

# PROGRESS ON HUSCH BLACKWELL RECOMMENDATIONS

The Husch Blackwell report was presented to LSU on March 3, 2021 and made 18 recommendations to “create a [Title IX] system that all members of the University can have confidence in” and “are also intended to support community members impacted by sex discrimination and hopefully meaningfully reduce the incidence rate of sex discrimination on campus.” Six months later the Board of Supervisors engaged a different firm, Baker Tilly, to review progress on the Husch Blackwell recommendations and provide any additional recommendations to improve the Title IX process at LSU. The Baker Tilly report was presented to LSU on December 15, 2021. Below is an Action Plan that addresses each recommendation and reconciles both reports.

## Husch Blackwell (HB) Recommendation #1 The Title IX Office Must Be Staffed Appropriately

**LSU: Completed December 2021**



**BAKER TILLY (BT): No further action needed**



The staffing of the Office of Civil Rights & Title IX now exceeds the minimum requirements of the Husch Blackwell report. There is a Title IX Coordinator in a full-time position who oversees all personnel in the Title IX area and coordinates compliance with State and Federal laws. We have hired an administrative assistant, a case manager, and four full-time investigators.

## HB Recommendation #2 Designate a Deputy Title IX Coordinator for Prevention and Training

**LSU: Completed November 2021**



**BT: No further action needed**



A full time Deputy Title IX Coordinator is in place to manage our prevention and training programs. The Deputy TIXC is revising the annual online training modules for employees within the guidelines of the Board of Regents, collaborating with newly hired training employees in Athletics on mandatory training, revisiting mandatory training for incoming students, and leading efforts on prevention. The contract with STAR will be renewed with new focus on prevention. STAR has independent contracts with some departments to provide departmental-level climate surveys with reports and recommendations that are shared with the Title IX Coordinator.

**HB Recommendation #3**  
**Designate a Deputy Title IX Coordinator for Support and Resources**

**LSU: Completed April 2021**



**BT: No further action needed**



The leader of the Lighthouse Program has been promoted to Program Director and has a split appointment with the Student Health Center and the Office of Civil Rights & Title IX. The Program Director works closely with the Case Manager in Title IX on supportive measures and resources. The Program Director has one full-time coordinator reporting to them and has an open search for a second coordinator. The title was not changed to Deputy Title IX Coordinator because the Program Director must maintain confidentiality whereas a Deputy TIXC is a mandatory reporter. We have streamlined our approach to providing supportive measures and the Program Director is the person with final approval authority.

**HB Recommendation #4**  
**The Title IX Coordinator Reporting Line Must Change**

**LSU: Completed February 2021**



**BT: No further action needed**



The Title IX office has been moved out of the Office of the General Counsel and into the new Office of Civil Rights & Title IX, which reports to the President. With the reporting line change came a physical move into 118 Himes Hall, space that is more conducive to the work of the office and easier to locate for those who want face-to-face meetings.

**HB Recommendation #5**  
**Implement Internal Monitoring and Quarterly and Annual Reporting**

**LSU: Established October 2021**



**BT: Continue to provide quarterly reporting to the President and bi-annual reports to the University Community.**



Quarterly reports are being delivered to the President as recommended. Reports will be presented in January, April, July, and October with data accrued from the previous three months. The October report will be reflective of an annual report required by the Board of Regents Uniform Policy on Prevention of Power-Based Violence/Sexual Misconduct. The April report will be an annual report written for the LSU constituency. All reports will be available on the Title IX website: [www.lsu.edu/titleix](http://www.lsu.edu/titleix).

## HB Recommendation #6 Recordkeeping Must Be Improved

LSU: Completed October 2021 

 BT: In process

LSU: Additional recommendations from BT completed January 2022 

Record keeping in Maxient, the student conduct case management data base, has been improved by revising the fields such that it is clear what information must be documented, providing milestones that trigger a timeline assessment, and enabling reports to be run on demand. Discretionary decisions must be documented in the revised system. All Title IX staff have been substantively trained in both Maxient and EthicsPoint, and monthly meetings offer opportunities for continued professional development. Sample audits of the Electronic Filing Cabinet will be conducted by the Title IX Coordinator each year to ensure proper record keeping.

## HB Recommendation #7 Targeted Training for Athletics

LSU: Established June 2021 

 BT: In process

LSU: In process (Target completion date of May 2022) 

Athletics has clarity that everyone reports information on power-based violence to the Title IX Coordinator or risk being terminated. That has been communicated specifically to the Athletics community through an in-person presentation by the Interim Vice President for Civil Rights & Title IX, written communication from the Athletic Director, departmental training by Athletics staff, and a Title IX icon on the desktop of every computer in Athletics that directly links to the Title IX reporting portals. Instructions are also clearly presented in the annual training modules on Power-Based Violence. Athletics has provided in-service opportunities focused on healthy relationships, bystander intervention, and consequences of sexual assault, and hired three additional professionals to oversee training for student athletes and all employees on prevention of power-based violence. This ongoing work exceeds the recommendations of the Husch Blackwell report. The training is a year-long process and will be marked “Established” in May of 2021 when all training has been completed. Education and training on the prevention of power-based violence will be an annual priority of Athletics in consultation with the Title IX Coordinator.

