

## **CODE OF STUDENT CONDUCT**

Louisiana State University and Agricultural and Mechanical College

*Effective January 18, 2022*

### **1.0 COMMITMENT TO COMMUNITY**

The LSU Commitment to Community provides a guiding ethos to the University community. Students are encouraged to exemplify the Commitment to Community in their daily lives. LSU is an interactive community in which Students, faculty, and staff together strive to pursue truth, advance learning, and uphold the highest standards of performance in academic, social, and social media environments. It is a community that fosters individual development and the creation of bonds that transcend the time spent within its gates.

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

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

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

### **2.0 GOVERNANCE OF THE UNIVERSITY**

The University has the legal right to establish standards for academic and personal conduct for continued membership in the University community, to deny membership to those who do not meet these standards, and to impose outcomes and discipline on any Student who is found in violation of these standards.

Student Advocacy & Accountability (SAA) is responsible for administering this Code of Student Conduct (the "Code"). SAA generally cannot make public comment on any individual's case, as per the Family Educational Rights and Privacy Act (FERPA). However, in limited circumstances, as required or allowed by law, information relative to certain incidents and case statistics may be disclosed.

The Code of Student Conduct Review Committee will initiate periodic reviews of the Code and recommend changes to the President. The Committee shall be comprised of the following 11 members appointed by the Office of the Vice President of Student Affairs:

- Dean of Students,
- A SAA Staff member,
- Nine at-large members from the University Community,
  - Three students,
  - Three faculty members,
  - Three staff members.

The Dean of Students or designee shall chair the committee. Continued service is at the discretion of the Dean of Students. SAA may recommend minor, non-substantive revisions to the Code for approval to the Dean of Students.

Upon request by the Vice President of Student Affairs, any 6 of the 11 members shall constitute a quorum and thereby can conduct University business. No member of the Code of Student Conduct Review Committee may serve by proxy.

### **3.0 STATEMENT OF POLICY**

#### **3.1 General Rights and Responsibilities**

All Students are bound by this Code, the Bylaws and Regulations of the Board of Supervisors, University Policy Statements and Permanent Memoranda. Any Student found in violation of the aforementioned policies may be held accountable and be subject to the Accountability process outlined in this Code. The Code can be found online at <http://www.lsu.edu/saa>

Additionally, faculty and staff are required to follow the procedures outlined in this Code when they become aware of behavior that may violate the standards of this Code.

#### **3.2 Purpose of the Code of Student Conduct**

The purpose of the Code is to engage Students on issues of community membership, encourage responsible decision making, safeguard the health and welfare of all members of the University community, protect University property, and promote academic integrity including class attendance.

#### **3.3 Implementation of Rights**

The Code is the University's document governing Student conduct and the Accountability process. All discipline imposed upon a Student must be in accordance with the provisions of this Code, PM-73, PS-69, or professional and/or ethical requirements of a particular program.

The procedures for addressing and resolving allegations of sex and gender-based harassment and discrimination, including sexual misconduct (e.g. sexual assault, stalking, dating violence, domestic violence, sexual exploitation, retaliation, etc.) are addressed by the Office of Civil Rights through PM-73. You can visit the Office of Civil Rights and Title IX website for additional information regarding PM-73 at [www.lsu.edu/civil-rights](http://www.lsu.edu/civil-rights).

Allegations of research misconduct will be reviewed under Research Misconduct Policy Statement 69 (PS-69). Information regarding PS-69 can be found at [www.lsu.edu/research/resources\\_for\\_faculty/research\\_compliance/responsible\\_conduct/research\\_misconduct.php](http://www.lsu.edu/research/resources_for_faculty/research_compliance/responsible_conduct/research_misconduct.php).

A Student's failure to adhere to any professional and/or ethical requirements of a particular program may be considered and addressed pursuant to written program guidelines or requirements. To the extent the conduct at issue may also constitute a violation of this Code, faculty and staff must refer the matter to SAA.

SAA may delegate its authority over potential Behavioral Misconduct violations by residents of University housing to the Department of Residential Life for resolution through its accountability process utilizing the standards set forth in this Code.

### 3.4 Amnesty

Student safety is of utmost importance to the University. To encourage Students to make responsible decisions, the University recognizes the need for amnesty from University sanctions in certain situations. Amnesty under this policy, when granted, excuses a Student or Registered Student Organization (RSO) from University sanctions under the Code. Amnesty is intended to promote action when an emergency situation is present. It is not intended to excuse any student or organization causing the emergency situation or unsafe condition. The decision to grant amnesty will be determined by the Dean of Students and/or SAA on a case-by-case basis.

Amnesty under this policy is limited to violations of the Code and has no bearing on actions taken by any law enforcement agency, including LSU Police. To qualify for amnesty, a Student or Registered Student Organization (RSO) is encouraged to:

1. report any incident or medical emergency by contacting the appropriate University officials, including law enforcement, LSU Police or 9-1-1, when appropriate,
2. remain with any student needing attention or emergency treatment,
3. cooperate with University or emergency officials,
4. coordinate with University officials after the incident, and
5. cooperate with any University investigation.

