



Mission › Strategic Planning & Assessment › Student Handbook › Code of Conduct › Contact Us › Student Life & Academic Services › Quick Links

## Code of Student Conduct

Issued by the Office of the Chancellor  
Louisiana State University  
Baton Rouge, Louisiana  
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### CONTENTS

#### [1.0. GOVERNANCE OF THE UNIVERSITY](#)

#### [2.0. STATEMENT OF POLICY](#)

#### [3.0. DEFINITIONS](#)

[3.1. Chairperson of the Committee on Student Conduct](#)

[3.2. Chairperson of a Hearing Panel](#)

[3.3. Chancellor](#)

[3.4. Dean of Students](#)

[3.5. Regular Semester](#)

[3.6. Vice Chancellor for Student Life](#)

#### [4.0. ADMINISTRATIVE PROCEDURES](#)

[4.1. Membership of the Committee on Student Conduct](#)

[4.2. Duties of the Committee on Student Conduct](#)

[4.3. Faculty Hearing Panel Pool Members](#)

[4.4. Student Hearing Panel Pool Members](#)

[4.5. Replacing Hearing Panel Pool Members](#)

#### [5.0. MISCONDUCT](#)

[5.1. Academic Misconduct](#)

[5.2. Non-Academic Misconduct](#)

#### [6.0. APPLICABLE JURISDICTION](#)

[6.1. Locations and Situations that Code Applies](#)

#### [7.0. DUE PROCESS RIGHTS](#)

[7.1. Nondiscriminatory Application of Disciplinary Procedures](#)

[7.2. Implementation of Due Process](#)

[7.3. Right to Advice and Counsel](#)

[7.4. Rights of a Student Charged with Misconduct-General](#)

[7.5. Rights of a Student During a Hearing](#)

[7.6. Rights of a Student Who is Found in Violation of the Code](#)

[7.7. In Absentia Consideration of Charges](#)

#### [8.0. DISCIPLINARY SANCTIONS](#)

[8.1. General](#)

[8.2. University Intervention Program](#)

[8.3. Action Pending a Hearing](#)

[8.4. Mitigating or Aggravating Circumstances](#)

[8.5. Academic Misconduct by Undergraduate Students](#)

[8.6. Academic Misconduct by Graduate Students](#)

[8.7. Academic Misconduct by Veterinary Medicine Students](#)

[8.8. Sanctions for Other Misconduct](#)

#### [9.0. DUE PROCESS PROCEDURES](#)

[9.1. Charging a Student with a Violation of this Code](#)

[9.2. Administrative Disposition of Charges](#)

[9.3. Referral to a Hearing Panel](#)

[9.4. Structure of a Hearing Panel](#)

[9.5. Hearing Panel Procedures](#)

[9.6. Imposing Disciplinary Sanctions](#)

[9.7. Maintaining Disciplinary Records](#)

#### [10.0. APPEAL PROCEDURES](#)

[10.1. Grounds for Appeal](#)

[10.2. Appellate Process](#)

[10.3. Guidelines for Ruling on Appeals](#)

[10.4. Request for Review by the Chancellor](#)

#### [11.0. INTERIM SUSPENSION](#)

[11.1. Circumstances in Which Interim Suspension May Apply](#)

[11.2. Procedure](#)

#### [12.0. PROCEDURE FOR REVISING THE CODE OF STUDENT CONDUCT](#)

### CODE OF STUDENT CONDUCT

Louisiana State University  
Issued by the Office of the Chancellor

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*Revised April 1982*

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## 1.0. GOVERNANCE OF THE UNIVERSITY

Louisiana State University and Agricultural & Mechanical College in Baton Rouge (LSU) has been established by the *Constitution* and laws of the State of Louisiana to serve the needs of its citizens. Under the provisions of Article VIII of the Constitution of Louisiana, Revised Statutes 17:3351, the Board of Supervisors of Louisiana State University and Agricultural & Mechanical College has the authority to exercise all powers to direct, control, supervise, and manage all institutions of higher learning under its control, which includes Louisiana State University and Agricultural & Mechanical College in Baton Rouge. The disciplinary powers of the University are derived from the provisions of Louisiana Revised Statutes 17:3351 that grant to the Board of Supervisors the specific power "... to adopt, amend, or repeal rules and regulations for the government and discipline of students."

