2. Henry Tillman	Director of Communications <b>New Appointment, SUS/SUBR</b>	<b>\$75,000</b>
3. Dr. Vaneshette Henderson	Executive Director, Center for Excellence <b>New Appointment, SUBR</b>	<b>\$92,000</b>
4. Rahim Smith	Academic Counselor <b>New Appointment, SULC</b>	<b>\$65,000</b>
5. Kiyon McCormick	Assistant Professor, School of Nursing <b>New Appointment, SUBR</b>	<b>\$64,000</b>
6. Paula Julian	Assistant Professor, School of Nursing <b>New Appointment, SUBR</b>	<b>\$65,000</b>
7. Krishna Poudel	Assistant Professor, Business Administration <b>New Appointment, SUNO</b>	<b>\$78,000</b>
8. Yun Doo Lee	Temporary Assistant Professor, Business Administration <b>New Appointment, SUNO</b>	<b>\$71,400</b>
9. Lester A. Pourciau	Associate Vice President for Human Resources	<b>\$120,000</b>
10. Maya Banks	Board Relations Coordinator <b>New Appointment, SUBOS</b>	<b>\$65,000</b>

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\*Rev. Samuel Tolbert stated that the position of the Executive VP of Academic Affairs and Provost was not a numbered item on the Personnel Affairs Committee action items. So on the motion of Mr. Patrick Magee and seconded by Dr. Leon R. Tarver II, Dr. M. Christopher Brown was appointed to the position of Executive VP of Academic Affairs and Provost.

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**RESOLVED** by the Board of Supervisors for Southern University, upon the recommendation of the Personnel Affairs Committee, that the family medical leave request for **Eileen Shanklin-Andrus/12-month employee**, Southern University – New Orleans, be and it is hereby approved.

### **C. Resolutions**

The Board approved the following resolutions.

**RESOLVED** by the Board of Supervisors for Southern University, that the resolutions of condolences to the families named below be and they are hereby approved:

- **Kent Smith on the death of his mother Elayne Smith.**
- **Albert Williams husband of Lorraine Williams, facilities services, SUNO**
- **Mr. Ronald E. Gardner of SUNO**

## **6. Informational Items**

### **A. Medical Marijuana Update**

Dr. Adell Brown gave a status report on the University's efforts as it relates to medical marijuana. He discussed current legislation in the state and distributed a printed report.

### **B. System President's Report**

President-Chancellor Belton provided an update on the salary compensation study being conducted by a third-party. He stated that search committees have been established for the Chancellor of the Shreveport campus (committee will convene October 1) and also for the Chancellor of the Law Center (committee will convene October 6). Dr. Belton also stated that he would request authorization from the SU Board in October to begin the search for Chancellor of the SU Agricultural Research and Extension Center (SUAREC).

### **C. Campus Reports**

**Dr. Ukpolo** highlighted the following items that appear in the printed report distributed to board members: SUNO is in discussion with the Law Center to establish a collaborative degree program, J.D.—M.S.W.; National Council for the Accreditation of Teacher Education (NCATE) will visit the campus to review the College of Education for reaffirmation of its accreditation in November; a groundbreaking for the School of Social Work will be held on November 4.

**Mr. Sam Gilliam** representing SUSLA, distributed copies of a written report and highlighted two items: the SUSLA golf classic will be held October 12; and SUSLA has developed a retention task force to meet with students to discuss issues that may affect their retention.

**Dr. Adell Brown** gave an update on the activities of the SUAREC including the fact that the University received an award from the Public Truth Initiative for being a smoke-free university system.

**Atty. John Pierre** noted the following: The SU Law Center will hold a symposium on the anniversary of Hurricane Katrina; Atty. Tony Clayton will serve as guest speaker for the Law Center's convocation in October; an informational update on the feasibility study to establish a satellite campus of the law center will be provided to board members during the October meeting.

**7. Other Business**

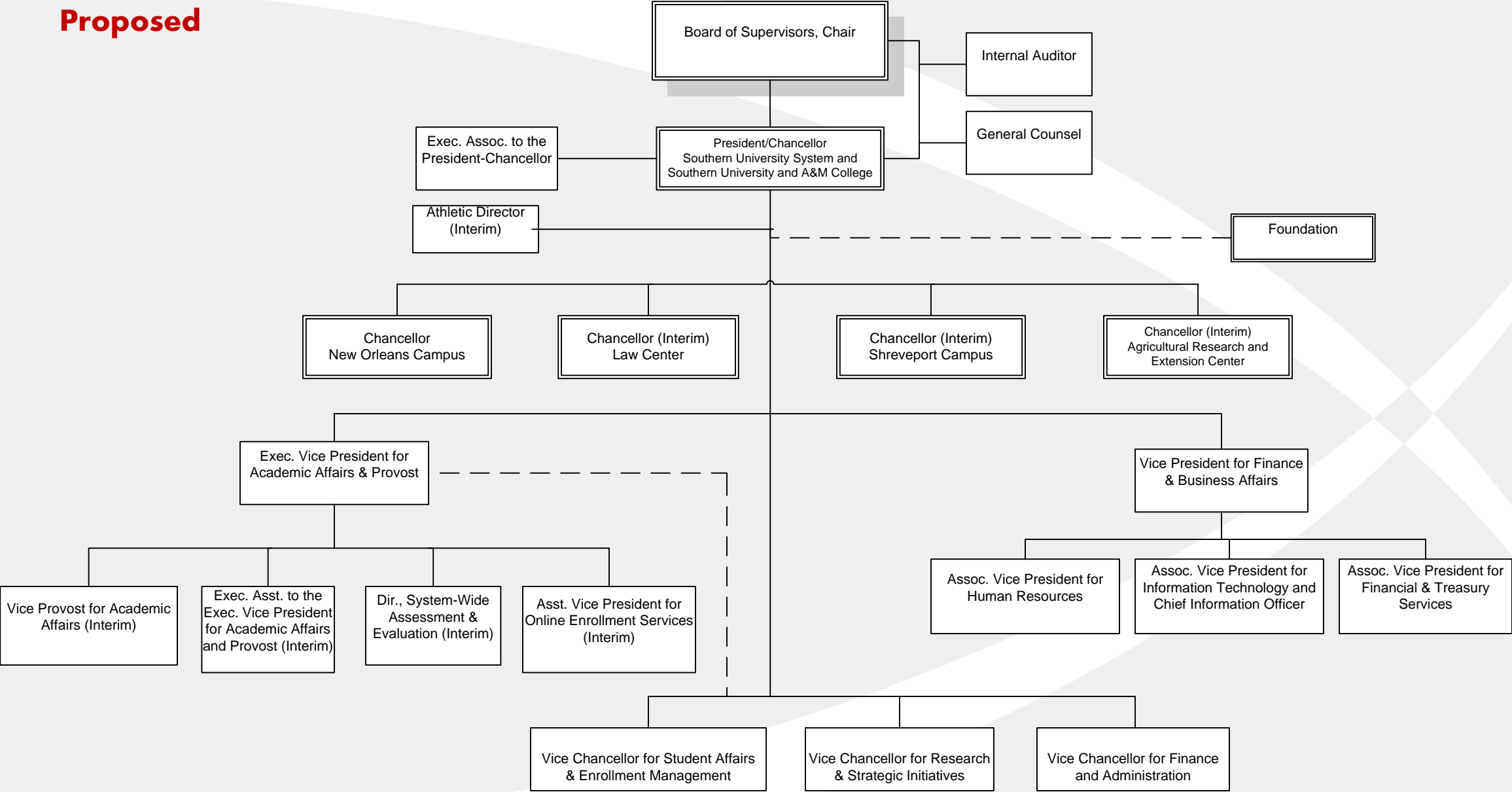
Dr. Leon R. Tarver II announced that the Board Retreat and Board meeting would be held at on October 22-23. The Retreat would be at the A.W. Mumford Fieldhouse on October 22, 2015. The retreat will begin at noon Thursday and end at 5 p.m. with a reception at the SU Museum of Art and at the Donald C. Wade House at 6 p.m. The Board meeting will begin at 9 a.m. Friday morning in the Board of Supervisors Meeting Room, 2<sup>nd</sup> Floor, J. S. Clark Administration Building.

**8. Adjournment**

Upon the motion by Mr. Raymond Fondel the meeting adjourned.

# Southern University and A&M College and System

**Proposed**



Name of Policy: <a href="#">Southern University System Gender-Based Sexual Misconduct [Title IX] Policy</a>  Issuing Authority: <a href="#">Southern University System</a>  Initial Effective Date: March 27, 2015  Revision Date: <a href="#">October 23, 2015</a>	<b>SOUTHERN UNIVERSITY SYSTEM</b>
<input type="checkbox"/> New Policy Proposal  <input checked="" type="checkbox"/> Major revision of existing policy	<input type="checkbox"/> Minor revision to existing policy  <input type="checkbox"/> Reaffirmation of existing policy

## I. Introduction

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. These behaviors are clear impediments to creating an educational atmosphere which is free from discrimination. As a result, an institution receiving federal funds must promulgate strategies and policies which demonstrate its ability to uphold the law and comply with applicable regulations. When the Complainant or Respondent is a student, the violation falls under the provisions of Title IX.

The Southern University System (System) campus policy utilizes the term “gender-based sexual misconduct” to encompass all behaviors that involve gender-based violations of an individual’s rights specifically manifested by sexual-behavior and actions. Accordingly, this term is inclusive of conduct considered to constitute sexual harassment, non-consensual sexual contact or intercourse (of which sexual violence would be included), sexual exploitation, stalking, intimate partner violence, and other forms of inappropriate behavior that are linked with the sex/gender of the Complainant and/or Respondent. These behaviors, when deemed to have occurred, deprives an individual of their rights, and/or access to an education or employment which constitutes a violation of this policy.

The Southern University System Members of the System campus community which includes students, faculty, administrators, guests, and visitors have the right to be free from sexual misconduct of any type. Therefore, the System is firmly committed to maintaining a climate of respect and safety for everyone. All members of the System campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. As a result, this Southern University System campus has a zero tolerance policy for gender-based sexual misconduct.

When an allegation of sexual misconduct is brought to the attention of the appropriate Campus Representative, and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions cease and are never repeated. In addition, the System's response will provide individuals who bring forth complaints with reasonable remedies that will insure full participation in their educational and/or employment activities.

Nothing in this policy shall abridge academic freedom or the System's educational mission.

## II. Jurisdiction

All students, faculty, staff, administrators, affiliates and others participating in the System campus programs and activities are subject to this policy. The System has jurisdiction over, and will respond to allegations of sexual misconduct occurring on campus premises, at the System campus an affiliated activities and/or where the misconduct involves students, faculty, staff, administrators, guests and visitors of this campus.

Reports of incidents of sexual misconduct committed by a student, faculty or staff at a location other than a The System campus and which affects the System campus community are covered by this policy. Discipline for violations of this policy may include, but are not limited to, termination, expulsion and/or other appropriate institutional sanctions; and affiliates and program participants may be removed from the System programs and/or prevented from returning to campus.

## III. Overview of Policy Expectations With Respect to Sexual Physical Misconduct

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent must be a clear and sober "YES". Non-verbal consent is not as clear as discussing what is or isn't sexually permissible. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent can also be withdrawn at any point during sexual activity.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs



are being used, a person will be considered unable to give valid consent if he/she cannot fully understand the details of a sexual interaction (who, what, when, where, why, how or how long) because he/she lacks the capacity to reasonably understand the situation.

Individuals who consent to sex must be able to understand what they are doing. Anything but a clear, knowing and voluntary “YES” to any sexual activity is equivalent to a “No”.

#### IV. Overview of Policy Expectations With Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as professor and student or supervisor and student employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcomed may become unwelcomed. Even when both parties have consented at the outset to romantic or sexual involvement, this past consent may not remove grounds for a later charge of violation.

For the personal protection of members of this System campus community, relationships in which power differentials are inherent (faculty-student, staff-student, or administrator-student, etc.) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the individual/employee from the supervisory or evaluative responsibility, or shift them out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

#### V. Definitions and Definitions of Violations

**Allegation.** A statement by a Complainant that he/she believes an act of sexual misconduct has occurred.

**Bullying.** Typically is portrayed as aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power. It often includes comments about race, color, national origin, sex, sexual orientation or disability and frequently involves an imbalance of power, aggression, and a negative repeated behavior.

**Campus Representative.** Any individual who, in the course of his/her duties as a the System employee, is in the position to assist a member of the System campus community who has been sexually assaulted.

**Confidential Advisor.** Designated individuals who have been trained to aid a student involved in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term ‘confidential advisor,’ confidential communications with the advisor will be kept confidential in all circumstances expect where the institution or advisor may be required to disclose the communications under state and federal law. .

**Coercion.** Unreasonable pressure for sexual activity. When someone makes it clear that he/she does not want to engage in sexual behavior, or that he/she does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.

**Complainant/Victim.** The person making an allegation or complaint of sexual misconduct.

**Complaint.** A formal notification, either orally or in writing, of the belief that sexual misconduct has occurred.

**Consent.** Consent must be clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober “YES”. Consent may not be inferred from silence, passivity, or lack of active resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute, and consent to one form of sexual activity. It does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one’s responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity because of circumstances or the behavior of another, or due to their age. Examples of such situations may include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment.

**Cyber-Bullying.** Cyber-bullying occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another person using the Internet, interactive and digital technologies, or mobile phones. Those who are electronically engaged can be cyber-bullied at any time or location, making the effect of cyber-bullying ubiquitous and acute. Harassment, hazing and stalking often are used to encompass cyber- stalking or cyber-bullying activities. The severity of the act and state law dictate what is criminal. Examples include flaming, harassment, hazing or stalking.

The difference should be assessed through the: 1) kind of threat (e.g. name-calling, threat of harm, bomb, etc.); 2) frequency of threat (how often it occurs); and 3) source and nature of threats. Generally speaking, bullying is an on-going behavior. Hazing is often done once or twice during orientations or initiations, but may be more acute.

**Dating Violence.** Occurs when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes and education levels. It can happen on a first date, or during a long term relationship. It can happen whether the individual is young or old, and/or in a heterosexual or same-sex relationship. Dating violence can include physical abuse (hitting, shoving, kicking, biting, throwing things), emotional abuse (yelling, naming-calling, bullying, embarrassing), and sexual abuse (forcing a partner to do something sexual).

**Domestic Violence.** Occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called domestic violence. Domestic violence and abuse are used for one purpose and one purpose only, for one person to gain and maintain total control over another person. An abuser does not “play fair”. Abusers use fear, guilt, shame and intimidation to maintain power and control. The abuser may also threaten or hurt the individual or those around the victim or complainant. Domestic violence and abuse does not discriminate. It happens in heterosexual or same-sex relationships. It occurs within all age ranges, ethnic, backgrounds economic levels. While women are more commonly victimized, men can also be abused, especially, verbally and emotionally, although sometimes even physically as well.

**Force.** The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance or produces consent. There is no requirement that a person has to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Gender-based harassment.** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

**Gender-based misconduct.** Is comprised of a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, and intimate partner violence are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Gender-based misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of gender-based misconduct include:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcomed touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcomed references to various parts of the body;
- Belittling remarks about a person's gender or belittling remarks about a person's sexual orientation based in gender-stereotyping;
- Inappropriate sexual innuendoes or humor;
- Videotaping and photographing someone or people without consent;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;
- Sexually explicit profanity; and/or
- Use of e-mail, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.

**Gender Discrimination.** Unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

**Hearing Board.** This is an administrative body which, among other things, conducts hearings under this policy. It is comprised of students, faculty and staff.

**Impairment.** The state of being diminished, weakened or damaged, especially mentally or physically.

**Incapacitation.** Incapacity can result from mental disability, sleep deprivation, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be or, based on the circumstances, should reasonably have known to be mentally or physically incapacitated, constitutes a violation of this policy.

The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another's ability to give consent.

**Inebriated.** To be made drunk; to exhilarate, confuse or stupefy a person mentally or emotionally.

**Intimate Partner Violence (Violence (IPV).** Physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur in heterosexual or same-sex relationships, whether co-habiting or not, and does not require sexual intimacy.

IPV can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

**Intimidation.** To make timid, fill with fear; to overcome or cow, as through the force of personality or a superior display of strength which can control an individual's actions.

**Intoxication.** Inebriation; drunkenness.

**Investigator.** Is the System campus' Title IX Coordinator, or his/her designee, who is officially responsible for administrative investigations of all reports and/or allegations pertaining to a violation of this Gender-Based Sexual Misconduct Policy filed by students and employees.

**Rape.** Is forced sexual intercourse that is perpetrated against the will of the complainant or when he/she is unable to or incapable of giving consent (i.e. unconscious, asleep or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the Complainant. Rape is complete at the point of penetration no matter how slight that penetration.

**Reproductive Coercion.** Explicit male behaviors to promote pregnancy (unwanted by a woman). Reproductive coercion can include "birth control sabotage" (e.g. interference with contraception) and/or "pregnancy coercion", such, as telling a woman not to use contraception and threatening to leave her if she doesn't get pregnant.

**Respondent.** The person whose actions are alleged to have violated this Gender-Based Sexual Misconduct Policy.

**Sexual Assault.** Is engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person:

- a) Sexual penetration without the consent of the other person;
- b) Sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; and/or
- c) Sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Sexual Contact.** The deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts.

**Sexual Intercourse.** Means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Misconduct.** Is the broad term encompassing, "Sexual Exploitation", "Sexual Harassment", "Non-Consensual Sexual Contact," and "Non-Consensual Sexual Intercourse", as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of sexual misconduct may include the following:

#### **Sexual Misconduct Offenses.**

- **Sexual Harassment**

Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from The System's educational programs. The unwelcomed behavior may be based on power differentials [quid pro quo i.e. "you have to give something to get something"] which creates a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious or unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking or gender-based bullying.

- [Non-Consensual Sexual Contact \[or attempts to commit same\]](#)

Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with or by breast, buttocks, groin, genitals, mouth or other orifice.

- [Non-Consensual Sexual Intercourse \[or attempts to commit same\]](#)

Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

- [Sexual Exploitation](#)

Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual video, photography or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting someone hide in a closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting a STD or HIV to another person;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals; and/or
- Sexually-based stalking and/or bullying.

**Standard of Proof.** The Department of Education's Office of Civil Rights has interpreted Title IX to require institutions to evaluate evidence of alleged Sexual Misconduct under a "preponderance of the evidence" standard and that is the standard adopted by this policy. A preponderance of the evidence means that the information shows that it is "more likely than not" that the accused student or Respondent violated this policy.

In the context of a judicial hearing hereunder, the accused student or Respondent will be found to be responsible for the alleged sexual misconduct if it concludes, by a unanimous vote, that such sexual misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the System Office of the Dean of Students shall carefully consider all of the evidence presented and follow the procedures stated in this policy and the System University Student Judicial System and Procedures in order to ensure as fair a hearing as possible for all parties.

**Stalking.** Behavior where a person follows, places under surveillance, or contacts, another person without the consent of the other person for the purpose of harassing and intimidating the other person. The term "contact" means to make or attempt to make any communication, including, but not limited to, communication in person, by telephone, by mail, by broadcast, by computer or computer network, or by any other electronic device. "Harassing and intimidating" refers to communication directed at a person that causes emotional distress because of a reasonable fear for the person's safety or safety of others, and which serves no legitimate purpose. It does not require that an overt threat of death or bodily injury be made.

**Student.** Any person currently or previously enrolled at the System campus pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

**Title IX Coordinator.** The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance efforts on behalf of System campuses.

**System Campus University Judicial Process.** Encompasses a series of actions and procedures administered by the System Office of the Dean of Students which are designed to safeguard a student's right to due process. This process does not include the observance and/or application of state and/or federal rules of civil procedures.

**System Campus University Official.** Any person employed by the System, performing administrative or professional responsibilities.



VI. Sexual Exploitation And Other Misconduct Offenses that fall under Title IX when Gender-Based

- A. Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.
- B. Discrimination which is defined as actions that deprive other members of the campus community of educational or employment access, benefits or opportunities on the basis of gender.
- C. Intimidation which is defined as implied threats or acts that cause an unreasonable fear of harm in another.
- D. Hazing which is defined as acts likely to cause physical or psychological harm or social ostracism to any person on the System campus, when related to admission, initiation, pledging, joining or any other group- affiliation activity.
- E. Bullying which is defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).
- F. Violence between those in an intimate relationship toward each other.
- G. Stalking which is defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the System campus community; or the safety of any of the immediate faculty and/or staff family members of this campus.

VII. Procedure

- A. Confidential Advisors
  - a. Each System campus will designate at least two (2) individuals to serve as confidential advisors. The duties of a confidential advisor shall;
    - i. To inform the alleged victim of their rights;
    - ii. To serve as a liaison between the alleged victim and the System campus;
    - iii. To liaise with appropriate staff at the System campus
    - iv. To advise the alleged victim; and
    - v. To comply with all requirements of a confidential advisor.

## A. Complaints

### 1. Formal Complaint

Any member of the System campus community, guest, visitor or other interested party may make a report of an alleged violation of the Gender-Based Sexual Misconduct Policy. Complaints must be in writing and submitted within one hundred and twenty (120) days following the date of the alleged incident of sexual misconduct.

While the System is firmly committed to protecting all students from harassment or discrimination in education programs and/or activities, failure to file a timely complaint may adversely affect the ability of the System campuses to take appropriate actions under this policy.

### 2. The Complaint Process

- a) The individual accused of conduct violating this Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the request for a formal investigation or otherwise be given a full and complete written statement of the
- b) allegations and a copy of the Gender-Based Sexual Misconduct Policy (Title IX) by the Title IX Coordinator or his/her designee.
- c) The individual accused of conduct violating the Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the request for a formal investigation or otherwise a review of relevant documents, as appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.
- d) Upon request, the Complainant and Respondent may each have either an advisor or attorney representative present when he or she is required to do so pursuant to the applicable provisions of the System Campuses, University Student Judicial System, and Procedures.
- e) At any time during the investigation, it may be recommended that interim protections or remedies for the Complainant and/or witnesses be provided by the System.

- f) The investigation shall be completed as promptly as possible and in most cases, within sixty (60) working days of the date that the request for formal investigation was filed. After the completion of the investigation, the System campus Title IX Coordinator will prepare a written report.
- g) An investigation will result in a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence and a recommendation for corrective or disciplinary action. If the investigation involves allegations of student-on-student sexual misconduct, and the investigation results in a finding that this policy has been violated, the System campus Title IX Coordinator will file a complaint with the System campuses' Office of the Dean of Students and the complaint will be processed under the provisions of the System campuses', University Student Judicial System, and Procedures.

In such cases, the System campus Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the Complainant to determine in what capacity he/she will participate (i.e., co-complainant, witness, or no participation).

- h) Within fifteen (15) business days of taking corrective and/or disciplinary action against a Respondent, or a decision not to take any action, the System Office campus Office of the Dean of Students shall provide written notification to the System campus Title IX Coordinator of what action, if any has been taken, including the results of any appeals.

## B. Special Complaint Process Provisions

- a) **Attempted violations.** In most circumstances, the System will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- b) **The System Campus as Complainant.** If the Complainant/Victim does not wish to release his/her name or file charges, then, as necessary, the System campus reserves the right to initiate a complaint, to serve as a Complainant and to initiate the System campus University Judicial Process without a formal complaint being made by the victim of sexual misconduct.

- c) **False Reports.** The System will not tolerate intentional false reporting of incidents. It is a violation of the System campuses 'University Policies and Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate Louisiana criminal statutes and civil defamation laws.(need to check to see if that is true for a campuses)
  
- d) **Immunity for Victims and Witnesses.** The System campus community encourages the reporting of sexual misconduct violations and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report an incident to a System campus representative participate in the System campus university Judicial Process because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this System campus community that as many victims as possible choose to report to Campus Representatives, and that witnesses come forward to share what they know.

To encourage reporting, the System pursues a policy of assisting victims of crimes and witnesses. Limited immunity is provided from specific policy violations related to the incident. While minor sexual misconduct violations cannot be completely overlooked.

The System will provide further education rather than responses, in such cases.

- e) **Bystander Engagement.** Welfare of the System's students is of paramount importance. At times, students on and off campus may need assistance. The System encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as a student who is underage and has been drinking might hesitate to help take a sexual misconduct victim to the Southern University Police Department). The System will pursue a policy of limited immunity for students who offer help to others in need.
  
- f) **Parental Notification.** The System's primary relationship is with the student and not the parent. The System campuses It reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and alcohol and other drug violations. Additionally, Campus Representatives will directly inform parents when requested to do so by a student, in a life- threatening situation or if a student has signed a permission form that allows such

communication. The System campuses the System also reserves the right to designate which campus University official may have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

g) **Notification of Outcomes.** The outcome of a sexual misconduct adjudication is part of the educational record of the accused student or Respondent, and is protected from release under federal law (FERPA), and The System's System campuses' confidentiality of records policies. Moreover, the System observes legal exceptions as follows:

- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking and relationship violence incidents have an absolute right to be informed of the outcome, essential findings and sanctions of the System campus Office of the Dean of Students, in writing, without conditions or limitations.
- The System campuses may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a System campus University policy that is a "crime of violence", including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. The System will release this information to the Complainant in any of these offenses regardless of the outcome.

h) **Alternative Testimony Options:** For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the Complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside the physical presence of the accused individual, such as in another room or by electronic means such as videoconferencing. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student or Respondent.

- i) **Past Sexual History/Character:** The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or System campuses' University judicial process unless such information is determined to be highly relevant. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance by the Title IX Coordinator. While previous conduct violations by the accused student or Respondent are not generally admissible as information in determining responsibility for the present alleged violation, the Title IX Coordinator may supply previous complaint information to be considered in sanctioning or may consider it himself/herself only if:
  - a) The Respondent was previously found to be responsible;
  - b) The previous incident was substantially similar to the present allegation; and/or
  - c) Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student or Respondent.

#### C. Formal Resolution Procedures for Complaints against Faculty and Non-Faculty Employees

Title IX complaints filed by students against Southern University System employees of the System will follow procedures outlined in The System Personnel Handbook. A hard copy of this document can be obtained from The System Office of Human Resources on the System campus at the J.S. Clark Annex Building, 1<sup>st</sup> Floor.

#### D. Formal Resolution Procedures for Complaints against Students

##### 1. Complaints against Students

- a) Complaints will be assigned to the System campus Title IX Coordinator, who will investigate the allegation(s). Following an investigation, a preliminary meeting will be held with the Respondent to review the complaint and other information gathered. After the complaint is investigated, the System campuses' University judicial process is initiated. The System campuses' Office of the Dean of Students will administer the campuses' University judicial process in accordance with the System campuses' University Policies and Student Code of Conduct guidelines.

- b) Complainants and Respondents have the right to have an adviser of his/her choice present during the System campuses' University judicial process. An adviser may provide support and advice but not actively participate in the hearing. Attorneys may act as advisers, but may not argue a case or attempt to introduce legal procedures.
- c) Hearings conducted by the System campuses Office of the Dean of Students will be closed to the public. The System reserves the right to review individuals attending hearings based on their involvement with the incident. All information presented during these proceedings is confidential and will only be released if subpoenaed or with the Complainant's or Respondent's permission except for final results of non-consensual sexual intercourse or other violent acts, which will only be released to the victim of the act.
- d) Prospective witnesses, other than the Complainant/victim and Respondent may be excluded from a University judicial process hearing during statements made by other participants.
- e) Oral and/or written statements may be considered and will be weighed as deemed appropriate. Complainants and/or Respondents are responsible for ensuring witnesses or documents are available at the time of the hearing.
- f) Respondents will be afforded an opportunity to hear and respond to all information presented against them.
- g) Complainants and/or Respondents may request the removal of any participants in the University judicial process hearing they feel may be biased against them.
- h) All participants are expected to act with integrity by providing honest answers, following established procedures and maintaining confidentiality.
- i) University judicial process hearings will be conducted in a civil manner with any participant disrupting the process being excluded from the remainder of the hearing.
- j) Pending resolution of a complaint, a student's status may only be altered to protect The System's interests and/or the safety and security of individual members of the campus community. Such actions may include interim suspensions, restriction of privileges including access to certain areas of the campus, and no-contact directives.

- k) Determination of responsibility for violating this policy will be based on the standard of a preponderance of the evidence presented at the University judicial process hearing.
- l) If it is determined that the Respondent is responsible for sexual misconduct, i.e., the sexual misconduct more likely than not occurred, the Complainant may present a statement recommending a sanction (the "Impact Statement"). The Respondent will be provided with an opportunity to respond to the Impact Statement. The Hearing Board is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, discretion may be applied to permit the presence of other persons.
- m) Written notification of the outcome of the University judicial process hearing, including the reasons for the decision, findings of fact and an explanation of the sanctions, will be sent within a reasonable time frame from the conclusion of the matter. Notifications will be sent to the Complainant and Respondent. Other notifications may be sent in order for the System to comply with applicable victim notification laws for reporting the results of the University judicial hearing process.

## 2. Student Appeal Process

- a) The outcome of any System campus University judicial process hearing may be appealed by either the Complainant or Respondent. All appeals will be pursued in accordance with the System campuses University Policies and Student Code of Conduct. Appeals must be based on at least one of the following reasons to be considered:
  - b) Procedural errors in the operation of the System campus University judicial process hearing were substantial enough to have effectively denied the student a fair hearing.
  - c) Availability of new and significant evidence that was not available at the original hearing in spite of diligent efforts by the student to collect such information.
  - d) Lack of substantial information presented at the hearing to support the decision on responsibility for a violation.
  - e) Severity of the sanctions does not match the severity of the violation.



### 3. Student Sanctions

#### Student Sanction Statement

- a) Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous the System campuses' student conduct code violations.
- b) Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.
- c) Any student found responsible for violating the Sexual Exploitation or Sexual Harassment provisions of this policy will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous the System campuses' student conduct code violations.

### 4. Range of Sanctions

The following sanctions comprise a range of official actions that may be imposed for violation of this policy by individuals or groups. One or more sanctions may be imposed at the discretion of the System campuses Office of the Dean of Students in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain the rationale behind regulations. This list does not limit the actions available and is not inclusive of all possible actions that could be taken as a result of a violation of this policy. Students found responsible for violations will receive a minimum disciplinary warning with expulsion being the maximum sanction.

- a) **Disciplinary Warning.** This action is taken when the individual's conduct or involvement merits an official admonition that can be either verbal or written. The student is warned that further misconduct may result in more severe disciplinary action.

A disciplinary warning is intended to promote reflection on the decisions and behavior leading up to a violation and promotes an increased awareness of The System's behavioral expectations.<sup>1</sup>

<sup>1</sup> Supplements the "Disciplinary Warning" provision currently reflected in the *System University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at pp. 10-11

b) **Disciplinary Probation**. This action is designed to assist students in developing behavior appropriate to the System campus community through placing them on a warning status. There are three (3) types of probation which may be imposed, depending on the type and severity of the violation.<sup>2</sup>

(1) **Residence Hall Probation**. Privileges of residents, including visitation, may be revoked for all or part of the time the resident is on probation. The resident is also informed that further violations may result in greater levels of sanctions. This level of probation is intended to provide the student with an opportunity to reflect on, and learn from, his/her behavior while increasing awareness of the impact of his/her behavior on themselves and others and The System's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

(2) **System campus University Probation Level I**. A change in student status involving written notice of the probation, its terms and time limit as established by the University judicial process. The student is notified that further infractions of any the System regulation may result in more stringent restrictions being placed on his/her actions. This level of probation is intended to provide the student with an opportunity to reflect on and learn from his/her behavior on themselves and others and the System's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

(3) **System campus University Probation Level II**. This is the most serious level of Sexual Misconduct sanctions, short of suspension from the System campus, during which the student is considered not in good standing. The student remains enrolled under circumstances defined by the System campus Office of the Dean of Students and may not represent the System campus in any official capacity or hold office in any student organizations including, but not limited to, varsity or non-varsity intercollegiate athletic events or teams, recognized student organizations, theater groups or productions, musical organizations or officer positions. This probation level indicates to the student that further violation(s) of the System regulations will result in more stringent action, including but not limited to, suspension or expulsion. This level of probation is intended to promote reflection on the student's behavior and decisions while stressing the making of mature decisions, engaging in critical thinking and preventing more inappropriate behaviors from recurring.

<sup>2</sup> Supplements the "Disciplinary Probation" provision currently reflected in the *System University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11

- c) **Behavior Contract.** A student may enter into a written agreement with the System campuses the System during the University judicial process concerning expectations for future behavior and decisions to assist in preventing inappropriate behavior from recurring.
- d) **Residence Hall Reassignment or Removal.** This action is an involuntary reassignment to another residence hall or removal from on-campus housing altogether for a designated period of time and may include restricted visitation privileges. Usually, a student is given forty-eight (48) hours to remove all belongings from an assigned space and reimbursement of room charges will be based on the System campus's refund schedule for removals.

This sanction is imposed to protect the welfare of a residence hall or floor community, and students having this sanction imposed should reflect on the behaviors necessary for an individual to be part of a residential community by respecting others, and developing critical thinking skills and mature decision-making skills.<sup>3</sup>

- e) **Restriction of Privileges.** This action consists of an effort to assist students in developing an awareness of the responsibilities that go along with privileges and increase an awareness of appropriate behavior and how decisions impact themselves and others. Under this sanction, students may be restricted from entering certain System buildings, attending certain events or using specific programs due to their behavior.

Residence hall students may have their visitation privileges restricted or revoked for a certain time period, or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the Office of the Dean of Students based on the incident.

- f) **No-contact Directive.** This action is implemented at the discretion of the chairperson of the Hearing Board directing a student to avoid initiating contact with another member of the System campus community, it may include limiting access to certain areas to avoid incidental contact. A No-Contact Directive may be imposed at a student's request in the absence of a Hearing Board decision if it does not involve any accommodation changes. Contact includes direct interactions in person or through technology, as well as the use of third parties to interact. The No-Contact Directive is not limited by location. They can be issued open-ended and would only be considered if the person who originally requested it asked to have it canceled.

<sup>3</sup> Supplements the "Eviction" provision currently reflected in the *THE SYSTEM University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

- g) **Suspension of Group Recognition.** This action consists of the withdrawal of all or part of the official recognition of a group for a stated period of time and will include conditions for reinstatement of recognition. This sanction is intended to assist groups in developing a stronger sense of the responsibilities that go along with the privileges of the System recognition and commitment to be a positive part of the campus community.
- h) **Revocation of Group Recognition.** This action is permanent cancellation of the official the System campus recognition and privileges of a group found in violation of this policy.
- i) **Restitution Fines.** A student or organization may be required to make payment to the System campus or to another specified person(s) or group(s) for damages incurred as a result of a violations of this policy. Restitution fines may be imposed by the System campus in addition to any other sanction to promote responsibility for actions and an awareness of the consequences of behavior.
- j) **Restitution Service.** As part of the sanctioning process, students can be required to perform service to assist in developing increased awareness of the impact of their decisions and strengthen critical thinking abilities to identify appropriate behavior. These services can include performing assigned duties, sponsoring programs, etc.
- k) **Educational Activity.** A student or organization may be required to complete an educational activity or project relating to a violation of this policy to assist in their developing increased awareness of the impact of their decisions, strengthen critical thinking abilities to identify appropriate behavior, and develop an increased sense of responsibility, integrity and civility.
- l) **Registration Hold.** A hold may be placed on a student's registration if the student has failed to complete a sanction or withdraws prior to official resolution of a complaint. Holds are intended to be temporary until the sanction is complete. Registration holds may also be used during periods of interim suspension, suspension or expulsion.
- m) **Interim Suspension.** The System campus Dean of Students may recommend the suspension of a student for an interim period, pending the outcome of the campus University judicial process, whenever there is evidence that the continued presence of the student at the System poses a substantial threat to the safety and/or well-being of any member of the System campus community or private property.

An interim suspension may be effective immediately without prior notice; however, the decision may be appealed to the Vice-Chancellor of Student Affairs. The student shall be given an opportunity to appear personally before the Hearing Board within ten (10) business days from the effective date of the interim suspension unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. Both the student[s] and the System campus must agree to an extension that may be left open-ended. By agreeing to an extension, the Respondent/student accepts the decision of interim suspension and any conditions imposed as part of it.

During an interim suspension, the Respondent/student will be barred from all or part of The System's premises, as designated by the System Dean of Students. A Respondent/student under interim suspension who returns to a portion of the campus from which he/she was barred without permission from the System campus Dean of Students will be subjected to dismissal and/or arrest for trespassing.<sup>4</sup>

- n) **Suspension:** This action is an involuntary separation of a Respondent/student from the System for a designated period of time after which he/she is eligible to return. The System campus Dean of Students may establish requirements for reinstatement, which must be fulfilled to his/her satisfaction. The Respondent/student may not participate in any System campus sponsored activity and may be barred from the System campus premises during the suspension period. Reimbursement of charges or fees for students removed from the campus due to sexual misconduct will follow the System campus' University's official refund schedule for withdrawals. This action is designed to protect members of the System campus community and their property, promote critical thinking and mature decision-making skills, and promote self-reflection on behavior and the impact it has had on the Respondent/student and others.<sup>5</sup>

<sup>4</sup> Supplements the "Emergency Administrative Suspension" provision currently reflected in the *THE SYSTEM University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

<sup>5</sup> Supplements the "Disciplinary Suspension" provision currently reflected in the *THE SYSTEM University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11

- o) **Expulsion:** The action entails involuntary and permanent separation from the System campus. The Respondent/student will be barred from all campuses activities within The System campus and property following expulsion. Reimbursement of charges or fees for students removed from campus due to sexual misconduct will follow the official refund schedule for withdrawals.<sup>6</sup>

#### E. Retention of Records Regarding the Gender-Based Sexual Misconduct Policy

The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions. All written records associated with the resolution of a complaint pertaining to the formal investigation will be maintained in accordance with all with all pertinent System policies and procedures.

#### D. Confidentiality and Privacy

A Complainant/victim may make a request for confidentiality/privacy at any point. This type of request means that the Complainant/victim does not want his/her identity known to the Respondent and witnesses, or that the Complainant/victim wishes to withdraw a report. If at any point the Complainant/victim requests privacy, the System campus will make all reasonable attempts to comply with this request. In situations where a Complainant/victim requests confidentiality/privacy, The System campus's ability to investigate and respond to the allegations may be limited.

The System campus is required by Title IX to weigh the Complainant/victim's request for confidentiality/privacy within its commitment to provide a reasonably safe and non-discriminatory environment. The Complainant/victim will be notified by the appropriate Campus Representative if it is determined that the System campus cannot maintain her/his confidentiality/privacy. The Complainant/victim's identity will be revealed to those individuals who need to know the name of the Complainant in order for an investigation to commence.

In situations where the System campus becomes aware of a pattern of behavior by a single student or Respondent, it will take all appropriate actions in an attempt to protect the campus from gender-based misconduct by that individual.

<sup>6</sup> Supplements the "Disciplinary Expulsion" provision currently reflected in the *THE SYSTEM University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

If the offender is unknown or is not a member of the campus community, the System campus staff will assist individuals in identifying appropriate campus resources or local authorities, if that person would like to file a report.

When a report of gender-based sexual misconduct is filed, the Complainant/victim, the Respondent and all identified witnesses who are named in the investigation, will be notified of the System campus's expectation of confidentiality and privacy. The System campus will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in gender-based sexual misconduct investigations and hearings. Breaches of confidentiality and privacy against the Complainant/victim or witnesses and may warrant a separate misconduct hearing.

#### E. Amnesty

While the System does not condone underage drinking or violation of any other policies, it considers reporting sexual assault and sexual misconduct to be of paramount importance. To encourage reporting and adjudication of sexual assault and misconduct, the System will extend limited amnesty to students who have been the victim of sexual misconduct. The System will generally not seek to hold the student responsible for his/her own violations of the law (e.g. underage drinking), or of the System University Policies and Student Code of Conduct in which he or she may have been involved during the period immediately surrounding the sexual misconduct.

#### F. Retaliation

Retaliation against any person who alleges a violation of the Gender- Based Sexual Misconduct Policy or who reports or assists the System campus in the investigation of a complaint under this policy may result in disciplinary action up to and including termination or expulsion by the System. Retaliation against any person who is the Complainant/victim of sexual misconduct is prohibited as well. There will be no retaliation against those who report or assist the System campus in the investigation of a complaint. Retaliation against the Complainant/victim or witnesses may warrant a separate System campus University judicial process hearing.

## VIII. Information and Assistance

The Title IX Coordinator's role is to oversee The System's compliance with Title IX regulation and will:

- A. Serve as a resource for students wishing to report any acts of sexual misconduct or gender-based discrimination, i.e. violations of Title IX.
- B. Provide oversight for all Title IX activities and identify patterns, issues or problems regarding sexual misconduct complaints.
- C. Review and support the informational initiatives enabling students, staff, administrators and faculty to fully understand sexual violence and sexual harassment as forms of sexual discrimination and further educate the System campus community about all related policies and procedures.
- D. Conduct all initial investigations of sexual misconduct complaints and issue written copy of findings.

The System's Title IX Coordinator liaisons and contact information are:

Ms. Tracie J. Woods  
General Counsel  
Southern University System  
J.S. Clark Administration Building  
4<sup>th</sup> Floor  
225-771-4680  
[Tracie\\_woods@sus.edu](mailto:Tracie_woods@sus.edu)

Mr. Lester Pourciau  
Associate Vice-President  
Human Resources  
Clark Hall Annex  
1<sup>st</sup> Floor  
225-771-2680  
[lester\\_pourciau@sus.edu](mailto:lester_pourciau@sus.edu)

If a student believes that he/she has experienced sexual harassment and/or any form of sexual misconduct, they are strongly encouraged to file a complaint with the System campus, the police or with both.

## IX. Resources for Students Reporting Gender-Based Sexual Misconduct

The System's primary concern is with the health, safety, and well-being of its students and the University community. Students who have experienced any form of gender-based sexual misconduct are urged to seek immediate assistance. Assistance can be obtained twenty-four (24) hours a day, seven (7) days a week from:

### A. Southern University System Health Centers

- a. Southern University Baton Rouge – (225) 774-4770
- b. Southern University-New Orleans – (504) 286-5290
- c. Southern University-Shreveport – (318) 485-2252
- d. Southern University Law Center – (225) 771-4770



**B. Southern University System Counseling Centers**

- a. Southern University-Baton Rouge – (225) 771-2480
- b. Southern University-New Orleans – (504) 286-5060
- c. Southern University-Shreveport – (318) 670-9474
- d. Southern University Law Center – (225) 771-2480

**C. Southern University System Police Departments**

- a. Southern University- Baton Rouge – (225) 225-2770
- b. Southern University-New Orleans - (504) 286-5290
- c. Southern University-Shreveport – (318) 670-9349
- d. Southern University Law Center – (225) 771-2770

**D. STAR Center (Sexual Trauma Awareness & Response)**

[www.facebook.com/brstarcenter](http://www.facebook.com/brstarcenter) [www.brstar.org](http://www.brstar.org).

**E. Rape Crisis Hotline**

- a. Baton Rouge-225-383-RAPE (225-393-7278) [prevention@brstar.org](mailto:prevention@brstar.org)
- b. New Orleans
- c. Shreveport - 225-383-RAPE (225-383-7278) [prevention@brstar.org](mailto:prevention@brstar.org)

**F. The Southern University System campuses' Baton Rouge Offices of Student Affairs**

- a. Southern University-Baton Rouge - (225) 771-3922
- b. Southern University-New Orleans – (504) 286-5015
- c. Southern University-Shreveport - (318) 670- 9315
- d. Southern University Law Center - (225) 771-2552

## APPENDIX A

### COMPLAINANT'S STATEMENT OF RIGHTS

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by System campus University officials;
3. The right of both the Complainant and Respondent to have the same opportunity to have others present (in support or advisory roles) during the System campus University judicial process hearing;
4. The right not to be discouraged by System campus University officials from reporting sexual misconduct offenses to both on-campus and off-campus authorities;
5. The right to be informed of the outcome and sanctions imposed as the result of a System campus University judicial process hearing involving a sexual misconduct offense, usually within forty-eight (48) hours of the end of that hearing;
6. The right to be informed by System campus University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by Campus Representatives in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the Complainant/victim's desire;
7. The right to be notified of available counseling, mental health or student services for the Complainant/victim both on campus and in the community;
8. The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the Complainant/victim and if such changes are reasonably available. (No formal complaint, or investigation, campus or criminal, need occur before this option is available.) Accommodations may include:
  - Change of an on-campus student's housing to a different on-campus location if space is available;
  - Assistance from University support staff in completing the relocation;
  - Arranging to dissolve a housing contract and pro-rating a refund;
  - Exam (paper, assignment) rescheduling;
  - Taking an Incomplete in a class;
  - Transferring class sections;
  - Temporary withdrawal; and/or
  - Alternative course completion options.

9. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process hearing;
10. The right to make an Impact Statement at the System campus University judicial process hearing and to have that statement considered in determining a sanction;
11. The right to a campus no-contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
12. The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement;
13. The right to appeal the (finding and) sanctions imposed by the System campus Office of the Dean of Students, in accordance with the standards for appeal established by the institution;
14. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least forty- eight (48) hours prior to the System campus University judicial process hearing;
15. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the System campus University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the alleged Complainant/victim, which will always be revealed);
16. The right to preservation of privacy, to the extent possible and allowed by law;
17. The right to a hearing closed to the public;
18. The right to petition that any member of the Hearing Board be removed on the basis of demonstrated bias;
19. The right to bring a victim advocate or adviser to all phases of the investigation and System campus University judicial process hearing;
20. The right to give testimony in the System campus University judicial process hearing by means other than being in the same room with the Respondent;
21. The right to ask the investigator(s) to identify and question relevant witnesses, including expert witnesses;

22. The right to be fully informed of the System campus University judicial process rules and procedures, as well as the nature and extent of all alleged violations contained within the complaint;
23. The right to have the System campus University request the presence of student, faculty and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of witnesses (including the Respondent) and the right to challenge documentary evidence;
24. The right to be present for all testimony given and evidence presented before the Hearing Board;
25. The right to have complaints heard by the Hearing Board members and appeal officers who have received annual sexual misconduct training;
26. The right to have a Hearing Board comprised of representatives of both genders;
27. The right to have System campus University policies and procedures followed without material deviation;
28. The right to be informed in advance of any public release of information regarding the complaint if possible; and
29. The right not to have released to the public any personally identifiable information, without his or her consent.

## APPENDIX B

### RESPONDENT'S STATEMENT OF RIGHTS

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by System campus University officials;
3. The right to be informed of, and have access to, campus resources for medical, counseling and advisory services;
4. The right to be fully informed of the nature, rules and procedures of the System campus University judicial hearing process and to timely receive written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
5. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
6. The right not to have irrelevant prior sexual history admitted as evidence in the System campus University judicial process;
7. The right to make an Impact Statement during the System campus University judicial process hearing and to have that statement considered in determining a sanction;
8. The right to appeal the finding and sanction of the Hearing Board, in accordance with the standards for appeal established by the System;
9. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, usually within forty-eight (48) hours prior to the System campus University judicial process hearing;
10. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the System campus University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the Complainant/victim, which will always be revealed);
11. The right to a hearing closed to the public;

12. The right to petition that any member of the Hearing Board be removed on the basis of bias;
13. The right to have the Hearing Board request the presence of student, faculty and staff witnesses, and the opportunity to ask questions, directly or indirectly, of witnesses and the right to challenge documentary evidence;
14. The right to have complaints heard and/or appealed by individuals who have received annual sexual misconduct adjudication training;
15. The right to have the System campus policies and procedures and followed procedures without followed material without material deviation;
16. The right to have an adviser or advocate accompany and assist in the System campus University judicial process. This advisor can be anyone but the adviser may not take part directly in the hearing itself, though he/she may communicate with the Respondent as necessary;
17. The right to a fundamentally fair hearing, as defined by the System campus policies and procedures;
18. The right to an outcome based solely on evidence presented during the System campus University judicial process hearing. Such evidence shall be credible, relevant, based in fact, and without prejudice;
19. The right to written notice of the outcome and sanction of the Hearing Board;
20. The right to have the Hearing Board comprised of representatives of both genders; and
21. The right to be informed, in advance when possible, of any public release of information regarding the complaint.

## APPENDIX C

## FREQUENTLY ASKED QUESTIONS ABOUT THE GENDER-BASED/SEXUAL MISCONDUCT POLICY (TITLE IX)

Some of the most commonly asked questions regarding a Gender-Based/Sexual Misconduct Policy and procedures are summarized below:

1. Does information about a complaint remain private?

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with The System's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the Complainant/victim or the Respondent may lead to action by the System THE System as campuses as it can be viewed as a form of retaliation if being done to malign or impinge a person's character.

In all complaints of sexual misconduct, all parties will be informed of the outcome. If there is a report of an act of alleged sexual misconduct to the System, the System Campus Representative and there is evidence that a felony has occurred, the System campuses' Southern University Police Department will be notified. This does not mean charges will be automatically filed but that a victim must speak with the police, and the institution is legally required to notify law enforcement authorities. All System campuses the System must also statistically report the occurrence on-campus major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

2. Will my parents be told?

No, not unless you tell them. Whether you are the Complainant/victim or the Respondent, The System campuses disciplinary relationship is with the student and not his/her parent(s). System campus University officials will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication.

3. Will the Respondent know my identity?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the Respondent has a right to know the identity of the Complainant/victim. If there is a hearing, does the System campus provide options for questioning without confrontation, including using a room divider or using separate hearing rooms.

4. Do I have to name the perpetrator?

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete Confidentiality Policy contained in this policy to better understand The System's legal obligations depending on what information you share with different University officials). Complainants should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively but will result in an investigation based on the information provided.

5. What do I do if I am accused of sexual misconduct?

**DO NOT** contact the Complainant/victim. You may immediately want to contact someone in the campus community who can act as your adviser. You may also contact the Title IX Coordinator who can explain The System's procedures for addressing sexual misconduct complaints. As a Respondent, you will be contacted for an interview by the Title IX Coordinator or his/her designee. You may ask any question you have during this interview. You may also want to talk to a confidential counselor at the SU Counseling Center or seek other community assistance. See below regarding legal representation.

6. Will I (as a Complainant/victim) have to pay for counseling/medical care?  
Not typically, if the System campus provides these services already.

7. What about legal advice?

Complainants/victims of criminal sexual misconduct need not retain a private attorney to pursue prosecution because representation will be handled by the East Baton Rouge Parish District Attorney's Office. You may want to retain an attorney if you are the Respondent or are considering filing a civil action. Respondents may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the University judicial process.

8. What about changing residence hall rooms?

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typical institutional policy that in emergency room changes, the student is moved to the first available and suitable room.

If you want the Respondent to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal campus University complaint. No-Contact Directive can be imposed and temporary room changes for the accused student can usually be arranged quickly. Room changes can be accommodated if space is available. Other accommodations available to you might include:

- Assistance from System campus University support staff in completing the relocation.



- Arranging to dissolve a housing contract and pro-rating a refund.
- Assistance with or rescheduling an academic assignment (paper, exams, etc.).
- Taking an Incomplete in a class.
- Assistance with transferring class sections.
- Temporary withdrawal.
- Assistance with alternative course completion options.
- Other accommodations for safety as necessary.

**9. What should I do about preserving evidence of a sexual assault?**

Police are in the best position to secure evidence of a crime. Physical evidence of sexual misconduct must be collected from the Complainant/victim's person within one hundred and twenty (120) hours of the alleged incident, although evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe you have been a victim of a sexual misconduct, you should go to a hospital emergency room before washing yourself or your clothing.

If a Complainant/victim goes to the hospital, local police will be called, but the victim is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to take any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the Complainant/victim later decide to exercise it.

For the Complainant/Victim: The hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless).

If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and the person can accompany you through the exam, if you want.

Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

**10. Will a Complainant/victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?**

Usually not. The severity of the infraction will determine the nature of The System's response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and THE SYSTEM does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

- 11.** Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?

The use of alcohol and/or drugs by either party will not diminish the Respondent's responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant/victim's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the Complainant/victim does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the Respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation of the sexual misconduct policy.

- 12.** Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the current complaint.

- 13.** What should I do if I am uncertain about what happened?

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of The System's sexual misconduct policy, you should contact the System Title IX Coordinator. The University provides advisers who can help you to define and clarify the event(s), and advise you of your options.

<p><b>Name of Policy:</b> Gender-Based Sexual Misconduct [Title IX] Policy</p> <p><b>Issuing Authority:</b> Southern University at New Orleans</p> <p><b>Initial Effective Date:</b> October 23, 2015</p> <p><b>Revision Date:</b></p>	<p><b>SOUTHERN UNIVERSITY AT NEW ORLEANS POLICIES AND PROCEDURES</b></p>
<p><input checked="" type="checkbox"/> New Policy Proposal</p> <p><input type="checkbox"/> Major revision of existing policy</p>	<p><input type="checkbox"/> Minor revision to existing policy</p> <p><input type="checkbox"/> Reaffirmation of existing policy</p>

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## II. Introduction

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. These behaviors are clear impediments to creating an educational atmosphere which is free from discrimination. As a result, an institution receiving federal funds must promulgate strategies and policies which demonstrate its ability to uphold the law and comply with applicable regulations. When the Complainant or Respondent is a student, the violation falls under the provisions of Title IX.

This Southern University at New Orleans (SUNO) campus policy utilizes the term “gender-based sexual misconduct” to encompass all behaviors that involve gender-based violations of an individual’s rights specifically manifested by sexual behavior and actions. Accordingly, this term is inclusive of conduct considered to constitute sexual harassment, non-consensual sexual contact or intercourse (of which sexual violence would be included), sexual exploitation, stalking, intimate partner violence, and other forms of inappropriate behavior that are linked with the sex/gender of the Complainant and/or Respondent. These behaviors, when deemed to have occurred, deprives an individual of their rights, and/or access to an education or employment which constitutes a violation of this policy.

Members of the SUNO campus community which includes students, faculty, administrators, guests, and visitors have the right to be free from sexual misconduct of any type. Therefore, SUNO is firmly committed to maintaining a climate of respect and safety for everyone. All members of the SUNO campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. As a result, this campus has a zero tolerance policy for gender-based sexual misconduct. When an allegation of sexual misconduct is brought to the attention of the appropriate Campus Representative, and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions cease and are never repeated. In addition, SUNO’s response will provide individuals who bring forth complaints with reasonable remedies that will insure full participation in their educational and/or employment activities. Nothing in this policy shall abridge academic freedom or SUNO’s educational mission.

The Title IX Coordinator shall receive notice of all reports of sexual misconduct received by any individual deemed a “Responsible Employee” under this policy. No employee (other than law enforcement) is authorized to investigate or resolve reports of sexual misconduct without the involvement of the Title IX Coordinator.

**Yolanda L. Mims**  
**Title IX Coordinator**  
6400 Press Dr  
New Orleans, LA 70126  
Phone: 504-286-5335  
Email: ymims@suno.edu

## III. Jurisdiction

All students, faculty, staff, administrators, affiliates and others participating in SUNO programs and activities are subject to this policy. SUNO has jurisdiction over, and will respond to allegations of sexual misconduct occurring on campus premises, at SUNO affiliated activities and/or where the misconduct involves students, faculty, staff, administrators, guests and visitors of this campus.

Reports of incidents of sexual misconduct committed by a student, faculty or staff at a location other than the SUNO campus and which affects the SUNO campus community are covered by this policy. Discipline for violations of this policy may include, but are not limited to, termination, expulsion and/or other appropriate institutional sanctions; and affiliates and program participants may be removed from SUNO programs and/or prevented from returning to campus.

#### **IV. Overview of Policy Expectations With Respect to Physical Sexual Misconduct**

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent must be a clear and sober “YES”. Non-verbal consent is not as clear as discussing what is or isn’t sexually permissible. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent can also be withdrawn at any point during sexual activity.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if he/she cannot fully understand the details of a sexual interaction (who, what, when, where, why, how or how long) because he/she lacks the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Anything but a clear, knowing and voluntary “YES” to any sexual activity is equivalent to a “No”.

#### **V. Overview of Policy Expectations With Respect to Consensual Relationships**

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as professor and student or supervisor and student employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcomed may become unwelcomed. Even when both parties have consented at the outset to romantic or sexual involvement, this past consent may not remove grounds for a later charge of violation.

For the personal protection of members of this campus community, relationships in which power differentials are inherent (faculty-student, staff-student, or administrator-student, etc.) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the individual/employee from the supervisory or evaluative responsibility, or shift them out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

## VI. Definitions

**Allegation:** A statement by a Complainant that he/she believes an act of sexual misconduct has occurred.

**Bullying:** Typically is portrayed as aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power. It often includes comments about race, color, national origin, sex, sexual orientation or disability and frequently involves an imbalance of power, aggression, and a negative repeated behavior.

**Campus Representative:** Any individual who, in the course of his/her duties as a SUNO employee, is in the position to assist a member of the campus community who has been sexually assaulted.

**Coercion:** Unreasonable pressure for sexual activity. When someone makes it clear that he/she does not want to engage in sexual behavior, or that he/she does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.

**Complainant/Victim:** The person making an allegation or complaint of sexual misconduct.

**Complaint:** A formal notification, either orally or in writing, of the belief that sexual misconduct has occurred.

**Confidential Advisor:** Designated individuals who have been trained to aid a student involved in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term "confidential advisor," confidential communications with the advisor will be kept confidential in all circumstances except where the institution or advisor may be required to disclose the communications under state and federal laws.

**Consent:** Consent must be clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober "YES". Consent may not be inferred from silence, passivity, or lack of active resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute, and consent to one form of sexual activity. It does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one's responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity because of circumstances or the behavior of another, or due to their age. Examples of such situations may include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment.

**Cyber-Bullying:** Cyber-bullying occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another person using the Internet, interactive and digital technologies, or mobile phones. Those who are electronically engaged can be cyber-bullied at any time or location, making the effect of cyber-bullying ubiquitous and acute. Harassment, hazing and stalking often are used to encompass cyber-stalking or cyber-bullying activities. The severity of the act and state law dictate what is criminal. Examples include flaming, harassment, hazing or stalking. The difference should be assessed through the: 1) kind of threat (e.g. name-calling, threat of harm, bomb, etc.); 2) frequency of threat (how often it occurs); and 3) source and nature of threats. Generally speaking, bullying is an on-going behavior. Hazing is often done once or twice during orientations or initiations, but may be more acute.

**Dating Violence:** Occurs when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes and education levels. It can happen on a first date, or during a long term relationship. It can happen whether the individual is young or old, and/or in a heterosexual or same-sex relationship. Dating violence can include physical abuse (hitting, shoving, kicking, biting, throwing things), emotional abuse (yelling, naming-calling, bullying, embarrassing), and sexual abuse (forcing a partner to do something sexual).

**Domestic Violence:** Occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called domestic violence. Domestic violence and abuse are used for one purpose and one purpose only, for one person to gain and maintain total control over another person. An abuser does not “play fair”. Abusers use fear, guilt, shame and intimidation to maintain power and control. The abuser may also threaten or hurt the individual or those around the victim or complainant. Domestic violence and abuse does not discriminate. It happens in heterosexual or same-sex relationships. It occurs within all age ranges, ethnic backgrounds and economic levels. While women are more commonly victimized, men can also be abused, especially, verbally and emotionally, although sometimes even physically as well.

**Force.** The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance or produces consent. There is no requirement that a person has to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Gender-based harassment:** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

**Gender-based misconduct:** Is comprised of a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, and intimate partner violence are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Gender-based misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of gender-based misconduct include:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcomed touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcomed references to various parts of the body;
- Belittling remarks about a person’s gender or belittling remarks about a person’s sexual orientation based in gender-stereotyping;
- Inappropriate sexual innuendoes or humor;
- Videotaping and photographing someone or people without consent;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;

- Sexually explicit profanity; and/or
- Use of e-mail, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.

**Gender Discrimination:** Unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

**Impairment:** The state of being diminished, weakened or damaged, especially mentally or physically.

**Incapacitation:** Incapacity can result from mental disability, sleep deprivation, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be or, based on the circumstances, should reasonably have known to be mentally or physically incapacitated, constitutes a violation of this policy. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another's ability to give consent.

**Inebriated:** To be made drunk; to exhilarate, confuse or stupefy a person mentally or emotionally.

**Intimate Partner Violence (IPV):** Physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur in heterosexual or same-sex relationships, whether co-habiting or not, and does not require sexual intimacy. IPV can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

**Intimidation:** To make timid, fill with fear; to overcome or cow, as through the force of personality or a superior display of strength which can control an individual's actions.

**Intoxication:** Inebriation; drunkenness.

**Investigator:** Is the Title IX Coordinator, or his/her designee, who is officially responsible for administrative investigations of all reports and/or allegations pertaining to a violation of this Gender-Based Sexual Misconduct Policy filed by students and employees.

**Rape:** Is forced sexual intercourse that is perpetrated against the will of the complainant or when he/she is unable to or incapable of giving consent (i.e. unconscious, asleep or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the Complainant. Rape is complete at the point of penetration no matter how slight that penetration.

**Reproductive Coercion:** Explicit male behaviors to promote pregnancy (unwanted by a woman). Reproductive coercion can include "birth control sabotage" (e.g. interference with contraception) and/or "pregnancy coercion", such, as telling a woman not to use contraception and threatening to leave her if she doesn't get pregnant.

**Respondent:** The person whose actions are alleged to have violated this Gender-Based Sexual Misconduct Policy.



**Responsible Employee:** The Office of Civil Rights defines a responsible employee has an individual, (a) who has the authority to take action to redress sexual harassment/misconduct, (b) who has been given the duty of reporting incidents of sexual harassment/misconduct **or** any other misconduct by students to the Title IX coordinator or other appropriate designee; or (c) who a student reasonably believes has this authority or duty.

**Sexual Assault:** Is engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person:

- a) Sexual penetration without the consent of the other person;
- b) Sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; and/or
- c) Sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Sexual Contact:** The deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts.

**Sexual Intercourse:** Means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Misconduct:** Is the broad term encompassing, "Sexual Exploitation", "Sexual Harassment", "Non-Consensual Sexual Contact," and "Non-Consensual Sexual Intercourse", as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of sexual misconduct may include the following:

**Sexual Misconduct Offenses:**

- **Sexual Harassment**  
Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from SUNO's educational programs. The unwelcomed behavior may be based on power differentials [*quid pro quo* i.e. "you have to give something to get something"] which creates a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious or unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking or gender-based bullying.
- **Non-Consensual Sexual Contact [or attempts to commit same]**  
Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with or by breasts, buttocks, groin, genitals, mouth or other orifice.
- **Non-Consensual Sexual Intercourse [or attempts to commit same]**  
Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object,

tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

- **Sexual Exploitation**

Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual video, photography or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting someone hide in a closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting a STD or HIV to another person;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals; and/or
- Sexually-based stalking and/or bullying.

**Standard of Proof:** The Department of Education's Office of Civil Rights has interpreted Title IX to require institutions to evaluate evidence of alleged Sexual Misconduct under a "*preponderance of the evidence*" standard and that is the standard adopted by this policy. A preponderance of the evidence means that the information shows that it is "*more likely than not*" that the accused student or Respondent violated this policy. In the context of a judicial hearing hereunder, the accused student or Respondent will be found to be responsible for the alleged sexual misconduct if it concludes, by a unanimous vote, that such sexual misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the SUNO Office of Vice-Chancellor of Student Affairs shall carefully consider all of the evidence presented and follow the procedures stated in this policy and the SUNO University Student Judicial Committee and Procedures in order to ensure as fair a hearing as possible for all parties.

**Stalking:** Behavior where a person follows, places under surveillance, or contacts, another person without the consent of the other person for the purpose of harassing and intimidating the other person. The term "contact" means to make or attempt to make any communication, including, but not limited to, communication in person, by telephone, by mail, by broadcast, by computer or computer network, or by any other electronic device. "Harassing and intimidating" refers to communication directed at a person that causes emotional distress because of a reasonable fear for the person's safety or safety of others, and which serves no legitimate purpose. It does not require that an overt threat of death or bodily injury be made.

**Student:** Any person currently or previously enrolled at the SUNO campus pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

**Title IX Coordinator:** The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance efforts on behalf of SUNO.

**University Judicial Committee (Hearing Board):** This is an administrative body which, among other things, conducts hearings under this policy. It is comprised of students, faculty and staff.

**University Judicial Process:** Encompasses a series of actions and procedures administered by the SUNO Office of the Vice-Chancellor of Student Affairs which is designed to safeguard a student's right to due process. This process does not include the observance and/or application of state and/or federal rules of civil procedures.

**University Official:** Any person employed by SUNO, performing administrative or professional responsibilities.

## VII. Sexual Exploitation And Other Misconduct Offenses

- A. Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.
- B. Discrimination which is defined as actions that deprive other members of the campus community of educational or employment access, benefits or opportunities on the basis of gender.
- C. Intimidation which is defined as implied threats or acts that cause an unreasonable fear of harm in another.
- D. Hazing which is defined as acts likely to cause physical or psychological harm or social ostracism to any person on the SUNO campus, when related to admission, initiation, pledging, joining or any other group-affiliation activity.
- E. Bullying which is defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).
- F. Violence between those in an intimate relationship toward each other.
- G. Stalking which is defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the SUNO campus community; or the safety of any of the immediate faculty and/or staff family members of this campus.

## VIII. Reporting Sexual Misconduct

### M. Formal Complaint

Any member of the SUNO campus community, guest, visitor or other interested party may make a report of an alleged violation of the Gender-Based Sexual Misconduct Policy. Complaints must be in writing and submitted within one hundred and twenty (120) days following the date of the alleged incident of sexual misconduct. While SUNO is firmly committed to protecting all students from harassment or discrimination in education programs and/or activities, failure to file a timely complaint may adversely affect the ability of SUNO to take appropriate actions under this policy.

### N. Reporting

SUNO's primary concern is with the health, safety, and well-being of its students and the University community. Students who have experienced any form of gender-based sexual misconduct are urged to seek immediate assistance. Assistance can be obtained twenty-four (24) hours a day, seven (7) days a week from:

a) Sexual misconduct by faculty, staff, and third parties should be reported to:

- **Office of Vice-Chancellor of Student Affairs** – (504) 286 – 5015;
- **Office of Human Resources** – (504) 286 – 5271;

b) Sexual misconduct committed by students may also be reported to:

- **Office of Vice-Chancellor of Student Affairs** – (504) 286 – 5015;
- **Office of Residence Life and Housing** - (504) 286 – 5395;

c) Sexual misconduct, particularly sexual violence, may be a crime. SUNO will assist complainants who wish to report sexual misconduct to the SUNO Police Department. Representatives of the Office of Vice-Chancellor of Student Affairs, Residence Life and Housing, and the Office of Human Resources are available to assist students in reporting to SUNOPD. SUNOPD will also assist complainants in notifying other law enforcement authorities in other jurisdictions, as appropriate.

- Southern University at New Orleans Police Department – (504) 286 - 5290;

## O. Responsible Employee

A Responsible Employee must promptly notify the Title IX Coordinator of any report of sexual misconduct brought to their attention, including campus law enforcement. The Title IX Coordinator works collaboratively with the reporting entity, making every effort to operate with discretion and maintain privacy of the individuals involved.

## P. The Complaint Process

- a) The individual accused of conduct violating this Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise be given a full and complete written statement of the allegations and a copy of the Gender-Based Sexual Misconduct Policy (Title IX) by the Title IX Coordinator or his/her designee.
- b) The individual accused of conduct violating the Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise a review of relevant documents, as appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.
- c) Upon request, the Complainant and Respondent may each have either an advisor or attorney representative present when he or she is required to do so pursuant to the applicable provisions of SUNO University Student Judicial Committee and Procedures.
- d) At any time during the investigation, it may be recommended that interim protections or remedies for the Complainant and/or witnesses be provided by SUNO.
- e) The investigation shall be completed as promptly as possible and in most cases, within sixty (60) working days of the date that the request for formal investigation was filed. After the completion of the investigation, the Title IX Coordinator will prepare a written report.

- f) An investigation will result in a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence and a recommendation for corrective or disciplinary action. If the investigation involves allegations of student-on-student sexual misconduct, and the investigation results in a finding that this policy has been violated, the Title IX Coordinator will file a complaint with the SUNO Office of the Vice-Chancellor of Student Affairs and the complaint will be processed under the provisions of the SUNO University Student Judicial Committee and Procedures. In such cases, the Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the Complainant to determine in what capacity he/she will participate (i.e., co-complainant, witness, or no participation).
- g) Within fifteen (15) business days of taking corrective and/or disciplinary action against a Respondent, or a decision not to take any action, the SUNO Office of the Vice-Chancellor of Student Affairs shall provide written notification to the Title IX Coordinator of what action, if any has been taken, including the results of any appeals.

#### **Q. Special Complaint Process Provisions**

- a) **Attempted violations:** In most circumstances, SUNO will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- b) **SUNO as Complainant:** If the Complainant/Victim does not wish to release his/her name or file charges, then, as necessary, SUNO reserves the right to initiate a complaint, to serve as a Complainant and to initiate the University Judicial Process without a formal complaint being made by the victim of sexual misconduct.
- c) **False Reports:** SUNO will not tolerate intentional false reporting of incidents. It is a violation of SUNO University Policies and Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate Louisiana criminal statutes and civil defamation laws.
- d) **Immunity for Victims and Witnesses:** The SUNO campus community encourages the reporting of sexual misconduct violations and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report an incident to a Campus Representative or to participate in the University Judicial Process because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this campus community that as many victims as possible choose to report to Campus Representatives, and that witnesses come forward to share what they know. To encourage reporting, SUNO pursues a policy of assisting victims of crimes and witnesses. Limited immunity is provided from specific policy violations related to the incident. While minor sexual misconduct violations cannot be completely overlooked, SUNO will provide further education, rather than responses, in such cases.
- e) **Bystander Engagement:** Welfare of SUNO students is of paramount importance. At times, students on and off campus may need assistance. SUNO encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as a student who is underage and has been

drinking might hesitate to help take a sexual misconduct victim to the Southern University at New Orleans Police Department). SUNO will pursue a policy of limited immunity for students who offer help to others in need.

- f) Parental Notification:** SUNO's primary relationship is with the student and not the parent. It reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and alcohol and other drug violations. Additionally, Campus Representatives will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication. SUNO also reserves the right to designate which University official may have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).
- g) Notification of Outcomes:** The outcome of a sexual misconduct adjudication is part of the educational record of the accused student or Respondent, and is protected from release under federal law (FERPA), and SUNO's confidentiality of records policies. Moreover, SUNO observes legal exceptions as follows:
- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking and relationship violence incidents have an absolute right to be informed of the outcome, essential findings and sanctions of the SUNO Office of the Vice-Chancellor of Student Affairs, in writing, without conditions or limitations.
  - SUNO may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a University policy that is a "crime of violence", including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. SUNO will release this information to the Complainant in any of these offenses regardless of the outcome.
- h) Alternative Testimony Options:** For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the Complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside the physical presence of the accused individual, such as in another room or by electronic means such as videoconferencing. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student or Respondent.
- i) Past Sexual History/Character:** The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or University judicial process unless such information is determined to be highly relevant. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance by the Title IX Coordinator. While previous conduct violations by the accused student or Respondent are not generally admissible as information in determining responsibility for the present alleged violation, the Title IX Coordinator may supply previous complaint information to be considered in sanctioning or may consider it himself/herself only if:
- The Respondent was previously found to be responsible;

- The previous incident was substantially similar to the present allegation; and/or
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student or Respondent.

## **R. Formal Resolution Procedures for Complaints Against Faculty and Non-Faculty Employees**

Title IX complaints filed by students against employees of SUNO will follow procedures outlined in the SUNO Personnel Handbook. A hard copy of this document can be obtained from the Office of Human Resources on the SUNO campus at the Bashful Administration Building, 3rd Floor.

## **S. Formal Resolution Procedures for Complaints Against Students**

### **5. Complaints Against Students**

- a) Complaints will be assigned to the Title IX Coordinator, who will investigate the allegation(s). Following an investigation, a preliminary meeting will be held with the Respondent to review the complaint and other information gathered. After the complaint is investigated, the University judicial process is initiated. The SUNO Office of the Vice-Chancellor of Student Affairs, through the University Judicial Committee, will administer the University judicial process in accordance with the SUNO University Policies and Student Code of Conduct guidelines.
- b) Complainants and Respondents have the right to have an adviser of his/her choice present during the University judicial process. An adviser may provide support and advice but not actively participate in the hearing. Attorneys may act as advisers, but may not argue a case or attempt to introduce legal procedures.
- c) Hearings conducted by the University Judicial Committee will be closed to the public. SUNO reserves the right to review individuals attending hearings based on their involvement with the incident. All information presented during these proceedings is confidential and will only be released if subpoenaed or with the Complainant's or Respondent's permission except for final results of non-consensual sexual intercourse or other violent acts, which will only be released to the victim of the act.
- d) Prospective witnesses, other than the Complainant/victim and Respondent may be excluded from a University judicial process hearing during statements made by other participants.
- e) Oral and/or written statements may be considered and will be weighed as deemed appropriate. Complainants and/or Respondents are responsible for ensuring witnesses or documents are available at the time of the hearing.
- f) Respondents will be afforded an opportunity to hear and respond to all information presented against them.
- g) Complainants and/or Respondents may request the removal of any participants in the University judicial process they feel may be biased against them.

- h) All participants are expected to act with integrity by providing honest answers, following established procedures and maintaining confidentiality.
- i) University judicial hearings will be conducted in a civil manner with any participant disrupting the process being excluded from the remainder of the hearing.
- j) Pending resolution of a complaint, a student's status may only be altered to protect SUNO's interests and/or the safety and security of individual members of the campus community. Such actions may include interim suspensions, restriction of privileges including access to certain areas of the campus, and no-contact directives.
- k) Determination of responsibility for violating this policy will be based on the standard of a preponderance of the evidence presented at the University judicial hearing.
- l) If it is determined that the Respondent is responsible for sexual misconduct, i.e., the sexual misconduct more likely than not occurred, the Complainant may present a statement recommending a sanction (the "Impact Statement"). The respondent will be provided with an opportunity to respond to the Impact Statement. The Hearing Board is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, discretion may be applied to permit the presence of other persons.
- m) Written notification of the outcome of the University judicial hearing, including the reasons for the decision, findings of fact and an explanation of the sanctions, will be sent within a reasonable time frame from the conclusion of the matter. Notifications will be sent to the Complainant and Respondent. Other notifications may be sent in order for SUNO to comply with applicable victim notification laws for reporting the results of the University judicial hearing.

## 6. Student Appeal Process

- a) The outcome of any University judicial hearing may be appealed by either the Complainant or Respondent. All appeals will be pursued in accordance with the SUNO University Policies and Student Code of Conduct. Appeals must be based on at least one of the following reasons to be considered:
  - Procedural errors in the operation of the University judicial process hearing were substantial enough to have effectively denied the student a fair hearing.
  - Availability of new and significant evidence that was not available at the original hearing in spite of diligent efforts by the student to collect such information.
  - Lack of substantial information presented at the hearing to support the decision on responsibility for a violation.
  - Severity of the sanctions does not match the severity of the violation.



## 7. Student Sanctions

- a) Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous SUNO Student Code of Conduct violations.
- b) Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.
- c) Any student found responsible for violating the Sexual Exploitation or Sexual Harassment provisions of this policy will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous SUNO Student Code of Conduct violations.

## 8. Range of Sanctions

The following sanctions comprise a range of official actions that may be imposed for violation of this policy by individuals or groups. One or more sanctions may be imposed at the discretion of the University Judicial Committee in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain the rationale behind regulations. This list does not limit the actions available and is not inclusive of all possible actions that could be taken as a result of a violation of this policy. Students found responsible for violations will receive a minimum disciplinary warning with expulsion being the maximum sanction.

- a) **Disciplinary Warning:** This action is taken when the individual's conduct or involvement merits an official admonition that can be either verbal or written. The student is warned that further misconduct may result in more severe disciplinary action. A disciplinary warning is intended to promote reflection on the decisions and behavior leading up to a violation and promotes an increased awareness of SUNO's behavioral expectations.
  
- b) **Disciplinary Probation:** This action is designed to assist students in developing behavior appropriate to the SUNO campus community through placing them on a warning status. There are three (3) types of probation which may be imposed, depending on the type and severity of the violation.
  - (1) **Residence Hall Probation:** Privileges of residents, including visitation, may be revoked for all or part of the time the resident is on probation. The resident is also informed that further violations may result in greater levels of sanctions. This level of probation is intended to provide the student with an opportunity to reflect on, and learn from, his/her behavior while increasing awareness of the impact of his/her behavior on themselves and others and SUNO's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.
  - (2) **University Probation Level I:** A change in student status involving written notice of the probation, its terms and time limit as established by the

University judicial process. The student is notified that further infractions of any SUNO regulation may result in more stringent restrictions being placed on his/her actions. This level of probation is intended to provide the student with an opportunity to reflect on and learn from his/her behavior on themselves and others and the SUNO's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

- (3) University Probation Level II:** This is the most serious level of Sexual Misconduct sanctions, short of suspension from SUNO, during which the student is considered not in good standing. The student remains enrolled under circumstances defined by the SUNO Office of the Vice-Chancellor of Student Affairs and may not represent SUNO in any official capacity or hold office in any student organizations including, but not limited to, varsity or non-varsity intercollegiate athletic events or teams, recognized student organizations, theater groups or productions, musical organizations or officer positions. This probation level indicates to the student that further violation(s) of SUNO regulations will result in more stringent action, including but not limited to, suspension or expulsion. This level of probation is intended to promote reflection on the student's behavior and decisions while stressing the making of mature decisions, engaging in critical thinking and preventing more inappropriate behaviors from recurring.
- c) Behavior Contract:** A student may enter into a written agreement with SUNO during the University judicial process concerning expectations for future behavior and decisions to assist in preventing inappropriate behavior from recurring.
- d) Residence Hall Reassignment or Removal:** This action is an involuntary reassignment to another residence hall or removal from on-campus housing altogether for a designated period of time and may include restricted visitation privileges. Usually, a student is given forty-eight (48) hours to remove all belongings from an assigned space and reimbursement of room charges will be based on SUNO's refund schedule for removals. This sanction is imposed to protect the welfare of a residence hall or floor community, and students having this sanction imposed should reflect on the behaviors necessary for an individual to be part of a residential community by respecting others, and developing critical thinking skills and mature decision-making skills.
- e) Restriction of Privileges:** This action consists of an effort to assist students in developing an awareness of the responsibilities that go along with privileges and increase an awareness of appropriate behavior and how decisions impact themselves and others. Under this sanction, students may be restricted from entering certain buildings, attending certain events or using specific programs due to their behavior. Residence hall students may have their visitation privileges restricted or revoked for a certain time period, or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the Office of the Vice-Chancellor of Student Affairs based on the incident.
- f) No-contact Directive:** This action is implemented at the discretion of the chairperson of the Hearing Board directing a student to avoid initiating contact with another member of the SUNO campus community, it may include limiting access to certain areas to avoid incidental contact. A No-Contact Directive may

be imposed at a student's request in the absence of a Hearing Board decision if it does not involve any accommodation changes. Contact includes direct interactions in person or through technology, as well as the use of third parties to interact. The No-Contact Directive is not limited by location. They can be issued open-ended and would only be considered if the person who originally requested it asked to have it canceled.

- g) Suspension of Group Recognition:** This action consists of the withdrawal of all or part of the official recognition of a group for a stated period of time and will include conditions for reinstatement of recognition. This sanction is intended to assist groups in developing a stronger sense of the responsibilities that go along with the privileges of SUNO recognition and commitment to be a positive part of the campus community.
- h) Revocation of Group Recognition:** This action is permanent cancellation of the official SUNO recognition and privileges of a group found in violation of this policy.
- i) Restitution Fines:** A student or organization may be required to make payment to SUNO or to another specified person(s) or group(s) for damages incurred as a result of a violations of this policy. Restitution fines may be imposed by SUNO in addition to any other sanction to promote responsibility for actions and an awareness of the consequences of behavior.
- j) Restitution Service:** As part of the sanctioning process, students can be required to perform service to assist in developing increased awareness of the impact of their decisions and strengthen critical thinking abilities to identify appropriate behavior. These services can include performing assigned duties, sponsoring programs, etc.
- k) Educational Activity:** A student or organization may be required to complete an educational activity or project relating to a violation of this policy to assist in their developing increased awareness of the impact of their decisions, strengthen critical thinking abilities to identify appropriate behavior, and develop an increased sense of responsibility, integrity and civility.
- l) Registration Hold:** A hold may be placed on a student's registration if the student has failed to complete a sanction or withdraws prior to official resolution of a complaint. Holds are intended to be temporary until the sanction is complete. Registration holds may also be used during periods of interim suspension, suspension or expulsion.
- m) Interim Suspension:** The SUNO Vice-Chancellor of Student Affairs may recommend the suspension of a student for an interim period, pending the outcome of the University judicial process, whenever there is evidence that the continued presence of the student at SUNO poses a substantial threat to the safety and/or well-being of any member of the SUNO campus community or private property. An interim suspension may be effective immediately without prior notice; however, the decision may be appealed to the Vice- Chancellor of Student Affairs. The student shall be given an opportunity to appear personally before the Hearing Board within ten (10) business days from the effective date of the interim suspension unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. Both the student[s] and SUNO must agree to an extension that may be left

open-ended. By agreeing to an extension, the Respondent/student accepts the decision of interim suspension and any conditions imposed as part of it.

During an interim suspension, the Respondent/student will be barred from all or part of SUNO's premises, as designated by the SUNO Vice-Chancellor of Student Affairs. A Respondent/student under interim suspension who returns to a portion of the campus from which he/she was barred without permission from the SUNO Vice-Chancellor of Student Affairs will be subjected to dismissal and/or arrest for trespassing.

**n) Suspension:** This action is an involuntary separation of a Respondent/student from SUNO for a designated period of time after which he/she is eligible to return. The SUNO Vice-Chancellor of Student Affairs may establish requirements for reinstatement, which must be fulfilled to his/her satisfaction. The Respondent/ student may not participate in any SUNO sponsored activity and may be barred from SUNO premises during the suspension period. Reimbursement of charges or fees for students removed from the campus due to sexual misconduct will follow the University's official refund schedule for withdrawals. This action is designed to protect members of the SUNO campus community and their property, promote critical thinking and mature decision-making skills, and promote self-reflection on behavior and the impact it has had on the Respondent/student and others.

**o) Expulsion:** The action entails involuntary and permanent separation from SUNO. The Respondent/student will be barred from all campuses activities within the Southern University System and properties following expulsion. Reimbursement of charges or fees for students removed from campus due to sexual misconduct will follow the official refund schedule for withdrawals.

## **T. Retention of Records**

The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions. All written records associated with the resolution of a complaint pertaining to the formal investigation will be maintained in accordance with all pertinent SUNO policies and procedures.

## **U. Confidentiality and Privacy**

Generally, it is not confidential when a person reports sexual misconduct. A complainant/victim may make a request for confidentiality/privacy at any point. This type of request means that the Complainant/victim does not want his/her identity known to the Respondent and witnesses, or that the Complainant/victim wishes to withdraw a report. If at any point the Complainant/victim requests privacy, SUNO will make all reasonable attempts to comply with this request. In situations where a Complainant/victim requests confidentiality/privacy, SUNO's ability to investigate and respond to the allegations may be limited.

SUNO is required by Title IX to weigh the complainant/victim's request for confidentiality/privacy within its commitment to provide a reasonably safe and non-discriminatory environment. The complainant/victim will be notified by a Confidential Advisor if it is determined that SUNO cannot maintain her/his confidentiality/privacy. The Complainant/victim's identity will be revealed to those individuals who need to know the name of the Complainant in order for an investigation to commence.

In situations where SUNO becomes aware of a pattern of behavior by a single student or Respondent, it will take all appropriate actions in an attempt to protect the campus from gender-based misconduct by that individual. If the offender is unknown or is not a member of the campus community, SUNO staff will assist individuals in identifying appropriate campus resources or local authorities, if that person would like to file a report.

When a report of gender-based sexual misconduct is filed, the complainant/victim, the Respondent and all identified witnesses who are named in the investigation, will be notified of SUNO's expectation of confidentiality and privacy. SUNO will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in gender-based sexual misconduct investigations and hearings. Breaches of confidentiality and privacy against the complainant/victim or witnesses and may warrant a separate misconduct hearing.

If a person desires to keep an incident of sexual misconduct confidential, they should speak with individuals who have professional or legal obligations to keep communications confidential. When seeking advice and support, person should always consider whether they want to discuss their concerns with a confidential resource. Unless there is an imminent threat to health or safety or other basis for disclosure, confidentiality applies when persons seek services from the following resources:

- **Student Development Center** – (504) 286 – 5060
- **Student Health Center** – (504) 286 – 5374
- **Sexual Trauma Awareness & Response (STAR) Center** - (504) 286 - 5290
- **Rape Crisis Hotline** (504) 837-5400

Disclosures or reports made to any other entities except those listed above are NOT confidential. For example, incidents of sexual misconduct discussed with a supervisor, resident assistant, coach, or faculty member, those persons are “Responsible Employees” and, as such, are obligated pursuant to this policy to report sexual misconduct to the Title IX Coordinator.

## **V. Amnesty**

While SUNO does not condone underage drinking or violation of any other policies, it considers reporting sexual assault and sexual misconduct to be of paramount importance. To encourage reporting and adjudication of sexual assault and misconduct, SUNO will extend limited amnesty to students who have been the victim of sexual misconduct. SUNO will generally not seek to hold the student responsible for his/her own violations of the law (e.g. underage drinking), or of the SUNO University Policies and Student Code of Conduct in which he or she may have been involved during the period immediately surrounding the sexual misconduct.

## **W. Retaliation**

Retaliation against any person who alleges a violation of the Gender- Based Sexual Misconduct Policy or who reports or assists SUNO in the investigation of a complaint under this policy may result in disciplinary action up to and including termination or expulsion by SUNO. Retaliation against any person who is the Complainant/victim of sexual misconduct is prohibited as well. There will be no retaliation against those who report or assist the SUNO campus in the investigation of a complaint. Retaliation against the Complainant/victim or witnesses may warrant a separate University judicial process hearing.

## **IX. Information and Assistance**

The Title IX Coordinator's role is to oversee SUNO's compliance with Title IX regulation and will:

- A.** Serve as a resource for students wishing to report any acts of sexual misconduct or gender-based discrimination, i.e. violations of Title IX.
- B.** Provide oversight for all Title IX activities and identify patterns, issues or problems regarding sexual misconduct complaints.
- C.** Review and support the informational initiatives enabling students, staff, administrators and faculty to fully understand sexual violence and sexual harassment as forms of sexual discrimination and further educate the SUNO campus community about all related policies and procedures.
- D.** Conduct all initial investigations of sexual misconduct complaints and issue written copy of findings.

If a student believes that he/she has experienced sexual harassment and/or any form of sexual misconduct, they are strongly encouraged to file a complaint with SUNO, with the police or with both.

## **APPENDIX A**

### **COMPLAINANT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right of both the Complainant and Respondent to have the same opportunity to have others present (in support or advisory roles) during the University judicial process hearing;
4. The right not to be discouraged by University officials from reporting sexual misconduct offenses to both on-campus and off-campus authorities;
5. The right to be informed of the outcome and sanctions imposed as the result of a University judicial process hearing involving a sexual misconduct offense, usually within forty-eight (48) hours of the end of that hearing;
6. The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by Campus Representatives in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the Complainant/victim's desire;
7. The right to be notified of available counseling, mental health or student services for the Complainant/victim both on campus and in the community;
8. The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the Complainant/victim and if such changes are reasonably available. (No formal complaint, or investigation, campus or criminal, need occur before this option is available.) Accommodations may include:
  - Change of an on-campus student's housing to a different on-campus location if space is available;
  - Assistance from University support staff in completing the relocation;
  - Arranging to dissolve a housing contract and pro-rating a refund;
  - Exam (paper, assignment) rescheduling;
  - Taking an Incomplete in a class;
  - Transferring class sections;
  - Temporary withdrawal; and/or
  - Alternative course completion options.
9. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process hearing ;
10. The right to make an Impact Statement at the University judicial process hearing and to have that statement considered in determining a sanction;
11. The right to a campus no-contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
12. The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement;
13. The right to appeal the (finding and) sanctions imposed by the SUNO Office of the Vice-Chancellor of Student Affairs, in accordance with the standards for appeal established by the institution;

14. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least forty-eight (48) hours prior to the University judicial process hearing;
15. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the alleged Complainant/victim, which will always be revealed);
16. The right to preservation of privacy, to the extent possible and allowed by law;
17. The right to a hearing closed to the public;
18. The right to petition that any member of the Hearing Board be removed on the basis of demonstrated bias;
19. The right to bring a victim advocate or adviser to all phases of the investigation and University judicial process hearing;
20. The right to give testimony in the University judicial process hearing by means other than being in the same room with the Respondent;
21. The right to ask the investigator(s) to identify and question relevant witnesses, including expert witnesses;
22. The right to be fully informed of the University judicial process rules and procedures, as well as the nature and extent of all alleged violations contained within the complaint;
23. The right to have the University request the presence of student, faculty and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of witnesses (including the Respondent) and the right to challenge documentary evidence;
24. The right to be present for all testimony given and evidence presented before the Hearing Board;
25. The right to have complaints heard by the Hearing Board members and appeal officers who have received annual sexual misconduct training;
26. The right to have a Hearing Board comprised of representatives of both genders;
27. The right to have University policies and procedures followed without material deviation;
28. The right to be informed in advance of any public release of information regarding the complaint if possible; and
29. The right not to have released to the public any personally identifiable information, without his or her consent.



