

LSU CODE OF STUDENT CONDUCT

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Louisiana State University and Agricultural and Mechanical College
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1.0 COMMITMENT TO COMMUNITY

The LSU Commitment to Community is a document used help guide the ethos of the University community. Students are expected to exemplify the Commitment to Community in their daily lives.

Louisiana State University is an interactive community in which students, faculty, and staff together strive to pursue truth, advance learning, and uphold the highest standards of performance in an academic and social environment.

It is a community that fosters individual development and the creation of bonds that transcend the time spent within its gates.

To demonstrate my pride in LSU, as a member of its community, I will:

- accept responsibility for my actions;
- hold myself and others to the highest standards of academic, personal, and social integrity;
- practice justice, equality, and compassion in human relations;
- respect the dignity of all persons and accept individual differences;
- respect the environment and the rights and property of others and the University;
- contribute positively to the life of the campus and surrounding community;
- and use my LSU experience to be an active citizen in an international and interdependent world.

The continued success of LSU depends on the faithful commitment by each community member to these, our basic principles.

Adopted May 1995

2.0. GOVERNANCE OF THE UNIVERSITY

Louisiana State University and Agricultural and Mechanical College in Baton Rouge (LSU) has been established by the Constitution and laws of the State of Louisiana to serve the needs of its citizens. Under the provisions of Article VIII of the Constitution of Louisiana, and Louisiana Revised Statutes 17:3351, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College has the authority to exercise all powers to direct, control, supervise, and manage all institutions of higher learning under its control, which includes Louisiana State University and Agricultural and Mechanical College. The disciplinary powers of the University are derived from the provisions of Louisiana Revised

Statutes 17:3351 that grant to the Board of Supervisors the specific power to ". . . adopt, amend, or repeal rules and regulations for the government and discipline of students."

3.0. STATEMENT OF POLICY

3.1 General Rights and Responsibilities

All students are to be familiar with the LSU Code of Student Conduct, hereto referred to as "the Code", found at <http://www.lsu.edu/saa/>. Students are bound by the Code, as well as all University Policy Statements and Permanent Memoranda, and must abide by the policies or receive University sanctions for violations of the Code.

3.2 Purpose of the LSU Code of Student Conduct

The proper use of the University's disciplinary power is to promote the academic environment of the campus, and to safeguard the health and safety of all members of the University community, and to protect university property.

The University has the legal right to establish standards for academic and personal conduct, for membership and continued membership in the University community, to deny membership to those applicants who do not meet these standards, and to impose sanctions on students who are found in violation of these standards. The rules of evidence applicable to civil and criminal cases shall not apply to University conduct proceedings.

Being held accountable for one's actions is an essential part of the educational process, and the University conduct system strives to foster self reflection and an understanding of the connection between one's actions and the subsequent consequences.

Counseling of students is one component of the educational process. The University has long held that the counseling involved in student conduct is an integral part of the University's overall effort to accomplish its educational objectives. The effectiveness of such counseling is largely dependent upon cooperation by the student.

Within the Office of the Dean of Students, Student Advocacy and Accountability is responsible for administering the Code. Student Advocacy and Accountability cannot make public comment on any individual's case, as per the Family Educational Rights and Protection Act (or FERPA, see <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>). However, in limited circumstances, as required by FERPA, information relative to sanctions may be disclosed.

Faculty and staff are required to follow the procedures outlined in this Code when they become aware of behavior that may violate the standards of conduct listed herein.

4.0. DEFINITIONS

The listed terms and phrases are defined as follows:

4.1. Academic Misconduct

“Academic Misconduct” shall mean cheating, plagiarism, collusion, falsifying academic records, and all other actions which are described in Section 8.1.C. or any act or other form of academic dishonesty or omission designed to give an unfair academic advantage to the student.

4.2 Accountability Action Form (AAF)

The document that identifies what sanctions have been assigned to the student in the Administrative Meeting with a Student Advocacy and Accountability Official.

4.3 Administrative Decision

The official finding by a Student Advocacy and Accountability Official either a.) Dismissing the charges against a Charged Student; or b.) Determining that the Charged Student is Responsible for the violation(s).

4.4 Administrative Meeting

An opportunity in which the Charged Student will discuss the charge with a Student Advocacy and Accountability Official, who will determine if there is information indicating that the violation was more likely than not to have occurred, and if so, determine if the student is Responsible for the alleged violation(s).

4.5 Alternate Hearing Panel

The panel that may be used to consider violent offenses in Section 7.5.B. The panel will consist of three (3) members (with faculty, staff, or students) of the University Hearing Panel Pool, chosen by Student Advocacy and Accountability.

4.6 Board of Supervisors

The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

4.7 Campus

Campus shall mean all land, buildings, and facilities in the possession of, owned, used, or controlled by Louisiana State University and A&M College (herein “University”), including land leased to others, all student housing units owned and maintained by the University, and all streets, alleys, sidewalks, and public ways abutting any land of the University or the land upon which a student housing unit is located even when it is not owned by the University.

4.8 Chairperson of the Committee on Student Conduct

The Vice Chancellor for Student Life serves as the Chairperson for the Committee on Student Conduct. "Vice Chancellor" refers to the person holding the position of "Vice Chancellor for Student Life." The Vice Chancellor may delegate the authority to perform any of the duties assigned to him or her in this Code.

4.9 Chairperson of a University Hearing Panel

The Chairperson of a University Hearing Panel is that person designated under the provisions of Sections 5.2 E of this Code to chair a University Hearing Panel.

4.10 Chancellor

The term "Chancellor" refers to the Chancellor of Louisiana State University and Agricultural and Mechanical College. The Chancellor may delegate the authority to perform any of the duties assigned to him or her in this Code.

4.11 Character Witness

Someone who did not observe the incident(s) in question, but who comments on the general behavior and attitude of the student(s) involved.

4.12 Charge Letter

The document sent to a Charged Student setting forth the allegations of misconduct based on the Code.

4.13 Charged Student

A student who has been charged with an alleged violation of the LSU Code of Student Conduct. The use of the term "Charged Student" is not intended to prevent the university from implementing Policy Statements which apply all or part of the Code to Registered Student Organizations or other persons enrolled in University programs.

4.14 Code

The LSU Code of Student Conduct

4.15 Dean of Students

The term "Dean of Students" or "the Dean" refers to the person holding that position. The Dean may delegate the authority to perform any of the duties assigned to him or her in this Code.

4.16 Material Observer

This is a person who was at the scene of an alleged violation of the LSU Code of Student Conduct and was not directly involved with the incident in question, but who was able to see or hear information that would be relevant to the allegation. A Material Observer is someone who has firsthand knowledge of the events in question.

4.17 Non Academic Misconduct

Those charges listed in Section 8.2 of the Code, or those Violations of the Code of Student Conduct that do not involve an academic violation listed in Section 8.1.

4.18 Not Responsible

When a Charged Student has been found not to have violated the Code.

4.19 Office of the Dean of Students

The office that hosts the Dean of Students and the supporting staff.

4.20 Referral

A formal allegation against a University student submitted to Student Advocacy and Accountability.

4.21 Reporting Party

The term used for the individual who makes a Referral to Student Advocacy and Accountability.

4.22 Responsible/Responsibility

Any instance in which a University Student has been found to be in violation of the Code.

4.23 Semester

"Semester" refers to either the fall or the spring semester. The summer term, winter semester, spring intersession, and summer Intersession are not regular semesters.

4.24 Sexual Misconduct

Sexual contact without consent, including violence of a sexual nature, the use of threats, isolation, emotional abuse, sexual abuse, or economic control to intimidate, harass, verbally abuse, or control a past or present stranger, non stranger, or acquaintance to pressure the person to have sexual contact. This is further explained in Section 8.2.B.25.

4.25 Student

Any member of the University community admitted, currently enrolled, or scheduled to be enrolled in classes, full time or part time, at the University. This includes all undergraduate or graduate students, as well as Distance Learning and Continuing Education students, but not including LSU Laboratory School Students. This definition will also include:

- Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the University, such as completion of academic work from a prior term.
- Any person enrolled at the time of the alleged misconduct, including visiting and Distance Education students, shall also be considered a Student.

4.26 Student Advocacy and Accountability

The office that is responsible for the administration and implementation of the LSU Code of Student Conduct.

