## STUDENT CONDUCT & CONTRACTUAL REVIEW PROCESS

### Scope:
Residential Life

### Issued:
June 1, 2012

### Revised:
June 22, 2016

### I. Purpose
To uphold University and community policies and standards within on-campus residential areas, along with incidents that occur on-campus that involve on-campus residents as outlined in the Memorandum of Understanding (MOU) with the LSU Dean of Students.

Policies and standards are outlined in the *LSU Code of Student Conduct*, the Residential Life *Living on Campus Handbook* and within the Housing Contract. All documents are available for reference on the Residential Life web-page (www.lsu.edu/housing).

### II. Policy

**Owner:** Assistant Director of Residential Life & Education for Conduct, Advocacy and Policy

**Functional Areas Involved in Administering Process:**
- Residential Life & Education
- Student Advocacy & Accountability

**Definitions:**

*Please refer to the LSU Code of Student Conduct for a full list of definitions in regards to the Residential Life Student Conduct & Contractual Review Process.*

1. **Accountability Meeting**
   An opportunity for the Charged Student to address the allegations and charges with a Residential Life staff member.

2. **Accountability Outcome**
   The Accountability Outcome, or Outcome, identifies an Accountability resolution and
any requirements, restrictions, or change in Student status that have been assigned to
the Student by the Residential Life staff member or Student Conduct Board (SCB).

3. **Advisor**
   A student has the right to have one Advisor of his/her choice present during any
   Accountability meeting. The advisor may not have personal involvement regarding any
   facts or circumstances of the alleged misconduct.

   The Advisor’s only function shall be to assist and consult with the Student regarding an
   Accountability meeting or SCB hearing. The Advisor may not act as a spokesperson for
   the Student and may not directly address the Residential Life staff member, SCB
   members, or Material Observers. The Advisor may be an attorney, but participation
   shall be limited as stated above.

4. **Behavioral Misconduct**
   Those violations detailed in the Code that are specific to non-Academic Student
   behavior.

5. **Charge Letter**
   The written notice sent to a Student of the allegations and corresponding Code sections
to be addressed.

6. **Material Observer**
   A person who has knowledge of facts or circumstances pertaining to an alleged
   violation.

7. **Not Responsible**
   The finding that indicates that a Student is not in violation of the Code.

8. **Referral**
   A written complaint against a Student, this includes Incident Reports and Police Reports.
   A referral may be submitted by any individual(s). Anonymous referrals may be
   considered at the discretion of Residential Life.

9. **Residential Life Staff Member**
   Residential Life is responsible for the implementation and administration of the Student
   Conduct & Contractual Review Process as outlined in the Code and within the MOU with
   the Dean of Students.

10. **Responsible**
    The finding or acknowledgement that indicates a Student is in violation of the Code.

11. **Student**
    For the purpose of the Student Conduct & Contractual Review Process, any person who
    has entered into a contractual agreement with Residential Life under the Housing
    Contract or is recognized by the *LSU Code of Student Conduct* as a Student.

12. **University Hearing Panel**
A group of individuals with responsibility under the Code and the Student Conduct & Contractual Review Process to hear a case referred by a Residential Life staff member or after a Student has declined an Accountability Outcome.

Goals:

The goals for the student conduct process for the Louisiana State University Department of Residential Life is:

- To provide a disciplinary process that holds students **accountable** for unacceptable behaviors that occurs within an on-campus residential community.
- To **protect** the rights of all members of the University community.
- To **educate** students regarding the responsibilities inherent in an on-campus residential community, including abiding by policies that are established for the safety and welfare of the community.

Process:

1. Student is documented for allegedly violating the *LSU Code of Student Conduct or Living on Campus Handbook*.
2. Report is received by Residential Life Student Conduct Office and processed.
   a. Case is determined to be at contractual review and/or conduct violation.
      i. Incident involved potential violation of *LSU Code of Student Conduct* and *Residential Life Housing Contract*, however the violation is not of a level where separation from the University would be considered.
      ii. Case is referred to Residential Life Student Conduct Process.
   b. Case is determined to warrant Direct Administrative Action (DAA) due to a violation of the *Residential Life Housing Contract* or behavior is detrimental or disruptive to others.
      i. Residential Life staff members follow DAA process.
      ii. Case is referred to Student Advocacy & Accountability for Accountability Process.
3. Charge Letter is issued to student by Residential Life, including the following: brief description of incident including date, location; sections of the *LSU Code of Student Conduct* that may have been violated; date, time and location of Accountability Meeting.
4. Accountability meeting is conducted with student.
   a. If student is found not responsible for violating *LSU Code of Student Conduct and/or Living on Campus Handbook*, **process is complete**.
   b. If student is found responsible for violating *LSU Code of Student Conduct*, the Accountability Official may include one of the following as an outcome in addition to other educational outcomes:
      i. Allow student to remain in current on-campus assignment
      ii. Move student to different on-campus assignment
      iii. Remove student from on-campus assignment
c. Student makes decision to accept or decline Administrative Decision rendered by Accountability Official.
   i. If student agrees with Administrative Decision, sanctions are imposed and student waives right to appeal decision, **process is complete**.
   ii. If student does not agree with decision, student can decline the Administrative Decision and proceed with University Hearing Panel (UHP) process.
      1) University Hearing Panel is held with student. At least one member of the UHP will be affiliated with Residential Life (resident, staff member).
         a) UHP finds student not responsible for violating *LSU Code of Student Conduct*, *Living on Campus Handbook*, and/or *Residential Life Housing Contract*, **process is complete**.
         b) UHP finds student responsible for violating *LSU Code of Student Conduct*, *Living on Campus handbook* and/or *Residential Life Housing Contract*.
            i) Appropriate outcomes are issued to student, in addition to relocation or removal from on-campus housing.
               • Student agrees with UHP decision; outcomes are imposed and student waives right for appeal, **process is complete**.
               • Student does not agree with UHP decision; student appeals decision to Dean of Students and/or Assistant Vice President of Residential Life and Housing.
                  o Appeal must be in the form of a written document addressed to the Dean of Students/Assistant Vice President of Residential Life and Housing within five (5) business days of receipt of the UHP decision.
                     ▪ Document should clearly state the specific actions or recommendations that are being appealed.
                     ▪ Document should clearly present specific reasons and grounds for appeal.
                     ▪ Document must be signed by the person making the appeal.
                  o Appeal will be considered if one of the following events has occurred:
                     ▪ Evidence of bias by the UHP;
                     ▪ Significant departure from the procedures, definitions or standards in the Code;
                     ▪ New information has become available since the UHP;
                  o An appeal which does not clearly raise one or more of the three issues raised 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.
      iii. Student appeals decision to Dean of Students or designee.
         1) Dean of Students or designee reviews appeal.
a) UHP Outcome is upheld;
b) Rehearing by the original UHP;
c) Rehearing by a new UHP; or
d) Dean modifies the Outcome.

2) Dean or designee decision, **process is complete**.

The decision by the Dean of Students or designee concludes the appellate process for the specific UHP.

**Please Note:**

All outcomes are on hold while a case is being heard by the University Hearing Panel or is in the Appeals Process with the Dean of Students or designee.