Medical Amnesty. The University recognizes the need for emergency response amnesty ("Medical Amnesty") in certain alcohol, drug, physical, and emotional distress related emergencies and situations. Medical Amnesty may be available in the following situations:

- a Student seeking medical attention for themselves
- a Student seeking medical attention on behalf of another Student
- an RSO seeking medical attention for a Student

Medical Amnesty will not be granted for other policy violations (outside of alcohol and drug related violations) that may have occurred during the incident. In order to qualify for Medical Amnesty, the Student or RSO must comply with University requests for an educational conversation, assessment, and any potential referrals for additional services or treatment and/or outcomes to address the behavior.

Non-Medical Amnesty. The University recognizes the need for amnesty in certain behavioral situations which do not require immediate emergency medical response (“Non-Medical Amnesty”). In order to qualify for Non-Medical Amnesty, the Student and/or RSO must notify the University of the specific concerns in advance of the University having knowledge of the incident for which Non-Medical Amnesty is sought. In order to qualify for Non-Medical Amnesty, the Student or RSO must agree to comply with appropriate educational outcomes to address the behavior.

Non-Medical Amnesty is also available to a Student or RSO who proactively seeks clarification of University rules prior to engaging in questionable conduct.

## **4.0 DEFINITIONS**

The listed terms and phrases are defined as follows:

### **4.1 Academic Misconduct**

Those violations detailed in the Code that are specific to Academic Student behavior. Certain conduct may constitute both Academic and Behavioral Misconduct.

### **4.2 Accountability Meeting**

An opportunity for the Charged Student to address the allegations and charges with a SAA Official or UHP.

### **4.3 Accountability Outcome**

The Accountability Outcome, or Outcome, identifies an Accountability resolution and any requirements, restrictions, or change in Student status that have been assigned to the Student by the SAA Official or a University Hearing Panel (UHP).

### **4.4 Advisor**

An individual allowed to offer support to a Charged Student or RSO during the Accountability process. An Advisor may not have personal involvement regarding any facts or circumstances of the Charge.

### **4.5 Behavioral Misconduct**

Those violations detailed in the Code that are specific to non-Academic Student behavior. Certain conduct may constitute both Academic and Behavioral Misconduct.

### **4.6 Campus**

Campus includes all land, buildings, property, and facilities in the possession of, owned by, used by, or controlled by the University, regardless of contiguity or proximity. This includes land leased to others, property owned, managed or maintained by the University, and all streets, alleys, sidewalks, and public ways adjacent to any land of the University or the land upon which housing is located even if the housing is not owned by the University.

#### **4.7 Charged Student or Charged RSO**

A Student or RSO who has received notice of allegations detailing a potential violation of the Code, contract, Bylaws and Regulations of the Board of Supervisors, Policy Statement, or Permanent Memoranda of the University.

#### **4.8 Complainant**

A person who believes they have been subjected to Endangerment, Harassment, Hazing, Offensive Behavior, Retaliation, or Unauthorized Surveillance.

#### **4.9 Dean of Students**

The person holding this position within the University. The Dean may delegate the authority to perform any of the duties assigned to the Dean of Students in this Code. To the extent necessary, the Dean may decide any question related to interpretation or application of this Code.

#### **4.10 Impact Statement**

An impact statement is an oral or written statement provided by a complainant detailing the impact of a violation toward them.

#### **4.11 Instructor**

Any Professor, Associate Professor, Assistant Professor, Instructor, Adjunct Faculty, Graduate Teaching Assistant, Teaching Assistant, or other professional charged with oversight of a lab, class, section, or course for academic credit at the University.

#### **4.12 Interim Measure**

At any time after becoming aware of a complaint, a University official may impose that interim protections or remedies for the parties involved, witnesses, or RSOs will be provided by appropriate University officials. Remedies may include issuing a timely warning to the campus community, separating the parties, placing limitations on contact between the parties, interim suspension from Campus, or making alternative workplace, classroom, course scheduling, dining, or student housing arrangements. Interim measures may vary depending on the nature of the complaint, status of respondent or other criteria. All parties shall be notified of the availability of these measures as well as the fact that such measures are put into effect.

#### **4.13 Material Observer**

A person who has knowledge of facts or circumstances pertaining to an alleged violation.

#### **4.14 Not Responsible**

The finding that indicates a Student or RSO is not in violation of the Code.

#### **4.15 Notification Letter**

The written notice sent to a Student or RSO of the allegations and corresponding Code sections to be addressed.

#### **4.16 President**

The person holding this position within the University. The President may delegate the authority to perform any of the duties assigned to the President in this Code.

#### **4.17 Referral**

A written complaint against a Student or Registered Student Organization forwarded to SAA. A referral may be submitted by any individual(s). Anonymous referrals may be considered at the discretion of SAA.

#### **4.18 Registered Student Organization (RSO)**

An organization that has fulfilled all the requirements established by the University for official recognition.

#### **4.19 Reporting Party**

An individual who submits a Referral against a Student or RSO alleging misconduct under the Code.

#### **4.20 Responsible**

The finding or acknowledgment that indicates a Student or RSO is in violation of the Code.

#### **4.21 RSO Action**

Any action by one or more that intends to or may lead others to reasonably believe that a specific RSO was represented or affiliated with the action. A finding of an RSO Action is determined on a case by case basis but may be based on the use of signs, symbols or phrases; the use of specific practices or rituals; the posting on affiliated social media; or membership-related discussion.

#### **4.22 SAA Official**

An SAA Official is a person assigned by SAA to oversee and implement the provisions of this Code.