The "Bylaws and Regulations of the Board of Supervisors" authorize the Chancellor to administer the affairs of the campus, subject to the direction and control of the President of the LSU System and the Board of Supervisors. Thus, authority to take such actions necessary to accomplish the University's educational mission has been delegated to the Chancellor.

[Back to Top](#)

## 2.0. STATEMENT OF POLICY

The proper use of the University's disciplinary power is to protect the academic environment of the campus and the health and safety of all members of the University community. To accomplish these objectives, the University must establish and enforce standards of conduct for its students. The University has the legal right to establish standards for academic and personal conduct, for membership and continued membership in the University community, to deny membership to those applicants who do not meet these standards, and to impose disciplinary sanctions on students who are found in violation of these standards.

The counseling of students is a component of the educational process. The University has long held that the counseling involved in student discipline is an integral part of the University's overall effort to accomplish its educational objectives. The effectiveness of any counseling or dialogue with a particular student is largely dependent upon cooperation by the student. Further, even when deemed effective, counseling is generally a complement to the sanction(s) one receives for a finding of violation. Being held accountable for one's actions is an essential part of the developmental process, and the University disciplinary system strives to foster self reflection and an understanding of the connection between one's actions and the consequences which flow from those actions.

It is the prerogative of the University, through the faculty, administrators, and other employees, to decide on the correct application of general policy statements and procedures to students. In making these decisions, both the rights of the student and the needs of the University in accomplishing its educational goals and mission must be considered.

Faculty and staff are required to utilize the procedures outlined in this code when they become aware of behavior that may be in violation of the standards of conduct listed herein.

[Back to Top](#)

## 3.0. DEFINITIONS

The listed terms and phrases are defined as follows:

[Back to Top](#)

### 3.1. Chairperson of the Committee on Student Conduct

The chairperson of the Committee on Student Conduct is the Vice Chancellor for Student Life.

[Back to Top](#)

### 3.2 Chairperson of a Hearing Panel

The chairperson of a hearing panel is that person designated under the provisions of Sections 9.4.B.3. and 4.1.A. of this Code to chair a hearing panel.

[Back to Top](#)

### 3.3 Chancellor

The term "Chancellor" refers to the Chancellor of Louisiana State University Agricultural & Mechanical College. The Chancellor may delegate the authority to perform any of the duties assigned to him or her in this Code.

[Back to Top](#)

### 3.4. Dean of Students

The term "Dean of Students" or "the Dean" refers to both the person holding that position as well as to the department known as the "Office of the Dean of Students." The Dean may delegate the authority to perform any of the duties assigned to him or her in this Code.

[Back to Top](#)

### 3.5. Regular Semester

The term "regular semester" refers to either the fall or the spring semester. The summer term is not a regular semester.

[Back to Top](#)

### 3.6. Vice Chancellor for Student Life

Unless otherwise specified, the term "Vice Chancellor" refers both to the person holding the position of "Vice Chancellor for Student Life" and the department known as the "Office of the Vice Chancellor for Student Life." The Vice Chancellor may delegate the authority to perform any of the duties assigned to him or her in this Code.

[Back to Top](#)

## 4.0. ADMINISTRATIVE PROCEDURES

[Back to Top](#)

### 4.1. Membership of the Committee on Student Conduct

- A. The Committee on Student Conduct shall be comprised of seven deans appointed by the Council of Deans and Directors with the concurrence of the Chancellor for three-year terms; four students, appointed annually by the Chancellor upon the recommendation of the president of the Student Government; six faculty members, appointed by the Chancellor for three-year terms to serve as chairpersons of the hearing panels; one faculty member appointed annually by the Chancellor upon the recommendation of the Faculty Senate Executive Committee; the Dean of Students; and the Vice Chancellor for Student Life, who shall chair the committee. Any 10 members shall constitute a quorum.
- B. Proxies may not serve on this committee.

