

# Code of Student Rights, Responsibilities, and Behavior

Revised 2011

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## **PREFACE**

Disciplinary procedures at Louisiana Tech University have been established to assist the University and the students in a mutual responsibility—a responsibility that develops an atmosphere conducive to academic, spiritual, mental, physical, and social enrichment in the preparation for a successful life as a mature citizen.

These standards and procedures are made available to everyone online at <http://www.latech.edu/students-judicial-affairs/index.shtml>. They are available in print at the Student Life Office (333 Keeny Hall) or by written request to the Vice President for Student Affairs (P.O. Box 3164, Ruston, LA 71272).

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## **INTRODUCTION**

The Louisiana Tech University Code of Student Rights, Responsibilities, and Behavior has been developed to assist the University in protecting and maintaining its educational mission—a mission focused towards developing an atmosphere conducive to the academic, spiritual, mental, physical, and social growth of its students.

Upon enrolling at Louisiana Tech University, each student elects to be subject to each of these publications governing his/her relevant communities: (1) Louisiana Tech University STUDENT HANDBOOK, (2) Louisiana Tech University BULLETIN (catalog), (3) Louisiana Tech University VEHICLE REGULATIONS, (4) RESIDENTIAL LIFE BULLETIN, (5) TERMS AND CONDITIONS FOR MARRIED STUDENT HOUSING, and other official University publications including departmental policy and class syllabi.

All Louisiana Tech University students—undergraduate, graduate, post-baccalaureate, full-time, part-time, special, and extension—are subject to official University publications and procedures. Individuals should be aware that these regulations are in effect during periods of non-enrollment should a student choose to re-enroll. All students are responsible for becoming familiar with all of the relevant publications listed above.

Louisiana Tech University students are citizens of several communities—city, parish, state, and national, as well as the University. Certain types of misbehavior and violations may subject a student to the concurrent jurisdiction of, and the imposition of, a sanction by both the University and civil authorities.

It is the intent of this document to create and maintain a system of order on campus which will foster the educational aims of the University and provide an opportunity for students to work toward goals of academic development, social maturity, spiritual enrichment, and personal improvement.

The administrative or judicial procedures and the bodies or committees that have been

established to hear cases of misbehavior or violations, make referrals of cases, and hear appeals of decision for the accused are described in this publication.

Copies of this “Code” may be secured by written request or personal visit to the Office of the Vice President for Student Affairs, 305 Keeny Hall, PO Box 3164, Louisiana Tech University, Ruston, Louisiana 71272.

Violations of any rule in this “Code” may subject the student to separation from the University.

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## SECTION ONE

## TITLE

### 1.01

This “Code” shall be cited as the Louisiana Tech University *Code of Student Rights, Responsibilities, and Behavior*.

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## SECTION TWO

## CODE AUTHORITY

### 2.01

This Code of Student Rights, Responsibilities, and Behavior is promulgated by the Office of the President of Louisiana Tech University under the power and authority delegated that office by the Board of Supervisors for the University of Louisiana System.

### 2.02

The authority of the Board of Supervisors for the University of Louisiana System and the President of the University to establish the kinds and types of behavior and standards contained in this “Code” is found in such Louisiana Revised Statutes, Acts, Concurrent Resolutions, etc., as the following:

Louisiana Revised Statutes—17:10; 17:3101 through 17:3109 (1969); 17:803 (1958); 17:3024 (1969); 32:233 and 32:234 (1962).

Acts—Act No. 68 (1894), Act No. 529 (1968). Concurrent Resolution No. 293

1970) Title 1, OF THE DISTINCTION OF PERSONS, Act 37, Age of Majority (1972).

### 2.03

The Division of Student Affairs, by delegation of the President of Louisiana Tech University, is designated as the agency within the University concerned with student rights, responsibilities, and behavior as one of its functions. The Division, through the Vice President for Student Affairs, is responsible for recommending:

**2.03:01** The kinds and types of non-academic behavioral standards necessary for creating and maintaining a system of order on campus, and

**2.03:02** The procedure for determining, enforcement, and/or disposition of violation of:

- A. all behavioral standards adopted by the Board of Supervisors for the University of Louisiana System for the administration and operation of institutions of higher education under its supervision,
- B. all behavioral standards approved or issued by the President of the University, and
- C. all local, state, and federal laws.

#### **2.04 Review**

The Code of Student Rights, Responsibilities, and Behavior shall be reviewed each year. Students, faculty members, and administrators are a part of the review committee. Recommendations for revisions are submitted to the Vice President for Student Affairs for consideration and forwarding to higher authority.

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### **SECTION THREE**

### **DEFINITIONS**

#### **3.01**

Terms and phrases when used in this “Code” have the following meanings:

**3.01:01 “UNIVERSITY”** means Louisiana Tech University (its main campus, branch, or any division thereof including trips, extension courses, etc.) over which the Board of Supervisors for the University of Louisiana System has control and responsibility.

**3.01:02 “STUDENT”** means any person registered for enrollment in any University course, undergraduate, graduate, post-baccalaureate, full or part-time, special, or extension; or any person on the University premises or University-leased premises for any purpose related to registration for enrollment.

**3.01:03 “ADMINISTRATOR” or “OFFICIAL”** means any person (including students) employed by the University and authorized by the Board of Supervisors for the University of Louisiana System or the University to act in a prescribed manner in accordance with the Louisiana Revised Statutes, Acts, and Concurrent Resolutions applying to Louisiana Tech University to carry out the behavioral standards approved and issued by the Board of Supervisors for the University of Louisiana System and/or the President of the University.

**3.01:04 “INSTRUCTOR”** means any person employed as a professor, associate professor, assistant professor, instructor, part-time instructor or graduate assistant to conduct classroom and laboratory activities. An individual may be both an instructor and a student. Determination of an individual’s status shall be made on the basis of the facts in each case.

**3.01:05 “STUDENT ORGANIZATION”** means an association of students or group which has complied with the formal requirement for University recognition through the Student Organization Committee.

**3.01:06 “GROUP”** refers to students who have not yet complied with the formal requirements of the University for recognition as an organization.

**3.01:07 “UNIVERSITY DOCUMENT”** means any written communication, form, or record maintained by the University.

**3.01:08 “MEMBER OF THE UNIVERSITY COMMUNITY”** means any University administrator or official, instructor, student, staff member, or employee of the University.

**3.01:09** “**UNIVERSITY PREMISES**” or “**UNIVERSITY RELATED PREMISES**” means all land, buildings, facilities, and equipment owned, leased, on loan, or controlled by the University.

**3.01:10** “**SHALL**” is used in the mandatory sense.

**3.01:11** “**MAY**” is used in the permissive sense.

**3.01:12** “**OFFICIAL RECORD**” or “**TRANSCRIPT**” means the official document maintained by the Office of the Registrar on which pertinent information is listed, such as student’s name, date and place of birth, parents’ names and address(es), high school from which he/she graduated, courses attempted at the University, grades and credits earned, and status achieved by the student. Notations of academic probation and suspension are a part of the official record or transcript.

**3.01:13** “**STUDENT DISCIPLINARY RECORD**” means recordings by University administrators and officials of non-academic actions of the student(s) which are in violation of the University behavioral standards, and/or local, state, and federal laws. Disciplinary information which affects a student’s eligibility to continue or re-register in the University is also recorded on the official record or transcript (see Section Fourteen).

