



**Code of Conduct**



**2022-  
2023**

# Student Code of Conduct

## ARTICLE I: PURPOSE

Southeastern Louisiana University, in pursuit of its educational mission, seeks to teach students **citizenship, to value others, and respect the community**. The University affirms that students, upon enrollment, do not lose the rights of, nor are they exempted from, fulfilling the obligations and duties of citizens. Students have the responsibility to familiarize themselves with the Student Code of Conduct and with University policies including, but not limited to, those pertaining to harassment, computer use, academic dishonesty, and traffic regulations. **Students are expected to conduct themselves in a manner that supports the educational mission and functions of the University, as well as to comply with all federal, state, and local laws, and all applicable University policies.**

It is each student's responsibility to keep informed and comply with the Student Code of Conduct as well as other published rules and policies. A current copy of the Student Code of Conduct can be found at [www.southeastern.edu/studenthandbook](http://www.southeastern.edu/studenthandbook). For additional information regarding the Student Code of Conduct Standards contact the Southeastern Louisiana University Office of Student Advocacy and Accountability (OSAA) at (985) 549-2213.

**The University reserves the right to change the Student Code of Conduct at any time during the academic year.**

Revised October 11, 2022

## ARTICLE II: DEFINITIONS

The following definitions apply to terms and or phrases used in the Southeastern Louisiana University Student Code of Conduct:

- A. The term **"University"** means Southeastern Louisiana University.
- B. The term **"Student"** includes all persons taking courses at the University whether full-time, part-time, dually enrolled, and visiting, online, for non-credit, or pursuing undergraduate, graduate, professional studies, or non-degree seeking. Also included are those who attend post-secondary educational institutions other than Southeastern Louisiana University and who reside in University residence halls. This Code of Conduct also applies to all persons taking courses at satellite locations of the University.
- C. The term **"Organization"** and/or **"Student Organization"** means any number of persons who have complied with the formal requirements for University recognition. These terms are interchangeable with the term "student" as it relates to all areas of the Student Code of Conduct unless otherwise stated. In other words, student organizations will be held responsible for abiding by the Student Code of Conduct as if they were individual students and are subject to all regulations and sanctions herein stated.
- D. The term **"Faculty Member"** means any person hired by the University to conduct classroom or academic activities.
- E. The term **"Staff Member"** means any person hired by the University to work and/or perform administrative or other responsibilities.
- F. The term **"University Official"** includes any person employed by the University, performing assigned administrative or professional responsibilities.
- G. The term **"Member of the University community"** includes any person who is a student, faculty member, staff member, University official, or any other person employed by or associated with the

University. A person's status in a particular situation shall be determined by the Vice President for Student Affairs or the Chief Student Conduct Officer.

H. The term "**University premises**" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks), either on the main campus or at satellite sites.

I. The term "**Conduct Authority**" means those persons designated by the Vice President for Student Affairs to administer the Student Code of Conduct. The Conduct Authority serves as Hearing Officers and Hearing Board Advisors. Nothing shall prevent the Vice President for Student Affairs from authorizing the Conduct Authority from imposing sanctions in all cases. The Conduct Authority consists of three types of conduct officers:

a. The term "**Chief Conduct Officer**" or Director for the Office of Student Advocacy and Accountability (OSAA) means the person designated by the Vice President for Student Affairs who is primarily responsible for the administration of the Student Code of Conduct.

b. The term "**Assistant Director of OSAA**" means that person designated by the Vice President for Student Affairs and reports to the Chief Student Conduct Officer who is responsible for the administration of the Student Code of Conduct.

c. The term "**Residential Conduct Officer**" means the person designated by the Director of University Housing who is responsible for the administration of the Student Code of Conduct as it applies to on-campus residents who are involved in incidents that occur within the facilities and do not rise to the level of possible expulsion or suspension from the University.

J. The term "**Hearing Board Advisor**" means the professional staff person designated by the Vice President for Student Affairs who serves in an advisory capacity to a hearing board.

K. The term "**Hearing Body**" means any person or persons authorized by the Vice President for Student Affairs to determine whether a student has violated the Student Code of Conduct. There are two types of hearing bodies: (1) a Hearing Officer, and; (2) a Hearing Board.

a. The terms "**Hearing Officer**" or "**Administrative Hearing Officer**" means a University official authorized to administer the Student Code of Conduct, its corresponding administrative procedures, and to impose sanctions upon students found to have violated the Student Code of Conduct. Examples of Hearing Officers include, but are not limited to, the Chief Student Conduct Officer, the Assistant Director of OSAA, the Director of University Housing, and/or Residential Conduct Officers. Nothing shall prevent the Vice President for Student Affairs from authorizing a University Official to serve in the role of "Hearing Officer" or "Administrative Hearing Officer."

b. Hearing Boards include:

i. Student Conduct Hearing Board: A committee of students and faculty and/or staff members who hear student conduct cases. This hearing board is authorized to determine whether a student and/or a student organization has violated the Student Code of Conduct and to recommend the imposition of sanctions. The board consists of at least two but no more than four members and a Chairperson (who votes only in case of a tie).

ii. Administrative Hearing Board: A group of faculty and/or staff who are appointed by the Vice President for Student Affairs, the Chief Student Conduct Officer, or designee to serve as the hearing body. The board consists of at least two but no more than four members and a chairperson (who votes only in case of a tie). An Administrative Hearing Board may be used in cases including, but not limited to those involving: scheduling difficulties, such as when a hearing is scheduled between academic semesters or during final examination periods; the sensitive nature of an incident, such as cases of alleged sexual harassment where a party involved is concerned with issues of confidentiality, and/or; other cases where the Vice President for Student Affairs, the Chief Student Conduct Officer or designee determines an administrative hearing is appropriate to the incident.

iii. Interim Measure Hearing Board: A group of faculty and/or staff who are members of the Southeastern Threat and Response Team. Members include a representative for faculty, Director of University Counseling Center, Director of Student Accessibility Services, and Director of University Health Center. The board may consist of at least two of these members and a Chairperson (who votes only in case of a tie). An Interim Measure Board is used in cases involving interim measures used to ensure the physical safety of members of the campus community. This board is authorized to determine whether there is substantial evidence that the student poses a risk to the physical safety of the member of the campus community and that the interim measure is appropriate to mitigate that risk.

L. The term “**Mediator**” means a University official authorized on a case-by-case basis by the Dean of Students, the Chief Student Conduct Officer, or designee to conduct an alternative dispute resolution process in cases where both parties agree to work to resolve an incident in a setting less formal than a hearing.

M. The terms “**Complainant, Reporting Party, or Reporting Student**” means any member of the University community who submits a charge alleging that a student violated the Student Code of Conduct.

N. The terms “**Respondent, Responding Party, Accused Student, or Alleged Student**” means any student accused of violating this Student Code of Conduct.

O. The term “**Advisor**” means a person chosen by a party to accompany the party to meetings related to the conduct process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.

P. The term “**Restorative Action**” means any educational or accountable measure given in response to a Student’s policy violation. Restorative Actions are meant to encourage self-reflection and deter future violations. Restorative Actions should be connected to the violation, tailored to meet the Respondent’s developmental needs, and intended to repair the harm done.

Q. The term “**Sanction**” means any type of corrective or restorative action intended to remediate a violation of the Student Code of Conduct. This term is interchangeable with the term “restorative action” as it relates to all areas of the Student Code of Conduct unless otherwise stated.

R. The term “**Witness**” means anyone who has first-hand knowledge of an incident. Witnesses play a voluntary role and may decline any involvement in the disciplinary process. Both the Complainant and Respondent shall have the right to call witnesses. Although both the complaining and responding parties are responsible for requesting the support of their own witnesses, nothing shall prevent the Chief Student Conduct Officer, the Assistant Director of OSAA, the Director of University Housing, the Residential Conduct Officer, or the designee from calling witnesses.