[Back to Top](#)

#### 4.2. Duties of the Committee on Student Conduct

- A. To review periodically the provisions of the Code of Student Conduct and recommend changes to the Office of the Chancellor, when such changes are deemed in the best interest of the University.
- B. Committee members may serve on hearing panels that consider formal charges of misconduct by students.

[Back to Top](#)

#### 4.3. Faculty Hearing Panel Pool Members

- A. A Faculty Pool of 32 faculty members shall be appointed by the Chancellor.
- B. Appointments to this Faculty Pool shall be for a three-year period.
- C. The purpose of this pool is to provide an established source of members to serve on Code of Student Conduct hearing panels.

[Back to Top](#)

#### 4.4. Student Hearing Panel Pool Members

- A. A Student Pool of 32 student members shall be appointed annually by the Chancellor.
- B. The purpose of this pool is to provide an established source of members to serve on Code of Student Conduct hearing panels.

[Back to Top](#)

#### 4.5. Replacing Hearing Panel Pool Members

Any member of a pool who cannot serve or whose relationship to the University has changed may be replaced by an additional member appointed by the Chancellor.

[Back to Top](#)

### 5.0. MISCONDUCT

[Back to Top](#)

#### 5.1. Academic Misconduct

- A. 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.
- B. 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 the student with academic misconduct under the provisions of this Code.
- C. "Academic Misconduct" includes, but is not limited to, cheating, plagiarism, collusion, falsifying academic records, and any act designed to give an unfair academic advantage to the student (such as, but not limited to, submission of essentially the same written assignment for two courses without the prior permission of the instructors, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment), or the attempt to commit such an act. Other specific examples of academic misconduct include:
  - 1. Copying from another student's test paper or assignment;
  - 2. Allowing another student to copy from a test paper or assignment;
  - 3. Using during a quiz/test the course textbook or other materials such as a notebook normally brought to a class meeting but not authorized for use during a quiz/test by the person giving the quiz/test. Having such forbidden material open and in sight of the student will be considered prima facie evidence of use;
  - 4. 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 the condition under which the work was prepared;
  - 5. Collaborating during a test or any other assignment with any other person by giving, receiving or otherwise sharing information without prior approval of the instructor. Speaking to another person without the consent of the person proctoring the exam may be considered prima facie evidence of collaboration;
  - 6. Using specially prepared materials (e.g., notes, formula lists, notes written on student's clothing or body) during a test. Bringing such forbidden material to a test will be considered prima facie evidence of use or attempted use;
  - 7. Stealing, buying, or otherwise obtaining through unauthorized access, all or part, including answers, of an unadministered test;
  - 8. Seeing or giving away all or part of an unadministered test, including answers to an unadministered test;
  - 9. Bribing any other person to obtain an unadministered test or information about an unadministered test;
  - 10. Substituting for another student, or permitting any other person to substitute for oneself, to take a test;
  - 11. Submitting as one's own, in fulfillment of academic requirements, any work (such as, but not limited to, a theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic art work) prepared totally or in part by another;
  - 12. Selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic art work;
  - 13. Entering a building or office for the purpose of changing a grade in a grade book/computer, on a test paper, or on other work for which a grade is given;
  - 14. Changing, altering, or being an accessory to changing and/or altering a grade in a grade book/computer, on a test paper, on other work for which a grade is given, on a "drop slip," or on any other academic record of the University;
  - 15. Entering into an arrangement with an instructor to receive a grade of "F" or any other reduced grade in a course, on a test, or any other assigned work in lieu of being charged with academic misconduct under the Code of Student Conduct;
  - 16. Committing Plagiarism. "Plagiarism" is defined as the unacknowledged inclusion of someone else's words, structure, ideas, or data. When a student submits work as his/her own that includes the words, structure, ideas, or data of others, the source of this information must be acknowledged through complete, accurate, and specific references, and, if verbatim statements are included, through quotation marks as well. Failure to identify any source (including interviews, surveys, etc.), published in any medium (including on the internet) or unpublished, from which words, structure, ideas, or data have been taken, constitutes plagiarism;
  - 17. Violating any applicable professional code of ethics or conduct while enrolled in a course of study designed to qualify the student for certification in a profession or while in the course or scope or any required practicum or clinical experience;
  - 18. Attempting to commit, or assisting someone in the commission or attempted commission of an offense listed above.