**3.01:14** “**FIRST AID RECORD**” means the record of injuries and treatment maintained by the staff of the University Health Center.

**3.01:15** “**CONFIDENTIALITY**” means the ethical, moral, and often legal responsibility not to divulge information of a personal nature that has been obtained in the course of a professional relationship, except:

- A. when necessary in the opinion of University administrators or officials to prevent an individual’s serious injury to himself/herself and/or to another/other person(s);
- B. when deemed necessary by an administrator, official, instructor, or committees in carrying on the internal operations of the institution;
- C. when ordered by competent judicial authority to release (subpoena) such information; or
- D. when written permission to release information is given by an individual.

**3.01:16** “**STUDENT PUBLICATIONS**” means written material edited and published by students for distribution to members of the University community including but not limited to brochures, newspapers, special interest magazines, college or departmental magazines, calendars, and entertainment brochures and pamphlets.

**3.01:17** “**BEHAVIORAL STANDARDS**” means the policies, rules, regulations, directives, resolutions, and standards of the Board of Supervisors for the University of Louisiana System; the policies, rules, regulations, directives, and memoranda approved and/or issued by the President of the University; and local, state, and federal laws. “**CODE**,” “**BEHAVIOR**,” and “**BEHAVIORAL STANDARDS**” are terms used as having the same meaning.

**3.01:18** “**BEHAVIOR**” means the attitudes and/or actions related to “Behavioral Standards.”

**3.01:19** “**CODE**,” “**STUDENT CODE**,” AND/OR “**CODE OF CONDUCT**” are terms that

shall be used in reference to the Louisiana Tech Code of Student Rights, Responsibilities, & Behavior.

**3.01:20** “**HAZING**” is defined as any reckless or intentional action taken or any situation created which produces mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities and situations include, but are not limited to, the following:

- A. Creating or inflicting or requiring physical or psychological pain:
  - 1. paddle swats, other hits, burnings, branding, shoving, tickling, bondage or restriction, blindfolding, etc.;
  - 2. forced exercise, jogs, runs;
  - 3. road trips, scavenger/treasure hunts, quests;
  - 4. “hell” night or week;
  - 5. requiring or forcing the drinking of alcohol or other abusive substances;
  - 6. requiring or forcing the eating or consuming of anything the individual refuses;
  - 7. depriving an individual of food or drink or other necessity;
  - 8. requiring or coercing someone to perform public stunts, buffoonery;
  - 9. shaving or applying substances (oil, whipped cream, etc.) onto the body of a student;
  - 10. nudity;
  - 11. personal or group servitude (washing cars, errands, cleaning); or
  - 12. wearing apparel which is uncomfortable to the individual, or if worn publicly, is conspicuous or not normally in good taste.
  
- B. Creating, inflicting, or requiring any activity that detracts from adequate study or class time or productive work, or any activity that is not consistent with the academic mission of Louisiana Tech University—for example, any activity or situation that keeps an individual from less than six uninterrupted hours of sleep.
  
- C. Degrading, humiliating, ridiculing, or harassing an individual or group through words or deeds:
  - 1. line-ups or interrogations;
  - 2. name calling; or
  - 3. threats, lies.
  
- D. Forcing a person to break a University, local, state, or federal law or policy.

The expressed or implied consent of a person to any such actions shall not be considered an exception to this policy and is not defensible as a violation thereof.

Not only is hazing against University regulations, but Louisiana Law 17:1801 prohibits hazing in any form.

**3.01.21** “**HARASSMENT**” can be categorized by color, disability, national origin, gender, sexual orientation, age, religion, race, citizenship, or veteran status. Harassment may include physical, verbal, or nonverbal conduct.

**3.01.22** “**STALKING**” is defined as the repeated following or harassing of another person

accompanied by the making of a credible threat with the intent to place that person in reasonable fear of death or serious injury.

### **3.01:23 “SPEECH AND DEMONSTRATION REGULATIONS”**

Louisiana Tech University recognizes and supports the rights of students, employees of all categories, and visitors to speak in public and to demonstrate in a lawful manner in designated areas of the campus and at designated times. In order to maintain safety, security, and order, to insure the orderly scheduling of campus facilities, and to preclude conflicts with academic and curricular activities, Louisiana Tech University reserves the reasonable right to limit such activities by the following regulations regarding time, place, and manner of such activities.

Definitions: Speech, as used in this document, is the oral presentation of ideas in an open forum. Demonstration is any process of showing individual or group cause by speech, example, group action, or other form of public expression.

Time, Place, and Manner limitations: Interior. Demonstrations, debates, and speeches may be held inside University facilities only in compliance with established procedures for the use of the facility.

Exterior. Louisiana Tech University reserves the right to require that speakers use designated locations in order to avoid unreasonable conflict with the normal functions and requirements of the University and to assure that the flow of vehicular and pedestrian traffic will not be impeded, whether the speakers be scheduled or unscheduled, sponsored or unsponsored, University affiliated or visitors to the campus. Use of the University facilities will be scheduled by the Coordinator of Student Activities in Tolliver Hall and will be scheduled in blocks of time between 9:00 am to 4:30 pm Monday through Friday and 11:00 am to 4:30 pm Saturdays and Sundays so as to best accommodate all users and to avoid monopolization by any person, agency, or organization. Authorization for any speech or demonstration will require identification of the individual or organization and agreement to abide by University regulations.

No musical instrument or sound amplification equipment of any kind, including stereo speakers, turntables, stationary or mobile public address systems are allowed on concourses, streets, or in areas adjacent to academic buildings without the approval by the office of the Vice President for Student Affairs and the appropriate facilities manager.

Administration, enforcement, and appeals: These regulations shall be administered and enforced by the office of the Vice President for Student Affairs and such other University officials as shall be designated.

Visitors to the campus and all others violating these regulations regarding time, place, and manner of speech and demonstration will be subject to immediate eviction or removal from the campus without further warning by appropriate University agents or officials and may be subject to appropriate legal action.

Individual students violating these regulations may, upon written complaint to the office of the Vice President for Student Affairs, be subject to action by the University Behavioral Standards Committee.

Student organizations violating these regulations may, upon written complaint to the

office of the Vice President for Student Affairs, be subject to action by the University Student Organizations Committee.

Nothing in this policy is intended nor should be understood as an endorsement or approval by Louisiana Tech University of any speech or demonstration, an invitation or license to speak or demonstrate, or the granting of any right or permission to speak or demonstrate on campus beyond the rights existing under federal and state law.

For more information, contact the office of the Vice President for Student Affairs.

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## **SECTION FOUR**

## **STATEMENT OF RIGHTS**

### **4.01 General Statement**

The submission of an application for admission to Louisiana Tech University represents a voluntary and optional decision on the part of the prospective student to partake in the program and privileges offered by the institution in accordance with the behavioral standards of the Board of Supervisors for the University of Louisiana System and the University for the governing of the University and for the promotion of its stated purpose. Institutional approval of that application in turn represents the extension of a privilege to join the University community and to remain a part of it so long as the student fulfills the academic and behavioral expectations as published in the Louisiana Tech University Bulletin (catalog), Code of Student Rights, Responsibilities, and Behavior, and all other official University publications.

### **4.02 Student Rights**

Each student is entitled to the essential rights central to all institutions of higher education which are held to include:

**4.02:01** The right to expect an education of the highest quality.

**4.02:02** The right to develop individual potential to the best of that person's ability.

**4.02:03** The right to inquire, discuss, listen, and evaluate.

**4.02:04** The right to express views relevant to the subject matter in the classroom and laboratory subject to the responsibility of the instructor to maintain order and present and explain the subject matter of the course.