#### **4.23 Social Media**

For the purposes of this policy, understood to include blogs, wikis, microblogs, message boards, chat room, electronic newsletters, online forums, social networking sites, and other sites and services that permit user to share information with others on the internet. Examples of social media include but are not limited to Facebook, Instagram, SnapChat, Twitter and GroupMe.

#### **4.24 SAA Representative**

A person designated by SAA to oversee the proceedings of a University Hearing Panel

#### **4.25 Student**

For the purpose of this Code, any person admitted to LSU or enrolled or scheduled to be enrolled in a course for academic credit through LSU. This includes any person attempting to fulfill requirements for academic credit through LSU, even if not currently enrolled. This definition does not include LSU Laboratory School students except when attempting to fulfill requirements for course credit through LSU.

#### **4.26 Student Advocacy & Accountability (SAA)**

SAA is the office and staff responsible for the implementation and administration of the Code.

#### **4.27 University or LSU**

University or LSU refers to Louisiana State University and Agricultural and Mechanical College.

#### **4.28 University Hearing Panel (UHP)**

A group of individuals with responsibility under this Code to hear a case referred by a SAA Official or after a Student has declined an Accountability Outcome

#### **4.29 Written Communication**

Written correspondence generated by SAA, including but not limited to email. Any correspondence sent to a Student's University-issued email address shall constitute actual notice under this Code.

### **5.0 JURISDICTION OF THE CODE**

#### **5.1 Jurisdiction of the Code**

The Code applies to conduct that occurs on the Campus, at LSU-sponsored activities, and/or when the Student or RSO is representing LSU. The University shall have discretion to extend jurisdiction over conduct that occurs off campus when the conduct adversely and significantly affects the learning environment or University community and would be in violation of the Code if the conduct had occurred on campus. In determining whether or not to extend jurisdiction, the University may consider its ability to gather information. The University may extend jurisdiction if the alleged conduct:

- A. Involves violence or produced a reasonable fear of physical harm; and/or
- B. Involves any members of the University community or any academic work, records, documents, or property of the University.

Each Student is responsible for conduct from the time of application for admission through the actual awarding of a degree, though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment and even if the conduct is not discovered until after a degree is awarded.

#### **5.2 Violation of Law and LSU Policy**

Proceedings may be instituted against a Student or RSO charged with conduct that potentially violates both the law and the Code without regard to the status of any civil, criminal or other proceedings.

Proceedings under this Code may be carried out prior to, simultaneously with, or following any civil or criminal proceedings.

## **6.0 RIGHTS AND RESPONSIBILITIES OF A CHARGED STUDENT OR RSO**

### **6.1 Rights of a Charged Student or RSO**

A Charged Student or RSO shall have the following rights:

- A. To receive a Notification Letter through Written Communication of any specific allegation and Charge(s).
- B. To be provided a reasonable amount of time to respond to the Notification Letter.
- C. To refuse to comment or answer questions.
- D. To present information and/or any Material Observer.
- E. To have an Accountability Outcome imposed that is commensurate with the violation.
- F. To have an Advisor present during an Accountability Meeting.
- G. To have any Charge considered by a UHP.
- H. To schedule a time prior to the UHP hearing to inspect and review the information on which a Charge is based.
- I. To receive a list of all Material Observers to be called by the University at least one business day prior to a UHP. However, a UHP may continue the proceedings to allow the University to identify any Material Observer to rebut any information presented by the Charged Student.
- J. To retain rights as a Student or RSO until a final decision is issued by the hearing officer or by the UHP if requested. However, a Student or RSO may be subject to an Interim Suspension, limitations or conditions as set forth in this Code.

### **6.2 Responsibilities of a Charged Student or RSO**

A Charged Student shall have the following responsibilities:

- A. To be honest.
- B. To attend an appointment with the SAA Official on a specified date, time, and location.
- C. To attend an Accountability Meeting scheduled by the SAA Official if included in the Notification Letter.



### 6.3 Rights and Responsibilities of a Charged Student or RSO Before and During a UHP

A Charged Student or RSO shall have the following rights and responsibilities before and during a UHP hearing:

- A. To have personal information kept private to the extent allowed by law. The UHP is private. The only individuals allowed into the UHP are Charged Students, designated representatives of the Charged RSO (if applicable), Material Observers, an Advisor for each Charged Student or RSO, UHP members, and any SAA Officials. Material Observers may be included or excluded at the discretion of the panel chair. Material Observers and non-voting panel participants may only be present during the portion of the hearing in which they answer questions and/or provide information relevant to the Charge. Only voting UHP members and the SAA Representative may remain during panel deliberations.
- B. To appeal any UHP Outcome as detailed in this Code.
- C. To request that any member of a UHP be excluded for good cause clearly established by the Charged Student or RSO. The Charged Student or RSO must make the request immediately after the introduction of the members of the UHP. The decision to exclude any UHP member shall be at the sole discretion of the SAA Representative.
- D. To present information or any Material Observer in defense of the Charge per the procedures outlined in this Code.
- E. To conduct reasonable questioning of any Material Observer appearing at the hearing or providing statements. Whenever possible, a Material Observer will present oral instead of written statements. Oral statements, written statements, previously written memoranda, letters, or other written materials may be presented at a hearing even if the Material Observer is not present and the ability to question the Material Observer was not possible at the time the written materials were prepared. The UHP may take this into consideration when weighing different types of information. The UHP may limit any questions or responses to pertinent information or to maintain order, avoid repetition or prevent harassment or unnecessary embarrassment. The UHP may require that the Charged Student or RSO present questions in writing.
- F. The Charged Student or RSO may request that SAA assist in obtaining information from the University that is pertinent to the charge.
- G. To have prior violations of the Code excluded from review or consideration during the UHP's determination of Responsibility for the present charge, unless it is presented to directly rebut claims of no prior misconduct or was discussed in relation to the outcome assigned by a hearing officer. If a Charged Student or RSO is found Responsible, prior violations of the Code may be considered when the SAA Official or UHP is determining the Accountability Outcome. To schedule a time to listen to the recording of the UHP proceedings. Only the University may record the UHP proceedings.

