

LSUE[®]

EUNICE

**CODE OF
STUDENT CONDUCT**

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1.0 COMMITMENT TO COMMUNITY

The Louisiana State University Eunice's Commitment to Community is a document written to help to guide the ethos of the institution's community. Students are expected to exemplify the commitment to community in their daily lives.

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

For the express purpose of demonstrating my pride as a member of the Louisiana State University Eunice 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;
- Make a positive contribution to the life of the Campus and its surrounding community;
- And utilize my experiences at Louisiana State University Eunice to be an active citizen in an international and interdependent world.

The continued success of Louisiana State University Eunice depends on the faithful commitment by each community member to these basic principles.

2.0 GOVERNANCE OF THE UNIVERSITY

Louisiana State University Eunice has been established by the Constitution and laws of the State of Louisiana to serve the needs of the people of Louisiana.

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 Students who are found in violation of these standards.

Within the Office of Student Affairs and Enrollment Services, the Student Affairs Official is responsible for administering this code. As per the Family Educational Rights and Privacy Act a/k/a FERPA (see 20 USC § 1232g), public comment may not be made regarding any individual's case. However, in limited circumstances, as required or allowed by law, information relative to certain incidents and case statistics may be disclosed. USC §1092f and 20 USC §1232g)

Under the provision of Article VIII of the Constitution of Louisiana and Revised Statutes 17:3351, the Board of Supervisors of Louisiana State University has the authority to exercise all powers to direct, control, supervise, and manage all institutions of higher education under its control, which includes Louisiana State University Eunice. The disciplinary powers of the University are derived from the provisions of Louisiana Revised Statutes 17:3351, which grants to the Board of Supervisors the specific power to "adopt, amend, or repeal rules and regulations for the government and discipline of students."

The Code of Student Conduct may be amended by the Student Affairs Official, subject to review and approval by the Chancellor.

3.0 STATEMENT OF POLICY

3.1 General Rights and Responsibilities

It is the responsibility of each individual student to be familiar with and adhere to the Louisiana State University Eunice Code of Student Conduct, which will hereafter be referred to as the "Code".

3.2 Purpose of the LSU Eunice Code of Student Conduct

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

Faculty and staff are required to follow the procedures outlined in the Code when they become aware of any behavior that may violate the standards of this Code. These procedures are an important part of the educational process.

3.3 Implementation of Rights

The Code is the University's document governing student conduct and the Student Accountability process. All discipline imposed upon a Student must be in accordance with the provisions of this Code, except

- A. A student found to have engaged in research misconduct pursuant to Policy Statement 74 (Principal Investigators Manual for Research Involving Human Subjects) shall be subject to sanctions, administrative actions or conditions imposed by the Deciding Official.
- B. 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.
- C. To the extent the conduct at issue may also constitute a violation of this Code, faculty and staff must refer the matter to the Student Affairs Official.
- D. Any act covered by Title IX of the Education Amendments of 1972 (reference PM73)

Student 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 University Accountability proceedings. Pertinent information regarding any alleged violation may be considered. A finding of responsibility must be supported by the available information.

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 Hearing

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

4.3 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 SAO or University Hearing Panel (UHP).

4.4 Advisor

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

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

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 Chancellor

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

4.8 Charge Letter

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

4.9 Charged Student or Charged Organization

A Student or Registered Student Organization 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.

4.10 Instructor

The term "Instructor" includes but is not limited to Professor, Associate Professor, Assistant Professor, Instructor, Adjunct Faculty, or other professional charged with oversight of a lab, class, section, or course at LSU Eunice.

4.11 Material Observer

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

4.12 Not Responsible

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

4.13 Referral

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

4.14 Reporting Party

The individual(s) who submit a Referral against a Student or Registered Student Organization alleging potential misconduct under the Code.

4.15 Responsible

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

4.16 Student

For the purpose of this Code, any person admitted to LSU Eunice or enrolled or scheduled to be enrolled in a course for academic credit through LSU Eunice. This includes any person attempting to fulfill requirements for academic credit through LSU Eunice, even if not currently enrolled.