S. The terms “**Administrative Discipline Conference**” or “**Discipline Conference**” means a meeting between the student and the appropriate hearing officer. At that conference, the Student Code of Conduct and applicable administrative procedures are discussed.

T. The term “**shall**” is used in the imperative/mandatory sense.

U. The term “**may**” is used in the permissive sense.

V. The term “**policy**” means any regulations, in written or electronic form, of the University.

W. The term “**cheating**” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic materials belonging to a member of the University faculty or staff; (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion; (5) and/or other violations as defined by University policies.

X. The term “**plagiarism**” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes stealing and passing off the ideas and/or words of another as one’s own; using a created production without crediting the source; the unacknowledged use of materials prepared by another person or agency engaged

in the selling of term papers or other academic materials; and/or other violations as defined by University policies.

Y. The term “**amnesty**” includes a pardon or reprieve from an offense or violation. The purpose of Amnesty is to remove barriers and increase the likelihood that students who require emergency medical assistance because of high-risk behaviors (alcohol and/or drug use) will seek such assistance. All incidents will be assessed by The Office of Student Advocacy and Accountability to determine if amnesty will be granted.

Z. The term “**Identity and Expression**”, is Gender Identity means how a person sees themselves. It is their own internal sense and personal experience of gender. Gender expression includes all the ways a person communicates their gender based on societal factors such as gender norms and perceptions.

AA. The term “**Hate Act**” is acts of prejudice that are not crimes and do not involve violence, threats, or property damage.

AB. The term “**Hate Crime**” is a crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

AC. The term “**Confidential Advisor**” is an individual who provides emergency and ongoing support to students. The Confidential Advisor primarily serves to aid a student involved in a sexual misconduct complaint in the resolution process as a confidential resource.

AD. The term “**Investigators**” means any University official gathering information for a hearing officer or hearing board to determine whether a violation of the code of conduct occurred.

AE. The term “**Business Day**” means any day the University is conducting normal operations and most offices are open.

AF. The term “**Open or Active Cases**” means an active investigation that is a part of the Conduct Authority’s current caseload or a case that is currently active in either Article VI Disciplinary Procedures or Article VII Appeals.

AG. The term “**Closed Case**” means where the complaints within the case do not require any further action.

AH. The term “**Unresolved Case**” means not settled, solved, brought to resolution, or no satisfactory solution has been found.

AI. The term “**Administrative Agreement**” means a binding agreement, in which the student agrees to comply with the sanctions issued as well as abide by the Student Code of Conduct and waive their right to a hearing and appeal.

### **ARTICLE III: CONDUCT AUTHORITY**

A. The Conduct Authority shall determine the composition of hearing bodies.

B. The Vice President for Student Affairs and the Conduct Authority shall develop policies for the administration of the conduct program and procedural rules for the conduct of hearings that are consistent with provisions of the Student Code of Conduct.

C. An Administrative Hearing Officer, Residential Conduct Officer, and/or a Hearing Board determines if a student or student organization is responsible for a breach of the Student Code of Conduct and any other University policy regarding student behavior. Hearing Boards recommend sanctions to the Conduct Authority. The only authority who can determine sanctions (as opposed to recommending those sanctions) is the Conduct Authority, and/or the administrator who hears the appeal.

D. All incidents which may result in suspension or expulsion from the University will be referred, after an initial disciplinary conference, to a Student Conduct Hearing Board or an Administrative Hearing Board; however, should the accused take responsibility for the alleged violation and request not to proceed to a hearing board or panel, the Dean of Students, the Conduct Authority, or designee may choose to honor the request. The Administrative Agreement Letter will serve as acknowledgment of this request.

E. Decisions made by a hearing board and/or hearing officer shall be final, pending normal appeal procedures.

F. After an initial contact with an administrative hearing officer, a mediator may be designated as arbitrator of a dispute within the campus community in cases where both parties agree to this alternative resolution. Both parties must agree to mediation and to be bound by the decision with no right of appeal. If the parties do not uphold the mediated agreement; if the parties do not appear at the designated mediation session; or, if the incident cannot be resolved in the mediation, the case may be resolved through a hearing.

## **ARTICLE IV: PROSCRIBED CONDUCT**

### **A. Jurisdiction of the University**

Generally, University jurisdiction and authority shall be limited to conduct, which occurs on University premises, at University sponsored activities, or off-campus conduct that adversely affects the University Community and/or has a detrimental impact on the University's educational function. Jurisdiction applies to all University locations, including where the University is extended to distance education, such as study abroad, service trips, experiential learning opportunities, athletic, club sports, and other group travel. Jurisdiction may also be applied to behavior conducted online, via e-mail, or through electronic mediums in cases where the behavior is not protected by freedom of expression. The University does not regularly search for online information but may take action if such information is brought to the attention of University Officials.

### **B. Amnesty**

Student health and safety are primary concerns at the University. In certain cases, the Office of Student Advocacy & Accountability will grant amnesty. Students who take reasonable action to prevent, stop or report violations of the Student Code of Conduct may be protected by amnesty. OSAA will grant amnesty to Students who proactively seek medical help for themselves or others where the help-seeking Student may have been involved in underage drinking or other improper use of alcohol or drugs (illegal, OTC, or prescribed) at the time of the incident; however, amnesty will not be granted for more severe alcohol or drugs policy violations and/or other policy violations that may have occurred during the incident (e.g. drug distribution, arson, theft, etc.). Amnesty does not prevent any actions that may be taken by any law enforcement agency, including Southeastern University Police.

### **C. Conduct - Standards and Regulations**

Any student found to have committed an act of misconduct, including but not limited to the following illustrations of misconduct, is subject to restorative action:

**1. Acts of dishonesty/Academic Dishonesty.** Acts of dishonesty are any form of fraudulent behavior. Acts of dishonesty include but are not limited to:

- furnishing false information to any university official, office, or other law enforcement officer;
- forgery, alteration, unauthorized possession, or misuse of University documents, records, instruments of identification (including faculty materials related to the educational process), or access devices (including keys);
- tampering with the election of any University-recognized student organization or University-recognized event;
- ineligible association in a student organization or University-recognized event;
- collusion;
- writing checks to the University on a closed account or on accounts with insufficient funds;
- offering or causing to be offered any bribe or favor to a University official, office, or other law enforcement officer to influence a decision;
- knowingly performing, attempting to perform, or assisting another in performing any acts of academic dishonesty, cheating on examinations, plagiarism, improper acknowledgment of sources in essays, and the use of a single essay or paper in more than one course

without permission are considered very serious offenses and shall be grounds for restorative action; or

- “stealing, buying, or otherwise obtaining all or part of a non-administered test or academic document including, but not limited to: practice test, study guide, lab reports; selling or giving away or engaging in bribery to get all or part of a non administered test or academic document (practice test, study guides, lab reports) or any information about it is prohibited.

**2. Disorderly conduct.** Disorderly conduct is lewd, indecent behavior or conduct which disrupts University Premises. Disorderly conduct includes all unruly behavior including but not limited to:

- obstructing the flow of pedestrian or vehicular traffic;
- conducting a campus demonstration that disrupts the operations of the University and infringes on the rights of other members of the University community;
- creating excessive noise or aiding, abetting, or procuring another person to breach the peace;
- interfering with the duties of a student, faculty/staff member, or university official;
- impersonating a university official
- withholding information vital to any investigation carried out by an authorized agent of the University;
- gambling (engages in or offers games of chance for money or other gain);
- malfeasance of office in a student organization;
- climbing or attempting to climb on any University property (building or structure), including water fountains, scaffolding, roofs, trees, etc.
- invasion of privacy by any unauthorized use of devices to make an audio or video record of any person without their prior knowledge or consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom; or
- Inappropriate use of coasting devices (skateboards, roller blades, bicycles, and similar wheeled devices) including but not limited to: riding on rails, curbs, benches, or any such fixtures that may be damaged by these activities.