4.27 Student Advocacy and Accountability Official (or SAA Official)

SAA Official shall mean those University officials, authorized by the Dean of Students, to review a Referral, make a determination if a violation occurred based on the standard provided in the Code, and if a violation occurred, impose sanctions upon students found to be in violation of the Code. An SAA Official will be responsible for presenting a case to the University Hearing Panel/Alternative Hearing Panel.

4.28 Weapon

Weapon shall mean any firearm, facsimile weapon, knife, bludgeon, or other device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or intended to be used is capable of producing bodily injury or death. Possession, selling, or use of firearms or guns (including BB, airsoft, and paintball guns), ammunition, explosives, fireworks, weapons, or facsimile weapons, or the use of any item as a weapon, in or on any University property or while attending any university activity or event in a manner that may endanger the health and safety of others, or are intended to terrorize or incite fear in others, or in any manner that is a violation of law.

4.29 Writing/Written

Any form of written communication, including but not limited to email, which is sent to a person from Student Advocacy and Accountability.

4.30 University
Louisiana State University and Agricultural and Mechanical College.

4.31 University Hearing Panel
The body of individuals which will hear cases if, and when, a Student has rejected the Administrative Decision made by the SAA Official. Details regarding the composition are set forth in Sections 5.2 and 7.6.

4.32 Vice Chancellor for Student Life or Vice Chancellor
The person holding the position of Vice Chancellor for Student Life at the University.

5.0. ADMINISTRATIVE PROCEDURES AND JURISDICTION

5.1. Membership of the Code of Student Conduct Committee

A. Duties of the Code of Student Conduct Committee

1. Upon request by the Dean of Students, Vice Chancellor for Student Life, Provost, or Chancellor to periodically review the provisions of the Code and recommend changes to the Office of the Chancellor, when such changes are deemed in the best interest of the University.
2. Serving on the Committee does not prohibit one from serving on University Hearing Panels.

B. The Code of Student Conduct Committee shall be comprised of the following 27 members:

- 8 representatives from the academic colleges and schools appointed by the appropriate Dean, with the concurrence of the Chancellor, for a three-year term;
- 8 students (4 recommended by Student Government, 4 recommended by the Director of Student Advocacy and Accountability or designee) appointed annually by the Chancellor upon the recommendation of Student Advocacy and Accountability;
- 5 faculty appointed by the Chancellor for 3 year terms;
- 3 administrative/staff members one each from Athletics, Residence Life, and Continuing Education, appointed by the Chancellor for three-year terms;
- one faculty/staff member appointed annually by the Chancellor upon the recommendation of the Faculty Senate Executive Committee;
- the Dean of Students; and
- the Vice Chancellor for Student Life, who shall chair the committee.

Any 14 of the 27 members shall constitute a quorum and thereby can conduct University business. No member of the Committee on Student Conduct shall serve by proxy.

5.2. University Hearing Panel Members

A. Faculty and Staff Members of the University Hearing Panel Pool

1. 42 faculty and staff members shall be appointed by the Chancellor to the University Hearing Panel Pool.
2. Appointments of faculty and staff members to the University Hearing Panel Pool shall be for a staggered three-year period. The Faculty and Staff members may be reappointed for additional terms.

3. The purpose of these appointments is to provide an established source of faculty and staff members to serve on University Hearing Panels.

B. Student Members of the University Hearing Panel Pool

Student Advocacy and Accountability and Student Government will recruit and screen potential Student University Hearing Panel candidates and submit a list of qualified candidates to the Dean of Students. The Dean of Students will review the selections to insure an appropriate representation of the student body, and forward the names of 42 approved Students to the Chancellor. Forty two Student members shall be appointed annually for 1 year terms by the Chancellor. The Student members may be reappointed for additional terms. Members of the University Hearing Panel shall not be on any type of probation or deferred suspension.

C. Duties of the University Hearing Panel

To serve on Code of Student Conduct University Hearing Panels and hear cases of alleged misconduct.

D. Replacing Members of the University Hearing Panel Pool

Any faculty, staff, or Student member of the University Hearing Panel Pool who cannot serve or who no longer qualifies may be replaced by a member appointed by the Chancellor.

E. University Hearing Panel Chairs

University Hearing Panel Chairs must have participated in at least three hearings, consisting of at least one Academic and one Non Academic Misconduct matter, prior to serving as a chair.

5.3 Applicable Jurisdiction Locations and Situations in which the Code Applies

In addition to Section 8.2A, University accountability for a violation of this Code shall be taken only for conduct by a Student that takes place in the following areas or situations:

- A. The Campus;
- B. University-sponsored activities, away from the Campus;
- C. Functions of University-sponsored organizations away from Campus including LSU Study Abroad Programs and or Registered Student Organizations;
- D. Fraternity and sorority property, including other locations which a reasonable person would conclude is a chapter residence or facility;
- E. Property in the possession of, owned, or controlled by the Board of Supervisors, including, but not limited to other institutions and campuses in the Board of Supervisors system;
- F. Events, sponsored or informal;
- G. Distance learning courses.

6.0. RIGHTS

6.1 Rights for a Student Charged with Misconduct

A Student charged with Academic or Non Academic misconduct shall have the following rights:

- A. To be notified in writing of the specific charge(s).

- B. To be provided a reasonable amount time to prepare a response to such charge(s), which is typically interpreted to be at least three **(3) class days** from the time of receipt of the written charge. Circumstances may justify a longer or shorter period of time.
- C. To have the charge(s) considered by a University Hearing Panel. The Charged Student can accept the Administrative Decision and sanctions determined by the SAA Official through an Administrative Meeting.
- D. To review the information on which the charge(s) are based.

In a University Hearing Panel, if Writings or documents are to be introduced as information, the Charged Student has a right to inspect copies of these Writings and documents after the University Hearing Panel is scheduled and at least 24 hours prior to convening the University Hearing Panel. The Charged Student is also entitled to a list of the Material Observers or other witnesses who will provide information at least 24 hours in advance of the hearing. It is the Charged Student's responsibility to request and collect this information from Student Advocacy and Accountability. A Charged Student may also bring Character Witnesses; however, they may speak only if a Charged Student is found to be Responsible for a Code violation. At that point, the Character Witnesses may provide information the University Hearing Panel can consider for sanctioning.

At least 24 hours in advance of the University Hearing Panel, the Charged Student must provide Student Advocacy and Accountability a list of Material Observers who will provide information on his or her behalf and the general nature of their testimony. The Charged Student must provide for inspection by SAA any documents he or she intends to introduce at the hearing 24 hours in advance of the hearing. The Charged Student may request the assistance of the Student Advocacy and Accountability Official in obtaining needed information if he or she is unable to obtain it.

- E. To petition for a separate hearing before a University Hearing Panel. When two or more Students are charged with the same or related violations as a result of the same circumstances, they will typically be heard together.

However, one or more of the Charged Students may make a written request for a separate University Hearing Panel within 48 hours of the University Hearing Panel. The decision on a separate hearing will be made by the Dean of Students (or designee) based on the merits of each situation. Thus, the written request should show why a separate hearing is necessary to assure the Charged Student of his or her process rights under this Code.

In the event one of the Charged Students wishes to accept Responsibility and the Administrative Decision and the other Student wishes to be heard before a University Hearing Panel, no Written request is necessary. Information from the Accused Student who accepted Responsibility administratively is admissible in the University Hearing Panel. The Charged Student who has accepted Responsibility may also serve as a witness to the proceedings and/or provide a written statement to the University Hearing Panel.

- F. To retain all rights as a University Student while the charges are being considered, and, if found responsible, until he or she has exhausted his or her rights of appeal as established in this Code, except as provided by Sections 9.2. and 11.0 of this Code.
- G. To appeal decisions of the University Hearing Panels in accordance with Section 10.0 of this Code.
- H. To request assistance from the Dean of Students and Student Advocacy and Accountability in bringing Students or University employees of his or her choice to the University Hearing Panel to serve as witnesses on his or her behalf.
- I. All University Hearing Panels are confidential. The only individuals allowed into the University Hearing Panel are the Charged Student(s), the Complainant(s), the Material Observer(s), the Character Witness(es), and the Adviser for each Charged Student, the college representative(s), the voting and non voting University Hearing Panel Members, the SAA Official(s), and those individuals that accompany Students pursuant to Section 6.7.A.

6.2 Nondiscriminatory Application of Disciplinary Procedures - Regulations affecting the conduct of students and sanctions for misconduct by students shall be based on the general principle of equal treatment without regard to race, creed, color, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability, or veteran's status.