#### **6.4** Proceeding in Absentia

- A. In the event a Charged Student or RSO fails to attend an Accountability Meeting, a SAA Official may proceed without the Charged Student or RSO in attendance.
- B. The UHP may proceed without the Charged Student or RSO in attendance. If the SAA Representative or designee determines that the failure to appear is due to compelling circumstances, SAA may reschedule the UHP.

#### **6.5** Rights of a Complainant

- A. Any and all rights extended to a Charged Student or RSO under Section 6.1 are extended to a Complainant in cases of Endangerment, Harassment, Hazing, Offensive Behavior, Retaliation, or Unauthorized Surveillance.
- B. To the extent allowed by law, the Complainant may be notified of the Outcome of the hearing.
- C. When participating in an Accountability Meeting or UHP, the Complainant may use conference call, written statement, video recording, closed-circuit television, privacy screen or other measure for the Complainant's safety or wellness. The SAA Official may require that the Complainant respond to reasonable questions requested by the Charged Student or RSO in a format determined by the SAA Official.
- D. The Complainant is entitled to submit an Impact Statement for consideration by the SAA Official and UHP during the Accountability Outcome phase of the UHP.

#### **6.6** Role of Advisor

The Advisor's only function shall only be to assist and consult with the Student or RSO regarding an Accountability meeting or UHP. The Advisor may not act as a spokesperson for the Student or RSO and may not directly address the SAA Official, any UHP member, or any Material Observer. The Advisor may be an attorney, but participation shall be limited as stated above.

SAA can assist in partnering a Student or RSO with an Advisor to assist through the Accountability process. Accountability Advisors have been trained to assist students through the Accountability process.

### **7.0 ACCOUNTABILITY PROCEDURES**

#### **7.1** Non-Discriminatory Application of Accountability Procedures

Application of this Code shall be based on the principle of equitable treatment, including but not limited to: race, creed, color, marital status, sexual orientation, gender identity, gender expression, religion, sex, national origin, age, disability, genetic information, or veteran status.

## 7.2 Initiation of Accountability Process

- A. Accountability Referral. Any person who has a reasonable basis to believe that a Student or RSO may have committed a violation of this Code shall submit all such information to SAA at LSU Cares, [lsu.edu/lsucares](http://lsu.edu/lsucares). In addition, official reports from LSU Police Department, Residential Life, any University department, and other law enforcement entities will also be accepted.
- B. Investigation by a SAA Official. An SAA Official may investigate any alleged or potential misconduct. This investigation can include meetings with a complainant, interviews of other persons with knowledge pertaining to the facts and circumstances, and other types of information collection. The investigation can begin before or after a Notification Letter is issued.
- C. Disqualification of SAA Official. In the event an SAA Official may be a Material Observer in an Accountability proceeding or for any reason cannot perform official duties under these Accountability Procedures, the Dean of Students shall appoint another person to perform such duties.

## 7.3 Requiring a Student to Meet

The SAA Official may require a Student or RSO to attend a meeting or other proceeding in connection with an alleged or potential violation by sending a Written Notification. The SAA Official may prohibit or cancel the enrollment of, place a hold on the Student's records, or proceed to an Accountability Meeting or a UHP when a Student or RSO fails, without good cause, to comply with a directive made under this Code. The modification to the Student's enrollment status may be lifted at the discretion of the SAA Official when the Student complies with the directive.

## 7.4 Administration of Charges

- A. The SAA Official shall review each Referral. Based on the review, the SAA Official may decide on an appropriate course of action including, but not limited to:
  - 1. Take no action;
  - 2. Request to meet the Charged Student or RSO through an Accountability Meeting, and, if found Responsible, issue an Accountability Outcome;
  - 3. Refer the Charge to a UHP;
  - 4. Hold the Referral for further inquiry; or
  - 5. Refer the matter to Residential Life for consideration.
- B. If SAA decides to take no action, this does not preclude the SAA Official from revisiting the Referral at a later date.

## **8.0 ACCOUNTABILITY MEETINGS**

### **8.1 Accountability Meeting with an SAA Official**

- A. Most Student cases begin with an Accountability Meeting between a SAA Official and the Charged Student.
- B. RSO cases may begin with an Accountability Meeting or UHP, at the discretion of SAA. Alternate forms of resolution may be utilized with RSO's by agreement.
- C. A Student or RSO is entitled to have an Advisor present at an Accountability Meeting.
- D. For the matter to be resolved administratively, the Student or RSO must agree to accept the recommendation of the SAA Official by doing the following:
  - 1. Accept Responsibility for the conduct and the Outcome in writing;
  - 2. Waive the right to have the case considered by a UHP; or
  - 3. Take no action and allow the deadline for requesting a UHP to expire.
- E. The SAA Official may refer a matter directly to a UHP for resolution.