**3. Abusive conduct.** Abusive conduct includes all forms of harassment, abusive, and violent behavior. Abusive conduct includes all offenses which create an intimidating or offensive academic, work, or campus environment including but not limited to:

- bias incidents including but not limited to acts of bias, acts of conduct, speech, or expression that target individuals and groups based on age, citizenship, disability, ethnicity, gender identity or expression, geographic origin, language, marital status, nationality, race religion, sexual orientation, or socioeconomic status;
- engaging in, attempting any form of physical abuse injurious to oneself, to another, or to a group of people;
- threatening, intimidating, humiliating, coercing, hate act, hate crime, discrimination, and/or harassing in a manner which causes another person or group of people to be reasonably apprehensive;
- endangering the health or safety of oneself or another person;
- stalking;
- bullying and cyberbullying (repeated or hostile behaviors that a reasonable person would find intimidating or that would harm or distress another person.); or
- abuse or harassment involving the use of telecommunications, computer equipment, and/or social media.

**4. Power-Base Violence and Sexual Misconduct.** Power-based violence is defined as any form of interpersonal violence intended to control or intimidate another person through the assertion of power over the person. Sexual misconduct is sexual harassment, abuse, assault; and/or any form

of sex discrimination prohibited by Title IX. Sexual misconduct cases may be adjudicated under general conduct and/or Title IX procedures based on jurisdiction.

The link below provides a full definition of Power-based Violence and Sexual Misconduct: <http://www.southeastern.edu/resources/policies/assets/powerbased-sexualmisconduct.pdf>

**5. Endangerment.** Endangerment involves endangering another's or one's own physical well-being that disrupts the learning environment. Endangering behavior includes, but is not limited to:

- conduct that threatens or endangers the health or safety of oneself, another, or a group of people;
- compromising the security of a residence hall or other university facility;
- unsafe operation of a motor vehicle including but not limited to University premises (i.e. excessive speed, seatbelt...); or
- unsafe behavior including, but not limited to riding bicycles, skateboards, roller blades, paintball games/wars, and/or kicking or playing ball unsafely and/or in unauthorized areas on campus.

\*Students who endanger their own, another, or a group of people's physical well-being; and disrupt the campus community, may be suspended on an interim basis from the residence halls and/or the University.

**6. Drug Violation.** Is the use, consumption, possession, manufacture, furnishing, procuring, purchasing, sale, and/or distribution of any form of drugs except as expressly permitted by law. Use of drugs includes but is not limited to:

- illicit drugs, narcotics, or other controlled substances;
- synthetic drugs (including but not limited to all forms of marijuana, incense, bath salts, and other manufactured drugs);
- drug paraphernalia (including but not limited to hookahs and other smoking devices, weights, scales, and rolling papers); or
- operating or attempting to operate a motor vehicle while under the influence of drugs.

**7. Alcohol Violation.** Is the use, consumption, possession, manufacture, purchasing, sale, furnishing, and/or distribution of alcoholic beverages on University property or at any of its activities (whether on or off-campus) except as expressly permitted by University regulations and the law.

The use of alcohol includes but is not limited to:

- unauthorized use, consumption, possession;
- use, consumption, possession, and/or purchasing of alcoholic beverages by persons under twenty-one (21) years of age either through action or inaction;
- furnishing, serving, and/or otherwise providing alcoholic beverages to persons under twenty-one (21) years of age;
- operating or attempting to operate a motor vehicle while under the influence of alcohol;
- operating or attempting to operate a motor vehicle while under the influence of alcohol;
- public intoxication on University property;
- failure to properly register events involving alcohol, as required by the University Alcohol and Drug Policy; or
- violations as noted in the University Alcohol and Drug Policy.

**8. Abuse of property.** The abuse of property includes all forms of property abuse. Abuse of property includes but is not limited to:

- attempted or actual theft, unauthorized possession (including the possession of property that can reasonably be determined to have been stolen from the university, another person, business, or organization);
- misuse of intellectual property (unapproved download, creation, sale, transfer, access, reproduction, or distribution of trademarks, copyrighted material, or patented inventions);
- malicious misuse, or destruction of property;

- damaging and/or vandalizing property;
- unauthorized possession, duplication, or use of keys to any University premises;
- unauthorized use of University premises;
- unauthorized use of University names and images;
- unauthorized possession of animals on campus;
- smoking on campus;
- unauthorized chalking; or
- littering, dumping, posting, and/or distribution of unauthorized materials.

**9. Trespassing.** Trespassing is unauthorized presence on, in, or within any virtual space, building, or property owned or operated by the University, and/or, unauthorized visitation in a University residence hall including violations of established open house and/or closing hours.

**10. Weapons violation.** A weapons violation includes the possession or use of weapons. Weapons violations include but are not limited to:

- possessions of sticks, poles, clubs, swords, shields, body armor or makeshift body armor, masks, helmets, and other garments, such as sporting protective gear, that alone or in combination could be reasonably construed as weapons or body armor on property owned or controlled by the University, without written permission from the dean of students;
- possession or use of guns and other firearms (i.e., airsoft, pellet, paintball, etc.), tasers, and knives with blades longer than five inches on University property;
- any illegal or unauthorized possession, use, or threatening the use of firearms, knives, other weapons, or dangerous chemicals; or
- other violations in weapon policy or as defined by the Board of Supervisors of the University of Louisiana System Policies and Procedures.

**11. Explosives violation.** An explosives violation includes the possession or use of explosives. Any unauthorized possession or use of explosives including but not limited to:

- threatening the use of explosives, bombs, or incendiary devices, except as required for classroom instruction; or
- use or possession of ammunition, fireworks, and/or firecrackers without official University permission.

**12. Abuse of computers and other technology.** Abuse of computers and other technology is all forms of technology abuse. Abuse of computers and other technology includes but is not limited to:

- sending or posting obscene or abusive messages through electronic means;
- unauthorized entry into a file, to use, read, change the contents, transfer, or for any other purpose;
- misrepresentation of self or a student organization through computer; or electronic means;
- unauthorized use of another individual's identification and/or password;
- sharing the use of restricted passcodes for electronic educational platforms;
- use of computers and other technology to interfere with the normal operation of the University computing system, the work of another member of the University community, or to harm a member of the University community; or
- all other violations as noted in the University policy on computer use.

**13. Safety violation.** A safety violation involves a failure to abide by and/or interfering with safety regulations, emergency evacuations, and/or equipment. Safety violations include but are not limited to:

- failure to wear face coverings in compliance with the University's rules, policy, and regulations;
- failure to adhere to government mandates or public health orders established to reduce the risk of spreading infectious disease;

- failing to leave a building or area during an emergency evacuation or hindering another's exit during an alarm or evacuation;
- tampering, or attempting to tamper with fire/safety equipment;
- intentionally aiding, encouraging, or starting a fire unless approved for academic purposes by the Vice President for Student Affairs or designee;
- causing a fire on campus because of negligence;
- possessing flammable liquids, burning candles, oil lamps, incense, or other flammable items or substances that produce an offensive odor, in any building owned by the University, except as required for classroom instruction;
- failing to park bicycles in designated bike areas; or
- possession and/or use of any equipment not approved for use in your residential facility.