## HB Recommendation #8

### Mandatory Reporting Obligations Must Be Clear

LSU: Completed October 2021



BT: No further action needed



The Board of Regents Uniform Policy on Power-Based Violence/Sexual Misconduct actualizes the requirement of Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature by stating that any “Responsible employee who is determined by the institution’s disciplinary procedures to have knowingly failed to make a Report or, with the intent to harm or deceive, made a Report that is knowingly false shall be terminated.” (page 12) This has been made clear to employees through numerous broadcast e-mails, an update of system policy on sexual misconduct Permanent Memorandum 73, revision of annual training materials, and presentations on Mandatory Reporting to thousands of employees in their respective department meetings by the Title IX staff. The training materials are available on the Office of Civil Rights & Title IX website. An easy-to-use and easy-to-locate webpage has been developed to facilitate student and employees reporting ([www.lsu.edu/support](http://www.lsu.edu/support)) and it is linked to the LSU homepage.

## HB Recommendation #9

### Finalize the LSUPD MOU

LSU: Completed February 2021



BT: No further action needed



LSUPD agreed on an MOU with the Title IX Office in February 2021. Subsequently as required by State Law, the Baton Rouge Community College Police Department, Baton Rouge Police Department, East Baton Rouge Parish District Attorney’s Office, East Baton Rouge Sheriff’s Office, Louisiana State University Police Department, and Southern University Police Department, along with educational institutions of Baton Rouge Community College, Louisiana State University (LSU), LSU Agricultural Center, Southern University and A&M College, Southern University Law Center, and Southern University Agricultural Research and Extension Center signed a comprehensive MOU in November of 2021.

## HB Recommendation #10

### Title IX personnel must get specialized training on dating and domestic violence

LSU: Completed July 2021



BT: No further action needed



A full-day retreat on power-based violence was presented by STAR in July. It was attended by all Title IX personnel, personnel in HRM, Student Advocacy & Accountability, Athletics, and LSUPD who partner with Title IX, and Title IX coordinators from affiliated LSU campuses. In addition, a membership to an online catalogue of training modules, webinars, and workshops has been purchased and is in use on all LSU campuses. This training is geared toward all employees who have any part in the Title IX and Clery processes.

**HB Recommendation #11**  
**Accountability is Critical**

**LSU: Established April 2021**



**BT: Continue to be transparent in progress of Action Plan**



An Action Plan is available on the LSU website ([lsu.edu/titleix-review](https://lsu.edu/titleix-review)) and is updated on a monthly basis.

**HB Recommendation #12**  
**Special care is warranted for cases involving athletes**

**LSU: Established April 2021**



**BT: Continue to monitor cases and prevention efforts involving student athletes**



The Title IX Coordinator meets regularly with the Deputy Athletic Director for Leadership and Strategy to discuss policies, continually refine protocol, and collaborate on training and education. A campus-wide initiative on bystander intervention training is in the planning stages and includes input from Athletics, Greek Life, Lighthouse, Diversity & Inclusion, and Title IX.

**HB Recommendation #13**  
**Develop and Implement Alternative Resolution Options and Restorative Justice for Sex Discrimination Matters**

**LSU: Completed July 2021**



**BT: No further action needed**



PM 73 has been revised and now includes options for resolution outside of the investigative process. Procedure for these options is included in policy, and the Title IX Coordinator determines whether an alternative resolution is appropriate in individual cases. A number of staff members in the Title IX office have been trained in the use of Restorative Justice with an additional workshop scheduled for spring semester 2022. Multiple cases in 2021 were resolved outside of the investigative process.

### HB Recommendation #14

#### Implement Timelines for Resolutions and Options for Participants in Untimely Cases

LSU: Completed July 2021



BT: In process

LSU: Additional recommendations from BT completed January 2022



The Maxient system has been updated to reflect the suggestions of Baker Tilly. It has been updated with robust milestones such that major milestones and the time to complete each can be tracked and case notes are now being used to document reasons for delay. The confirmation of timeline compliance along with any necessary documentation will be included in the final checklist used before closing a case. A system of regular updates to parties to keep them informed of case status is now a part of the case management protocol.