### **8.2 University Hearing Panel**

UHP hears alleged violations under this Code referred by the Dean of Students or a SAA Official. If a Charged Student declines the SAA Outcome or the SAA Official declines to issue an Outcome, the matter will be referred to a UHP. A UHP is a rehearing, not an appeal of the Outcome.

## **9.0 UHP COMPOSITION AND PROCEDURES**

### **9.1 Faculty and Staff Members of the UHP**

Faculty and staff members shall be appointed by SAA to the UHP. Appointments of faculty and staff members to the UHP shall be made annually and as needed. The faculty and staff members may be reappointed for additional terms.

### **9.2 Student Members of the UHP**

Student members shall be appointed annually and as needed, by SAA, for a one-year term. Student members may be reappointed for additional terms. Student members of the UHP may not be on any type of Probation, Deferred Suspension, Academic Probation or Warning during their time of service on the UHP.

### 9.3 Composition

- A. Three voting members of the UHP shall constitute a quorum. One of the three UHP members must be a Student and one must be a faculty member. The UHP can be comprised of a maximum of five voting members. One panel member will serve as the panel chair.
- B. When, in the judgment of the SAA Official, the subject matter of a proceeding makes it advisable to request the participation of an individual with special knowledge or technical expertise, the SAA Official may appoint such persons to serve as a Material Observer. This person will serve as a resource and may provide relevant information during the hearing.
- C. In cases involving Academic Misconduct, a representative of the college in which the Student is enrolled may be requested to be available to provide information about the Charged Student's complete academic record. This representative shall serve as a Material Observer and may provide relevant information during the hearing.

### 9.4 Procedures

- A. A Charged Student or RSO will be notified in writing of the time, date, and place of the UHP.
  - 1. Any documentation a Student or RSO wishes to present to panelists during a UHP must submit the information to SAA at least two business days in advance of the UHP unless otherwise specified by SAA in writing.
  - 2. The name of any party who may be called as a Material Observer during the UHP must be submitted to SAA at least two business days in advance of the UHP unless otherwise specified by SAA in writing. SAA will contact any requested Material Observer to be in attendance but cannot guarantee participation.
- B. If the Student or RSO fails to appear, the UHP may proceed in absentia and the right to appear and present to the UHP will be deemed waived.
- C. The SAA Official who participated in an investigation or an Accountability Meeting may participate in the hearing as a Material Observer.
- D. An Outcome by the UHP finding the Student or RSO Responsible for a violation of this Code shall be based solely on the information presented to the UHP.
- E. Any past violation may not be introduced or considered in the deliberation of Responsibility for a Charge unless presented to directly rebut claims by the Student or RSO of no prior misconduct or was included in the outcome letter as part of the rationale from the SAA Official. If the Charged Student or RSO is found Responsible for the violation, record of any past violation may be considered by the UHP in determining an Outcome.

- F. The UHP may elect not to hear an individual not previously identified as a Material Observer.
- G. Responsibility will be determined using a standard of a preponderance of the evidence or more likely than not. Evidentiary rules applicable to civil and criminal cases shall not apply to Accountability proceedings. Pertinent information regarding any alleged violation may be considered, including hearsay, and will be weighed accordingly. A finding of Responsibility must be supported by the available information.
- H. A majority vote of the Panel members present is required to find a Student or RSO Responsible or Not Responsible for a violation of the Code.
- I. The Dean of Students or SAA may establish additional procedures for the UHP.

## **10.0 MISCONDUCT**

### **10.1 Academic Misconduct**

High standards of academic integrity are crucial for the University to fulfill its educational mission. To uphold these standards, procedures have been established to address Academic Misconduct. A Student is responsible for submitting work for evaluation that reflects the Student's performance. If a Student has a question regarding the Instructor's expectations for assignments, projects, tests, or other items submitted for a grade, it is the Student's responsibility to seek clarification from the Instructor.

In accordance with the LSU Faculty Handbook, an instructor may not assign a disciplinary grade, such as an "F" or zero on an assignment, test examination, or course as a sanction for admitted or suspected Academic Misconduct in lieu of referring the Student to SAA under the provisions of this Code. Grades assigned as a result of Academic Misconduct must be in accordance with this Code.

A Student found Responsible for Academic Misconduct may NOT drop the course in which the violation occurred. Any Student who drops the course without written permission from SAA will be re-enrolled in the class and then given the appropriate grade as provided in the Outcome. Faculty must submit the grade change form. A Student may be charged with Academic Misconduct for the following acts or omissions:

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.

Copying. Copying from another Student's academic work; assisting with copying by making answers or other completed assignments available, in whole or part, to another Student, whether or not the recipient's intentions to copy were known to the Student prior to the sharing.

Failure to Follow Course Requirements. Failure to adhere to standards of conduct for academic integrity that are promulgated by an academic unit or Instructor.

False information. Falsifying or fabricating any information, data, or citation in any academic work including but not limited to documents intended to support medical excuses or absence from class or academic work.

Misrepresentation. 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.