## **APPENDIX B**

### **RESPONDENT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right to be informed of, and have access to, campus resources for medical, counseling and advisory services;
4. The right to be fully informed of the nature, rules and procedures of the University judicial hearing process and to timely receive written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
5. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
6. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process;
7. The right to make an Impact Statement during the University judicial process hearing and to have that statement considered in determining a sanction;
8. The right to appeal the finding and sanction of the Hearing Board, in accordance with the standards for appeal established by SUNO;
9. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, usually within forty-eight (48) hours prior to the University judicial process hearing;
10. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the Complainant/victim, which will always be revealed);
11. The right to a hearing closed to the public;
12. The right to petition that any member of the Hearing Board be removed on the basis of bias;
13. The right to have the Hearing Board request the presence of student, faculty and staff witnesses, and the opportunity to ask questions, directly or indirectly, of witnesses and the right to challenge documentary evidence;
14. The right to have complaints heard and/or appealed by individuals who have received annual sexual misconduct adjudication training;
15. The right to have SUNO policies and procedures followed without material deviation;
16. The right to have an adviser or advocate accompany and assist in the University judicial process. This advisor can be anyone but the adviser may not take part directly in the hearing itself, though he/she may communicate with the Respondent as necessary;
17. The right to a fundamentally fair hearing, as defined by SUNO policies and procedures;
18. The right to an outcome based solely on evidence presented during the University judicial process hearing. Such evidence shall be credible, relevant, based in fact, and without prejudice;
19. The right to written notice of the outcome and sanction of the Hearing Board;
20. The right to have the Hearing Board comprised of representatives of both genders; and
21. The right to be informed, in advance when possible, of any public release of information regarding the complaint.

## **APPENDIX C**

### **FREQUENTLY ASKED QUESTIONS ABOUT THE GENDER-BASED/SEXUAL MISCONDUCT POLICY (TITLE IX)**

Some of the most commonly asked questions regarding a Gender-Based/Sexual Misconduct Policy and procedures are summarized below:

❖ ***Does information about a complaint remain private?***

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with SUNO's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the Complainant/victim or the Respondent may lead to action by SUNO as it can be viewed as a form of retaliation if being done to malign or impinge a person's character.

In all complaints of sexual misconduct, all parties will be informed of the outcome. If there is a report of an act of alleged sexual misconduct to a SUNO Campus Representative and there is evidence that a felony has occurred, the Southern University Police Department will be notified. This does not mean charges will be automatically filed but that a victim must speak with the police, and the institution is legally required to notify law enforcement authorities. SUNO must also statistically report the occurrence on-campus major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

❖ ***Will my parents be told?***

No, not unless you tell them. Whether you are the Complainant/victim or the Respondent, SUNO's disciplinary relationship is with the student and not his/her parent(s). University officials will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication.

❖ ***Will the Respondent know my identity?***

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the Respondent has a right to know the identity of the Complainant/victim. If there is a hearing, SUNO does provide options for questioning without confrontation, including using a room divider or using separate hearing rooms.

❖ ***Do I have to name the perpetrator?***

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete Confidentiality Policy contained in this policy to better understand SUNO's legal obligations depending on what information you share with different University officials). Complainants should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively but will result in an investigation based on the information provided.

❖ ***What do I do if I am accused of sexual misconduct?***

DO NOT contact the Complainant/victim. You may immediately want to contact someone in the campus community who can act as your adviser. You may also contact the Title IX

Coordinator who can explain SUNO's procedures for addressing sexual misconduct complaints. As a Respondent, you will be contacted for an interview by the Title IX Coordinator or his/her designee. You may ask any question you have during this interview. You may also want to talk to a confidential counselor at the SU Counseling Center or seek other community assistance. See below regarding legal representation.

❖ ***Will I (as a Complainant/victim) have to pay for counseling/medical care?***  
Not typically, if SUNO provides these services already.

❖ ***What about legal advice?***  
Complainants/victims of criminal sexual misconduct need not retain a private attorney to pursue prosecution because representation will be handled by the Orleans Parish District Attorney's Office. You may want to retain an attorney if you are the Respondent or are considering filing a civil action. Respondents may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the University judicial process.

❖ ***What about changing residence hall rooms?***  
If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typical institutional policy that in emergency room changes, the student is moved to the first available and suitable room. If you want the Respondent to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal University complaint. No-Contact Directive can be imposed and temporary room changes for the accused student can usually be arranged quickly. Room changes can be accommodated if space is available. Other accommodations available to you might include:

- Assistance from University support staff in completing the relocation.
- Arranging to dissolve a housing contract and pro-rating a refund.
- Assistance with or rescheduling an academic assignment (paper, exams, etc.).
- Taking an Incomplete in a class.
- Assistance with transferring class sections.
- Temporary withdrawal.
- Assistance with alternative course completion options.
- Other accommodations for safety as necessary.

❖ ***What should I do about preserving evidence of a sexual assault?***  
Police are in the best position to secure evidence of a crime. Physical evidence of sexual misconduct must be collected from the Complainant/victim's person within one hundred and twenty (120) hours of the alleged incident, although evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe you have been a victim of a sexual misconduct, you should go to a hospital emergency room before washing yourself or your clothing.

If a Complainant/victim goes to the hospital, local police will be called, but the victim is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to take any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the Complainant/victim later decide to exercise it.

*For the Complainant/Victim:* The hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean

paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and the person can accompany you through the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

❖ ***Will a Complainant/victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?***

Usually not. The severity of the infraction will determine the nature of SUNO's response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and SUNO does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

❖ ***Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?***

The use of alcohol and/or drugs by either party will not diminish the Respondent's responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant/victim's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the Complainant/victim does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the Respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation of the sexual misconduct policy.

❖ ***Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?***

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the current complaint.

❖ ***What should I do if I am uncertain about what happened?***

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of SUNO's sexual misconduct policy, you should contact the SUNO Title IX Coordinator. The University provides advisers who can help you to define and clarify the event(s), and advise you of your options.



**Southern University and A&M College  
Baton Rouge, LA**

# **Gender-Based Sexual Misconduct (Title IX) Policy**

**A People's Institution Serving the State, the Nation, and the World**

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## II. Introduction

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. These behaviors are clear impediments to creating an educational atmosphere which is free from discrimination. As a result, an institution receiving federal funds must promulgate strategies and policies which demonstrate its ability to uphold the law and comply with applicable regulations. When the Complainant or Respondent is a student, the violation falls under the provisions of Title IX.

This Southern University and A&M College (SUBR) campus policy utilizes the term “gender-based sexual misconduct” to encompass all behaviors that involve gender-based violations of an individual’s rights specifically manifested by sexual behavior and actions. Accordingly, this term is inclusive of conduct considered to constitute sexual harassment, non-consensual sexual contact or intercourse (of which sexual violence would be included), sexual exploitation, stalking, intimate partner violence, and other forms of inappropriate behavior that are linked with the sex/gender of the Complainant and/or Respondent. These behaviors, when deemed to have occurred, deprives an individual of their rights, and/or access to an education or employment which constitutes a violation of this policy.

Members of the SUBR campus community which includes students, faculty, administrators, guests, and visitors have the right to be free from sexual misconduct of any type. Therefore, SUBR is firmly committed to maintaining a climate of respect and safety for everyone. All members of the SUBR campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. As a result, this campus has a zero tolerance policy for gender-based sexual misconduct. When an allegation of sexual misconduct is brought to the attention of the appropriate Campus Representative, and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions cease and are never repeated. In addition, SUBR’s response will provide individuals who bring forth complaints with reasonable remedies that will insure full participation in their educational and/or employment activities. Nothing in this policy shall abridge academic freedom or SUBR’s educational mission.

The Title IX Coordinator shall receive notice of all reports of sexual misconduct received by any individual deemed a “Responsible Employee” under this policy. No employee (other than law enforcement) is authorized to investigate or resolve reports of sexual misconduct without the involvement of the Title IX Coordinator.

### **SUBR Title IX Coordinator**

Marcus A. Coleman  
PO Box 13405  
Baton Rouge, LA 70813  
Phone: (225) 771 – 3922  
Fax: (225) 771 – 2202  
Email: [marcus\\_coleman@subr.edu](mailto:marcus_coleman@subr.edu)  
Web: [www.subr.edu/studentlife](http://www.subr.edu/studentlife)

## III. Jurisdiction

All students, faculty, staff, administrators, affiliates and others participating in SUBR programs and activities are subject to this policy. SUBR has jurisdiction over, and will respond to allegations of sexual misconduct occurring on campus premises, at SUBR affiliated activities and/or where the misconduct involves students, faculty, staff, administrators, guests and visitors of this campus.

Reports of incidents of sexual misconduct committed by a student, faculty or staff at a location other than the SUBR campus and which affects the SUBR campus community are covered by this policy. Discipline for violations of this policy may include, but are not limited to, termination, expulsion and/or other appropriate institutional sanctions; and affiliates and program participants may be removed from SUBR programs and/or prevented from returning to campus.

#### **IV. Overview of Policy Expectations With Respect to Physical Sexual Misconduct**

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent must be a clear and sober “YES”. Non-verbal consent is not as clear as discussing what is or isn’t sexually permissible. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent can also be withdrawn at any point during sexual activity.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if he/she cannot fully understand the details of a sexual interaction (who, what, when, where, why, how or how long) because he/she lacks the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Anything but a clear, knowing and voluntary “YES” to any sexual activity is equivalent to a “No”.

#### **V. Overview of Policy Expectations With Respect to Consensual Relationships**

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as professor and student or supervisor and student employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcomed may become unwelcomed. Even when both parties have consented at the outset to romantic or sexual involvement, this past consent may not remove grounds for a later charge of violation.

For the personal protection of members of this campus community, relationships in which power differentials are inherent (faculty-student, staff-student, or administrator-student, etc.) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the individual/employee from the supervisory or evaluative responsibility, or shift them out of being supervised or evaluated by someone with whom they have established a consensual



relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

## VI. Definitions

**Allegation:** A statement by a Complainant that he/she believes an act of sexual misconduct has occurred.

**Bullying:** Typically is portrayed as aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power. It often includes comments about race, color, national origin, sex, sexual orientation or disability and frequently involves an imbalance of power, aggression, and a negative repeated behavior.

**Campus Representative:** Any individual who, in the course of his/her duties as a SUBR employee, is in the position to assist a member of the campus community who has been sexually assaulted.

**Coercion:** Unreasonable pressure for sexual activity. When someone makes it clear that he/she does not want to engage in sexual behavior, or that he/she does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.

**Complainant/Victim:** The person making an allegation or complaint of sexual misconduct.

**Complaint:** A formal notification, either orally or in writing, of the belief that sexual misconduct has occurred.

**Confidential Advisor:** Designated individuals who have been trained to aid a student involved in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term "confidential advisor," confidential communications with the advisor will be kept confidential in all circumstances except where the institution or advisor may be required to disclose the communications under state and federal laws.

**Consent:** Consent must be clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober "YES". Consent may not be inferred from silence, passivity, or lack of active resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute, and consent to one form of sexual activity. It does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one's responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity because of circumstances or the behavior of another, or due to their age. Examples of such situations may include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment.

**Cyber-Bullying:** Cyber-bullying occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another person using the Internet, interactive and digital technologies, or mobile phones. Those who are electronically engaged can be cyber-bullied at any time or location, making the effect of cyber-bullying ubiquitous and acute. Harassment, hazing and stalking often are used to encompass cyber-stalking or cyber-bullying activities. The severity of the act and state law dictate what is criminal. Examples include flaming, harassment, hazing or stalking. The difference should be assessed through the: 1) kind of threat (e.g. name-calling, threat of harm, bomb, etc.); 2) frequency of threat (how often it occurs); and

3) source and nature of threats. Generally speaking, bullying is an on-going behavior. Hazing is often done once or twice during orientations or initiations, but may be more acute.

**Dating Violence:** Occurs when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes and education levels. It can happen on a first date, or during a long term relationship. It can happen whether the individual is young or old, and/or in a heterosexual or same-sex relationship. Dating violence can include physical abuse (hitting, shoving, kicking, biting, throwing things), emotional abuse (yelling, naming-calling, bullying, embarrassing), and sexual abuse (forcing a partner to do something sexual).

**Domestic Violence:** Occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called domestic violence. Domestic violence and abuse are used for one purpose and one purpose only, for one person to gain and maintain total control over another person. An abuser does not “play fair”. Abusers use fear, guilt, shame and intimidation to maintain power and control. The abuser may also threaten or hurt the individual or those around the victim or complainant. Domestic violence and abuse does not discriminate. It happens in heterosexual or same-sex relationships. It occurs within all age ranges, ethnic backgrounds and economic levels. While women are more commonly victimized, men can also be abused, especially, verbally and emotionally, although sometimes even physically as well.

**Force:** The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance or produces consent. There is no requirement that a person has to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Gender-based harassment:** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

**Gender-based misconduct:** Is comprised of a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, and intimate partner violence are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Gender-based misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of gender-based misconduct include:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcomed touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcomed references to various parts of the body;
- Belittling remarks about a person’s gender or belittling remarks about a person’s sexual orientation based in gender-stereotyping;
- Inappropriate sexual innuendoes or humor;

- Videotaping and photographing someone or people without consent;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;
- Sexually explicit profanity; and/or
- Use of e-mail, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.

**Gender Discrimination:** Unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

**Impairment:** The state of being diminished, weakened or damaged, especially mentally or physically.

**Incapacitation:** Incapacity can result from mental disability, sleep deprivation, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be or, based on the circumstances, should reasonably have known to be mentally or physically incapacitated, constitutes a violation of this policy. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another's ability to give consent.

**Inebriate:** To be made drunk; to exhilarate, confuse or stupefy a person mentally or emotionally.

**Intimate Partner Violence (IPV):** Physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur in heterosexual or same-sex relationships, whether co-habiting or not, and does not require sexual intimacy. IPV can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

**Intimidate:** To make timid, fill with fear; to overcome or cow, as through the force of personality or a superior display of strength which can control an individual's actions.

**Intoxication:** Inebriation; drunkenness.

**Investigator:** Is the Title IX Coordinator, or his/her designee, who is officially responsible for administrative investigations of all reports and/or allegations pertaining to a violation of this Gender-Based Sexual Misconduct Policy filed by students and employees.

**Rape:** Is forced sexual intercourse that is perpetrated against the will of the complainant or when he/she is unable to or incapable of giving consent (i.e. unconscious, asleep or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the Complainant. Rape is complete at the point of penetration no matter how slight that penetration.

**Reproductive Coercion:** Explicit male behaviors to promote pregnancy (unwanted by a woman). Reproductive coercion can include "birth control sabotage" (e.g. interference with contraception) and/or "pregnancy coercion", such, as telling a woman not to use contraception and threatening to leave her if she doesn't get pregnant.

**Respondent:** The person whose actions are alleged to have violated this Gender-Based Sexual Misconduct Policy.

**Responsible Employee:** The Office of Civil Rights defines a responsible employee has an individual, (a) who has the authority to take action to redress sexual harassment/misconduct, (b) who has been given the duty of reporting incidents of sexual harassment/misconduct **or** any other misconduct by students to the Title IX coordinator or other appropriate designee; or (c) who a student reasonably believes has this authority or duty.

**Sexual Assault:** Is engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person:

- a) Sexual penetration without the consent of the other person;
- b) Sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; and/or
- c) Sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Sexual Contact:** The deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts.

**Sexual Intercourse:** Means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Misconduct:** Is the broad term encompassing, "Sexual Exploitation", "Sexual Harassment", "Non-Consensual Sexual Contact," and "Non-Consensual Sexual Intercourse", as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of sexual misconduct may include the following:

**Sexual Misconduct Offenses:**

- **Sexual Harassment**  
Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from SUBR's educational programs. The unwelcomed behavior may be based on power differentials [*quid pro quo* i.e. "you have to give something to get something"] which creates a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious or unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking or gender-based bullying.
- **Non-Consensual Sexual Contact [or attempts to commit same]**  
Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with or by breasts, buttocks, groin, genitals, mouth or other orifice.
- **Non-Consensual Sexual Intercourse [or attempts to commit same]**  
Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes vaginal penetration

by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

- **Sexual Exploitation**

Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual video, photography or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting someone hide in a closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting a STD or HIV to another person;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals; and/or
- Sexually-based stalking and/or bullying.

**Standard of Proof:** The Department of Education's Office of Civil Rights has interpreted Title IX to require institutions to evaluate evidence of alleged Sexual Misconduct under a "*preponderance of the evidence*" standard and that is the standard adopted by this policy. A preponderance of the evidence means that the information shows that it is "*more likely than not*" that the accused student or Respondent violated this policy. In the context of a judicial hearing hereunder, the accused student or Respondent will be found to be responsible for the alleged sexual misconduct if it concludes, by a unanimous vote, that such sexual misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the SUBR Office of the Dean of Students shall carefully consider all of the evidence presented and follow the procedures stated in this policy and the SUBR University Student Judicial System and Procedures in order to ensure as fair a hearing as possible for all parties.

**Stalking:** Behavior where a person follows, places under surveillance, or contacts, another person without the consent of the other person for the purpose of harassing and intimidating the other person. The term "contact" means to make or attempt to make any communication, including, but not limited to, communication in person, by telephone, by mail, by broadcast, by computer or computer network, or by any other electronic device. "Harassing and intimidating" refers to communication directed at a person that causes emotional distress because of a reasonable fear for the person's safety or safety of others, and which serves no legitimate purpose. It does not require that an overt threat of death or bodily injury be made.

**Student:** Any person currently or previously enrolled at the SUBR campus pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

**Title IX Coordinator:** The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance efforts on behalf of SUBR.

**University Judicial Committee (Hearing Board):** This is an administrative body which, among other things, conducts hearings under this policy. It is comprised of students, faculty and staff.

**University Judicial Process:** Encompasses a series of actions and procedures administered by the SUBR Office of the Dean of Students which are designed to safeguard a student's right to due process. This process does not include the observance and/or application of state and/or federal rules of civil procedures.

**University Official:** Any person employed by SUBR, performing administrative or professional responsibilities.

## **VII. Sexual Exploitation And Other Misconduct Offenses**

- A.** Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.
- B.** Discrimination which is defined as actions that deprive other members of the campus community of educational or employment access, benefits or opportunities on the basis of gender.
- C.** Intimidation which is defined as implied threats or acts that cause an unreasonable fear of harm in another.
- D.** Hazing which is defined as acts likely to cause physical or psychological harm or social ostracism to any person on the SUBR campus, when related to admission, initiation, pledging, joining or any other group-affiliation activity.
- E.** Bullying which is defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).
- F.** Violence between those in an intimate relationship toward each other.
- G.** Stalking which is defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the SUBR campus community; or the safety of any of the immediate faculty and/or staff family members of this campus.

## **VIII. Reporting Sexual Misconduct**

### **A. Formal Complaint**

Any member of the SUBR campus community, guest, visitor or other interested party may make a report of an alleged violation of the Gender-Based Sexual Misconduct Policy. Complaints must be in writing and submitted within one hundred and twenty (120) days following the date of the alleged incident of sexual misconduct. While SUBR is firmly committed to protecting all students from harassment or discrimination in education programs and/or activities, failure to file a timely complaint may adversely affect the ability of SUBR to take appropriate actions under this policy.

### **B. Reporting**

SUBR's primary concern is with the health, safety, and well-being of its students and the University community. Students who have experienced any form of gender-based sexual misconduct are urged to seek immediate assistance. Assistance can be obtained twenty-four (24) hours a day, seven (7) days a week from:

**a)** Sexual misconduct by faculty, staff, and third parties should be reported to:

- **Office of Student Life/Dean of Students** – (225) 771 – 3922;  
[www.subr.edu/studentlife](http://www.subr.edu/studentlife)

- **Office of Human Resources** – (225) 771 – 2680;  
[www.sus.edu/humanresources](http://www.sus.edu/humanresources)
- Incidents may also be reported confidentially to the following Confidential Advisors:
  - **Director, Student Health Center** – (225) 771 – 4770
  - **Director, University Counseling Center** – (225) 771 – 2480
  - **Director, Office of Disability Services** – (225) 771 - 3546

b) Sexual misconduct committed by students may also be reported to:

- **Office of Student Life/Dean of Students** – (225) 771 – 3922;  
[www.subr.edu/studentlife](http://www.subr.edu/studentlife)
- **Office of Residence Life and Housing** - (225) 771 – 3590;  
[www.subr.edu/housing](http://www.subr.edu/housing)
- Incidents may also be reported confidentially to the following Confidential Advisors:
  - **Director, Student Health Center** – (225) 771 – 4770
  - **Director, University Counseling Center** – (225) 771 – 2480
  - **Director, Office of Disability Services** – (225) 771 - 3546

c) Sexual misconduct, particularly sexual violence, may be a crime. SUBR will assist complainants who wish to report sexual misconduct to the Southern University Police Department. Representatives of the Office of Student Life/Dean of Students, Residence Life and Housing, and the Office of Human Resources are available to assist students in reporting to SUPD. SUPD will also assist complainants in notifying other law enforcement authorities in other jurisdictions, as appropriate.

- **Southern University Police Department** – (225) 771 -2770;  
[www.subr.edu/supd](http://www.subr.edu/supd)

### C. Responsible Employee

A Responsible Employee must promptly notify the Title IX Coordinator of any report of sexual misconduct brought to their attention, including campus law enforcement. The Title IX Coordinator works collaboratively with the reporting entity, making every effort to operate with discretion and maintain privacy of the individuals involved.

### D. Confidential Advisor

SUBR has designated three (3) confidential advisors. The duties of the confidential advisor shall be:

- a. To inform the alleged victim of the following:
  - i. The rights of the alleged victim under federal and state law and the policies of SUBR.
  - ii. The alleged victim's reporting options, including the option to notify SUBR, the option to notify local law enforcement, and any other reporting options.

- iii. If reasonably known, the potential consequences of the reporting options.
  - iv. The process of investigation and disciplinary proceedings of SUBR.
  - v. The process of investigation and adjudication of the criminal justice system.
  - vi. The limited jurisdiction, scope, and available sanctions of SUBR student disciplinary proceeding, and that it should not be considered a substitute for the criminal justice process.
  - vii. Potential reasonable accommodations that SUBR may provide to an alleged victim.
  - viii. The name and location of the nearest medical facility where an alleged victim may have a rape kit administered by an individual trained in sexual assault forensic medical examination and evidence collection, and information on transportation options and available reimbursement for a visit to such facility.
- b. To serve as a liaison between an alleged victim and SUBR or local law enforcement, when directed to do so in writing by an alleged victim who has been fully and accurately informed about what procedures shall occur if information is shared, and assist an alleged victim in contacting and reporting to a responsible employee or local law enforcement.
  - c. To liaise with appropriate staff at SUBR to arrange reasonable accommodations through SUBR to allow the alleged victim to change living arrangements or class schedules, obtain accessibility services, or arrange other accommodations.
  - d. To accompany the alleged victim, when requested to do so by the alleged victim, to interviews and other proceedings of a campus investigation and institutional disciplinary proceedings.
  - e. To advise the alleged victim of, and provide written information regarding, both the alleged victim's rights and SUBR's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a court of competent jurisdiction or by SUBR.
  - f. The confidential advisor shall not be obligated to report crimes to SUBR or law enforcement in a way that identifies an alleged victim or an accused individual, unless otherwise required to do so by law. The confidential advisor shall, to the extent authorized under law, provide confidential services to students.

## **E. The Complaint Process**

- a) The individual accused of conduct violating this Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise be given a full and complete written statement of the allegations and a copy of the Gender-Based Sexual Misconduct Policy (Title IX) by the Title IX Coordinator or his/her designee.
- b) The individual accused of conduct violating the Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise a review of relevant documents, as appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an



investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.

- c) Upon request, the Complainant and Respondent may each have either an advisor or attorney representative present when he or she is required to do so pursuant to the applicable provisions of SUBR University Student Judicial System and Procedures.
- d) At any time during the investigation, it may be recommended that interim protections or remedies for the Complainant and/or witnesses be provided by SUBR.
- e) The investigation shall be completed as promptly as possible and in most cases, within sixty (60) working days of the date that the request for formal investigation was filed. After the completion of the investigation, the Title IX Coordinator will prepare a written report.
- f) An investigation will result in a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence and a recommendation for corrective or disciplinary action. If the investigation involves allegations of student-on-student sexual misconduct, and the investigation results in a finding that this policy has been violated, the Title IX Coordinator will file a complaint with the SUBR Office of the Dean of Students and the complaint will be processed under the provisions of the SUBR University Student Judicial System and Procedures. In such cases, the Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the Complainant to determine in what capacity he/she will participate (i.e., co-complainant, witness, or no participation).
- g) Within fifteen (15) business days of taking corrective and/or disciplinary action against a Respondent, or a decision not to take any action, the SUBR Office of the Dean of Students shall provide written notification to the Title IX Coordinator of what action, if any has been taken, including the results of any appeals.

## **F. Special Complaint Process Provisions**

- a) **Attempted violations:** In most circumstances, SUBR will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- b) **SUBR as Complainant:** If the Complainant/Victim does not wish to release his/her name or file charges, then, as necessary, SUBR reserves the right to initiate a complaint, to serve as a Complainant and to initiate the University Judicial Process without a formal complaint being made by the victim of sexual misconduct.
- c) **False Reports:** SUBR will not tolerate intentional false reporting of incidents. It is a violation of SUBR University Policies and Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate Louisiana criminal statutes and civil defamation laws.
- d) **Immunity for Victims and Witnesses:** The SUBR campus community encourages the reporting of sexual misconduct violations and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report an incident to a Campus Representative or to participate in the University Judicial Process because they fear that they themselves may be accused of policy violations, such

as underage drinking at the time of the incident. It is in the best interests of this campus community that as many victims as possible choose to report to Campus Representatives, and that witnesses come forward to share what they know. To encourage reporting, SUBR pursues a policy of assisting victims of crimes and witnesses. Limited immunity is provided from specific policy violations related to the incident. While minor sexual misconduct violations cannot be completely overlooked, SUBR will provide further education, rather than responses, in such cases.

- e) **Bystander Engagement:** Welfare of SUBR students is of paramount importance. At times, students on and off campus may need assistance. SUBR encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as a student who is underage and has been drinking might hesitate to help take a sexual misconduct victim to the Southern University Police Department). SUBR will pursue a policy of limited immunity for students who offer help to others in need.
  
- f) **Parental Notification:** SUBR's primary relationship is with the student and not the parent. It reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and alcohol and other drug violations. Additionally, Campus Representatives will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication. SUBR also reserves the right to designate which University official may have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).
  
- g) **Notification of Outcomes:** The outcome of a sexual misconduct adjudication is part of the educational record of the accused student or Respondent, and is protected from release under federal law (FERPA), and SUBR's confidentiality of records policies. Moreover, SUBR observes legal exceptions as follows:
  - Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking and relationship violence incidents have an absolute right to be informed of the outcome, essential findings and sanctions of the SUBR Office of the Dean of Students, in writing, without conditions or limitations.
  
  - SUBR may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a University policy that is a "crime of violence", including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. SUBR will release this information to the Complainant in any of these offenses regardless of the outcome.
  
- h) **Alternative Testimony Options:** For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the Complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside the physical presence of the accused individual, such as in another room or by electronic means such as videoconferencing. While these options are

intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student or Respondent.

- i) **Past Sexual History/Character:** The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or University judicial process unless such information is determined to be highly relevant. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance by the Title IX Coordinator. While previous conduct violations by the accused student or Respondent are not generally admissible as information in determining responsibility for the present alleged violation, the Title IX Coordinator may supply previous complaint information to be considered in sanctioning or may consider it himself/herself only if:

- The Respondent was previously found to be responsible;
- The previous incident was substantially similar to the present allegation; and/or
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student or Respondent.

## **G. Formal Resolution Procedures for Complaints Against Faculty and Non-Faculty Employees**

Title IX complaints filed by students against employees of SUBR will follow procedures outlined in the Southern University System Personnel Handbook. A hard copy of this document can be obtained from the System Office of Human Resources on the SUBR campus at the J.S. Clark Annex Building, 1<sup>st</sup> Floor.

## **H. Formal Resolution Procedures for Complaints Against Students**

### **1. Complaints Against Students**

- a) Complaints will be assigned to the Title IX Coordinator, who will investigate the allegation(s). Following an investigation, a preliminary meeting will be held with the Respondent to review the complaint and other information gathered. After the complaint is investigated, the University judicial process is initiated. The SUBR Office of the Dean of Students, through the University Judicial Committee, will administer the University judicial process in accordance with the SUBR University Policies and Student Code of Conduct guidelines.
- b) Complainants and Respondents have the right to have an adviser of his/her choice present during the University judicial process. An adviser may provide support and advice but not actively participate in the hearing. Attorneys may act as advisers, but may not argue a case or attempt to introduce legal procedures.
- c) Hearings conducted by the University Judicial Committee will be closed to the public. SUBR reserves the right to review individuals attending hearings based on their involvement with the incident. All information presented during these proceedings is confidential and will only be released if subpoenaed or with the Complainant's or Respondent's permission except for final results of non-

consensual sexual intercourse or other violent acts, which will only be released to the victim of the act.

- d) Prospective witnesses, other than the Complainant/victim and Respondent may be excluded from a University judicial process hearing during statements made by other participants.
- e) Oral and/or written statements may be considered and will be weighed as deemed appropriate. Complainants and/or Respondents are responsible for ensuring witnesses or documents are available at the time of the hearing.
- f) Respondents will be afforded an opportunity to hear and respond to all information presented against them.
- g) Complainants and/or Respondents may request the removal of any participants in the University judicial process they feel may be biased against them.
- h) All participants are expected to act with integrity by providing honest answers, following established procedures and maintaining confidentiality.
- i) University judicial hearings will be conducted in a civil manner with any participant disrupting the process being excluded from the remainder of the hearing.
- j) Pending resolution of a complaint, a student's status may only be altered to protect SUBR's interests and/or the safety and security of individual members of the campus community. Such actions may include interim suspensions, restriction of privileges including access to certain areas of the campus, and no-contact directives.
- k) Determination of responsibility for violating this policy will be based on the standard of a preponderance of the evidence presented at the University judicial hearing.
- l) If it is determined that the Respondent is responsible for sexual misconduct, i.e., the sexual misconduct more likely than not occurred, the Complainant may present a statement recommending a sanction (the "Impact Statement"). The respondent will be provided with an opportunity to respond to the Impact Statement. The Hearing Board is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, discretion may be applied to permit the presence of other persons.
- m) Written notification of the outcome of the University judicial hearing, including the reasons for the decision, findings of fact and an explanation of the sanctions, will be sent within a reasonable time frame from the conclusion of the matter. Notifications will be sent to the Complainant and Respondent. Other notifications may be sent in order for SUBR to comply with applicable victim notification laws for reporting the results of the University judicial hearing.

## **2. Student Appeal Process**

- a) The outcome of any University judicial hearing may be appealed by either the Complainant or Respondent. All appeals will be pursued in accordance with the SUBR University Policies and Student Code of Conduct. Appeals must be based on at least one of the following reasons to be considered:
- Procedural errors in the operation of the University judicial process hearing were substantial enough to have effectively denied the student a fair hearing.
  - Availability of new and significant evidence that was not available at the original hearing in spite of diligent efforts by the student to collect such information.
  - Lack of substantial information presented at the hearing to support the decision on responsibility for a violation.
  - Severity of the sanctions does not match the severity of the violation.

### 3. Student Sanctions

- a) Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous SUBR Student Code of Conduct violations.
- b) Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.
- c) Any student found responsible for violating the Sexual Exploitation or Sexual Harassment provisions of this policy will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous SUBR Student Code of Conduct violations.

### 4. Range of Sanctions

The following sanctions comprise a range of official actions that may be imposed for violation of this policy by individuals or groups. One or more sanctions may be imposed at the discretion of the University Judicial Committee in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain the rationale behind regulations. This list does not limit the actions available and is not inclusive of all possible actions that could be taken as a result of a violation of this policy. Students found responsible for violations will receive a minimum disciplinary warning with expulsion being the maximum sanction.

- a) **Disciplinary Warning:** This action is taken when the individual's conduct or involvement merits an official admonition that can be either verbal or written. The student is warned that further misconduct may result in more severe disciplinary action. A disciplinary warning is intended to promote reflection on the decisions and behavior leading up to a violation and promotes an increased awareness of SUBR's behavioral expectations.<sup>1</sup>
- b) **Disciplinary Probation:** An indication to a student that his/her behavior has resulted in a sanction extremely close to suspension. It is imposed for a definite

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<sup>1</sup> Supplements the "Disciplinary Warning" provision currently reflected in the *SUBR University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at pp. 10-11.

period of time. Any further misconduct while on Disciplinary Probation will usually result in suspension from SUBR.

- c) **Residence Hall Reassignment or Removal:** This action is an involuntary reassignment to another residence hall or removal from on-campus housing altogether for a designated period of time and may include restricted visitation privileges. Usually, a student is given forty-eight (48) hours to remove all belongings from an assigned space and reimbursement of room charges will be based on SUBR's refund schedule for removals. This sanction is imposed to protect the welfare of a residence hall or floor community, and students having this sanction imposed should reflect on the behaviors necessary for an individual to be part of a residential community by respecting others, and developing critical thinking skills and mature decision-making skills.<sup>2</sup>
- d) **Restriction of Privileges:** This action consists of an effort to assist students in developing an awareness of the responsibilities that go along with privileges and increase an awareness of appropriate behavior and how decisions impact themselves and others. Under this sanction, students may be restricted from entering certain buildings, attending certain events or using specific programs due to their behavior. Residence hall students may have their visitation privileges restricted or revoked for a certain time period, or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the Office of the Dean of Students based on the incident.
- e) **No-contact Directive:** This action is implemented at the discretion of the chairperson of the Hearing Board directing a student to avoid initiating contact with another member of the SUBR campus community, it may include limiting access to certain areas to avoid incidental contact. A No-Contact Directive may be imposed at a student's request in the absence of a Hearing Board decision if it does not involve any accommodation changes. Contact includes direct interactions in person or through technology, as well as the use of third parties to interact. The No-Contact Directive is not limited by location. They can be issued open-ended and would only be considered if the person who originally requested it asked to have it canceled.
- f) **Suspension of Group Recognition:** This action consists of the withdrawal of all or part of the official recognition of a group for a stated period of time and will include conditions for reinstatement of recognition. This sanction is intended to assist groups in developing a stronger sense of the responsibilities that go along with the privileges of SUBR recognition and commitment to be a positive part of the campus community.
- g) **Revocation of Group Recognition:** This action is permanent cancellation of the official SUBR recognition and privileges of a group found in violation of this policy.
- h) **Restitution Fines:** A student or organization may be required to make payment to SUBR or to another specified person(s) or group(s) for damages incurred as a result of a violations of this policy. Restitution fines may be imposed by SUBR in addition to any other sanction to promote responsibility for actions and an awareness of the consequences of behavior.

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<sup>2</sup> Supplements the "Eviction" provision currently reflected in the *SUBR University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

- i) **Restitution Service:** As part of the sanctioning process, students can be required to perform service to assist in developing increased awareness of the impact of their decisions and strengthen critical thinking abilities to identify appropriate behavior. These services can include performing assigned duties, sponsoring programs, etc.
- j) **Educational Activity:** A student or organization may be required to complete an educational activity or project relating to a violation of this policy to assist in their developing increased awareness of the impact of their decisions, strengthen critical thinking abilities to identify appropriate behavior, and develop an increased sense of responsibility, integrity and civility.
- k) **Registration Hold:** A hold may be placed on a student's registration if the student has failed to complete a sanction or withdraws prior to official resolution of a complaint. Holds are intended to be temporary until the sanction is complete. Registration holds may also be used during periods of interim suspension, suspension or expulsion.
- l) **Emergency (Interim) Suspension:** The SUBR Dean of Students may recommend the suspension of a student for an interim period, pending the outcome of the University judicial process, whenever there is evidence that the continued presence of the student at SUBR poses a substantial threat to the safety and/or well-being of any member of the SUBR campus community or private property. The student shall be given an opportunity to appear personally before the Hearing Board within ten (10) business days from the effective date of the interim suspension unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. Both the student[s] and SUBR must agree to an extension that may be left open-ended. By agreeing to an extension, the Respondent/student accepts the decision of interim suspension and any conditions imposed as part of it. During an interim suspension, the Respondent/student will be barred from all or part of SUBR's premises, as designated by the SUBR Dean of Students. A Respondent/student under interim suspension who returns to a portion of the campus from which he/she was barred without permission from the SUBR Dean of Students will be subjected to dismissal and/or arrest for trespassing.<sup>3</sup>
- m) **Disciplinary Suspension:** This action is an involuntary separation of a Respondent/student from SUBR for a designated period of time after which he/she is eligible to return. The SUBR Dean of Students may establish requirements for reinstatement, which must be fulfilled to his/her satisfaction. The Respondent/ student may not participate in any SUBR sponsored activity and may be barred from SUBR premises during the suspension period. Reimbursement of charges or fees for students removed from the campus due to sexual misconduct will follow the University's official refund schedule for withdrawals. This action is designed to protect members of the SUBR campus community and their property, promote critical thinking and mature decision-making skills, and promote self-reflection on behavior and the impact it has had on the Respondent/student and others.<sup>4</sup>

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<sup>3</sup> Supplements the "Emergency Administrative Suspension" provision currently reflected in the *SUBR University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

<sup>4</sup> Supplements the "Disciplinary Suspension" provision currently reflected in the *SUBR University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

- n) **Disciplinary Expulsion:** The action entails involuntary and permanent separation from SUBR. The Respondent/student will be barred from all campuses activities within the Southern University System and property following expulsion. Reimbursement of charges or fees for students removed from campus due to sexual misconduct will follow the official refund schedule for withdrawals.<sup>5</sup>

## I. Retention of Records

The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions. All written records associated with the resolution of a complaint pertaining to the formal investigation will be maintained in accordance with all pertinent SUBR policies and procedures.

## J. Confidentiality and Privacy

Generally, it is not confidential when a person reports sexual misconduct. A complainant/victim may make a request for confidentiality/privacy at any point. This type of request means that the Complainant/victim does not want his/her identity known to the Respondent and witnesses, or that the Complainant/victim wishes to withdraw a report. If at any point the Complainant/victim requests privacy, SUBR will make all reasonable attempts to comply with this request. In situations where a Complainant/victim requests confidentiality/privacy, SUBR's ability to investigate and respond to the allegations may be limited.

SUBR is required by Title IX to weigh the complainant/victim's request for confidentiality/privacy within its commitment to provide a reasonably safe and non-discriminatory environment. The complainant/victim will be notified by a Confidential Advisor if it is determined that SUBR cannot maintain her/his confidentiality/privacy. The Complainant/victim's identity will be revealed to those individuals who need to know the name of the Complainant in order for an investigation to commence.

In situations where SUBR becomes aware of a pattern of behavior by a single student or Respondent, it will take all appropriate actions in an attempt to protect the campus from gender-based misconduct by that individual. If the offender is unknown or is not a member of the campus community, SUBR staff will assist individuals in identifying appropriate campus resources or local authorities, if that person would like to file a report.

When a report of gender-based sexual misconduct is filed, the complainant/victim, the Respondent and all identified witnesses who are named in the investigation, will be notified of SUBR's expectation of confidentiality and privacy. SUBR will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in gender-based sexual misconduct investigations and hearings. Breaches of confidentiality and privacy against the complainant/victim or witnesses and may warrant a separate misconduct hearing.

If a person desires to keep an incident of sexual misconduct confidential, they should speak with individuals who have professional or legal obligations to keep communications confidential. When seeking advice and support, person should always consider whether

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<sup>5</sup> Supplements the "Disciplinary Expulsion" provision currently reflected in the *SUBR University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.



they want to discuss their concerns with a confidential resource. Unless there is an imminent threat to health or safety or other basis for disclosure, confidentiality applies when persons seek services from the following resources:

- **University Counseling Center** – (225) 771 – 2480
- **Student Health Center** – (225) 771 – 4770
- **Sexual Trauma Awareness & Response (STAR) Center**; [www.brstar.org](http://www.brstar.org)
- **Rape Crisis Hotline** (225) 383-7278; [prevention@brstar.org](mailto:prevention@brstar.org)

Disclosures or reports made to any other entities except those listed above are NOT confidential. For example, incidents of sexual misconduct discussed with a supervisor, resident assistant, coach, staff, or faculty member, those persons are “Responsible Employees” and, as such, are obligated pursuant to this policy to report sexual misconduct to the Title IX Coordinator.

## **K. Amnesty**

While SUBR does not condone underage drinking or violation of any other policies, it considers reporting sexual assault and sexual misconduct to be of paramount importance. To encourage reporting and adjudication of sexual assault and misconduct, SUBR will extend limited amnesty to students who have been the victim of sexual misconduct. SUBR will generally not seek to hold the student responsible for his/her own violations of the law (e.g. underage drinking), or of the SUBR University Policies and Student Code of Conduct in which he or she may have been involved during the period immediately surrounding the sexual misconduct.

## **L. Retaliation**

Retaliation against any person who alleges a violation of the Gender- Based Sexual Misconduct Policy or who reports or assists SUBR in the investigation of a complaint under this policy may result in disciplinary action up to and including termination or expulsion by SUBR. Retaliation against any person who is the Complainant/victim of sexual misconduct is prohibited as well. There will be no retaliation against those who report or assist the SUBR campus in the investigation of a complaint. Retaliation against the Complainant/victim or witnesses may warrant a separate University judicial process hearing.

## **IX. Information and Assistance**

The Title IX Coordinator’s role is to oversee SUBR’s compliance with Title IX regulation and will:

- A.** Serve as a resource for students wishing to report any acts of sexual misconduct or gender-based discrimination, i.e. violations of Title IX.
- B.** Provide oversight for all Title IX activities and identify patterns, issues or problems regarding sexual misconduct complaints.
- C.** Review and support the informational initiatives enabling students, staff, administrators and faculty to fully understand sexual violence and sexual harassment as forms of sexual discrimination and further educate the SUBR campus community about all related policies and procedures.
- D.** Conduct all initial investigations of sexual misconduct complaints and issue written copy of findings.

If a student believes that he/she has experienced sexual harassment and/or any form of sexual misconduct, they are strongly encouraged to file a complaint with SUBR, with the police or with both.

## **APPENDIX A - COMPLAINANT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right of both the Complainant and Respondent to have the same opportunity to have others present (in support or advisory roles) during the University judicial process hearing;
4. The right not to be discouraged by University officials from reporting sexual misconduct offenses to both on-campus and off-campus authorities;
5. The right to be informed of the outcome and sanctions imposed as the result of a University judicial process hearing involving a sexual misconduct offense, usually within forty-eight (48) hours of the end of that hearing;
6. The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by Campus Representatives in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the Complainant/victim's desire;
7. The right to be notified of available counseling, mental health or student services for the Complainant/victim both on campus and in the community;
8. The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the Complainant/victim and if such changes are reasonably available. (No formal complaint, or investigation, campus or criminal, need occur before this option is available.) Accommodations may include:
  - Change of an on-campus student's housing to a different on-campus location if space is available;
  - Assistance from University support staff in completing the relocation;
  - Arranging to dissolve a housing contract and pro-rating a refund;
  - Exam (paper, assignment) rescheduling;
  - Taking an Incomplete in a class;
  - Transferring class sections;
  - Temporary withdrawal; and/or
  - Alternative course completion options.
9. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process hearing ;
10. The right to make an Impact Statement at the University judicial process hearing and to have that statement considered in determining a sanction;
11. The right to a campus no-contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
12. The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement;
13. The right to appeal the (finding and) sanctions imposed by the SUBR Office of the Dean of Students, in accordance with the standards for appeal established by the institution;
14. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least forty-eight (48) hours prior to the University judicial process hearing;
15. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety

reasons (this does not include the name of the alleged Complainant/victim, which will always be revealed);

16. The right to preservation of privacy, to the extent possible and allowed by law;
17. The right to a hearing closed to the public;
18. The right to petition that any member of the Hearing Board be removed on the basis of demonstrated bias;
19. The right to bring a victim advocate or adviser to all phases of the investigation and University judicial process hearing;
20. The right to give testimony in the University judicial process hearing by means other than being in the same room with the Respondent;
21. The right to ask the investigator(s) to identify and question relevant witnesses, including expert witnesses;
22. The right to be fully informed of the University judicial process rules and procedures, as well as the nature and extent of all alleged violations contained within the complaint;
23. The right to have the University request the presence of student, faculty and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of witnesses (including the Respondent) and the right to challenge documentary evidence;
24. The right to be present for all testimony given and evidence presented before the Hearing Board;
25. The right to have complaints heard by the Hearing Board members and appeal officers who have received annual sexual misconduct training;
26. The right to have a Hearing Board comprised of representatives of both genders;
27. The right to have University policies and procedures followed without material deviation;
28. The right to be informed in advance of any public release of information regarding the complaint if possible; and
29. The right not to have released to the public any personally identifiable information, without his or her consent.

## **APPENDIX B - RESPONDENT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right to be informed of, and have access to, campus resources for medical, counseling and advisory services;
4. The right to be fully informed of the nature, rules and procedures of the University judicial hearing process and to timely receive written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
5. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
6. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process;
7. The right to make an Impact Statement during the University judicial process hearing and to have that statement considered in determining a sanction;
8. The right to appeal the finding and sanction of the Hearing Board, in accordance with the standards for appeal established by SUBR;
9. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, usually within forty-eight (48) hours prior to the University judicial process hearing;
10. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the Complainant/victim, which will always be revealed);
11. The right to a hearing closed to the public;
12. The right to petition that any member of the Hearing Board be removed on the basis of bias;
13. The right to have the Hearing Board request the presence of student, faculty and staff witnesses, and the opportunity to ask questions, directly or indirectly, of witnesses and the right to challenge documentary evidence;
14. The right to have complaints heard and/or appealed by individuals who have received annual sexual misconduct adjudication training;
15. The right to have SUBR policies and procedures followed without material deviation;
16. The right to have an adviser or advocate accompany and assist in the University judicial process. This advisor can be anyone but the adviser may not take part directly in the hearing itself, though he/she may communicate with the Respondent as necessary;
17. The right to a fundamentally fair hearing, as defined by SUBR policies and procedures;
18. The right to an outcome based solely on evidence presented during the University judicial process hearing. Such evidence shall be credible, relevant, based in fact, and without prejudice;
19. The right to written notice of the outcome and sanction of the Hearing Board;
20. The right to have the Hearing Board comprised of representatives of both genders; and
21. The right to be informed, in advance when possible, of any public release of information regarding the complaint.