4.17 Student Affairs Official

The term Student Affairs Official (SAO) refers to the individual designated by the University to perform or delegate the authority to perform any of the duties assigned to him or her in this Code.

4.18 University or LSU Eunice

University or LSU Eunice refers to Louisiana State University at Eunice.

4.19 University Hearing Panel

A group of individuals with responsibility under this Code to hear a case referred by the Student Affairs Official after a Student has declined an Accountability Outcome. A member of the UHP shall be designated as the panel chair.

4.20 Written Communication

Written correspondence generated by the Student Affairs Official, 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 LSU Eunice Code of Student Conduct shall apply to conduct that occurs on the LSU Eunice Campus, at LSU Eunice sponsored activities, and/or when the Student is representing LSU Eunice. 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. Involved violence or produced a reasonable fear of physical harm; and/or

- B. Involved any other members of the University community or any academic work, records, documents, or property of the University.

Each Student shall be responsible for his/her 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 Eunice Policy

Proceedings may be instituted against a Student charged with conduct that potentially violates both the law and the Code without regard to the status of any civil or proceedings in court or any criminal arrest and prosecution. Proceedings under this Code may be carried out prior to, simultaneously with, or following any civil or criminal proceedings.

6.0 STUDENT RIGHTS AND RESPONSIBILITIES

6.1 Rights of a Charged Student

A Student charged with a violation under this Code shall have the following rights:

- A. To be notified through written communication of the specific allegation(s) and charge(s).
- B. To be provided a reasonable amount of time to respond to the Charge Letter.
- C. To refuse to comment or answer questions.
- D. To present information and/or Material Observers.
- E. To have the Charge(s) considered by a UHP, unless this right has been waived by the Student.
- F. Per Policy Statement 34 – Privacy Rights of Parents and Students, to schedule a time prior to a UHP to inspect and review the information on which the Charge(s) are based.
- G. To accept the Accountability Outcome(s) imposed, thereby waiving the right to have the Charge(s) considered by a UHP.

- H. To have an Accountability Outcome imposed that is commensurate with the violation.
- I. To have an Advisor present in an Accountability meeting.
- J. To receive a list of all Material Observers to be called by the University at least two (2) business days prior to a UHP. However, a UHP may continue the proceedings to allow the University to identify Material Observers to rebut any information presented by the Student.
- K. To retain rights as a Student while the charges are being considered, and, if found Responsible, until he or she has exhausted his or her rights of appeal as established in this Code. However, a Student may be subject to an Interim Suspension or limitations or conditions as set forth in this Code.
- K. Unjust Process – A Student who has reason to believe that he or she is being unjustly accused, disciplined, or threatened with disciplines by a University Employee without the full protection offered by the Code should immediately contact the Office of Student Affairs and Enrollment Services for clarification of his or her rights under this Code. If the Student alleges the Student Affairs Official is involved, the person should contact the Chancellor of the institution.

6.2 Responsibilities of a Charged Student

Student(s) charged shall have the following responsibilities:

- A. To be honest.
- B. To schedule an appointment with the SAO within five (5) business days from the time of issuance of the Charge Letter.
- C. To respond to or acknowledge all written communications and diligently participate in the Accountability process.

6.3 Rights and Responsibilities of a Charged Student during a UHP

- A. To request that a member or members of a UHP be excluded from the Panel for good cause clearly established by the Student. The Student must make the request immediately after the introduction of the members of the UHP. The decision to exclude the UHP member(s) shall be at the sole discretion of the Chairperson. If the Chairperson is the one in question, the decision will rest with the SAO. If a hearing panel member

believes he or she is unable to render a fair and impartial decision, the member will remove himself or herself from participating in the hearing.

