

# **Southern University at New Orleans**

## **Student Code of Conduct**



Created by:  
Sheridan X. Cooper, J.D.

## Table Contents

Purpose.....	
3	
Students' Rights and Responsibilities.....	
3	
University Jurisdiction.....	
3	
Scope of Rights.....	
4	
Scope of Authority: Students.....	
4	
Scope of Authority: Organizations.....	
4	
Definitions.....	
4-7	
Enforcing the Student Code of Conduct.....	
7	
Academic Misconduct.....	
8	
Reporting Academic Misconduct.....	
9	
Disruption of the Academic Process.....	
10	
Student Non-Academic Grievance/Complaints.....	11
Royal Court Code of Conduct.....	11
Behavioral Misconduct.....	11
<i>Code One Offenses</i> .....	
12-18	
<i>Code Two Offenses</i> .....	18-19

The Student Judicial Process.....	19-23
Judicial Affairs Committee.....	24
Disciplinary Sanctions.....	24-26
Traffic and Parking Appeals.....	26
General Policy Statements.....	26
Other University System Policies.....	28-31
Student ID Card Usage.....	31
Email Usage.....	32
Commencement Conduct.....	33

## **Purpose**

Southern University at New Orleans' (herein also referred to as SUNO and/or the University) Student Code of Conduct is published for the expressed purpose of providing to the University community, students in particular, the published and official policies, rules and regulations regarding students' rights and responsibilities, student code of conduct, and disciplinary, judicial and appellate procedures.

All information contained herein sets forth, in a concise and uniform manner, responsibilities which members of the University community are indebted to one another. The Student Code of Conduct also sets forth administrative and conduct procedures whereby those students who are accused of violating rules, policies, and regulations may be afforded due process and fair and just outcomes. Southern University at New Orleans is committed to protecting the full constitutional rights of its students. Southern University at New Orleans and the members of its community have equal obligations to one another in protecting the educational environment. The University has equal obligations to protect the integrity of its educational mission and the interests of its student body.

The following policies, regulations, and sanctions have been established to protect the rights and interests of all members of the University community. The Student Code of Conduct is updated periodically, as laws in higher education change and state laws regarding the rights of students attending a state institution in Louisiana are enforced. The current Student Code of Conduct supersedes any previously published Student Code of Conduct. It is intended for internal distribution (i.e., use within the University community).

## **Students' Rights and Responsibilities**

Students enrolled at Southern University at New Orleans have the same rights, privileges and freedoms granted to every United States citizen. With these rights, privileges and freedoms comes the responsibility to obey federal, state and local laws, as well as abide by the rules and regulations of the University.

Essential to the effective functioning of the University is the protection and promotion of a special set of interests and purposes which include:

- the opportunity for students to attain their educational objectives;
- the maintenance of an intellectual and educational atmosphere throughout the University;
- the protection of the health, safety, welfare, property, and human rights of all members of the University community, and
- the protection and reputation of the University itself.

Students enrolled at Southern University at New Orleans must ultimately assume full responsibility for their actions and must adhere to the code of conduct regulations as set by the University. Violations of these regulations or a demonstrated unwillingness to obey the rules governing conduct may lead to sanctions or disciplinary action by the University.

## **University Jurisdiction**

Students enrolled at Southern University at New Orleans are subject to all federal, state, and local laws. In addition, students are subject to appropriate and reasonable disciplinary action, which includes suspension or expulsion, for breach of any of the University's rules, regulation and policies.

The University reserves the right to exercise jurisdiction for an offense committed off campus when:

1. The victim of such an offense is a student, faculty member, or staff member.
2. The occurrence is at a University-sponsored or -sanctioned event.
3. The accused student used his or her University status to assist in the commission of the offense, i.e., using a student ID card to write a worthless check, or the offense seriously impairs pursuit of the University's goals/objectives.

### **Scope of Rights**

Every student has the right to:

- full and proper respect of faculty, staff, and the administration;
- seek assistance from any instructor without being humiliated, i.e., appropriately express his or her views in class or make an error without insult from the instructor or fellow students;
- initiate a grievance against students, faculty, staff, policy, or administration with assurance that his or her interests will be protected; and
- the provision of places on campus to study, relax, and socialize.

### **Scope of Authority: Students**

A student admitted to Southern University at New Orleans accepts the responsibility to conform to all rules and regulations as published by the University. Any student who fails to meet this obligation shall be subject to disciplinary sanction as may be provided for, including, but not limited to, expulsion, suspension, probation, warning, or the imposition of reasonable fines.

The Division for Student Affairs and Enrollment Management will make reasonable effort to make regulations available, but students are ultimately responsible for becoming familiar with such regulations and are held accountable for misconduct even in the absence of such familiarity. "Ignorance of the law is no excuse."

### **Scope of Authority: Student Organizations**

Student organizations are subject to the provisions of the Student Code of Conduct. If a student organization is reported to have violated University policies and procedures or University rules and regulations printed in the Student Code of Conduct, the Executive Judicial Panel or Judicial Hearing Committee will hear the case and impose appropriate sanctions.

In cases involving Greek organizations or other organizations affiliated with a national body, the national organization will be notified of the disciplinary sanction imposed on its local affiliate.

Student organizations that violate the University's policies shall be subject to the maximum sanction of termination or reprimand from the University, or any lesser sanction including, but not limited to: restriction or suspension of the privilege to sponsor fundraising events, the loss of all funds allocated by the University, and restitution for damages.

### Definitions

- **Accused Student:** A student charged with violations of the Student Code of Conduct or any other University policy.
- **Adjudication:** The giving or pronouncing a judgment or decree in a cause; also, the judgment given.
- **Administrative File:** All documents and evidence in the University's possession or control relevant to the alleged violation and the University's investigation including, but not limited to, exculpatory evidence, documents submitted by any participant, and the University's choice of video recording, audio recording, or transcript of any disciplinary hearing ultimately held in the matter. The file shall not include privileged documents or internal memorandums that the University does not intend to introduce as evidence at any hearing on the matter.
- **Advisor:** A person who gives information, advice, or opinions.
- **Allegation:** The assertion, declaration, or statement of a party to an action, made in a pleading, setting out what he or she expects to prove.
- **Alleged Victim:** A student who is the purported victim of an accused student's alleged offense.
- **Appellate:** Pertaining to or having cognizance of appeals and other proceedings for the judicial review of adjudications
- **Business Day:** A day of normal business operation as designated by the University, generally Monday through Friday during the hours of 8:00am to 5:00pm.
- **Campus Community:** Refers to any administrator, faculty, staff, or student of the Southern University at New Orleans, including all land, buildings, facilities, streets, parking lots, sidewalks, and other property in the possession of or owned, used, or controlled by Southern University at New Orleans.

- **Complainant:** Any person who submits a report alleging that a student violated the Student Code of Conduct or any other University policy.
- **Conduct Hold:** Prevents the student from conducting business at the University (i.e., any form of registration or obtaining transcripts).
- **Contempt:** Show of willful disobedience to, or open disrespect of conduct proceedings. Acts include, but are not limited to, failure to appear and failure to adhere or comply.
- **Faculty Member:** Any person hired by the University to conduct classroom instruction or research activities or who is otherwise considered by the University to be a member of its faculty.
- **Fully Participate:** includes the opportunity to make opening and closing statements, to examine and cross-examine witnesses, and to provide the alleged victim or accused with support, guidance, and advice.
- **Hearing Committee:** Any person or persons who have been authorized by the University to determine whether a student has violated the Student Code of Conduct and to recommend sanctions that may be imposed when a student is found responsible for violating the Student Code of Conduct.
- **Interim Measure:** The University's ability to take a reasonable interim measure necessary to ensure the physical safety of members of the campus community during a timely investigation and adjudication of a student disciplinary issue including, but not limited to:
  - The ability to make adjustments in student housing arrangements.
  - Imposition of conditions of mutual no contact between the accused student and alleged victim.
  - Suspension of a student.
  - Banishment from campus.
- **Institutional Prosecutor:** Personnel appointed by the Vice Chancellor of Student Affairs and Enrollment Management to prosecute student misconduct matters.
- **Legal Counsel:** An attorney who gives advice regarding law.
- **Mediation:** The process in which all parties voluntarily agree to meet with an impartial mediator to communicate their concerns and needs to each other and to reach their own agreement on the resolution of the case.
- **Mediator:** Any neutral member of the University community who assists parties in reaching a mutual agreement to resolve their differences.

- **Not Responsible:** When an accused student has not been found responsible (not guilty) for the alleged violation(s) of the Student Code of Conduct.
- **Preponderance of Evidence:** The information and evidence presented in a case supports a finding that it is more likely than not that the violation occurred.
- **Responsible:** When an accused student has been found responsible (guilty) for violating a provision(s) of the Student Code of Conduct.
- **Sanction:** A penalty imposed upon a student after the student has been found responsible for violating the Student Code of Conduct.
- **Student Organization:** An administrative and functional structure of persons enrolled at the University that is officially registered with the Office of Student Activities and Organizations.
- **University:** Southern University at New Orleans located in New Orleans, LA.
- **University Judicial Process:** Actions designed to safeguard a student's right to due process. Observance of state or federal courtroom procedures is not required of the University's conduct process. The imposition of such rigid standards and time-consuming processes may interfere with administration and due process.
- **University Official:** Any person employed by the University, performing administrative or professional responsibilities.
- **University Premises:** All buildings, land, facilities, and any other property owned, leased, controlled, or supervised by the University.
- **University-Sponsored Activity:** Any activity on or off campus which is initiated, aided, authorized, or supervised by the University.
- The word **Can** is used in the permissive sense.
- The word **May** is used in the permissive sense.
- The word **Shall** is used in the imperative sense.
- The word **Will** is used in the imperative sense.