[Back to Top](#)

#### 5.2. Non-Academic Misconduct

- A. Off-campus behavior -- To protect the University's educational 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 acts or omissions that occur off-campus when, as a result of conduct, the

student is:

1. Convicted of a felony;
2. Formally charged by civil authorities with the commission of a crime of such nature that the student's continued presence at the University potentially threatens the property, health, safety or well being of members of the University community;
3. Shown by clear and convincing evidence to have committed a crime of such nature that his or her continued presence at the University potentially threatens the property, health, safety or well being of the University community but civil authorities have not brought charges or imposed penalties.

B. List of Misconduct -- Students may be charged with misconduct for any of the following:

1. Any of the circumstances described in Section 5.2.A., above;
2. Assault, battery or otherwise causing physical harm or the reasonable apprehension of such harm; conduct that endangers the health or safety of any student or employee of the University, or of visitors on the campus;
3. Participating in hazing. Hazing is defined as any intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, directed against a student, that subjects that student to an unreasonable risk of physical, mental, emotional or academic harm for reasons related to that student's status at the University or for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at the University. Hazing includes, but is not limited to, any type of physical assault or restraint; placing of an undesirable substance on the body; any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student; any activity or expectation which is so time consuming as to significantly interfere with class work or study time; any activity involving consumption of food, liquid, alcoholic beverage, drug, or other substance which subjects the student to an unreasonable risk of harm or which is unpleasant; any activity that would subject a reasonable person to intimidation, shame, humiliation, embarrassment or undue mental stress, including, but not limited to personal servitude, pranks, assigning or endorsing the wearing of apparel which is conspicuous and not normally in good taste, line-ups and verbal abuse; or any activity that induces, encourages, causes, or requires the student to engage in an activity which involves a violation of law;
4. Intentional disruption of, obstruction of, or interference with any teaching, research, administrative, disciplinary, public service, learning, programmatic or other authorized University activity;
5. Any act of arson;
6. Falsely reporting a fire or other emergency; falsely setting off a fire alarm;
7. Tampering with, or removing from its proper location, fire extinguishers, hoses, or other fire or emergency equipment, except when done with a reasonable belief of real need for such equipment;
8. Intentionally delaying, obstructing, or resisting a person who identifies himself or herself as a member of the faculty, University administrator, campus police person or other law enforcement officer, fire person, or other University employee engaged in the performance of his or her duty;
9. Rioting, inciting to riot, assembling to riot, raiding, inciting to raid, and assembling to raid or occupying University units without authorization;
10. Falsely reporting the presence of an unlawful explosive or incendiary device or any other potentially harmful substance with the intent to mislead, deceive, or disrupt the operation of the University or a scheduled event sponsored or co-sponsored by the University;
11. Possession or use of firearms, ammunition, explosives, fireworks, weapons or facsimile weapons in a manner that may be reasonably construed to endanger the safety of others, in a manner which may be reasonably construed to terrorize or incite fear in others, or within any University building or communal University housing, including, but not limited to, residence halls, apartments, and Greek houses, or in any other manner that is a violation of law;
12. Vandalism, malicious destruction, damage, misuse or unauthorized possession of public or private property, including, but not limited to, library materials, computers, lab equipment, furniture, etc.;
13. Illegal manufacture, sale, distribution, possession, or use of narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens, any other controlled substances and/or other similarly known drugs and/or chemicals;