- B. To present information on his or her own behalf. The Charged Student must provide copies of any documents to the hearing panel members. Additionally, any information to be presented during the hearing must be presented to the SAO at least one (1) business day in advance of the hearing. This includes any item(s) that will be provided to the UHP in either hard copy, digitally, or presentation format.
- C. To present Material Observers on his or her own behalf. A list of all Material Observers to be called by the Charged Student must be presented to the SAO no less than one (1) business day prior to the hearing.
- D. To conduct reasonable questioning of the Material Observers appearing at the hearing and/or providing statements. Whenever possible, Material Observers will present oral instead of written statements. Oral statements, written statements, previously written memoranda, letters, and/or other written materials may be presented at a hearing even if the Material Observer is not present and the ability to question him or her was not possible at the time the written materials were prepared. The UHP may limit any questions or responses to pertinent information and/or to maintain order, avoid repetition or prevent harassment or unnecessary embarrassment. The UHP may require that the Charged Student present his/her questions in writing for a member to ask.
- E. To request assistance from the SAO in bringing Students or University employees of his or her choice to serve as Material Observers. The Student may request that the SAO assist in obtaining information from the University that is pertinent to the charge.
- F. To have his or her information kept private to the extent allowed by law. All UHPs are private. The individual(s) allowed into the UHP are the Charged Student(s), Material Observer(s), UHP Members, and the SAO. 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(s). Only voting UHP members remain during panel deliberations.

- G. To have prior violations of the Code excluded from review or consideration during the Panel's determination of Responsibility for the present charge(s), unless it is presented to directly rebut claims by the Student that he or she has not previously engaged in Misconduct. If a Charged Student is found Responsible, prior violations of the Code may be considered when the SAO or UHP is determining the Outcome(s).
- H. Per Policy Statement 34 – Privacy Rights of Parents and Students, to schedule a time to listen to the recording of the UHP proceedings. Only the University may record the UHP proceedings.
- I. To Appeal any UHP Outcome as detailed in this Code.

6.4 Proceeding in Absentia

- A. In the event a Student fails to attend an Administrative Hearing, the UHP may proceed without the Charged Student in attendance.
- B. If the SAO determines that the Student's failure to appear was due to compelling circumstances, the SAO may require that a new UHP be scheduled.

6.5 Rights of a Victim

- A. Any and all rights extended to a Student under Sections 6.1 and 6.3 are extended to a Victim in cases of Physical Violence, Sexual Harassment, Sexual Misconduct, and/or Stalking.
- B. To the extent allowed by law, the alleged victim of any act(s) of violence or harassment will be notified of the Outcome of the hearing involving his/her specific case.
- C. When participating in an Accountability Hearing or UHP, the Victim may use conference call, written statement, video/recording, closed-circuit television, privacy screen or other measure for his or her safety and/or wellness. SAO may require that the Victim respond to reasonable questions requested by the Charged Student in a format determined by the SAO.
- D. Impact Statements – The Victim is entitled to submit a written or verbal statement for consideration by the SAO and UHP during the Outcome phase of the Hearing.

7.0 ACCOUNTABILITY PROCEDURES

7.1 Non-Discriminatory Application of Accountability Procedures

Application of this Code shall be based on the principle of equal treatment without regard to race, creed, color, marital status, sexual orientation, gender identity, gender expression, religion, sex, national origin, age, mental or physical disability, or veteran status.

7.2 Initiation of Accountability Process:

A. Accountability Referral

Any person who has a reasonable basis to believe that a Student may have committed a violation of this Code shall submit all such information to the SAO. The initial contact may be in person or by telephone, but must be followed by a written statement in a reasonable period of time. The written Referral must include the signature of the Complainant and his or her contact information. In addition, official reports from LSU Eunice Campus Security, any University department, and other law enforcement entities will also be accepted.

B. Investigation by the Student Affairs Official

The SAO may investigate any alleged or potential Misconduct. This investigation can include meeting(s) with a Reporting Party, interviews of persons who may have knowledge pertaining to the facts and circumstances, and other types of information collection. The investigation can begin before or after a Charge Letter has been issued.

C. Disqualification of the Student Affairs Official

In the event the SAO may be a Material Observer in an Accountability Hearing or for any reason cannot perform his or her duties under these Accountability Procedures, the Chancellor shall appoint another person to perform such duties.