## **APPENDIX C - FREQUENTLY ASKED QUESTIONS ABOUT THE GENDER-BASED/SEXUAL MISCONDUCT POLICY (TITLE IX)**

Some of the most commonly asked questions regarding a Gender-Based/Sexual Misconduct Policy and procedures are summarized below:

❖ ***Does information about a complaint remain private?***

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with SUBR's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the Complainant/victim or the Respondent may lead to action by SUBR as it can be viewed as a form of retaliation if being done to malign or impinge a person's character.

In all complaints of sexual misconduct, all parties will be informed of the outcome. If there is a report of an act of alleged sexual misconduct to a SUBR Campus Representative and there is evidence that a felony has occurred, the Southern University Police Department will be notified. This does not mean charges will be automatically filed but that a victim must speak with the police, and the institution is legally required to notify law enforcement authorities. SUBR must also statistically report the occurrence on-campus major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

❖ ***Will my parents be told?***

No, not unless you tell them. Whether you are the Complainant/victim or the Respondent, SUBR's disciplinary relationship is with the student and not his/her parent(s). University officials will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication.

❖ ***Will the Respondent know my identity?***

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the Respondent has a right to know the identity of the Complainant/victim. If there is a hearing, SUBR does provide options for questioning without confrontation, including using a room divider or using separate hearing rooms.

❖ ***Do I have to name the perpetrator?***

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete Confidentiality Policy contained in this policy to better understand SUBR's legal obligations depending on what information you share with different University officials). Complainants should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively but will result in an investigation based on the information provided.

❖ ***What do I do if I am accused of sexual misconduct?***

DO NOT contact the Complainant/victim. You may immediately want to contact someone in the campus community who can act as your adviser. You may also contact the Title IX Coordinator who can explain SUBR's procedures for addressing sexual misconduct complaints. As a Respondent, you will be contacted for an interview by the Title IX Coordinator or his/her designee. You may ask any question you have during this interview. You may also want to talk to a confidential counselor at the SU Counseling Center or seek other community assistance. See below regarding legal representation.

❖ ***Will I (as a Complainant/victim) have to pay for counseling/medical care?***  
Not typically, if SUBR provides these services already.

❖ ***What about legal advice?***

Complainants/victims of criminal sexual misconduct need not retain a private attorney to pursue prosecution because representation will be handled by the East Baton Rouge Parish District Attorney's Office. You may want to retain an attorney if you are the Respondent or are considering filing a civil action. Respondents may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the University judicial process.

❖ ***What about changing residence hall rooms?***

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typical institutional policy that in emergency room changes, the student is moved to the first available and suitable room. If you want the Respondent to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal University complaint. No-Contact Directive can be imposed and temporary room changes for the accused student can usually be arranged quickly. Room changes can be accommodated if space is available. Other accommodations available to you might include:

- Assistance from University support staff in completing the relocation.
- Arranging to dissolve a housing contract and pro-rating a refund.
- Assistance with or rescheduling an academic assignment (paper, exams, etc.).
- Taking an Incomplete in a class.
- Assistance with transferring class sections.
- Temporary withdrawal.
- Assistance with alternative course completion options.
- Other accommodations for safety as necessary.

❖ ***What should I do about preserving evidence of a sexual assault?***

Police are in the best position to secure evidence of a crime. Physical evidence of sexual misconduct must be collected from the Complainant/victim's person within one hundred and twenty (120) hours of the alleged incident, although evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe you have been a victim of a sexual misconduct, you should go to a hospital emergency room before washing yourself or your clothing.

If a Complainant/victim goes to the hospital, local police will be called, but the victim is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to take any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the Complainant/victim later decide to exercise it.

*For the Complainant/Victim:* The hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and the person can accompany you through the exam,

if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

❖ ***Will a Complainant/victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?***

Usually not. The severity of the infraction will determine the nature of SUBR's response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and SUBR does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

❖ ***Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?***

The use of alcohol and/or drugs by either party will not diminish the Respondent's responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant/victim's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the Complainant/victim does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the Respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation of the sexual misconduct policy.

❖ ***Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?***

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the current complaint.

❖ ***What should I do if I am uncertain about what happened?***

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of SUBR's sexual misconduct policy, you should contact the SUBR Title IX Coordinator. The University provides advisers who can help you to define and clarify the event(s), and advise you of your options.





**Southern University at Shreveport**

**Gender-Based Sexual  
Misconduct (Title IX) Policy**

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## II. Introduction

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. These behaviors are clear impediments to creating an educational atmosphere which is free from discrimination. As a result, an institution receiving federal funds must promulgate strategies and policies which demonstrate its ability to uphold the law and comply with applicable regulations. When the Complainant or Respondent is a student, the violation falls under the provisions of Title IX.

This Southern University at Shreveport (SUSLA) campus policy utilizes the term “gender-based sexual misconduct” to encompass all behaviors that involve gender-based violations of an individual’s rights specifically manifested by sexual behavior and actions. Accordingly, this term is inclusive of conduct considered to constitute sexual harassment, non-consensual sexual contact or intercourse (of which sexual violence would be included), sexual exploitation, stalking, intimate partner violence, and other forms of inappropriate behavior that are linked with the sex/gender of the Complainant and/or Respondent. These behaviors, when deemed to have occurred, deprives an individual of their rights, and/or access to an education or employment which constitutes a violation of this policy.

Members of the SUSLA campus community which includes students, faculty, administrators, guests, and visitors have the right to be free from sexual misconduct of any type. Therefore, SUSLA is firmly committed to maintaining a climate of respect and safety for everyone. All members of the SUSLA campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. As a result, this campus has a zero tolerance policy for gender-based sexual misconduct. When an allegation of sexual misconduct is brought to the attention of the appropriate Campus Representative, and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions cease and are never repeated. In addition, SUSLA’s response will provide individuals who bring forth complaints with reasonable remedies that will insure full participation in their educational and/or employment activities. Nothing in this policy shall abridge academic freedom or SUSLA’s educational mission.

The Title IX Coordinator shall receive notice of all reports of sexual misconduct received by any individual deemed a “Responsible Employee” under this policy. No employee (other than law enforcement) is authorized to investigate or resolve reports of sexual misconduct without the involvement of the Title IX Coordinator.

### **SUSLA Title IX Coordinator**

Kaye L. Washington  
3050 Martin L. King, Jr. Drive  
Shreveport, 71107  
Phone: 318-670-9474  
Email: [klwashington@susla.edu](mailto:klwashington@susla.edu)  
Web: [www.susla.edu](http://www.susla.edu)

### **III. Jurisdiction**

All students, faculty, staff, administrators, affiliates and others participating in SUSLA programs and activities are subject to this policy. SUSLA has jurisdiction over, and will respond to allegations of sexual misconduct occurring on campus premises, at SUSLA affiliated activities and/or where the misconduct involves students, faculty, staff, administrators, guests and visitors of this campus.

Reports of incidents of sexual misconduct committed by a student, faculty or staff at a location other than the SUSLA campus and which affects the SUSLA campus community are covered by this policy. Discipline for violations of this policy may include, but are not limited to, termination, expulsion and/or other appropriate institutional sanctions; and affiliates and program participants may be removed from SUSLA programs and/or prevented from returning to campus.

### **IV. Overview of Policy Expectations With Respect to Physical Sexual Misconduct**

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent must be a clear and sober “YES”. Non-verbal consent is not as clear as discussing what is or isn’t sexually permissible. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent can also be withdrawn at any point during sexual activity.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if he/she cannot fully understand the details of a sexual interaction (who, what, when, where, why, how or how long) because he/she lacks the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Anything but a clear, knowing and voluntary “YES” to any sexual activity is equivalent to a “No”.

### **V. Overview of Policy Expectations With Respect to Consensual Relationships**

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as professor and student or supervisor and student employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcomed may become unwelcomed. Even when both parties have consented at the outset to romantic or sexual involvement, this past consent may not remove grounds for a later charge of violation.

For the personal protection of members of this campus community, relationships in which power differentials are inherent (faculty-student, staff-student, or administrator-student, etc.) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains

a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the individual/employee from the supervisory or evaluative responsibility, or shift them out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

## VI. Definitions

**Allegation:** A statement by a Complainant that he/she believes an act of sexual misconduct has occurred.

**Bullying:** Typically is portrayed as aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power. It often includes comments about race, color, national origin, sex, sexual orientation or disability and frequently involves an imbalance of power, aggression, and a negative repeated behavior.

**Campus Representative:** Any individual who, in the course of his/her duties as a SUSLA employee, is in the position to assist a member of the campus community who has been sexually assaulted.

**Coercion:** Unreasonable pressure for sexual activity. When someone makes it clear that he/she does not want to engage in sexual behavior, or that he/she does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.

**Complainant/Victim:** The person making an allegation or complaint of sexual misconduct.

**Complaint:** A formal notification, either orally or in writing, of the belief that sexual misconduct has occurred.

**Confidential Advisor:** Designated individuals who have been trained to aid a student involved in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term "confidential advisor," confidential communications with the advisor will be kept confidential in all circumstances except where the institution or advisor may be required to disclose the communications under state and federal laws.

**Consent:** Consent must be clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober "YES". Consent may not be inferred from silence, passivity, or lack of active resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute, and consent to one form of sexual activity. It does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one's responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity because of circumstances or the behavior of another, or due to their age. Examples of such situations may include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment.

**Cyber-Bullying:** Cyber-bullying occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another person using the Internet, interactive and digital technologies, or mobile phones. Those who are electronically engaged can be cyber-bullied at any time or location, making the effect of cyber-bullying ubiquitous and acute. Harassment, hazing and stalking often are used to encompass cyber-stalking or cyber-bullying activities. The severity of the act and state law dictate what is criminal. Examples include flaming, harassment, hazing or stalking. The difference should be assessed through the: 1) kind of threat (e.g. name-calling, threat of harm, bomb, etc.); 2) frequency of threat (how often it occurs); and 3) source and nature of threats. Generally speaking, bullying is an on-going behavior. Hazing is often done once or twice during orientations or initiations, but may be more acute.

**Dating Violence:** Occurs when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes and education levels. It can happen on a first date, or during a long term relationship. It can happen whether the individual is young or old, and/or in a heterosexual or same-sex relationship. Dating violence can include physical abuse (hitting, shoving, kicking, biting, throwing things), emotional abuse (yelling, naming-calling, bullying, embarrassing), and sexual abuse (forcing a partner to do something sexual).

**Domestic Violence:** Occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called domestic violence. Domestic violence and abuse are used for one purpose and one purpose only, for one person to gain and maintain total control over another person. An abuser does not “play fair”. Abusers use fear, guilt, shame and intimidation to maintain power and control. The abuser may also threaten or hurt the individual or those around the victim or complainant. Domestic violence and abuse does not discriminate. It happens in heterosexual or same-sex relationships. It occurs within all age ranges, ethnic backgrounds and economic levels. While women are more commonly victimized, men can also be abused, especially, verbally and emotionally, although sometimes even physically as well.

**Force:** The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance or produces consent. There is no requirement that a person has to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Gender-based harassment:** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

**Gender-based misconduct:** Is comprised of a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, and intimate partner violence are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Gender-based misconduct can be

committed by men or by women, and it can occur between people of the same or different sex. Examples of gender-based misconduct include:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcomed touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcomed references to various parts of the body;
- Belittling remarks about a person's gender or belittling remarks about a person's sexual orientation based in gender-stereotyping;
- Inappropriate sexual innuendoes or humor;
- Videotaping and photographing someone or people without consent;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;
- Sexually explicit profanity; and/or
- Use of e-mail, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.

**Gender Discrimination:** Unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

**Impairment:** The state of being diminished, weakened or damaged, especially mentally or physically.

**Incapacitation:** Incapacity can result from mental disability, sleep deprivation, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be or, based on the circumstances, should reasonably have known to be mentally or physically incapacitated, constitutes a violation of this policy. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another's ability to give consent.

**Inebriate:** To be made drunk; to exhilarate, confuse or stupefy a person mentally or emotionally.

**Intimate Partner Violence (IPV):** Physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur in heterosexual or same-sex relationships, whether co-habiting or not, and does not require sexual intimacy. IPV can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

**Intimidate:** To make timid, fill with fear; to overcome or cow, as through the force of personality or a superior display of strength which can control an individual's actions.

**Intoxication:** Inebriation; drunkenness.

**Investigator:** Is the Title IX Coordinator, or his/her designee, who is officially responsible for administrative investigations of all reports and/or allegations pertaining to a violation of this Gender-Based Sexual Misconduct Policy filed by students and employees.

**Rape:** Is forced sexual intercourse that is perpetrated against the will of the complainant or when he/she is unable to or incapable of giving consent (i.e. unconscious, asleep or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the Complainant. Rape is complete at the point of penetration no matter how slight that penetration.

**Reproductive Coercion:** Explicit male behaviors to promote pregnancy (unwanted by a woman). Reproductive coercion can include “birth control sabotage” (e.g. interference with contraception) and/or “pregnancy coercion”, such, as telling a woman not to use contraception and threatening to leave her if she doesn’t get pregnant.

**Respondent:** The person whose actions are alleged to have violated this Gender-Based Sexual Misconduct Policy.

**Responsible Employee:** The Office of Civil Rights defines a responsible employee has an individual, (a) who has the authority to take action to redress sexual harassment/misconduct, (b) who has been given the duty of reporting incidents of sexual harassment/misconduct **or** any other misconduct by students to the Title IX Coordinator or other appropriate designee; or (c) who a student reasonably believes has this authority or duty.

**Sexual Assault:** Is engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person:

- a) Sexual penetration without the consent of the other person;
- b) Sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; and/or
- c) Sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Sexual Contact:** The deliberate touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person’s intimate parts.

**Sexual Intercourse:** Means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Misconduct:** Is the broad term encompassing, “Sexual Exploitation”, “Sexual Harassment”, “Non-Consensual Sexual Contact,” and “Non- Consensual Sexual Intercourse”, as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of sexual misconduct may include the following:

**Sexual Misconduct Offenses:**

- **Sexual Harassment**

Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from SUSLA’s educational programs. The unwelcomed behavior may be based on power differentials [*quid pro quo* i.e. “you have to



give something to get something”] which creates a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious or unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking or gender-based bullying.

- **Non-Consensual Sexual Contact [or attempts to commit same]**

Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with or by breasts, buttocks, groin, genitals, mouth or other orifice.

- **Non-Consensual Sexual Intercourse [or attempts to commit same]**

Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

- **Sexual Exploitation**

Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual video, photography or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting someone hide in a closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting a STD or HIV to another person;
- Exposing one’s genitals in non-consensual circumstances, or inducing another to expose their genitals; and/or
- Sexually-based stalking and/or bullying.

**Standard of Proof:** The Department of Education’s Office of Civil Rights has interpreted Title IX to require institutions to evaluate evidence of alleged Sexual Misconduct under a “*preponderance of the evidence*” standard and that is the standard adopted by this policy. A preponderance of the evidence means that the information shows that it is “*more likely than not*” that the accused student or Respondent violated this policy. In the context of a judicial hearing hereunder, the accused student or Respondent will be found to be responsible for the alleged sexual misconduct if it concludes, by a unanimous vote, that such sexual misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the SUSLA Office of Assistant Vice Chancellor of Students Affairs shall carefully consider all of the evidence presented and follow the procedures stated in this policy and the SUSLA University Student Judicial System and Procedures in order to ensure as fair a hearing as possible for all parties.

**Stalking:** Behavior where a person follows, places under surveillance, or contacts, another person without the consent of the other person for the purpose of harassing and intimidating the other person. The term “contact” means to make or attempt to make any communication, including, but not limited to, communication in person, by telephone, by mail, by broadcast, by computer or computer network, or by any other electronic device. “Harassing and intimidating” refers to communication directed at a person that causes emotional distress because of a reasonable fear for the person’s safety or safety of others, and which serves no legitimate purpose. It does not require that an overt threat of death or bodily injury be made.

**Student:** Any person currently or previously enrolled at the SUSLA campus pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

**Title IX Coordinator:** The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance efforts on behalf of SUSLA.

**University Judicial Committee (Hearing Board):** This is an administrative body which, among other things, conducts hearings under this policy. It is comprised of students, faculty and staff.

**University Judicial Process:** Encompasses a series of actions and procedures administered by the SUSLA Office of Assistant Vice Chancellor of Students Affairs which are designed to safeguard a student’s right to due process. This process does not include the observance and/or application of state and/or federal rules of civil procedures.

**University Official:** Any person employed by SUSLA, performing administrative or professional responsibilities.

## **VII. Sexual Exploitation And Other Misconduct Offenses**

- A.** Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.
- B.** Discrimination which is defined as actions that deprive other members of the campus community of educational or employment access, benefits or opportunities on the basis of gender.
- C.** Intimidation which is defined as implied threats or acts that cause an unreasonable fear of harm in another.
- D.** Hazing which is defined as acts likely to cause physical or psychological harm or social ostracism to any person on the SUSLA campus, when related to admission, initiation, pledging, joining or any other group-affiliation activity.
- E.** Bullying which is defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).
- F.** Violence between those in an intimate relationship toward each other.
- G.** Stalking which is defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the SUSLA campus community; or the safety of any of the immediate faculty and/or staff family members of this campus.

## VIII. Reporting Sexual Misconduct

### A. Formal Complaint

Any member of the SUSLA campus community, guest, visitor or other interested party may make a report of an alleged violation of the Gender-Based Sexual Misconduct Policy. Complaints must be in writing and submitted within one hundred and twenty (120) days following the date of the alleged incident of sexual misconduct. While SUSLA is firmly committed to protecting all students from harassment or discrimination in education programs and/or activities, failure to file a timely complaint may adversely affect the ability of SUSLA to take appropriate actions under this policy.

### B. Reporting

SUSLA's primary concern is with the health, safety, and well-being of its students and the University community. Students who have experienced any form of gender-based sexual misconduct are urged to seek immediate assistance. Assistance can be obtained twenty-four (24) hours a day, seven (7) days a week from:

a) Sexual misconduct by faculty, staff, and third parties should be reported to:

- **Office of Assistant Vice Chancellor of Student Affairs**  
(318) 670-9317 or (318) 670-9315  
[www.felliott@susla.edu](mailto:www.felliott@susla.edu) or [www.susla.edu/student-services](http://www.susla.edu/student-services)
- **Office of Human Resources**  
(318) 670-9230 or (318) 670-9351  
[www.whbryant@susla.edu](mailto:www.whbryant@susla.edu) or [www.susla.edu/human-resources](http://www.susla.edu/human-resources)
- Incidents may also be reported confidentially to the following Confidential Advisors:
  - **Office of University Counseling**
  - (318) 670-9474
  - [www.klWASHINGTON@susla.edu](mailto:www.klWASHINGTON@susla.edu)
  - **Office of Disability Services**
  - (318) 670-9473
  - [www.jellis@susla.edu](mailto:www.jellis@susla.edu)

b) Sexual misconduct by faculty, staff, and third parties should be reported to:

- **Office of Assistant Vice Chancellor of Student Affairs**
- (318) 670-9317 or (318) 670-9315  
[www.felliott@susla.edu](mailto:www.felliott@susla.edu) or [www.susla.edu/student-services](http://www.susla.edu/student-services)
- **Office of Residence Life and Housing**  
(318) 670-6702 or (318) 670-9700  
[www.kkennedy@susla.edu](mailto:www.kkennedy@susla.edu) or [www.susla.edu/housing](http://www.susla.edu/housing)
- Incidents may also be reported confidentially to the following Confidential Advisors:
  - **Office of University Counseling -**
  - (318) 670-9474 - [www.klWASHINGTON@susla.edu](mailto:www.klWASHINGTON@susla.edu)
  - **Office of Disability Services**
  - (318) 670-9473 - [www.jellis@susla.edu](mailto:www.jellis@susla.edu)

- c) Sexual misconduct, particularly sexual violence, may be a crime. SUSLA will assist complainants who wish to report sexual misconduct to the Southern University Police Department. Representatives of the Office of Student Life/Assistant Vice Chancellor of Student Affairs, Residence Life and Housing, and the Office of Human Resources are available to assist students in reporting to SUSLA PD. SUSLA PD will also assist complainants in notifying other law enforcement authorities in other jurisdictions, as appropriate.

**a. Southern University at Shreveport Police Department**  
(318) 670-9349 or (318) 286-6647(emergency cell telephone)  
[www.mnelson@susla.edu](mailto:www.mnelson@susla.edu), [www.jivey@susla.edu](mailto:www.jivey@susla.edu) or  
[www.lspeed@susla.edu](mailto:www.lspeed@susla.edu)

### **C. Responsible Employee**

A Responsible Employee must promptly notify the Title IX Coordinator of any report of sexual misconduct brought to their attention, including campus law enforcement. The Title IX Coordinator works collaboratively with the reporting entity, making every effort to operate with discretion and maintain privacy of the individuals involved.

### **D. Confidential Advisor**

SUSLA has designated three (3) confidential advisors. The duties of the confidential advisor shall be:

- a. To inform the alleged victim of the following:
- i. The rights of the alleged victim under federal and state law and the policies of SUSLA.
  - ii. The alleged victim's reporting options, including the option to notify SUSLA, the option to notify local law enforcement, and any other reporting options.
  - iii. If reasonably known, the potential consequences of the reporting options.
  - iv. The process of investigation and disciplinary proceedings of SUSLA.
  - v. The process of investigation and adjudication of the criminal justice system.
  - vi. The limited jurisdiction, scope, and available sanctions of SUSLA student disciplinary proceeding, and that it should not be considered a substitute for the criminal justice process.
  - vii. Potential reasonable accommodations that SUSLA may provide to an alleged victim.
  - viii. The name and location of the nearest medical facility where an alleged victim may have a rape kit administered by an individual trained in sexual assault forensic medical examination and evidence collection, and information on transportation options and available reimbursement for a visit to such facility.
- b. To serve as a liaison between an alleged victim and SUSLA or local law enforcement, when directed to do so in writing by an alleged victim who has been

fully and accurately informed about what procedures shall occur if information is shared, and assist an alleged victim in contacting and reporting to a responsible employee or local law enforcement.

- c. To liaise with appropriate staff at SUSLA to arrange reasonable accommodations through SUSLA to allow the alleged victim to change living arrangements or class schedules, obtain accessibility services, or arrange other accommodations.
- d. To accompany the alleged victim, when requested to do so by the alleged victim, to interviews and other proceedings of a campus investigation and institutional disciplinary proceedings.
- e. To advise the alleged victim of, and provide written information regarding, both the alleged victim's rights and SUSLA's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a court of competent jurisdiction or by SUSLA.
- f. The confidential advisor shall not be obligated to report crimes to SUSLA or law enforcement in a way that identifies an alleged victim or an accused individual, unless otherwise required to do so by law. The confidential advisor shall, to the extent authorized under law, provide confidential services to students.

## **E. The Complaint Process**

- a) The individual accused of conduct violating this Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise be given a full and complete written statement of the allegations and a copy of the Gender-Based Sexual Misconduct Policy (Title IX) by the Title IX Coordinator or his/her designee.
- b) The individual accused of conduct violating the Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise a review of relevant documents, as appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.
- c) Upon request, the Complainant and Respondent may each have either an advisor or attorney representative present when he or she is required to do so pursuant to the applicable provisions of SUSLA University Student Judicial System and Procedures.
- d) At any time during the investigation, it may be recommended that interim protections or remedies for the Complainant and/or witnesses be provided by SUSLA.

- e) The investigation shall be completed as promptly as possible and in most cases, within sixty (60) working days of the date that the request for formal investigation was filed. After the completion of the investigation, the Title IX Coordinator will prepare a written report.
- f) An investigation will result in a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence and a recommendation for corrective or disciplinary action. If the investigation involves allegations of student-on-student sexual misconduct, and the investigation results in a finding that this policy has been violated, the Title IX Coordinator will file a complaint with the SUSLA Office of Assistant Vice Chancellor of Students Affairs and the complaint will be processed under the provisions of the SUSLA University Student Judicial System and Procedures. In such cases, the Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the Complainant to determine in what capacity he/she will participate (i.e., co-complainant, witness, or no participation).
- g) Within fifteen (15) business days of taking corrective and/or disciplinary action against a Respondent, or a decision not to take any action, the SUSLA Office of Assistant Vice Chancellor of Students Affairs shall provide written notification to the Title IX Coordinator of what action, if any has been taken, including the results of any appeals.

## **F. Special Complaint Process Provisions**

- a) **Attempted violations:** In most circumstances, SUSLA will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- b) **SUSLA as Complainant:** If the Complainant/Victim does not wish to release his/her name or file charges, then, as necessary, SUSLA reserves the right to initiate a complaint, to serve as a Complainant and to initiate the University Judicial Process without a formal complaint being made by the victim of sexual misconduct.
- c) **False Reports:** SUSLA will not tolerate intentional false reporting of incidents. It is a violation of SUSLA University Policies and Student Code of Conduct to make an intentionally false report of any policy violation and it may also violate Louisiana criminal statutes and civil defamation laws.
- d) **Immunity for Victims and Witnesses:** The SUSLA campus community encourages the reporting of sexual misconduct violations and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report an incident to a Campus Representative or to participate in the University Judicial Process because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this campus community that as many victims as possible choose to report to Campus Representatives, and that witnesses come forward to share what they know. To encourage reporting, SUSLA pursues a policy of assisting victims of crimes and witnesses. Limited immunity is provided from specific policy violations related to the incident. While minor sexual misconduct violations cannot be completely

overlooked, SUSLA will provide further education, rather than responses, in such cases.

- e) **Bystander Engagement:** Welfare of SUSLA students is of paramount importance. At times, students on and off campus may need assistance. SUSLA encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as a student who is underage and has been drinking might hesitate to help take a sexual misconduct victim to the Southern University Police Department). SUSLA will pursue a policy of limited immunity for students who offer help to others in need.
- f) **Parental Notification:** SUSLA's primary relationship is with the student and not the parent. It reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and alcohol and other drug violations. Additionally, Campus Representatives will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication. SUSLA also reserves the right to designate which University official may have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).
- g) **Notification of Outcomes:** The outcome of a sexual misconduct adjudication is part of the educational record of the accused student or Respondent, and is protected from release under federal law (FERPA), and SUSLA's confidentiality of records policies. Moreover, SUSLA observes legal exceptions as follows:
- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking and relationship violence incidents have an absolute right to be informed of the outcome, essential findings and sanctions of the SUSLA Office of Assistant Vice Chancellor of Students Affairs, in writing, without conditions or limitations.
  - SUSLA may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a University policy that is a "crime of violence", including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. SUSLA will release this information to the Complainant in any of these offenses regardless of the outcome.
- h) **Alternative Testimony Options:** For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the Complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside the physical presence of the accused individual, such as in another room or by electronic means such as videoconferencing. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student or Respondent.
- i) **Past Sexual History/Character:** The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or University

judicial process unless such information is determined to be highly relevant. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance by the Title IX Coordinator. While previous conduct violations by the accused student or Respondent are not generally admissible as information in determining responsibility for the present alleged violation, the Title IX Coordinator may supply previous complaint information to be considered in sanctioning or may consider it himself/herself only if:

- The Respondent was previously found to be responsible;
- The previous incident was substantially similar to the present allegation; and/or
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student or Respondent.

## **G. Formal Resolution Procedures for Complaints Against Faculty and Non-Faculty Employees**

Title IX complaints filed by students against employees of SUSLA will follow procedures outlined in the Southern University System Personnel Handbook. A hard copy of this document can be obtained from the System Office of Human Resources on the SUSLA campus at the J.S. Clark Annex Building, 1<sup>st</sup> Floor.

## **H. Formal Resolution Procedures for Complaints Against Students**

### **1. Complaints Against Students**

- a) Complaints will be assigned to the Title IX Coordinator, who will investigate the allegation(s). Following an investigation, a preliminary meeting will be held with the Respondent to review the complaint and other information gathered. After the complaint is investigated, the University judicial process is initiated. The SUSLA Office of Assistant Vice Chancellor of Students Affairs, through the University Judicial Committee, will administer the University judicial process in accordance with the SUSLA University Policies and Student Code of Conduct guidelines.
- b) Complainants and Respondents have the right to have an adviser of his/her choice present during the University judicial process. An adviser may provide support and advice but not actively participate in the hearing. Attorneys may act as advisers, but may not argue a case or attempt to introduce legal procedures.
- c) Hearings conducted by the University Judicial Committee will be closed to the public. SUSLA reserves the right to review individuals attending hearings based on their involvement with the incident. All information presented during these proceedings is confidential and will only be released if subpoenaed or with the Complainant's or Respondent's permission except for final results of non-consensual sexual intercourse or other violent acts, which will only be released to the victim of the act.



- d) Prospective witnesses, other than the Complainant/victim and Respondent may be excluded from a University judicial process hearing during statements made by other participants.
- e) Oral and/or written statements may be considered and will be weighed as deemed appropriate. Complainants and/or Respondents are responsible for ensuring witnesses or documents are available at the time of the hearing.
- f) Respondents will be afforded an opportunity to hear and respond to all information presented against them.
- g) Complainants and/or Respondents may request the removal of any participants in the University judicial process they feel may be biased against them.
- h) All participants are expected to act with integrity by providing honest answers, following established procedures and maintaining confidentiality.
- i) University judicial hearings will be conducted in a civil manner with any participant disrupting the process being excluded from the remainder of the hearing.
- j) Pending resolution of a complaint, a student's status may only be altered to protect SUSLA's interests and/or the safety and security of individual members of the campus community. Such actions may include interim suspensions, restriction of privileges including access to certain areas of the campus, and no-contact directives.
- k) Determination of responsibility for violating this policy will be based on the standard of a preponderance of the evidence presented at the University judicial hearing.
- l) If it is determined that the Respondent is responsible for sexual misconduct, i.e., the sexual misconduct more likely than not occurred, the Complainant may present a statement recommending a sanction (the "Impact Statement"). The respondent will be provided with an opportunity to respond to the Impact Statement. The Hearing Board is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, discretion may be applied to permit the presence of other persons.
- m) Written notification of the outcome of the University judicial hearing, including the reasons for the decision, findings of fact and an explanation of the sanctions, will be sent within a reasonable time frame from the conclusion of the matter. Notifications will be sent to the Complainant and Respondent. Other notifications may be sent in order for SUSLA to comply with applicable victim notification laws for reporting the results of the University judicial hearing.

## **2. Student Appeal Process**

- a) The outcome of any University judicial hearing may be appealed by either the Complainant or Respondent. All appeals will be pursued in accordance with the SUSLA University Policies and Student Code of Conduct. Appeals must be based on at least one of the following reasons to be considered:
- Procedural errors in the operation of the University judicial process hearing were substantial enough to have effectively denied the student a fair hearing.
  - Availability of new and significant evidence that was not available at the original hearing in spite of diligent efforts by the student to collect such information.
  - Lack of substantial information presented at the hearing to support the decision on responsibility for a violation.
  - Severity of the sanctions does not match the severity of the violation.

### 3. Student Sanctions

- a) Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous SUSLA Student Code of Conduct violations.
- b) Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.
- c) Any student found responsible for violating the Sexual Exploitation or Sexual Harassment provisions of this policy will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous SUSLA Student Code of Conduct violations.

### 4. Range of Sanctions

The following sanctions comprise a range of official actions that may be imposed for violation of this policy by individuals or groups. One or more sanctions may be imposed at the discretion of the University Judicial Committee in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain the rationale behind regulations. This list does not limit the actions available and is not inclusive of all possible actions that could be taken as a result of a violation of this policy. Students found responsible for violations will receive a minimum disciplinary warning with expulsion being the maximum sanction.

- a) **Disciplinary Warning:** This action is taken when the individual's conduct or involvement merits an official admonition that can be either verbal or written. The student is warned that further misconduct may result in more severe disciplinary action. A disciplinary warning is intended to promote reflection on the decisions and behavior leading up to a violation and promotes an increased awareness of SUSLA's behavioral expectations.<sup>1</sup>

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<sup>1</sup> Supplements the "Disciplinary Warning" provision currently reflected in the *SUSLA University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at pp. 10-11.

- b) **Disciplinary Probation:** An indication to a student that his/her behavior has resulted in a sanction extremely close to suspension. It is imposed for a definite period of time. Any further misconduct while on Disciplinary Probation will usually result in suspension from SUSLA.
- c) **Residence Hall Reassignment or Removal:** This action is an involuntary reassignment to another residence hall or removal from on-campus housing altogether for a designated period of time and may include restricted visitation privileges. Usually, a student is given forty-eight (48) hours to remove all belongings from an assigned space and reimbursement of room charges will be based on SUSLA's refund schedule for removals. This sanction is imposed to protect the welfare of a residence hall or floor community, and students having this sanction imposed should reflect on the behaviors necessary for an individual to be part of a residential community by respecting others, and developing critical thinking skills and mature decision-making skills.<sup>2</sup>
- d) **Restriction of Privileges:** This action consists of an effort to assist students in developing an awareness of the responsibilities that go along with privileges and increase an awareness of appropriate behavior and how decisions impact themselves and others. Under this sanction, students may be restricted from entering certain buildings, attending certain events or using specific programs due to their behavior. Residence hall students may have their visitation privileges restricted or revoked for a certain time period, or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the Office of Assistant Vice Chancellor of Students Affairs based on the incident.
- e) **No-contact Directive:** This action is implemented at the discretion of the chairperson of the Hearing Board directing a student to avoid initiating contact with another member of the SUSLA campus community, it may include limiting access to certain areas to avoid incidental contact. A No-Contact Directive may be imposed at a student's request in the absence of a Hearing Board decision if it does not involve any accommodation changes. Contact includes direct interactions in person or through technology, as well as the use of third parties to interact. The No-Contact Directive is not limited by location. They can be issued open-ended and would only be considered if the person who originally requested it asked to have it canceled.
- f) **Suspension of Group Recognition:** This action consists of the withdrawal of all or part of the official recognition of a group for a stated period of time and will include conditions for reinstatement of recognition. This sanction is intended to assist groups in developing a stronger sense of the responsibilities that go along with the privileges of SUSLA recognition and commitment to be a positive part of the campus community.

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<sup>2</sup> Supplements the "Eviction" provision currently reflected in the *SUSLA University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

- g) **Revocation of Group Recognition:** This action is permanent cancellation of the official SUSLA recognition and privileges of a group found in violation of this policy.
- h) **Restitution Fines:** A student or organization may be required to make payment to SUSLA or to another specified person(s) or group(s) for damages incurred as a result of a violations of this policy. Restitution fines may be imposed by SUSLA in addition to any other sanction to promote responsibility for actions and an awareness of the consequences of behavior.
- i) **Restitution Service:** As part of the sanctioning process, students can be required to perform service to assist in developing increased awareness of the impact of their decisions and strengthen critical thinking abilities to identify appropriate behavior. These services can include performing assigned duties, sponsoring programs, etc.
- j) **Educational Activity:** A student or organization may be required to complete an educational activity or project relating to a violation of this policy to assist in their developing increased awareness of the impact of their decisions, strengthen critical thinking abilities to identify appropriate behavior, and develop an increased sense of responsibility, integrity and civility.
- k) **Registration Hold:** A hold may be placed on a student's registration if the student has failed to complete a sanction or withdraws prior to official resolution of a complaint. Holds are intended to be temporary until the sanction is complete. Registration holds may also be used during periods of interim suspension, suspension or expulsion.
- l) **Emergency (Interim) Suspension:** The SUSLA Assistant Vice Chancellor of Students Affairs may recommend the suspension of a student for an interim period, pending the outcome of the University judicial process, whenever there is evidence that the continued presence of the student at SUSLA poses a substantial threat to the safety and/or well-being of any member of the SUSLA campus community or private property. The student shall be given an opportunity to appear personally before the Hearing Board within ten (10) business days from the effective date of the interim suspension unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. Both the student[s] and SUSLA must agree to an extension that may be left open-ended. By agreeing to an extension, the Respondent/student accepts the decision of interim suspension and any conditions imposed as part of it. During an interim suspension, the Respondent/student will be barred from all or part of SUSLA's premises, as designated by the SUSLA Assistant Vice Chancellor of Students Affairs . A Respondent/student under interim suspension who returns to a portion of the campus from which he/she was barred without permission from the SUSLA Assistant Vice Chancellor of Students Affairs will be subjected to dismissal and/or arrest for trespassing. <sup>3</sup>

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<sup>3</sup> Supplements the "Emergency Administrative Suspension" provision currently reflected in the *SUSLA University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

**m) Disciplinary Suspension:** This action is an involuntary separation of a Respondent/student from SUSLA for a designated period of time after which he/she is eligible to return. The SUSLA Assistant Vice Chancellor of Students Affairs may establish requirements for reinstatement, which must be fulfilled to his/her satisfaction. The Respondent/ student may not participate in any SUSLA sponsored activity and may be barred from SUSLA premises during the suspension period. Reimbursement of charges or fees for students removed from the campus due to sexual misconduct will follow the University's official refund schedule for withdrawals. This action is designed to protect members of the SUSLA campus community and their property, promote critical thinking and mature decision-making skills, and promote self-reflection on behavior and the impact it has had on the Respondent/student and others.<sup>4</sup>

**n) Disciplinary Expulsion:** The action entails involuntary and permanent separation from SUSLA. The Respondent/student will be barred from all campuses activities within the Southern University System and property following expulsion. Reimbursement of charges or fees for students removed from campus due to sexual misconduct will follow the official refund schedule for withdrawals.<sup>5</sup>

## **I. Retention of Records**

The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions. All written records associated with the resolution of a complaint pertaining to the formal investigation will be maintained in accordance with all pertinent SUSLA policies and procedures.

## **J. Confidentiality and Privacy**

Generally, it is not confidential when a person reports sexual misconduct. A complainant/victim may make a request for confidentiality/privacy at any point. This type of request means that the Complainant/victim does not want his/her identity known to the Respondent and witnesses, or that the Complainant/victim wishes to withdraw a report. If at any point the Complainant/victim requests privacy, SUSLA will make all reasonable attempts to comply with this request. In situations where a Complainant/victim requests confidentiality/privacy, SUSLA's ability to investigate and respond to the allegations may be limited.

SUSLA is required by Title IX to weigh the complainant/victim's request for confidentiality/privacy within its commitment to provide a reasonably safe and non-discriminatory environment. The complainant/victim will be notified by a Confidential Advisor if it is determined that SUSLA cannot maintain her/his confidentiality/privacy. The Complainant/victim's identity will be revealed to those individuals who need to know the name of the Complainant in order for an investigation to commence.

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<sup>4</sup> Supplements the "Disciplinary Suspension" provision currently reflected in the *SUSLA University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

<sup>5</sup> Supplements the "Disciplinary Expulsion" provision currently reflected in the *SUSLA University Policies and Student Code of Conduct* (Revised and Updated: June 2013) at p. 11.

In situations where SUSLA becomes aware of a pattern of behavior by a single student or Respondent, it will take all appropriate actions in an attempt to protect the campus from gender-based misconduct by that individual. If the offender is unknown or is not a member of the campus community, SUSLA staff will assist individuals in identifying appropriate campus resources or local authorities, if that person would like to file a report.

When a report of gender-based sexual misconduct is filed, the complainant/victim, the Respondent and all identified witnesses who are named in the investigation, will be notified of SUSLA's expectation of confidentiality and privacy. SUSLA will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in gender-based sexual misconduct investigations and hearings. Breaches of confidentiality and privacy against the complainant/victim or witnesses and may warrant a separate misconduct hearing.

If a person desires to keep an incident of sexual misconduct confidential, they should speak with individuals who have professional or legal obligations to keep communications confidential. When seeking advice and support, person should always consider whether they want to discuss their concerns with a confidential resource. Unless there is an imminent threat to health or safety or other basis for disclosure, confidentiality applies when persons seek services from the following resources:

- **University Counseling Center** – (318) (318) 670-9474 or (318) 670-9473
- **David Raines Community Health Center**  
3041 Martin L. King, Jr. Drive  
Shreveport, LA 71107  
(318) 485-2252
- **Sexual Trauma Awareness & Response (STAR) Center** - [www.brstar.org](http://www.brstar.org)
- **Rape Crisis Agency and Hotline**  
The Gingerbread House, 513 Jordan Street, Shreveport, LA  
(318) 674-2900 or crisis hotline 1-888-854-2116 - 1-800-656-4673

Disclosures or reports made to any other entities except those listed above are NOT confidential. For example, incidents of sexual misconduct discussed with a supervisor, resident assistant, coach, staff, or faculty member, those persons are "Responsible Employees" and, as such, are obligated pursuant to this policy to report sexual misconduct to the Title IX Coordinator.

## **K. Amnesty**

While SUSLA does not condone underage drinking or violation of any other policies, it considers reporting sexual assault and sexual misconduct to be of paramount importance. To encourage reporting and adjudication of sexual assault and misconduct, SUSLA will extend limited amnesty to students who have been the victim of sexual misconduct. SUSLA will generally not seek to hold the student responsible for his/her own violations of the law (e.g. underage drinking), or of the SUSLA University Policies and Student Code of Conduct in which he or she may have been involved during the period immediately surrounding the sexual misconduct.

## **L. Retaliation**

Retaliation against any person who alleges a violation of the Gender- Based Sexual Misconduct Policy or who reports or assists SUSLA in the investigation of a complaint under this policy may result in disciplinary action up to and including termination or expulsion by SUSLA. Retaliation against any person who is the Complainant/victim of sexual misconduct is prohibited as well. There will be no retaliation against those who report or assist the SUSLA campus in the investigation of a complaint. Retaliation against the Complainant/victim or witnesses may warrant a separate University judicial process hearing.

## **IX. Information and Assistance**

The Title IX Coordinator's role is to oversee SUSLA's compliance with Title IX regulation and will:

- A.** Serve as a resource for students wishing to report any acts of sexual misconduct or gender-based discrimination, i.e. violations of Title IX.
- B.** Provide oversight for all Title IX activities and identify patterns, issues or problems regarding sexual misconduct complaints.
- C.** Review and support the informational initiatives enabling students, staff, administrators and faculty to fully understand sexual violence and sexual harassment as forms of sexual discrimination and further educate the SUSLA campus community about all related policies and procedures.
- D.** Conduct all initial investigations of sexual misconduct complaints and issue written copy of findings.

If a student believes that he/she has experienced sexual harassment and/or any form of sexual misconduct, they are strongly encouraged to file a complaint with SUSLA, with the police or with both.

## **APPENDIX A - COMPLAINANT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right of both the Complainant and Respondent to have the same opportunity to have others present (in support or advisory roles) during the University judicial process hearing;
4. The right not to be discouraged by University officials from reporting sexual misconduct offenses to both on-campus and off-campus authorities;
5. The right to be informed of the outcome and sanctions imposed as the result of a University judicial process hearing involving a sexual misconduct offense, usually within forty-eight (48) hours of the end of that hearing;
6. The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by Campus Representatives in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the Complainant/victim's desire;
7. The right to be notified of available counseling, mental health or student services for the Complainant/victim both on campus and in the community;
8. The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the Complainant/victim and if such changes are reasonably available. (No formal complaint, or investigation, campus or criminal, need occur before this option is available.) Accommodations may include:
  - Change of an on-campus student's housing to a different on-campus location if space is available;
  - Assistance from University support staff in completing the relocation;
  - Arranging to dissolve a housing contract and pro-rating a refund;
  - Exam (paper, assignment) rescheduling;
  - Taking an Incomplete in a class;
  - Transferring class sections;
  - Temporary withdrawal; and/or
  - Alternative course completion options.
9. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process hearing ;
10. The right to make an Impact Statement at the University judicial process hearing and to have that statement considered in determining a sanction;
11. The right to a campus no-contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
12. The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement;
13. The right to appeal the (finding and) sanctions imposed by the SUSLA Office of Assistant Vice Chancellor of Students Affairs , in accordance with the standards for appeal established by the institution;
14. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least forty-eight (48) hours prior to the University judicial process hearing;



15. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the alleged Complainant/victim, which will always be revealed);
16. The right to preservation of privacy, to the extent possible and allowed by law;
17. The right to a hearing closed to the public;
18. The right to petition that any member of the Hearing Board be removed on the basis of demonstrated bias;
19. The right to bring a victim advocate or adviser to all phases of the investigation and University judicial process hearing;
20. The right to give testimony in the University judicial process hearing by means other than being in the same room with the Respondent;
21. The right to ask the investigator(s) to identify and question relevant witnesses, including expert witnesses;
22. The right to be fully informed of the University judicial process rules and procedures, as well as the nature and extent of all alleged violations contained within the complaint;
23. The right to have the University request the presence of student, faculty and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of witnesses (including the Respondent) and the right to challenge documentary evidence;
24. The right to be present for all testimony given and evidence presented before the Hearing Board;
25. The right to have complaints heard by the Hearing Board members and appeal officers who have received annual sexual misconduct training;
26. The right to have a Hearing Board comprised of representatives of both genders;
27. The right to have University policies and procedures followed without material deviation;
28. The right to be informed in advance of any public release of information regarding the complaint if possible; and
29. The right not to have released to the public any personally identifiable information, without his or her consent.