**4.02:05** The right to be free from discrimination on the basis of race, color, religion, sex, political affiliation, and national origin. The University will condone no practices or policies that discriminate against the disabled.

**4.02:06** The right to receive a copy of publications which contain behavioral standards promulgated by the University.

**4.02:07** The right of freedom of speech and assembly subject to requirements for the maintenance of order and the protection of the rights of others.

**4.02:08** The right to be interviewed on campus by any employing firm, agency, corporation, or organization whose qualifications for employment are acceptable to the University.

**4.02:09** The right to communicate in a one-to-one relationship with administrators, instructors, counselors, advisers, and officials of the University.

**4.02:10** The right of privacy including freedom from unreasonable and unauthorized search of person, personal property, and living quarters.

**4.02:11** The right of confidentiality of the official record or transcript and disciplinary record.

**4.02:12** The right to fair hearings and appeals when disciplinary sanctions are applied to the student.

**4.02:13** The right to petition the appropriate University body for redress of grievances.

**4.02:14** The right to confidentiality of information relating to personal views, beliefs, and political associations, acquired by administrators, instructors, counselors, advisers, and officials of the University in the course of their work.

**4.02:15** The right to publish and distribute subject to the standards of reasonable journalism and applicable regulations of the U.S. Constitution and Federal Communications Commission. Similar rights are afforded oral statements of views on student-operated radio and television stations.

**4.03** These enumerated rights shall not be construed to deny or disparage legal rights of students both as members of the University community and as citizens of the city, parish, state, and nation. They shall neither be construed as legal power to disregard the rights and respect of property of others or to disrupt any scheduled University function, or to impede the free flow of pedestrian or vehicular traffic. Furthermore, they shall not be construed as legal power to deny the right of access to facilities or buildings by any member of the University community.

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## **SECTION FIVE**

## **STATEMENT OF RESPONSIBILITIES**

### **5.01 General Statement**

Students are obligated to be fully acquainted with and to respect and abide by the University's Code of Student Rights, Responsibilities, and Behavior which clarifies those behavioral standards considered essential in a continuing system of order.

### **5.02 Student Responsibilities**

When an institution of higher education extends and a prospective student accepts the privilege to join the University community, the student is obligated to assume the responsibilities of a mature individual which are held to include the following:

**5.02:01** To abide by the behavioral standards of the Board of Supervisors for the University of Louisiana System and the University as well as local, state, and federal laws.

**5.02:02** To hold inviolate the rights of others in matters of expression and assembly.

**5.02:03** To recognize that one's behavior reflects not only upon self but also upon the institution and its citizenry and is judged in this manner.

**5.02:04** To follow the doctrine of common decency and acceptable behavior commensurate with the aspiration implied by a University education.

**5.02:05** To respect the rights and property of others including University administrators, officials, instructors, staff, students, and guests.

**5.02:06** To respect the property of the University and the various agencies housed on campus.

**5.02:07** To refrain from using the name of the University in an official capacity without the express permission of an authorized administrator or official of the University except for the purpose of identifying affiliation.

**5.02:08** To accept and recognize the financial responsibility inherent with the student's enrollment at the University and to fully comply with the University's fee policies, payment deadlines, refund deadlines, and other financial and academic regulations as published in the University Bulletin, Quarterly Schedule of Classes and General Information ("The Racing Form") and in the Quarterly Expense Sheet and their appropriate revisions.

### **5.03 University Responsibilities**

The University community has the responsibility for creating and maintaining a system of order on campus which includes the following:

**5.03:01** Providing an environment that will enable a student to pursue academic endeavors.

**5.03:02** Providing an environment which permits all students the opportunity to pursue an education in which they can progress on their merit and ability, without regard to race, color, national origin, religion, or sex.

**5.03:03** Expecting students to demonstrate habits, attitudes, and standards of behavior beyond those expected of citizens outside the academic community.

**5.03:04** Displaying leadership in spiritual, mental, moral, and social activities.

**5.03:05** Protecting and maintaining high academic standards.

**5.03:06** Clearly setting forth rules, regulations, policies, and procedures that relate to student life.

**5.03:07** Providing due process for those accused of violations.

**5.03:08** Providing students with information on the cost of attendance, other fees and charges, penalties, payment deadlines, refund deadlines, along with financial and academic regulations as published in the University Bulletin, Quarterly Schedule of Classes and General Information ("The Racing Form") and the Quarterly Expense Sheet and their appropriate revisions. Policies for payment and collection of tuition and fees and all other student fees, charges, fines and penalties are the responsibility of the Office of the Comptroller unless specifically designated to another department.

**6.01 Jurisdiction over Violations**

Violations of campus behavioral standards that are not violations of local, state, and federal laws normally are handled within the University community and in accordance with established procedures of the University. Refer to the Louisiana Tech University Bulletin (catalog) for handling of violations of academic misconduct. Also see the back of the Student Handbook for Louisiana Tech's Honor Code.

**6.02 On-Campus Violations**

Student actions on campus that violate University behavioral standards and local, state, and federal laws give rise to the possibility of dual jurisdiction and may be dealt with in one of the following ways:

**6.02:01** The student may, in the case of minor violations and infractions, be subjected only to censures imposed by the University authority.

**6.02:02** The student may be subjected to censures imposed by the civil authority and by University authority.

**6.03 Off-Campus Violations**

Students apprehended for off-campus violations of local, state, and federal laws are clearly within the jurisdiction of civil authority. The University's concern may extend to off-campus violations of local, state, and federal laws if the individual student, a student organization, or a group of students uses the University's name to falsify its position or to associate it with a cause not approved by the University or when it serves to reflect on the quality of citizenship of the individual, organization, or group.

When a student is apprehended for violation of local, state, and federal laws, the University will not request special consideration for the student because of his or her status as a student. Such action promotes disrespect for the law, retards the growth of responsibility, and tends to create the erroneous impression that the University sees itself as sanctuary for lawbreakers. The University will, however, cooperate with local, state, and federal agencies in a program for the rehabilitation of the student unless the seriousness of the violation serves to place in doubt the general welfare of the University and members of the University community.

The University has a responsibility to respond, in certain cases, to students who are involved in off-campus incidents. A student who is charged with a civil or criminal off-campus violation may be subjected to University disciplinary proceedings if it is believed that such violations could adversely affect the normal educational function of the University or could injure or endanger the welfare of others in the University.

In such cases, an immediate hearing is held by the Vice President for Student Affairs (or his designee) to determine if interim suspension pending a full hearing will be imposed (see Section Thirteen for more information on interim suspension). The sanction is used if it is determined that the student's presence on campus would constitute clear danger to him/herself or to the safety of other persons or property on the premises of the University or would pose an immediate threat of disruptive interference with the normal conduct of the University's activities.

This process is used in all cases of violent felony arrests and other circumstances that the University feels meet the above-mentioned criteria.

Louisiana Tech University will cooperate with other universities and local, state, and federal agencies in the investigation, adjudication, and resolution of disciplinary and legal matters.

#### **6.04 Enumeration of Behavioral Standards**

The following enumeration of violations is merely illustrative and should not be taken to be all inclusive. Any student is subject to disciplinary action which may result in separation from the University whenever behavior is in violation of the Board of Supervisors for the University of Louisiana System and University behavioral standards and/or local, state, and federal laws.