## Enforcing the Student Code of Conduct



In accordance with the Student Code of Conduct, violators of this policy will be subject to appropriate disciplinary sanctions. The responsibility for the enforcement and communication of this policy rests with all members of the University community. Any member of the University community may and is expected to identify violators of this policy.

**Persons identifying a student violation** should follow these steps:

- Obtain the violator's full name or ask for their student ID card; and
- Report the incident to the Division of Student Affairs and Enrollment Management or Chair of Judicial Affairs.
  - Individuals should contact the Southern University at New Orleans Police Department when:
    - The violator is non-compliant;
    - It is outside of normal University business hours; or
    - There is a perceived threat of violence or act of violence.
  - The Southern University at New Orleans Police Department and the Office of Residence Life and Housing will forward all reports received to the Chair of Judicial Affairs.

**Residence Life and Housing** staff will be responsible for addressing all violations with residence hall students while on or around residence hall property including, but not limited to, parking lots, walkways, courtyards, building entrances and exits by:

- Reminding the person of this policy;
- Requesting immediate compliance with this policy;
- Obtaining the violator's full name/or asking for their student ID card; or
- Imposing applicable fines.

**Staff for other facilities and programs** will be responsible for addressing violations where they occur and are expected to enforce the policy following the aforementioned procedures and the detailed procedures created for their particular facility or program.

### **Academic Misconduct**

**Academic Dishonesty:** Any deliberate attempt to gain an unfair advantage in academic work. This includes, but is not limited to, committing fraud, providing information, material, or other assistance with knowledge that such assistance could be used in violation of the Student Code of Conduct or other University policies or providing false information in connection with any inquiry regarding academic dishonesty.

**Cell Phone and Other Electronic Device Usage:** Personal cell phone use is strictly prohibited inside of an Instructor's class during class time. Cell phone is required to be in the OFF position during the entire class timeframe, except if a professor requires the use of cell phones for classroom work. Students are not allowed to go in and out of the classroom to receive telephone calls. No text messaging is allowed. If a student is expecting an emergency telephone call, it is the student's responsibility to discuss this matter in advance with the instructor, and the instructor may allow the student to place his or her cell phone on VIBRATE ONLY, in order to receive the

emergency call. There will be zero tolerance for using cell phones or texting during class time frame. Violation of this policy may result in the student being asked to remove himself or herself from the class, and the instructor reserves the right to mark the student absent for that class period.

**Cheating:** Unauthorized use of information, notes, study aids, or electronic devices (smartphones, smartwatches, tablets, laptops, etc.) on an examination; altering graded assignments; or submitting work done by another person. Misleading an instructor as to the condition under which the work was prepared including, but not limited to, substituting for another student or permitting another person to substitute for oneself on any academic work.

Cheating includes:

- Submitting material that is not yours as part of your college performance, such as copying from another student's exam, allowing a student to copy from your exam;
- Using information or devices that are not allowed by the faculty, such as using formulas or data from a cell phone, or using unauthorized materials for a take-home exam;
- Obtaining and using unauthorized material, such as a copy of an examination before it is given;
- Fabricating information, such as the data for a lab report;
- Violating procedures prescribed to protect the integrity of an assignment, test, or other evaluation;
- Collaborating with others on assignments without the faculty's consent;
- Cooperating with or helping another student to cheat;
- Participating in or performing other forms of dishonest behavior, such as having another person take an examination in your place; or altering exam answers and requesting the exam be regraded; or communicating with any person during an exam, other than the exam proctor or faculty.

**Collaboration:** Unauthorized communication or interaction between two or more individuals on any academic work by giving, receiving, or otherwise sharing information without permission of the Instructor.

**Electronic Devices:** Cellular phones and other electronic devices should not be activated or operated in classrooms, laboratories, libraries, business offices, convocations, and assemblies unless express written permission to activate or to operate the devices have been authorized by the classroom instructor or the University administrator or supervisor in charge of the facility/area in question. Refer to course syllabi for additional information.

**Falsification of Information:** Intentionally furnishing false or misleading information; altering documents; forging signatures, or impersonating someone in an examination.

**Plagiarism:** Lack of appropriate citation, or the unacknowledged inclusion of someone else's words, structure, ideas, or data; failure to identify a source, or the submission of essentially the

same work for two assignments without permission of the instructor. Additionally, plagiarism is the presentation or submission of work (in part or in whole) by someone else, as if it were one's own.

Plagiarism includes:

- Directly quoting the words of others without using quotation marks or indented format to identify them and
- Using sources of information (published or unpublished) without identifying them.

**Unauthorized Access to Academic or Computer Systems:** Viewing, altering, or dispensing academic, administrative, or computer records; modifying academic, administrative, or computer records, computer programs, or systems; or interfering with the use or availability of academic, administrative, or computer records or computer systems.

**Unauthorized Materials:** The use of any material, cell phones, or any other device is prohibited during the administration of test and assignments, unless authorized by the professor.

**Unfair Advantage:** Receiving, stealing, reproducing, or circulating examination materials prior to an examination; receiving, stealing, destroying, defacing, or concealing materials for the purpose of depriving others of their use; unauthorized collaborating on an academic assignment; failure to return assignments or an examination as instructed; intentionally obstructing or interfering with another student's academic work; or engaging in any activity with the purpose of creating or obtaining an unfair academic advantage over other students.

**Using Electronic Device (Cell Phone) to Tape An Instructor's Lecture:** Students are required to discuss and obtain permission from the instructor in advance, prior to using any electronic device to record an instructor's lecture.

### Reporting Academic Misconduct

Southern University at New Orleans expects students to uphold truth and honesty in protecting the validity of their Southern University at New Orleans education. Students are expected to complete original academic work. No student may be dismissed from a course, program of study, or the University without due process as outlined by the Student Code of Conduct.

### Academic Misconduct Sanctions

- Accused students found responsible for engaging in the act of exchanging test information with peers during the course of an exam shall receive the penalty grade "F" on the exam or for the course.
- Accused students found responsible for engaging in the use of prohibited instruments, such as cheat sheets or forbidden electronic devices during an exam shall receive the penalty grade "F" for the course.
- Accused students found responsible for using a "stand-in" student to take an exam for a student enrolled in a course, the student enrolled in the course shall receive the penalty grade

for the course and will be suspended from the University for one year (two semesters and a summer term). The “stand-in” student, if enrolled in the University, shall be suspended from the University for one year (two semesters and a summer term).

- Accused students found responsible for using non-original academic work, exam materials, or other graded assignments, or the manipulation of official class records shall receive the penalty grade “F” for the course and are subject to being expelled from the University.

All matters dealing with Academic Misconduct shall be handled by the Division of Academics Affairs in accordance with its policies and procedures.

### **Disruption of the Academic Process**

Southern University at New Orleans broadly defines disruption/obstruction as any major/minor action which obstructs, or attempts to obstruct, an official University function, such as teaching, research, administration, or other campus activity.

### **Disruption in the Classroom**

Disruptions that affect the academic process will be broadly defined as the acts of a student in a teaching environment, which at the determination of the instructor, prohibits other students from fully engaging in the academic process. More specifically,

- acts that direct attention from instruction, such as noisy distractions; persistent, disrespectful, or abusive interruptions of lectures, exams, or academic discussions; or
- acts that present a danger to the health, safety, or well-being of the individuals present. Students with disabilities or other impairments that may cause disruptions of the academic process are subject to the regulations that are outlined by the Office of Disability Services but will not be allowed to disrupt the academic progress of other students.

### **Sanctions for Disruption in the Classroom**

Sanctions for disruptions in the classroom are subject to the seriousness of the disruption and range from a warning to dismissal (administrative withdrawal) from course. Serious instances of disruption shall result in suspension or expulsion from the University.

### **Student Non-Academic Grievance/Complaints**

In cases of non-academic grievances/complaints, the Student Grievance/Complaint Board serves as mediator and reviews academic and non-academic student grievances/complaints with the exception of disciplinary matters. In reviewing student grievances/complaints, the Student Grievance/Complaint Board attempts to resolve disputes through a process of conciliation of the parties involved rather than through a process of assertion of legal rights. If a grievance/complaint is brought before the Student Grievance/Complaint Board, the burden of proof rests upon the student filing the grievance/complaint.

Students are encouraged to attempt to rectify their issues prior to the filing of a formal grievance/complaint in the form of an informal conference, either one-on-one between the parties or through staff or a campus administrator, who has the authority to address the matter. Grievances/Complaints should be reported in a timely manner to allow early resolution at the lowest possible administrative level. If an informal conference regarding a grievance/complaint fails to satisfy the parties, the student may then proceed to file a formal written grievance/complaint in accordance with University guidelines. Even after a formal grievance/complaint has been filed, students are encouraged to seek an informal resolution. The student may withdraw a grievance/complaint at any time.