7.3 Requiring a Student to Meet

- A. The SAO may require a Student to meet in connection with an alleged violation by sending an e-mail to the Student's University e-mail address.**

- B. The SAO may prohibit and/or cancel the enrollment, place a hold on the Charged Student's records, or proceed to an Administrative Hearing when a Student fails without good cause to comply with an e-mail sent. An e-mail sent to the Student, as listed in the Registrar's record, shall constitute full and adequate notice. The failure of a Student to read or open the e-mail shall not constitute good cause for failure to comply with the summons. The modification to the Student's enrollment status may be lifted at the discretion of the SAO when the Student responds to the summons as requested.

7.4 Administration of Charges

The Student Affairs Official shall review each Referral. Based on the review, the appropriate course of action may include, but is not limited to:

- A. Take no action;
- B. Request to meet the Charged Student through an Accountability Hearing, and, if found Responsible, issue an Outcome to the Student;
- C. Initiate an Accountability Proceeding; or
- D. Hold the Referral for further investigation

If the Student Affairs Official decides to take no action, this does not preclude the referral being revisited at a later date.

8.0 ACCOUNTABILITY HEARINGS

8.1 Accountability Meeting with an Administrator

- A. Most cases begin with an administrative Accountability Meeting between a SAO and the Charged Student(s).
- B. For the matter to be resolved administratively, the Student must agree to accept the recommendation of the SAO by doing the following:
 - 1. Accept Responsibility for his or her conduct and the Outcome in writing; and
 - 2. Waive his or her right to have the case considered by a UHP.
- C. The SAO may refer a matter directly to a UHP for resolution.

8.2 University Hearing Panel (UHP)

UHP hears alleged violations under this Code referred by the Student Affairs Official. If a Charged Student declines the SAO Outcome or the SAO official declines to issue an Outcome, the matter will be referred to a UHP.

9.0 UHP COMPOSITION AND PROCEDURES

9.1 Faculty and Staff Members of the UHP

Faculty and staff members shall be appointed by the Student Affairs Official 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 the Student Affairs Official, for a 1-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, and/or academic probation or warning during the time of his/her service on the UHP.

9.3 Composition

- A. Three voting members of the UHP shall constitute a quorum; one of the three 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 SAO, the subject matter of a proceeding makes it advisable to request the participation of person(s) with special knowledge or technical expertise, the SAO 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 division in which the Student is enrolled shall bring to the hearing the Charged Student's complete academic record. This representative shall serve as a Material Observer and will be available to provide relevant information during the hearing.

9.4 Procedures

- A. A Charged Student will be notified in writing of the time, date, and place of the UHP.
- B. If the Student fails to appear, he or she will be deemed to have forfeited his or her right to respond before a UHP. The UHP may proceed in absentia.
- C. The SAO 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 Responsible for a violation of this Code shall be based solely on the information presented at the hearing.
- E. Past violation(s) may not be introduced or considered in the deliberation of Responsibility for the violation unless it is presented to directly rebut claims by the Student that he or she has not previously engaged in misconduct. If the Charged Student is found Responsible for the violation, record of past violation(s) may be considered by the UHP in determining an Outcome.
- F. The UHP may elect not to hear persons not previously identified as Material Observers.
- G. Hearsay may be considered during the Hearing.
- H A majority vote of the Panel members present is required to find a Student Responsible and/or Not Responsible for violation(s) of the Code.
- I. The SAO may establish additional procedures for the UHP.

9.5 Alternate UHP Composition and Procedures

The Student Affairs Official may use an Alternate UHP to consider charges of sexual misconduct, sexual harassment, physical endangerment, harassment, stalking, and in other situations, where the emotional or mental health of the victim or charged student is implicated. An Alternate UHP shall consist of three members. There must be at least one Student member, one faculty member and one member serving as Chair. Alternate UHP shall be chosen in the same manner as UHP members; however, prior to serving, members are required to attend additional specialized training developed and facilitated by the Student

Affairs staff. Members will also serve under the same parameters as UHP members. The Student Affairs Official will determine use of an Alternate 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.