**6.04:01 Aiding, Abetting, or Concealing Violators** - To help, encourage, support, or provide false information concerning a violator of the Code of Conduct or any local, state, or federal laws is prohibited.

**6.04:02 Alcoholic Beverages** - Students, student organizations, or groups of students shall not dispense or possess alcoholic beverages on University property or at University functions on campus. Any student on campus in a state of intoxication or who, while intoxicated, disturbs the peace, operates a vehicle, or acts in a disorderly manner is subject to disciplinary action.

**6.04:03 Breach of Regulations Relating To Student Housing** - Participating in raids of University residence halls, violating closing hour restrictions, violating visiting hours and occupancy rules and regulations of the University, or any other breach of Housing regulations is prohibited.

**6.04:04 Destruction, Misuse, Damage, or Defacing of Property** - Participating in activities that destroy, misuse, damage or deface private, personal, or University property is prohibited. Violations involving destruction or damage will require the violator(s) to replace or repair to the satisfaction of the rightful owner all destroyed, misused, damaged, or defaced property.

**6.04:05 Disrespect For Authority** - Failure to comply with instructions and directions of University officials or law enforcement officers acting in the performance of their duties or failure to comply with such instructions and directives—including identification by ID card—is prohibited. Verbal, written, and/or electronic abuse of any faculty, staff member, or student employee while performing duties assigned by the university is in violation of this section.

**6.04:06 Dogs, Cats, and Other Animals** - No person, being the owner or keeper, or harboring or having charge shall permit dogs (other than the official school mascot), cats, and other animals to enter University buildings, structures, or facilities. The term “animals” as used in this section, shall include all kinds of animals: mammals, fowl, reptiles, and amphibians. This shall not apply to seeing-eye dogs when accompanied by their masters nor shall it apply to animals used for approved research or observation in classroom, laboratory, farm, or clinical facilities (laboratory animals however are not allowed in residence halls).

**6.04:07 Failure To Register Meetings or Assemblies** - Meeting or otherwise assembling in a University facility without first registering such meeting or assembly with the Student Center Director is prohibited.

**6.04:08 False Reporting of Emergency** - Making false reports of a bomb, fire, or other emergency in any building, structure, or facility on University premises or University-related premises by means of activating a fire alarm, emergency phones, or by any other manner is prohibited.

**6.04:09 Falsification, Forgery, and/or Dishonesty** - Furnishing false or misleading information, altering any University material, misusing one's name or forging the name of another in any manner, using identification cards, meal tickets, etc. of another is prohibited. Allowing unauthorized use of identification cards, meal tickets, etc. is also prohibited. Repeat violations of the Louisiana Tech Honor Code will be addressed as a violation of this section of the code.

**6.04:10 Gambling** - Gambling inconsistent with state and local law on the campus is prohibited. In addition, student athletes are also subject to NCAA requirements regarding gambling activities.

**6.04:11 Group Offenses** - Organizations, groups, clubs, societies, or other segments of the University community are responsible for compliance with the behavioral standards of the University and with local, state, and federal laws. Upon satisfactory proof that the organization did not discourage or did not take reasonable steps to prevent violations of University behavioral standards, local, state, federal laws, the organization may be subjected to permanent or temporary suspension of recognition, social probation, denial of use of University facilities, or other similar sanctions. The determination that the organization is liable to disciplinary censure under the above paragraph, and determination of the censure to be imposed, shall be made by the appropriate judicial body subject to the approval of the University Committee on Student Organizations, at a hearing held for that purpose (see regulations governing student organizations). The University requires (in case of appropriation of and/or damage to property) that the property be repaired or replaced to the satisfaction of the original owner and that the individual or group responsible provide written evidence of such by a designated date (also see regulations governing student organizations).

**6.04:12 Unauthorized Selling of Books** - Selling of books belonging to another person, organization, firm or institution, with or without permission, is considered theft.

**6.04:13 Unauthorized Use of Telephones** - Charging or permitting to be charged any long distance telephone call or telegraph message to any telephone on University premises without proper authorization is considered theft.

**6.04:14 Unauthorized Visits to Other Campuses** - Louisiana Tech University neither condones nor authorizes visits to other college or university campuses for the purpose of defacing property or creating disturbances. University officials will cooperate with any other university or law enforcement agencies.

**6.04:15 Interference or Failure to Comply with Emergency Procedures** - Intentionally interfering with emergency procedures prescribed for any building, structure, or facility on University premises, or failing to follow prescribed emergency procedures such as willful disregard of the emergency alarm signal is prohibited.

**6.04:16 Late and Delinquent Payments** - For regulations pertaining to late and

delinquent payments refer to the Louisiana Tech University Bulletin (catalog) and Section 5.02:08 of this code.

**6.04:17 Lewd, Indecent, or Obscene Behavior** - Lewd, indecent, or obscene behavior or expression is not condoned by the University. In the event that an interpretation of lewd, indecent, or obscene behavior is needed, the Behavioral Standards Committee shall be called upon.

**6.04:18 Obstruction or Disruption** - Participating in activities that obstruct or disrupt any University function, mission, or process—including but not limited to instruction, administration, meetings, ceremonies, or recognized student activities, or violating the rights of others—is prohibited.

**6.04:19 Physical and/or Mental Abuse** - Participating in activities that endanger or attempt to endanger the physical and/or mental health, safety, and rights of members of the University community or guests of the University is prohibited. This includes, but is not limited to, fighting or violence, harassment, stalking, and hazing. (See 3.01:20 for a definition of hazing, 3.01.22 for a definition of stalking and Section 3.01:21 for categories of harassment.)

**6.04:20 Possession and/or Use of Guns, Firearms, Knives, Explosives, and Other Weapons** - Possession of and/or exploding of fireworks and other explosives and possession and/or discharging of shotguns, rifles, pistols, air rifles, BB guns, paint guns, sling shots, bows and other lethal or damaging weapons on campus by student(s) unless authorized by the Vice President for Student Affairs is prohibited. Possession includes, but is not limited to, one's person; University residence hall room; office, academic, administrative, or maintenance building; or vehicle. Exception for paintball markers: Paintball markers are allowed only in the North University Park All Zone Parking Lot and inside the Lambright Sports Center. Only reballs are allowed on campus for use in Club Sports and Intramurals. Paintballs are not allowed on campus. Paintball markers must be carried in a locked case until in the Blue Gym inside Lambright Sports Center. See the Intramural and Sports Club Handbooks for further details about paintball markers.

**6.04:21 Possession and/or Sale of Drug Paraphernalia and Possession, Sale and/or Consumption of Narcotics, Depressants, Stimulants, Hallucinogens, or Solvents** - The University prohibits the possession and/or sale of drug paraphernalia as well as possession, consumption, ingestion, injection, or inhalation (without prescription or medical authorization) of substances that have the capacity to change a person's mood, behavior, or mind, or modify and relieve pain, such as, but not limited to marijuana, opiates, amphetamines, barbiturates, hallucinogens, psychedelics, or solvents.

**6.04:21A Drug Traffic Loitering** - Knowingly or intentionally remaining in an office, room, or vehicle (or within 6 feet of a vehicle) where one knows or reasonably should have known that the office, room, or vehicle contains drug paraphernalia or illegal drugs as defined above is prohibited by the University. Knowingly being in the company of an individual who is in possession of illegal drugs or drug paraphernalia also constitutes Drug Traffic Loitering and is prohibited by the University.