14. Forgery, alteration, or misuse of University documents, records, or identification cards; furnishing false information to the University with intent to deceive; furnishing false information to or withholding material information from any University staff member and/or any law enforcement officer acting in the course of his or her duties;
15. Disruption of a residence hall, through vandalism, excessive noise, practical jokes, and/or the violation of other rules and regulations established and promulgated by the Department of Residential Life;
16. Failure to comply with the official regulation, order or instruction of a duly designated authority, agency, or agent of the University;
17. Theft, larceny, shoplifting, embezzlement, or the temporary taking of the property of another; possession of stolen property;
18. Engaging in action that interferes with or obstructs the student judicial process. This includes, but is not limited to, failing to appear for a meeting when instructed to do so; failing to produce requested documents; attempting to intimidate, harass or unduly influence a potential witness, complainant, hearing panel member or University administrator; furnishing false information to a hearing panel or University administrator involved in the judicial process; and failing to complete judicial sanctions;
19. Knowingly making in public a false oral statement with the intent to deceive and/or mislead or knowingly publishing and/or distributing a false written or printed statement with the intent to deceive and/or mislead;
20. Trespassing; unauthorized use of any University facility or property;
21. Lewd, indecent, or obscene conduct;
22. Sexual assault, i.e., the oral, anal, or vaginal penetration by a sexual organ of another or anal/vaginal penetration by any means against the person's will or without that person's consent. An individual who is mentally incapacitated, unconscious, or unaware that the sexual assault is occurring or is sufficiently impaired so as to be unable to render sound judgment is considered unable to give consent;
23. Extreme, outrageous or persistent acts, or communications that are intended or reasonably likely to harass, intimidate, harm, or humiliate another;
24. Storing or parking a gasoline-powered motorcycle, motorbike, moped, or a container containing gasoline or other highly inflammable liquids inside a University building;
25. Using skateboards, roller skates, in-line skates, scooters, or bicycles on stairs, walls, planters, parking bumpers, curbs, other similar objects, inside buildings, or in any other manner which may cause damage to property or that subjects others to risk is prohibited. Using skateboards, roller skates, in-line skates, scooters, bicycles or any other wheeled device to perform stunts anywhere on campus is prohibited;
26. Gambling or gaming in violation of local, state, or federal law;
27. Disorderly conduct;
28. Violation of the terms of any University disciplinary sanction or condition;
29. Consuming, possessing, or serving, without proper authorization, alcoholic beverages in a campus residence (including Greek houses), university building, laboratory, auditorium, library building, museum, faculty, or administrative office, intercollegiate and intramural athletic facility, or any public campus area;
30. Recklessly or maliciously interfering with or damaging computer or network resources or computer data, files, or other information; engaging in or attempting to engage in a denial of service; using University resources to illegally distribute copyrighted material; failing to comply with laws, license agreements, and contracts governing network, software and hardware use; using University computing resources for unauthorized commercial purposes or personal gain;
31. Failure to register a vehicle as required by the University's Traffic & Parking Regulations; unauthorized use of a decal or permit;
32. Operation on the campus of a vehicle in violation of an imposed ban; flagrant or repeated violation(s) of the Traffic & Parking Regulations;
33. Violating any rule and/or regulation of the University, including, but not limited to, administrative rules of campus offices;
34. Committing an act or an attempting to commit an act on campus that would be in violation of city, parish, state, or federal law;
35. Attempting to commit or assisting with the commission or attempted commission of any of the foregoing listed offenses.