6.3 Implementation of Rights - The Code is the University's basic policy statement governing Student conduct and Student accountability. No disciplinary sanction listed in this Code shall be imposed upon a Student except in accordance with the provisions of this Code.

6.4 Advisor – A Student has the right to an Advisor during the Administrative Meeting or the University Hearing Panel in accordance with Section 6.7A below. The Advisor may not address the University Hearing Panel or examine or cross-examine witnesses. The Advisor's sole function during a University Hearing Panel shall be to assist the Student in preparing his or her presentation before the University Hearing Panel. The Advisor is not to act as a spokesperson for the Student; the Advisor must limit his or her activities to advising the student. In addition to an Advisor, the Student may be accompanied by not more than two other persons. These other persons have no official status before the University Hearing Panel and merely may observe the proceedings.

6.5 Unjust Process - A Student who has reason to believe he or she is being unjustly accused, disciplined, or threatened with discipline by a University employee without the full protection offered by the Code should immediately contact the Office of the Dean of Students for clarification of his or her rights under this Code. If the Student alleges the Dean of Students is involved, the person should contact the Vice Chancellor for Student Life.

6.6. Rights of a Charged Student During the Administrative Meeting - A Student in an Administrative Meeting shall have the following rights:

- A. To be given written notification of the charges prior to the meeting.

- B. To appear alone or to be accompanied by an adviser.
- C. To refuse to answer any questions; provided, however, statements made by the Charged Student at any point may be admitted as information at any proceeding under this Code.
- D. To have sanctions imposed that are commensurate with the violation.
- E. To accept the Administrative Decision and the sanctions imposed, while waiving the right to have the charge considered by a University Hearing Panel.

6.7 Additional Rights of a Charged Student During a University Hearing Panel -

Students charged with misconduct and who are appearing before a University Hearing Panel shall have the following rights in addition to the rights that exist during the Administrative Meeting:

- A. To appear alone or with one other person of his or her choice to advise and assist him or her at the hearing.
- B. To request, that a member or members of a University Hearing Panel be excluded from the University Hearing Panel. The student must make the request immediately after the introduction of the members of the University Hearing Panel. The decision to exclude the University Hearing Panel member shall be at the sole discretion of the Chairperson. If the Chairperson is the one in question, the decision will rest with the SAA Official. If a University Hearing Panel member believes he or she is unable to render a fair and impartial decision, the member will recue him or herself from participating in the hearing.
- C. To be presumed “Not Responsible” until found to be in violation of the Code and to have the University Hearing Panel base its factual findings solely on the information presented during the hearing and on a determination that the described conduct was more likely than not a violation of the Code of Student Conduct.
- D. To present information on his or her own behalf.
- E. To refuse to comment or answer any questions. This right will not prohibit the University from proceeding with charges while actual or potential criminal or civil charges against the Charged Student are pending.
- F. To conduct reasonable questioning of the witnesses appearing at the hearing and giving statements. Whenever possible, witnesses will be used to present oral instead of written statements. Depositions, statements, previously written memoranda, letters, and/or other written materials may be introduced at a hearing even though the writer is not present and cross-examination was not possible at the time the deposition or written statement was prepared.
- G. To have prior violations of the Code excluded from review or consideration during the University Hearing Panel's determination of Responsibility for the present charge, unless it is presented to directly rebut false claims by the Student that he or she has not previously engaged in similar behavior. If a Charged Student is found Responsible, such information of prior violations must be admitted when the University Hearing Panel is deliberating on the sanction to be imposed.

6.8. Rights of a Charged Student Found in Violation of the Code for University Hearing Panel Decisions - A Student who is found Responsible for misconduct shall have the right:

- A. The right to an Appeal as detailed in Section 10.0.
- B. To have sanctions imposed that are commensurate with the violation.
- C. To have access to or to request a recording of the University Hearing Panel. Only the University may record the University Hearing Panel proceedings. The deliberations of Responsibility and sanctioning are not recorded. The Student must request in writing that a copy of the recording be made and state in the request that the purpose is for filing an appeal, and that the Student assumes full responsibility for abiding by the purposes for record usage outlined in or his or her request. The copy of the recording will be prepared at the Student's expense.

6.9 Proceeding in Absentia

If a Charged Student is not present for the Administrative Meeting, holds may be placed on the students accounts and the Student may be charged with 8.2.B.5 Delay or abuse of SAA process.

- A. The University Hearing Panel may proceed without the Charged Student in attendance.
- B. If the Dean of Students determines that the student's failure to appear was due to exceptionally compelling circumstances, the Dean of Students may require that a new University Hearing Panel be scheduled.

6.10. Rights of Alleged Victim

- A. To the extent allowed by Family Educational Rights and Privacy Act (FERPA), the alleged victim of any act(s) of violence will be notified of the outcome for that hearing.
- B. For safety purposes, and in order to participate in an Administrative Meeting or University Hearing Panel, the Reporting Party may, at a University Hearing Panel, use conference call, a written statement, video/recording, closed circuit television, screen or other measure to protect his or her safety.
- C. Impact Statements – The Alleged Victim is entitled to submit a written or verbal statement for consideration by the SAA Official or University Hearing Panel during the sanctioning phase of the Hearing.

7.0 ACCOUNTABILITY PROCEDURES

7.1 Initiation of Accountability Process:

- A. Reporting Party** - Any member of the University faculty, staff, student body, or a community member may file a written misconduct complaint (defined as a Referral) against a student alleging misconduct under the Code. Referrals shall be filed with Student Advocacy and Accountability.

An instructor, staff member, student or any other person who has a reasonable basis to believe that a student may have committed a violation of this Code shall present this information to Student Advocacy and Accountability. This presentation should be in writing and the Complainant should sign the Referral and provide his or her contact information; however, the initial contact may be in person or by telephone, but must be followed by a written presentation within a reasonable time period. In addition, official reports from LSUPD, Residential Life, any University department, and other police entities will also be accepted.

The SAA Official may discuss the circumstances and information surrounding the alleged violation with the person providing the information as needed and may advise that person on actions that may be taken under this Code.

Upon receiving information that a Student has allegedly violated the Code, an SAA Official may investigate the alleged misconduct.

- B. Duty of SAA Official** - If the SAA Official determines, based on the information presented, that the violation more likely than not occurred and that the misconduct alleged in a Referral warrants the institution of disciplinary proceedings, he or she shall ensure compliance with these disciplinary procedures.
- C. Disqualification of SAA Official** - In the event the SAA Official may be a Material Observer in any Accountability Proceeding or for any reason cannot perform his or her duties under these Accountability Procedures, the Dean of Students shall appoint an acting SAA Official to perform such duties.

7.2. Charging a Student with a Violation of this Code

After reviewing all the information supporting the alleged violation, the SAA Official may discuss the allegations with the Student(s) involved. The SAA Official may choose to defer the matter for additional investigation. If there is significant information to justify action, the Student will be informed that the University is bringing formal charges under the Code.

7.3 Requiring a Student to Meet

- A. The SAA Official may require a student to meet in connection with an alleged violation by sending an email to the student's listed address.
- B. The SAA Official may prohibit and/or cancel the enrollment, place a hold on the Charged Student's records, or proceed to an Administrative Meeting or a University Hearing Panel (in accordance with Section 7.4. and 7.5) when a student fails without good cause to comply with an email sent under Section 7.2. An email sent to the student, as listed in the Registrar's records, shall constitute full and adequate notice. The failure of a Student to read or open the email shall not constitute good cause for failure to comply with the summons. The modification to the Student's enrollment status may be lifted at the discretion of the SAA Official when the student responds to the summons as requested.