**6.04:22 Emotional, Psychological and/or Medical Disorders** – When a student's behavior is deemed to be a danger to self or others or disruptive to the University community, the University may take the necessary action to protect the student in question and any other persons.

Such action may include mandatory withdrawal from the University, disciplinary action, and/or notification of the student's parents or guardians (even if the student is 18 years or older). In the case of behavior indicating danger to self or others or disruption to the University community, the University reserves the right to require the student to provide documentation of a psychological and/or medical evaluation assessing the student's state and validating the individual's readiness to return to the University environment. Such documentation will be submitted to the Dean of Student Life and will be used to determine the terms of reinstatement of the student. Danger to self or others may include but is not limited to suicidal attempts, gestures, or ideation, repeated intentional self injury, threats or acts of assault and behaviors which necessitate unusual measures to monitor, supervise, treat, protect, or restrain said student to ensure his/her safety and safety of others. Disruptive behavior is that which causes emotional, psychological, or physical distress to students, faculty, or staff and which necessitates unusual measures to monitor, supervise, treat, protect or restrain the said student. Students who refuse or are unable to cooperate with recommended assessment and/or treatment or those whose psychological or physical condition suggests a disorder (such as eating disorder or psychosis) that is observed to deteriorate to the point of permanent disability or inability to function in the university environment may also be deemed a danger or disruption to the University community. Included in this description are students whose physical or psychological disorder requires specialized services beyond those available on campus or in the local community and whose condition will deteriorate without additional resources.

**6.04:23 Raiding University Facilities** - Raiding of University-owned or University-operated facilities is a serious breach of behavior and will not be condoned by the University. Individual students or groups of students who in any way disrupt the normal operation for which the facility is being used, or who interfere with, block, or impede the flow of pedestrian traffic will be notified by an official of the University that they are in violation of the behavioral regulations of the institution.

**6.04:24 Starting Fires or Other Acts of Arson** - Starting fires or other acts of arson in or on University owned or University- controlled property, facilities, and equipment without proper authorization is prohibited.

**6.04:25 Tobacco** - The use of tobacco, in any form, in lecture rooms, libraries, residence halls, or in other property of the University is prohibited.

**6.04:26 Unauthorized Alteration or Use of Emergency or Safety Equipment** - Unauthorized use or alteration of fire fighting equipment, safety devices, or other emergency or safety equipment is prohibited.

**6.04:27 Unauthorized Appropriation and/or Possession of Property** - Appropriation of or attempts to appropriate private, personal, organizational, or University property without the consent of the owner is prohibited. Possession of stolen property on campus whether or not appropriated on or off campus shall be a violation of this section of the code of conduct.

**6.04:28 Unauthorized Demonstrations and Mass Gatherings** - Disrupting the normal operation of the University or interfering with, blocking, or impeding the normal flow of pedestrian or vehicular traffic or interfering with the educational pursuits of members of the University community is prohibited. (See 3.01:20 for further information on University speech and demonstration regulations.)

**6.04:29 Unauthorized Entry** - Entry without authorization into University-owned or University-controlled facilities or property or property of individuals is prohibited.

**6.04:30 Unauthorized Possession** - Possession of examinations, equipment, property, or supplies of the University or members of the University community or of a guest of the University and the possession of keys and/or making or causing to be made any key or keys for any building, laboratory, facility, or room of any building of the University without authorization is prohibited.

**6.04:31 Unauthorized Soliciting, Advertising, Selling, and Distribution of Material** - No person may solicit, advertise, sell, or distribute material of any nature on University-owned or University-controlled property without approval. Request for approval should be in writing and directed to (a) Director of Housing for the areas of residence halls and married housing, (b) the Student Activities Advisor for the Student Center, (c) the Director of Recreation for the Lambright Sports Center, M.S. Carroll Natatorium, and Tech Golf Course; (d) the Vice President of Administrative Affairs for all academic facilities, Prescott Library, maintenance areas, etc.; (e) the Director of Athletics for intercollegiate athletic fields; (f) and the Superintendent of Maintenance for all other outside areas. For other facilities, request approval from their respective managers.

**6.04:32 Violation of Campus Privileges** - A student who has resigned or has been suspended or expelled must leave the campus within 24 hours after their relations with the University have been severed. The student who does not leave the campus within the allotted 24 hours or obtain written permission from the Vice President for Student Affairs to remain on campus will be subject to further disciplinary action and prosecution to the fullest extent of the law.

**6.04:33 Violation of Disciplinary Sanctions** - Violation of the disciplinary sanctions of the Vice President for Student Affairs or his agent will subject the student to further disciplinary action(s). This includes sanctions imposed by the Honor Council.

**6.04:34 Unauthorized Parades, Spirit Activities, Etc.**- Parades, spirit activities, etc., that require the use of the streets must be registered with the Student Center Director at least 24 hours prior to the event.

**6.04:35 Drug Testing** - All NCAA or Intercollegiate student-athletes will be drug-screened at the beginning of each school year, and then randomly at other times during the year, for preventing the use and abuse of illegal drugs.

**6.04:36 Discrimination or Sexual Harassment** - Louisiana Tech University offers all students an opportunity for an educational experience free of discrimination or sexual harassment. Appropriate avenues are available to hear concerns or grievances through the Office of Student Life or the Louisiana Tech Counseling Services. (See Policy Procedures for addressing the Issues Concerning Sexual Harassment.)

**6.04:37 Sexual Assault** - Sexual assault is defined as any sexual act directed against another person, forcibly and/or against that person's will where the victim does not give or is physically or mentally incapable of giving "effective consent."

"Effective Consent" shall be informed, freely and actively given, and shall include mutually

understandable words and actions. “Effective Consent” cannot be given by a minor and people who are physically and/or mentally incapacitated. This would include, but is not limited to, individuals who are under the influence of alcohol and/or other drugs.

**6.04:38 Misuse or Abuse of Computer Equipment, Programs, or Data** - Unauthorized use of computing resources or use of computing resources for unauthorized purposes is prohibited. This may include, but is not limited to, such activities as accessing or copying programs, records, or data belonging to the University or another user without permission; attempting to breach the security of another user’s account or deprive another user of access to the University’s computing resources; knowingly or carelessly performing an act that will interfere with the normal operation of computers, terminals, peripherals, or networks; using the University’s computing resources for personal or financial gain; allowing non-university personnel access to university computing resources; displaying obscene, lewd, or sexually harassing images or text in use of university computing services; transporting copies of University programs, records, or data to another person or computer site without written authorization; attempting to illegally download copyrighted material including music, television programs, software, and movies; and attempting to destroy or modify programs, records, or data belonging to the University or another user.

**6.04:39 Violation of Local, State, or Federal Laws** - Violating any local, state, or federal laws shall be a violation of this Code.

**6.04:40 Breach of University Regulations** - Violating any University rules, procedures, or policies related to conduct, order, operations, or safety is a violation of this code. This code applies to all areas of the University, including but not limited to: Student Affairs, Academic Affairs, Administrative Affairs, University Enhancement, and Athletics, including each area’s subdivisions and departments.