In cases of non-academic (employment) grievances/complaints, the Student Grievance/Complaint Board shall be guided in its deliberation by the appropriate personnel policies and regulations governing the office or division involved. A non-academic employment grievance/complaint involves a grievance/complaint by a student against a University employee relative to the employee's behavior or job performance.

The Student Grievance/Complaint Board shall be composed of the nine (9) members who represent administrators, faculty, staff and students. All members including the Chair are appointed by the Vice Chancellor of Student Affairs and Enrollment Management and approved by the Chancellor. A quorum shall consist of five (5) members.

#### **STUDENT NON-ACADEMIC GRIEVANCE/COMPLAINT PROCEDURE**

The grievance/complaint procedure shall be as follows:

1. The complaining party must file a [Non-Academic Grievance/Complaint form](#). The form must be completed in writing. The form must specify details of the nature of the grievance/complaint, who the grievance/complaint is against, and a suggested relief sought. The grievance/complaint must be dated and signed.
2. Forms are located in the Office of Student Affairs and Enrollment Management or can be accessed online. Prior to the filing of the grievance/complaint, the matter also must be discussed with the head of the department or division involved without any resolution within a reasonable period of time.
3. Upon receipt of the grievance/complaint, the Office of Student Affairs and Enrollment Management shall submit a copy to the Chair of Student Discipline to activate the Student Grievance/Complaint Board.
4. The Student Grievance/Complaint Board shall convene within 72 hours, excluding weekends and holidays. All parties shall be notified in writing of the date and time of the hearing.

5. The Board shall meet in a closed session with only members and pertinent parties involved in the complaint.
6. Parties involved in the complaint shall be allowed to present evidence and testimony to support their claim.
7. At the conclusion of the proceeding, a written recommendation shall be submitted to the Vice Chancellor of Student Affairs and Enrollment Management for approval and final disposition.
8. All persons involved in the matter shall receive a written copy of the final disposition of the matter.
9. The student has the right to petition for an appeal in accordance with the appeal procedure of the Student Code of Conduct.
10. All files are housed and secured in the Office of Student Affairs and Enrollment Management.

### **Royal Court Code of Conduct**

Members of the Southern University at New Orleans Royal Court are expected to carry themselves in an exemplary manner at all times. The rights and privileges bestowed upon you as a member or participant in the Royal Court is recognized as one of honor and respect. All members of the Royal Court must adhere to guidelines as set forth in the Southern University at New Orleans Code of Conduct and the Royal Court Rules and Regulations Manual.

Any violations of the Student Code of Conduct or the Royal Court Rules and Regulations Manual may result in university disciplinary action including, but not limited to, a verbal warning as a Royal Court member; suspension from Royal Court activities, and/or Removal from the Royal Court and relinquishment of title.

### **Behavioral Misconduct**

The following acts are defined by Southern University at New Orleans to be unacceptable, with violations subject to disciplinary action as prescribed. The judiciary body shall have the authority to impose a sanction equal to or less than specified for a given code category. A student who commits several related violations at one time will have one hearing.

### **Code One Offenses**

A student found responsible of any of the following acts will be subject to disciplinary sanctions including, but not limited to, expulsion, suspension, removal from University housing, removal from any student organization or court. The severity of each offense shall determine the

appropriate sanction to be imposed. The information and evidence presented in a case shall determine the appropriate sanction to be imposed.

**1.1. Aiding and Abetting:** Knowingly providing information, material, protection, or other assistance to another person with knowledge that such aid or participation could be used to violate the Student Code of Conduct.

a. **Conspiracy:** Assisting or attempting to assist another in any act(s) that violate(s) the Student Code of Conduct.

**1.2. Arson:** Intentionally burning or attempting to burn public or private property belonging to another, with or without intent to defraud, obstruct security, or endanger human life.

**1.3. Bribery:** Offering money, service, or any item to a student, administrator, faculty, or staff member so as to influence the partiality of, so as to receive University property, grades, or services for oneself or another, or so as to gain an advantage or special treatment for oneself or for another.

**1.4. Coercion:** The use of express or implied threats, intimidation, or physical force which places an individual in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. This also includes administering a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in an activity, including sexual activity.

**1.5. Destruction of Property:** Damaging, destroying, defacing, abusing, tampering, or misusing property belonging to another person or entity, or attempting to do so. This includes any attempt to destroy or alter the function or performance of University equipment or property and includes misuse of the University name, logo, or seal.

**1.6. Discrimination:** Unequal or disadvantageous treatment of an individual or group of individuals based on race, color, religion, sex, ethnicity, national origin or ancestry, age, physical or mental disability, sexual orientation, gender identity, gender expression, genetic information, veteran or military status, or any other categories protected by applicable state and federal laws.

**1.7. Disruption/Obstruction:** Any action which obstructs, or attempts to obstruct, an official University function, such as teaching, research, administration, or other campus activity; throwing or causing the projection of any object or substance which may damage or deface University or private property; or causing personal injury or disruption, including, but not limited to, quarreling, fighting, public intoxication, playing loud music, or any attempt to encourage an individual's participation in such activities.

- a. **Disorderly Assembly:** Participating in a demonstration, riot, or an activity, whether on or off campus, which disrupts the normal operations of the University or infringes on the rights of other members of the University community; or leading or inciting others to disrupt scheduled or normal activities within any campus building or area.
- b. **Disorderly Conduct:** Behavior that disturbs the peace or undermines public safety, such as causing a disturbance or being unruly.
- c. **Disruptive Behavior:** Disruption of a class, curricular or University activity or any other act that impairs, interferes with or obstructs the mission, purposes,



academic atmosphere, operations, processes, orderly conduct or functions of the University or the rights of other members of the University community.

**1.8. Falsification of Information, False Testimony, and Fraud:** Furnishing false or misleading information or identification to a University official; failing to provide accurate information to a University official; any unauthorized reproducing, copying, possession, submission, misuse, or attempted misuse of University documents; forging, falsifying, tampering, altering, or attempting to alter University documents; or misrepresentation of a University official.

- a. **Misuse of Identification:** The transfer, alteration, falsification, or forgery of a University student ID card.

**1.9. Failure to Comply:** Failure to follow a directive made by a University official performing his or her duties, which could potentially endanger or endangers the safety of persons or property.

- a. **Contempt:** Willful disobedience to, or displaying open disrespect for a University Official performing judicial duties or the failure to appear for a meeting or hearing as a part of the judicial process; falsification, distortion, or misrepresentation of information in a hearing; disruption or interference with the orderly conduct of a judicial proceeding; institution of a judicial proceeding in bad faith; attempting to discourage an individual's proper participation in or use of the judicial process; attempting to influence the impartiality of a member of a judicial board prior to or during the course of the judicial proceeding; or failure to adhere to or comply with disciplinary conditions and sanctions imposed by a judicial body or administrative officer.
- b. **Disrespect for Authority:** Not complying with reasonable or lawful requests or directives of a University official.
- c. **Failure to Appear:** Failure to appear before a University official or committee conducting a judicial proceeding or investigation.
- d. **Violation of Probation:** Failure to comply with previously issued disciplinary probation directive.

**1.10. False Reporting of an Emergency:** Intentionally making a false report of a bomb, fire, or other emergency regarding property or personal injury, including abuse of 911 and fire alarms.

**1.11. Harassment:** Actions that involve deliberate interference, or a threat to interfere, with an individual's personal safety, academic efforts, employment, or participation in University sponsored activities or behaviors, which causes another person to have a reasonable apprehension that such harm will occur.

- a. **Bullying:** Aggressive behavior or intentional harm that is carried out repeatedly over time and occurs within an interpersonal relationship characterized by an imbalance of power.
- b. **Cyberbullying:** Occurs when an individual is tormented, threatened, harassed, humiliated, embarrassed, or otherwise targeted by another person using the Internet, social media, or other interactive and digital technologies.
- c. **Gender-Based Harassment:** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping



constitute gender-based harassment. This includes situations where students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity.

- d. **Stalking:** Any repeated behavior or activity that causes another person to experience emotional distress, threat of safety, or reasonable fear of bodily injury. Such behaviors or activities may include, but are not limited to, repeated following of another person, repeated monitoring or surveillance of another person, and repeated, unwelcome communication, such as giving face-to-face messages, telephone calls, voice messages, electronic mail, written letters or notes, unwanted gifts, etc.

1.12. **Hazing:** Any willful act by any one student alone or acting with others, directed against any other student that:

- Subjects the student(s) to indignity or humiliation;
- Intimidates the student by threatening or ostracizing him/her in public;
- Submits the student to shame or disgrace among fellow students;
- Humbles, or is calculated to humble the pride, stifle the ambition, or blight the courage of the student attacked;
- Discourages the student from remaining at the University, or causes the student to leave the University rather than to submit to such acts; or
- Constitutes a legal assault, by striking, beating, bruising, maiming or any other act of physical violence, or even seriously threatening to do such acts.

Examples of hazing include, but are not limited to:

- Paddling, beating or branding;
- Forced consumption of food, liquor or other beverages, or drugs;
- Forced deprivation of sleep or rest;
- Forced exclusion from social contact; or
- Forced conduct which could result in embarrassment to any person.