**14. Violation of other published University policies, rules, or regulations.** Violation of other published University policies, rules, or regulations includes any failure to adhere to any published University policy. To view a full list of University Policies, please visit this link: [www.southeastern.edu/policies](http://www.southeastern.edu/policies)

**15. Violation of federal, state, and/or local laws.** A Violation of federal, state, and/or local laws involves any conduct on University premises or at University sponsored or supervised functions that constitutes a violation of a federal, state, or local law; and/or, illegal activity occurring away from campus resulting in arrest, prosecution, or the imposition of the penalty prescribed by the federal, state, or local law where such violations have an adverse effect on the educational mission of the University.

**16. Failure to comply.** Failure to comply is any refusal to comply with the directions of a University official in the performance of their duties. Failure to comply includes but is not limited to:

- failing to identify one's self;
- failing to respond to a disciplinary conference and/or a hearing summons;
- failing to complete any sanction given by a hearing body or University official; or
- failing to meet financial obligations incurred by the student to the University.

**17. Abuse of the campus discipline system.** Abuse of the campus discipline system involves interfering with the disciplinary process. Abuse of the campus discipline system includes but is not limited to:

- attempting to discourage an individual's proper participation in, or use of, the campus discipline system;
- falsification, distortion, or misrepresentation of information before a hearing body;
- disruption or interference with the orderly conduct of a campus disciplinary proceeding;
- knowingly initiating campus discipline procedures without cause;
- attempting to influence the impartiality of a member of a hearing body prior to, and/or during a campus disciplinary proceeding;
- harassment (verbal or physical) and/or intimidation of a member of a hearing body prior to, during, and/or after a campus disciplinary proceeding; or
- influencing or attempting to influence another person to commit an abuse of the campus discipline system.

**18. Disruption.** Disruption is disturbing the peace and good order of the university and surrounding communities and/or bringing a guest to any classroom setting without prior authorization.

**19. Hazing.** Hazing means any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply:

- i. The person knew or should have known that such an act endangers the physical health or safety of the other person or causes severe emotional distress.
- ii. The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.

To learn more about Southeastern Louisiana University's Hazing Policy visit:  
[https://www.southeastern.edu/resources/policies/policy\\_detail/hazing.html](https://www.southeastern.edu/resources/policies/policy_detail/hazing.html)

#### **D. Violation of Law and University Discipline Procedures**

1. If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this code, restorative action may be taken, and sanctions imposed for grave misconduct which has a detrimental impact on the University's educational function.
2. Students may be accountable to both external authorities and to the University for acts that constitute violations of federal, state, or local laws and this code. At the discretion of the Dean of Students or the Chief Student Conduct Officer disciplinary proceedings will continue normally regardless of pending administrative, civil, or criminal proceedings arising out of the same or other events. The outcomes of disciplinary proceedings will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced, or are pending.
3. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also the subject of a proceeding before a hearing body under the Student Code of Conduct, however, the University may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty/staff members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

#### **E. Timing**

Each Student is responsible for their conduct from the time of enrollment at the University through the actual awarding of a degree. The Student Code of Conduct applies when the University is not conducting classes. The University may impose discipline for violations that occur before the degree is awarded but which are not discovered until after the degree is awarded. If a Student withdraws while a student conduct matter is pending, the student conduct matter must be resolved prior to re-enrollment.

#### **F. Guest and Visitors**

A Student may be held accountable for the behavior of their guests or visitors on University Premises. Guests and visitors of the University may also initiate referrals for potential violations of the Student Code of Conduct committed by Students against them.

#### **G. University Housing Policies**

1. Misconduct by Students living in University-owned or controlled residence halls, houses, and apartments is typically addressed by Conduct Officers in University Housing. The standards and regulations for University owned or controlled residential facilities are contained in the written rental agreement between the Student and University and in the University Housing Standards. University Housing investigates alleged violations of the rules and regulations outlined in the rental agreement and residential guidebook. Management of such cases is conducted in accordance with established and published procedures. A compilation of all rules established under the rental agreement and residential guidebook is available to all residents of the facility to which such rules apply.
2. If the behaviors or conduct of the respondent poses a health and safety risk to self or others or might result in a suspension, dismissal, or expulsion for the University, the case will be referred to OSAA. In cases where the alleged violation of the housing rental agreement and guidebook might constitute a violation of the provisions of the Student Code of Conduct, University Housing may refer the case to OSAA.

#### **H. Instructional Setting Behavior**

The primary responsibility for managing the instructional setting rests with the instructor. Students who engage in conduct that results in disruption of an instructional setting may be directed by the instructor to leave the class for the remainder of the instructional setting period. A disciplinary conference as outlined in this Code must precede longer separations from an instructional setting. Disruptive instructional setting behavior is any behavior that in the judgment of the instructor substantially interferes with the conduct of an instructional setting, including but not limited to:

1. Persistent late arrivals or leaving early in a manner that disrupts the regular flow of the instructional setting;
2. Talking while the instructor or other Students are talking or speaking in an instructional setting without first obtaining recognition and permission to speak; or
3. Use of electronic equipment such as cell phones, computers, etc., in a manner that disrupts the class or when such equipment is prohibited by the instructor as part of the course syllabus.

## **ARTICLE V: STUDENT RIGHTS AND RESPONSIBILITIES**

### **A. Student Rights**

**The University affirms the following student rights and privileges in disciplinary proceedings:**

1. To be informed of the Student Code of Conduct, its corresponding procedures, and all of the rights enumerated herein;
2. To petition for redress of a grievance arising from an incident that violates University policy and/or the Student Code of Conduct. Any member of the University community may file a charge or complaint against a student when that person believes the student has violated any University policy;
3. To receive notice of any alleged violations of University policy and/or breaches of the Student Code of Conduct;
4. To have the benefit of an opportunity to be heard by an impartial Hearing Board or Hearing Officer in addressing an allegation/s of a violation of University policy;
5. To have an attorney or non-attorney advisor fully participate in all proceedings;
6. To examine evidence to be used against him or her at the administrative discipline conference or prior to a formal hearing;
7. To view the list of witnesses and/or statements that are provided by witnesses at the administrative discipline conference or prior to a formal hearing;
8. To receive written notice within 72 hours of interim measures;
9. To have the right to waive your participation in an interim measure hearing;
10. To have a Confidential Advisor present at all proceedings;
11. To be informed of available accommodations both on and off campus (i.e. notified of available counseling, changing academic and living arrangements);
12. To request a campus no contact order;
13. To have a hearing board comprised of diverse representatives;
14. To have unrelated past behavior excluded from the hearing (i.e. irrelevant prior sexual history);
15. To participate with special accommodations (i.e. by phone, behind a screen, video, etc.);
16. To request no direct contact with the accused or reporting student during the hearing (i.e. questions from the accused student would be posed through the Board Chairperson and then relayed to the complainant or an appointed advisor may speak on the student's behalf);
17. To provide questions to the Board Chairperson prior to or during the hearing that they may incorporate those into questioning the accused or reporting student;
18. To be informed of the names of all witnesses who will be called to give testimony;
19. To request a recess during the hearing;

20. To be informed of the outcome of the disciplinary process, simultaneously with the reporting or responding party; and
21. To appeal the Hearing Board's decision.

## **B. Student Responsibilities**

**The following responsibilities represent the standard of conduct at the University:**

1. To maintain a level of behavior consistent with the mission of the University;
2. To observe the laws of local, state, and federal government;
3. To read, become familiar with, and adhere to University policies;
4. To respect the personal and property rights of others;
5. To stay informed by reading communications from the University; and
6. To keep their advisor, confidential advisor, and other members of their party informed of communications from the university.