7.4. Administration of Charges

- A. **Review of Referral** - The SAA Official shall make a preliminary review of each Referral to determine if it has merit. Based on the preliminary review, the SAA Official may decide on one of four courses of action:
1. Dismiss the Referral;
 2. Request to meet the Charged Student and propose a possible Administrative Meeting, Administrative Decision, and sanction to the Student;
 3. Initiate an Accountability proceeding before a University Hearing Panel; and/or
 4. Hold the complaint for further investigation.
 5. The SAA Official may decline the Charged Student's request for an Administrative Decision and refer the alleged violation to a University Hearing Panel.
- B. For the matter to be resolved administratively, the Student must agree to accept the recommendation of the SAA Official by doing the following:
1. Accept Responsibility for his or her actions, in writing, by declining to contest the specific charge(s); and
 2. Waive his or her right to have the charge considered by a University Hearing Panel; and
 3. If a Charged Student declines the SAA Administrative Decision, the matter will be referred to a University Hearing Panel.
- C. In cases of misconduct, the Reporting Party may make a recommendation regarding the sanction. Reporting Parties are encouraged to contact the Dean of Students for consultation regarding appropriate sanctions. If the recommended sanction is not consistent with other cases involving similar circumstances, the Dean of Students may make reasonable efforts to confer with the Reporting Party before issuing a sanction. The Dean of Students will send notification of the sanction to the Reporting Party after the case is resolved for violent offences and for academic integrity violations.

7.5. Referral to a University Hearing Panel

- A. If a Charged Student declines the SAA Administrative Decision, the matter will be referred to a University Hearing Panel. As stated in 7.4A, the SAA Official may decline the Charged Student's request for an Administrative Decision and refer the alleged violation to a University Hearing Panel.
- B. In cases where a student is charged with violent acts, including all forms of sexual misconduct, assault, and intimidation/stalking, the SAA Official may refer the charges to an Alternative Hearing Panel.
1. The Alternate Hearing Panel shall consist of three members. The Alternate Hearing Panel shall be chosen in the same manner as University Hearing Panel members.
 2. Both the Charged Student and the Reporting Party will have the option of obtaining an Advisor of their choice.
 3. Appropriate means may be utilized to protect the safety and security of the Charged Student(s) and the Reporting Party(s)
 4. Impact statements from the Reporting Party and/or Alleged Victim may be used at the point of sanctioning to describe how the alleged incident has affected his or her life.

7.6. Structure of a University Hearing Panel

- A. University Hearing Panels hear cases of alleged violations under this Code referred by the Dean of Students or designee.
- B. Five voting members of the University Hearing Panel shall constitute a quorum; one of the five members must be a student and one must be the Chairperson.
- C. The University Hearing Panel can be composed of up to seven of the voting members.
- D. When, in the judgment of the SAA Official, the subject matter of a proceeding makes it advisable to have the services of persons with special knowledge or technical expertise, the Vice Chancellor for Student Life may appoint such persons to serve as nonvoting members of the Panel. This person should only act as a resource and should not ask questions of the University Hearing Panel, the Charged Student, or the Reporting Parties.
- E. In cases involving academic misconduct, the Dean (or designee) of the college in which the student is enrolled shall bring to the hearing the student's complete academic record as maintained by the college. This Dean or designee shall serve as a nonvoting member of the University Hearing Panel and will be available to provide relevant information during the hearing. This person should only act as a resource and should not ask questions of the University Hearing Panel, the Charged Student, or the Reporting Parties.

7.7. University Hearing Panel Procedures

- A. A Charged Student will be notified in writing via email or at his or her address of record or by hand delivery of the time, date, and place of the University Hearing Panel.
- B. If the student fails to appear, will be deemed to have forfeited his or her right to respond before a University Hearing Panel.
- C. The chairperson of a University Hearing is charged with the responsibility to conduct the Hearing in a manner that will protect:
 - 1. The rights of the Charged Student(s) to receive notice and an opportunity to be heard;
 - 2. The rights of all witnesses;
 - 3. The rights of all University Hearing Panel members;
 - 4. The rights and prerogatives of the University.
- D. The chairperson of the University Hearing Panel shall:
 - 1. Direct participants to make questions, testimony, and comments relevant to the charges being brought before the University Hearing Panel and reserve the right to redirect discussions that may digress from the actual charges being considered.
 - 2. Read and clarify the charge(s) in cases brought before University Hearing Panels.
- E. The SAA Official is responsible for coordinating the presentation of information that supports the charge(s).

- F. A decision by the University Hearing Panel to find the Charged Student in violation of this Code shall be based solely on the information presented at the hearing.
- G. Past violation(s) may not be introduced as information (except as allowed for in Section 6.7.1) or considered in the deliberation of responsibility for the violation. If the Charged Student is found Responsible for the violation, records of past violations will be introduced by the SAA Official or University Hearing Panel chairperson and will be considered by the University Hearing Panel in determining sanctions.
- H. The University Hearing Panel may elect to not hear non Material Observers
- I. Hearsay is admissible.
- J. If new information is presented during the University Hearing Panel, charges may be added.
- K. A simple majority vote of the University Hearing Panel members present is required to find a student in violation of this Code.
- L. All violations must be supported by substantial information.

7.8. Imposing Sanctions

The Student will receive Written notice from Student Advocacy and Accountability detailing the sanctions imposed and the specific conditions required for successful sanction completion.

Conditions may be placed on the Student's enrollment or ability to re-enroll after suspension or expulsion.

7.9. Maintaining Records

- A. Student Accountability cases and records are confidential records of the University and are maintained by the Office of the Dean of Students. Consistent with the Family Educational Rights and Privacy Act (FERPA) of 1974, a student may review and examine his or her disciplinary records. However, these records are generally not available to persons outside the University except in accordance with state and federal law. Materials within the Student's accountability record will not be provided to University Personnel outside of the Office of the Dean of Students unless they have an educational need to know. University personnel or University legal counsel may have access to the disciplinary records of individual students only if such information is needed in the performance of duties assigned to that person.
- B. Files for violent offences, suspensions, and expulsions are kept indefinitely. All other files are maintained for seven years after the incident's resolution.
- C. Academic Misconduct, Deferred Suspension, or any Accountability action that separates the Student from the University is recorded on the Student's official academic transcript maintained in the Office the University Registrar. At the end of the period of suspension or probation, the Student may petition the Dean of Students in writing to have this notation removed from his or her academic transcript. At the discretion of the Dean of Students, this notation will be removed from the academic transcript; however, the disciplinary record maintained in the Office of the Dean of Students will remain except as provided in Section 7.9.D. A notation of permanent expulsion from the University is never removed from a Student's official academic transcript. A student may

petition for expungement of his or her disciplinary records 10 years after a non-suspendable, violent, or expulsion offence. Suspendable, Violent, and expellable offenses are retained indefinitely.

D. Warning probation is not recorded on the academic transcript.

8.0. MISCONDUCT

8.1. Academic Misconduct

A. High standards of academic integrity are crucial for the University to fulfill its educational mission. To uphold these standards, procedures have been established to address academic misconduct.

As a guiding principle, the University expects Students to model the principles outlined in the University Commitment to Community, especially as it pertains to accepting responsibility for their actions and holding themselves and others to the highest standards of performance in an academic environment. For example, LSU students are responsible for submitting work for evaluation that reflects their individual performance and should not assume any assignment given by any professor is a “group” effort or work **unless specifically noted on the assignment**. In all other cases, students must assume the work is to be done **independently**. If the student has a question regarding the instructor’s expectations for individual assignments, projects, tests, or other items submitted for a grade, it is the student’s responsibility to seek clarification.

Any Student found to have committed or to have attempted to commit Academic Misconduct is subject to the disciplinary sanctions set forth in Section 9.0.

- B. An instructor may not assign a disciplinary grade, such as an "F" or zero on an assignment, test, examination, or course as a sanction for admitted or suspected Academic Misconduct in lieu of formally charging the student with Academic Misconduct under the provisions of this Code. All grades assigned as a result of accountability action must be approved by the Dean of Students or designee.
- C. To protect the University's educational purposes and the University community, a Student may be formally charged with a violation of this Code and be subject to the sanctions herein for the following acts or omissions:
1. Assisting with copying - Allowing another Student to copy from a test paper or assignment;
 2. Collaboration - Unauthorized interaction during a quiz/test, take home exam, or any other assignment with any other person by giving, receiving, or otherwise sharing information without prior approval of the instructor;
 3. Collusion - Speaking to another person in a testing environment without the consent of the person proctoring the exam/test/quiz/assignment;
 4. Copying - Copying from another student's test paper or assignment;
 5. False pretences - Failing to thoroughly follow requirements related to the preparation and presentation of work, including group projects, submitted

for credit in a manner that results in submitting as one's own the work of another or misleading an instructor as to:

- a. The condition under which the work was prepared
 - b. Falsifying or fabricating an excuse or documentation in order to avoid or delay timely submission of academic work or delay the taking of a test or examination;
6. Plagiarism - Plagiarism is defined as the lack of citation or the unacknowledged inclusion of someone else's words, structure, ideas, or data. When a Student submits work as his/her own that includes the words, structure, ideas, or data of others, the source of this information must be acknowledged through complete, accurate, and specific references, and, if verbatim statements are included, through quotation marks as well. Failure to identify any source (including interviews, surveys, etc.), published in any medium (including on the internet) or unpublished, from which words, structure, ideas, or data have been taken, constitutes plagiarism; Plagiarism also includes:
- 6a. Falsifying or fabricating any information or citation in any academic exercise, work, speech, thesis, dissertation, test, or examination.
 - 6b. Submission of essentially the same written assignment for two courses without the prior permission of the instructors;
7. Providing unauthorized work – Unauthorized supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, computer program code, technological messages, programs, other written work, painting, drawing, sculpture, or other scholastic art work;
8. Substitution - Substituting for another student, or permitting any other person to substitute for oneself, to take a test/quiz/in class assignment;
9. Unauthorized access to test - Stealing, supplying, bribing, buying, copying, photocopying, seeing, or otherwise obtaining through unauthorized access, all or part, of a test/quiz;
10. Unauthorized entry - Unauthorized entry into a building or office for the purpose of changing a grade in a grade book/computer, a test paper, or other work for which a grade is given;
11. Unauthorized Grade change - Changing, altering, or being an accessory to changing and/or altering a grade in a grade book/computer, on a test paper, on other work for which a grade is given, on a "drop slip," or on any other academic record of the University including changing a grade on a test/quiz/assignment;
12. Unauthorized materials - Using unauthorized materials or technological devices during a quiz/test or on any assignment/project submitted for a grade. This non authorized use will include the course textbook or other materials, such as a notebook normally brought to a class meeting, but not authorized for use during a quiz/test by the person giving the quiz/test.

Having any forbidden and unauthorized material open and in sight of the student taking the test/quiz during a test/quiz will be considered the utilization of the material;

13. Unauthorized submission of original work – Submitting as one’s own, in fulfillment of academic requirements, any work such as, but not limited to, a theme, report, term paper, essay, computer program code, other written work, painting, drawing, sculpture, or other scholastic art work prepared totally or in part by another;
 14. Violating any applicable professional code of ethics or conduct while enrolled in a course of study designed to qualify the Student for certification in a profession or while in the course or scope or any required practicum or clinical experience;
 15. Attempting to commit, or assisting someone in the commission or attempted commission of an offense listed above.
- D. No Student may drop a course to avoid the academic impact of an academic misconduct sanction. All Students who drop the course under such circumstances will be re-enrolled in the class and then given the appropriate grade post sanction.
- E. Other Academic Misconduct - Academic units and members of the faculty may prescribe and give Students prior written notice of additional standards of conduct for academic integrity in a particular course or setting. A violation of such a standard will be considered Academic Misconduct.

8.2. Non-Academic Misconduct

- A. On or off-campus behavior - To protect the University's educational purposes and the University community, a Student may be formally charged with a violation of this Code and be subject to the sanctions herein for acts or omissions that occur on or off-campus when, as a result of conduct, the Student is:
1. Convicted of a felony in a state or federal court;
 2. Formally charged by civil authorities with the commission of a crime of such nature that the student's continued presence at the University potentially threatens the property, health, safety, or well being of members of the University community;
 3. Believed by the Dean or designee to have committed a crime of such nature that his or her continued presence at the University potentially threatens the property, health, safety, or well being of the University community, but civil authorities have not brought charges or imposed penalties;
 4. The subject of an agency arrest, including being charged with a misdemeanor offense;
 5. Believed by the Dean or designee to have committed any act of violence that, by its very nature, indicates the individual might present a threat to the security and safety of the University community;
 6. Believed by the Dean or designee to have committed any acts of violence or harassment, perpetrated by a student upon one or more other members of the University community. Physical abuse (including threats of) stalking, sexual

assault, dangerous conduct, and hazing are all considered to be acts of violence;

7. Found to have committed acts which by their very nature are detrimental to the educational mission of the University;
 8. Drug violations that occur off campus;
 9. Charged by civil authorities with Driving Under the Influence or Driving While Intoxicated off campus.
- B. Misconduct Offenses – A Student may be charged with misconduct for any of the following offenses on or off campus. A Student may be charged with:
1. Alcohol related infractions: Including, but not limited to:
 - a. Unlawful or unauthorized possession, use, distribution, delivery, sale, or consumption of any alcoholic beverage on Campus or at a University activity or event;
 - b. Possession of an open container of alcohol, outside of approved sites or events, as defined in the University Policy Statements;
 - c. Public intoxication/drunken in public;
 - d. Unlicensed selling of alcohol;
 - e. Underage consumption;
 - f. Underage possession;
 - g. Consumption that endangers oneself;
 2. Any of the circumstances described in Section 8.2.A. that occur on or off campus;
 3. Arson - Any act of setting fire to an object without authorization in or on University property;
 4. Computer misuse violation –
 - a. Recklessly or maliciously interfering with, modifying, hacking, or damaging computer or network resources or computer data, files, or other information; engaging in or attempting to engage in a denial of service; Misuse of computers or computing resources; Using University resources in violation of copyright laws;
 - b. Failing to comply with laws, license agreements, and contracts governing network, software and hardware use;
 - c. Using University computing resources for illegal activities. “Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose” (Stoner & Lowery, 2004, p. 31);
 - d. Using University computing resources for unauthorized commercial purposes or personal gain;
 - e. Any violation of LSU Computer Policies;
 5. Delay/Abuse of Student Advocacy and Accountability - Abuse of University Accountability Process: Engaging in action that interferes with or obstructs the student conduct process. This includes, but is not limited to:
 - a. Failing to appear before a SAA Official or University Hearing Panel;
 - b. Failing to produce requested documents;
 - c. Providing false information to a SAA Official or a University Hearing Panel;

- d. Disrupting or interfering with the orderly conduct of any University Hearing Panel;
 - e. Attempting to discourage or coerce any person from using the procedures in this Code or from participating in any Accountability proceeding pursuant to this Code;
 - f. Filing a malicious or frivolous Referral;
 - g. Attempting to influence the impartiality of a member of a University Hearing Panel or Accountability Official;
 - h. Harassing or intimidating a member of a University Hearing Panel or Accountability Official prior to, during, or after any disciplinary proceeding;
 - i. Failing to comply with any sanction, condition, or deadline imposed under this Code;
 - j. Violating the privacy rights of any Student or University employee in regard to any disciplinary proceeding;
 - k. Influencing or attempting to influence another person to commit an abuse of disciplinary proceedings;
6. Disorderly conduct – “breaching the peace; or aiding, abetting, or procuring another person to breach the peace on the Campus or at functions sponsored by, or participated in by the University or members of the academic community” (Stoner & Lowery, 2004, p. 31).
7. Disruption –
- a. Interference with any teaching, research, administrative, disciplinary, public service, learning, programmatic, or other authorized University activity;
 - b. Throwing objects from a University facility without authorization;
8. Drug -
- a. Illegal manufacture, sale, distribution, possession, being in the presence of, or use of narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens, any other controlled substances/derivative without a legitimate prescription, and/or other similarly known drugs and/or chemicals. Having drugs in your personal vehicle and residence constitutes possession, regardless of ownership;
 - b. In the presence of illegal drug use;
 - c. Possession of controlled substance paraphernalia;
 - d. Exchange/sale/barter of illegal drugs;
 - e. Exchange/sale/barter of drug paraphernalia;
 - f. Deceptive distribution of drugs (doping);
9. Failure to comply – Failure to comply with the order or instruction of an authorized agency or agent of the University. This will include non approved fundraising on campus
10. Failure to report a crime or violation if you were present when the violation occurred;
11. False Alarm –