Students are hereby put on notice that La. R.S. 17:1801(A) states, “[h]azing in any form, or the use of any method of initiation into organizations in any education institution supported wholly or in part by public funds, which is likely to cause bodily danger or physical punishment to any student or other person attending any such institution is prohibited.” Pursuant to La. R.S. 17:1801(B), “[w]hoever violates the provisions of this Section shall be expelled, suspended, or dismissed from the education institution and not permitted to return for at least one semester, quarter, or comparable academic period. In addition, the person violating the provisions of this Section may also be subject to the provisions of R.S. 14:40.8 which provides penalties for certain hazing activities.”

Additionally, La. R.S. 14:40.8 defines the criminal act of hazing, which is also incorporated into the Definition Section of this Student Code of Conduct manual.

**1.13. Illegal Use of Alcoholic Beverages:** Purchasing, selling, or making available to underage persons alcoholic beverages; or providing funding for alcoholic beverages in violation of state or local statutes or University policy. The University defines an alcoholic beverage as a beer, porter, cordial liquors, specialty drinks, brandy, whiskey, wine, rum, gin, or any fluid or solid capable of being converted into a fluid for human consumption and all similar distilled beverages having alcoholic content.

- a. **Unauthorized Use of Alcoholic Beverages:** Failure to comply with University regulations regarding the use and sale of alcoholic beverages on University-owned or -controlled property.

**1.14. Indecent, Obscene, Immoral Behavior:** Conduct which is disorderly, lewd, or indecent. Such acts include, but are not limited to, the use of obscene gestures, improper body exposures, other immoral acts or use of profanity to any faculty, staff, student, or University official; any unauthorized use of electronic or other devices to make an audio or video recording of any person or student without his/her knowledge or without his/her effective consent when such a recording is likely to cause injury or distress; and taking pictures of another person in a gym, locker room or restroom.

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

**1.16. Moral Turpitude:** An act of baseness, vileness, or depravity, which brings shame to the University and is in contradiction to the letter and spirit of the University's Student Code of Conduct, good citizenship, or ethics, is prohibited. Included in this are inappropriate postings on the Internet and social media in acts of baseness, vileness, or depravity.

**1.17. Negligent Bodily Injury:** Careless or reckless behavior resulting in bodily injury or could result in bodily injury to any person.

**1.18. Negligent Destruction of Property:** Careless or reckless behavior resulting in damages, defacement, or destruction of property belonging to another person or entity.

**1.19. Possession, Use, Distribution, Sale, or Manufacture of Controlled Substances:** Knowingly possessing, using, distributing, selling, or manufacturing illegal drugs or controlled substances, including, but not limited to, narcotics, barbiturates, hallucinogens, marijuana, or amphetamines.

- a. **Dangerous Drugs:** The use, consumption, possession, manufacturing, purchase, sale or distribution of illicit drugs, narcotics or other controlled dangerous substances and drug paraphernalia when such possession would constitute a felony at law.
- b. **Possession, Distributing, Selling, or Manufacturing Counterfeit Drug-related Paraphernalia:** Knowingly possessing, distributing, selling, or manufacturing counterfeit drug or related drug paraphernalia.

**1.20. Possession or Use of Weapons:** The unauthorized possession or use of any type of firearm, ammunition, explosive, or other weapon. Weapons may not be stored in residence halls, campus buildings, or on University-owned or -controlled property. Items not considered weapons but are used with the intent to inflict bodily harm will be subject to interpretation by the police department and judicial committee. The University defines a weapon as any device,

apparatus, substance, or object capable of causing or inflicting injury or death, whether designed or adapted specifically for use as a weapon.

**1.21. Repeated Offenses:** Repeated violations of the University's Student Code of Conduct or of any University policy for which a sanction has been previously imposed.

**1.22. Retaliation:** Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this policy or as retribution or revenge against anyone who has reported sexual misconduct or relationship violence or who has participated (or is expected to participate) in any manner in any University investigation or proceeding. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination.

**1.23. Sexual Assault:** Engaging, or attempting to engage an individual in one or more of the following sexual actions with or directed against another person, including 1) sexual penetration without the consent of the other person; 2) sexually explicit touching through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity; or 3) sexual penetration through the use of coercion or where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**1.24. Sexual Exploitation:** A sexual act or contact of a sexual nature that occurs, regardless of personal relationship, without the consent of the other person(s), or that occurs when the person(s) is unable to give consent or whose consent is coerced or obtained in a fraudulent manner. Examples include, but are not limited to: pressure for a date or a romantic or intimate relationship; invasion of sexual privacy; pressure for or forced sexual activity; unnecessary and unwelcomed references to various parts of the body; belittling remarks about a person's gender or belittling remarks about a person's sexual orientation based in gender stereotyping; inappropriate sexual innuendoes or humor; videotaping and photographing someone or people without consent; obscene gestures of a sexual or gender-based nature; offensive sexual graffiti, pictures, or posters; sexually explicit profanity; and use of email, the Internet, or other forms of digital media to facilitate any of the above referenced behaviors.

**1.25. Sexual Harassment:** Unwelcome conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or education; 2) submission to or rejection of such conduct by a person is used as the basis for a decision affecting that person's employment or education; or 3) such conduct has the purpose or effect of unreasonably interfering with a person's employment or education or creating an intimidating, hostile, or offensive employment or educational environment and has no legitimate relationship to the subject matter of a course or academic research. Sexual Harassment also includes non-sexual harassment or discrimination of a person because of the person's sex or gender, including harassment based on the person's nonconformity with gender stereotypes.

**1.26. Theft/Identity Theft:** Taking or attempted taking without consent or unauthorized use of funds or property. This includes the misuse or unauthorized use of University funds or student organization funds administered through the University.

a. **Possession of Stolen Property:** Knowingly possessing, using, or attempting to use stolen property.

**1.27. Unauthorized Access to Records, Equipment, or Telephone or Other Communication Devices:** Unauthorized use of, access to, or an attempt to gain access to University records,

equipment, or telephone or other communication devices including, but not limited to, paper/computer files, computer systems/software, telephones, fax machines, etc.

**1.28. Unauthorized Access:** Attempted or unauthorized entry into any building, structure, or facility without prior approval to remain on the premises.

- a. **Improper use of keys:** Knowingly using, duplicating, or causing to be duplicated, any key for any facility, building, or room without proper authorization; or failure to return University-issued keys to the proper University officials.

**1.29. Unwelcome and Uninvited Contact:** A single behavior or act that causes another person to experience emotional distress, threat of safety, or reasonable fear of bodily injury. Such behaviors or activities may include, but are not limited to 1) following another person; 2) monitoring or surveillance of another person; and 3) unwelcome communication, such as giving a face-to-face message, telephone call, voice message, electronic mail, written letter or note, unwanted gift, etc.

**1.30. Violations of Federal, State, or Local Laws:** The University incorporates into this Student Code of Conduct all federal, state, and local laws. Any alleged violations of federal, state, and local laws which occur on or off campus are subject to internal University investigation, review, and action in addition to any action by appropriate civil or criminal authorities. For a violation of this offense, the University must prove each element of the federal, state, or local law by a preponderance of the evidence.

**1.31. Violation of University Housing and Dining Facilities Regulations and Rules:** Violation of any regulations and rules governing University housing and dining facilities. This includes, but is not limited to, policies governing room/bathroom maintenance, quiet hours, telephones, visitation, etc.

**1.32. Violent Behavior:** Conduct causing physical harm or injury; endangering the health, safety, or welfare of another or oneself; conduct causing severe emotional distress or endangering one's own health or safety; or any threat, attempt or offer to cause physical harm or severe emotional distress to another.

- a. **Fighting:** The act of an individual(s) engaged in a physical fight (physical assault), violence, or conflict.
- b. **Physical Assault:** The use of physical assault upon any person, including, but not limited to, intentionally inflicting bodily injury upon any person; any attempt to intentionally inflict bodily injury upon any person; or threatened use of physical assault.
- c. **Threat of Physical Assault:** The attempted use or threat of physical assault upon any person, including, but not limited to, intentionally inflicting bodily injury upon any person, any attempt to intentionally inflict bodily injury upon any person, and threatened use of physical assault.

### **Code Two Offenses**

A student found responsible of any of the following acts will be subject to disciplinary sanctions including, but not limited to, removal from University housing, removal from any student organization or court. However, a student found responsible of any of the following acts will not

be subject to the disciplinary sanctions of expulsion or suspension. The information and evidence presented in a student's case shall determine the appropriate sanction to be imposed.

**2.1. Cell Phone Usage:** The use of cell phones inside the classroom, official testing sites and during an official assembly period is prohibited. This includes, but is not limited to, placing or receiving calls or text messages as well as conversing on cell phones.

**2.2. Failure to Vacate:** The failure to vacate University facilities during hours of visitation, at closing, or at the directive of a University official.

**2.3. Gambling:** Wagering or assisting in the wager of money or any other item of value.

**2.4. Illegal Posting:** Posting of signs or other materials without authorization from the appropriate offices.

**2.5. Illegal Registering of Automobiles:** Registering an automobile for any freshman residing in on-campus housing who has not been authorized to operate a vehicle on campus.