## **ARTICLE VI: DISCIPLINARY PROCEDURES**

### **A. Charges**

Complaints of misconduct against a student may be filed online at [www.southeastern.edu/reportit](http://www.southeastern.edu/reportit) by any member of the University community. **Always, call University Police at 985-549-2222 or 911 in the case of an emergency.** Complaints shall be prepared in writing and directed to the Office of Student Advocacy and Accountability, or, in violations occurring in the University residential facilities, to the Residential Conduct Officer or designee. In the hearing, the complainant (person filing charges) bears the burden of proof. Persons considering filing complaints are encouraged to arrange for a meeting with a Conduct Officer prior to filing complaints to discuss filing and hearing procedures. **The written complaints should include:**

1. Full name, local address, and phone numbers of the complainant, accused, and witnesses, (and whenever possible, "W" numbers);
2. The specific conduct standard, policy, and/or rule allegedly violated (this may be determined by the conduct officer);
3. The date, time, location, and persons involved in the incident under investigation;
4. A narrative of the incident describing what occurred;
5. Copies of pertinent witness statements, police and/or housing reports, along with a list of any other physical evidence (photographs, written documents, items, etc.), to be presented at the hearing; and,
  - Complaints should be submitted as soon as possible after the incident, preferably within ten (10) business days. Barring unusual or extenuating circumstances, such as sexual misconduct and acts of violence, complaints may not be accepted for incidents that occurred more than 30 business days prior to filing.
  - Students may not avoid campus restorative action by withdrawing or graduating from the University. Any complaints/charges or sanctions pending when a student leaves the University must be properly disposed of prior to releasing the student's records or the matter may be adjudicated without the respondent being present.
  - The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any. Students who receive a sanction involving separation from the University, and/or University housing are reminded that the University's normal refund policy will apply.

- The Hearing Officer may investigate to determine if the complaint has merit and/or if the complaint can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Hearing Officer.

#### **B. Preliminary Administrative Disciplinary Conference**

1. Upon receipt of a properly filed complaint, a staff member of the appropriate office shall notify the accused student by email, regular mail, or hand delivery that proceedings have been initiated. The letter indicates a scheduled meeting time with a Hearing Officer or directs the student to schedule a preliminary/administrative discipline conference within a specified amount of time. The letter also lists the initial alleged violation(s) with which the student is being charged. Additional charges may be issued if new information and/or evidence is discovered during the investigation. A new notice of charge will be sent to the accused student.
2. The purpose of the preliminary administrative disciplinary conference is to provide the student an opportunity to review the alleged offense/s with the Hearing Officer, to examine evidence, to discuss the Student Code of Conduct and the discipline process. Students who do not have a copy of the Student Code of Conduct will be directed to an online copy. Further, the student and the Hearing Officer will determine if the matter can be resolved through mutual agreement, including, but not limited to, the charges/complaints being rendered null and void; an administrative agreement being signed which indicates the student assumes responsibility for a violation/s of the Student Code of Conduct; or, a referral to mediation. If at the administrative disciplinary conference, the respondent assumes responsibility for an infraction, the student may sign an administrative agreement and waive any further proceedings and/or appeals. If the complaint cannot be disposed of by mutual consent, the matter will be referred to an investigator prior to a hearing involving a Student Conduct Hearing Board, an Administrative Hearing Board, or a Hearing Officer. The Investigator will gather information for a hearing officer or hearing board to determine whether a violation of the code of conduct occurred.
3. Failure to comply with this directive may result in a full hearing board being scheduled. Failure to respond to a summons may result in any or all of the following:
  - a. A referral of your case to a hearing board.
  - b. A \$100 fine assessed against your account.
  - c. A block placed on your ability to register for future classes.
  - d. A hold placed on your academic records.

#### **C. Hearings involving a Hearing Board**

In cases that cannot be resolved in an Administrative Disciplinary Conference, and in those incidents, which rise to the level of expulsion or suspension from the University or University Housing, the matter will be referred to a Student Conduct Hearing Board or an Administrative Hearing Board. Hearings involving a hearing board are designed for both the complainant and respondent to present their accounts of an incident.

1. The accused and the reporting party shall be given written notice of the hearing. The accused student shall be informed of the specific charge(s), their rights as a student, and the date, time, and location of the hearing.
  - a. Generally, a time set for a hearing will be at least two or no more than 15 business days after the student has been notified of the hearing; however, due to the nature of the academic year, if the incident occurs close to the end of a semester, or if the appropriate hearing body cannot be scheduled, the student's case will be heard as soon as a hearing can be scheduled. It is the Dean of Student and Conduct Authority's decision as to whether and when to cancel, reschedule, postpone, or move the location of a hearing.
  - b. Maximum time limits for scheduling hearings may be extended at the discretion of the Dean of Students and the Conduct Authority.

- c. The Dean of Students and the Conduct Authority may make reasonable efforts with parties to schedule a date and time for the hearing; however, once a hearing is scheduled the Dean of Students and Conduct Authority reserves the right to continue with the scheduled hearing date, time, and location.
  - d. Notice shall be sent/delivered to the last local/ mailing address and/or Email account identified on the student's official records and shall be considered delivered two business days after the letter has been posted.
  - e. Students are responsible for notifying the University of their current contact information including physical/ mailing/ electronic addresses. Address changes must be made through the Office of Records and Registration. Failure to notify the University of the current local address, to collect one's mail from one's address, and/or to receive or sign for a mailing does not void the fact that a notice was delivered.
  - f. Hand-delivered notices are delivered on the date they are given to the student.
2. The purpose of a hearing is to determine if the accused student is responsible for violating one or more standards of the Student Code of Conduct, and to recommend any appropriate sanctions. A student is presumed to be not responsible until proven responsible in a hearing. The burden of proof shall rest on the complainant.
3. Order of the Hearing: The hearing is structured such that the discussion proceeds in an orderly manner. Below is the order that the hearing follows:
  - a. The reading of the complaint/charges by the hearing chairperson;
  - b. The entering of pleas by each respondent; Responsible, Not Responsible, and No Plea.
  - c. Opening statement of complainant and introduction of evidence;
  - d. Questioning by the respondent and the Board and or the Hearing Board Advisor;
  - e. Opening statement of the respondent and introduction of evidence;
  - f. Questioning by the complainant and the Board, and the Hearing Board Advisor;
  - g. Statement of the complainant's witnesses, followed by an examination by the complainant and cross-examination by the respondent, and then questions of the Board and or the Hearing Board Advisor;
  - h. Statements of the respondent's witnesses, followed by an examination by the respondent and cross-examination by the complainant, and then questions of the Board, and or the Hearing Board Advisor;
  - i. Additional questions by the Board, the Hearing Board Advisor, complainant, and/ or respondent;
  - j. Closing statements, first by the complainant and then by the respondent; Closing statements shall be specific to the incident involved and may include any reiteration of previously stated facts, written statements of character by a third party, and/or any other comments involving the case. Closing statements are the final opportunity for the respondent and the complainant to provide any additional information which will facilitate the Board's decision, including recommendations for sanctions. Closing statements may be limited to a specified time constraint at the Board and or the Hearing Board Advisor's discretion.
  - k. Deliberation of the Board;
  - l. Recommendation of the Board to the advisor;
  - m. Notification of the decision and, if necessary, sanctions. Delivery of the notice may be by hand, by email, or through the mail.
4. A hearing before a Hearing Board shall be conducted according to the following guidelines:
  - a. Hearings normally shall be conducted in private. Only the hearing body/officer, respondent, complainant, their designated advisors, the recorder, and persons identified with the University community as having an educational need to know, may be present for

the beginning of the hearing. Each witness will be called into the hearing individually to give testimony. Subject to the approval of the Hearing Board Advisor and the parties involved, an observer may be admitted, but shall not have the privilege of participating in the hearing. Written requests for a waiver of rights to a private hearing, along with properly documented approval from all parties outlined above, must be submitted to the Conduct Authority at least 48 hours prior to the hearing. Admission of any person to the hearing shall be at the discretion of the hearing body and/or the Hearing Board Advisor. Only the hearing body/officer and persons identified with the University community as having an educational need to know may be present during deliberations.