### HB Recommendation #15

#### Thoughtfully Consider Presumptively Appropriate Sanctions

LSU: Completed January 2022



BT: No further action needed



A presumptively appropriate sanctions matrix was developed with input from faculty, staff, and students. The matrix will be provided to the Complainant, Respondent, and Hearing Panel members as part of the Notice of Hearing.

### HB Recommendation #16

#### The university needs a new centralized website to increase understanding and simplify process.

LSU: Completed March 2021



BT: No further action needed



The website launched in March 2021 and is routinely updated when new materials are developed. It can be accessed either from the LSU Homepage or directly at [lsu.edu/support](http://lsu.edu/support).

**HB Recommendation #17**  
**Regularly measure climate and effectiveness**

 **LSU:** In progress

 **BT:** In progress

The recently approved Board of Regents Uniform Policy on Power-Based Violence/Sexual Misconduct requires that each of the System Management Boards administer a Power-Based Violence Climate Survey. The Board of Regents is working with representatives from each system to develop the survey that will be used on all campuses. The survey will be administered during the 2022-2023 academic year and every third year thereafter. LSU will convene a committee tasked with developing a strategy to maximize student participation in the survey. To measure effectiveness, there is a link on the Civil Rights & Title IX website that asks “How are we doing” to collect feedback on used experience with our office.

**HB Recommendation #18**  
**The rules must apply to everyone**

**LSU:** Established June 2021 

**BT:** Continue to be transparent in ensuring the “rules” apply to everyone in the University Community 

LSU is committed to equity, inclusiveness, fairness, and transparency in all matters related to campus safety and security for our students and employees. The rules apply to everyone, and we will be diligent in educating the campus community on them.

**BT Observation and Recommendation #1**  
**Consistently use Maxient for case management and document retention**

**LSU:** Complete as of January 2022 

Since August 2021, the Office of the Title IX Coordinator has used Maxient exclusively for report submissions, communication with parties, and case documentation of incidents of power-based violence involving student complainants and respondents. EthicsPoint is used similarly for incidents solely involving faculty and staff. All functions identified in the report now are incorporated into the Maxient system and are consistently used for student reports.

**BT Observation and Recommendation #2:  
Assess opportunities to expand the University's Title IX training program**

 **LSU:** In progress

During the summer of 2021, LSU had a contract with STAR (the nonprofit Sexual Trauma Awareness and Response group) to review My Student Body, LSU's current training required for all incoming undergraduate students before they can complete registration. It is a commercially made product that includes sections on Alcohol, Drugs, and Sexual Violence. While STAR found the training included some important information, they found it outdated, easy to bypass information and complete the course, and lacked information about campus and community resources. Due to the time that this problem was identified, it was too late to create, produce, and distribute a customized product for the start of Fall 2021 semester. To immediately mitigate the shortage of information on reporting, LSU posted on its homepage the relevant information so that it would be easy to locate ([www.lsu.edu/support](http://www.lsu.edu/support)). Awareness of this website is a top priority for communication this spring semester.

The Office of Civil Rights & Title IX will work with Enrollment Management and Student Affairs to produce training and/or materials specifically for Fall 2022 orientation that will provide an overview of sexual assault and sexual misconduct, availability of confidential supporters and supportive measures, methods available to report, overview of options for resolving complaints, and contact information for campus and community resources.

**BT Observation and Recommendation #3:  
Update PM 73 to explicitly include Federal Title IX Requirements**

**LSU:** Completed January 2022



The federal regulations specified by Baker Tilly are followed in practice. Permanent Memorandum 73 (PM 73) has been updated and is in use.

**BT Observation and Recommendation #4:  
Consider opportunities to revise investigative practices to further align with leading practices**

**LSU:** Completed January 2022



Due to selection of completed cases in the Baker Tilly audit, cases reviewed preceded the current structure and processes. Since August 2021 best practices for investigations have been implemented and are incorporated in the Maxient milestones such that they are documented. Additionally, all investigators participate in annual training provided at the national level to ensure leading practices are included in our process.

**BT Observation and Recommendation #5:****Evaluate actions needed to successfully administer the campus climate survey****LSU:** In progress

LSU will administer a Board of Regents developed Power-Based Violence Climate Survey (“Survey”) during the 2022-2023 academic year, report results to the Board of Supervisors and Board of Regents and publish the results on the LSU website as required by the BOR Uniform Policy on Power-Based Violence/Sexual Misconduct. In preparation for administering the Survey, a state-wide Review Panel has been established to select/develop the Survey and to discuss best practices for implementation. The Interim Vice President for Civil Rights & Title IX represents LSU at those meetings. When the review panel has completed their work, an LSU committee led by the Title IX Coordinator or designee will utilize the information from the Review Panel to work with faculty, staff, and student leaders from all LSU campuses to develop a plan that will maximize participation in the Survey.