**6. Illegal Use of Alcoholic Beverages by a Minor:** Possession or consumption of alcohol by a person who is under 21 years of age.

**2.7. Misuse of Property:** Misusing property belonging to another person or entity or attempting to do so. This includes, but is not limited to, any attempt to alter the function or performance of University equipment or property and the misuse of the University name, logo, or seal.

**8. Public Drinking:** Public drinking is the imbibing or drinking of alcoholic beverages in or on any campus street, alley, sidewalk, parking lot, right-of-way, park, playground, square, or unenclosed boundary of the University campus.

**2.9. Public Intoxication:** Appearing in public on the University premises while intoxicated or under the influence of alcohol. This includes any disorderly conduct regardless of whether such conduct results in injury to persons or property.

**2.10. Profanity:** Use of abusive, vulgar, or irreverent language.

**2.11. Possession or Use of Fireworks:** Possession or use of fireworks of any description on university premises.

**2.12. Possession or Use of Marijuana:** Possession or use of marijuana.

**2.13. Tobacco:** Smoking and the use of tobacco products (including cigarettes, cigars, pipes, smokeless tobacco, e-cigarettes and other tobacco products) by students, faculty, staff and visitors are prohibited on all campus property.

**2.14. Traffic or Parking Violations:** Violation of any of the University's traffic and parking rules and regulations.

**15. Trespassing:** Unauthorized presence on, in, or within any building or property owned or operated by the University (including residence halls) or the unauthorized entry into or remaining in a facility or office under the control of another after having been asked to leave.

**2.16. Unauthorized Occupancy in Residence Hall:** Residing in residence halls without paying security deposit and room rent.

**2.17. Unauthorized Posting or Distribution of Materials:** Unauthorized posting or distribution of materials; or failure to abide by University policies and regulations on posting and distribution of materials on University premises.

**2.18. Unauthorized Use of Loud Speakers:** Use of loud speakers on University property without prior approval of the appropriate officials.

### **The Student Judicial Process**

Cases that arise under the behavioral misconduct violations are handled through the Division of Student Affairs and Enrollment Management, Judicial Affairs Committee.

All hearings will be audio or video recorded by the Division of Student Affairs. No other person shall have the right to record any hearings. Hearings may be conducted in person or via video conferencing.

There is a six-month statute of limitations for any alleged violation of the Student Code of Conduct.

Parents/guardians are not entitled to request any information regarding an accused student's disciplinary proceeding unless the accused student provides a signed FERPA waiver.

It is the student's responsibility to review the University's Student Code of Conduct and other University related policies, rules, and regulations.

Failure to attend scheduled hearings with the Judicial Affairs Committee does not prevent the proceeding from going forth.

The Vice Chancellor of Student Affairs and Enrollment Management shall appoint a facilitator or member of the Judicial Affairs Committee to serve as chair for hearings. The facilitator shall not participate in the decision-making process for responsibility or sanctions. The chair, as a member of the Judicial Affairs Committee, shall participate in the decision-making process for responsibility and sanctions. This appointed facilitator or chair shall preside over the hearing by keeping order, setting hearing procedure (e.g., time limits and presentation order), and admitting evidence. There are no formal rules of evidence. However, the facilitator or chair shall make good faith efforts to include relevant evidence and exclude evidence which is neither relevant nor probative.

The Division of Student Affairs may suspend and transfer any investigation regarding matters that are included in the Southern University System's Power-based Violence, Sexual Misconduct, and Title IX Policy to the Office of Title IX for handling and disposition.

### **Code One Offenses**

The Southern University System Non-Academic Disciplinary Proceeding Policy ([https://www.sus.edu/assets/sus/SU\\_Board/Policies/Non-Academic-Disciplinary-Proceeding-Policy\\_-\\_signed.pdf](https://www.sus.edu/assets/sus/SU_Board/Policies/Non-Academic-Disciplinary-Proceeding-Policy_-_signed.pdf)) and the Louisiana Student Due Process and Protection Act (La. R.S. 17:3394) apply to these matters.



All disciplinary proceedings under this process are carried out free from conflicts of interest. As such, the victim counselor and victim advocate, investigator, institutional prosecutor, adjudicator, and appellate adjudicator shall all be separate individuals. The accused student or student organization is afforded the expressed presumption of innocence and set forth that the student or the student organization may not be deemed responsible for the violation until the organization formally acknowledges responsibility or the conclusion of the hearing before the Judicial Affairs Committee and every element of the alleged violation has been established.

The accused student or student organization and alleged victim have the right to be represented, at their own expense, by an attorney or a non-attorney advocate who may fully participate during any disciplinary proceeding or during any other procedure adopted and used by the University to address an alleged violation of the University's non-academic rules or policies. This allows for one attorney or one non-attorney advocate to fully participate during the disciplinary proceedings. The University reserves the right to bar any additional attorneys or non-attorney advocates from participation in or attendance to any disciplinary proceeding. If the attorney or non-attorney advocate presents evidence, makes opening or closing statements, or examines or cross-examines witnesses on behalf of the accused student or student organization or alleged victim, the accused student or student organization or alleged victim may not present evidence, make opening or closing statements, or examine or cross-examine witnesses. If the accused student or student organization or alleged victim presents evidence, makes opening or closing statements, or examines or cross-examines witnesses, the attorney or non-attorney advocate for the accused student or student organization or alleged victim may not present evidence, make opening or closing statements, or examine or cross-examine witnesses.

### **Interim Measures**

Reasonable interim measures are put in place when necessary to ensure the physical safety of the campus community during a timely investigation and adjudication of the alleged code of conduct violation. Within seventy-two (72) hours of the alleged violation being deemed an immediate threat, the Institutional Prosecutor shall send the accused student or student organization written notice of any interim measures, the reasoning for any interim measures, the hearing date and location, the alleged violations requiring any interim measures, and any evidence will be presented to the committee to justify any interim measures. If there is an alleged victim, the Institutional Prosecutor shall send the alleged victim written notice of the interim measures hearing with the date and location. All notices described in this paragraph shall include the Southern University System's Non-Academic Disciplinary Proceedings Policy, the Louisiana Student Due Process and Protection Act (La. R.S. 17:3394), and the Student Code of Conduct.

Within seven (7) business days of receipt of written notice, unless waived by the accused student or student organization an interim measures hearing shall take place. The interim measures hearing is held before the Judicial Affairs Committee and the Institutional Prosecutor presents evidence and a determination is made as to whether there is substantial evidence to support the assertion that the accused student or student organization is deemed an immediate threat and that any interim measures are appropriate. All parties have the right to fully participate in all aspects

of the proceeding. At the conclusion of the interim measures hearing, the requested interim measure is either UPHeld, DENIED or MODIFIED. In the event that any interim measures are MODIFIED, any original measures can be lessened however the measures cannot be increased. The Institutional Prosecutor shall send the accused student or student organization a written notice of decision of the interim measures hearing within twenty-hour (24) hours of the interim measures hearing. Any interim measures shall remain in place until the issuance of the Judicial Affairs Committee's ruling from the disciplinary hearing. An accused student's waiver of the right to an interim measure hearing shall not constitute an admission of guilt or waiver of any additional rights.

### **Disciplinary Hearing**

At the conclusion of a timely investigation, the Institutional Prosecutor shall issue the accused student or student organization written notice of all violations levied against the accused student or student organization, the hearing date and location, a list of all potential sanctions, a list of all evidence to be used by the Institutional Prosecutor at the hearing, and how the accused student or student organization can access the administrative file. If there is an alleged victim, the Institutional Prosecutor shall send the alleged victim written notice of the hearing with date, location, list of violations levied against the accused student or student organization and how the alleged victim can access the administrative file. The date of the hearing shall be no less than seven (7) business days from receipt of notice. The accused student or student organization and the alleged victim shall have reasonable continuing access to the administrative file and the ability to make copies of all evidence or documents in the file prior to the hearing. All notices described in this paragraph shall include the Southern University System's Non-Academic Disciplinary Proceedings Policy, the Louisiana Student Due Process and Protection Act (La. R.S. 17:3394), and the Student Code of Conduct.

The accused student or student organization may accept responsibility for any alleged violations by signing a formal acknowledgement of responsibility, which shall list the violations the accused student or student organization is accepting responsibility for and the list of potential sanctions. If an accused student or student organization accepts responsibility for an alleged violation, the Judicial Affairs Committee shall determine the appropriate sanctions after a presentation of facts by the Institutional Prosecutor. The accused student or student organization or the alleged victim may provide a written or oral statement to the Judicial Affairs Committee.

The Institutional Prosecutor shall send the accused student or student organization and the alleged victim a written notice of decision of the disciplinary hearing within seven (7) days of the disciplinary hearing which shall outline the parties appellate rights.

### **Appeals**

The accused student or student organization and the alleged victim shall be afforded an opportunity to appeal the Judicial Affairs Committee's decision to Vice Chancellor of Student Affairs and Enrollment Management. The appeal shall be filed within ten (10) days after receiving the written notice of decision regarding the disciplinary hearing. The issues that may be



raised on appeal include: new evidence, contradictory evidence, and evidence that the accused student or student organization or alleged victim was not afforded due process.