Other Academic Misconduct. Attempting to commit, or assisting someone in the commission or attempted commission of an offense defined in this section, or any other act that may create an unfair academic advantage.

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.

Unauthorized Materials. Using any material, technique or device on an academic assignment that is prohibited; having any forbidden or unauthorized material, technique or device available on any academic work will be considered a violation.

## **10.2 Behavioral Misconduct**

A Student or RSO may be charged with Behavioral Misconduct for any of the following acts or omissions:

Alcohol. Unlawful or unauthorized possession, use, distribution, delivery, or sale of alcohol and/or public intoxication; consumption that endangers oneself; or operating a vehicle while intoxicated or under the influence of alcohol.

Coercive Behavior. An act by an individual or a group that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, regardless of consent, which tends to or which is intended to demean, disgrace, humiliate or degrade a Student, which includes but not limited to forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of a Student. Examples of coercive behavior include, but are not limited to, line-ups, scavenger hunts and personal servitude.

Complicity. Attempting to commit, knowingly permitting, encouraging, or assisting others with the commission or attempted commission of any act, omission or conduct prohibited under this Code.

Computer Misuse. Unauthorized access or entry into a computer, computer system, network, software, or data; alteration of computer equipment, software, network or data; failing to comply with laws, license agreements, and contracts governing network, software and hardware use; using University computing resources for prohibited activities; using University computing resources for unauthorized solicitation or commercial purposes or any violation of LSU computer policies.

Disorderly Conduct. Behavior that impairs or interferes with the orderly functions or processes of the University or the reasonable safety or security of other persons.

Disruption/Obstruction. Disruption or obstruction of teaching, research, administration, Accountability proceeding, or other University activities and/or the performance of duties of University personnel or contractors.

Drugs. Possession, use, public intoxication, sharing, furnishing or distribution of illegal drugs, intoxicants, controlled substances, drug paraphernalia, prescription medication contrary to a valid prescription, or operating a vehicle while under the influence of drug(s).

Endangerment. Physical abuse or force against one's self, another individual, or group, or the reasonable apprehension or threat of such harm; conduct that endangers the health, safety, or well-being of one's self or another person or group.

Failure to Comply. Defying the order or instruction of a University official, other authorized person on behalf of the University or any University policy, contract, mandate or rule.

False Information. Providing false information to a law enforcement officer, to the University or a University official, or making an intentional or reckless misrepresentation which creates an unfair advantage or is reasonably likely to damage, mistreat or harm another.

Forgery. Altering, falsifying, or otherwise misrepresenting documents to the University or relating to any University official or office.

Harassment. Repeated, persistent, severe, or pervasive action directed toward a specific individual or individuals with the intent or effect to harass, harm, or alarm, through oral, written, graphic, physical, or social media contact. Harassment includes attempted or threatened physical contact or an act that creates the reasonable apprehension of unwanted contact, or any repeated pattern of verbal communications or nonverbal behavior, without invitation or over an individual's objection, which includes but is not limited to making telephone calls, emails, electronic communications, or sending letters or pictures.

Hazing. Hazing means an act by an individual or a group that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, regardless of consent:

1. Endangers the physical health or safety of a person or would cause a reasonable person severe emotional distress;
2. Results in the destruction or removal of public or private property;
3. Involves the consumption of alcohol or drugs;
4. Involves the consumption of substances to excess or placement of substances on the body;
5. Involves sexual activity;
6. Involves violation of federal, state or local law or University policy; or
7. Disrupts the academic performance or class attendance of a person.

It is not a defense to a charge of hazing that (i) the consent of the person had been obtained; (ii) the conduct or activity that resulted in the death or injury of a person was not part of an official organizational event or was not otherwise sanctioned or approved by the organization; or (iii) the conduct or activity that resulted in death or injury of the person was not done as a condition of membership to an organization.



The following is a non-exclusive list of examples of acts which, regardless of severity, constitute hazing:

- Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
- Physical activities, such as sleep deprivation, exposure to the elements or extreme conditions, imprisonment, confinement, or calisthenics;
- Consumption of food, liquid, or any other substance, including but not limited to alcoholic beverages or drugs, that subjects the person to an unreasonable risk of harm or that may adversely affect the physical health or safety of the person;
- Placement of substances on the body of a person;
- Kidnapping or dropping a person off campus without return transportation;
- Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

Identity Misuse. Illegal or unauthorized use of an identification card, password, access code or number; including, but not limited to permitting another Student or non- Student to use a University or government issued identification card; alteration or sale of an identification card.

Improper Sales & Solicitation. Unauthorized or prohibited solicitation, sale, fundraising, canvassing, distribution or posting of any written material, email, web, or printed material, including but not limited to any offer to sell or purchase an identification card for improper use or any offer to sell or purchase academic materials which, if used, would result in academic misconduct.

Property Misuse. Intentional or reckless destruction, defacement or damage to University property or to the property of any individual or group.

Residential Life. Violating, attempting to violate, or assisting the violation of any contract, rule, policy, and/or handbook of the Department of Residential Life.

Retaliation. Any acts or attempted acts against an individual for the purpose of discouraging and/or exercising right(s) of an individual under the Code.

Safety. Tampering with or unapproved activation of any safety equipment and/or warning system; setting or causing a fire on Campus; engaging in dangerous activities contrary to posted or verbal warnings.