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

Any Student found to have committed or to have attempted to commit Academic Misconduct is subject to the disciplinary sanctions set forth in Section 11.

An instructor may not assign a disciplinary grade, such as an “F” or zero on an assignment, test, examination, or course as a sanction for admitted or suspected Academic Misconduct in lieu of formally charging a Student with Academic Misconduct under provision of this Code. All grades assigned as a result of accountability action must be approved by the Student Affairs Official or designee.

No Student may drop a course to avoid the academic impact of an Academic Misconduct sanction. All Students who drop the course under such circumstances will be re-enrolled in the class and then given the appropriate grade post sanction.

To protect the University’s education purposes and the University community, a Student may be formally charged with a violation of this Code and be subject to the sanctions herein for the following acts or omissions related to academic misconduct:

A. Collaboration

Unauthorized interaction between two or more individuals on any academic work by giving, receiving, or otherwise sharing information without permission of the instructor;

B. Collusion

Communicating with another Student(s) or other individual(s) during an examination or assignment without the permission of the instructor;

C. 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 sharing.

D. Failure to Follow Course Requirements

Failure to adhere to standards of conduct for academic integrity that are promulgated by an academic unit and/or instructors;

E. False Pretenses

Failing to thoroughly follow requirements related to the preparation and presentation of work, including group projects, submitted for credit in a manner that results in submitting as one's own the work of another or misleading an instructor as to :

1. The condition under which the work was prepared;
2. Falsifying or fabricating an excuse or documentation in order to avoid or delay timely submission of academic work or delay the taking of a test or examination.

F. 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.

G. Other Academic Misconduct

Attempting to commit, or assisting someone in the commission of an offense defined in this section, or any other act of Academic Misconduct. Academic units and members of the faculty may prescribe and give Students prior written notice of additional standards of conduct for academic integrity in a particular course or setting. A violation of such a standard will be considered Academic Misconduct.

H. 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 the permission of the instructor(s). Plagiarism also includes:

1. Falsifying or fabricating any information or citation in any academic exercise, work, speech, thesis, dissertation, test, or examination;
2. Submission of essentially the same written assignment for two courses without the prior permission of the instructors.

I. Unauthorized Materials

Using materials, techniques or devices on an academic assignment that are prohibited; having any forbidden and unauthorized material in sight during a test/quiz will be considered utilization of the material;

10.2 Behavioral Misconduct

A Student may be charged with Behavioral Misconduct for any of the following conduct:

A. 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;

B. 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;

C. 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 Eunice computer policies;

D. Disorderly Conduct

Behavior that impairs or interferes with the orderly functions or processes of the University and/or the reasonable safety, security, or use of members of the University community;

E. 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;

F. Drugs

Possession, use, public intoxication, sharing, furnishing or distribution of illegal drugs, intoxicants, controlled substances and/or drug paraphernalia; including the distribution, use or possession of prescription medications contrary to a valid prescription;

G. 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;

H. Failure to Comply

Defying the order or instruction of an authorized person on behalf of the University and/or any University policy, contract, mandate or rule;

I. 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;

J. Forgery

Altering, falsifying, or otherwise misrepresenting documents to or relating to any University official or office;

K. Harassment

Repeated, persistent, severe, or pervasive actions directed toward specific individual(s) with the intent or effect to harass, harm, or alarm, including attempted or threatened physical contact, or acts that create the reasonable apprehension of unwanted contact; (Also reference PM73)

L. Hazing

Any reckless act or activity occurring on or off-campus, by one person alone or acting with others, directed toward one or more Students, that subjects that Student(s) to an unreasonable risk, sensation or fear of physical, mental, emotional, and/or academic harm for reasons related to that Student's status at the University.

The same act(s) listed above that occur for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any registered organization or group whose members are or include other Students at the University.

The intent of any person engaging in hazing activities or the consent or cooperation of any person who is a victim of hazing does not negate a potential violation of the Code. The definition will include any aspect of the Louisiana State Hazing Law R.S. 17:1801.