**6.05 Behavior Referred to Behavioral Standards Committee**

Certain behaviors which, upon review, present a clear and present danger to the University community will be dealt with swiftly and seriously. Given preponderance of evidence that this behavior occurred, the case may be reviewed immediately by the University’s Behavioral Standards Committee. These behaviors may include but are not limited to the following:

- 6.04:01** Aiding, Abetting, or Concealing Violators (Dependent upon offense)
- 6.04:08** False Reporting of Emergency
- 6.04:09** Falsification, Forgery, and Dishonesty
- 6.04:12** Unauthorized Selling of Books
- 6.04:13** Unauthorized Use of Telephones
- 6.04:19** Physical and/or Mental Abuse
- 6.04:20** Possession and/or Use of Guns, Firearms, and Explosives
- 6.04:21** Possession and/or Sale of Drug Paraphernalia and Possession, Sale, and/or Consumption of Narcotics, Depressants, Stimulants, Hallucinogens, or Solvents
- 6.04:24** Starting Fires or Other Acts of Arson
- 6.04:26** Unauthorized Alteration or Use of Emergency or Safety Equipment
- 6.04:27** Unauthorized Appropriation and/or Possession of Property (Theft)
- 6.04:33** Violation of Disciplinary Sanctions
- 6.04:36** Discrimination or Sexual Harassment
- 6.04:37** Sexual Assault

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|----------------|--|
| <b>6.04:38</b> | Misuse or Abuse of Computer Equipment, Programs, or Data |
| <b>6.04:40</b> | Breach of University Regulations                         |

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## **SECTION SEVEN DISCIPLINARY COMMITTEES & FUNCTIONARIES**

### **7.01 Vice President for Student Affairs**

Most violations and infractions of the University behavioral standards are dealt with by the Vice President for Student Affairs or his representatives, including University Police, Judicial Affairs and Residential Life officials. (See Section Eight for procedures and censures of the Vice President for Student Affairs.)

### **7.02 The Behavioral Standards Committee**

The Behavioral Standards Committee is a disciplinary committee composed of student, faculty, and staff members. This committee has a dual function: it is the disciplinary agent of the University in cases referred to it by the Office of Student Life or his representative; it has appellate jurisdiction by a student from an adverse decision of the Vice President for Student Affairs which directly affects the complainant in his individual capacity. (See Section Nine for composition, procedures, and censures of the Committee.)

### **7.03 The Administrative Review Board**

The Administrative Review Board is a committee of three members vested with appellate jurisdiction only. Specifically, this board hears only appeals from recommendations of the Behavioral Standards Committee. (See Section Ten for composition and procedures of the Board.)

### **7.04 The President of the University**

By virtue of the powers vested in him by the Board of Supervisors for the University of Louisiana System, the President is the highest disciplinary functionary at the University. He is, therefore, the highest appellate authority only after all other University appeals have been exhausted.

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## **SECTION EIGHT VICE PRESIDENT FOR STUDENT AFFAIRS**

### **8.01 Disciplinary Procedures**

In the event that a student is reported for a violation or infraction of the rules and regulations of the University, or of local, state, or federal laws, the following procedures apply:

**8.01:01** It is the responsibility of the Vice President for Student Affairs or his representative to interview the student(s) accused. If the report appears to be substantiated, the Vice President or his representative will assemble a written report.

**8.01:02** If, in the opinion of the Vice President for Student Affairs or his representative, the violation or infraction warrants disciplinary censure, the Vice President for Student Affairs or his representative may impose on the violator any one or any combination of censures provided in Section 8.02.

**8.01:03** If the Vice President for Student Affairs or his representative refers the matter to the Behavioral Standards Committee for its hearing, the following procedure will be effectuated:

- A. The Vice President or his representative will assemble a written report;
- B. If the student agrees that the Report of Conduct is correct, he or she will

- sign the report; or
- C. If the student disagrees with the Report of Conduct, he or she will be asked to prepare in his or her own words a written statement of the incident or activity.

This statement will be attached to the Report of Conduct and become a permanent part thereof.

## **8.02 Measures of Discipline**

The Vice President for Student Affairs or his representative may use various measures of discipline, depending upon the seriousness of the situation, some of which are as follows:

**8.02:01 Counseling** - Establishes a series of private conferences with the student in an effort to help him or her better understand the importance of (a) assuming the responsibility of a mature citizen, (b) being able to adjust to the behavioral standards of the University community of which he or she chose to be a member, and (c) being considerate of other people and their rights.

**8.02:02 Reprimand** - Consists of a letter which becomes a matter of record of an incident of behavior that does not meet the standards of residence hall or community living.

**8.02:03 Suspension of Social Privileges** - Prohibits the student from attending or participating in activities sponsored by the (a) Union Board, (b) Louisiana Tech Concert Association, (c) Student Center, (d) Intercollegiate Athletic Department, and/or (e) the Intramural Department.

**8.02:04 Community Service** - Assigns the student to perform or complete a specific task for a specific number of hours within a specific time period.

**8.02:05 Restriction of Residence Hall Privileges** - Restricts the student from privileges such as visitation or use of electronic equipment in his or her residence hall room.

**8.02:06 Suspension of the Use of a Motor Vehicle on Campus** - Prohibits the student from having or operating a motor vehicle on campus and/or permitting someone else to operate a motor vehicle he or she owns or has in his or her possession.

**8.02:07 Residence Hall Probation** - Specifies a period of time in which the student is given an opportunity to prove that he or she can abide by the residence hall rules and regulations.

**8.02:08 Administrative Probation** - Specifies a period of time in which the student is given an opportunity to prove that he or she can abide by the behavioral standards of the University.

**8.02:09 Replacement and/or Repair to Property** - Provides that the student must produce written evidence by a designated date that he or she has replaced and/or repaired to the owner's satisfaction any unauthorized damaged or appropriated property.

**8.02:10 Areas Placed Off-Limits** - Restricts the student from certain areas or facilities.

**8.02:11 Relocation** - Moves the residence hall resident to a different location in the residence halls or requires student to vacate residence halls.

**9.01 Composition**

**9.01:01 General Roster** - The Behavioral Standards Committee shall be selected from a roster composed of the following:

- A. Twelve (12) faculty members appointed by the Vice President for Academic Affairs;
- B. Twelve (12) staff members appointed by the Vice President for Student Affairs;
- C. Six (6) SGA upperclassmen and six (6) upperclassmen appointed by the President of the University (These upperclassmen must have completed 60 hours); and
- D. Four (4) chairpersons appointed by the Vice President for Student Affairs.

**9.01:02 Special Roster** - Each hearing shall include three faculty members, three staff members, three students, and a chairperson. The members shall be scheduled in advance by the chairperson from the general roster of the Committee, as provided in this section.

**9.01:03 Quorum** - The presence of a chairperson and six members from the general rostrum with at least one member from each area shall constitute a quorum; and, with a quorum present, the Committee may perform any of its functions and exercise any of its powers.

**9.01:04 Recusation** - Any member of the Committee who is involved or associated with the case being considered may excuse himself.

**9.01:05** All hearings will be closed except to those involved in the hearings.

**9.02 Disciplinary Procedures** - These procedures will apply when a student is referred to the Behavioral Standards Committee for infractions or violations of University behavioral standards and/or local, state, and federal laws. The purpose of the hearing is to determine if university behavioral standards have been violated.

**9.02:01** The student will be given written notification at least three (3) days before the date set for the hearing. The notification will include the charges against him; the date, time, and place of the meeting of the hearing board; the right to review evidence and a list of witnesses presented at the hearing; and the right to bring witnesses on his/her behalf. For purposes of this Section, the day after the date of notification shall be the first day of the three-day delay period. The determination of the time of the hearing will include consideration of the student's class schedule.