Upon consideration of the evidence, the Vice Chancellor of Student Affairs and Enrollment Management may GRANT THE APPEAL or DENY THE APPEAL. If the appeal is granted, the Vice Chancellor of Student Affairs and Enrollment Management may ORDER A NEW HEARING or REDUCE or MODIFY THE PUNISHMENT. The Vice Chancellor of Student Affairs and Enrollment Management shall issue his written decision to the accused student or student organization and the alleged victim within fourteen (14) days of receipt of the appeal. If the appeal results in the reversal of a decision or a lessening of the sanction, the University shall reimburse the student for any tuition and fees paid for the period of suspension, including a deferred suspension, or expulsion which had not been previously refunded, if applicable.

In the event that a New Hearing is ordered, the members of the Judicial Affairs Appeals Committee shall not have been a part of the initial hearing decision. The notice of the New Hearing shall be sent by the Institutional Prosecutor and comply with the requirements of the initial disciplinary hearing. The appellate decision is the final University authority on the matter.

### **Code Two Offenses**

The Southern University System Non-Academic Disciplinary Proceeding Policy and the Louisiana Student Due Process and Protection Act (La. R.S. 17:3394) do not apply to these matters.

The accused student or student organization is afforded the expressed presumption of innocence and set forth that the student or the student organization may not be deemed responsible for the violation until the organization formally acknowledges responsibility or the conclusion of the hearing before the Judicial Affairs Committee and every element of the alleged violation has been established.

These proceedings do not require or permit representation of legal counsel or any other persons other than the accused student. However, the accused student or student organization may request that character witnesses and witnesses of the alleged violation speak on the behalf of the character of the accused student or what was witnessed during the alleged violation. Additionally, the accused student or student organization has the right to request that an advocate or person of their choice to sit in to witness any proceedings. However, this selected person does not have the right to speak or interject and will be removed if the person attempts to speak, interject, or obstruct the process.

### **Interim Measures**

The University may issue reasonable interim measures in writing to the accused student or student organization, which shall remain in place until the issuance of the Judicial Affairs Committee's ruling from the disciplinary hearing.

### **Disciplinary Hearing**

At the conclusion of an investigation, the accused student or student organization shall be informed in writing of all alleged violations of the Student Code of Conduct that has been levied against the accused student or student organization. The notice shall include the hearing date and location.

Upon receipt of the notice of disciplinary hearing, if the accused student or student organization would like to waive their presence at the disciplinary hearing, the accused student or student organization must respond in writing to the Institutional Prosecutor within forty-eight (48) hours before the scheduled date of the hearing. Waiving the right to appear does not bar the request for an appeal.

The Institutional Prosecutor or the accused student or student organization may submit any documents, video, or audio recordings as evidence for consideration before a decision is rendered by the Judicial Affairs Committee.

The accused student or student organization may accept responsibility for any alleged violations by signing a formal acknowledgement of responsibility, which shall list the violations the accused student or student organization is accepting responsibility for and the list of potential sanctions. If an accused student or student organization accepts responsibility for an alleged violation, the Judicial Affairs Committee shall determine the appropriate sanctions after a presentation of facts by the Institutional Prosecutor. The accused student or student organization or the alleged victim may provide a written or oral statement to the Judicial Affairs Committee.

The Institutional Prosecutor shall send the accused student or student organization and the alleged victim a written notice of decision of the disciplinary hearing within seven (7) days of the disciplinary hearing which shall outline the parties appellate rights.

### **Appeals**

The accused student or student organization shall be afforded an opportunity to appeal the Judicial Affairs Committee's decision to Vice Chancellor of Student Affairs and Enrollment Management. The appeal shall be filed within seventy-two (72) hours after receiving the written notice of decision regarding the disciplinary hearing. The issues that may be raised on appeal include: new evidence, contradictory evidence, and discrepancies in the judicial procedures.

Upon consideration of the evidence, the Vice Chancellor of Student Affairs and Enrollment Management may GRANT THE APPEAL or DENY THE APPEAL. If the appeal is granted, the Vice Chancellor of Student Affairs and Enrollment Management may ORDER A NEW HEARING or REDUCE or MODIFY THE PUNISHMENT. The Vice Chancellor of Student Affairs and Enrollment Management shall issue his written decision to the accused student or student organization and the alleged victim within fourteen (14) days of receipt of the appeal.

In the event that a New Hearing is ordered, the members of the Judicial Affairs Appeals Committee shall not have been a part of the initial hearing decision. The notice of the New Hearing shall be sent by the Institutional Prosecutor and comply with the requirements of the initial disciplinary hearing. The appellate decision is the final University authority on the matter.

### **Judicial Affairs Committee**

The Judicial Affairs Committee is appointed by the Vice Chancellor of Student Affairs and Enrollment Management. The Judicial Affairs Committee shall consist of Southern University at New Orleans faculty, staff, and students. The Judicial Affairs Committee is responsible for hearing student cases, providing outcomes, and delivering sanctions to students that have been found responsible for actions that violate the University's Student Code of Conduct.

The Judicial Affairs Committee shall consist of ten (10) members: eight (8) faculty/staff and two (2) students. Only five (5) members, (four (4) faculty/staff members and one (1) student), are required to hear discipline and grievance matters. Committee members that served on initial hearing boards shall not serve on Judicial Affairs Appeals Committee for the same matter.

The Judicial Affairs Appeals Committee is composed of three (3) members representing the students, faculty and staff.

Decisions of the Judicial Affairs Committee or the Judicial Affairs Appeals Committee shall be made by a simple majority.

### **Disciplinary Sanctions**

Students are required to become familiar with all University policies and regulations and are held accountable for any misconduct, even in the absence of such familiarity. A student admitted to Southern University at New Orleans accepts responsibility to conform to all University policies and regulations. Any student who fails to meet this obligation shall be subject to disciplinary sanctions including, but not limited to, expulsion, suspension, fines (not to exceed \$500 per violation), probation, campus service, or warnings.

Student organizations are also governed by the Code Student of Conduct. Any student organization in violation of University policies shall be subject to disciplinary sanctions including, but not limited to, termination or loss of recognition from the University, restriction or suspension from the use of University facilities and services, suspension of the privilege to sponsor fundraising events, the loss of all funds allocated by the University, or restitution of damages.

Penalties and sanctions governing all students and student organizations include, but are not limited to, the following:

**Community Service:** An assigned number of hours of service to an on or off-campus non-profit organization.

**Educational Program:** An opportunity for personal development through participation in a specific education program outlined by the Judicial Affairs Committee and the Division of Student Affairs.

**Expulsion:** Prohibition from attending classes and from being present on any campus of the Southern University System without permission from the Vice Chancellor of Student Affairs and Enrollment Management. An expelled student may not apply for (re)admission to any institution in the Southern University System.

**Eviction from Facilities:** Removal from residence facilities or other campus facilities as designated in the written notification. Fees will not be refunded to a student who is evicted from residence facilities.

**Fine:** A specific monetary amount up to \$500.00, which may be included with a period of disciplinary probation. A fine may be issued for each individual violation or as an aggregate amount. Restitution is separate and apart from a fine.

**Interim Administrative Suspension:** The University shall enforce this policy when a student's continued presence on campus interferes with the educational process of the University, or where the health, safety, and morals of the campus community are compromised. This constitutes convincing danger to the normal function of the University or to a student.

**Letter of Reprimand:** A written statement of reproof to the student or student organization.

**Mandatory Withdrawal:** Forced removal from an academic course in which an offense occurred, without credit for the course. Forced removal from a campus club/organization or University Royal Court.

**No-Contact Order:** A directive to refrain from any contact, direct or indirect, with one or more designated persons or group(s) through any means including personal contact, email, text messaging, telephone, social media, or third parties. A No-Contact Order may be temporary or permanent.

**Other Sanctions:** The Judicial Hearing Committee may impose appropriate sanctions, including, but not limited to, restrictions of student privileges, restrictions on right of access to campus facilities, work, fines and monetary payment for purposes of restitution due to damage or misappropriation of University funds, or removal from student organizations or courts.

**Probation:** This is notice to a student or student organization that any further major disciplinary violation may result in suspension. Special restrictions may also be imposed as a condition of

probation. Such restrictions may include one or more of the following conditions: exclusion of a student or student organization from or modified participation by a student or student organization in specific or all campus activities or facilities or embargo of privileges. A specific time period of probation will always be prescribed by the Judicial Affairs Committee.

**Restrictions:** Exclusion of a student or student organization from or modified participation by a student or student organization in specific or all campus activities or facilities or embargo of privileges.

**Restitution:** Financial reimbursement or replacement of damaged or lost property. Restitution is separate and apart from a fine.

**Restorative Justice:** Restorative justice is an approach that provides opportunities for those found responsible for a violation of the code of student conduct to repair, reconcile, and reintegrate. Students that have been found responsible for violating the Student Code of Conduct will be provided this opportunity at the discretion of the Judicial Affairs Committee.

**Statement of Concern:** Student Affairs staff members may issue statements of concern to a student for violation of Code One Violations. Such statements shall be placed in the student's official disciplinary file and may be a basis for further disciplinary referrals. This sanction is subject to review by the Vice Chancellor for Student Affairs and Enrollment Management. The statement of concern is removed at the time the student completes his or her degree program.