[Back to Top](#)

## 6.0. APPLICABLE JURISDICTION

[Back to Top](#)

### 6.1. Locations and Situations that Code Applies -- Except as provided in Section 5.2.A. above,

University disciplinary action for violation of this Code shall be taken only for conduct that takes place in the following areas or situations:

- the campus proper; University-owned or controlled property, including that leased to others;
- University-sponsored activities, away from the campus proper;
- functions of University-sponsored organizations or recognized student organizations;
- fraternity and sorority property and other units assigned for responsibility to the University.
- property owned or controlled by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, including, but not limited to other campuses in the University system.

[Back to Top](#)

## 7.0. DUE PROCESS RIGHTS

**7.1. Nondiscriminatory Application of Disciplinary Procedures** -- Regulations affecting the conduct of students and sanctions for misconduct by students shall be based on the general principle of equal treatment without regard to race, color, religion, sex, sexual orientation, national origin, age, handicap, marital status, or veteran's status.

[Back to Top](#)

### 7.2. Implementation of Due Process

The Code of Student Conduct is the University's basic policy statement governing student conduct and student discipline. No disciplinary sanction listed in this Code shall be imposed upon a student except in accordance with the provisions of this Code.

[Back to Top](#)

**7.3. Advice and Counsel** -- A student who has reason to believe he or she is being unjustly accused and/or disciplined or threatened with discipline by a University employee without the full protection offered by the Code of Student Conduct should immediately contact the Office of the Dean of Students for clarification of his or her rights under this Code. A student may also make use of an adviser, as provided in Section 7.5.A. of this Code.

[Back to Top](#)

### 7.4. Due Process Rights of a Student Charged with Misconduct

A student charged with misconduct shall have the following rights:

- A. To be given notice in writing of the specific charge(s).
- B. To be allowed a reasonable time to prepare a defense to such charge(s). A "reasonable time" is normally interpreted to be at least 72 hours from the time of receipt of the written charge. Circumstances may justify a longer or shorter period.
- C. To have the charge(s) against him or her considered by a hearing panel or to waive his or her right to a hearing before a hearing panel by requesting that the charge against him or her be processed administratively.
- D. To be given information on the nature of evidence on which the charge or charges are based. If writings or documents are to be introduced as evidence, the student has a right to inspect copies of these writings and documents before the hearing. The student is also entitled to a list of the witnesses who will testify against him or her and a brief statement of the nature of their testimony before the hearing. It is the student's responsibility to request and collect this information from the Dean of Students. Prior to any hearing, the student also must provide the Dean of Students a list of witnesses who will testify on his or her behalf and the nature of their testimony. The student must also provide for inspection by the Dean any documents he or she intends to introduce at the hearing. The student may request the assistance of the Office of the Dean of Students in obtaining needed information if he or she is unable to obtain it.
- E. To petition for a separate hearing before a hearing panel. When two or more students are charged with the same or related violations growing out of the same circumstances, they will normally be heard together. However, one or more of the students may make a written request for a separate hearing. The decision on a separate hearing will be made by the chairperson of the Committee on Student Conduct (the Vice Chancellor for Student Life) based on the merits of each situation. Thus, the written request should show why a separate hearing is necessary to assure the student of his or her due process rights under this Code.
- F. To retain all rights as a University student while the charges are being considered, and, if found culpable, until he or she has exhausted his or her rights of appeal as established in this Code, except as provided by Sections 8.3. and 11.0. of this Code.
- G. To appeal decisions and recommendations of hearing panels or the Dean of Students in accordance with Section 10.0. of this code.
- H. To request assistance from the Dean of Students in bringing students or University employees of his or her choice to the meeting of the hearing panel to serve as witnesses on his or her behalf. The student will be actively assisted in encouraging witnesses to appear; however, the Dean of Students does not have subpoena power.

[Back to Top](#)

### 7.5. Rights of a Student During a Hearing

Students charged with misconduct who are appearing before a hearing panel shall have the following rights:

- A. To appear alone or with one other person of his or her choice to advise and assist him or her at the hearing. The adviser may not address the hearing panel or examine or cross-examine witnesses. The adviser's sole function during a hearing shall be to assist the student in preparing the student's presentation before the hearing panel. The adviser is not to act as an agent/advocate/spokesperson for the student; he or she must limit his or her activities to advising the student. In addition to an adviser, the student may be accompanied by not more than two other persons. These other persons have no official status before the hearing panel and merely may observe the proceedings.
- B. To request, with just cause, that a member or members of a hearing panel be excluded from the hearing panel. Such a request must be made immediately after the introduction of the members of the hearing panel and should take the form of a request to the chairperson "for a brief recess to consider a procedural question." During the recess, the student will present reasons to justify the request. Should that hearing panel member not chose to recuse himself or herself, the decision to exclude the panel member shall be at the sole discretion of the chairperson.
- C. To be presumed innocent until proven to be in violation of the Code and to have the hearing panel base its factual findings solely on the basis of clear and convincing evidence presented during the hearing. "Clear and convincing" evidence is a lesser standard of proof than the "beyond a reasonable doubt" standard which applies to criminal trials. To meet the clear and convincing standard of evidence the matter to be proven must be established as highly probable.
- D. To present evidence in his or her own defense.
- E. To refuse to testify or answer any questions if such testimony or answers would tend to establish against him or her a violation of local, state, or federal law. This right will not prohibit the University from proceeding with disciplinary charges while actual or potential criminal or civil charges against the person exist.
- F. To have an opportunity to conduct a reasonable cross-examination of the witnesses appearing at the hearing and giving testimony. Whenever possible, witnesses will be used to present oral testimony instead of written statements. This does not mean that written depositions, written