- a. Falsely reporting a fire or other emergency;
 - b. Falsely setting off a fire alarm or other emergency notification device;
12. False Information - Knowingly making in public a false oral statement with the intent to deceive and/or mislead or knowingly publishing and/or distributing a false written or printed statement with the intent to deceive and/or mislead, including but not limited to such action with respect to scholarship materials and applications;
13. False Threat - Falsely reporting the presence of an explosive or incendiary device or any other potentially harmful substance or activity with the intent to mislead, deceive, or disrupt the operation of the University or a scheduled event sponsored or co-sponsored or held on University property by the University;
14. Fire Equipment - Tampering with, or removing from its proper location, fire extinguishers, hoses, or other fire or emergency equipment, except when done with a reasonable belief of real need for such equipment;
15. Forgery - Forgery, alteration, or misuse of University documents, records, or identification cards; furnishing false information to the University with intent to deceive; furnishing false information to or withholding material information from any University staff member and/or any law enforcement officer acting in the course of his or her duties; possession or use of false identification, false identity, or identity of another, including drivers licenses and student identification cards;
16. Harassment –
- a. Extreme, outrageous, or persistent acts, or communication that is unwanted and what a reasonable person would conclude would harass, harm, or distress another thereby causing substantial and material disruption. This would include, but is not limited to, acts carried out by a third party at the bequest of the individual, whereby, among other things, the alleged perpetrator has hampered the ability of the alleged victim to learn and participate in the academic environment;
 - b. Intolerance, discrimination, or bias related behavior, whereby an individual or group has been targeted based upon race, creed, color, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability, or veteran's status.
 - c. Stalking – Repeated contact of another person when the contact is unwanted or nonconsensual. In these situations, contact is not wanted, either verbally or non-verbally, or through third party individuals, whether or not the conduct has caused harm or caused substantial impairment of the other person's ability to perform the activities of daily life. Contact includes, but is not limited to, communicating with (either in person, by phone, computer, or unwanted gifts) or remaining in the physical presence of the other person, pursuing or following, surveillance or other types of observation, trespassing, vandalism, or nonconsensual touching (used

with permission from Virginia Tech and Florida International University);

17. Hazing –

Participating in abusive affiliation/pledging/initiation activities. Hazing is defined as any knowing, or reckless act or activity occurring on or off campus, by one person alone or acting with others, directed against a person, that subjects that Student or Students to an unreasonable risk of physical, mental, emotional, and/or academic harm for reasons related to that Student's status at the University or for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include Students at the university.

Hazing includes, but is not limited to:

- a. Any type of physical assault, abuse, or restraint that subjects the Student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the Student;
- b. Placing of an undesirable substance in or on the body;
- c. Unapproved scavenger hunts;
- d. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity;
- e. Any activity or expectation which is so time consuming as to significantly interfere with class work, study time, or other significant obligations;
- f. Any activity involving forced consumption of food, liquid, beverages with alcohol, drug, or other substance which subjects the Student to an unreasonable risk of harm or which is unpleasant;
- g. Any activity that would subject a reasonable person to intimidation, shame, humiliation, embarrassment, or undue mental stress, including, but not limited to personal servitude, pranks, assigning or endorsing the wearing of apparel which is conspicuous and not normally in good taste, line-ups, and verbal abuse;
- h. Any forced sexual acts/misconduct; and
- i. Any activity that induces, encourages, causes, or requires the Student to engage in an activity which involves a violation of law or university policy.

The definition will include any aspect in the Louisiana State Hazing Law R.S.17:1801;

The intent of any person engaging in hazing activities or the consent or cooperation of any person who is a victim of hazing will not constitute a defense to an allegation of misconduct for hazing;

18. Health and Safety concern –

- a. Physical abuse, assault, battery, or otherwise causing physical harm or the reasonable apprehension of such harm;
- b. Conduct that endangers the health or safety of oneself (including self injurious behavior) or any Student or employee of the University, or of visitors on the campus;

- c. Assault actions or words that would cause an individual reason to fear for his or her immediate safety. Words can constitute assault when they are accompanied by the ability to inflict immediate harm;
 - d. The use of physical force against an individual;
 - e. Conduct that endangers the health or safety of other persons;
 - f. Driving on campus while intoxicated or while under the influence of drugs or alcohol;
19. Obscene behavior/Obscenities –
- a. Lewd, indecent, or obscene conduct – includes, but is not limited to, exposure of one’s sexual organs or the display of sexual behavior that would be reasonably offensive by others;
 - b. Public elimination of human waste/Public urination;
 - c. Public nudity;
 - d. Obscene graphic representation of a member of the University community;
20. Obstruction of a University official or instructor - Delaying, resisting, obstructing, or interfering with an authorized agency or agent conducting their University responsibilities;
21. Property damage - Vandalism, malicious destruction, damage, misuse or unauthorized possession of public or private property, including, but not limited to, library materials, computers, lab equipment, furniture, etc.;
22. Residential Life - Disruption of Residential Life policies and/or the violation of other Student housing rules, policies, proceedings, or regulations established and promulgated by the Department of Residential Life or by any contract entered into by the Charged Student;
23. Rioting - Rioting, inciting to riot, assembling to riot, raiding, inciting to raid, and assembling to raid;
24. Sexual harassment – Conduct of a sexual nature that creates an intimidating, hostile, or offensive campus, educational, or working environment for another person. This includes, but is not limited to unwanted, unwelcome, or inappropriate, sexual or gender based activities, comments, or gestures. Unwelcome contact or communication, written verbal or non verbal, and/or conduct of a sexually explicit nature to include any uninvited touching, fondling, kissing, and/or hugging, which would be so offensive to a reasonable person as to create a hostile environment. Sexual harassment may involve a situation where unwelcome sexual advances, request for sexual favors, and other explicit or implicit conduct of a sexual nature. Examples include unwelcome touching; persistent, unwanted sexual/romantic attention, or display of sexually oriented material; deliberate, repeated gender based humiliation or intimidation, and similar sexually oriented behavior of an intimidating or demeaning nature;
25. Sexual misconduct offences - Any sexual act that occurs, regardless of personal relationship, without the consent of the other person, or that occurs when the person is unable to give consent. This would include video

voyeurism. A person always retains the right to revoke consent at any time during sexual activities; past sexual activity does not imply ongoing future consent; silence or lack of protest does not necessarily constitute consent; if a person is threatened or physically intimidated, mentally impaired, intoxicated, or drugged, they are not able to give consent;

26. Misuse of personal transportation aides - Using skateboards, roller skates, in-line skates, scooters, bicycles, etc. on stairs, sidewalks, walls, planters, parking bumpers, curbs, other similar objects, inside buildings, to perform stunts, or in any other manner which is likely to cause damage to property, causes excessive noise, or that subjects others to risk, is prohibited;
27. Theft - Theft, attempted theft, larceny, shoplifting, embezzlement, or the temporary taking of the property of another without their authorization or possession of stolen property;
28. Trespassing - Unauthorized use or entry into any University facility or property;
29. Vehicular infractions-
 - a. Serious traffic violations such as reckless endangerment and reckless driving;
 - b. Operation on the campus of a vehicle in violation of an imposed ban;
 - c. Flagrant or repeated violation(s) of Traffic & Parking Regulations;
30. Violating a law - Committing an act or omission, or attempting to commit an act that would be in violation of city, parish, state, or federal law. This would include gambling;
31. Violating a rule of the University - Violating any rule, policy, and/or regulation of the University, including, but not limited to, administrative rules of campus offices;
32. Weapons - Possession, selling, or use of firearms or guns (including BB, airsoft, and paintball guns), ammunition, explosives, fireworks, weapons, or facsimile weapons, or the use of any item as a weapon, in or on any University property or while attending any university activity or event in a manner that may endanger the health and safety of others, or are intended to terrorize or incite fear in others, or in any manner that is a violation of law;
33. Attempting to violate a University rule - Attempting to commit or assisting (involvement) with the commission or attempted commission of any of the foregoing listed offenses;
34. Any act or omission intended or substantially certain to cause serious harm to another or reckless behavior that result in serious harm to another.

9.0. SANCTIONS

9.1. General

All sanctions issued must be reasonable and commensurate with the violation(s). The following disciplinary sanctions may be imposed or instituted by the University for violations of this Code:

A. Warning Probation

1. Warning probation is the lesser form of probation indicating that the Student has been notified in writing that he or she has engaged in unacceptable behavior and that further violations of the regulations may result in more severe disciplinary action, including suspension and expulsion. Conditions related to the offense may be imposed, such as loss of privileges, prohibition of certain conduct or contact, counseling, educational seminars, or unpaid work assignments.
2. Failure to meet the condition(s) shall be considered a violation of the probation and an additional Code of Student Conduct violation.
3. The period of probation may vary up to the remainder of the Student's enrollment at the University.
4. Warning probation will not be recorded on the Student's official University transcript.
5. Warning probation will be reported to others in response to a subpoena, or to others if consent or the authorization to consent is signed by the Student and is presented to the University.