**Suspension:** Prohibition from attending classes and from being present without permission on any campus of the Southern University System for the duration of the suspension. The suspension period may not exceed more than two full semesters following the effective date of suspension. The student must immediately withdraw from the University. If required, students that have been suspended must petition for re-enrollment through the Office of Judicial Affairs. Once eligible to return to the University, suspended students must apply for re-admission.

**Warning:** This is official notification to students that their behavior has been unacceptable and that any further misconduct will result in additional sanctions. These sanctions are a part of the official record but are removed at the time the student completes a degree program.

### **Traffic and Parking Appeals**

Any faculty, staff, or student at Southern University at New Orleans may appeal a decision rendered by the Traffic and Parking Division for a citation/boot/tow. The purpose of the traffic appeals process is to dispute the validity of a citation ONLY. All other issues must be handled directly with the Division of Traffic and Parking.

- Only individuals that have registered their vehicle through the Southern University at New Orleans Police Department are eligible for appeal consideration.

- The citation is to be appealed by the person to whom it was issued or to whom the permit displayed was issued. Written statements from witnesses are permitted and may be submitted as documentation with the initial appeal only.
- The following information is REQUIRED to be submitted with an appeal:
  - A copy of the citation and driver's license.
  - A typed statement as to why the citation is being appealed.
  - Diagrams, photos, and other supporting documentation to validate the appeal.
  - Supporting information will NOT be accepted after the initial appeal is submitted.

All appeals decisions are final. Only complete appeals will be considered, and applicants will be contacted with additional information on a denial. All communications regarding traffic/parking appeals are done via University emails ONLY.

## **General Policy Statements**

### **Dress Code**

Southern University at New Orleans students are expected to dress in a manner representative of a higher education institution. Inappropriate academic attire should not be worn while attending classes, performing work-study assignments, attending assemblies and other University functions. Special occasions (e.g., banquets; convocations; coronations; employment; graduation; luncheon plays; professional exploration day) dictate that business or formal wear be worn. Sporting events and other social functions require informal but respectable attire.

### **Unacceptable Attire**

- Du-rags, bonnets, or scarves. (Religious head wraps and garments are permitted.)
- Sagging pants or shorts that reveal undergarments.
- Excessively tight or revealing clothing.
- Bedroom or shower slippers.
- Undergarments or night gowns (tops or bottoms) worn as outerwear. (Under garments should not be visible, under any circumstance.)
- Clothing that reveals body piercings.
- Clothing articles with derogatory, offensive, lewd, or discriminatory messages or pictures. This includes clothing articles that promote violence or the selling, manufacturing, and distribution of drugs or alcohol.

In support of our mission, on Wednesdays, students are asked to wear professional attire to promote a positive learning environment.

### **Campus Free Speech**

The Southern University System deems the free and open inquiry into all matters fundamental to the mission of higher education and is committed to the preservation of the lawful, free expression of ideas at all institutions of the Southern University System subject only to reasonable time, place, and manner restrictions. Therefore, the Southern University System has adopted a Uniformed Policy on Campus Free Speech, which can be located at the following link:

### **Tobacco-Free Campus Policy**

Southern University at New Orleans recognizes the overwhelming scientific evidence assembled by the U.S. Surgeon General, Centers for Disease Control, Environmental Protection Agency, and World Health Organization, which demonstrates that tobacco is a profound agent of deadly diseases, responsible for millions of deaths worldwide each year, both to tobacco users and non-users. Tobacco use is inconsistent with a culture of wellness. While acknowledging the hazards of smoking, Southern University at New Orleans has, more importantly, dedicated itself to providing safe, healthy, comfortable, and productive living and learning environment for visitors, employees and students.

Accordingly, pursuant to the provisions of La. R.S. 40:1291.1, et seq., the Louisiana Smoke Free Air Act, Southern University at New Orleans issues a 100% Tobacco-Free Policy. Smoking and tobacco use of any kind is prohibited on all campus property or other properties owned or leased locations/premises; all internal and external areas, parking garages, and parking lots; all entrances and exits; and in all University-owned or leased vehicles. Students may not smoke in their own or others' vehicles when the vehicles are parked on Southern University at New Orleans properties.

This policy will be in place at all Southern University at New Orleans sponsored events—both on our premises and at external locations hosting such events, including non-University hours and will further apply to all faculty, staff, students and visitors.

### **Definitions**

- **Smoking:** inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe.
- **Tobacco Products:** all forms of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), electronic cigarettes, bongos, and smokeless tobacco products.

### **Tobacco-Free Regulations**

- The use of tobacco is prohibited by students, staff, faculty or visitors:
  - In all campus buildings, facilities, or property owned or leased the University;
  - On campus grounds, facilities, or in vehicles that are the property of the University; and
  - At lectures, conferences, meetings, and social or cultural events held on University property or grounds.
- The sale or free distribution of tobacco products, including merchandise on campus or at University events, is prohibited.
- Southern University at New Orleans student organizations are prohibited from accepting money or gifts from tobacco companies including:
  - Parties sponsored by tobacco companies and allowing them to distribute free, reduced price, or fully priced tobacco products (T-shirts, hats, etc.) on campus.



- Tobacco advertisements are prohibited in college-run publications and on grounds or facilities, including athletic facilities, owned or operated by the University.
- Southern University at New Orleans will provide information on free and accessible tobacco treatment resources on campus.

### Other University System Policies

In an effort to provide students with an atmosphere conducive to academic success, the following administrative policies have been established:

- **Academic Policy:** Regulations governing academic misconduct and probation of students enrolled at Southern University at New Orleans are contained in the University's course catalog this is produced by the Office of Academic Affairs. Included in this publication are rules, procedures, and regulations governing academic grievance procedures and students' academic performance.
- **Alcoholic Beverage Policy:** Southern University at New Orleans acknowledges and adheres to the State of Louisiana alcohol consumption law and the Southern University System's Alcoholic Beverages Policy.

It is Southern University at New Orleans policy that all students are prohibited from the use and sale of alcoholic beverages within the confines of the University and at University-sponsored activities.

- **Children on Campus:** Southern University at New Orleans encourages and welcomes supervised campus visitation by children (minor children who are under the age of 18) for the purpose of early exposure to higher education, attendance to educational, cultural and or sporting events and campus sponsored activities. Students are encouraged to make personal child care arrangements without the University's involvement.

The University assumes no responsibility for the supervision of students' children.

Minor children on campus without supervision of an adult are not allowed on the University's campus. It is the policy of the University that all students are prohibited from bringing to class or leaving their children unattended on the University's campus. In compliance with this policy, the following stipulations apply:

- Students who fail to comply with this policy will not be admitted to classes; and
  - Students who fail to comply may be asked to leave campus until a child care arrangement is made by the student.
- **Consent:** The University defines consent as clear, unambiguous, and a voluntary agreement between participants to engage in specific sexual activity. Consent is active, not passive, and is given by a clear and sober "YES." The Louisiana Board of Regents, for the purpose of sexual misconduct, defines consent as: "Consent to engage in sexual activity must exist from



beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words or actions that clearly indicate a willingness to engage in a specific sexual activity. Silence alone, without actions evidencing permission, does not demonstrate consent. Consent must be knowing and voluntary. To give consent, a person must be of legal age. Assent does not constitute consent if obtained through coercion or from an individual whom the accused offender knows or reasonably should know is incapacitated. The responsibility of obtaining consent rests with the person initiating sexual activity. Use of alcohol or drugs does not diminish one's responsibility to obtain consent. Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of consent has been expressed, the sexual activity must cease. Consent is automatically withdrawn by a person who is no longer capable of giving consent. A current or previous consensual dating or sexual relationship between the persons involved does not itself imply consent or preclude a finding of responsibility."

- **Drug-Free Campus Policy:** Any student in possession of drugs on the Southern University at New Orleans campus is subject to disciplinary action up to expulsion. The Office of Judicial Affairs will advise students on individual rights and will ensure that due process is afforded by the University.
- **Drug-Free Workplace Policy:** The Drug-free Workplace Act of 1988 requires Southern University at New Orleans, as a federal grantee, to certify that it provides a drug-free workplace. The drug-free workplace requirement applies to all offices and departments that receive campus-based funds. Sub-grantees, such as organizations that contract with Southern University at New Orleans, are excluded from these provisions. Drug-free Schools and Communities Act Amendments of 1989 require Southern University at New Orleans to certify that it has adopted and implemented a program to prevent drug and alcohol abuse by its students and employees.
- **Fundraising/Solicitation:** The University does not permit unauthorized fundraising activities on the part of the individual student or student groups. Student organizations that wish to sell merchandise on campus must request permission in writing from the Director of Student Activities and Organizations. Students cannot sell merchandise on an individual basis.
- **Noise Policy:** The Southern University at New Orleans Police Department enforces a policy regarding low-level noise emanating from vehicles or from audio equipment carried by pedestrians. Pedestrians carrying high-volume audio equipment will receive citations, and the equipment will be confiscated and held until the end of the semester. If the student is suspended, the equipment will be returned at the end of the suspension. The University will assume no liability for the condition of confiscated equipment.
- **Parental Notification of Alcohol and Drug Violations:** In the event a student under the age of twenty-one (21) violates laws governing the use and possession of alcohol or other

controlled substances, the parents of the dependent student will be notified by the Office of the Dean of Students. This includes federal, state, and local laws, rules and regulations. The notification of parents is an intervention that is based upon assisting students in making safe and healthy life choices.