**9.02:02** Both the accuser and the accused will be informed that he or she may bring one representative (either personal or legal counsel) who may attend and advise the student but may not present the student's case. The representative or the attorney when applicable has no standing in the proceedings but may provide advice to the respective student in a quiet manner that is not disruptive to the proceedings. The student shall give the Committee notice in writing of his or her plans to bring a representative.

**9.02:03** The student will be notified that he or she can present evidence or witnesses in his

or her behalf, that he or she will have a reasonable opportunity for questioning witnesses appearing against him or her, and that he or she may be present during all phases of the hearing except during the Committee deliberation. The student will be notified of his/her right to review all of the evidence that will be presented on behalf of the University.

**9.02:04** The Committee shall be empowered to hear or not to hear such witnesses and evidence as it may deem relevant and fair, including but not limited to, any information made a part of the original report.

**9.02:05** The Vice President for Student Affairs or his representative will be present at this hearing.

**9.02:06** Once a date, time, and meeting place of the hearing have been established, the student duly notified, and a Committee quorum convened, the hearing will be held even though the student or his personal representative or both of them fail to appear. However, if in the opinion of the Chairperson of the Behavioral Standards Committee, there is just cause for delay of the hearing, the Chairperson may reschedule it for a later date. For purposes of this section, “just cause” means any eventuality that would prevent the student from receiving a fair hearing.

**9.02:07** The proceedings will be tape recorded. Only one official recording will be permitted. The student may review a transcript of the proceedings at the Office of Student Life. All original documentation is maintained by the Office of Student Life.

**9.02:08** Victims of acts of violence reviewed by the Committee may request to be informed of the Committee’s decision. In reviews of sexual assault both the accuser and the accused will be notified of the Committee’s decision.

**9.02:08** Victims of acts of violence reviewed by the Committee may request to be informed of the Committee’s decision. In reviews of sexual assault both the accuser and the accused will be notified of the Committee’s decision.

**9.03 Censures Recommended by the Behavioral Standards Committee** - Censures which may be recommended and/or imposed by the Behavioral Standards Committee for violations and infractions of University standards and/or local, state, and federal laws include, but are not limited to, the following:

**9.03:01 Administrative Probation** - A precautionary measure which carries the provision that continued enrollment depends on strict compliance with University behavioral standards, and local, state, and federal laws. Administrative probation shall be for a definite period of time. See Section 8.02 also.

**9.03:02 Suspensions** - Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. While on suspension, the student is denied access to University owned or leased grounds, facilities, equipment, computer networks, vehicles, and all University planned, promoted, or sponsored activities. Any suspended student found in violation is subject to arrest for trespassing.

In the case where a student is a member of a student organization that is officially recognized by the University, he/she is prohibited from attending the student organization’s activities on or off campus.

Suspensions may be imposed at the end of the current quarter with credit for the quarter's academic work or immediately with no academic credit for the quarter during which the suspension is imposed.

**9.03:03 Expulsion** - Separation of the student from the University permanently. The former student is denied access to University owned or leased grounds, facilities, equipment, computer networks, and vehicles, and all University planned, promoted, or sponsored activities.

Any expelled student found in violation is subject to arrest for trespassing.

In the case where the former student was a member of a student organization that is officially recognized by the University, the former student is prohibited from attending the student organization's activities on or off campus.

**9.03:04 Ban During Appeal Process** - In extreme circumstances, the Behavioral Standards Committee has the authority to ban a student from all activities and facilities of the University during the appeal process. Any student banned during the appeal process shall contact the Director of Judicial Affairs for assistance in preparing for the appeal and in receiving permission to come on campus for the Administrative Review Board hearing.

Partial bans, which are not limited to but could include permission to attend class, are within the authority of the Behavioral Standards Committee.

Any student found in violation of this ban will be subject to arrest for trespassing.

**9.03:05 Restitution, Counseling, and/or Community Service** - When the Behavioral Standards Committee determines that violations or infractions result in the loss of and/or damage to property, the student will be given written notice by the Chairperson that he must provide written evidence to the Vice President for Student Affairs or his designee within a time period specified by the Committee that damaged or lost property has been replaced and/or repaired to the owner's satisfaction. When the Committee recommends community service or counseling, it is the responsibility of the student to provide written notification to the Vice President for Student Affairs within a time period specified by the Committee that the requirements have been completed.

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## SECTION TEN

## ADMINISTRATIVE REVIEW BOARD

### 10.01 Composition

The Administrative Review Board shall consist of the following:

- A. The Vice President for Student Affairs or his designee as chairperson;
- B. The Vice President for Academic Affairs or his designee; and
- C. The dean of the college in which the student is registered or his designee.

### 10.02 Procedures of the Administrative Review Board

**10.02:01 Quorum** - The presence in person of two members of the Administrative Review Board (or their duly appointed representative) shall constitute a quorum.

**10.02:02** All hearings will be closed except to those involved in the hearings.

**10.02:03 Other Procedural Matters** - For other procedural matters relating to the Administrative Review Board, see Section 11.02 of this handbook.

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## **SECTION ELEVEN**

## **APPEALS**

### **11.01 Procedures for Appeal**

A student may issue a written appeal of a decision by the Vice President for Student Affairs or his designee, the Behavioral Standards Committee, or Administrative Review Board if any of the following apply:

- A. procedural error
- B. new evidence
- C. unsupported conclusion
- D. disproportionate sanction

Students initiating the appeal process should be aware that an appeal can result in upholding original sanction, reducing sanction, or increasing sanction. Students who face a suspension or expulsion sanction and are appealing should attend classes until notified by the university.

**11.01:01 Prerequisite to All Appeals** - The appeals provided in 11.02, 11.03, 11.04, 11.05, 11.06, and 11.07 of this section shall not be made until the complaining student has exhausted all prior appeals.

### **11.02 From an Administrative Action of the Vice President for Student Affairs Directly Affecting an Individual Student**

Any student may appeal an administrative action of the Vice President for Student Affairs or his designee when the action directly affects such student in his individual capacity. The complaining student must notify in writing the Chairman of the Behavioral Standards Committee of his intention to lodge an appeal within three (3) business days after notice of the Vice President's decision has been mailed or verbally given to the student. Late notices of intent to appeal will be accepted or rejected by the Chairperson of the Committee after hearing the student's reasons for failure to comply with the preceding sentence. The Chairperson of the Behavioral Standards Committee shall proceed according to Section 9.02. In appeals from administrative actions of the Vice President for Student Affairs or his representative, the Behavioral Standards Committee shall hear and decide the merits of the accusation and the censure imposed as if the matter were being brought before it initially. The Vice President for Student Affairs or his representative will be present at this hearing.

### **11.03 From a Recommendation of the Behavioral Standards Committee**

Within three (3) business days after notice of a decision of the Behavioral Standards Committee, the aggrieved student shall have the right to appeal to the Administrative Review Board. To do so, the student shall give written notification to the Vice President for Student Affairs of his or her intention to appeal to the Administrative Review Board. The Vice President for Student Affairs shall, within a reasonable time, set a date, time, and place for review of the decision of the Behavioral Standards Committee and notify the student thereof. Late notices of intent to appeal will be accepted or rejected by the Chairperson of the Committee after hearing the student's reasons for failure to comply with the preceding sentence. The entire record of proceedings and the evidence presented before the Behavioral Standards Committee shall be automatically transmitted to the Administrative Review Board. The student may, at his discretion, submit additional written evidence which is relevant to the issue before the Board.