B. Disciplinary Probation

1. Disciplinary probation is the greater form of probation. Further violations during the probationary period may result in suspension or expulsion. Conditions related to the offense may be imposed, such as loss of privileges, prohibition of certain conduct, counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered a violation of the probation and an additional Code of Student Conduct violation.
2. The period of probation may vary up to indefinitely.
3. Disciplinary Probation will be reported to others in response to a subpoena, or when a release of authorization is signed by the Student and presented to the University.
4. Disciplinary probation, except in cases of academic misconduct or deferred suspension, will not be recorded on the Student's official University transcript.

C. Restitution is reimbursement for damage to or misappropriation of property and expenses incurred because of a Student's misconduct. At the discretion of the Dean of Students or designee, restitution may take the form of monetary payment or appropriate service/repair or other compensation for damages.

D. A Student may be restricted from engaging in certain activities, conduct, or contact with others including, but not limited to, representing the University in any official function or leadership position (e.g., varsity athletics, teaching assistant, student leadership position, cheerleader, standing committee chairpersonship, elected office in any registered student organization); entering/being in specific locations (e.g. a residence hall or other facility); and/or engaging in certain activities (e.g. driving and/or parking on campus; contacting a specified member of the campus community, etc.).

- E. Deferred Suspension may be imposed on a Student for whom suspension from the institution is an appropriate penalty, but for whom there are mitigating circumstances, as determined by the Dean of Students, SAA Official, or University Hearing Panel. If a Student is found to have violated any rule of Louisiana State University while the penalty of Deferred Suspension is in effect, the penalty for such a violation will be suspension. If a Student disputes the charge(s), the facts of the matter may be decided by a University Hearing Panel, but if the Student is found in violation, the penalty must be Suspension or Expulsion. Conditions related to the offense may be imposed, such as loss of privileges, prohibition of certain conduct, counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional Code of Student Conduct violation.
- F. Suspension - Separation from the University for academic or non academic misconduct:
1. A Student may be separated from the University with the right to petition for return under any of the following conditions:
 - a. Suspension for the remainder of the semester or term. Suspension will be recorded on the official University transcript.
 - b. Suspension for a longer, but definite period of time. Suspension will be recorded on the official University transcript
 - c. Indefinite suspension with a date established for the privilege of applying for readmission. Applications will be reviewed and acted upon by the Dean of Students or designee. Suspension will be recorded on the official University transcript.
 2. Expulsion is permanent separation from the University and will be recorded on the official University transcript.
 3. Undergraduate Students separated (but not Expelled) from the University may be readmitted (if they meet the Admissions requirements) to the University if approved by the Dean of Students or designee.
 4. A Student separated from the University for "the remainder of the semester or summer term" as provided in Section 9.1.F.1.a., above, shall receive a grade of "W" in all classes in which he or she is enrolled for that semester, except as provided in Sections 9.4.A., 9.5.A, and 9.6. of this Code. Medical withdrawals do not count towards the W Grade policy.
 5. When a Student is found in violation of this Code prior to the end of the mid-semester examination period (as stated in the LSU General Catalog), and the Student is to be separated from the University, the separation will begin immediately. If the Student is found in violation of this Code during or after the mid-semester examination period, the SAA Official, Dean of Students, or the University Hearing Panel shall have discretion to have the separation begin with the current semester or the next semester. If the separation is to occur during the current semester, the student shall be considered to have completed one semester of separation. Summer term, winter session, and Inter Sessions are not a semester.
 6. When a Student is separated from the University, he or she may not be on Campus, if noted on the Accountability Action Form, during the period of separation without specific written authorization of the Dean of Students or designee.
 7. Separation from the University will be recorded on the Student's official University transcript.

- G. Revocation of the degree and withdrawal of the diploma may be imposed when the violation is significantly relative to the integrity of any work, service, or prerequisites required for the degree.

9.2. Action Pending a Hearing

The SAA Official, Dean of Students, or University Hearing Panel may delay registration for classes or withhold the issuance of an official transcript, grade, diploma, or degree to a Student alleged to have violated a rule or regulation of the University. The Dean of Students or designee may take such action pending an Administrative Decision, a University Hearing Panel, and/or exhaustion of appellate rights when, in the opinion of the Dean of Students or designee, the best interests of the University would be served by this action.

9.3. Mitigating Circumstances

If a sanction imposed or recommended represents a substantial departure from the minimum or maximum sanction outlined in Sections 9.4., 9.5., 9.6, and 9.7 below, the record of the proceeding must contain a listing of mitigating or aggravating circumstances or other justifications for the specific sanction recommended.

9.4. Academic Misconduct by Undergraduate Students

- A. Assigning a grade when there is Academic Misconduct
1. Absent sufficiently mitigating circumstances, an undergraduate Student found responsible for Academic Misconduct will, at a minimum, be assigned a permanent failing grade for the course. In no instance may the Student receive credit for the exam or assignment on which the violation occurred.
 2. If an undergraduate Student is charged with academic misconduct and the case cannot be resolved prior to the final date for filing a semester grade, the Student should continue to complete all work and the instructor referring the matter shall report an "I" grade in the course in which the alleged Academic Misconduct occurred. If the Student is not found in violation, a permanent grade shall be assigned to remove the "I" grade on the basis of the quality of work done in the course. If the student is found in violation of Academic Misconduct, the instructor shall assign a grade that incorporates the sanction issued. This class and grade cannot be dropped/removed/withdrawn.
 3. The SAA Official and/or University Hearing Panel will indicate if the course or assignment can be dropped with consent of Academic Affairs.
- B. Non-grade related sanctions for Academic Misconduct
- In addition to the academic sanction, other non grade sanctions may be assigned.
1. For the second offense, the minimum sanction is separation for one full year. The maximum sanction is expulsion.
 2. For the third offense, the sanction is expulsion.
 3. Multiple violations in the same course may be treated together or as separate offenses.

9.5 Academic Misconduct by Graduate Students

- A. Assigning a grade when there is Academic Misconduct
1. A graduate Student found responsible for Academic Misconduct will be assigned a permanent failing grade for the course.

2. If a graduate Student is charged with Academic Misconduct and the case cannot be resolved prior to the final date for filing a semester grade, the Student should continue to complete all work and the instructor bringing the charge shall report an "I" grade in the course in which the alleged academic misconduct occurred. If the graduate Student is not found in violation, a permanent grade shall be assigned to remove the "I" grade on the basis of the quality of work done in the course. If the Student is found in violation of academic misconduct, the instructor shall assign a grade of "F" for the course. This class and grade cannot be dropped/removed/withdrawn.

B. Separation from the University

1. For the first offense, the graduate Student will be separated from the University for an indefinite period of time with a date established for the privilege of applying for readmission to Graduate School. The period of separation shall be for at least two regular semesters, and may be more if warranted by the circumstances of the violation. Readmission to the Graduate School is not guaranteed, and is subject to the criteria given in the LSU General Catalog in effect for the semester in which the offense occurred or for when they are eligible to reapply. Acceptance back into a particular program of study is not guaranteed and is at the discretion of the academic department and the Dean of the Graduate School.
2. For the second offense, the sanction is expulsion.

9.6. Academic Misconduct by Veterinary Medicine Students

Students enrolled in the School of Veterinary Medicine who are found Responsible for Academic Misconduct shall be separated from the University or otherwise disciplined under this Code, as provided for in the School of Veterinary Medicine Bulletin in effect for the year in which the Academic Misconduct occurred.

9.7. Sanctions for Non Academic Misconduct

- A. The following general guidelines are used for maximum and minimum sanctions for nonacademic offenses. Any sanction or combination of sanctions consistent with similar cases with similar facts and circumstances may be imposed.
1. Acts of violence or threat offenses against persons and/or offenses that directly place persons in jeopardy or fear of harm.
 - a. The minimum sanction is separation from the University for the remainder of the semester in which the offense occurred, and restitution (if appropriate).
 - b. The intermediate sanction is separation from the University for one calendar year or more, and restitution (if appropriate).
 - c. The maximum sanction is Expulsion from the University.
 2. Offenses that involve disruption of the University, its programs, or other University efforts to accomplish its objectives and/or that indirectly place persons in jeopardy or harm.
 - a. The minimum sanction is Disciplinary Probation for the remainder of the Student's enrollment in the University.
 - b. The intermediate sanction is separation from the University for at least the semester in which the offense occurred.
 - c. The maximum sanction is Expulsion.
 3. Offenses that involve theft or damage to University property or the property of other members of the University community.