## **APPENDIX B - RESPONDENT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right to be informed of, and have access to, campus resources for medical, counseling and advisory services;
4. The right to be fully informed of the nature, rules and procedures of the University judicial hearing process and to timely receive written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
5. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
6. The right not to have irrelevant prior sexual history admitted as evidence in the University judicial process;
7. The right to make an Impact Statement during the University judicial process hearing and to have that statement considered in determining a sanction;
8. The right to appeal the finding and sanction of the Hearing Board, in accordance with the standards for appeal established by SUSLA;
9. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, usually within forty-eight (48) hours prior to the University judicial process hearing;
10. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the University judicial process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the Complainant/victim, which will always be revealed);
11. The right to a hearing closed to the public;
12. The right to petition that any member of the Hearing Board be removed on the basis of bias;
13. The right to have the Hearing Board request the presence of student, faculty and staff witnesses, and the opportunity to ask questions, directly or indirectly, of witnesses and the right to challenge documentary evidence;
14. The right to have complaints heard and/or appealed by individuals who have received annual sexual misconduct adjudication training;
15. The right to have SUSLA policies and procedures followed without material deviation;
16. The right to have an adviser or advocate accompany and assist in the University judicial process. This adviser can be anyone but the adviser may not take part directly in the hearing itself, though he/she may communicate with the Respondent as necessary;
17. The right to a fundamentally fair hearing, as defined by SUSLA policies and procedures;
18. The right to an outcome based solely on evidence presented during the University judicial process hearing. Such evidence shall be credible, relevant, based in fact, and without prejudice;
19. The right to written notice of the outcome and sanction of the Hearing Board;
20. The right to have the Hearing Board comprised of representatives of both genders; and
21. The right to be informed, in advance when possible, of any public release of information regarding the complaint.

## **APPENDIX C - FREQUENTLY ASKED QUESTIONS ABOUT THE GENDER-BASED/SEXUAL MISCONDUCT POLICY (TITLE IX)**

Some of the most commonly asked questions regarding a Gender-Based/Sexual Misconduct Policy and procedures are summarized below:

❖ ***Does information about a complaint remain private?***

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with SUSLA's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the Complainant/victim or the Respondent may lead to action by SUSLA as it can be viewed as a form of retaliation if being done to malign or impinge a person's character.

In all complaints of sexual misconduct, all parties will be informed of the outcome. If there is a report of an act of alleged sexual misconduct to a SUSLA Campus Representative and there is evidence that a felony has occurred, the Southern University Police Department will be notified. This does not mean charges will be automatically filed but that a victim must speak with the police, and the institution is legally required to notify law enforcement authorities. SUSLA must also statistically report the occurrence on-campus major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

❖ ***Will my parents be told?***

No, not unless you tell them. Whether you are the Complainant/victim or the Respondent, SUSLA's disciplinary relationship is with the student and not his/her parent(s). University officials will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication.

❖ ***Will the Respondent know my identity?***

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the Respondent has a right to know the identity of the Complainant/victim. If there is a hearing, SUSLA does provide options for questioning without confrontation, including using a room divider or using separate hearing rooms.

❖ ***Do I have to name the perpetrator?***

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete Confidentiality Policy contained in this policy to better understand SUSLA's legal obligations depending on what information you share with different University officials). Complainants should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively but will result in an investigation based on the information provided.

❖ ***What do I do if I am accused of sexual misconduct?***

DO NOT contact the Complainant/victim. You may immediately want to contact someone in the campus community who can act as your adviser. You may also contact the Title IX Coordinator who can explain SUSLA's procedures for addressing sexual misconduct complaints. As a Respondent, you will be contacted for an interview by the Title IX

Coordinator or his/her designee. You may ask any question you have during this interview. You may also want to talk to a confidential counselor at the SUSLA Counseling Center or seek other community assistance. See below regarding legal representation.

❖ ***Will I (as a Complainant/victim) have to pay for counseling/medical care?***

Not typically, if SUSLA provides these services already.

❖ ***What about legal advice?***

Complainants/victims of criminal sexual misconduct need not retain a private attorney to pursue prosecution because representation will be handled by the East Baton Rouge Parish District Attorney's Office. You may want to retain an attorney if you are the Respondent or are considering filing a civil action. Respondents may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the University judicial process.

❖ ***What about changing residence hall rooms?***

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typical institutional policy that in emergency room changes, the student is moved to the first available and suitable room. If you want the Respondent to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal University complaint. No-Contact Directive can be imposed and temporary room changes for the accused student can usually be arranged quickly. Room changes can be accommodated if space is available. Other accommodations available to you might include:

- Assistance from University support staff in completing the relocation.
- Arranging to dissolve a housing contract and pro-rating a refund.
- Assistance with or rescheduling an academic assignment (paper, exams, etc.).
- Taking an Incomplete in a class.
- Assistance with transferring class sections.
- Temporary withdrawal.
- Assistance with alternative course completion options.
- Other accommodations for safety as necessary.

❖ ***What should I do about preserving evidence of a sexual assault?***

Police are in the best position to secure evidence of a crime. Physical evidence of sexual misconduct must be collected from the Complainant/victim's person within one hundred and twenty (120) hours of the alleged incident, although evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe you have been a victim of a sexual misconduct, you should go to a hospital emergency room before washing yourself or your clothing.

If a Complainant/victim goes to the hospital, local police will be called, but the victim is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to take any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the Complainant/victim later decide to exercise it.

*For the Complainant/Victim:* The hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections.

If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and the person can accompany you through the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

❖ ***Will a Complainant/victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?***

Usually not. The severity of the infraction will determine the nature of SUSLA's response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and SUSLA does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

❖ ***Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?***

The use of alcohol and/or drugs by either party will not diminish the Respondent's responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant/victim's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the Complainant/victim does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the Respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation of the sexual misconduct policy.

❖ ***Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?***

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the current complaint.

❖ ***What should I do if I am uncertain about what happened?***

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of SUSLA's sexual misconduct policy, you should contact the SUSLA Title IX Coordinator. The University provides advisers who can help you to define and clarify the event(s), and advise you of your options.



**SOUTHERN UNIVERSITY LAW CENTER**  
**GENDER BASED SEXUAL MISCONDUCT POLICY**

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## **I. Introduction**

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. These behaviors are clear impediments to creating an educational atmosphere which is free from discrimination. As a result, an institution receiving federal funds must promulgate strategies and policies which demonstrate its ability to uphold the law and comply with applicable regulations. When the Complainant or Respondent is a student, the violation falls under the provisions of Title IX.

This Southern University Law Center (SULC) campus policy utilizes the term “gender-based sexual misconduct” to encompass all behaviors that involve gender-based violations of an individual’s rights specifically manifested by sexual behavior and actions. Accordingly, this term is inclusive of conduct considered to constitute sexual harassment, non-consensual sexual contact or intercourse (of which sexual violence would be included), sexual exploitation, stalking, intimate partner violence, and other forms of inappropriate behavior that are linked with the sex/gender of the Complainant and/or Respondent. These behaviors, when deemed to have occurred, deprive an individual of his or her rights and/or access to an education or to employment, which constitutes a violation of this policy.

Members of the SULC campus community, which includes students, faculty, administrators, guests, and visitors, have the right to be free from sexual misconduct of any type. Therefore, SULC is firmly committed to maintaining a climate of respect and safety for everyone. All members of the SULC campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. As a result, this campus has a zero tolerance policy for gender-based sexual misconduct. When an allegation of sexual misconduct is brought to the attention of the appropriate Campus Representative, and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions cease and are never repeated. In addition, SULC’s response will provide individuals who bring forth complaints with reasonable remedies that will insure full participation in their educational and/or employment activities. Nothing in this policy shall abridge academic freedom or SULC’s educational mission.

The Title IX Coordinator shall receive notice of all reports of sexual misconduct received by any individual deemed a “Responsible Employee” under this policy. No employee (other than law enforcement) is authorized to investigate or resolve reports of sexual misconduct without the involvement of the Title IX Coordinator.

### **SULC Title IX Coordinator**

Michelle A. Jackson, Esq.  
P.O. Box 9294  
Baton Rouge, LA 70813  
Phone: (225) 771-2552  
Email:mjackson@sulc.edu

## **II. Jurisdiction**

All students, faculty, staff, administrators, affiliates, and others participating in SULC programs and activities are subject to this policy. SULC has jurisdiction over, and will respond to allegations of sexual misconduct occurring, on campus premises, at SULC affiliated activities, and/or where the misconduct involves students, faculty, staff, administrators, guests, and visitors of this campus.

Reports of incidents of sexual misconduct committed by a student, faculty, or staff at a location other than the SULC campus, and which affect the SULC campus community, are covered by this policy. Discipline for violations of this policy may include, but are not limited to, termination, expulsion, and/or other appropriate institutional sanctions; further, affiliates and program participants may be removed from SULC programs and/or prevented from returning to campus.

### **III. Overview of Policy Expectations With Respect to Physical Sexual Misconduct**

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent must be a clear and sober “YES.” Non-verbal consent is not as clear as discussing what is or isn’t sexually permissible. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent can also be withdrawn at any point during sexual activity.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if he/she cannot fully understand the details of a sexual interaction (who, what, when, where, why, how, or how long) because he/she lacks the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Anything but a clear, knowing, and voluntary “YES” to any sexual activity is equivalent to a “NO.”

### **IV. Overview of Policy Expectations With Respect to Consensual Relationships**

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions of power (such as professor and student or supervisor and student employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcomed may become unwelcomed. Even when both parties have consented at the outset to romantic or sexual involvement, this past consent may not remove grounds for a later charge of violation.

For the personal protection of members of this campus community, relationships in which power differentials are inherent (faculty-student, staff-student, or administrator-student, etc.) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity of removing the individual/employee from the supervisory or evaluative responsibility, or shifting the individual/employee out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.



## V. Definitions

**Allegation:** A statement by a Complainant that he/she believes an act of sexual misconduct has occurred.

**Bullying:** Typically is portrayed as aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power. It often includes comments about race, color, national origin, sex, sexual orientation, or disability, and frequently involves an imbalance of power, aggression, and a negative repeated behavior.

**Campus Representative:** Any individual who, in the course of his/her duties as an SULC employee, is in the position to assist a member of the campus community who has been sexually assaulted.

**Coercion:** Unreasonable pressure for sexual activity. When someone makes it clear that he/she does not want to engage in sexual behavior, or that he/she does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.

**Complainant/Victim:** The person making an allegation or complaint of sexual misconduct.

**Complaint:** A formal notification, either orally or in writing, of the belief that sexual misconduct has occurred.

**Confidential Advisor:** Designated individuals who have been trained to aid a student involved in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term “confidential advisor,” confidential communications with the advisor will be kept confidential in all circumstances except where the institution or advisor may be required to disclose the communications under state and federal laws.

**Consent:** Consent must be clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober “YES.” Consent may not be inferred from silence, passivity, or lack of active resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one’s responsibility to obtain consent. In some situations, an individual may be deemed incapable of consenting to sexual activity because of circumstances or the behavior of another, or due to the individual’s age. Examples of such situations may include, but are not limited to, incompetence, impairment from alcohol and/or other drugs, fear, unconsciousness, intimidation, coercion, confinement, isolation, or mental or physical impairment.

**Cyber-Bullying:** Cyber-bullying occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed, or otherwise targeted by another person using the Internet, interactive and digital technologies, or mobile phones. Those who are electronically engaged can be cyber-bullied at any time or location, making the effect of cyber-bullying ubiquitous and acute. Harassment, hazing, and stalking often are used to encompass cyber-stalking or cyber-bullying activities. The severity of the act and state law dictate what is criminal. Examples include flaming, harassment, hazing, or stalking. The difference should be assessed through the: 1) kind of threat (e.g. name-calling, threat of harm, bomb, etc.); 2) frequency of threat (how often it occurs); and 3) source and nature of threats. Generally speaking, bullying is an on-going behavior. Hazing is often done once or twice during orientations or initiations, but may be more acute.

**Dating Violence:** Occurs when one person purposely hurts or scares someone whom they are dating. Dating violence happens to people of all races, cultures, incomes, and education levels. It can happen on a first date, or during a long term relationship. It can happen whether the individual is young or old, and/or in a heterosexual or same-sex relationship. Dating violence can include physical abuse (hitting, shoving, kicking, biting, throwing things), emotional abuse (yelling, naming-calling, bullying, embarrassing), and sexual abuse (forcing a partner to do something sexual).

**Domestic Violence:** Occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. Domestic abuse that includes physical violence is called domestic violence. Domestic violence and abuse are used for one purpose and one purpose only - for one person to gain and maintain total control over another person. An abuser does not “play fair.” Abusers use fear, guilt, shame, and intimidation to maintain power and control. The abuser may also threaten or hurt the individual or those around the victim or complainant. Domestic violence and abuse does not discriminate. It happens in heterosexual or same-sex relationships. It occurs within all age ranges, ethnic backgrounds, and economic levels. While women are more commonly victimized, men can also be abused, especially verbally and emotionally, although sometimes even physically as well.

**Force.** The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that overcomes resistance or produces consent. There is no requirement that a person has to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Gender-based harassment:** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

**Gender-based misconduct:** Is comprised of a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual in nature. Sexual harassment, sexual assault, gender-based harassment, stalking, and intimate partner violence are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Gender-based misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Examples of gender-based misconduct include:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcomed touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcomed references to various parts of the body;
- Belittling remarks about a person's gender or belittling remarks about a person's sexual orientation based in gender-stereotyping;
- Inappropriate sexual innuendoes or humor;
- Videotaping and photographing someone or people without consent;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;

- Sexually explicit profanity; and/or
- Use of e-mail, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.

**Gender Discrimination:** Unequal or disadvantageous treatment of an individual or group of individuals based on gender. Sexual harassment is a form of illegal gender discrimination.

**Impairment:** The state of being diminished, weakened or damaged, especially mentally or physically.

**Incapacitation:** Incapacity can result from mental disability, sleep deprivation, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. An incapacitated person does not have the ability to give knowing consent. Sexual activity with a person who one should know to be or, based on the circumstances, should reasonably have known to be mentally or physically incapacitated, constitutes a violation of this policy. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol and/or drugs on another's ability to give consent.

**Inebriate:** To be made drunk; to exhilarate, confuse, or stupefy a person mentally or emotionally.

**Intimate Partner Violence (IPV):** Physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur in heterosexual or same-sex relationships, whether co-habiting or not, and does not require sexual intimacy. IPV can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

**Intimidate:** To make timid, fill with fear; to overcome or cow, as through the force of personality or a superior display of strength which can control an individual's actions.

**Intoxication:** Inebriation; drunkenness.

**Investigator:** The Title IX Coordinator, or his/her designee, who is officially responsible for administrative investigations of all reports and/or allegations pertaining to a violation of this Gender-Based Sexual Misconduct Policy filed by students and employees.

**Judicial Process:** Encompasses a series of actions and procedures administered by the SULC Office of Student Affairs which are designed to safeguard a student's right to due process. This process does not include the observance and/or application of state and/or federal rules of civil procedures.

**Non-Academic Misconduct Judicial Committee (Hearing Board):** This is an administrative body which, among other things, conducts hearings under this policy. It is comprised of students, faculty and staff.

**Rape:** Forced sexual intercourse that is perpetrated against the will of the complainant or when he/she is unable to or incapable of giving consent (i.e. unconscious, asleep or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the complainant. Rape is complete at the point of penetration no matter how slight that penetration.

**Reproductive Coercion:** Explicit male behaviors to promote pregnancy (unwanted by a woman). Reproductive coercion can include “birth control sabotage” (e.g. interference with contraception) and/or “pregnancy coercion,” such, as telling a woman not to use contraception and threatening to leave her if she doesn’t get pregnant.

**Respondent:** The person whose actions are alleged to have violated this Gender-Based Sexual Misconduct Policy.

**Responsible Employee:** The U.S. Department of Education Office for Civil Rights defines a responsible employee as an individual, (a) who has the authority to take action to redress sexual harassment/misconduct, (b) who has been given the duty of reporting incidents of sexual harassment/misconduct *or* any other misconduct by students to the Title IX coordinator or other appropriate designee; or (c) who a student reasonably believes has this authority or duty.

**Sexual Assault:** Is engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person:

- a) Sexual penetration without the consent of the other person;
- b) Sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; and/or
- c) Sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Sexual Contact:** The deliberate touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person’s intimate parts.

**Sexual Intercourse:** Means penetration (anal, oral, or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Misconduct:** Is the broad term encompassing, “Sexual Exploitation,” “Sexual Harassment,” “Non-Consensual Sexual Contact,” and “Non-Consensual Sexual Intercourse,” as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different gender. Examples of sexual misconduct may include the following:

**Sexual Misconduct Offenses:**

- **Sexual Harassment**

Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting, or denying someone the ability to participate in or benefit from SULC’s educational programs. The unwelcomed behavior may be based on power differentials [*quid pro quo* i.e. “you have to give something to get something”] which creates a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious or unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking, or gender-based bullying.

- **Non-Consensual Sexual Contact [or attempts to commit same]**

Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes

intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with or by breasts, buttocks, groin, genitals, mouth, or other orifice.

- **Non-Consensual Sexual Intercourse [or attempts to commit same]**

Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

- **Sexual Exploitation**

Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual video, photography, or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting someone hide in a closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting a STD or HIV to another person;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals; and/or
- Sexually-based stalking and/or bullying.

**Standard of Proof:** The Department of Education's Office for Civil Rights has interpreted Title IX to require institutions to evaluate evidence of alleged Sexual Misconduct under a "*preponderance of the evidence*" standard and that is the standard adopted by this policy. A preponderance of the evidence means that the information shows that it is "*more likely than not*" that the accused student or Respondent violated this policy. In the context of a judicial hearing hereunder, the accused student or Respondent will be found to be responsible for the alleged sexual misconduct if the hearing body concludes, by a unanimous vote, that such sexual misconduct more likely than not occurred based upon careful review of all information presented. In making its determination, the SULC Office of Student Affairs shall carefully consider all of the evidence presented and follow the procedures stated in this policy and the Southern University Law Center Student Judicial System and Procedures in order to ensure as fair a hearing as possible for all parties.

**Stalking:** Behavior where a person follows, places under surveillance, or contacts another person without the consent of the other person for the purpose of harassing and intimidating the other person. The term "contact" means to make or attempt to make any communication, including, but not limited to, communication in person, by telephone, by mail, by broadcast, by computer or computer network, or by any other electronic device. "Harassing and intimidating" refers to communication directed at a person that causes emotional distress because of a reasonable fear for the person's safety or safety of others, and which serves no legitimate purpose. It does not require that an overt threat of death or bodily injury be made.

**Student:** Any person currently or previously enrolled at the SULC campus, whether full-time or part-time, and a person who is registered for a future semester.

**Title IX Coordinator:** The Title IX Coordinator is responsible for implementing and monitoring Title IX compliance efforts on behalf of SULC.

**University:** Southern University Law Center (SULC)

**University Official:** Any person employed by SULC performing administrative or professional responsibilities.

## **VI. Sexual Exploitation And Other Misconduct Offenses**

- A.** Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person.
- B.** Discrimination which is defined as actions that deprive other members of the campus community of educational or employment access, benefits, or opportunities on the basis of gender.
- C.** Intimidation which is defined as implied threats or acts that cause an unreasonable fear of harm in another.
- D.** Hazing which is defined as acts likely to cause physical or psychological harm or social ostracism to any person on the SULC campus, when related to admission, initiation, pledging, joining or any other group-affiliation activity.
- E.** Bullying which is defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).
- F.** Violence between those in an intimate relationship toward each other.
- G.** Stalking which is defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the SULC campus community; or the safety of any of the immediate faculty and/or staff family members of this campus.

## **VII. Reporting Sexual Misconduct**

### **A. Formal Complaint**

Any member of the SULC campus community, guest, visitor, or other interested party may make a report of an alleged violation of the Gender-Based Sexual Misconduct Policy. Complaints must be in writing and submitted within one hundred and twenty (120) days following the date of the alleged incident of sexual misconduct. While SULC is firmly committed to protecting all students from harassment or discrimination in education programs and/or activities, failure to file a timely complaint may adversely affect the ability of SULC to take appropriate actions under this policy.

### **B. Reporting**

SULC's primary concern is with the health, safety, and well-being of its students and the University community. Students who have experienced any form of gender-based sexual misconduct are urged to seek immediate assistance.

**a)** Sexual misconduct by faculty, staff, and third parties should be reported to:

- **Office of Student Affairs**– (225) 771 – 3811;  
<http://www.sulc.edu/Departments/Enrollment/StudentAffairs/index.html>

- **Office of Human Resources** – (225) 771 – 2680;  
[www.sus.edu/humanresources](http://www.sus.edu/humanresources)
- **Confidential Advisors:**
  - Ms. Felicia Forman – (225) 771-4900
  - Ms. Claudette Smith Brown – (225) 771-2315
  - Ms. Lena Station – (225) 771-4976

b) Sexual misconduct committed by students may also be reported to:

- **Office of Student Affairs**– (225) 771 – 3811;  
<http://www.sulc.edu/Departments/Enrollment/StudentAffairs/index.html>
- **Confidential Advisors:**
  - Ms. Felicia Forman – (225) 771-4900
  - Ms. Claudette Smith Brown – (225) 771-2315
  - Ms. Lena Station – (225) 771-4976

c) Sexual misconduct, particularly sexual violence, may be a crime. SULC will assist complainants who wish to report sexual misconduct to the Southern University Police Department. The Office of Student Affairs and the designated Confidential Advisors are available to assist students in reporting to SUPD. SUPD will also assist complainants in notifying other law enforcement authorities in other jurisdictions, as appropriate.

- **Southern University Police Department** – (225) 771 -2770;  
[www.subr.edu/supd](http://www.subr.edu/supd)

### C. Responsible Employee

Responsible Employees must promptly notify the Title IX Coordinator of any report of sexual misconduct brought to their attention, including by campus law enforcement. The Title IX Coordinator works collaboratively with the reporting entity, making every effort to operate with discretion and maintain privacy of the individuals involved.

### D. Confidential Advisors

SULC has designated three confidential advisors. The duties of the confidential advisor shall be:

- a. To inform the alleged victim of the following:
  - i. The rights of the alleged victim under federal and state law and the policies of SULC.
  - ii. The alleged victim's reporting options, including the option to notify SULC, the option to notify local law enforcement, and any other reporting options.
  - iii. If reasonably known, the potential consequences of the reporting options.
  - iv. The process of investigation and disciplinary proceedings of SULC.
  - v. The process of investigation and adjudication of the criminal justice system.

- vi. The limited jurisdiction, scope, and available sanctions of SULC student disciplinary proceeding, and that it should not be considered a substitute for the criminal justice process.
  - vii. Potential reasonable accommodations that SULC may provide to an alleged victim.
  - viii. The name and location of the nearest medical facility where an alleged victim may have a rape kit administered by an individual trained in sexual assault forensic medical examination and evidence collection, and information on transportation options and available reimbursement for a visit to such facility.
- b. To serve as a liaison between an alleged victim and SULC or local law enforcement, when directed to do so in writing by an alleged victim who has been fully and accurately informed about what procedures shall occur if information is shared, and assist an alleged victim in contacting and reporting to a responsible employee or local law enforcement.
  - c. To liaise with appropriate staff at SULC to arrange reasonable accommodations through SULC to allow the alleged victim to change living arrangements or class schedules, obtain accessibility services, or arrange other accommodations.
  - d. To accompany the alleged victim, when requested to do so by the alleged victim, to interviews and other proceedings of a campus investigation and institutional disciplinary proceedings.
  - e. To advise the alleged victim of, and provide written information regarding, both the alleged victim's rights and SULC's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a court of competent jurisdiction or by SULC.
  - f. The confidential advisor shall not be obligated to report crimes to SULC or law enforcement in a way that identifies an alleged victim or an accused individual, unless otherwise required to do so by law. The confidential advisor shall, to the extent authorized under law, provide confidential services to students.

## **E. The Complaint Process**

- a) The individual accused of conduct violating this Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise be given a full and complete written statement of the allegations and a copy of the Gender-Based Sexual Misconduct Policy (Title IX) by the Title IX Coordinator or his/her designee.
- b) The individual accused of conduct violating the Gender-Based Sexual Misconduct Policy (Title IX) must be provided with a written notification of the formal investigation or otherwise a review of relevant documents, as appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of the investigation.



- c) Upon request, the Complainant and Respondent may each have either an advisor or attorney representative present when he or she is required to do so pursuant to the applicable provisions of SULC Student Judicial System and Procedures.
- d) At any time during the investigation, it may be recommended that interim protections or remedies for the Complainant and/or witnesses be provided by SULC.
- e) The investigation shall be completed as promptly as possible and in most cases, within sixty (60) working days of the date that the request for formal investigation was filed. After the completion of the investigation, the Title IX Coordinator will prepare a written report.
- f) An investigation will result in a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence and a recommendation for corrective or disciplinary action. If the investigation involves allegations of student-on-student sexual misconduct, and the investigation results in a finding that this policy has been violated, the Title IX Coordinator will file a complaint with the SULC Office Student Affairs and the complaint will be processed under the provisions of the SULC Student Judicial System and Procedures. In such cases, the Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the Complainant to determine in what capacity he/she will participate (i.e., co-complainant, witness, or no participation).
- g) Within fifteen (15) business days of taking corrective and/or disciplinary action against a Respondent, or a decision not to take any action, the SULC Office Student Affairs shall provide written notification to the Title IX Coordinator of what action, if any has been taken, including the results of any appeals.

## F. Special Complaint Process Provisions

- a) **Attempted violations:** In most circumstances, SULC will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- b) **SULC as Complainant:** If the Complainant/Victim does not wish to release his/her name or file charges, then, as necessary, SULC reserves the right to initiate a complaint, to serve as a Complainant and to initiate the Judicial Process without a formal complaint being made by the victim of sexual misconduct.
- c) **False Reports:** SULC will not tolerate intentional false reporting of incidents. It is a violation of SULC Non-Academic Code of Conduct to make an intentionally false report of any policy violation and it may also violate Louisiana criminal statutes and civil defamation laws.
- d) **Immunity for Victims and Witnesses:** The SULC campus community encourages the reporting of sexual misconduct violations and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report an incident to a Campus Representative or to participate in the Judicial Process because they fear that they themselves may be accused of policy violations. It is in the best interest of this campus community that as many victims as possible choose to report to Campus Representatives, and that witnesses come forward to share what they know. To encourage reporting, SULC pursues a policy of assisting victims of

crimes and witnesses. Limited immunity is provided from specific policy violations related to the incident.

- e) **Bystander Engagement:** Welfare of SULC students is of paramount importance. At times, students on and off campus may need assistance. SULC encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble. SULC will pursue a policy of limited immunity for students who offer help to others in need.
  
- f) **Parental Notification:** SULC's primary relationship is with the student and not the parent. It reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and alcohol and other drug violations. Additionally, Campus Representatives will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication. SULC also reserves the right to designate which University official may have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).
  
- g) **Notification of Outcomes:** The outcome of a sexual misconduct adjudication is part of the educational record of the accused student or Respondent, and is protected from release under federal law (FERPA), and SULC's confidentiality of records policies. Moreover, SULC observes legal exceptions as follows:
  - Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed of the outcome, essential findings and sanctions of the SULC Office of Student Affairs, in writing, without conditions or limitations.
  
  - SULC may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a University policy that is a "crime of violence", including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property, and kidnapping/abduction. SULC will release this information to the Complainant in any of these offenses regardless of the outcome.
  
- h) **Alternative Testimony Options:** For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the Complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside the physical presence of the accused individual, such as in another room or by electronic means such as videoconferencing. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student or Respondent.
  
- i) **Past Sexual History/Character:** The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or Judicial Process unless such information is determined to be highly relevant. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in

advance by the Title IX Coordinator. While previous conduct violations by the accused student or Respondent are not generally admissible as information in determining responsibility for the present alleged violation, the Title IX Coordinator may supply previous complaint information to be considered in sanctioning or may consider it himself/herself only if:

- The Respondent was previously found to be responsible;
- The previous incident was substantially similar to the present allegation; and/or
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student or Respondent.

## **G. Formal Resolution Procedures for Complaints Against Faculty and Non-Faculty Employees**

Title IX complaints filed by students against employees of SULC will follow procedures outlined in the Southern University System Personnel Handbook. A hard copy of this document can be obtained from the System Office of Human Resources on the Southern University Baton Rouge campus at the J.S. Clark Annex Building, 1<sup>st</sup> Floor.

## **H. Formal Resolution Procedures for Complaints Against Students**

### **1. Complaints Against Students**

- a) Complaints will be assigned to the Title IX Coordinator, who will assign the investigation to the Title IX Investigatory Committee to investigate the allegation(s). Following an investigation, a preliminary meeting will be held with the Respondent to review the complaint and other information gathered. After the complaint is investigated, the Judicial Process is initiated. The SULC Office of Student Affairs, through the Non-Academic Code of Conduct Judiciary Committee, will administer the Judicial Process in accordance with the SULC Judiciary Hearing Protocol and Non-Academic Code of Conduct guidelines.
- b) Complainants and Respondents have the right to have an adviser of his/her choice present during the Judicial Process. An adviser may provide support and advice but not actively participate in the hearing. Attorneys may act as advisers, but may not argue a case or attempt to introduce legal procedures.
- c) Hearings conducted by the Non-Academic Code of Conduct Judiciary Committee will be closed to the public. SULC reserves the right to review individuals attending hearings based on their involvement with the incident. All information presented during these proceedings is confidential and will only be released if subpoenaed or with the Complainant's or Respondent's permission except for final results of non-consensual sexual intercourse or other violent acts, which will only be released to the victim of the act.
- d) Prospective witnesses, other than the Complainant/victim and Respondent may be excluded from a Judicial Process hearing during statements made by other participants.

- e) Oral and/or written statements may be considered and will be weighed as deemed appropriate. Complainants and/or Respondents are responsible for ensuring witnesses or documents are available at the time of the hearing.
- f) Respondents will be afforded an opportunity to hear and respond to all information presented against them.
- g) Complainants and/or Respondents may request the removal of any participants in the Judicial Process whom they feel may be biased against them.
- h) All participants are expected to act with integrity by providing honest answers, following established procedures and maintaining confidentiality.
- i) University judicial hearings will be conducted in a civil manner with any participant disrupting the process being excluded from the remainder of the hearing.
- j) Pending resolution of a complaint, a student's status may only be altered to protect SULC's interests and/or the safety and security of individual members of the campus community. Such actions may include interim suspensions, restriction of privileges including access to certain areas of the campus, and no-contact directives.
- k) Determination of responsibility for violating this policy will be based on the standard of a preponderance of the evidence presented at the University judicial hearing.
- l) If it is determined that the Respondent is responsible for sexual misconduct, i.e., the sexual misconduct more likely than not occurred, the Complainant may present a statement recommending a sanction (the "Impact Statement"). The respondent will be provided with an opportunity to respond to the Impact Statement. The Non-Academic Code of Conduct Judiciary Committee is not bound by these statements in determining a sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, discretion may be applied to permit the presence of other persons.
- m) Written notification of the outcome of the University judicial hearing, including the reasons for the decision, findings of fact, and an explanation of the sanctions, will be sent within a reasonable time frame from the conclusion of the matter. Notifications will be sent to the Complainant and Respondent. Other notifications may be sent in order for SULC to comply with applicable victim notification laws for reporting the results of the University judicial hearing.

## **2. Student Appeal Process**

- a) The outcome of any University judicial hearing may be appealed by either the Complainant or Respondent. All appeals will be pursued in accordance with the SULC Policies and Student Code of Conduct. Appeals must be based on at least one of the following reasons to be considered:

- Procedural errors in the operation of the University judicial process hearing were substantial enough to have effectively denied the student a fair hearing.
- Availability of new and significant evidence that was not available at the original hearing in spite of diligent efforts by the student to collect such information.
- Lack of substantial information presented at the hearing to support the decision on responsibility for a violation.
- Severity of the sanctions does not match the severity of the violation.

### 3. Student Sanctions

- a) Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous SULC Non-Academic Code of Conduct violations.
- b) Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.
- c) Any student found responsible for violating the Sexual Exploitation or Sexual Harassment provisions of this policy will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous SULC Non-Academic Code of Conduct violations.

### 4. Range of Sanctions

The following sanctions comprise a range of official actions that may be imposed for violation of this policy by individuals or groups. One or more sanctions may be imposed at the discretion of the Non-Academic Code of Conduct Judiciary Committee in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain the rationale behind regulations. This list does not limit the actions available and is not inclusive of all possible actions that could be taken as a result of a violation of this policy. Students found responsible for violations will receive a minimum disciplinary warning with expulsion being the maximum sanction.

- a) **Disciplinary Warning:** An official notification to the student that his/her behavior has been unacceptable. Any further misconduct will result in the imposition of a greater sanction. This sanction is a part of the official record but is removed at the time the student completes his/her requirements for graduation.
- b) **Disciplinary Probation:** An indication to a student that his/her behavior has resulted in a sanction extremely close to suspension. It is imposed for a definite period of time. Any further misconduct while on Disciplinary Probation will usually result in suspension from SULC.
- c) **Disciplinary Suspension:** Prohibition from attending and from being present without permission on the property of SULC or any campus of Southern University for the duration of the sanction. The sanction shall not exceed a period of more than two full semesters following the effective date of suspension. If required by the sanction, students who have been suspended must petition for re-enrollment through the Non-Academic Code of Conduct Judiciary Committee.

- d) **Disciplinary Withdrawal:** The privilege of withdrawing from SULC under extenuating circumstances. Conditions may be established for readmission at the time of withdrawal.
- a) **Disciplinary Expulsion:** The action entails involuntary and permanent separation from SULC. The Respondent/student will be barred from all campuses activities within the Southern University System and property following expulsion. Reimbursement of charges or fees for students removed from campus due to sexual misconduct will follow the official refund schedule for withdrawals.
- b) **Other Sanctions:** The Non-Academic Code of Conduct Judiciary Committee may impose any other appropriate sanction, including, but not limited to, restriction of student privileges, restriction on right of access to campus facilities, work fines and monetary payment for purpose of restitution due to damage or misappropriation of SULC or University property.

## I. Retention of Records

The Title IX Coordinator is responsible for maintaining records relating to sexual misconduct reports, investigations and resolutions. All written records associated with the resolution of a complaint pertaining to the formal investigation will be maintained in accordance with all pertinent SULC policies and procedures.

## J. Confidentiality and Privacy

Generally, it is not confidential when a person reports sexual misconduct. A complainant/victim may make a request for confidentiality/privacy at any point. This type of request means that the Complainant/victim does not want his/her identity known to the Respondent and witnesses, or that the Complainant/victim wishes to withdraw a report. If at any point the Complainant/victim requests privacy, SULC will make all reasonable attempts to comply with this request. In situations where a Complainant/victim requests confidentiality/privacy, SULC's ability to investigate and respond to the allegations may be limited.

SULC is required by Title IX to weigh the complainant/victim's request for confidentiality/privacy within its commitment to provide a reasonably safe and non-discriminatory environment. The complainant/victim will be notified by a Confidential Advisor if it is determined that SULC cannot maintain her/his confidentiality/privacy. The Complainant/victim's identity will be revealed to those individuals who need to know the name of the Complainant in order for an investigation to commence.

In situations where SULC becomes aware of a pattern of behavior by a single student or Respondent, it will take all appropriate actions in an attempt to protect the campus from gender-based misconduct by that individual. If the offender is unknown or is not a member of the campus community, SULC staff will assist individuals in identifying appropriate campus resources or local authorities, if that person would like to file a report.

When a report of gender-based sexual misconduct is filed, the complainant/victim, the Respondent, and all identified witnesses who are named in the investigation, will be notified of SULC's expectation of confidentiality and privacy. SULC will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in gender-based sexual misconduct investigations and hearings. Breaches of confidentiality and

privacy against the complainant/victim or witnesses and may warrant a separate misconduct hearing.

If a person desires to keep an incident of sexual misconduct confidential, they should speak with a Confidential Advisor or individuals who have professional or legal obligations to keep communications confidential. When seeking advice and support, the individual should always consider whether he/she wants to discuss his or her concerns with a confidential resource. Unless there is an imminent threat to health or safety, or other basis for disclosure, confidentiality applies when individuals seek services from the following resources:

- **SULC Confidential Advisors:**
  - Ms. Felicia Forman – (225) 771-4900
  - Ms. Claudette Smith Brown – (225) 771-2315
  - Ms. Lena Station – (225) 771-4976
- **Southern University Counseling Center** – (225) 771 – 2480
- **Southern University Student Health Center** – (225) 771 – 4770
- **Sexual Trauma Awareness & Response (STAR) Center** - [www.brstar.org](http://www.brstar.org)
- **Rape Crisis Hotline** (225) 383-7278 [prevention@brstar.org](mailto:prevention@brstar.org)

Disclosures or reports made to any other entities except those listed above are NOT confidential. For example, incidents of sexual misconduct discussed with a supervisor or faculty member, those persons are “Responsible Employees” and, as such, are obligated pursuant to this policy to report sexual misconduct to the Title IX Coordinator.

## **K. Amnesty**

While SULC does not condone violation of policies, it considers reporting sexual assault and sexual misconduct to be of paramount importance. To encourage reporting and adjudication of sexual assault and misconduct, SULC will extend limited amnesty to students who have been the victim of sexual misconduct. SULC will generally not seek to hold the student responsible for his/her own violations of the law, or of the SULC Non-Academic Code of Conduct, in which he or she may have been involved during the period immediately surrounding the sexual misconduct.

## **L. Retaliation**

Retaliation against any person who alleges a violation of the Gender- Based Sexual Misconduct Policy or who reports or assists SULC in the investigation of a complaint under this policy may result in disciplinary action up to and including termination or expulsion by SULC. Retaliation against any person who is the Complainant/victim of sexual misconduct is prohibited as well. There will be no retaliation against those who report or assist the SULC campus in the investigation of a complaint. Retaliation against the Complainant/victim or witnesses may warrant a separate Judicial Process hearing.

## **VIII. Information and Assistance**

The Title IX Coordinator’s role is to oversee SULC’s compliance with Title IX regulation and will:

- A.** Serve as a resource for students wishing to report any acts of sexual misconduct or gender-based discrimination, i.e. violations of Title IX.

- B.** Provide oversight for all Title IX activities and identify patterns, issues or problems regarding sexual misconduct complaints.
- C.** Review and support the informational initiatives enabling students, staff, administrators, and faculty to fully understand sexual violence and sexual harassment as forms of sexual discrimination and further educate the SULC campus community about all related policies and procedures.
- D.** Coordinate the investigation of sexual misconduct complaints and issue a written copy of findings.

If a student believes that he/she has experienced sexual harassment and/or any form of sexual misconduct, they are strongly encouraged to file a complaint with SULC, the police, or with both.



## **APPENDIX A**

### **COMPLAINANT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right of both the Complainant and Respondent to have the same opportunity to have others present (in support or advisory roles) during the Judicial Process hearing;
4. The right not to be discouraged by SULC officials from reporting sexual misconduct offenses to both on-campus and off-campus authorities;
5. The right to be informed of the outcome and sanctions imposed as the result of a Judicial Process hearing involving a sexual misconduct offense, usually within forty-eight (48) hours of the end of that hearing;
6. The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by Campus Representatives in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the Complainant/victim's desire;
7. The right to be notified of available counseling, mental health, or student services for the Complainant/victim both on campus and in the community;
8. The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual misconduct incident, if so requested by the Complainant/victim and if such changes are reasonably available. (No formal complaint, or investigation, campus or criminal, need occur before this option is available.) Accommodations may include:
  - Change of an on-campus student's housing to a different on-campus location if space is available;
  - Assistance from University support staff in completing the relocation;
  - Arranging to dissolve a housing contract and pro-rating a refund;
  - Exam (paper, assignment) rescheduling;
  - Taking an Incomplete in a class;
  - Transferring class sections;
  - Temporary withdrawal; and/or
  - Alternative course completion options.
9. The right not to have irrelevant prior sexual history admitted as evidence in the Judicial Process hearing ;
10. The right to make an Impact Statement at the Judicial Process hearing and to have that statement considered in determining a sanction;
11. The right to a campus no-contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
12. The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus law enforcement;
13. The right to appeal the (finding and) sanctions imposed by the SULC Office of Student Affairs, in accordance with the standards for appeal established by the institution;
14. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least forty-eight (48) hours prior to the Judicial Process hearing;

15. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the Judicial Process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the alleged Complainant/victim, which will always be revealed);
16. The right to preservation of privacy, to the extent possible and allowed by law;
17. The right to a hearing closed to the public;
18. The right to petition that any member of the Non-Academic Misconduct Judiciary Committee be removed on the basis of demonstrated bias;
19. The right to bring a victim advocate or adviser to all phases of the investigation and Judicial Process hearing;
20. The right to give testimony in the Judicial Process hearing by means other than being in the same room with the Respondent;
21. The right to ask the investigator(s) to identify and question relevant witnesses, including expert witnesses;
22. The right to be fully informed of the Judicial Process rules and procedures, as well as the nature and extent of all alleged violations contained within the complaint;
23. The right to have the University request the presence of student, faculty, and staff witnesses, and the opportunity (if desired) to ask questions, directly or indirectly, of witnesses (including the Respondent) and the right to challenge documentary evidence;
24. The right to be present for all testimony given and evidence presented before the Non-Academic Misconduct Judiciary Committee;
25. The right to have complaints heard by the Hearing Board members and appeal officers who have received annual sexual misconduct training;
26. The right to have a Non-Academic Misconduct Judiciary Committee comprised of representatives of both genders;
27. The right to have University policies and procedures followed without material deviation;
28. The right to be informed in advance of any public release of information regarding the complaint if possible; and
29. The right not to have released to the public any personally identifiable information, without his or her consent.

## **APPENDIX B**

### **RESPONDENT'S STATEMENT OF RIGHTS**

1. The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith;
2. The right to be treated with respect by University officials;
3. The right to be informed of, and have access to, campus resources for medical, counseling and advisory services;
4. The right to be fully informed of the nature, rules and procedures of the Judicial Process and to timely receive written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
5. The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
6. The right not to have irrelevant prior sexual history admitted as evidence in the Judicial Process;
7. The right to make an Impact Statement during the Judicial Process hearing and to have that statement considered in determining a sanction;
8. The right to appeal the finding and sanction of the Non-Academic Misconduct Judiciary Committee, in accordance with the standards for appeal established by SULC;
9. The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, usually within forty-eight (48) hours prior to the Judicial Process hearing;
10. The right to be informed of the names of all witnesses who will be called to give testimony, usually within forty-eight (48) hours of the Judicial Process hearing, except in cases where a witness's identity will not be revealed to the Respondent for compelling safety reasons (this does not include the name of the Complainant/victim, which will always be revealed);
11. The right to a hearing closed to the public;
12. The right to petition that any member of the Non-Academic Misconduct Judiciary Committee be removed on the basis of bias;
13. The right to have the Non-Academic Misconduct Judiciary Committee request the presence of student, faculty, and staff witnesses, and the opportunity to ask questions, directly or indirectly, of witnesses and the right to challenge documentary evidence;
14. The right to have complaints heard and/or appealed by individuals who have received annual sexual misconduct adjudication training;
15. The right to have SULC policies and procedures followed without material deviation;
16. The right to have an adviser or advocate accompany and assist in the Judicial Process. This advisor can be anyone but the adviser may not take part directly in the hearing itself, though he/she may communicate with the Respondent as necessary;
17. The right to a fundamentally fair hearing, as defined by SULC policies and procedures;
18. The right to an outcome based solely on evidence presented during the Judicial Process hearing. Such evidence shall be credible, relevant, based in fact, and without prejudice;
19. The right to written notice of the outcome and sanction of the Non-Academic Misconduct Judiciary Committee;
20. The right to have the Non-Academic Misconduct Judiciary Committee comprised of representatives of both genders; and
21. The right to be informed, in advance when possible, of any public release of information regarding the complaint.

## APPENDIX C

### FREQUENTLY ASKED QUESTIONS ABOUT THE GENDER-BASED/SEXUAL MISCONDUCT POLICY (TITLE IX)

Some of the most commonly asked questions regarding a Gender-Based/Sexual Misconduct Policy and procedures are summarized below:

❖ ***Does information about a complaint remain private?***

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with SULC's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the Complainant/victim or the Respondent may lead to action by SULC as it can be viewed as a form of retaliation if being done to malign or impinge a person's character.

In all complaints of sexual misconduct, all parties will be informed of the outcome. If there is a report of an act of alleged sexual misconduct to an SULC Campus Representative and there is evidence that a felony has occurred, the Southern University Police Department will be notified. This does not mean charges will be automatically filed but that a victim must speak with the police, and the institution is legally required to notify law enforcement authorities. SULC must also statistically report the occurrence on-campus major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

❖ ***Will my parents be told?***

No, not unless you tell them. Whether you are the Complainant/victim or the Respondent, SULC's disciplinary relationship is with the student and not his/her parent(s). University officials will directly inform parents when requested to do so by a student, in a life-threatening situation or if a student has signed a permission form that allows such communication.