b. In hearings involving more than one respondent student, the Hearing Board Advisor, at the student's discretion, may permit the hearing concerning each student to be conducted separately.

c. The complainant and the respondent have the right to be represented by any advisor they choose, at their own expense. Written notification of the name and relationship of an advisor to the complainant or respondent must be submitted to the Hearing Board Advisor at least 48 hours prior to the hearing.

d. The complainant, the respondent, and the hearing body shall have the privilege of presenting witnesses, subject to examination and cross-examination. All parties are responsible for notifying their witnesses of the date and time of the hearing. Written notification of the names and relationships of witnesses to the complainant or respondent must be submitted to the Hearing Board Advisor at least 48 hours prior to the hearing.

e. Respondents have the right to remain silent, although present, at hearings; Respondents may refuse to answer any question(s) and shall participate in the remainder of the hearing. Remaining silent or refusing to answer questions shall not be construed as an admission of responsibility or used against the student. Failure to appear at a hearing will not be viewed as an act of silence. Failure to appear will not delay the hearing process and may result in additional charges.

f. Statements given in hearings are confidential in nature and may not be discussed outside of the hearing and/or discipline process.

g. Lying or intentionally misleading the Board/Hearing Officer will not be tolerated and may be referred for restorative action.

h. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by a hearing body at the discretion of the chairperson and/or the Hearing Board Advisor.

i. All procedural questions are subject to the final decision of the chairperson of the hearing body and/or the Hearing Board Advisor.

j. After the hearing, the hearing body shall determine (by majority vote) whether the student violated each section of the Student Code of Conduct the student is charged with violating.

k. Hearing body deliberations to determine responsibility shall be conducted in confidential, closed sessions, as are any sanctioning portions.

l. The hearing body's determination of responsibility shall be made if a preponderance of the information, that is, the facts and information, presented in the hearing are such that the hearing officer or hearing board finds it more likely than not that the respondent is responsible for the offense as charged.

m. Strict rules of evidence do not apply at hearings. Although first-hand testimony is preferable, written statements, hearsay testimony, and other evidence are allowed, subject to the discretion of the hearing chair and/or Hearing Board Advisor.

n. Following the final decision of the hearing body, the respondent will be informed of the determination and recommended sanction, if any, within ten business days. In cases of

sexual assault and/or physical violence, the complainant shall also be informed simultaneously of the determination.

5. There shall be a record, usually an audio tape recording, of all hearings before a Hearing Board. Deliberations shall not be recorded. The official hearing record will be a transcription of the audio tape recording. An official hearing record may be made at the expense of the appellant. Students are cautioned that information contained in official hearing records is strictly confidential and should only be used in matters of campus appeals. The record shall be the property of the University.

6. The Hearing Board may accommodate concerns for the personal safety, wellbeing, and/or fears of confrontation of the Complainant, Respondent, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, indirect questioning, or other means, where and as determined in the sole judgment of the Conduct Authority to be appropriate.

7. Except in the case of a student charged with failing to obey the summons of a hearing body or University official, no student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a hearing body. In all cases, the evidence in support of the complainant(s) charge(s) shall be presented and considered, whether or not the respondent is present.

8. Refer to the specific policy for further details of other University policies.

9. In order to preserve confidential conduct records no individual is allowed to remove notes from hearing proceedings. The use of audio, camera, and video recording devices by participants in a hearing is strictly prohibited. Failure to comply with these rules may result in the removal from proceedings and additional restorative action.

10. At its sole discretion, the University may appoint an individual who is unaffiliated with the institution and knowledgeable in legal proceedings and rules of evidence, such as an administrative law judge, to preside over student disciplinary hearings. The role of this individual will be to maintain decorum among the participants and ensure the hearing proceeds in an orderly manner. This individual will have no role in determining the outcome of the hearing.

#### **D. Sanctions/Restorative Actions**

The following sanctions, individually or in combination, may be imposed upon any student or student group/organization found to have violated the Student Code of Conduct. This list is neither exhaustive nor in order of severity and may be enlarged upon or modified to meet the circumstance of any given situation.

**1. Loss of Privileges** - removal of specified privileges for a designated period, including but not limited to, loss of privileges such as living in university-owned housing, room/hall selection, visitation, parking event/party registration, guest registration, holding elective or appointive office, pledging or initiation into campus organizations, and/or having motor vehicles, stereos, or other equipment on campus. When the designated time ends, the student is eligible for reinstatement of privileges; however, conditions for reinstatement may be specified in the original sanction.

**2. Fines** - the student or student group/organization may be assessed an administrative fee at the discretion of the Vice President for Student Affairs, the Chief Student Conduct Officer, the Assistant Director of OSAA, the Director of University Housing, or the Residential Conduct Officer. If assessed, the following shall apply:

- Missed Disciplinary Conferences: \$50.00
- Missed Hearings: \$100.00
- Alcohol: \$50.00
- Damage to Property: Full Restitution
- Violation of Coasting Policy: \$100.00; plus, full restitution (if property is damaged)
- Damage to Oaks/Village Gate Operations: \$100; plus, full restitution • Drugs: \$100.00
- Fire Safety: \$50.00

- Littering: \$50.00
- Use of Tobacco Products on Campus: \$50.00
- Tobacco Spitting: \$50.00
- Repeat Offenses: Doubled
- Restitution - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

**3. Discretionary Sanctions** - students or student groups/organizations may be assigned sanctions based on the nature of the incident and the needs of the student or student organization.

- Notification of parents and/or guardians;
- Counseling conference(s);
- Educational activities may be assigned to a student to encourage and facilitate positive behavioral change and developmental growth. These include but are not limited to, attendance/participation in educational programs, academic tutoring in the CSE, creation of documents, and community service;
- Evaluation by a member of the University Counseling Center or by a licensed mental health professional based on the review by a member of the University Counseling Center;
- Residence hall transfers and/or service to the university, the local community, or other related discretionary assignments;
- Written assignments or projects; or
- No Contact Order (May also serve as a supportive measure in certain cases.)

**4. Warning** - a written reprimand for violation of specified regulations. A warning is for a designated period and includes the probability of more severe sanctions if the student is found to be violating any institutional regulation(s) during the warning period.

**5. University Disciplinary Probation** - final warning status and a written reprimand for violation of specified regulations. University Disciplinary Probation removes a student from good disciplinary standing for a designated period of time and places the student on final warning status. If the student is found to be in violation of any institutional regulation(s), particularly during the probationary period, separation from the institution may occur.

**6. Residence Hall Warning** - serves to note that student behavior was not in accordance with University Housing policy. Residence Hall Warning removes a student from good disciplinary standing within the residence halls for a designated period of time and places the student on a warning status. If the student is found to be in violation of any institutional regulation(s), particularly during the warning period, further disciplinary action may occur.

**7. Residence Hall Probation** - final warning status and a written reprimand for violation of specified regulations. Residence Hall Probation removes a student from good disciplinary standing within the residence halls for a designated period of time and places the student on final warning status. If the student is found to be in violation of any institutional regulation(s), particularly during the probationary period, separation from the residence halls may occur.

**8. Residence Hall Suspension** - separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Suspended students are restricted from visiting or entering any residential facility operated by the University during the period of separation. When separated from the residence halls, students should be aware that they may forfeit their residence hall deposits and fees subject to any refund policies. Students should direct all inquiries in this matter to the Office of University Housing.