- a. The minimum sanction is Disciplinary Probation for one or more regular semesters and restitution (if appropriate).
 - b. The intermediate sanction is separation from the University for one or more regular semesters, and restitution (if appropriate).
 - c. The maximum sanction is Expulsion and restitution (if appropriate).
4. All other violations.
 - a. The minimum sanction is Warning or Disciplinary Probation.
 - b. The intermediate sanction is Disciplinary Probation for a period ranging from one regular semester to the remainder of the Student's enrollment in the University or a period of separation from the University.
 - c. The maximum sanction is Expulsion from the University.

The SAA Official, University Hearing Panel, nor the Dean of Students is required to adhere rigidly to the sanctions outlined in Section 9.7.A.. However, a sanction more severe than the maximum sanction listed or less severe than the minimum sanction listed should be justified by mitigating or aggravating circumstances or other justifications for the specific sanction, which justification shall be incorporated into the final written sanctions.

If a Student is charged with multiple violations in a single proceeding (either under the Administrative or University Hearing Panel procedures), the Dean of Students or University Hearing Panel will render factual findings on each charge. The occurrence of multiple or repeated violations may be a factor in determining whether to assign the maximum sanction or to recommend a more severe sanction.

10.0. APPEAL POLICY FOR UNIVERSITY HEARING PANELS

Administrative Decisions, if mutually agreed upon by the SAA Official and the student, are not subject to an appeal. However, a Student may decline the Administrative Decision and proceed forward with a University Hearing Panel. Only decisions of a University Hearing Panel can be appealed.

10.1. Basis for Appeal:

- A. Students availing themselves of the right of appeal are reminded of the nature and purpose of an appeal. The purpose of the appeal procedure is to provide the opportunity for questioning the appropriateness of the proceedings or the recommendations of a University Hearing Panel. It is not the nature or purpose of the appeal procedure to provide for a new hearing at a higher administrative level.
- B. The following procedures for making an appeal are established:
 1. The appeal must be in the form of a written memorandum addressed to the Dean of Students;
 2. This memorandum should clearly state the specific actions or recommendations that are being appealed, and shall meet the criteria specified in Section 10.2;
 3. This memorandum should clearly present specific reasons and grounds, therefore;
 4. The memorandum must be signed by the person making the appeal; and
 5. The Dean of Students or designee shall receive and decide all appeals.

10.2 Appeal Criteria:

An Appeal will only be considered if one or more of the following events have occurred:

- A. Evidence of bias on the University Hearing Panel.
- B. Failure to follow the procedures outlined in Section 7.0-7.9.
- C. New information has become available since the University Hearing Panel.
- D. Normally, an appeal relating to a decision regarding a finding of violation by a University Hearing Panel will be successful only if clear and convincing new information is presented in the appeal. A successful appeal based on new information will result in the case being referred to the original University Hearing Panel for reconsideration or, if the situation merits it, in the establishment of a new University Hearing Panel to consider the charge, based on the facts of the case, including the new information.
- E. The sanctions assigned do not follow the suggested guidelines instituted by Student Advocacy and Accountability and mitigating circumstances are not noted.
- F. An appeal which does not clearly raise, in writing, one or more of the four issues listed above shall be dismissed without further consideration. The Appeal shall be limited in its review to the issue or issues raised in the written appeal.

The Appeal is submitted to the Dean of Students or designee for review.

10.3 Appellate Process

- A. The student who plans to make an appeal must provide written notification to the Office of the Dean of Students within 48 hours of the University Hearing Panel findings or within 48 hours of becoming aware of new information.
- B. The actual written appeal must be received in the Office of the Dean of Students within 7 business days after the Student is notified of the decision of his or her University Hearing Panel, unless an extension of time is requested in writing and approved by the Office of the Dean of Students.
- C. Once the Office of the Dean of Students receives the written appeal, the SAA Official will compose a rebuttal statement within 7 calendar days from the receipt of the Student's written appeal.
- D. Modifying a sanction - At the Deans sole discretion, upon a successful appeal, the following may result:
 - 1. The University Hearing Panel decision will be upheld;
 - 2. The case will be reheard by the original University Hearing Panel;
 - 3. The case will be reheard by a new University Hearing Panel; or
 - 4. The Dean modifies or reverses the sanctions.

The decision by the Dean of Students concludes the appellate process for that specific University Hearing Panel decision.

10.4. Request for Review by the Chancellor

- A. The Chancellor's review will be limited to the question of serious procedural errors and/or the abuse of discretionary authority by the Dean of Students.
- B. The Chancellor in his/her sole discretion may decline a request to review.
- C. The request must:
 1. Be in writing and signed by the Student requesting the review;
 2. Be delivered to the Chancellor's office within 7 business days after the Charged Student's receipt of the Dean of Students' decision;
 3. Contain a complete statement of the alleged serious procedural errors and/or specific examples of abuse of discretionary authority;
 4. Outline the relief sought.
- D. The imposition of the sanction will not be delayed by a review by the Chancellor.

11.0. INTERIM SUSPENSION

In extraordinary circumstances, the Dean of Students or designee, may suspend a Student charged with violating this Code for an interim period prior to the outcome of a full Accountability hearing based on the nature of the charge and if the information available suggests that their continued presence poses a threat.

11.1. Circumstances Where Interim Suspension May Apply

This authority will be exercised only in those situations in which there is reasonable cause to believe that the Student's alleged act of misconduct is of such a serious nature that his or her continued presence at the University is potentially dangerous to the health and safety of the University community, its property, or its educational mission. Such acts of misconduct include, but are not limited to, assault and/or battery with any type of weapon or instrument; sexual misconduct; rape; armed robbery; arson; the manufacture, distribution, and/or possession of any hazardous, incendiary or explosive device; distribution or possession of controlled substances and other acts that might endanger persons or property. Interim suspension may not be invoked for any type of Academic Misconduct unless coupled with Non Academic Misconduct; however, interim suspension may be invoked for any other serious misconduct, including, but not limited to the conduct listed in Section 8.2.A.

11.2 Procedure

A. Interim Suspension

To invoke interim suspension, Student Advocacy and Accountability will send an email notice to the Charged Student and, if feasible, a preliminary Hearing will occur at which the Charged Student will be given the opportunity to respond. However, if it can be shown that such a Hearing is not feasible, the Dean of Students may waive this requirement. If a Charged Student fails to schedule a Hearing and respond to the charges, or is unable to appear, the Hearing may proceed in absentia.

Interim suspension is to begin immediately following the email notification of the charge(s). Once notified, the Charged Student is to physically remove himself or herself from the Campus until the initiation of a Administrative Meeting or University Hearing Panel, in accordance with Section 11.2.A., above. A Charged Student who has been placed on interim suspension is prohibited

from being on Campus without prior written permission from the Dean of Students or Vice Chancellor for Student Life.

B. Hearing

1. A Charged Student who is suspended under subsection 11.2.A. is entitled to an Administrative Meeting and subsequent University Hearing Panel at his or her written request as provided under Section 7. The Charged Student's interim suspension shall not be used as an indication of his or her culpability in the Hearing process. However, statements made by the Charged Student at any point may be admitted as information at any proceeding under this Code.
2. In the course of the proceedings, if it is determined that the Charged Student did not commit the act(s) for which he or she was suspended, the suspension will be revoked and the Charged Student immediately reinstated without penalty.

12.0. PROCEDURES FOR REVISING THE CODE OF STUDENT CONDUCT

The Code of Student Conduct may be amended by majority vote of those present at a meeting of the Committee on Student Conduct, subject to approval by the Chancellor.

Issued by the Office of the Chancellor

13.0 REFERENCES

Stoner, E.N., & Lowery, J.W. (2004). Navigating Past the “Spirit of Insubordination”: A Twenty First Century Model Student Conduct Code with a Model Hearing Script. *The Journal of College and University Law*, 31(1), 1-77.

Florida International University (2009). Student Conduct and Conflict Resolution Services Offences. <http://www.fiu.edu/~sccr/offenses.html>. 15.

Virginia Tech (2009). University Policies for Student Life. <http://www.judicial.vt.edu/documents/UPSL.pdf>. 5-6.