M. 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 issued identification card; alteration or sale of an identification card;

N. Offensive Behavior

Lewd, indecent, or obscene conduct, including, but not limited to, nudity or sexually explicit behavior that would reasonably be offensive to others;

O. Property Misuse

Intentional or reckless destruction, defacement or damage to University property or to the property of any individual or group; unauthorized entry or use of any property or facility;

P. Residential Life Violation

Disruption of Residential Life policies and/or the violation of other Student housing rules, policies, proceedings, or regulations established and promulgated by the Department of Residential Life or by any contract entered into by the Charged Student.

Q. Safety

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

R. Sales & Solicitation

Unauthorized or prohibited solicitation, sale, fundraising, canvassing, distribution or posting of any written material, electronic mail, web, or printed material;

S. Sexual Harassment

Repeated, severe, or pervasive actions of a sexual nature directed toward specific individual(s) with the intent or effect to embarrass, harass or alarm, including actual, attempted or threatened physical contact, or acts that create a reasonable apprehension of such behavior, conduct or contact of a sexual nature that creates an intimidating, hostile, or offensive

campus, educational, or working environment for another person (Also reference PM73);

T. Sexual Misconduct

Any 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. This includes, but is not limited to, video voyeurism, violence of a sexual nature, sexual abuse, unwanted sexual contact, and obtaining, posting or disclosure of intimate descriptions, photos or videos without express consent of the other individual (Also reference PM73);

U. Stalking

Repeated, unwanted conduct toward or contact with another person, including but not limited to, following someone, contacting someone verbally, electronically, via third party, or by any other means with the effect of creating fear and/or emotional distress (Also reference PM73);

V. Theft

Using, depriving, removing or possessing the property and/or services of the University or another individual(s) without entitlement or authorization

W. 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;

X. Violating a Law

Committing an act or omission, or attempting to commit an act that would be in violation of city, parish, state, or federal law. This would include gambling.

Y. 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;

Z. 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, along with specific conditions required for successful completion.

The Student Affairs Official 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 responded to a directive of the Student Affairs Official.

11.2 Accountability Status

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

A. Warning

A written Warning issued to a Student, indicating that he/she has been found Responsible for violation(s) 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 Student(s) status with the University;

1. Disciplinary Probation with restriction includes loss of privileges, including but not limited to, removal from residential facilities, inability to hold a position of leadership in a registered Student organization, participation in intramurals, and/or other representation of the University.
2. Disciplinary Probation without restriction would allow Students to participate in Student organization leadership, intramurals, or other specified co-curricular activities.
3. Disciplinary Probation will not be recorded on the Student's academic transcript except in cases of Academic Misconduct.
4. The length of probation may vary up to indefinitely.

C. Deferred Suspension

Deferred Suspension may be imposed on a Student for whom suspension from the institution is an appropriate penalty, but for whom there are mitigating circumstances, as determined by the SAO or University Hearing Panel. If a Student is found to have violated any rule of Louisiana State University Eunice while the penalty of Deferred Suspension is in effect, the penalty for such a violation will be suspension. If a Student disputes the charge(s), the facts of the matter may be decided by the SAO, but if the Student is found in violation, the penalty must be Suspension or Expulsion. Conditions related to the offense may be imposed, such as loss of privileges, prohibition of certain conduct, counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional Code violation

D. Suspension

Suspension is the physical separation from the University for Misconduct.

1. A Student may be Suspended for at least one semester and/or for multiple years. The Suspension may be delayed at the discretion of the SAO.
2. Students Suspended from the University may be readmitted if they meet requirements to the University and if approved by the SAO.

3. When a Student is Suspended from the University, he or she may NOT be on Campus without specific written authorization by the SAO.
4. Suspension from the University will be recorded on the Student's academic transcript.

E. Expulsion

Expulsion is the permanent separation of a Student from the University without the possibility of readmission.