❖ ***Will the Respondent know my identity?***

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the Respondent has a right to know the identity of the Complainant/victim. If there is a hearing, SULC provides options for questioning without confrontation, including using a room divider or using separate hearing rooms.

❖ ***Do I have to name the perpetrator?***

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete Confidentiality Policy contained in this policy to better understand SULC's legal obligations depending on what information you share with different University officials). Complainants should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively but will result in an investigation based on the information provided.

❖ ***What do I do if I am accused of sexual misconduct?***

DO NOT contact the Complainant/victim. You may immediately want to contact someone in the campus community who can act as your adviser. You may also contact the Title IX Coordinator who can explain SULC's procedures for addressing sexual misconduct complaints. As a Respondent, you will be contacted for an interview by the Title IX

Coordinator or his/her designee. You may ask any question you have during this interview. You may also want to talk to a confidential counselor at the SU Counseling Center or seek other community assistance. See below regarding legal representation.

❖ ***Will I (as a Complainant/victim) have to pay for counseling/medical care?***

Not typically, if SULC provides these services already.

❖ ***What about legal advice?***

Complainants/victims of criminal sexual misconduct need not retain a private attorney to pursue prosecution because representation will be handled by the East Baton Rouge Parish District Attorney's Office. You may want to retain an attorney if you are the Respondent or are considering filing a civil action. Respondents may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the Judicial Process.

❖ ***What should I do about preserving evidence of a sexual assault?***

Police are in the best position to secure evidence of a crime. Physical evidence of sexual misconduct must be collected from the Complainant/victim's person within one hundred and twenty (120) hours of the alleged incident, although evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe that you have been a victim of a sexual misconduct, you should go to a hospital emergency room before washing yourself or your clothing.

If a Complainant/victim goes to the hospital, local police will be called, but the victim is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to take any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the Complainant/victim later decide to exercise it.

*For the Complainant/Victim:* The hospital staff will collect evidence, check for injuries, address pregnancy concerns, and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes that you are wearing as evidence. You can take a support person with you to the hospital, and the person can accompany you throughout the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

❖ ***Will a Complainant/victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?***

Usually not. The severity of the infraction will determine the nature of SULC's response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and SULC does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

❖ ***Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?***

The use of alcohol and/or drugs by either party will not diminish the Respondent's responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant/victim's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident

or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the Complainant/victim does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the Respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation of the sexual misconduct policy.

❖ ***Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?***

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the current complaint.

❖ ***What should I do if I am uncertain about what happened?***

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of SULC's sexual misconduct policy, you should contact the SULC Title IX Coordinator. The University provides advisers who can help you to define and clarify the event(s), and advise you of your options.



# SOUTHERN UNIVERSITY AND A&M COLLEGE SYSTEM

BATON ROUGE, LOUISIANA 70813  
(225) 771-2011

Baton Rouge, New Orleans,  
Shreveport/Bossier City  
LOUISIANA

Office of Facilities Planning  
(225) 771-3670

October 9, 2015

Fax Number:  
(225) 771-2922

## SYSTEM PROJECTS HIGHLIGHTS & UPDATES

### SUBR

#### 1. Laboratory School

- Selection of Architect for the \$1.2 Million Upgrade is Sit Wong w/Domain Design.
- Pre-design meeting was held on June 26, 2013.
- AFC is \$960,000.00.
- Project involves installation of new window wall system, ADA restrooms, new entry doors and ADA ramps.
- Pre-bid meeting held March 5, 2015.
- Project bid March 17, 2015 at \$741,000.00.
- Contractor is HVACR Systems
- Preconstruction meeting held April 9, 2015.
- Construction began at the end of school year on May 25, 2015.
- Construction will be completed December 2015.

#### 2. Repair Sloughing Off of Ravine ( Roosevelt Steptoe Avenue Repair)

- Project was bid April 23, 2015.
- \$835,792 low bid by L. S. Womack exceeded project budget of \$662,064.00.
- Additional funding was provided by State FP&C.
- Construction to begin in June 2015.
- Contractor will continue working until October 15, 2015 for completion and punch list.

#### 3. Hot and Chill Water Project Phase IV

- Provide heat and air conditioning to Dorms.
- Vivian and assoc. Engineers – design complete.
- Project bid May, 2014. Bernhard Construction Low bidder \$1,537,500.
- Notice to proceed was issued September 15, 2014.
- Contractor has 365 days to complete project. Completion is scheduled for September 16, 2015.
- Project is approximately 98% complete.
- Contractor is waiting on University to provide some maintenance which they claim is our responsibility.
- Project will be complete in November 2015.

4. T. T. Allain ADA Consent Decree Project
  - Budget for ADA project is \$130,000.
  - Chenevert Construction was low bidder at \$116,530.00.
  - Alt. bid \$15,300 for additional water coolers.
  - Bid opening was held. July 28, 2015.
  - Contract is being prepared.
  - Project to be completed April, 2016.
  
5. F.G. Clark Activity Center Code Citations Renovations
  - Sit Wong , Architect
  - State funded project.
  - Estimated construction cost to meet Fire & Safety code- \$418,000.
  - Will eliminate need for a fire watch.
  - Project bid in February, 2015.
  - MBD Maintenance, LLC is the low bidder at \$301,000.00.
  - Construction started, 95% complete.
  - Completion due December, 2015.
  
6. Southern University Museum of Art (SUMA)
  - Hurricane Gustav Repairs
  - SMB is the Architect
  - Plans are complete.
  - Waiting on FP&C to issue bid date.
  - Contractor will coordinate temporary relocation of art works to Riverside Hall prior to construction.
  - Project is final review before bid.
  - Waiting on ORM, FP&C and GOHSEP Approval to move forward.
  - All art works must be relocated.
  
7. Information (Cultural) Center
  - Hewitt & Washington Architects
  - Project bid November, 2014, low bid exceeded project budget of \$4M.
  - Bid was \$5.5M by Tillage Construction.
  - Bid cancelled.
  - Project to be value Engineered to reduce cost.
  - In negotiations with DOTD and waiting for additional funds from Southern.



## SUNO

1. Architect Selections were made on Wednesday, May 15, 2013 for 4 new buildings.
  - Sizzler Thompson Brown – Awarded Natural Science Building.  
Science building will change from 3 to 4 stories to house Science, Sch. of Nursing, Math, Physics, Health Information Management Systems, Biology, Chemistry and Forensic Science. It will consist of a total of 107,435 sq. ft. and will be located on the Park Campus. Project is in Construction Document Phase, budget increased to \$27,750,000.
  - Construction will begin in summer 2016.
  - Verges Rome Architects – Awarded Education and Human Development Building.  
This building will be two stories in height and have a total of 49,114 square feet. Project will be located on the Lake Campus and is in the Construction Document phase. Cost of the project is budgeted at \$11, 608,000.
  - Construction will begin in summer 2016.
  - Chasm + Fusion Architects – Awarded Arts & Humanities and Social Science Bldg.  
Project will be located on the Park Campus. Building will consist of a three story office and lab wing with the auditorium and proscenium tower extending to nearly five stories. The building will have 70,640 square feet and is in design development phase. Estimated cost of the project is \$21,200,000.
  - Project will be bid summer, 2016.
  - Waggoner & Ball Architects – Awarded School of Millie M. Charles School of Social Work.  
This building will be located on the Lake Campus. Architect is in construction document phase is complete. The project budget is \$10, 257,000. Construction will begin in the Early Spring of 2016.
  - Pre-bid meeting scheduled for October 15, 2015 at SUNO.
  - Project is currently out for bid.
2. University Center- 55,000 sq. ft.
  - \$5,500,000 budget for repair and mitigation. Building providing partial service.
  - Additional repairs needed for pool, HVAC and first on second floors over next several months.
  - First floor and flood wall completed in April, 2015.
  - Additional funds received from FEMA to replace HVAC system in the amount of \$169,000.

1. Health and P. E. Building Renovations

- Bid November, 2014.
- SMB Architects.
- Louis Livers low bidder.
- Estimated AFC cost is \$1.3M.
- Project is 95% complete. Completion by November, 2015.

2. Demolitions

- Central Plant Building – To be demolished in Spring Semester 2016. Resolution complete. FEMA considered building more than 51% damaged by storm.
- New Science Building - To be demolished after Natural Science.
- Brown Building (Old Science Building) - Demolished after construction of Natural Science Building.
- Multi-Purpose Building- To be demolished in fall 2015. Project has been bid... FEMA determined building more than 51% damaged by storm.  
-Scheduled demolition is for November, 2015.

SUSLA

1. SUSLA Classroom Building- Main Campus

- Funding is in place to begin the New Classroom Building.
- Architect will review plans and complete Code updates.
- \$6.1 available for AFC. Project bid October 8, 2014,
- Elaine Group low bidder. Exceeded budget of \$6.1 M.
- Value engineering required. Landscaping and front drive will be omitted.
- Contractor began construction February 11, 2015.
- Ground breaking ceremony was held February 23, 2015.
- Construction is approximately 40% complete.
- Completion date is March, 2016.

2. Allen Building 601 Texas Street

- \$3.5 M is in Priority 1.
- Architecture Planning is for all three floors.
- Update plans to new codes has been completed.
- Alliance Architects taking care of final documents.
- Project bid date will be provided by FP&C.
- Environmental abatement required prior to project bid.
- Construction of the Allen building will begin by November, 2015.

Prepared By: Endas Vincent  
System Director Facilities Planning

**Southern University System  
General Fund Budget Projections  
For Fiscal Year Ending June 30, 2016  
As of September 30, 2015**

	Actual as of 9/30/2015	Projected	Total FY 2015-16	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	14,647,261	9,627,111	24,274,372	\$24,274,372	60.3%	\$0
Statutory Dedicated	248,938	24,727,274	24,976,212	24,976,212	1.0%	0
Funds Due From BOR						
Federal	944,977	2,709,232	3,654,209	3,654,209	25.9%	0
<b>Self Generated</b>						
Tuition - Fall 2015	24,562,551	3,463,597	28,026,148	26,730,770	91.9%	1,295,378
Tuition - Spring 2016	0	24,152,501	24,152,501	24,152,501	0.0%	0
Tuition - Summer	339,565	2,854,142	3,193,707	3,193,707	10.6%	0
Out-of-State Fees	4,027,752	2,235,704	6,263,456	5,770,540	69.8%	492,916
Other	3,322,378	8,343,928	11,666,306	11,666,306	28.5%	0
InterAgency Transfer	396,855	4,499,913	4,896,768	4,896,768	8.1%	0
<b>Total Revenues</b>	<b>48,490,277</b>	<b>82,613,402</b>	<b>131,103,679</b>	<b>\$129,315,385</b>	<b>37.5%</b>	<b>\$1,788,294</b>
<b>Expenditures by Object</b>						
Salaries	15,497,800	50,557,164	66,054,964	65,854,964	23.5%	200,000
Other Compensation	13,648	305,329	318,977	318,977	4.3%	0
Related Benefits	5,863,177	22,491,703	28,354,880	27,821,506	21.1%	533,374
<b>Total Personal Services</b>	<b>21,374,625</b>	<b>73,354,196</b>	<b>94,728,821</b>	<b>\$93,995,447</b>	<b>22.7%</b>	<b>\$733,374</b>
Travel	46,678	633,552	680,230	\$680,230	6.9%	\$0
Operating Services	4,059,310	7,984,835	12,044,145	11,773,852	34.5%	270,293
Supplies	106,366	1,578,396	1,684,762	1,684,762	6.3%	0
<b>Total Operating Expenses</b>	<b>4,165,676</b>	<b>9,563,231</b>	<b>13,728,907</b>	<b>\$13,458,614</b>	<b>31.0%</b>	<b>\$270,293</b>
Professional Services	83,924	1,477,354	1,561,278	1,561,278	5.4%	0
Other Charges	209,716	6,535,434	6,745,150	6,595,150	3.2%	150,000
Debt Services	0	0	0	0	0%	0
Interagency Transfers	0	5,848,106	6,398,106	6,398,106	0%	0
<b>Total Other Charges</b>	<b>293,640</b>	<b>13,860,894</b>	<b>14,704,534</b>	<b>\$14,554,534</b>	<b>2.0%</b>	<b>\$150,000</b>
General Acquisitions	83,229	173,682	256,911	256,911	32.4%	0
Library Acquisitions	87,712	374,937	462,649	462,649	19.0%	0
Major Repairs	0	7,000	7,000	7,000	0.0%	0
<b>Total Acquist. &amp; Major Repairs</b>	<b>170,941</b>	<b>555,619</b>	<b>726,560</b>	<b>\$726,560</b>	<b>23.5%</b>	<b>\$0</b>
Scholarships	3,302,328	2,597,672	5,900,000	\$5,900,000	56.0%	0
<b>Total Expenditures</b>	<b>29,353,889</b>	<b>100,565,164</b>	<b>130,469,053</b>	<b>\$129,315,385</b>	<b>22.7%</b>	<b>\$1,153,668</b>

**Southern University Board and System Administration**  
**General Fund Budget Projections**  
**For Fiscal Year Ending June 30, 2016**  
**As of September 30, 2015**

	Actual as of 9/30/2015	Projected	Total FY 2014-15	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	2,330,461	0	2,330,461	2,330,461	100.0%	0
Statutory Dedicated	248,938	951,224		1,200,162	20.7%	
Funds Due To/ From Mgmt						
Federal						
<b>Self Generated</b>						
Tuition - Fall 2015						
Tuition - Spring 2016						
Tuition - Summer						
Out-of-State Fees						
Other						
InterAgency Transfer						
<b>Total Revenues</b>	<b>2,579,399</b>	<b>951,224</b>	<b>3,530,623</b>	<b>3,530,623</b>	<b>73.1%</b>	<b>0</b>
<b>Expenditures by Object</b>						
Salaries	234,099	971,306	1,205,405	1,205,405	19.4%	0
Other Compensation	0	52,000	52,000	52,000	0.0%	0
Related Benefits	66,892	432,230	499,122	499,122	13.4%	0
<b>Total Personal Services</b>	<b>300,991</b>	<b>1,455,536</b>	<b>1,756,527</b>	<b>1,756,527</b>	<b>17.1%</b>	<b>0</b>
Travel	11,216	64,784	76,000	76,000	14.8%	0
Operating Services	43,783	64,200	107,983	107,983	40.5%	0
Supplies	1,500	27,930	29,430	29,430	5.1%	0
<b>Total Operating Expenses</b>	<b>45,283</b>	<b>92,130</b>	<b>137,413</b>	<b>137,413</b>	<b>33.0%</b>	<b>0</b>
Professional Services		48,000	48,000	48,000	0.0%	0
Other Charges	3,539	691,295	694,834	694,834	0.5%	0
Debt Services						
Interagency Transfers		817,849	817,849	817,849	0.0%	0
<b>Total Other Charges</b>	<b>3,539</b>	<b>1,557,144</b>	<b>1,560,683</b>	<b>1,560,683</b>	<b>0.2%</b>	<b>0</b>
General Acquisitions	8,880	(8,880)	0	0	-100.0%	0
Library Acquisitions						0
Major Repairs						0
<b>Total Acquist. &amp; Major Repairs</b>	<b>8,880</b>	<b>(8,880)</b>	<b>0</b>	<b>0</b>	<b>-100.0%</b>	<b>0</b>
Scholarships						0
<b>Total Expenditures</b>	<b>369,909</b>	<b>3,160,714</b>	<b>3,530,623</b>	<b>3,530,623</b>	<b>10.5%</b>	<b>0</b>

Southern University - Baton Rouge  
 General Fund Budget Projections  
 For Fiscal Year Ending June 30, 2016  
 As of September 30, 2015

	Actual as of 9/30/2015	Projected	Total FY 2015-16	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	\$6,757,568	\$6,165,087	12,922,655	12,922,655	52.3%	0
Statutory Dedicated	0	13,176,863	13,176,863	13,176,863	0.0%	0
Funds Due From Mgmt or BOR						
Federal						
<b>Self Generated</b>						
Tuition - Fall 2015	14,855,392	0	14,855,392	14,267,259	104.1%	588,133
Tuition - Spring 2016	0	12,670,831	12,670,831	12,670,831	0.0%	0
Tuition - Summer	27,957	1,995,750	2,023,707	2,023,707	1.4%	0
Out-of-State Fees	3,126,884	1,240,956	4,367,840	4,367,840	71.6%	0
Other	3,190,572	8,030,153	11,220,725	11,220,725	28.4%	0
InterAgency Transfer	396,855	4,499,913	4,896,768	4,896,768	8.1%	0
<b>Total Revenues</b>	<b>\$28,355,228</b>	<b>\$47,779,553</b>	<b>76,134,781</b>	<b>75,546,648</b>	<b>37.5%</b>	<b>588,133</b>
<b>Expenditures by Object</b>						
Salaries	\$8,261,820	\$27,468,638	35,730,458	35,730,458	23.1%	0
Other Compensation	13,648	199,829	213,477	213,477	6.4%	0
Related Benefits	2,903,161	13,567,419	16,470,580	16,470,580	17.6%	0
<b>Total Personal Services</b>	<b>\$11,178,629</b>	<b>\$41,235,886</b>	<b>52,414,515</b>	<b>52,414,515</b>	<b>21.3%</b>	<b>0</b>
Travel	\$5,153	\$227,347	232,500	232,500	2.2%	0
Operating Services	3,075,700	4,457,641	7,533,341	7,533,341	40.8%	0
Supplies	42,184	891,377	933,561	933,561	4.5%	0
<b>Total Operating Expenses</b>	<b>\$3,117,884</b>	<b>\$5,349,018</b>	<b>8,466,902</b>	<b>8,466,902</b>	<b>45.3%</b>	<b>0</b>
Professional Services	32,625	1,198,372	1,230,997	1,230,997	2.7%	0
Other Charges	62,430	3,644,741	3,707,171	3,707,171	1.7%	0
Debt Services						
Interagency Transfers	0	3,602,565	3,602,565	3,602,565	0.0%	0
<b>Total Other Charges</b>	<b>\$95,055</b>	<b>\$8,445,678</b>	<b>8,540,733</b>	<b>8,540,733</b>	<b>1.1%</b>	<b>0</b>
General Acquisitions	72,504	24,845	97,349	97,349	74.5%	0
Library Acquisitions	0	137,649	137,649	137,649	0.0%	0
Major Repairs	0	7,000	7,000	7,000	0.0%	0
<b>Total Acquist. &amp; Major Repairs</b>	<b>\$72,504</b>	<b>\$169,494</b>	<b>241,998</b>	<b>241,998</b>	<b>30.0%</b>	<b>0</b>
Scholarships	\$3,158,524	\$2,491,476	5,650,000	5,650,000	55.9%	0
<b>Total Expenditures</b>	<b>\$17,627,750</b>	<b>\$57,918,899</b>	<b>75,546,648</b>	<b>75,546,648</b>	<b>23.3%</b>	<b>0</b>

Southern University Law Center  
 General Fund Budget Projections  
 For Fiscal Year Ending June 30, 2016  
 As of September 30, 2015

	Actual as of 9/30/2015	Projected	Total FY 2015-16	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	\$1,308,367	822,504	2,130,871	\$2,130,871	61.4%	0
Statutory Dedicated		1,986,961	1,986,961	1,986,961	0.0%	0
Funds Due From Mgmt or BOR						
Federal						
<b>Self Generated</b>						
Tuition - Fall 2015	\$3,373,752		3,373,752	3,237,110	104.2%	136,642
Tuition - Spring 2016		2,996,548	2,996,548	2,996,548	0.0%	0
Tuition - Summer	\$219,335	380,665	600,000	600,000	36.6%	0
Out-of-State Fees	\$639,952	552,748	1,192,700	1,192,700	53.7%	0
Other	\$93,212	87,369	180,581	180,581	51.6%	0
InterAgency Transfer						
<b>Total Revenues</b>	<b>\$5,634,618</b>	<b>\$6,826,795</b>	<b>\$12,461,413</b>	<b>12,324,771</b>	<b>45.7%</b>	<b>\$136,642</b>
<b>Expenditures by Object</b>						
Salaries	1,507,966	5,108,034	6,616,000	6,616,000	22.8%	0
Other Compensation						
Related Benefits	514,145	2,060,159	2,574,304	2,574,304	20.0%	0
<b>Total Personal Services</b>	<b>\$2,022,111</b>	<b>\$7,168,193</b>	<b>\$9,190,304</b>	<b>\$9,190,304</b>	<b>22.0%</b>	<b>\$0</b>
Travel	\$3,905	171,095	\$175,000	\$175,000	2.2%	\$0
Operating Services	171,617	1,471,613	1,643,230	1,506,588	11.4%	136,642
Supplies	\$349	99,651	100,000	100,000	0.3%	0
<b>Total Operating Expenses</b>	<b>\$171,966</b>	<b>\$1,571,264</b>	<b>\$1,743,230</b>	<b>\$1,606,588</b>	<b>10.7%</b>	<b>\$136,642</b>
Professional Services	\$4,600	170,400	175,000	175,000	2.6%	0
Other Charges		264,448	264,448	264,448	0.0%	0
Debt Services						
Interagency Transfers		263,431	263,431	263,431	0.0%	0
<b>Total Other Charges</b>	<b>\$4,600</b>	<b>\$698,279</b>	<b>\$702,879</b>	<b>\$702,879</b>	<b>0.7%</b>	<b>\$0</b>
General Acquisitions		75,000	75,000	75,000	0.0%	0
Library Acquisitions	\$87,712	237,288	325,000	325,000	27.0%	0
Major Repairs				-		0
<b>Total Acquist. &amp; Major Repairs</b>	<b>\$87,712</b>	<b>\$312,288</b>	<b>\$400,000</b>	<b>\$400,000</b>	<b>21.9%</b>	<b>\$0</b>
Scholarships	\$143,804	106,196	\$250,000	\$250,000	57.5%	\$0
<b>Total Expenditures</b>	<b>\$2,434,098</b>	<b>\$10,027,315</b>	<b>\$12,461,413</b>	<b>\$12,324,771</b>	<b>19.7%</b>	<b>\$136,642</b>

Southern University at New Orleans  
General Fund Budget Projections  
For Fiscal Year Ending June 30, 2016  
As of September 30, 2015

	Actual as of 9/30/2015	Projected	Total FY 2015-16	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	1,919,820	1,206,892	3,126,712	3,126,712	61.4%	0
Statutory Dedicated		3,210,361	3,210,361	3,210,361	0.0%	0
Funds Due From Mgmt or BOR						
Federal						
<b>Self Generated</b>						
Tuition - Fall 2015	5,776,702		5,776,702	5,723,207	100.9%	53,495
Tuition - Spring 2016		5,181,928	5,181,928	5,181,928	0.0%	0
Tuition - Summer		300,000	300,000	300,000	0.0%	0
Out-of-State Fees	135,156	55,000	190,156	110,000	122.9%	80,156
Other	15,660	74,340	90,000	90,000	17.4%	0
InterAgency Transfer						
<b>Total Revenues</b>	<b>7,847,338</b>	<b>10,028,521</b>	<b>17,875,859</b>	<b>17,742,208</b>	<b>44.2%</b>	<b>133,651</b>
<b>Expenditures by Object</b>						
Salaries	2,477,622	8,341,830	10,819,452	10,819,452	22.9%	0
Other Compensation						
Related Benefits	1,168,715	2,931,830	4,100,545	4,100,545	28.5%	0
<b>Total Personal Services</b>	<b>3,646,337</b>	<b>11,273,660</b>	<b>14,919,997</b>	<b>14,919,997</b>	<b>24.4%</b>	<b>0</b>
Travel				0		
Operating Services	51,156	886,045	937,201	803,550	6.4%	133,651
Supplies	30,261	300,291	330,552	330,552	9.2%	0
<b>Total Operating Expenses</b>	<b>81,417</b>	<b>1,186,336</b>	<b>1,267,753</b>	<b>1,134,102</b>	<b>7.2%</b>	<b>133,651</b>
Professional Services			0	0		0
Other Charges	81,922	1,165,434	1,247,356	1,247,356	6.6%	0
Debt Services						0
Interagency Transfers		440,753	440,753	440,753	0.0%	0
<b>Total Other Charges</b>	<b>81,922</b>	<b>1,606,187</b>	<b>1,688,109</b>	<b>1,688,109</b>	<b>4.9%</b>	<b>0</b>
General Acquisitions				0		0
Library Acquisitions				0		0
Major Repairs				0		0
<b>Total Acquist. &amp; Major Repairs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>
Scholarships	0	0	0	0	0.0%	0
<b>Total Expenditures</b>	<b>3,809,676</b>	<b>14,066,183</b>	<b>17,875,859</b>	<b>17,742,208</b>	<b>21.5%</b>	<b>133,651</b>

Southern University at Shreveport  
 General Fund Budget Projections  
 For Fiscal Year Ending June 30, 2016  
 As of September 30, 2015

	Actual as of 9/30/2015	Projected	Total FY 2015-16	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	1,544,825	938,371	2,483,196	2,483,196	62.2%	0
Statutory Dedicated		2,527,302	2,527,302	2,527,302	0.0%	0
Funds Due From Mgmt or BOR						
Federal						
<b>Self Generated</b>						
Tuition - Fall 2015	556,705	3,463,597	4,020,302	3,503,194	15.9%	517,108
Tuition - Spring 2016		3,303,194	3,303,194	3,303,194	0.0%	0
Tuition - Summer	92,273	177,727	270,000	270,000	34.2%	0
Out-of-State Fees	125,760	387,000	512,760	100,000	125.8%	412,760
Other	22,934	152,066	175,000	175,000	13.1%	0
InterAgency Transfer						
<b>Total Revenues</b>	<b>2,342,497</b>	<b>10,949,257</b>	<b>13,291,754</b>	<b>12,361,886</b>	<b>18.9%</b>	<b>929,868</b>
<b>Expenditures by Object</b>						
Salaries	1,832,381	5,400,867	7,233,248	7,033,248	26.1%	200,000
Other Compensation						
Related Benefits	789,715	2,429,927	3,219,642	2,686,268	29.4%	533,374
<b>Total Personal Services</b>	<b>2,622,096</b>	<b>7,830,794</b>	<b>10,452,890</b>	<b>9,719,516</b>	<b>27.0%</b>	<b>733,374</b>
Travel	4,702	31,998	36,700	36,700	12.8%	0
Operating Services	686,303	620,798	1,307,101	1,307,101	52.5%	0
Supplies	25,502	144,260	169,762	169,762	15.0%	0
<b>Total Operating Expenses</b>	<b>711,805</b>	<b>765,058</b>	<b>1,476,863</b>	<b>1,476,863</b>	<b>48.2%</b>	<b>0</b>
Professional Services	32,264	33,736	66,000	66,000	48.9%	0
Other Charges	61,825	414,474	476,299	326,299	18.9%	150,000
Debt Services						
Interagency Transfers		723,508	723,508	723,508	0%	0
<b>Total Other Charges</b>	<b>94,089</b>	<b>1,171,718</b>	<b>1,265,807</b>	<b>1,115,807</b>	<b>8.4%</b>	<b>150,000</b>
General Acquisitions	225	12,775	13,000	13,000	1.7%	0
Library Acquisitions						
Major Repairs						
<b>Total Acquist. &amp; Major Repairs</b>	<b>225</b>	<b>12,775</b>	<b>13,000</b>	<b>13,000</b>	<b>1.7%</b>	<b>0</b>
Scholarships						
<b>Total Expenditures</b>	<b>3,432,917</b>	<b>9,812,343</b>	<b>13,245,260</b>	<b>12,361,886</b>	<b>27.8%</b>	<b>883,374</b>



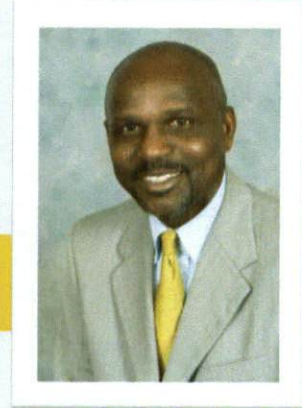
Southern University Agricultural Research and Extension Center  
**General Fund Budget Projections**  
For Fiscal Year Ending June 30, 2016  
As of September 30, 2015

	Actual as of 9/30/2015	Projected	Total FY 2015-16	Budget as of 6/30/16*	Actual as % of Budget	Over (Under) Budget
<b>Revenues</b>						
General Fund Direct	786,220	494,257	1,280,477	1,280,477	61.4%	0
Statutory Dedicated		2,874,563	2,874,563	2,874,563	0.0%	0
Funds Due From Mgmt or BOR						0
Federal	944,977	2,709,232	3,654,209	3,654,209	25.9%	0
<b>Self Generated</b>						
Tuition - Fall 2015						
Tuition - Spring 2016						
Tuition - Summer						
Out-of-State Fees						
Other						
InterAgency Transfer						
<b>Total Revenues</b>	<b>1,731,197</b>	<b>6,078,052</b>	<b>7,809,249</b>	<b>7,809,249</b>	<b>22.2%</b>	<b>0</b>
<b>Expenditures by Object</b>						
Salaries	1,183,912	3,266,489	4,450,401	4,450,401	26.6%	0
Other Compensation		53,500	53,500	53,500	0.0%	0
Related Benefits	420,549	1,070,138	1,490,687	1,490,687	28.2%	0
<b>Total Personal Services</b>	<b>1,604,461</b>	<b>4,390,127</b>	<b>5,994,588</b>	<b>5,994,588</b>	<b>26.8%</b>	<b>0</b>
Travel	21,702	138,328	160,030	160,030	13.6%	0
Operating Services	30,751	484,538	515,289	515,289	6.0%	0
Supplies	6,570	114,887	121,457	121,457	5.4%	0
<b>Total Operating Expenses</b>	<b>37,321</b>	<b>599,425</b>	<b>636,746</b>	<b>636,746</b>	<b>5.9%</b>	<b>0</b>
Professional Services	14,435	26,846	41,281	41,281	35.0%	0
Other Charges		355,042	355,042	355,042	0.0%	0
Debt Services						
Interagency Transfers		550,000	550,000	550,000	0.0%	0
<b>Total Other Charges</b>	<b>14,435</b>	<b>931,888</b>	<b>946,323</b>	<b>946,323</b>	<b>1.5%</b>	<b>0</b>
General Acquisitions	1,620	69,942	71,562	71,562	2.3%	0
Library Acquisitions						
Major Repairs						
<b>Total Acquist. &amp; Major Repairs</b>	<b>1,620</b>	<b>69,942</b>	<b>71,562</b>	<b>71,562</b>	<b>2.3%</b>	<b>0</b>
Scholarships						
<b>Total Expenditures</b>	<b>1,679,539</b>	<b>6,129,710</b>	<b>7,809,249</b>	<b>7,809,249</b>	<b>21.5%</b>	<b>0</b>



# Moving Ahead

## A Message from the Chancellor



### SUNO Approved to Offer Its First Doctorate Program

**T**he Louisiana Board of Regents approved Southern University at New Orleans' (SUNO) proposal to offer a Doctor of Social Work program (DSW), the University's first doctoral program.

The new program will fill a state and national need for social workers in the areas of health care, social services, mental health and school social services. It also will alleviate a projected severe shortage of doctoral-trained social workers to expand the ranks in academia in the coming years.

The 2014-15 edition of Occupational Outlook Handbook expects social workers to grow by 19 percent from 2012 to 2022, which is faster than the average for all occupations.

Expected to launch in Fall 2016, the three-year DSW program will accept students who have a master's degree in social work, two years of post-MSW practice experience, and social work licensure.

"The DSW program comes as a result of the combined efforts of faculty and professionals in the community," said Dr. Beverly Favre, former dean of SUNO's School of Social Work. "This passage will be an asset to New Orleans, our state and nation by the employment of qualified professionals at a higher level."

Prior to her recent retirement from SUNO, Dr. Favre led efforts in preparing the initial DSW proposal.

### SUNO Receives \$3.4 Million to Fund Title III Programs

Southern University at New Orleans (SUNO) has been awarded nearly \$ 3.4 million dollars for the 2015-2016 grant year to continue implementation of its Title III Programs.

Title III Programs, funded by the U.S. Department of Education, is under the direction of Dr. Brenda Jackson. The University has received Title III funds since 1967.

### FEMA Allocates Funds to Restore Lake Campus

The Federal Emergency Management Agency (FEMA) has allocated \$1,141,394 to restore the Lake Campus to its pre-disaster condition.

The scope of work includes removing and repaving streets and parking lots, and repairing a collapsed drain line. Other work involves removing electrical poles used to provide power to temporary facilities, and disposing concrete block supports.



## College of Arts & Sciences

### Dr. Lisa Mims-Devezin, Interim Dean

#### ► Dr. Lisa Mims-Devezin

Introduced new faculty and welcomed back returning faculty and staff during the College of Arts and Sciences Pre-Collegial Conference meeting August 10.

She also served as a committee member for the Katrina 10/ SUNO 59 Hurricane Katrina 10<sup>th</sup> Anniversary Commemoration. On August 20, Dr. Mims-Devezin presented during the Katrina10 Commemorative Behavioral Health Roundtable in the Conference Center at 5:30 p.m. The Roundtable discussed issues of Hurricane Katrina and the 2005 flooding that had serious mental health consequences for the people of New Orleans and surrounding areas. This traumatic impact was widespread on all those affected, but was particularly burdensome on low-income and African American families, resulting in unique mental health and disparity issues.

Dr. Mims-Devezin attended the Federal Bureau of Investigation's (New Orleans Division) Hurricane Katrina 10th Anniversary Memorial on behalf of Chancellor Victor Ukpolo and Mrs. Gloria Moultrie, Vice Chancellor for Community Outreach/University Advancement. The event was Friday, August 28.

Additionally, Dr. Mims-Devezin was acknowledged by SUNO's Healthy-Minds/Healthy Bodies Summer Camp (June-July 2015) for her presentations and interactions with young impressionable minds.

The college participated in the bell ringing ceremony, a campus-wide event to commemorate the 10th Anniversary of Hurricane Katrina.

## Natural Sciences

#### ► Dr. Illya Tietzel

Dr Tietzel attended the Louisiana Sea Grant's Louisiana Discovery, Integration, and Application Program (LaDIA) meeting at Grand Isle, LA Aug. 12-14. The LaDIA program focuses on coastal issues and supports scholars who want to share their discoveries with diverse audiences and apply their work to real world problems.

During the summer, Dr. Tietzel together with Drs. Christian Clement and Pamela Marshall mentored six SUNO undergraduates (Ms. Altoneisha Rose, Ms. April Harding, Ms. Paula Datri, Ms. Neyda Chacon, Ms. Diamanika Moss, Ms. Jourdan Jones) in regard to research about harnessing nanotechnology to detect and eliminate microbes on manned space craft. Dr. Tietzel also mentored one high school student (Ms. M. Ginn) in regard to oil spill research. The students presented their research to the Department of Natural Sciences during the summer. Dr. Tietzel volunteered as a visiting scientist for the Healthy Body-Healthy Minds summer camp organized by Professor Celina Carson and Library Director Ms. Shatiqua Mosby-Wilson. He also contributed to Dr. Mostafa Elaasar's summer camp.

The Natural Sciences Outreach Committee donated clothes to the Covenant House in New Orleans. The clothes collection was initiated by outreach commit-



From left, Ms. Janice Carter (Biology SUNO graduate of 2015), Mr. Raj Pathak (Biology Laboratory Technician), Dr. Illya Tietzel (Co-Chair of the Outreach Committee), and Dr. Murty Kambhampati (Chair of the Department of Natural Sciences).

## Natural Sciences continued

tee members Dr. Cynthia Singleton (Mathematics), Ms. Kimyata Dilworth (Mathematics), Dr. Heon Kim (Mathematics), committee co-chair Dr. Penney Heath (Mathematics) and committee co-chair Dr. Illya Tietzel (Biology). Many students and faculty donated clothes, and 2015 SUNO graduate Ms. Janice Carter, Mr. Willard, Biology laboratory technician Mr. Raj Pathak, and Dr. Tietzel dropped off the generous collection of clothes.

Natural Sciences faculty participated in the pre-registration drive May 20 the Conference center at SUNO.

### ► Dr. Pamela Marshall

Held Forensic Science Program meeting with faculty and students August 21. About 30 students attended the meeting, during which they were given information on curriculum, registration and advisement, scholarships, internships, and forensic science.

Mr. Sanj Powell has received the \$1,000 Floyd E. McDonald Scholarship for forensic science.

"You were selected from many qualified applicants across the country," Christina Coucke-Garza, Floyd E. McDonald Scholarship chairperson, said in Mr. Powell's notification letter. "After mulling through several very good applicants, we decided your desire to fulfill a need of educated and skilled forensic scientists in Jamaica deserving of SWAFS's support. Your accomplishments and outstanding recommendations are truly impressive."

The Floyd E. McDonald Scholarship was created to ease the financial burden of the awardee. The committee will announce Mr. Powell as the scholarship recipient at its annual board meeting, Monday, October 19 and at the SWAFS business luncheon Wednesday, October 21.

### ► Dr. Bashi Atteia

Submitted a Notice of Intent in response to LA BoR RCS grant solicitation. Title of the proposal: ent4-Hydroxy-2, 5, 6-triaminopyrimidine Relaxes Corpora Caverosa Strips and Modulates the Expression of Vesicle Mediated Protein Sorting in Corpora Caverosa Cells (\$146,798.000/3 years).

### ► Dr. Zheng Chen

On July 13, attended the conference/workshop on Teaching an Undergraduate Parallel Programming Course with Pattern Programming, SURA headquarters in Washington, D.C.



► Drs. Mostafa Elaasar and Rachid Belmasrouir Participated in the Healthy Minds Healthy Bodies Summer Camp 2015 at Southern University at New Orleans on July 16. The camp promotes healthy lifestyle behaviors across the lifespan to children and their families through quality sports and physical activity, health and nutrition, academic and cultural enrichment. On July 23, Drs. Elaasar and Belmasrouir participated in the 2015 SPAWAR Robotics Summer Camp at the SPAWAR Systems Center New Orleans.

## Natural Sciences continued

SUNO hosted the third CAM Summer Camp for regional high school students June 22 - July 2. Two MSIPP students helped with the summer program and conducted research with CAM faculty members Drs. Elaasar and Rachid Belmasrouir and Heon Kim). During July, Drs. Elaasar, Belmasrouir, Tietzel, Clement and Miah prepare for the Extreme Science and Engineering Discovery Environment (XSEDE workshop that will be organized in October.

Dr. Elaasar, through his grant "Research on the Science and Engineering of Signatures" (ROSES), hosted a two-week Mathematics and Science Camps (GEMS CAMP) for students completing second, third, fourth, fifth and sixth grades by June 1. The Camp was intended to increase the interest of K-12 students in math and science. The grant was funded by the U. S. Department of Energy, National Nuclear Security Administration (NNSA), and the Minority Serving Institution Partnership Program (MSIPP) Grant Number DE-NA0002683.

The camps consisted of one week of Lego Robotics and one week with different demonstrations in Biology, Forensic Science, Mathematics and Physics. Drs. Tietzel, Belmasrouir, Clement, Ibrahim Ekaidi, Marshall and Mr. Said Raki volunteered during the camps and taught the kids different topics in Mathematics, Biology and Forensic Science. Dr. Mims-Devezin and Ms. Gloria Moultrie, vice chancellor for Community Outreach/University Advancement, attended the closing ceremony. They encouraged the students to continue to work hard and they thanked the parents for their interest in their children's education. Mr. Brandon Bailey, Ms. LaQunia Banks, Ms. Artisha Davis, Ms. Amber Dillon, Mr. Joseph Holmes and Mr. Desmond Perrodin were the camp's summer interns. In addition, Ms. Jeniece Alberts and Ms. Naija Thomas, CAM scholars, helped during the camp. Approximately 90 kids attended the two sessions.



### ► Dr. Yi Zhen

Participated in AAPT Physics and Astronomy New Faculty Workshop in June.

## Social Sciences

### ► Dr. John Penny

Families and Friends of Louisiana's Incarcerated Children (FFLIC), as well as many other organizations, honored Dr. John Penny Thursday, August 27 for 10 years of service. The event was at the Ashe Cultural Center.

### ► Dr. Patrick Webb

Established speaking engagement opportunities for students by soliciting the following professionals: The Honorable Judge Edwin Lombard, Louisiana 4th Circuit Court of Appeal (Sept. 3); The Honorable Judge Anderson, chief judge, Orleans Parish Juvenile Court (Sept. 1); FBI Special Agent Corey Harris (Aug. 27).

Requested data in relation to the pre-adjudicatory detention of youth with the Louisiana Supreme Court in New Orleans.

Submitted an article for publication with the *Journal of Argument and Critique*. The article is entitled "Does the Degree Matter: Measuring the Extent of Professionalism within Policing."

Published a book review of the manuscript entitled "School Shooters: Understanding High School, College, and Adult Perpetrators with the *Journal of Criminal Justice Review*."

## Social Sciences continued

A previously submitted collaborative-based manuscript entitled "Acting White or Acting Right: An Examination of Racial Identity among College Students within an HBCU" was accepted for publication by the *Journal of Black Studies*. Dr. Christopher Linn, associate professor of Psychology, served as the co-author.

Attended a meeting related to Senate District 1 voting strategy in affiliation with the Northshore Black Elected Official Coalition & Associates.

Delivered prophetic message (i.e., Christian-based instruction) August 17 at Starlight Missionary Baptist Church in Slidell.

Appointed to serve as a member of various university committees:

- SACSCOC (Southern Association of Colleges and Schools Commission on Colleges) Subcommittee on Faculty Standards
- Modular Building Safety Subcommittee

Completed SACSCOC Web-Based Training in the area of Student Services

### ► Dr. Evelyn Harrell

The Louisiana Association of Substance Abuse Counselors and Trainers (LASACT) had its annual conference July 26-29. Several members of the Addictive Behaviors Counseling and Prevention (ABCP) faculty and students attended this state conference in Baton Rouge, including Professors Travis Johnson, Anthony Lowery and Bernadine Williams. ABCP students in attendance included Dedric West, Christopher Collins, Samuel Johnson, Todd Juluke and Joyce Turner. Two awards were presented to students. Mr. Christopher Collins, a May 2015 BS graduate in Addictive Behaviors Counseling and Prevention (ABCP), received the Certified Addiction Counselor (CAC) of the Year award. Mr. Dedric West received the Counselor in Training (CIT) of the Year award. Mr. West graduated with the AA degree in ABCP in May and will receive his BS degree May 2016. Both have accepted full-time employment in the field of addiction counseling.



On Aug. 29, Professor Travis Johnson presented a workshop on Counseling Mandated Clients to members of the New Orleans Addiction Professionals Association (NOAPA) at White Dove Fellowship Church. In addition to Professor Johnson, members of the ABCP faculty, Dr. Evelyn Harrell and Professor Anthony Lowery, attended. Twenty students and seven ABCP alums also attended.

Nine of the May 2015 graduates currently are enrolled in graduate school at several institutions: Todd Juluke (SUNO, MSW), Shelvela Daigle (SUNO, MSW), Annette Williams (SUNO, MSW), Christopher Collins (Capella University, Mental Health Counseling), Trenell Hugle (SUNO, MSW), Jennifer Carver (Walden University, Forensic Psychology), Akeva Johnson (Our Lady of Holy Cross, Counseling), Dominique Castille (SUNO, Criminal Justice), and Tanya Jackson (SUNO, Criminal Justice). Several are employed in the field of addiction counseling and plan to enroll in a graduate program of study next year.

## Arts and Humanities

### ►Dr. Douglas Marshall

Completed his on-air training at radio station WWOZ and is a substitute host, waiting for a permanent show. In his most recent volunteer work with the community radio station, Dr. Marshall assisted in a production of WWOZ's New Orleans Calling "After the Flood, An Untold Story of WWOZ" that premiered Aug. 22 and will be played in syndication around the country.

### ►Dr. Sarah Jackson

Along with Dr. Marshall, Dr. Jackson assisted in the creation and distribution of a Call for Papers for the newly focused journal of the Louisiana Communication Association, *Louisiana Speaks*. They will both be serving as associate editors of the journal.

### ►Ms. Connie D. Abdul-Salaam

Submitted a personal Katrina story to Mr. Charlie T. Johnson's book, *Didn't Wash Us Away: Transformative Stories of Post-Katrina Cultural Resilience*. The book describes personal stories by people who returned to rebuild New Orleans after Hurricane Katrina. The book launch is set for 2 p.m., Sunday, Sept. 27 at Ashé Culture Arts Center

### ►Dr. Chester St. H. Mills and Ms. Cynthia Ramirez

Served on the Southern University System's search committee for the executive vice president of Academic Affairs/Provost position. The search continued into the month of September.

## Health Information Management Systems

### ►New Faculty

On behalf of the HIMs Program, Mrs. Andrea Mignott welcomes Mrs. Penny Harris, who is the Accreditation Coordinator/Assistant Professor. Mrs. Harris has a Master's Degree in Public Health Administration and is a Registered Health Information Administrator. She also has other HIM related credentials.

### ►Conference

Mrs. Mignott attended the Consortium of Baccalaureate and Graduate Health Informatics and Information Management Educators web meeting Aug. 21.