**9. Residence Hall Expulsion** - permanent separation of the student from the residence halls. Expelled students are restricted from visiting or entering any residential facility operated by the University during the period of expulsion.

**10. Disciplinary Suspension** - involuntary separation of the student from the University for a definite period of time, after which the student is eligible to return assuming no intervening serious misconduct has occurred. The student is placed on Disciplinary Probation for a definite period of time following the return to the University. Students who are involuntarily separated from the University are restricted from visiting or entering Southeastern Louisiana University premises for the period during which their sanction is in effect without advance written authorization from the Chief Student Conduct Officer. A hold may be placed on the ability to register and or the records of students involuntarily separated from the University for the period of separation. A student is responsible for dropping any classes and any fees assessed on the student accounts. In addition, a notation will appear on the transcript stating the terms of the suspension period.

**11. Disciplinary Dismissal** - involuntary separation of the student from the University for a definite period of time and without a guarantee of readmission. The terms of readmission will be established by the Chief Student Conduct Officer with the burden of proof lying on the student. Students will be required to reapply to the university. Conditions for consideration of readmission may be specific. Students who are involuntarily separated from the University are restricted from visiting or entering Southeastern Louisiana University premises for the period during which their sanction is in effect without advance written authorization from the Chief Student Conduct Officer. A hold may be placed on the ability to register and or the records of students involuntarily separated from the University for the period of separation. The student is placed on Disciplinary Probation for a definite period of time following the return to the University. A student is responsible for dropping any classes and any fees assessed on the student accounts. In addition, a notation will appear on the transcript stating the terms of the suspension period.

**12. Disciplinary Expulsion** - Permanent separation of the student from the University. Students who are involuntarily separated from the University are restricted from visiting or entering Southeastern Louisiana University premises without advance written authorization from the Chief Student Conduct Officer. A hold may be placed on the ability to register and or the records of students involuntarily separated from the University for the period of separation.

**13. Withholding Degree** - The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

In addition, the following sanctions may be imposed upon student groups and organizations.

1. Those sanctions listed above in Section D 1, 1-9.
2. Recommendation for Charter Revocation: An official request to a national office that the local chapter's charter be revoked.
3. Deactivation: loss of privileges, including loss of university recognition, either permanently or for a specific period of time.

In each case in which a hearing body determines that a student has violated the Student Code of Conduct, the sanction(s) shall be recommended by the hearing body but the final determination will be imposed by the Hearing Board Advisor. Sanctions are not limited to those recommended by the hearing body but may be modified by the Conduct Authority.

Following the hearing, the Hearing Board Advisor shall advise the Respondent in writing of the determination of the sanction(s) imposed, if any. In cases of sexual assault, physical violence, and/or potential separation from the University, the complainant shall also be informed simultaneously of the determination and to appeal the result of the disciplinary proceeding.

#### **E. Factors that influence the degree and nature of the sanctions**

Sanctions will be issued to respondents found in violation of some or all of their charges. While some violations have typical outcomes, the Code of Student Conduct seeks to preserve flexibility in the assignment of sanctions so that each respondent is afforded appropriate and just treatment. All sanctioning

will consider the institution's goal of providing an effective learning environment for all members and seeks to repair the harm that may have been caused by the incident.

Factors that influence the degree and nature of the sanctions:

- The nature of the violation and the incident itself;
- The impact of the conduct on the individuals;
- The impact or implications of the conduct on the university community;
- Prior misconduct by the respondent, including the respondent's relevant prior student conduct history, both at the university or elsewhere, and any criminal convictions, if such information is available and known;
- Any expression of remorse or acceptance of responsibility by a respondent;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the university community;
- The necessity of any specific action in order to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects on members of the university community; and
- Any mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

#### **F. Typical Ranges of Sanctions**

Sanctioning ranges established by the University exist for students found responsible for violating certain sections of the Student Code of Conduct. Ranges exist to provide a guide and are not mandatory as each case is determined on a case-by-case basis, taking into account the factors that influence the degree and nature of the sanctions. Ranges may be increased, decreased, or changed as needed.

The following sanctioning ranges exist as follows for first-time offenses:

1. Alcohol Violations:

- a. Referral to an alcohol assessment, an alcohol education program, and/or mandatory counseling/treatment;
- b. Community service hours;
- c. Warning up to Disciplinary Suspension for up to one year- repeated offenses may lead to punitive actions (i.e. Expulsion.)
- d. If the student is a resident, University Housing Probation up to University Housing Suspension and;
- e. If the student is under the age of 21, parental notification at the discretion of the Hearing Officer;
- f. Fine or Restitution (mandatory for property damage);
- g. Loss of parking privileges for offenses related to driving under the influence.
- h. Educational service hours and/or an administrative assessment;

2. Drug Violations:

- a. Referred to a substance abuse assessment and/or mandatory counseling/treatment;
- b. Community service hours
- c. Educational program or course;
- d. Educational service hours and/or an administrative assessment;
- e. Warning up to Disciplinary Suspension for up to one year- repeated offenses may lead to punitive actions (i.e. Expulsion.);
- f. If the student is a resident, University Housing Probation for one semester or more, and;
- g. If the student is under the age of 21, parental notification at the discretion of the Hearing Officer.
- h. Fine/administrative assessment. Fines double per additional violation.

3. Incidents involving sales or furnishing of illegal drugs:

- a. University Disciplinary Dismissal for two years up to Expulsion;
  - b. Substance abuse counseling/treatment completion prior to return;
  - c. Educational service hours and/or an administrative assessment upon return;
  - d. Disciplinary Probation upon return;
  - e. If the student is a resident, University Housing Expulsion with no eligibility to reapply.
4. Incidents involving Violence to Persons:
- a. Mandatory counseling assessment
  - b. Community service hours;
  - c. No Contact Order
  - d. Educational program or course;
  - e. Disciplinary Probation for one year up to Expulsion, and;
  - f. If the student is a resident, University Housing Probation up to University Housing Expulsion.
5. Incidents involving disruption and or Disorderly Conduct:
- a. Educational service hours
  - b. Disciplinary Probation up to Disciplinary Suspension, and;
  - c. If the student is a resident, University Housing Probation up to University Housing Suspension.
  - d. Written Assignment; i.e. reflection paper, etc.
  - e. Counseling Referral
6. Incidents involving damage or abuse to property:
- a. Restitution;
  - b. Disciplinary Probation for one year up to Suspension for one year or more, and;
  - c. If the student is a resident, University Housing Probation for one year up to University Housing Expulsion.
  - d. Educational service hours and/or an administrative assessment.
7. Incidents involving a violation of the sexual misconduct policy (excluding sexual assault)
- a. Disciplinary Probation for one year up to suspension;
  - b. Mandatory counseling assessment
  - c. If the student is a resident, University Housing Probation for one year up to University Housing Suspension or Expulsion.
8. Incidents involving sexual assault
- a. Suspension for one year up to Expulsion.

#### **F. Interim Suspension and Interim Measures**

In certain circumstances where there is a perceived threat to the safety of the University Community, the Dean of Students, the Chief Student Conduct Officer, the Assistant Director of OSAA, or designee, may impose a University or residence hall interim suspension or other interim measures prior to the final disposition of the matter.

Interim suspension and interim measures may be imposed only:

- a. To ensure the safety and well-being of members of the University community or preservation of University property;
- b. To ensure the student's physical or emotional safety or well-being; or,
- c. If the student poses a threat of disruption of or interference with normal University operations.

During the interim suspension, the Dean of Students, the Chief Student Conduct Officer, the Assistant Director of OSAA, or designee may deny the student access to any or all of the following: residence halls; the entire campus (including classes); designated areas of campus; contact with certain individuals; and/or, all other University activities and/or privileges for which the student might otherwise be eligible.