1. When a Student is expelled from the University, he or she may NOT enter or remain on Campus without specific written authorization by the SAO.
2. Expulsion will be recorded on the Student's academic transcript.

F. Interim Suspension

In cases where it is determined that a Student's continued presence on Campus constitutes an immediate threat of harm to Student(s), other individuals and/or University premises, the Student Affairs Official may immediately suspend that Student from the University, or limit access or attendance pending final disposition of the matter. Upon issuance of an Interim Suspension, the Student Affairs Official shall endeavor to contact the Student, advise the Student that an Interim Suspension is in effect, and provide the Student with an opportunity to address the alleged misconduct.

1. The Interim Suspension status will be reviewed by SAO 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.

Students separated (but not Expelled) from the University may be readmitted to the University if approved by the Student Affairs Official

A Student Separated from the University for “the remainder of the semester or summer term” as provided in Section above shall receive a grade of “W” in all classes in which he or she is enrolled for that semester, except as provided in Sections of this Code. Medical withdrawals do not count toward the “W” grade policy

Separation from the University will be recorded on the Student’s official University transcript.

11.3 Accountability Outcomes

A. Educational Activities

Educational Activities may be assigned to a Student 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, psychologist or other health or wellness provider, completion of treatment recommendations made by a health or wellness provider, community service, 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 in question, may receive zero credit, no credit, or partial credit for the work in question, may have his/her overall class grade lowered by one letter, or may receive a failing grade for the course.

C. No Contact Directive

A Student 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.

D. Restitution

A Student 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 SAO.

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 a registered Student organization, participation in intramurals, LSU Eunice study abroad programs, and/or other representation of the University, and limitations to entering or being present in specific Campus locations.

F. 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.

G. Parent/Guardian Notification

The Parent/Guardian Notification Policy is designed to help families and LSUE work together to prevent drug and alcohol abuse on campus. FERPA permits LSUE to inform parents or guardians when their student, under the age of 21, has been found in violation of LSUE's Substance Abuse and Drug-Free Campus Policy (P.S. 41). This policy also permits notification in health and safety emergencies regardless of student age or dependent status.

11.4 Academic Misconduct by Students

A. Assigning a grade when there is Academic Misconduct

1. Absent sufficient mitigating circumstances, a Student found responsible for Academic Misconduct will, at a minimum, be assigned a permanent failing grade for the course. In no instance may the Student receive credit for the exam or assignment on which the violation occurred.

2. If a Student is charged with Academic Misconduct and the case cannot be resolved prior to the final date for filing a semester grade, the student shall continue to complete all work and the instructor referring the matter shall report an "I" grade in the course in which the alleged Academic Misconduct occurred. If the Student is not found in violation, a permanent grade shall be assigned to remove the "I" grade on the basis of the quality of the work done in the course. If the Student is found in violation of Academic Misconduct, the instructor shall assign a grade that incorporates the sanction issued. This class and grade cannot be dropped, removed, or withdrawn.

B. Non-grade related for Academic Misconduct

In addition to the academic sanction, other non-grade sanctions may be assigned.

1. For the second offense, the minimum sanction is separation from the University for one full year;
2. For the third offense, the sanction is expulsion;
3. Multiple violations in the same course may be treated together or as separate offenses.

11.5 Sanctions for Non-Academic Misconduct

A. The following general guidelines are used for maximum and minimum sanctions for nonacademic offenses. Any sanction or combination of sanctions consistent with similar cases with similar facts and circumstances may be imposed.