Stalking. Repeated, unwanted conduct toward or contact with another individual, including but not limited to, following someone, lying in wait, persistent presence around an individual, contacting an individual verbally, electronically, via social media or third party over the individual's objection, or threats to an individual or to the individual's family, friends or property, that would cause a reasonable person fear or substantial emotional distress.

Theft. Using, depriving, removing or possessing the property and/or services of the University or another individual without entitlement or authorization.

Trespassing. Unauthorized entry or use of any property or facility.

Unauthorized Surveillance. Creating, making, possessing, storing, sharing, or distributing unauthorized video, digital, or photographic images of a person taken in a location in which that person has a reasonable expectation of privacy.

Violating a Rule of the University. Violating, attempting to violate, or assisting in the violation of any contract, rule, policy, bylaw, and/or regulation of the University.

Weapons. Possession on one's person, which includes any bag, case, container, purse, clothing or backpack and/or use of any weapon, defined as any object used or designed to inflict or attempt to inflict harm or injury or fear of harm or injury. Weapons include, but are not limited to firearms, facsimile guns, air guns, knives, explosives, any dangerous chemical or biological agent or any other object or material capable of causing harm, and used by the offending person to inflict or attempt to inflict fear, harm or injury.

## **11.0 OUTCOMES**

### **11.1 General**

The Accountability process intentionally uses Outcomes to encourage positive change and developmental growth and to protect persons, property and the integrity of the University. A Student will receive notice of assigned Outcomes in writing via University e-mail, along with specific conditions required for successful completion.

A SAA Official or UHP may consider aggravating or mitigating factors when issuing an Outcome. Violations of the Code that are motivated by prejudice toward a person or group because of factors that include, but are not limited to, race, creed, color, marital status, sexual orientation, gender identity, gender expression, religion, sex, national origin, age, disability, genetic information, or veteran status may be assessed an enhanced Outcome.

The SAA Official, Dean of Students, or UHP may delay registration for classes or withhold the issuance of an official transcript, grade, diploma, or degree to a Student alleged to have violated a rule or regulation of the University who has not completed an Outcome or has failed to respond to an SAA directive.

### **11.2 Accountability Status**

The following Outcomes may be imposed or instituted by the University for any violation of this Code:

- A. Warning. A written warning issued to a Student or RSO, indicating that Responsibility for a violation of the Code. This will be in effect for a specified time period and will not be recorded on the Student's academic transcript.
- B. Disciplinary Probation. Disciplinary probation is a status for a specified period of time during which any further violation of the Code or University policy jeopardizes the status of the Student or RSO with the University.
  1. Disciplinary probation without restriction would allow Students to participate in Student organization leadership, intramurals, LSU study abroad programs, or other specified co-curricular activities.

2. Disciplinary probation with restriction includes loss of privileges. For Students, inability to hold a position of leadership in an RSO, exclusion from participation in intramurals, exclusion from LSU study abroad programs, or restriction of other representation of the University.
  3. Disciplinary probation will not be recorded on the Student's academic transcript except in cases of Academic Misconduct.
  4. Disciplinary probation for an RSO may include, but is not limited to, loss or limitation of social events or inability to participate in University events or activities.
- C. Interim Suspension. In cases where it is determined that the continued presence of a Student or RSO on Campus constitutes an immediate threat of harm to Students, other individuals or University premises, the SAA Official may immediately suspend that Student or RSO from the University, or limit access or attendance pending final disposition of the matter. Upon issuance of an interim suspension, a SAA Official shall endeavor to contact the Student or RSO, advise the Student or RSO that an Interim Suspension is in effect, and provide an opportunity to address the alleged misconduct.
1. The Interim Suspension status will be reviewed by the Dean of Students and/or SAA as soon as reasonably possible. This review can lead to a continuance of, revocation and/or modification of the Interim Suspension.
  2. If a Student is reinstated to the University following an Interim Suspension, the Student will be afforded the opportunity to make up academic work missed during the period in which the Suspension was imposed. It is the responsibility of the Charged Student to make arrangements with instructors for completing missed work.
  3. Interim Suspension shall remain in effect until a final decision is issued by the hearing officer or by the UHP if requested.
- D. Deferred Suspension. Deferred Suspension is a status for a specified period of time during which any subsequent finding of Responsibility for a violation of the Code or University policy shall include the Outcome of Suspension for the Student or RSO. Deferred Suspension will include loss of privileges as detailed under disciplinary probation with restrictions. Deferred Suspension is designated on a Student's academic transcript in cases of Academic Misconduct.
- E. Suspension. Suspension is the physical separation of a Student or RSO from the University for Misconduct for a specified period of time.
1. A Student suspended from the University may be readmitted with approval of admissions, the degree-granting college and the Dean of Students and/or SAA.
  2. A Student suspended from the University may NOT be on Campus without specific written authorization by the Dean of Students and/or SAA.

3. Suspension from the University will be recorded on the Student's academic transcript.
  4. An RSO that has completed a period of Suspension may seek reinstatement by complying with the registration requirements of the appropriate University department.
- F. Expulsion. Expulsion is the permanent separation of a Student from the University without the possibility of readmission.
1. A Student expelled from the University may not enter or remain on Campus without specific written authorization by the Dean of Students and/or SAA.
  2. Expulsion will be recorded on the Student's academic transcript.
- G. Rescission of University Registration. A process whereby the University revokes the rights and privileges of an RSO.