### ►Community Outreach

Ms. Pharissa Robinson published a research-based report on the state of health of New Orleanians 10 years after Hurricane Katrina as a part of the Urban Leagues' 10-year RISE commemoration at the Hyatt Regency New Orleans August 26-27. The publication examines how neighborhoods have an impact on the health and behaviors of New Orleans residents, placing special emphasis on zip codes 70112 and 70124 for health outcome disparity purposes. The publication explores why those living in Central City and Treme live on average 25 years less than those living in the Lakeview and Lakeshore areas of New Orleans.

Mrs. Harris presented an overview of the Health Information Management Systems program at the College of Arts and Sciences' "Meet and Greet" Aug. 28. The overview contained a brief summary of the profession of Health Information Management, including the career trends and job growth within the field. Highlights of the program include convenient schedules with day and evening courses, a fully accredited program by CAHIIM, and the access to take the Registered Health Information Administrator (RHIA) credential upon completing all required courses.

Five HIMs Alumni are currently employed at the new University Medical Center of New Orleans and seven HIMs students will complete their internship rotation this fall.

## General Studies

The General Studies Program participated in a "Call Back Initiative." Students possessing 100 credit hours or more and having no degree were invited back to the University to finish what they started at SUNO. An Orientation Program was Aug. 11 at 9 a.m. in the ITC Building, Room 102.

Ms. Ceaser-Noble attended the Quality Matters (QM) Workshop Saturday, Aug. 22 from 8 a.m. to 4 p.m.

## Museum Studies

### ► Mr. Haitham Eid, director

Attended the NSF/HBCU-UP/MRI-RIA Workshop in Baltimore, MD.

Judged the 2015 Satchmo Annual Art Contest at New Orleans Jazz & Heritage Gallery.

### ► Dr. Sara Hollis

Has an essay in the Exhibition Catalog for the current exhibition, *ten years later – an African American perspective* at Stella Jones Gallery.

Serves on the Faculty Senate and the Strategic Planning Committee.

Active in outreach and recruiting during the entire summer.

## College of Education & Human Development

### Dr. Mwalimu Shujaa, Dean

#### ► Accreditation

##### Teacher Education

Faculty members are currently working on the submission of Institutional Report(IR) Addendum in response to the Offsite BOE Report

Dr. Willie Jones has been gathering and analyzing data from the Teacher Education Department for SACS standard 3.1.1.1 Academic Programs

Dr. Diane Bordenave responded to data requests related to NCATE visit in October and attended four meetings related to NCATE data.

#### ► Grant Submissions

##### Teacher Education

Drs. Jones and Jenita Hegwood has submitted a grant proposal for the Believe and Prepare Educator Preparation Grant for \$200,000.

##### Child Development and Family Studies

Dr. Bordenave submitted a grant to Institute for Mental Hygiene with Dr. Marva Lewis of Tulane University to conduct research with CDFS students on bonding activities with children and caregivers.

Drs. Louise Kaltenbaugh, Mwalimu Shujaa, and Hegwood attended a grant meeting with Dr. William Belisle.

#### ► Workshops, Conferences and Scholarly Activities

##### Teacher Education

Dr. Kaltenbaugh is in the process of conducting 80-hour workshops. Additionally, she gave out 24 information



## Education continued

sheets for the program. She conducted orientation for Internship I and Internship II. She also attended the Faculty Development Committee meeting.

The Department of Teacher Education hosted its summer Praxis math workshop July 21-30. The workshop was coordinated by Dr. Tanisca M. Wilson and facilitated by Dr. Penny Heath. Eleven students attended the workshop. One student passed the math part of Praxis as a result of attending. The other students are registered to take Praxis this fall.

On August 25, the Department of Teacher Education hosted its first annual formal orientation for freshman students. Eighteen students attended. Workshop presenters included Dr. Shujaa, Dr. Hegwood, Dr. Wilson, Ms. Chanel Payne, Ms. Chandra Richardson, and Ms. Linda Frederick. Faculty and staff participants included Mr. Johnson, Dr. Deborah Darby, Dr. Kaltenbaugh, Ms. Gloria Major, Mr. Warren Bell, Ms. Celina Carson, and Dr. Sherry Bacchus. Students were given detailed information about the requirements of the Teacher Education Program. They had an opportunity to meet their academic advisors, join the education club, and to review Praxis content. The workshop was coordinated by Dr. Wilson

### Child Development and Family Studies

Dr. Bordenave reviewed manuscripts submitted to the American Research Journal of Humanities and Social Sciences.

### ► Professional Outreach to Students and Community

#### Child Development and Family Studies

Dr. Bordenave manned the CDFS registration table in Conference Center as scheduled during registration. She also advised students for registration and graduation application.

### ► Other University-related activities

Dr. Mwalimu J. Shujaa in collaboration with his daughter, Kenya J. Shujaa, completed the general editorship of *The SAGE Encyclopedia of African Cultural Heritage in North America*. The encyclopedia, which contains 350 signed entries, provides an accessible ready-reference on the retention and continuity of African culture within the United States and North America. The official publication date was July 2015.

The encyclopedia's conceptual framework holds, first, that culture is a form of self-knowledge and knowledge about self in the world as transmitted from one person to another. Second, that African people continuously create their own cultural history as they move through time and space. Third, that African descended people living outside of Africa are also contributors to and participate in the creation of African cultural history.

The encyclopedia includes the work of authors who reflect a cross-section of the Southern University System. Dr. Romanus Ejiaga (SUNO), for instance, contributed four articles, including one in which he presented an explanation the African world view concept. Dr. Ejiaga's other contributions focus on Africanisms identifiable in African American names; the continuing evolution of aesthetics in African dance in North America; and the World Festival of Black Arts and Culture.

Dr. Peter Breaux (Southern University Baton Rouge) explains how the Louisiana Creole language was created by Africans brought directly from the Senegambia region between 1719 and 1731. Dr. Owusu Bandele (Southern University Agriculture Center) authored two agriculture related entries that inform readers about the introduction of African foods, both indigenous and nonindigenous, to the Americas and the wealth of agricultural knowledge that enslaved Africans brought to North America.

## Education continued

Dr. Don J. Hernandez (SUBR) recounts the history of the Holy Rosary Institute in Lafayette. Mr. Charlie T. Johnson (SUNO) discusses the ideological transition of the Mardi Gras Indians in African American Art. He also provides an historical overview of the National Conference of Artists.

Dr. Shawn C. Comminey (SUBR) details the conditions existing on the Laurel Valley Sugar Plantation in 1887 that conditioned the strike by disgruntled sugar plantation workers and ultimately led to the deaths of as many as 300 African American agricultural workers.

Dr. Doze Yolaine Butler (SUBR) and Dr. David Rashad Minnick (SUBR) collaborated to explain the dyeing methods that earned Africa its reputation for creating some of the most unique and interesting designs in the world. Also, Dr. Doze Yolaine Butler (SUBR) teamed with Dr. Grace Wasike Namwamba (SUBR) to shed light on Africa's considerable impact on North American fashion.

Dr. Pamela E. Wanga (SUNO) and Dr. Jennifer Jagire discuss the influences of traditional African names on African American naming traditions.

Dr. Bordenave verified and made necessary deletions to the roster of examinees requested by ETS, The PRAXIS Series.

There were nine new enrollees in the Alternative Certification Program.

### ► Appointments

#### Teacher Education

Dr. Jones was appointed to the Council for the Accreditation of Education Preparation (CAEP) Volunteer Corps as a CAEP Assessment Reviewer. Her role is to provide meaningful feedback to Education Preparation Providers (EPPs) on assessments to provide an opportunity for them to improve assessments and data prior to the submissions of the Self-Study Report.

### ► Miscellaneous

#### Teacher Education

Mr. Charlie Johnson's artwork was exhibited in the Southern University at Baton Rouge Visual Arts Gallery, Sept. 3-Oct. 1. He also participated in a lecture titled "Katrina Revisited" Sept. 3. This activity was sponsored by the SUBR Department of Visual and Performing Arts.

## School of Social Work

### Dr. Ronald Mancoske, Interim Dean

#### ► Dr. Patricia Guillory

Dr. Guillory and Dr. Mancoske presented a paper "The Impact of Impending Job Loss on Behavioral Health: The Avondale Project" at the 14th Annual Congress of Psychology in Milan, Italy (July 8-11). The Avondale Project involved faculty and students in research on the closing of the Avondale Shipyard supported by the Avondale workers.

#### ► Dr. Ronald J. Mancoske

Dr. Mancoske attended the Louisiana Commission on Human Rights "50 Years Celebrating Civil Rights" along with other faculty and students from the School of Social Work. The City of New Orleans and Southern University at New Orleans cooperatively presented a Katrina 10 Commemorative Workshop (August 20) on "Behavioral Health Post-Katrina" by the former Deputy Commissioner of the Office of Mental Health Dr.

## Social Work continued

Cheryll Bowers-Stephens and other presenters. Dr. Mancoske (and other faculty members) attended the National Urban League's RISE/Katrina 10 Commemorative Conference. The School of Social Work was awarded a workforce development training grant from the Council on Social Work Education and the National Association of Social Workers to train two BSW and two MSW students a year in Healthcare Education and Leadership (HEALS). SUNO was one of 10 sites selected nationally (July 2015) and funded for five years. The students also were funded to attend leadership training in Washington D.C.

### ► Ms. Gladys Merrick

Ms. Merrick did a site visit to the Community Crisis Services, Inc. of Hyattsville, Maryland for their five year re-accreditation. The agency was evaluated in the areas of crisis intervention, suicide prevention, intervention, postvention, information and referral, outreach and services to the homeless. Ms. Merrick facilitated the Social Work Seminar for Majors. She also attended the Domestic Violence Committee meeting sponsored by the City of New Orleans and hosted by the Family Justice Center. She presented to victims and perpetrators of domestic violence on the topic of "Abuse of Children." Ms. Merrick, along with Ms. Josephine Okoronkwo, participated in the "Hurricane Katrina 10" Commemoration Program Friday, Aug. 28, serving a bell ringers.

### ► Dr. Ira Arthell Neighbors

Dr. Neighbors presented at the National Organization of Forensic Social Work (NOFSW) Annual Conference at Crystal City, VA on a "Replication of a 2000 Study on CSWE Schools Offering in Forensic Social Work" (August 21-23). Dr. Neighbors and Dr. Harry Russell had a paper accepted on "Plight of African American Males: Ten Years Post Hurricane Katrina" for presentation at the 48<sup>th</sup> National Association of Black Social Workers (NABSW) Annual National Conference in March 2016. As vice president of the New Orleans Association of Black Social Workers (NOABSW), Dr. Neighbors attended the planning meeting for the Steering Committee Meeting of NABSW, scheduled Oct. 8, 9, and 10. Dr. Neighbors also participated in a roundtable discussion with African American community stakeholders "Eye of the Storm: FEMA Then and Now, the State of Disaster Preparedness and Relief a Decade after Katrina" at Watson Memorial in New Orleans (Aug. 28) and attended a reception and exhibit "Ten Years Later – a Black Perspective" at the Stella Jones Gallery (Aug. 29).

### ► Dr. Torin Sanders

Dr. Sanders presented a workshop "Causes and Cures of Childhood Stress: The ACE Study and Beyond" for 110 Jefferson Parish School Social Workers (Aug. 6). He also spoke at the Mayor Mitch Landrieu Press Conference on "Katrina 10 Year Anniversary & Mental Health Issues" (Aug. 12). Dr. Sanders had a proposal accepted, "Helping Couples Cope with Infidelity," for the March 2016 National Association of Black Social Workers Annual Conference.

### ► Dr. Carey Yazeed

Dr. Yazeed was a workshop facilitator for the University of South Alabama (Aug. 14) on Black Greeks & Leadership Workshop. She also served as a panelist for the Baton Rouge Delta Alumnae Chapter at the Delta Sigma Theta Sorority's summit on "Black Lives Matter" at the Southern University's Law Center (Aug. 22).

## School of Graduate Studies

### ► Admission Status Report for Fall 2015

Prepared by Deidrea Hazure

June 30, 2015

Program	Total Applications	Total Admits			Pending	Denied	Incomplete Files
Social Work	204	138			42	13	11
Criminal Justice	21	17			3	0	1
Computer Information Systems	41	28			11	2	0
Museum Studies	15	7			2	0	4

Total Applications: 283

Total Incomplete: 16

Total Pending: 58

■ = Social Work

■ = Criminal Justice

■ = Computer Information Systems

■ = Museum Studies

## Honoré Center

### Warren Bell, Director

Mr. Bell has been invited to participate in the 2015 Urban Leaders for Equity and Diversity (ULEAD) academy Oct. 1 – Dec. 3. The academy provides a forum for training on the current educational landscape of New Orleans. It offers an opportunity to engage in discussions with his peers to exchange experiences, best practices and ideas related to current and emerging issues associated with the field of education in the city. Topics for the sessions include:

- The History of Education in New Orleans
- New Orleans Educational Policy and Governance
- Hot Button Issue Discussion
- Educators in New Orleans
- New Orleans Parent Engagement
- Future of Education in New Orleans
- Finding Your Place in the Education Movement
- Planning One-on-One
- Graduation and Reflection



## LENOIR SCHOLARSHIP AWARDED BY NATIONAL ASSOCIATION OF BENCH AND BAR SPOUSES

Three first-year students received the A. A. Lenoir Book Scholarship, named in honor of the first Southern University School of Law dean, and awarded by the Baton Rouge Chapter of the National Association of Bench and Bar Spouses (NABBS) on September 18.

Recipients were Yasha Clark of New Orleans, a criminal justice graduate from the University of Houston; Breshatta Davis of Monroe, Louisiana, a political science graduate from Southern University, single mom of three, and first college graduate in her family; and Gary Williams of Jacksonville, Florida, a Southern University graduate.

In opening the awards ceremony, Vice Chancellor Russell Jones provided a brief profile of the late Dean Lenoir. According to Jones, Lenoir's vision was that Southern law graduates would join and be at the forefront in the battle for civil rights and equal justice; and, that through their legal acumen and leadership, the world would be changed for the better.

The awards were presented by Harriet Pitcher, the president of the NABBS Baton Rouge Chapter. Pitcher is a former national president of NABBS and wife of retired Chancellor Freddie Pitcher, Jr.

The Harriet Pitcher Grant, established by NABBS to honor its two-term president, also awarded scholarships to Derylle K. Spears, an SULC student from Baton Rouge who earned a bachelor's and master's degree from Duplichain University, and his son, Derylle Spears Jr. who is a mass communications student at Southern University.



Baton Rouge Chapter of the National Association of Bench and Bar Spouses awards scholarships. Recipients and NABBS members are pictured from left: scholarship recipients Derylle K. Spears and Yasha Clark; Joytibala North, wife of Prof. Donald North; Ozzie W. Cunningham, wife of the late Edselle Cunningham; Lois Holden, wife of Baton Rouge Mayor Melvin "Kip" Holden; Antoinette Pierre, wife of SULC Interim Chancellor John Pierre; Chapter president Harriet Pitcher; Patricia Tyson, wife of the late Judge Ralph Tyson; Louise Calloway, wife of retired Judge Curtis Calloway; Elaine Simmons, retired associate vice chancellor and wife of Raymond Simmons; and scholarship recipients Breshatta Davis and Gary Williams.



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### SPECIAL POINTS OF INTEREST

- Administration & Staff News
- Faculty News
- Alumni News



**Pictured above: Interim Chancellor John Pierre and Executive Assistant Michelle Jackson** represented SULC at the recruitment fair of the National HBCU Pre-Law Summit.

## ADMINISTRATION & STAFF NEWS

Rachel L. Emanuel, director of communications and development support, was an invited speaker for the College of Arts and Sciences Lecture Series for LSU Shreveport on Friday, September 25. Emanuel spoke on *A More Noble Cause: A. P. Tureaud and the Struggle for Civil Rights in Louisiana*, followed by a book signing. Emanuel and co-authors SUBR Profs. Ruby Jean Simms and Charles Vincent presented a book talk and signing for *Images of America: Scotlandville*, on Wednesday, September 16, at the West Baton Rouge Parish Museum in Port Allen.

Cynthia N. Reed, director of CLE and alumni affairs, was a panelist for "Hands Off: Community Involvement Against Domestic Violence," on Saturday, October 3, at Greater Mount Olive Baptist Church.

Tavares A. Walker, director of Career Services, has been appointed to the following LSBA standing committees by LSBA President Mark A. Cunningham: Bar Governance Committee; Committee on the Profession; Practice Assistance and Improvement Committee; and the Publications Subcommittee



## PRINCIPAL FOR A DAY



**Erin Monroe Wesley, '02**, executive vice president of governmental affairs and chief operating officer for the Baton Rouge Area Chamber, was "Principal of the Day" at McKinley Middle Magnet School, Baton Rouge, on Tuesday, September 15. Picture from left are McKinley principal Sean Joffrion, Wesley, assistant principal Tonelia Rowan, and assistant principal Marc Shamlin.

## RECRUITING REPORT

### September 2015 Recruitment Visits:

Louisiana State University – Baton Rouge, LA  
 University of Mississippi – Oxford, MS  
 Mississippi Valley State University – Itta Bena, MS  
 University of Southern Mississippi - Hattisburg, MS  
 Southern University – Baton Rouge, LA  
 Jackson State University – Jackson, MS  
 Tougaloo College – Tougaloo, MS  
 Southeastern Louisiana University – Hammond, LA  
 Rust College – Holly Springs, MS  
 University of Memphis, - Memphis, TN  
 Christian Brothers University – Memphis, TN  
 Northwestern State University – Natchitoches, LA  
 University of Louisiana – Lafayette, LA  
 Tennessee State University – Nashville, TN  
 Fisk University – Nashville, TN  
 Nicholls State University – Thibodaux, LA  
 Louisiana Tech University – Ruston, LA  
 Alabama State University – Montgomery, AL  
 National HBCU Pre-Law Conference/Law Fair – Atlanta, GA  
 LSAC Miami Law Forum – Miami, FL  
 Greater Western Buffalo/Niagara Law Fair – Buffalo, NY  
 University of Rochester Law Fair – Rochester, NY  
 Alcorn State University – Lorman, MS  
 University of Louisiana – Monroe, LA  
 McNeese University – Lake Charles, LA

## NATIONAL HBCU PRE-LAW SUMMIT

The National HBCU Pre-Law Summit was held in Atlanta, GA, from September 25-26, 2015. The Summit addressed the unique challenges and concerns of HBCU students and graduates, and the special issues that they face in pre-law preparation and success, law school admission, law school selection, the law school experience, and in their post-law school career job searches. This event provided students with the opportunity to speak with representatives from all of the HBCU law schools so that they would gain a better understanding of the histories and missions of those institutions, and the their significance in legal education, in the legal profession, and particularly in the community in providing much need legal services for the underserved who would not have access to lawyers.



Interim Chancellor John Pierre serving on **Law School Dean's Panel** at National HBCU Pre-Law Summit in Atlanta, GA.

**HBCU Law School Deans at the National HBCU Pre-Law Summit.** From left to right, Interim Chancellor Pierre, Phyliss Craig-Taylor, Esq., LL.M., Dean and Professor of Law, North Carolina Central University School of Law; Danye R. Holley, Esq., Dean and Professor of Law, Thurgood Marshall School of Law Texas Southern University; Darryll K. Jones, Esq., LL.M., Interim Dean and Professor of Law, Florida A&M University College of Law; Danielle Holley-Walker, Esq., Dean, Howard University School of Law; and Katherine S. Broderick, Esq., M.A.T., Dean, The University of the District of Columbia David A. Clarke School of Law



## FACULTY NEWS

**Prof. Angela A. Allen-Bell** and Dr. Marianne Fisher-Giorlando, researcher and chair of the Education Committee for the Louisiana State Penitentiary Museum Board, lead a panel discussion featuring clips from the documentary, "Slavery by Another Name," from noon-1:30 p.m. Saturday, September 26, West Baton Rouge Parish Museum.

**Prof. Michelle Ghetti** recently participated in a media communications workshop with the Leadership Institute in Washington, D.C. The institute, founded in 1979, provides training in campaigns, fundraising, grassroots organizing, youth politics, and communications

**Prof. Shenequa Grey's** article titled "Forty-Five Major (and Minor) Distinctions Between the Louisiana Code of Evidence and the Federal Rules of Evidence" was recently accepted for publication in the *Tulane Law Review*, a top 50 national legal journal. Prof. Grey's article explores the major statutory and doctrinal differences between the Louisiana and federal laws of evidence.

**Prof. Chris Odinet** was selected to participate in the George Mason Law & Economics Center's Workshop for Law Professors on the Economics of Public Pension Reform in Palo Alto, California, from September 17-19, 2015.

**Prof. Gall Stephenson** was appointed as a member of the Louisiana State Bar Association Task Force on Notarial Legislation. The Task Force is charged with reviewing current notarial law and any legislation to ensure that adequate protection is provided for the public.

## ALUMNI NEWS

**Dwayne M. Murray, '87**, was unanimously elected president-elect of the National Association of Bankruptcy Trustees (NABT) during the group's annual convention August 26-29 in Chicago, Illinois. Murray, who will lead the NABT during the 2016-17 fiscal year, has served as board member, secretary, treasurer, vice-president, and various committee chairmanships. He is currently serving his 22nd term as a United States Chapter 7 Bankruptcy Trustee for the Middle District of Louisiana, Region V, Mississippi and Louisiana. The National Association of Bankruptcy Trustees is the voice of the Chapter 7 Bankruptcy Trustee community, serving its interests and needs through education, communication, and promotion of the profession.

**Adj. Prof. Susan Nelson, '13**, was sworn in to the Louisiana Workforce Investment Council (LWIC) on Tuesday, September 15. The LWIC serves as Louisiana's statewide workforce investment organization. Nelson will be a representative of labor interests nominated to serve by the Louisiana president of the AFL-CIO, Louis Reine.

**Nathan E. Wilson, '63**, passed away Monday, August 31, 2015, at the age of 93 at the Baton Rouge Health Care Center. Wilson was born, reared, and educated in his early years in Kansas. After serving in the Air Force, he attended the University of Kansas at Lawrence, where he majored in philosophy and completed his pre-law coursework. After earning his law degree, Wilson passed the Louisiana Bar Exam the first time and initially practiced law with the late SULC law professor Vanue B. Lacour, and was later joined by law graduate Curtis Calloway. Wilson was an assistant district attorney, public defender, Southern law professor, and served two years as an exam grader for the Louisiana Bar Exam. He was in private practice until his retirement in 1993. Wilson was honored as an SULC Golden Alumnus in 2013.

## CORPORATE COUNSEL WOMEN OF COLOR



Michelle Jackson, executive assistant to the Chancellor, attended the Corporate Counsel Women of Color 11th Annual Career Strategies Conference in Atlanta, Sept. 23-25. The conference focused on what legal department leaders are actually doing to foster the advancement of women of color at their firms and companies (through recruitment, retention, and advancement). Pictured below at left, SULC alumnae Debra Page Coleman, Macy's Inc., '98; Antoinette Guidry, Northrop Grumman Corporation, '94; and Christian Elloie, Deloitte Consulting LLP, '08 attending the conference. At right, Ms. Jackson enjoying the conference with Judge Glenda Hatchett.



## LOUISIANA JUDICIAL COLLEGE

The Louisiana Judicial College held its Fall Judges Conference from October 4-6, 2015, in New Orleans. SULC provided judges in attendance with a "Resume Book" of third year law students' resumes, a fact sheet about the Chancellor's Public Service Fellowship Program, and other SULC informational materials. Rachel Emanuel, director of communications and development support, staffed the SULC table. Pictured below, Dr. Emanuel with a Shreveport district judge at the SULC table.





## STUDENT NEWS



Congratulations to the Fall 2015 Southern University Law Review New Members. The induction ceremony featured speaker Courtney T. Joiner, '07, of Hammonds, Sills, Adkins, and Guice, LLP, a former SU Law Review editor-in-chief. Special thanks to Liskow and Lewis Law Firm for its generous contribution to and support of the induction event held on September 22, 2015.

- ◆ **The SULC Chapter of the National Black Law Students Association (BLSA)** sponsored the 2nd Annual "Soles4Souls" shoe drive and clothing drive. A several bins were made available for donations. BLSA noted that: "Sometimes it is the little things that make a world of difference."
- ◆ **An SULC team participated in the St. Jude Walk and Run to End Childhood Cancer.** The St. Jude event on Saturday, September 26, 2015. The team was sponsored by the SBA Big-L/Lil-L Mentorship Committee and Delta Theta Phi. "I think it's important for us to be active in the community and St. Jude is such an incredible organization," said Lindsey Linder, a third-year student, chairperson of the mentorship committee and president of Delta Theta Phi. Proceeds helped to fund St. Jude Children's Research Hospital. St. Jude provides free medical treatment to children with cancer and other diseases.



Journal of Race, Gender, &  
Poverty Inductees

- ◆ **The Fall 2015 New Member Induction Ceremony for the *Journal of Race, Gender, and Poverty*,** featured speaker Judge John M. Guidry, '87, of the First Circuit Court of Appeal, on Wednesday, September 16, 2015. The 13 junior editors who were inducted are: **Melody Allen**, second-year student, Chataignier, Louisiana; **Holly Boustany**, second-year student, Lafayette, Louisiana; **Danielle Broussard**, second-year student, Lafayette; **Jeremy Guillory**, third-year student, Lafayette; **Hannah Honeycutt**, second-year student, Baton Rouge; **Kendall Knight**, second-year student, White Castle, Louisiana; **Robert McK-night**, third-year student, New Orleans; **Alonna Murray**, second-year student, Baton Rouge; **Melissa Pestalozzi**, second-year student, Thibodaux, Louisiana; **Regina Rudisell**, second-year student, Fayetteville, North Carolina; **Jared Shumaker**, second-year student, Lake Charles, Louisiana; **Georgina Stephenson**, third-year student, Arlington, Texas; and **Robin Winn**, second-year student, St. Louis, Missouri. The JRGP is a symposium-based journal that thrives on the discussion of the taboo, those subjects that remain extremely relevant in society, but fail to receive adequate coverage in mainstream law journals.
- ◆ **First-year law student Fatima Mann** was invited to attend the award ceremony for the White House Champions of Change for Building Bridges Between Youth and Law Enforcement, on Monday, September 21, 2015. In addition to the award ceremony, Mann was invited to attend White House and Generation Progress meetings on criminal justice reform. All expenses were paid by the Center for American Progress.



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### CHANCELLOR'S REPORT

**Dr. Adell Brown, Jr.**

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**Presented to:**

**Board of Supervisors**

**Southern University and A & M College System**

**Adell Brown, Jr.**  
Interim Chancellor

**Gina E. Eubanks**  
Vice Chancellor for Extension

**Linda Batiste**  
Director of Finance

**Christopher Rogers**  
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Southern University  
Agricultural Research and  
Extension Center, an entity of  
the Southern University System,  
Adell Brown, Jr., Interim  
Chancellor; Ray Belton, System  
President; Leon R. Tarver II,  
Chairman, Board of Supervisors.  
It is issued in furtherance of the  
Cooperative Extension Work Act  
of December 1971, and the  
Agricultural Research Program,  
in cooperation with the U.S.  
Department of Agriculture. All  
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to all persons regardless of race,  
national origin, or disability.

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*"Linking Citizens of Louisiana with Opportunities for Success"*

## Southern University Ag Center Graduates Ag Leadership Class V

Nineteen participants from Louisiana, Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Texas were honored during a graduation ceremony on Friday, Sept. 18 for completing their two-year course of study in the Southern University Ag Center's Small Farmer Agricultural Leadership Institute.



Left, Dr. Joe Leonard keynote speaker. Right, graduates of Class V Leadership Institute

Dr. King said, "Tomorrow, at the next event, play (the song) 'Precious Lord, Take My Hand' and play it real pretty for me." King was shot and murdered in the next instance.

"I bring that up because his truth marches on in you all.

Some 45 years later you have to feel and believe that truth marches on. And I could be wrong or I could be right, but whatever endeavor you do, you will have to take the Lord's hand."

The graduation ceremony marked the completion of the Institute's 5<sup>th</sup> class in its 10-year history.

United States Department of Agriculture's (USDA) Assistant Secretary for Civil Rights Dr. Joe Leonard served as the keynote speaker for the ceremony.

Leonard praised the SU Ag Center's administrators and Dr. Dawn Mellion-Patin, director of the Institute, for sharing the program with not only the citizens of Louisiana; but the Southern region of the country.

"This is the best part of my job," said Leonard, "meeting you all."

Leonard went on to thank the participants for the time they invested and encouraged them to continue to learn.

"We see you and honor the accomplishments that you have made. We are looking forward to greater accomplishments," said Leonard.

He concluded his speech by sharing the final words spoken by Dr. Martin Luther King, Jr. while standing on the balcony of the Lorraine Motel in Memphis, TN. After being told that one of the members of the "The Soul Stirrers" singing group was downstairs in the hotel.

Dr. L. Washington Lyons, Executive Administrator of the Association of Executive Administrators presided over the program. SU Ag Center interim Chancellor Dr. Adell Brown, Jr., provided a welcome and opening remarks and Vice Chancellor for Extension Dr. Gina E. Eubanks provided the program's closing remarks.

The ceremony was also attended by Kevin Norton, Director of Louisiana's USDA National Resources Conservation Service (NRCS) and Craig McCain, Director of USDA Farm Service Agency (FSA) in Louisiana.

The ceremony was featured on the weekly television show, "This Week in Louisiana Agriculture." The video is also available on [YouTube](#).

For more information about the Small Farmer Agricultural Leadership Institute contact Dawn Mellion-Patin at 225-771-3532 or visit <http://www.suagcenter.com/small-farmers>.

## Youth National Science Day Helps Students Explore the Science of Distracted

The SU Ag Center hosted 4-H National Youth Science Day (4-H NYSD) event on October 7.

Youth in East Baton Rouge

Parish joined hundreds of thousands of their peers across the world in leading the eighth annual 4-H National Youth Science Day experiment, which combined cars, calculators and cell phones to show how physics principles influence a pressing problem among U.S. teens. This year's experiment is titled 'Motion Commotion.'



Top left, Dr. Brown welcomes youth; Top right, Dr. Eubanks experiences distracted driving; Bottom, students conduct motion experiment

The event attracted 105 participants to Southern University Ag Center, where Dr. Adell Brown Jr., Interim Chancellor, Dr. Gina E. Eubanks, Vice Chancellor for Extension, faculty and staff brought greetings to the guests. Following the welcome was a number of relevant speakers including students.

Dr. Troy Williams, Dept. of Chemistry and Physics, Southeastern Louisiana University revealed to the participants that there is nothing hard about science. Mandy Amoson, AT&T Client Solutions Executive shared the fatal consequences of texting while driving with participants.

Over 87 students from Southern University Laboratory and Park Ridge Academic Magnet Schools participated in the event. Students conducted the two-part 'Motion Commotion' experiment from 9:30 a.m. – noon at A. O. Williams Hall. They used every day materials – including a toy car, modeling clay, ruler, calculator and a cell phone – to explore physics in the real-world.

In the first phase of the experiment, youth constructed a simulated runway to analyze the speed, momentum and kinetic energy of a car in motion, and explored the science behind the car's

collisions. In the second phase, they led an experiment that uses the same physics principles to demonstrate the consequences of distracted driving. This included the East Baton Rouge Sheriff's Office's driving simulator which gave youth first-hand experience on the dangers of driving while texting or impaired.

Lexlee's Kids team conducted a hands-on demonstration of the end result of distracted driving. The demonstration captured this year's experiment, 'Motion Commotion.' It combined a speeding car collision and a distracted driving demonstration in a simulated activity that investigated the physical and human factors of motion.

"It is important for teens to learn basic concepts related to the Science, Technology, Engineering, and Mathematics and how the subjects can be related to driving," said Tiffany Wilkerson-Franklin, Project and Science Day Event Coordinator at the SU Ag Center.

"As inexperienced drivers, learning about the importance of eliminating distractions on the highway could save their lives or someone else's. We must raise awareness and the National Youth Science Day is a great step forward to link youth with fun, educational opportunities," added Wilkerson-Franklin.

"I participated in the 4-H National Youth Science Day four years ago with the SU Ag Center and had a great time learning about how to clean up waste and spills, which was directly related to the BP oil spill here in Louisiana," said Torianna Franklin. "The experiments are really cool! I can't wait to try out 'Motion Commotion' this year."

Media coverage of the event included NBC 33/FOX 44, WAFB News Channel 9, and the October 8 Metro section of the Baton Rouge *Advocate*.

## SU, LSU Receive Grant Award of \$1.25m to Reduce Obesity in Louisiana

The LSU AgCenter has been awarded a two-year, \$1.25 million grant that will fund research and outreach projects aimed at reducing obesity and chronic diseases in three rural Louisiana parishes – Madison, St. Helena and Tensas.

The grant is from the U.S. Centers for Disease Control and Prevention. Partner institutions working with the AgCenter include the Southern University Agricultural Research and Extension Center, LSU's Pennington Biomedical Research Center and the Louisiana Department of Health and Hospitals.

"This collaborative grant from the CDC will serve as a pilot in three parishes to promote healthier communities through coalitions," said LSU Vice President for Agriculture Bill Richardson. "The expected changes will improve physical activity and nutrition, reduce obesity, and prevent and control diabetes, heart disease and stroke among residents in the targeted parishes."

The LSU AgCenter joins seven other land-grant universities that have received CDC grants to leverage their extension efforts to help address health problems in rural communities. Universities were eligible for the grant if they are located in states with counties that have a 40 percent or greater adult obesity rate.

The project, tentatively named Healthy ABCs, will work to improve access to nutritious foods and recreation opportunities and instill healthy behaviors using a community-driven approach. The

three parishes being targeted have some of Louisiana's highest rates of obesity and poverty, said Denise Holston-West, the principal investigator for this grant and a registered dietitian with the LSU AgCenter.

"We want this to be driven by people in the local community," Holston-West said. "It's important for them to have a say so we can understand their needs and challenges and help address them."

The Southern Ag Center will help establish community and school gardens and cooking camps in the three parishes.

"We are excited to collaborate with such outstanding institutions as we work diligently to decrease the incidence of obesity and obesity-related illnesses to ensure that our families and communities are healthy," said Adell Brown, interim chancellor of the Southern University Ag Center.

The state Department of Health and Hospitals will also be part of the project through its Well-Ahead Louisiana program, which encourages people to eat better, exercise more and cut tobacco use.

The full article is available at [LSU AgCenter receives \\$1.25 million grant for project to improve rural health](#). For further details, contact Olivia McClure at 225-578-3262 or [omclure@agcenter.lsu.edu](mailto:omclure@agcenter.lsu.edu)

## Research Scientist wins USDA National Innovation Award

Dr. C. Reuben Walker, Chair of Agricultural Sciences and Urban Forestry recently won an award in recognition of innovation from USDA/ National Institute of Food and Agriculture (NIFA). President Ray Belton was among the first to extend his congratulations to Walker.



Dr. Walker

fertilizer). The USDA has recognized their sustainability efforts with a prestigious award.

He will travel to DC in late October to receive the USDA's "Partnership Award for Innovative Programs/Projects" on behalf of the Bayou Recyclers team.

"We entered the NIFA Partnership Award for Innovative Programs and Projects category. We won. Southern University Baton Rouge land mass won. It is a win-win for SUBR and SU Ag Center," said Walker.

Dr. Walker worked conscientiously for years with Bayou Recyclers on Aquaculture Waste (AW) and Burnt Corn Gluten Meal (BCGM) to earn this award. The research is a valuable way to turn these waste or trash materials into treasures (feed and

Walker, who has one patent under his belt, is developing and filing a second patent on "Craw-Jag," an electrical drying apparatus for aquaculture waste - crawfish, crab, and shrimp.

"Agriculture is a national treasure, and a great pillar and foundation that we should build upon."

He attributes the award and patent to encouragement by SU Ag Center Vice Chancellor for Research Emeritus Dr. Kirkland E. Mellad. "There would be no patent if it was not for Dr. Mellad." Congratulations, Dr. Walker!

## SU Ag Center Receives Over \$500,000 in Funding from USDA/NIFA

The US Dept. of Agriculture/National Institute of Food and Agriculture (NIFA) has awarded \$550,000 to two faculty members in support of research, teaching and outreach initiatives at the SU Ag Center.

**Fatemeh Malekian**, Ph.D. has been awarded \$300,000 in funding for "University Freshmen Moving toward Becoming Ambassadors for



Healthy Communities and Future Generations," from FY 2015-2018. Obesity and related conditions are critical health threats to families and children across the country. Freshmen, due to stress related to the change in environment and lack of supervision, are more likely to gain significant amount of weight during their first year of college. The goal of this project is to determine the effect, on college freshman, of consumption of whey

protein (WP) and resistant starch (RS) health/breakfast bars on body weight.

**Kasundra Cyrus**, Ed.D, received a three-year, \$250,000 grant for “Strengthening Family and Consumer Sciences Curriculum in Family and Child Development.” The SU Ag Center’s Family and Human Development program is instrumental in providing the critical experiences that will strengthen the professional preparation of



**Dr. Cyrus**

undergraduate students in family and child development.

The overarching goal is to provide childcare providers with professional development and child development students with practicum experiences through a family resource facility that will offer educational support to families.

## SU Ag Center among Walmart Grant Recipients to Teach Youth Healthy Living

An article about the Southwest Center for Rural Initiatives (the satellite campus of the SU Ag Center) receiving a grant from the Walmart Foundation to teach healthy living practices to youth through its Ambassadors for Healthy Living Program appeared in the “Business Briefs” section of The Advocate Newspaper on Sept. 13. This year,

the foundation donated \$2 million nationally to the program to expand its reach from 15 states to 21, reaching 75,000 at-risk youth and their families with interactive education about nutrition and food security challenges. To read the full article, please follow this [link](#) to the *Advocate*.

## Malekian Participates in International Conference of Functional Foods

Dr. Fatemeh Malekian, Professor of Food Science, attended the 18th International Conference of Functional Foods held September 15-17 at Harvard Medical School in Boston, Massachusetts. Malekian presented the results of her USDA/NIFA Capacity Building Grant funded project on September 15 under the category of functional foods and obesity. Her presentation was titled “The effect of Whey Protein and Resistant Starch on Body Weight.” On September 16th, she chaired a session entitled “Functional Foods and Diabetes.”

The conference sessions included functional foods in relation to obesity, neurological disorders,

chronic diseases, diabetes, among others, and a panel discussion titled “Safety of the Bioactive Compounds at Efficacious Level.” More than 40 countries were represented in the conference, which ended with award and certificate presentations.



**Dr. Malekian**

Following the conference, Dr. Fatemeh Malekian and other SU Ag Center researchers had a manuscript published in the August 2015, Vol 5, No 8 Journal of Functional Foods. The article titled “THE EFFECTS OF WHEY PROTEIN AND RESISTANT STARCH ON BODY WEIGHT” can be accessed by clicking [here](#).

## SU Ag Center Demos First Solid State Equipment for Wood Waste in Louisiana

On September 23, Urban Forestry researchers operated the first Solid State Simultaneous Saccharification and Fermentation (SSF-Labfor 5 BioEtOH) of lignocellulosic urban forest wood waste in Louisiana. Additionally, graduate experiential training was conducted to enhance the knowledge of students and other researchers in Biotechnology, Bioenergy and Climate Change areas.

According to Dr. Kamran Abdollahi, Urban Forestry Program Leader and Graduate Director, Enzymatic hydrolysis and fermentation can now be combined in one system (SSF) – by combining the proven technology of a microbial bioreactor with innovative developments in the drive and stirrer system. This means ideal mixing is

guaranteed even when the dry substance content is very high. During anaerobic fermentation, the bioreactor provides the optimum conditions for the culture and comprehensive control of the bioprocess.



Doctoral students observe equipment demonstration

Doctoral students, S.P. Davis, Phraubrandi Magee, Uday Kiran Bhuma, Raymond Sumo, and Abdullah Tekin are experimenting with the multipurpose bioreactor.

The research team consists of SU Ag Center Urban Forestry researchers and graduate students led by Dr. Kamran Abdollahi, Dr. Zhu Hua Ning, and LSU collaborator Dr. Dorin Boldor.

## SU Ag Center & SHAPE Begin the First Phase of Art in Public Places Initiative

The Southern University Agricultural Research & Extension Center and the St. Helena Advocacy for Parish Enrichment (SHAPE) are working together to promote the Town of Greensburg's Art in Public Places Initiative.

The partnership was developed after St. Helena College and Career Academy (SHCCA) students Javier Smith, Shy'Janae Hookfin and former student Gerald Holmes, entered the Art in Public Places Contest earlier this year. As a result of their participation, all students were invited by Mr. Reginald Douglas, the Principal at SHCCA, to paint murals throughout their new school.



Youth practice art on fabric material

The first phase began on September 10<sup>th</sup> and is scheduled to continue throughout the school year under the leadership of Nicolette Gordon, Assistant Area Agent for SUAREC and Jo'el Givens, SHCCA Gifted & Talented Art Teacher.

"We're the Hawks, I would like to see a hawk breaking through and soaring out of the clouds," said Douglas.

That's exactly the concept Shy'Janae had in mind as she and Javier worked collectively on a design that would ultimately leave their legacy behind.



Once the design was drawn on the wall with the help of Gordon and Givens, many students immediately wanted to chip in. Gerald Holmes

even returned back to his Alma Mater to add the finishing touches to, "The Hawk."

## The BOLD Project wraps up training with a Ceremony and Reception

The Southern University Ag Center's project entitled Building Opportunities through Leadership Development (BOLD) held its annual completion ceremony and reception on September 26 in A.O. Williams Hall.



**BOLD completers pose with Center admin, faculty, & staff**

The ceremony was hosted by SU Ag Center Extension Assistant Dana D. Isaac, and the Vice Chancellor for Extension Gina E. Eubanks, Ph.D., provided a welcome to the guests and participants.

The center's interim Chancellor Adell Brown, Ph.D., served as the keynote speaker for the ceremony.

Dr. Brown provided insight to leaders and stressed the importance of grassroots leadership. "Get the position because you want to do the work," said Brown.

Former BOLD participants Pastor Janice G. Carter and Shevella C. Powell also attended the ceremony. They each spoke of their past experiences in the BOLD project, the technology skills they gained, and how important it is to remember the people who work behind the scenes who are responsible for

getting the work done and actually hold up and carry the programs. Cater and Powell both echoed the sentiment that leadership is not about YOU! It's about the work.

2014-2015 BOLD participants who completed the 11 month leadership program were: Christopher

Chappell from East Baton Rouge and Tangipahoa Parishes, Angell Jordan from Lafayette and Acadia Parishes, Karen Marchand from East Baton Rouge Parish, Marlin Ford from East Baton Rouge and Bossier Parishes, Darryl Robertson from Baton Rouge Parish, and JaLeisha and Leisha Cousin from St. Tammany Parish.

BOLD is a grassroots statewide leadership program designed to provide leadership skills needed to improve rural and under-served communities. It is an evaluative and technical assistance project designed to develop teams of emerging leaders who work together across racial, class and community boundaries in innovative ways to promote community and economic development.

The next BOLD leadership course began on October 10 at the SU Ag Center.

## SU Ag Center Holds Livestock Informational Meeting in Concordia Parish

On September 10, Travis Eastern, conducted an informational meeting in Concordia Parish with Four Rivers Livestock Association. The meeting was held at the Ferriday Elderly Housing Activity Center. The purpose of the meeting was to provide an overview of Best Management Practices (BMPs) and to conduct an initial survey of cow/calf operations to assess the production practices in place and the existing knowledge of farmers concerning the control of diseases. Additional meetings have been scheduled across the state with small farm operators. Results from these surveys will be used to establish guidelines for BMPs that need to be implemented on small farms. The major goal of this on-going project is to integrate research and extension in order to provide accurate, state-of-the-art, timely, and cost-effective diagnostic services, consultation, disease surveillance and outreach to limited resource cattle farmers.

The aim is for the SU Ag Center to understand the science of production limiting diseases in small scale cattle operations and to acquire knowledge that will be used to improve the position of small



Informational meeting attendees

and limited resource farmers in Louisiana and other states in the southern region.

The achievement of this goal and aim, will safeguard animal health, the food supply, and public health, and contribute significantly

to Southern University and the Agricultural Research & Extension Center through research, scholarly activities and outreach. Survey participants received hats that read "Beef Up Your Management."

Renita Marshall, DVM is the Project Director. Travis Eastern, MS is the Research Assistant hired to work on this project, and he conducted this meeting.

A similar meeting was also conducted by Travis Eastern in Franklin Parish with Tri-Parish Community Farmers Association for survey completion.

## SU Ag Center Welcomes Students from Piney Woods School

Nearly 40 students from the Piney Woods School in Mississippi toured facilities at the SU Ag Center on October 2, while exploring college majors including agriculture. The students, ranging from freshmen to seniors, were welcomed by faculty, staff in the various research and Extension programs. SU students in the Urban Forestry Program set up an informational booth alongside the scientists, while students in the Minorities in Agriculture, Natural Resources and Related Sciences (MANRRS) organization assisted with the displays to share information with the high school students.

The SUBR Campus Recruiter Robert Rene was there to share information about the academic program offerings with the prospective students.



Piney Woods team tours model farm

Allison Johnson, USDA/1890 Program Liaison at Southern University was on hand to explain the benefits of the National Scholars Program to the guests.

When one of the visiting students was asked how he got to Piney Woods from Ethiopia he answered, "My uncle who lives here in the States told me about it, and I applied and got admitted."

The visit concluded in a tour of the facilities including the model garden.