- **Personal Checks and Credit Cards:** The University does not accept personal checks. Students may pay their university accounts with cashier's checks or money orders. The University also accepts Discover, MasterCard, and Visa.
- **Pets:** All pets—including but not specifically limited to dogs, cats, bird, snakes/reptiles, horses and other animals—are not allowed in any University building or on the Southern University at New Orleans campus. To protect the interest and safety of students and employees, any individual failing to comply with this policy shall be requested to leave the campus until off-campus accommodation for the pet(s) and animal(s) can be arranged. Pets are considered animals, domestic or wild, in the company of a student, faculty/staff member, guest, or visitor to the University. This policy does not apply to service animals. Students living in University residential facilities found in violation of this policy will be subject to eviction.
- **Posting Policy:** All posting of flyers, banners, posters, and stickers on University property must be approved via email by the Office of Student Activities and Organizations. Under no circumstances should signs or leaflets be posted on interior walls, interior/exterior windows, glass doors, utility poles, fences, trees, trash receptacles, or parked vehicles. Signs may be posted on designated bulletin boards and on the outside of brick walls of designated buildings, glass doors, utility poles, fences, trees, trash receptacles, or parked vehicles.
- **Power-based Violence, Sexual Misconduct, and Title IX:** Southern University at New Orleans does not tolerate power-based violence, sexual misconduct, or Title IX violations in any form, including sexual assault and sexual harassment. Campus power-based violence, sexual misconduct, and Title IX procedures apply to all registered students, faculty, and staff, as well as guests to Southern University and A&M College. See the Southern University System Uniformed Policy on Power-based Violence, Sexual Misconduct, and Title IX located at: [https://www.sus.edu/assets/sus/SU\\_Board/12-001Signed-Power-Based-Violence-Sexual-Misconduct-and-Title-IX-Policy-10.22.2021.pdf](https://www.sus.edu/assets/sus/SU_Board/12-001Signed-Power-Based-Violence-Sexual-Misconduct-and-Title-IX-Policy-10.22.2021.pdf).
- **Probation and Dismissal Policies:** Any student dismissed from the University for disciplinary purposes shall forfeit all fees paid to the University and shall be held liable for any debts owed the University. Any student placed on suspension upon returning to the University will be placed on disciplinary probation.
- **Search Policy:** For Residence Life and Housing facilities, University officials may enter a student's room when an emergency exists, where there is reasonable cause to believe there is a clear and present danger, or where there is a reasonable belief that contraband is present which

interferes with the educational process of the University, or where the health, safety, and morals of the campus community are compromised.

- **Weapons Policy:** Any student in possession of a weapon (gun, knife, or any other lethal instrument) on the University's campus in violation of Louisiana law shall be subject to University disciplinary action and expelled.

Violators shall also be subject to criminal charges.

### **Student ID Card Usage**

All students (both full-time and part-time) at Southern University New Orleans are issued student identification (ID) cards. Only the first student ID card is issued free. The student ID card serves as proof of status with Southern University at New Orleans and provides access to many resources provided by the University, such as dining hall meals, access to buildings, residence halls and campus events, and use of the library. Students that have cross-registered in classes at Southern University at New Orleans are not issued Southern University at New Orleans student ID cards.

All enrolled students (full-time and part-time) at Southern University and A&M College are required to have valid identification (ID) cards for the semester in which they are registered. Students are required to carry a student ID card at all times. Failure to do so may subject students to a reasonable detention by appropriate University authorities, as well as prevent admission/passage into University events, programs, or facilities. Students are required to present their issued student ID card when requested by any University official. Failure to present the student ID card when requested by a University official is a violation of the Student Code of Conduct.

Students must protect their student ID card as to reduce the risk of abuse related to the privileges associated with the student ID card. Students should note the following:

- Holes should not be punched in the ID card.
- The magnetically encoded information on the ID card may be protected by keeping the card away from magnetic fields.

No one other than the student to whom the card is issued is to use the student ID card. The student ID card is the property of Southern University at New Orleans and must be presented upon the request of an appropriate University official and may be revoked at any time by the University.

### **Misuse of Student ID Cards**

The transfer, alteration, falsification, or forgery of a Southern University at New Orleans student ID card is prohibited. In addition, fraudulent or illegal use of the student ID card may result in criminal charges or civil proceedings. Any person, other than a student enrolled Southern University at New Orleans to whom an official student ID card had been issued, who is found in

possession of and attempting to use a Southern University at New Orleans student ID card or facsimile thereof will be subject to arrest and prosecution under La. R.S. 14:70.7. Students misusing student ID cards to gain access to University events or facilities shall receive an automatic fine when the incidents are reported to the Division of Student Affairs and Enrollment Management and the Office of Judicial Affairs. In these incidents, students may appeal the fine if they have appropriate evidence to validate their claims. Claiming that a student ID card was lost/stolen without presenting proper documentation that the ID was lost/stolen (on the date of the incident or soon after) is not valid evidence.

### **Replacement of Lost or Stolen ID Cards**

When a student ID card cannot be found, the student must report the student ID card as lost as soon as possible. A student must report a lost/stolen student ID card to the Southern University at New Orleans Police Department in person. Students that lose their IDs cards must do the following in order to obtain a new ID card:

1. Report to the Cashier's Office and pay for a police report for of the lost/stolen ID card and the fee for a duplicate ID.
2. Report to the Southern University at New Orleans Police Department to obtain a police report.
3. Report to the IT department for a duplicate ID.

Requests to waive the duplicate student ID card fee will only be granted in the event that the original card was lost or damaged by the University or a University official performing his or her duties.

### **Email Usage**

#### **Purpose of the General SUNO Email Policy**

Email is a universal service that has greatly enhanced communication both internally within the Southern University at New Orleans community and externally to users, including prospective students, alumni, and the public at large. This student email policy is a supplement to the University's general email policy.

#### **Use of Email for Official University Business**

The Southern University at New Orleans email account (@sus.edu or @my.suno.edu) is considered the official means for communicating University business to students. The University has the right to send communications to students, faculty, and staff via email and the right to expect that those communications will be received and read in a timely fashion. Users are expected to read, and shall be presumed to have received and read, all official Southern University at New Orleans email messages sent to their official University email accounts. Because the contents of such email are subject to laws governing public records, users will need to exercise judgment in sending content that may be deemed confidential. Furthermore, email transmissions may not be secure and contents that are expected remain confidential should not be

communicated via e-mail. Common examples of confidential contents include student grades and information protected under Family Educational Rights and Privacy Act (FERPA) regulations.

### **Redirecting of University Email**

If a student wishes to have email redirected from their official @sus.edu or @my.suno.edu address to another email address (e.g., @gmail.com, @yahoo.com), they may do so, but at their own risk. Southern University at New Orleans is not responsible for the handling of email by outside vendors or by departmental servers. Having email redirected does not excuse a student from the responsibilities associated with official communication sent to their @sus.edu or @my.suno.edu account.

### **Expectations about Student Use of University Email**

Students are expected to check their official Southern University at New Orleans email on a frequent and consistent basis in order to stay current with University-related communications. Students have the responsibility to recognize that certain communications may be time-critical. "I didn't check my email", error in forwarding mail, or email returned to the University with "Mailbox Full" or "User Unknown" are not acceptable excuses for missing official University communications via email. Educational Uses of University Email Faculty will determine how electronic forms of communication (e.g., email) will be used in their classes, and will specify their requirements in the course syllabus. This policy will ensure that all students will be able to comply with email-based course requirements specified by faculty. Faculty can therefore assume that students' official @sus.edu or @my.suno.edu accounts are being accessed and faculty can use email for their classes accordingly.

### **Commencement Conduct**

Southern University at New Orleans Commencement is held primarily for graduates and their families. It is an occasion honoring important educational accomplishments. It is celebratory, yet formal affair that requires dignity and professionalism from all attendees. The ceremony is formal out of respect for the effort that graduates put into earning their degrees and the family members who have come to witness their success. Understanding and cooperation from all attendees in keeping the ceremony formal and free of distractions, such as pranks, unwarranted behavior, excessive celebrations, dancing or "strolling" down the aisle and vocal disruptions, will help make the event worthwhile.

Southern University at New Orleans maintains a proud tradition of announcing each graduate's name. The last graduate is as important as the first. Once graduates have entered the floor of the arena, they must remain seated until they are signaled to proceed to the stage. After leaving the stage, graduates are expected to remain seated until the conclusion of the ceremony. Courtesy, attention and decorum are important and expected by graduates, their families and guests.

Cellular phones must be silenced out of respect for your fellow graduates. Individuals arriving to Commencement intoxicated or dressed inappropriately will not be allowed to participate. Graduates are required and expected to dress in business or business casual attire. Any

decoration of mortar boards must be done appropriately and in keeping with the dignity and professionalism of the occasion.

Failure to comply will result in immediate removal from the ceremony by the student's respective College Marshall and SUNO Police.