### 11.3 Accountability Outcomes

- A. Educational Activities. Educational Activities may be assigned to a Student or RSO to encourage positive behavioral change and developmental growth. These include, but are not limited to, attendance/participation at educational programs, creation of documents, referral to a counselor or other health or wellness provider, completion of treatment recommendations made by a health or wellness provider, community service, Moodle Modules and provision of documents from court-ordered directives. Fees may be charged for Educational Activities related to a specific Outcome.
- B. Grade Impact. In situations involving Academic Misconduct, a Student may be assigned a failing grade for the work/assignment in question, may receive zero credit, no credit, or partial credit for the work in question, may have the overall class grade lowered by one letter, or may receive a failing grade for the course.
- C. No Contact Directive. A Student or RSO may be directed to cease all communication and contact with another Student, group of Students, Instructor or other University employee or contractor. Under a no contact directive, a Student may be prohibited from entering or remaining in or around a specified University building, facility or area of campus. This may also be issued as an interim measure in limited circumstances where it has been determined that a Student or RSO may be a threat or harm to others.
- D. Restitution. A Student or RSO may be required to pay for damage to property, for personal injury expenses and/or other expenses. Payment will be made under the stipulations determined by the Dean of Students and/or SAA.
- E. Restrictions. Restrictions may be imposed as an Outcome for any Student on Disciplinary Probation, Deferred Suspension, Suspension, Interim Suspension and/or Expulsion. Restrictions include, but are not limited to, loss of privileges, removal from residential facilities, inability to hold a position of leadership in an RSO, restriction from

intramurals, restriction from LSU study abroad programs, or restriction of other representation of the University, and limitations to entering or being present in specific campus locations. Restrictions may be imposed as an Outcome for an RSO on any Accountability status. These restrictions may include, but are not limited to, limitations or restrictions on social or philanthropic events, ability to host or participate in events or other restrictions as may be identified by the SAA Official or panel. For Students in Residential Life, restrictions may include, but are not limited to, limitations to entering or being present within Residential Life communities; loss of guest privileges within Residential Life communities; relocation of housing assignment to a different community; and removal from housing assignment.

- A. Revocation of Degree or Diploma. Revocation of any degree and withdrawal of the diploma may be imposed when the violation is related to the integrity of any academic credit, work, service, or prerequisites required for the degree.

#### **11.4 Appeals**

A Student or RSO may decline the Accountability Outcome issued by a SAA official and request a UHP. Only Outcomes of a UHP can be appealed. The appeal procedure provides the opportunity for questioning the appropriateness of the proceedings or Outcome. Any Complainant entitled to be informed of Accountability Outcomes may also appeal an Outcome of the UHP.

An appeal will only be considered on the following grounds:

- A. Evidence of bias by the UHP;
- B. Significant departure from the procedures, definitions or standards in the Code;
- C. New information has become available since the UHP; or
- D. The decision or outcome is the result of a substantial disregard of the information presented to the UHP.

#### **11.5 Appellate Process**

An appeal form must be submitted to the Dean of Students within five business days after the Student, RSO or Complainant (when permitted) is notified of the UHP Outcome or new information becomes known to the Student, RSO, or Complainant.

The form must identify the specific actions or Outcomes being contested. All submissions must include one of the aforementioned criteria as the basis for appeal. Upon receipt of the appeal, the SAA Official will submit a written position statement to the Dean of Students within five business days. The UHP outcome will remain in place for the student or RSO while the appeal is being considered.

If the Dean of Students determines that one of the above referenced grounds has been met, the following may result:

- A. UHP Outcome is upheld;
- B. Rehearing by the original UHP;
- C. Rehearing by a new UHP; or
- D. Modification of the Outcome by the Dean.

The decision on appeal is final and concludes the Accountability process. Any Outcome remaining at the conclusion of the appeal process will commence once the appeal decision is issued.

## **12.0 ACCOUNTABILITY RECORDS**

Student Accountability cases and records are education records of the University and are maintained by SAA. A Student may review and examine the Student's own Accountability records. These records are generally not available for others to review except in accordance with law. Accountability records are maintained as follows:

- A. Files for suspensions, expulsions, and violent offenses are maintained indefinitely. All other files are maintained for at least seven years. At the end of the seven-year period, the files may be destroyed in accordance with the University's record disposal policies.
- B. Academic Misconduct, suspension, expulsion and/or any other Accountability action that separates the Student from the University is recorded on the Student's academic transcript maintained in the Office of the University Registrar unless otherwise stated in the Outcome.
- C. Upon request, a notation on the Student's academic transcript will be removed at the completion of the Outcome period, except in cases of a suspension or expulsion.
- D. In cases of suspension, a Student may petition SAA in writing to have this notation removed from the academic transcript. At the discretion of the Dean of Students and/or SAA, this notation may be removed from the academic transcript; however, the Accountability record maintained in SAA will remain as provided in this Code. Typically, a Suspension notation will only be removed after the Student has returned to the University.
- E. A notation of expulsion or degree revocation from the University is never removed from a Student's academic transcript.
- F. RSO records are kept in accordance with guidelines for individual student records.

The LSU Code of Student Conduct has been revised previously.

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Revised April 1982

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Revised March 1990

Revised October 1999

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