The Vice President for Student Affairs or his representative will be present at this hearing. The Administrative Review Board may take any one of the following actions:

- A. approve the recommendation submitted by the Behavioral Standards Committee;
- B. amend and approve the recommendation; or
- C. return the recommendation for further study.

#### **11.04 From a Recommendation of the Administrative Review Board**

Within three (3) business days after receipt of notice of a decision of the Administrative Review Board, the complaining student shall have the right to appeal to the President of the University. To do so, the student shall give written notification to the Vice President for Student Affairs of his/her intention to appeal to the President of the University. Late notices of intent to appeal will be accepted or rejected by the Vice President for Student Affairs after hearing the student's reasons for failure to comply with the preceding sentence. The entire record of the prior proceeding and all evidence previously presented shall be automatically transmitted to the President of the University. The student may, at his/her discretion, submit additional written evidence which is relevant to the issue or issues before the President. The President of the University may, at his discretion, take any one of the following actions:

- 11.04:01** Approve the recommendation of the Administrative Review Board and/or Behavioral Standards Committee;
- 11.04:02** Amend and approve the recommendation; or
- 11.04:03** Return the recommendation for further study by either body.

#### **11.05 From Expulsion from the University for the Commission of "Disruptive Acts"**

Any student who has been expelled from the University for the commission of "disruptive acts" pursuant to Revised Statute 17, Sections 3101-3109 or Chapter 23 of the Louisiana Revised Statutes shall have the right to appeal the decision by which such action was taken. Such appeals shall be made to the Board of Supervisors for the University of Louisiana System. The procedure for this appeal is described in the regulations of the Board of Supervisors for the University of Louisiana System.

#### **11.06 From a Decision of the President to Expel or Suspend**

A decision of the President to suspend or expel a student for a year or more may be appealed by that student to the State Board of Supervisors for Colleges and Universities. The procedure for the appeal is described in the regulations of the Board of Supervisors for the University of Louisiana System and this documentation can be found in Student Affairs (Keeny Hall 305).

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## **SECTION TWELVE**

## **EFFECTUATION OF CENSURES**

### **12.01 Censures other than Suspension and Expulsion**

In cases where the decision or recommendation of the disciplinary body or functionary is other than to suspend or expel the student, the censure shall take effect from the time the student is informed by the appropriate official.

### **12.02 Censures: Suspension and Expulsion**

In cases where the decision or recommendation of the disciplinary body or functionary is to suspend or expel the student, the censure shall be effective the date of the recommendation of the Behavioral Standards Committee. It becomes official after:

**12.02:01** The President of the University or his duly appointed representative approves and signs the document and the student has been informed in writing of the decision or recommendation of the President or his duly appointed representative.

**12.02:02** Any student who is suspended from the University will be refunded a portion of his or her registration fees according to the following: a 90 percent refund if suspended before or on the Friday immediately following fee payment, 70 percent one week after that date and 40 percent two weeks after. No refund will be given if suspended two weeks after the Friday following fee payment.

Any student suspended or expelled must vacate the university within 24 hours of the action unless the sanction is being appealed. In extreme circumstances, the Behavioral Standards Committee may choose to have the student vacate the campus immediately and be banned during the appeal process (see section 9.03:04).

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## **SECTION THIRTEEN**

## **INTERIM SUSPENSION**

### **13.01**

When the President or his designee has reasonable cause to believe that a student or students have violated behavioral standards, and there is reasonable cause to believe that there exists substantial risk of injury to the student or students; to any member or guest of the University community; or the University buildings, laboratories, facilities, equipment, etc., the President or his designee may suspend the student(s) forthwith for the interim, pending the initiation of a full hearing without delay on the merits of the case. Upon his or her request, the student(s) shall be granted a hearing in appeal of the interim suspension before the Behavioral Standards Committee within six (6) business days of the effective date of the interim suspension while the University is in session.

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## **SECTION FOURTEEN**

## **DISCIPLINARY RECORDS**

### **14.01 Disciplinary Records**

Disciplinary records means records of University administrators and officials of non-academic actions of student(s) who are in violation of the University behavioral standards, and/or local, state, and federal laws.

A. The University shall maintain for every student who has received any disciplinary sanction under Section Eight or Nine of the University's Code of Student Rights and Responsibilities a written disciplinary record that shall reflect the nature of the charge, the penalty assessed, and any other pertinent information for a period of seven (7) years.

B. The disciplinary record shall be separate from the student's academic record and shall be treated as confidential. The involved student may view the contents of his or her personal record in the Office of Student Life upon appointment. The University follows the guidelines set forth in the Family Rights and Privacy Act of 1974 in the handling of student disciplinary records.

Disciplinary censures resulting in separation from the institution are recorded as follows:

**14.01:01** The Division of Student Affairs will not release individual student discipline records other than to authorized University officials, except upon written authorization by the

individual or upon subpoena. The Division of Student Affairs will release directory information from the University records of a student without authorization or subpoena unless a student requests in writing that information not be released.

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## **SECTION FIFTEEN**

## **OTHER STANDARDS OF CONDUCT**

### **15.01 Academic Misconduct**

For rules and regulations pertaining to academic behavior, refer to the Louisiana Tech University Bulletin (catalog) and the Louisiana Tech Honor Code.

### **15.02 Residence Hall Misconduct**

For rules and regulations pertaining to residence hall behavior, refer to residence hall pamphlets and publications.

### **15.03 Vehicle Regulations**

For rules and regulations pertaining to vehicle registration, parking, and operation, refer to the pamphlet "Louisiana Tech Vehicle Regulations."

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## **SECTION SIXTEEN**

## **NOTICES**

### **16.01**

Standards promulgated pursuant to this Code of Student Rights, Responsibilities, and Behavior and amendments thereto shall not become effective before publication.

### **16.02 Commitment to non-discrimination**

Louisiana Tech University is committed to the principle of providing the opportunity for learning and development of all qualified citizens without regard to race, sex, religion, color, national origin, age, disability, or veteran status for admission to, participation in, or employment in the programs and activities which the University sponsors or operates.

The institution's educational programs, activities, and services offered to students and employees are administered on a nondiscriminatory basis subject to the provisions of Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and the Americans with Disabilities Act of 1990.

The following persons have been designated to address inquiries regarding the non-discrimination policies:

Susan Rasbury, Title IX Compliance Coordinator

President's Office, 16th floor Wylly Tower

P.O. Box 3168

(318) 257-3785

srasbury@latech.edu

Dr. Linda Griffin, 504 Coordinator, ADA Coordinator

Student Affairs Office, 305 Keeny Hall

P.O. Box 3164

(318) 257-2445

lgriffin@latech.edu

Information concerning the provisions of the Section 504 and ADA and the rights provided there under are available from the ADA coordinator.

Ms. Sheila Trammel, Age Discrimination  
Personnel Office, 418 Keeny Hall  
P.O. Box 3173  
(318) 257-2235  
strammel@latech.edu

Information concerning the provisions of the ADA and the rights provided there under are available from the Age Discrimination Coordinator.

For information on minority student services, contact the Office of Multicultural Affairs in Tolliver Hall (phone: 257-3479). For more information on international student services, contact the International Student Office in Tolliver Hall (phone: 257-4321).