1. Acts of violence or threat offenses against persons and/or offenses that directly place persons in jeopardy or fear of harm.
 - a. The minimum sanction is separation from the University for the remainder of the semester in which the offense occurred, and restitution (if appropriate);
 - b. The intermediate sanction is separation from the University for one calendar year or more, and restitution (if appropriate);

- c. The maximum sanction is Expulsion from the University.
2. Offenses that involve disruption of the University, its program, or other University efforts to accomplish its objectives and/or that indirectly place persons in jeopardy or harm.
 - a. The minimum sanction is Disciplinary Probation for the remainder of the Student's enrollment in the University;
 - b. The intermediate sanction is separation from the University for at least the semester in which the offense occurred;
 - c. The maximum sanction is Expulsion.
3. Offenses that involve theft or damage to University property or the property of other members of the University community.
 - a. The minimum sanction is Disciplinary Probation for one or more regular semesters and restitution (if appropriate);
 - b. The intermediate sanction is separation from the University for one or more regular semesters, and restitution (if appropriate);
 - c. The maximum sanction is Expulsion from the University.
4. All other violations.
 - a. The minimum sanction is Warning or Disciplinary Probation;
 - b. The intermediate sanction is Disciplinary Probation for a period ranging from one regular semester to the remainder of the Student's enrollment in the University or a period of separation from the University;
 - c. The maximum sanction is Expulsion from the University.

The SAO is not required to adhere rigidly to the sanctions outlined in Section 9.7.A. However, a sanction more severe than the maximum sanction listed or less severe than the minimum sanction listed should be justified by mitigation or aggravating circumstances or other justification for the

specific sanction. Such circumstances or justification shall be incorporated into the final written sanctions.

If a Student is charged with multiple violations in a single proceeding, the SAO will render factual findings on each charge. The occurrence of multiple or repeated violations may be a factor in determining whether to assign the maximum sanction or to recommend a more severe sanction.

11.6 Appeals

A Student may decline the Accountability Outcome issued by the Student Affairs Official and request a UHP. Only Outcomes of a UHP or Alternative UHP can be appealed. The Appeal procedure provides the opportunity for questioning the appropriateness of the proceedings and/or Outcome.

Any Victim entitled to be informed of Accountability Outcomes may also Appeal an Outcome of the UHP or Alternative UHP based upon the criteria delineated in this Code.

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;

11.7 Appellate Process

On Appeal, a finding of responsibility may be upheld or overturned in whole or in part. An Appeal must be submitted in writing to the Student Affairs Official within 5 business days after the Student and/or Student Victim is notified of the UHP Outcome or new information becomes known to the Student or Victim. The written document must identify the specific actions and/or Outcomes being contested. All submissions must include one of the aforementioned criteria as the basis for Appeal. Once the SAO receives an Appeal, any Outcome issued by the UHP is placed on hold pending final resolution by the Chancellor.

Upon receipt of the written appeal, the SAO will submit a written position statement to the Chancellor within 5 business days.

At the Chancellor's sole discretion, the following may result:

- A. UHP Outcome is upheld;
- B. Rehearing by the original UHP;
- C. Rehearing by a new UHP; or
- D. The Chancellor modifies the Outcome.

The decision by the Chancellor is final and concludes the Accountability process. Any Outcome imposed and upheld will commence once the Chancellor has issued a decision.

12.0 ACCOUNTABILITY RECORDS

Student Accountability cases and records are education records of the University and are maintained by the Student Affairs Official. Consistent with the 1974 Family Educational Rights and Privacy Act (FERPA), a Student may review and examine his or her Accountability records. These records are generally not available for others to review except in accordance with law. Materials within the Student's Accountability record will not be provided to University personnel outside of the Student Affairs Official unless disseminated in accordance with FERPA. University personnel or University legal counsel may have access to the Accountability records of individual Students only if such information is needed in the performance of duties assigned to that person. Refer to Policy Statement 34 – Privacy Rights of Parents and Students.

- A. Files for Suspensions, expulsions, and violent offenses are maintained indefinitely. All other files are maintained for seven years after the incident's resolution. At the end of the seven-year period, the files are destroyed in accordance with the University's record disposal policies.
- B. Academic Misconduct, Deferred Suspension, 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.
- C. 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 the SAO in writing to have this notation removed from his or her academic transcript. At the discretion of the SAO, this notation may be removed from the academic transcript; however, the Accountability record maintained in the Office of Student Affairs and Enrollment Services 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.

The Louisiana State University at Eunice Code of Student Conduct has been revised previously.
Revision dates:

REVISED September, 2015

REVISED June, 2022