The visit was coordinated by Dr. Dawn Mellion-Patin, Agriculture Specialist.

## SU Participates in Louisiana State University MANRRS Chapter Fall Kickoff

The Southern University Minorities in Agriculture, Natural Resources and Related Sciences (MANRRS) Chapter attended the Louisiana State University MANRRS Chapter Fall Kickoff Event on September 10, at the LSU Student Union. MANRRS is a national society that welcomes membership of students of all racial and ethnic group participation in agricultural and related science careers. The overall objective of the Society is to promote and implement initiatives which foster inclusion and advancement of members of ethnic/cultural groups underrepresented in

agricultural and natural resource sciences and related fields in all phases of career preparation and participation in these areas.



SU MANRRS Chapter at LSU

"The SU MANRRS Chapter is off to a great start and they are looking forward to new and exciting things this year," said Renita W.

Marshall, Associate

Professor, Animal Science, Southern University Agricultural Research and Extension Center.

## SU Ag Center Gardening Program Featured in the Pointe Coupee Banner

An article highlighting the collaboration of Southwest Center for Rural Initiatives with the Housing Authority of New Roads to develop a youth community garden was featured in the Pointe Coupee Banner on September 10. The gardening program participants, volunteers and supporters gathered on August 4<sup>th</sup> to showcase their work in

the community. The garden was blooming with assorted vegetables and herbs. William Augustine, Research Associate, oversees the garden program.

The SCRI located in Opelousas operates as a satellite entity of the Southern University Ag Center serving a 10-parish region. Article attached.

## Hammond Junior High Launches Fall School Garden Project

On September 15, Ahmad R. Robertson, Extension Agent in St. Helena and Tangipahoa Parishes demonstrated best management practices of fall and winter gardens to students at Hammond Junior High School, which is incorporating school gardening into the 8<sup>th</sup> grade science curriculum. The youth gained knowledge of plant spacing, location, transplanting, irrigation, plant depth, days to harvest, variety selection, and seed germination. Mrs. Robin Price, Science teacher at the school is doing an outstanding job in preparing future agriculture leaders with Supervised Agriculture Experience Programs. Mrs. Price is the coordinator of the Lowes Toolbox for Education projects, which consist of a reading garden, vegetable garden, and school landscape project.

The fall garden project consists of tasty vegetables: collards, broccoli, Pak choi, cabbage, Swiss chard, romaine and butter crunch lettuce. After planning and preparation, the excitement builds to the day when everyone can really “dig in” and get their hands dirty. Watching the garden design magically



Hands-on experience

come to life sparks curiosity and amazement to the 8th grade science students. Although planting involves a lot of hard work, youth are usually too captivated by the activity to notice.

Raised beds have numerous benefits. They look neat, support healthy plant growth, and help keep young students on path. The loose soil encourages roots to grow strong and deep, and moisture

soaks in easily. In areas with cool, wet winter weather, soil on raised beds drain and warm quickly, allowing gardens to be started earlier.

School gardens are an integral part of farm to school programs and offer a multitude of educational opportunities. They are wonderful instructional tools and engaging spaces in which to explore the entire curriculum. Whether they are container gardens or school farms, fruit trees or herb gardens, school gardens serve as hands-on, interdisciplinary classrooms for students of all ages.

## Tangipahoa ProStart Program Students Engage in Gardening

On September 15, Ahmad R. Robertson demonstrated best management practices of a fall and winter garden to Tangipahoa ProStart Program students at Hammond Magnet High School. The seniors gained on site training of plant spacing, location, transplanting, irrigation, plant depth, days to harvest, variety selection, and seed germination. Mrs. Angelina Drago is doing an outstanding job in preparing future high school students for college and career opportunities in the restaurant and hospitality industry. Mrs. Drago, head of the program, incorporates the garden's vegetables, herbs, fruit, and flowers into her cooking and nutrition classes.

The fall garden project consists of tasty vegetables; collards: broccoli, Pak choi, cabbage, Swiss chard, butter crunch and Bibb lettuce, arugula, and cool season herbs. School gardens are the ultimate outdoor classroom! They provide authentic, real-world, inquiry based learning that is hands-on, educational, and fun. Students in the year-long culinary arts program do more than just use the produce in their classes. They also get their hands dirty, working in the garden in shifts. They weed, plant seeds, haul compost, and harvest produce.



**Students transplanting seedlings in garden**

The program is a two-year restaurant management and culinary arts program for high school juniors and seniors. Industry-based, comprehensive curriculum written by the National

Restaurant Association Education Foundation. The topics covered include cost control, marketing, sustainability, food safety, culinary arts and much more. Mrs. Sunday Hanson of Louisiana Master Gardener and Cheryl Garrison are phenomenal garden mentors at Tangi Pro Start Academy.

Opportunities of Prostart, explore all facets of the food service industry, while developing and practicing skills in a commercial kitchen. The students earn culinary school credit while in high school through dual enrollment. Also they can earn articulated credits at many participating postsecondary schools across the nation. For more information, visit [www.nraef.org/prostart](http://www.nraef.org/prostart), [www.lra.org](http://www.lra.org). Tangipahoa Prostart instructor can be reached at [Angelina.drago@tangischools.org](mailto:Angelina.drago@tangischools.org)

## St. Helena Sheriff's Office Enjoys Winter Beautification

On October 5, the St. Helena Sheriff's Office engaged in a winter beautification, which involved removing warm season annuals, preparing flower beds for winter, and beautifying the parish facility. To achieve this, St. Helena & Tangipahoa SU and LSU Ag Centers, Ahmad R. Robertson, and Nicolette Gordon; Louisiana Master Gardner's Carol Kliff, Roger Olsen, Quincy Walker, St. Helena College & Career Horticulture Academy Mr. Terry Guy S.H.C.H. Ag Teacher and St. Helena Parish Trustees architected a beautiful flower garden.

The team planted annuals, and perennials, vegetables and pruned Louisiana Super Plants for beautification. The St. Helena College & Career Academy Junior Master Gardeners, and 4-H Club performed maintenance on the flower bed.



Beautification team

This was a learning moment for students and trustees about planning, preparing soil, spacing, depth, and mulching. The St. Helena Sheriff's Office and staff now boasts a colorful landscape project led by the LSU and SU Ag Centers. The aim is to increase the awareness of the importance of agriculture among students who will become adults in support of wise agricultural policies. The project also encourages students and parents to become more active in the school's social and academic life while creating a sense of pride and unity amongst local citizens.

The project was led by Ahmad R. Robertson, Agriculture & Natural Resource Agent in St. Helena & Tangipahoa Parishes and Sheriff Nathaniel Williams.

## SU, LSU Leaders Explore Causes of Barriers to Entering LSU Vet. School

On October 8, Dr. Joel Baines, dean of LSU School of Veterinary Medicine met with leaders of the Southern University College of Agriculture and Ag Center for initial talks that could open doors for Southern students into the LSU Vet School. Prior to the meeting, data revealed that students from SU, interested in veterinary medicine, have a higher chance of enrolling at Tuskegee University than LSU, with additional burden of out of state fees. This initial meeting was to explore the causes of barriers to Southern students entering the LSU



Team discusses solutions

Vet School in Baton Rouge. The dialogue yielded results of potential opportunities for both entities to collaborate in ensuring that SU students are adequately prepared, socially and academically, to be admitted into the program and retained through graduation.

"I believe this is the beginning of a working relationship between our Dean and SU. Although admission process for new applicants for the 2016-2017 has closed, we will be working with SU to

ensure that when students apply for 2017–2018 academic year, they will be successful in getting admitted to LSU,” said Dr. Daniel.

The meeting was held at the SU Ag Center, and attendees included: Dean Baines, Annie Daniel, Director of Veterinary Instructional Design and Outcomes Assessment, LSU Vet School; Adell

Brown, Interim Chancellor, SU Ag Center; Doze Butler, Associate Dean, College of Sciences and Agriculture; C. Rueben Walker, Program Leader, Agricultural Sciences; Gary Simon, DVM/Professor, Renita Marshall, DVM/Associate Professor, Sebhatu Gebrelul, Professor, Antonio Harris, Professor and Curtis Chisley, Professor, Animal Science.

## FACULTY AND STAFF ACCOMPLISHMENTS AND ACTIVITIES

**Dr. Renita Marshall** attended a seminar entitled “Cultural Competency, Diversity and Inclusivity: An Imperative for Success in our Multicultural Society” at LSU School of Veterinary Medicine on September 11. The seminar was presented by Dr. Patti Rose, the author of several books, including, Cultural Competency for Health Administration and Public Health, published by Jones and Bartlett Learning in 2011 and Cultural Competency for the Health Professions published in 2012 by the same publisher. Dr. Rose's passion is to travel the globe, understand the world, and share her knowledge of various cultures, history, globalism and diversity with all through lectures, teaching and speaking engagements. Dr. Marshall received a certificate of attendance along with 3.5 hours of DVM continuing education hours at the conclusion of the seminar.



**Drs. Marshall, left, and Rose at LSU workshop**

**Dr. James F. Henson**, Research Scientist conducted a workshop to teach research scientists the usefulness of Blocking – Examples from SU Experiments with Plants and People on October 1. The workshop used relevant examples from the SU Ag Center in Urban Forestry mulching experiment as well as human health and nutrition to illustrate practical solutions in experimental designs.



**Dr. Henson presents**

**Carolyn E. Robinson**, Area Extension Agent in East/West Carroll Parishes hosted a Strike Force Planning meeting in collaboration with USDA and the Southern Rural Development Center of Mississippi State University assisted by Thomas Legiandenyi, Assistant Area County Agent for East/West Carroll

Parishes and Latonya Owens, on September 16. Invited guests in attendance from the Center for Rural and Small Business Development at the SU Ag Center were Mr. Eual Hall, Business Development Specialist and Mrs. Gloria London, Director.



**Strike Force Participants**

The purpose of the meeting was to help lay the groundwork for an economic development plan for East Carroll Parish. Over 60 participants, including a class of over 15 youth from Irena King High School class attended. Other attendees included community leaders, the Mayor, political leaders, chamber of commerce, agricultural, religious, educational, small businesses and others. Inputs included discussion of housing, transportation, school gardening, youth development, parenting and small business development. The next planning meeting will be conducted in two months.



## PUBLICATIONS

**Fatemeh Malekian**, et al published a manuscript titled "THE EFFECTS OF WHEY PROTEIN AND RESISTANT STARCH ON BODY WEIGHT" in the Journal of Functional Foods, August 2015, Vol 5, No 8. The article" is available at <http://ffhdj.com/index.php/ffhd/article/view/210>.

**Drs. Christopher Chappell and Andra Johnson**, Urban Forestry Program, recently published an article entitled "Influence of pH and Bulk Density on Carbon Dioxide Efflux in Three Urban Wetland Types" in the Professional Agricultural Workers Journal. Volume 3, Number 1 (2015).

The aim of the study was to understand soil carbon dioxide (CO<sub>2</sub>) efflux of three different urban wetlands and how pH and bulk density relate to soil CO<sub>2</sub> efflux of each wetland. The three wetlands

were bottomland, upland, and shrub/scrub. The study was conducted over a twenty-week period. The findings show that the bottomland wetland efflux was significantly higher than the shrub/scrub and upland wetland.

The study contributes to the body of knowledge on how soil CO<sub>2</sub> efflux in urban wetlands can help to mitigate the effects of climate change. The [article](#) is available on the Tuskegee website.

## SU Ag Center Welcomes new Employee

**Ellen C. McKnight** has joined the SU Ag Center family as an Extension Associate - Nutrition, Evaluation, and Publication. Her duties and responsibilities include program evaluation and publication for the Families First: Nutrition Education and Wellness System (FFNEWS).



Ms. McKnight

Ms. McKnight, a native of Baton Rouge, who resumed duties on October 1, is operating from the

Cooperative Extension State Office in Baton Rouge. She holds a Bachelor of Science degree in Human Nutrition and Dietetics with a minor in Business Administration, as well as a candidate for MPA in Public Health Administration from Southern University A& M College.

She serves in the capacity of Health Educator/ Nutritionist at the SU Ag Center. Ms. McKnight was previously employed by Capitol City Family Health Care Center in Baton Rouge.

## *Upcoming Events*

**November 13:** Deadline to place order for the Thanksgiving Annual Sweet Potato Sale hosted by the Minority in Agriculture Natural Resources and Related Sciences (MANNRS) student organization. A 40-pound box of sweet potatoes sells for \$20. Pick-ups will occur Thursday, November 19 from noon to 2 p.m. at the SU Ag Center – A.O. Williams Hall back parking lot.

For more information or details contact, Mrs. Zanetta Augustine at 225-771-2242.

**December 17:** Southern University Agricultural Research & Extension Center's 1<sup>st</sup> Scholarship Gala themed, "Sowing Seeds for Future 1890 Scholars: Growing the Next Generation." The gala will be held at L'Auberge Baton Rouge at 8 p.m. for more information, contact Alice Dyson at 225-771-2143.

# AGRICU

## Housing Authority of Community Garden program a success

Mrs. Gail Joseph Hurst took time out of her overloaded schedule to serve as the Housing Authority commissioner's monitor for Clean Fun -Y.E.S.S. The program is designed to give self help, and self awareness skills to youth who have been left out of the mainstream. She also suggested that they be included in the newly formed COMMUNITY GARDEN. Her suggestion bordered on the biblical theme of training "up a child" to keep hunger away from the door. To teach a child how to plant is to show him how to provide for self. Mrs. Hurst said, she was excited to see how much the children remembered about Community Garden from their school program.

On August 4, 2015, at four o'clock in the afternoon, the community gathered with Mr. William Augustine of Southern University AgCenter, Baton Rouge Campus and Ms. Paula Rush, Executive Director of Housing Authority of New Roads to pay tribute to the future gardeners of Housing Authority of New Roads, La. They came to give accolades to the efforts of all who helped with the Community Garden and to say thank you to volunteers, young and elderly, who assisted in this training project. Mrs. Hurst, who is project director for the Board of Commissioners for the Community Garden Project wore her glowing smile and welcomed all who came. There were twenty six (26) plus children including the seven from Clean Fun Summer Program who volunteered for the garden work, and least twelve (12) parents, including Teresa Fields who supplied water for the garden and Barbara

Brashier, LSU Agcenter and William Augustine, Southern University Agcenter, Housing Authority staff, especially Mr. Platt, Maloid, Porche, Boulingny, Ms. Paula, and Mrs. Gail Joseph Hurst, you are an

asset to our community, A friend to children and parents, an awesome achiever. May God continue to use all of you in the future to open eyes that cannot see and give a light to others along the way.



Mr. William Augustine of Southern University Agcenter address residents and children involved in garden project.



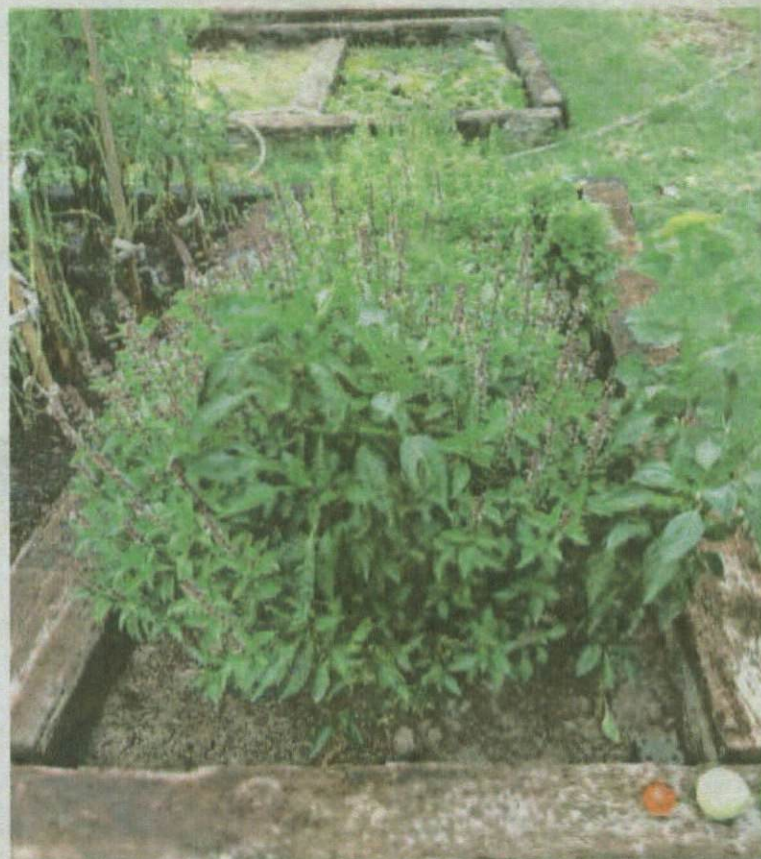
Authority Office and Clean Fun also came as observers and supporters. Of special note was the presence of Mrs. Suzzette Williams, who represented the Summer Feeding Program Director, Dr. Alice Crenshaw, Kenner, Louisiana. Gifts and refreshments were brought by Clean Fun for those who showed themselves faithful as helpers of community gardening.

After a short prayer of thanksgiving for the success of the Housing Authority Community Garden, summer of fun and the feeding program, Mrs. Hurst introduced Mrs. Paula Rush, Executive Director, Housing Authority of New Roads staff, the volunteers and children to Mr. William Augustine our speaker and representative from Southern University Agcenter who oversee our Housing Authority of New Roads, Community Garden Project.

"These are our most precious assets". She said. With words of appreciation, she presented Teresa Fields, Barbara Johnson Belinda Rigeley and Catherine Wilson with a gift. She then turned to the garden kids and announced them to be "marvelous planters who produced beautiful green plants with fruits from much effort, fertilizer and water". "And we thank God for the "SUNSHINE" Said Ms. Hurst.

The future gardeners were presented with gifts of appreciation, gift cards and school supplies. They Are Ja'maya Johnson; Ja'naya Johnson; De'michael Coleman, Mikal Davis, Jacobey Marshall, Jalaya Zeno, Kalaiya Zeno And Ms. Belinda Rigeley.

We must remember to say thank you. So we salute the following supporters of Housing Authority of New Roads Community Garden Project: Wal-Mart, Cow Town, Fontaine Lumber, Dollar General Store, Ms. Bernadine Noil Manager, Pointe Coupee Feed Mill, Mile



Housing Authority of New Roads Community Garden



Tomatoes from Housing Authority of New Roads

# October 2015 CHANCELLOR'S REPORT

## *From the Desk of the Chancellor*

The 2015-2016 academic year has gotten off to a great start. Because of our great academic opportunities, support services, vibrant student life and support from the greatest faculty and staff in the world, we have realized an all-time **RECORD ENROLLMENT**.

The composition of our current student body is rather nontraditional. This results from the fact that five (5) of our traditional feeder schools experienced decreases in enrollment and accompanying graduation rates. SUSLA has implemented an array of innovative enrollment management strategies to remain relevant to the changing terrain of post-secondary education. Specifically, the University has strengthened its efforts to attract international students, provided opportunities for distance learning and online instruction, developed extensive Dual Enrollment programs and instituted "Connect" programs with the Baton Rouge and New Orleans campuses. Connect programs are mutually advantageous for all of our campuses because this program provides options for students not quite eligible for selective admissions.

We are most thankful to all of our faculty, staff and students for your efforts in helping the campus meet and exceed its enrollment goals. Your hard work and diligence is appreciated.

***My father would probably offer the adage, "Now that you've got them, what are you going to do with them?"***

The answer is actually quite simple--we are going to do everything possible to keep our students and guarantee their success. This requires both **RETENTION** and **PERSISTENCE**. To that end, we have developed a campus-wide Retention Task Force with the specific aim of identifying students who might be potential academic liabilities and taking corrective steps to ensure their success.

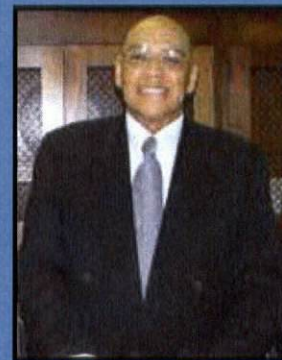
Central to this initiative are the following components:

- The Student Success Center will identify and monitor groups of students throughout their academic career and provide web-based support so that they can take more responsibility for their own success
- We will seek to bridge communication gaps among faculty advisers, counseling professionals and students
- Utilization of an encircling advisement approach that will provide proactive intervention for students in need or at risk academically

Our Academic and Student Affairs offices will seek to identify students on the front end, through Admissions, and categorize students properly as degree-seeking, non-degree seeking, transient, life-long learner, transfer, etc. We will also seek to positively impact our Grad Act figures by effectively extracting our Connect and Dual Enrollment students from the enrollment. This will be a sizeable step towards obtaining true and precise retention data.

The SUSLA Counseling Center has implemented new "Assistive Technology" for the Disability Support Service sector. This new initiative aims to provide better support for the vision, speech and cognitively impaired. We are confident that completion and passage rates within this population will see significant increases with the introduction of this new technology.

There are many challenges that face us as we progress through the current academic year; however, should all be encouraged by the multiplicity of opportunities that await us and the future of our great institution!



**CHANCELLOR'S  
2015 CABINET MEMBERS**

Dr. Melva Williams  
Dr. Rosetta Jones  
Dr. Regina Robinson  
Janice Sneed  
Dr. Terence Vinson  
Fatina Elliott  
Krystle B. Grindley  
JoAnn Warren-Brown  
Major Brock  
Sonya Hester  
Darrin Dixon  
Dr. Gabriel Fagbeyiro  
Dr. Barry Hester  
Dr. Regina Webb  
Rosalyn Holt  
Brandy Jacobsen  
Joseph LaCour Jr.  
Chief Marshall Nelson  
Levi Brown  
Richard Haley  
Tiffany Varner  
Dr. Wanda Waller  
Frank Williams Jr.  
Linzola Winzer

# 2015

## NATIONAL VOTER REGISTRATION DAY



### SUSLA PARTICIPATES IN NATIONAL VOTER REGISTRATION DAY

The 2015 election season is officially in full swing! On September 22, the Student Government Association (SGA) and Student Center Board (SCB) partnered with the ladies of the Sigma Rho Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated to hold a voter registration drive to recognize National Voter Registration Day. The event was held in the JLV

Student Center.

National Voter Registration Day was a collaborative effort of volunteers, celebrities, and organizations from all over the country, hitting the streets to encourage voter registration. This single day of coordinated field, technology and media efforts created awareness of voter registration opportunities and reached tens of thousands of voters.

SUSLA's on campus event proved to be very successful and many students were registered to vote for the first time, updated their voter information and received information on absentee and early voting. "I am happy to be registered for the first time," noted one student. "I'm excited to vote in my first presidential election next year."

Special thanks to SGA, SCB and Alpha Kappa Alpha Sorority!

### SUSLA HOLDS BLOOD DRIVE IN SUPPORT OF WYTANNA WELCH AND SICKLE CELL AWARENESS MONTH

The Department of Student Activities, Student Government Association and Student Center Board at Southern University at Shreveport (SUSLA) held a special blood drive September 21 at main campus to raise awareness during Sickle Cell Anemia Month and to benefit Wytanna Welch, daughter of SUSLA sophomore, Nhyesha Shaw.

Welch, who is now sixteen, was diagnosed with Sickle Cell Anemia, an inherited blood disorder that affects red blood cells, at the age of four months. She began having her first blood transfusions at the age of three, receives a transfusion once a month and will continue to do so for the rest of her life.

SUSLA partnered with LifeShare Blood Centers to host the donor event. Blood collection specialists were on hand to conduct the donation process and the first 35 donors to sign up prior to the event received a special gift. All donors received a free t-shirt. "At SUSLA, everyone is family, and we are proud to be able to support a member of our community and raise awareness about the prevalence of sickle cell anemia," said Rebecca Gilliam, Director of Student Activities.



In addition to the blood drive, "Be The Match" bone marrow drive representatives were present to sign up those interested in becoming bone marrow donors, as well as staff from the "Save Your (Sex) Life" Grant Program.

## DAVID RAINES AWARDS SUSLA \$26,500 TO ASSIST STUDENTS

SUSLA received a generous donation to assist students in furthering their educational goals. A \$26,500 donation was presented by at the David Raines Community Health Centers Annual Meeting & Health Careers Scholarship Banquet held on August 27th at the Shreveport Convention Center.

As in years past, David Raines honored SUSLA students with scholarships—and this year, students were awarded scholarships in the Dental Hygiene and Nursing programs.



Chancellor Gilliam receives check from Willie C. White, III, CEO



*“We are deeply indebted by David Raines’ generosity and commitment to helping SUSLA students,” said Tiffany Williams Varner, Dean, SUSLA School of Nursing. “Their dedication to our students makes a tremendous impact on our students as they strive to meet their career and educational goals.”*

Thanks again to David Raines Community Health Centers, Willie C. White, III, CEO for their continued support!

## SUSLA WELCOMES NEW STAFF MEMBERS

**We are pleased to welcome the newest Jaguars to the Jaguar Nation!**



### DeNesia Anderson

DeNesia N. Anderson serves as the Administrative Assistant to the Vice Chancellor for Community and Workforce Development. She received her Bachelor of Science in Business Management from Southern University and A&M College. Before arriving at Southern University at Shreveport, DeNesia served the citizens of Louisiana, working for the Louisiana Department of the Treasury. DeNesia is thrilled to be a part of the SUSLA family, and now looks forward to serving the students and our community.

### Officer Tracy Muirhead

Officer Muirhead has been in law enforcement since 1985 and started working in Louisiana as a police officer in 1990. He entered into Louisiana State service in 1996 at Southern University, and has worked the last 7 years in Natchitoches at Northwestern State University, with a total of 18 years in state service. Officer Muirhead is happy to be closer to his home in Marshall in returning to Southern University.





# JAGUAR OF THE MONTH

## CHANCELLOR SAM GILLIAM IS PLEASED TO ANNOUNCE MRS. TUESDAY MAHONEY AS "JAGUAR OF THE MONTH" FOR OCTOBER

Mrs. Mahoney currently serves as the Director of Career Services and Freshman Advisor in the Student Success Center, and recently celebrated her ten year anniversary as a member of the Jaguar Nation. She serves in a critical role at the University, empowering students with the necessary resources and opportunities to assist them in transitioning from college to career and supporting their completion of academic goals. She also is responsible for building partnerships on behalf of SUSLA within the community to provide students with volunteerism, in-

ternship and other service-based learning opportunities.

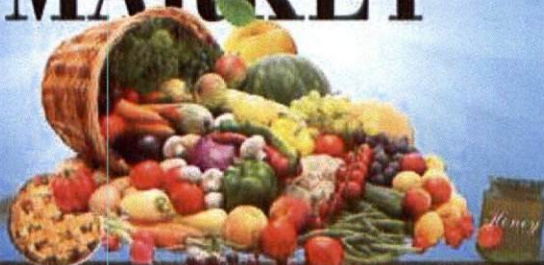
"Mrs. Mahoney helped me along the way to make good decisions about my major and schedule," noted one respondent. "She is very patient and encouraging." "She always is willing to help," replied another respondent.

"In a time where remaining responsive to our students is so important to the success of our institution, I am proud to recognize Mrs. Tuesday Mahoney for her commitment to our students," remarked Chancellor Gilliam.

*Congratulations, Mrs. Mahoney!*

## On the **CAMPUS SCENE**

### MILK FARMERS MARKET



Fresh Produce • Arts & Crafts • Baked Goods  
Line Dancing Exercising • Family Fun & MORE!

### EVERY FRIDAY

8:00 am - 1:00 pm

Milk Drive & David Raines Road

Sponsored by:



"Come Let Us  
Reason Together"

## National Night Out!

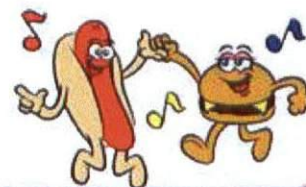
grill  
&  
chill

**October 6, 2015**

**6:00 p.m. - 9:00 p.m.**

On the campus of  
Southern University at Shreveport

Lots of Food & Fun!  
for the entire family!



**FREE! and OPEN to the Public**

Hosted by the University Police Department - Southern University at Shreveport



SOUTHERN UNIVERSITY SHREVEPORT FOUNDATION

PORT CITY

## Classic Golf Tournament

Southern University at Shreveport Foundation (SUSF) is pleased to present the return of the much anticipated Port City Classic Golf Tournament!

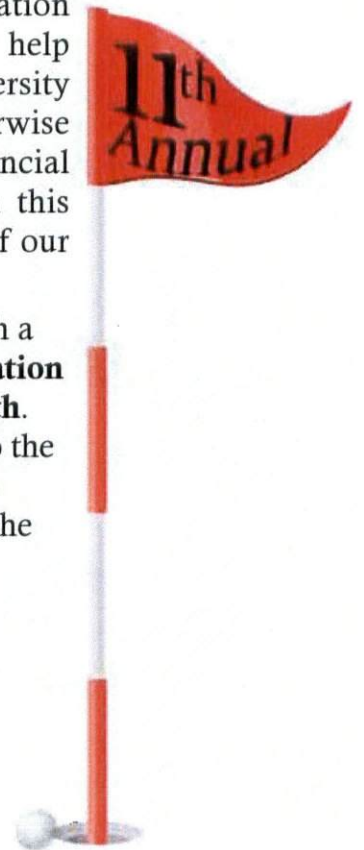
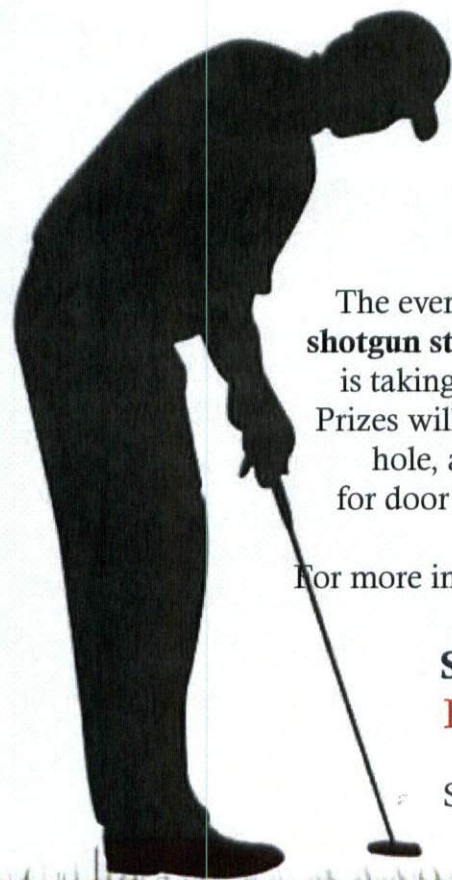
**Monday, October 12, 2015**  
**Crooked Hollow Golf Course**

Each year, your tax-deductible donation of fees and registration for this event help fund scholarships for Southern University at Shreveport students who would otherwise find a college education beyond their financial reach. We invite you to join us again this year, and make a difference in the lives of our students.

The event's format will be a four-man scramble with a **shotgun start at 8:30 a.m.** **Early Bird Team Registration** is taking place **September 14th through October 5th.** Prizes will be awarded for the longest drive, closest to the hole, and through a drawing of numbered tickets for door prizes. Participant may also **REGISTER** the morning of the Tournament.

For more information or to sign up, contact the  
**SOUTHERN UNIVERSITY  
SHREVEPORT FOUNDATION**  
**Emily Owens - 318-670-9681**  
or visit the  
SUSLA website for more information.

11th  
Annual!



*Class of 2015*

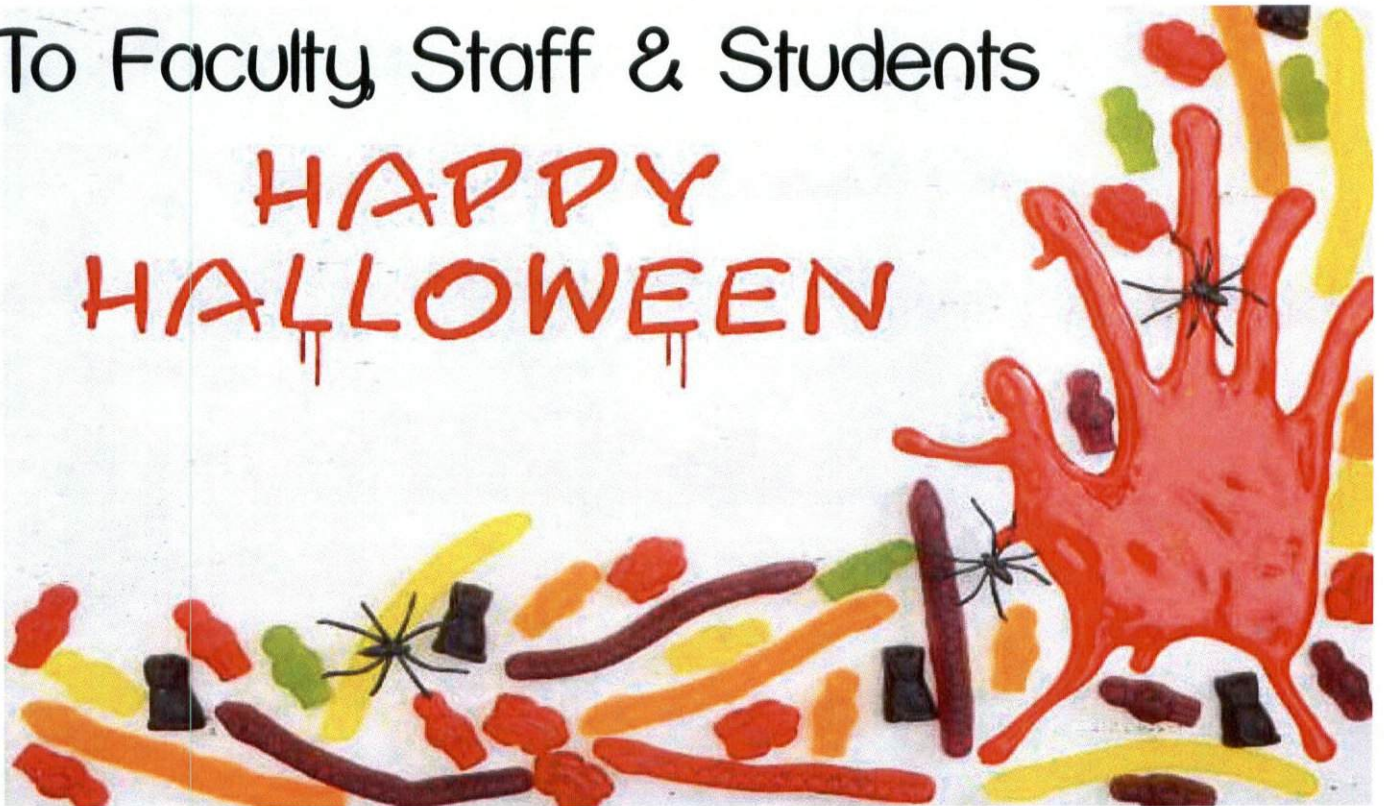
*We Proudly Announce  
The  
Graduation Ceremony  
of  
Youth Build Shreveport*

**October 22, 2015  
Hilton Downtown Shreveport  
6:00 p.m.**

*Reception immediately following.*

To Faculty, Staff & Students

**HAPPY  
HALLOWEEN**





Excellence • Integrity • Accountability • Service

“Southern University at Shreveport does not discriminate on the basis of race, color, national origin, gender or disability”.

Title IX Coordinator: Ms. Linda Hines, Fine Arts Building, Room C01, (318) 670-9480;

Section 504 Coordinator: Jerushka Ellis

Johnny L. Vance Jr, Student Activity Center, Room 212, (318) 670-9473

**SOUTHERN UNIVERSITY SYSTEM BOARD OF SUPERVISORS**

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A unit of the Office of Finance & Administration, Brandy Jacobsen, Interim Vice Chancellor

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“The Community College of Shreveport, Louisiana”

# Southern University and A&M College at Baton Rouge

## CHANCELLOR'S REPORT



## SIGNIFICANT ACHIEVEMENT/ACCOMPLISHMENTS

### **Dr. Ella Kelley Awarded Prestigious Honor**



Posthumously, Dr. Ella Lee Kelley, former professor of Chemistry, Dean of the Honors College, and Associate Vice Chancellor for Academic Affairs at SUBR, received the 2015 Lifetime Achievement Award from the National Organization for the Professional Advancement of Black Chemists and Chemical Engineers (NOBCChE). The award ceremony was held on September 25, 2015 in Orlando, Florida, at the closing banquet of the NOBCChE annual meeting.

Dr. Gloria Thomas, Ms. Rashanique Quarels, and Ms. Ashley Wallace accepted the award on behalf of the family. According to Dr. Bagayoko, the late Dr. Kelley's husband, these three former scholars and their many peers from the Timbuktu Academy are extended members of the family.

The 25 years of spectacular, academic achievements by pre-college and college scholars of the Timbuktu Academy is one of many achievements of Dr. Kelley. Seven national championship trophies won by the Timbuktu Academy's' pre-college Science Bowl teams is another. Ms. LaDeta Crawley, Mr. George Ware, and Dr. Kelley were the dedicated coaches, assisted by some devoted parents, who trained these winning teams.

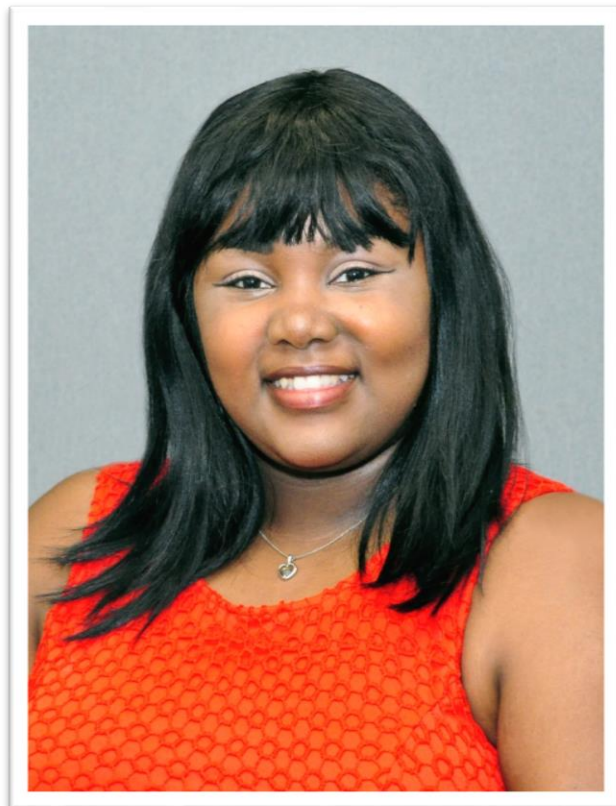
Dr. Kelley personally mentored, with some assistance from other colleagues, 47 Chemistry undergraduate students at SUBR, 29 of whom have earned or are successfully pursuing graduate degrees, including 13, four (4) and one (1) holding the Ph.D. in Chemistry, the doctorate in medicine, and the juris doctorate, respectively.

A little known and yet momentous achievement of Dr. Kelley consists of seminal contributions to groundbreaking publications in teaching and mentoring and on problem solving, besides those in Chemistry. For instance, the publication of misconceptions and the certainty of response index (CRI) ended the confusion between a misconception and a simple lack of knowledge. The more than 300 downloads of this publication partly hints to

its worldwide readership. Dr. Kelley's contribution to the introduction of the Law of Human Performance, a critical extension of the power law of human performance, will empower generations of learners and adults for perpetuity. This law demystified, once and for all, the genesis of genius and the acquisition of proficiency or expertise in any field or any endeavor by design

### **SUBR Senior Selected to Sing in Brazil**

SUBR senior, Briannica Thompson, was recently chosen to travel to Brazil to sing in front of thousands of people. Ms. Thompson traveled to Ribeirao Preto, Brazil on October 2, 2015 to perform with the Orquestra Acadêmia from the Projeto ALMA-Academia Livre de Musica e Artes, under the direction of maestro Reginaldo Nascimento, a Brazilian violinist and conductor. Ms. Thompson was the only Southern University student selected by Maestro Nascimento to sing over his orchestra. He sought Ms. Thompson last spring after hearing her lyric soprano voice at her performance class on the Baton Rouge campus.



The trip served as Ms. Thompson's Brazilian debut as an opera singer. Prior to her departure, Ms. Thompson said, "I hope to gain experience because it will be my first time performing over an orchestra by myself. I'm only 21 so it'll definitely be a once in a lifetime experience."

After her performance, Ms. Thompson traveled to Natal, Brazil, to perform and helped recruit for Southern University's music department. Mr. Richard Hobson, Southern University voice professor, and Dr. Joao Paulo Casoratti, Southern University music professor, trained Ms. Thompson to sing and play the piano during her freshman year.

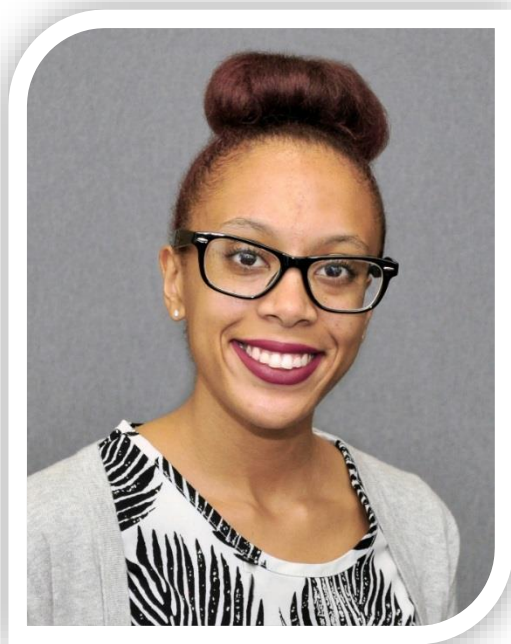
"She has a love for singing," said Mr. Hobson. "She wants to increase her knowledge about it and is inquisitive about other singers. She has a musical instinct. That's something that comes from The Lord, which is very helpful."

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Before her sophomore year at SUBR, Thompson traveled to Europe for her first operatic debut and was granted a role in the opera, "Porgy and Bess;" which allowed her to travel throughout Europe to sing. Ms. Thompson has competed in seven voice competitions, local, tri-state and nationals, placing five out of the seven times.

"It feels amazing. It's a huge honor and also very humbling," said Ms. Thompson. "It's a blessing. If it wasn't for me being at Southern, and having the professors that I have, I wouldn't have been able to travel to Europe, Boston and now, Brazil. My professors helped me get to where I am. I'm thankful to be at Southern and happy to represent Southern."

### **SUBR Senior Returns from Milwaukee Internship**



Ms. Fallon Marquez recently returned from Milwaukee with a wealth of knowledge and experience to jump-start her career. Ms. Marquez, a senior at SUBR, was chosen by the Center for Urban Teaching (CfUT) to attend a six-week internship in Milwaukee, Wisconsin. Along with being selected, the Minnesota District donated \$2,500 to fund Ms. Marquez's housing. She experienced teaching kindergarten through eighth grade students in urban areas.

The CfUT's purpose is to "identify, prepare and support high performing urban teachers," according to its website. During her internship, Ms. Marquez was taught how to teach students of all ages, set up classroom procedures, research, manage classrooms and create lesson plans. She also attended workshops and was paired with a local teacher to role-play in a classroom setting.

"Milwaukee is an urban area," Ms. Marquez said. "The training was important because we got a chance to work with those types of students. In Milwaukee, there are a lot of urban schools but not enough teachers. The CfUT wants to recruit students to move to Milwaukee to teach. Once they train you, the CfUT helps you find a job."

Ms. Marquez said the CfUT is hoping she can return next summer as a full-time teacher. According to Ms. Marquez, if it had not been for Dr. Diana Kelly, she would not have heard about the CfUT's internship opportunity.

---

"Teacher candidates in the Teacher Preparation Program must be dedicated, possess the appropriate attitudes and dispositions, and be willing to learn," said Dr. Diana Kelly, Chair, Department of Curriculum & Instruction. "Fallon possesses all of the qualities above, plus more. She is destined to become an excellent teacher."

Ms. Marquez was honored to be the only student chosen to represent SU in Milwaukee. "It makes me proud that I was able to go to such a far place to represent my school," she said. Ms. Marquez plans to graduate from SUBR with a Bachelor of Science Degree in Elementary Education in May of 2016, and plans to immediately pursue her master's degree in education.

### **Gubernatorial Candidate John Bel Edwards Visits Southern University**



Southern University's College of Social and Behavioral Sciences presented State Representative and Democratic candidate, John Bel Edwards to discuss his campaign for Governor of Louisiana.

Before speaking to over 200 students, faculty, staff and administrators, Dr. Albert L. Samuels, SUBR's Political Science Professor and Chair, gave a warm introduction to welcome Mr. Edwards to the campus.

Mr. Edwards began his speech by discussing the importance of registering to vote, and reminded everyone to register for the Louisiana primary on October 24, 2015. He discussed numerous topics including education, healthcare, minimum wage, equal rights for women, poverty, medicaid, and diversity.

A few notable attendees included SUBR Board Members, Ann A. Smith and Reverend Samuel Tolbert, Jr., Representative Edward C. "Ted" James, II, Representative Patricia Haynes Smith, SUBR Vice Chancellor for Student Affairs and Enrollment Management, Dr. Brandon K. Dumas, Alumni President, Preston Castille and Mr. Edwards' wife, Donna Edwards.