Upon issuance of an immediate Interim Suspension or Interim Measure, the Chief Conduct Officer, the Assistant Director of OSAA, or designee, shall

- a. Send the notice, in written or electronic form, of the interim measure, the rationale for enacting the measures within seventy-two (72) hours, and rights to the alleged Student and reporting party;
- b. Schedule a disciplinary conference with the alleged Student ;
- c. Advise the student that an Interim Suspension is in effect;
- d. Provide the Student with an opportunity to address the alleged violation;
- e. Inform the Student of the Interim Measure Hearing that will be scheduled within seven (7) business days of the notice;
- f. Inform the Student of their right to waive the interim measures hearing; and
- g. Inform the Student that at the hearing, both the accused student and the reporting party shall have the right to be represented.

#### **H. Disciplinary Student Conduct Record**

Sanctions shall not be made part of the student's permanent academic record but shall become part of the student's confidential conduct record. Confidential conduct records remain on file with the Office of Student Advocacy and Accountability seven years after the incident date. Confidential conduct records may be expunged at the student's written request one year after their graduation from the University in minor cases that do not involve separation from the institution. Open cases that await completion of a restorative action shall remain part of the student's permanent conduct record. Confidential conduct records involving the imposition of sanctions entailing separation from the institution are kept indefinitely.

##### **A. Confidentiality**

Southeastern Louisiana University has a responsibility to protect students' and student organizations' information, including information pertaining to conduct files as defined by the Family Educational Rights and Privacy Act (FERPA). This information is strictly confidential and can only be released upon the written consent of the student or student organization's current leadership.

##### **B. Access to Records:**

Students will be provided reasonable continued access and the ability to make copies of documents and conduct records during open cases. Students requesting access to view documents will need to submit a Records Request. To protect the privacy of those involved, records may not be distributed, posted, altered, or made public, this continues after the resolution process is completed.

##### **C. Third Party Records Requests:**

Students requesting records for third-party access will need to complete the form "Authorization to Release Information to and from the Office of Student Advocacy and Accountability." This may take up to three (3) business days to process this request as all documents must be redacted for identifiable information pertaining to other students.

#### **I. Prohibition on Dual Roles**

No individual can serve in more than one role in any investigation – the Conduct Authority, specifically the Investigator(s), Decision Maker(s), appeals officer(s), coordinator(s), and advisor(s) must all be different officials.

### **ARTICLE VII: APPEALS**

A. A decision reached by the hearing body or a sanction imposed by the Conduct Authority may be appealed by the respondent(s) or complainant(s). In cases under the Power-based Violence & Sexual Misconduct Policy that could include acts of violence and harassment (e.g. such as sexual assault, rape, physical assault, hazing, sexual harassment, and stalking) please refer to the Sexual Misconduct Appeal policy for further details. A conduct appeal must be directed to the Vice President for Student Affairs or their designee within ten (10) business days of being notified of the decision. If the student is notified of the decision by letter, the student has ten (10) business days from the draft date of the letter to make an appeal. Such appeals shall be in writing and shall be delivered to the Vice President for Student Affairs and/or Chief

Conduct Officer or their designee. The rendered sanction is in effect as of the date identified on the sanction letter, or until an appeal is granted. The Vice President for Student Affairs or their designee may choose to suspend the outcome of a hearing while the appeal is being reviewed. Generally, a time set for an appeal response will be no more than ten (10) business days after the student has delivered the appeal. However, time limits for an appeal response may be extended at the discretion of the Vice President for Student Affairs or designee.

1. Appeals of decisions and/or sanctions involving individuals or student organizations must be submitted to the Vice President for Student Affairs.

2. A student may appeal the decision of the Vice President for Student Affairs to the President of the University or designee if the sanction is one of suspension from the University for a period of one academic year, or if the sanction is of greater severity. For appeals regarding less severe sanctions, the final appeal shall be at the Vice President for Student Affairs level.

3. A student may appeal the decision of the University President to the Board of Supervisors for the University of Louisiana System if the sanction is one of suspension from the University for a period of one academic year, or if the sanction is of greater severity. For appeals regarding less severe sanctions, the final appeal shall be at the University level. If the student chooses to appeal to the Board of Supervisors after all administrative procedures have been exhausted at the University level, the appeal must be submitted to the President of the University of Louisiana System which refers the appeal to the Board of Supervisors for the University of Louisiana System. The appeal must be made within 30 calendar days of the University's decision. The Board's review is limited to a determination of compliance with established and appropriate procedures at the University level. The student shall be notified of the Board's decision through electronic means or written correspondence.

B. Except as required to explain the basis of new information, an appeal at the University level may be limited to a review of the written statement by the party requesting the appeal and/or written documents pertaining to the case. The scope of review shall be limited to consideration of the following questions:

1. Whether the discipline process was conducted fairly, without bias, and in conformity with the properly prescribed procedures;

2. Whether new evidence, contradictory evidence, and evidence that the student was not afforded due process;

3. Whether to consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing; or

4. Whether the sanction or remedy imposed was in due proportion to the gravity and nature of the conduct. (Submit documentation outlining how the sanction (s) was/were excessive or extreme for the violation(s) for which you were found responsible.)

C. If an appeal is upheld in cases involving appeals by students who have been found to have breached the Student Code of Conduct, the President and Vice President for Student Affairs or their designee may either:

1. Reduce, change, or dismiss the sanctions of the hearing body; or

2. Remand the case to a new hearing body although nothing shall prevent the same Student Conduct Advisor from serving as advisor to this new hearing body.

D. It is important for students who file grievances with the University of Louisiana System Board of Supervisors to understand the following:

1. The Board of Supervisors does not consider appeals for academic matters, but only matters pertaining to appeals of university rulings on conduct;

2. The Board of Supervisors conducts reviews of student appeals via materials provided by the student grievance and the university;

3. Review by the Board of Supervisors consists of an exhaustive examination of procedures followed by the university in regard to due process and not the specific details of the grievance matter; and
  4. The University of Louisiana System student grievance process does not provide the benefit of a hearing by the student directly to the Board of Supervisors.
- E. It is important for students and student organizations who file an appeal at the University level to understand that imposed sanction(s) from the hearing outcome are in effect until further notice.

## **Article VIII: Students in Mental Health Crisis**

### **Mental Health Emergencies**

1. Contact University Police upon observing or becoming aware of a mental health crisis. Give the location of the individual's condition to the police officer/dispatcher.
2. Follow the directions as given by the officer/dispatcher.
3. University Police, upon notification of a mental health crisis, will act as appropriate to:
  - a. Instruct the caller what to do;
  - b. Dispatch officer(s) to the scene;
  - c. Contact the ambulance/medical facility; and
  - d. Contact University administrators:
    - University Counseling Center person on call
    - Contact the Dean of Students
      - o Notification: If a student poses an imminent risk of harm including danger to self, danger to others, or gravely disabled, the University must notify the student's parent, guardian, or identified emergency contact.

### **Mental Health Assessment/Evaluation**

The student may be recommended and/or required to complete a Mental Health Assessment/Evaluation to assist in the student's readiness to return to the University regarding behaviors that violate the Student Code of Conduct. To obtain a copy of the Mental Health Assessment form, visit [www.southeastern.edu/forstudents](http://www.southeastern.edu/forstudents) and forward the completed form to the Office of Student Advocacy and Accountability in person Mims Hall room 207, or by email [osaa@southeastern.edu](mailto:osaa@southeastern.edu).

## **ARTICLE IX: INTERPRETATION AND REVISION**

Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Vice President for Student Affairs, Chief Student Conduct Officer, the Assistant Director of OSAA, or their designee for final determination. The Student Code of Conduct shall be reviewed periodically under the direction of the Vice President for Student Affairs or designee.