statements, or previously written memoranda, letters, and/or other written materials may not be introduced as evidence. Whenever practicable, the opportunity of cross-examination will be afforded the student when depositions are being taken or when special written statements are prepared. Depositions, statements, previously written memoranda, letters, and/or other written materials may be introduced at a hearing even though the writer is not present and cross-examination was not possible at the time the deposition or written statement was prepared. The members of the hearing panel may attach whatever weight or significance to these written documents they deem appropriate.

G. To have evidence of a prior formal finding of violating the Code of Student Conduct excluded as evidence during the hearing panel's deliberation of responsibility for the present charge, unless it is entered to directly rebut false claims by the student that he or she has not previously engaged in similar behavior. If a student is found responsible, such evidence must be admitted when the hearing panel is deliberating on the sanction to the imposed.

[Back to Top](#)

## **7.6. Rights of a Student Who is Found in Violation of the Code**

A student who is found responsible for misconduct shall have the right:

A. To have sanctions imposed that are commensurate with the violation.

B. To request a transcript of the proceedings, excluding those parts of the proceedings consisting of the deliberation of responsibility for the violation and the deliberation on the sanction to be imposed, subject to the limitations imposed by the provisions of the Educational Family Rights and Privacy Act of 1974 (Buckley Amendment). The transcript will be provided at the student's expense.

C. To have access to a copy of the tape of the hearing proceedings, except the deliberations on responsibility for the violation and the sanction to be imposed, for the sole purpose of preparing an appeal. The student must request in writing that a copy of the tape be made and state in the request that the purpose is for filing an appeal, and that the student assumes full responsibility for how the information the tape contains is to be used. The copy of the tape will be prepared at the student's expense.

[Back to Top](#)

## **7.7. In Absentia Consideration of Charges**

A. A student who is notified in writing at his or her address of record or by hand delivery of the time, date and place of the hearing, but fails to appear, will be deemed to have forfeited his or her right to respond before a hearing panel. In case of such failure to appear, the chairperson of the hearing panel has the discretion to proceed in absentia. To consider the charges in absentia, the chairperson shall enter a plea of "not responsible" for the student and proceed with the hearing.

B. Notwithstanding the provisions of Section 7.7.A., if the Vice Chancellor for Student Life determines that the student's failure to appear was due to exceptionally compelling circumstances, the Vice Chancellor may require that a new hearing be scheduled.

[Back to Top](#)

## **8.0. DISCIPLINARY SANCTIONS**

[Back to Top](#)

### **8.1. General**

All sanctions issued must be reasonable and commensurate with the violation(s). The following disciplinary sanctions may be imposed by the University for violations of this Code:

#### **A. Warning Probation**

1. This probation may be with or without stipulation regarding forfeiture of privileges or other conditions.

2. Warning probation is the lesser form of probation indicating that the student has been notified that he or she has engaged in unacceptable behavior and that further violations of the regulations may result in more severe disciplinary action. 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 violation.

3. The period of probation may range from one semester to the remainder of the student's enrollment in the University.

4. Warning probation will not be recorded on the student's official University transcript.

#### **B. Disciplinary Probation**

1. This probation may be with or without stipulation regarding forfeiture of privileges or other conditions.

2. Disciplinary probation is the greater form of probation indicating that the student has engaged in unacceptable behavior and may be required to report to the Dean on a regular basis during the probationary period. Further violations will result in consideration of suspension. 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 violation.

3. The period of probation may range from one semester (four and one-half months) to the remainder of the student's enrollment in the University.

4. Disciplinary probation will be recorded on the student's official University transcript. At the end of the probationary period, this notation may be removed from the transcript by written petition of the student and approval by the Dean of Students. (See also Section 9.7.B.)

C. Restitution is reimbursement for damage to or misappropriation of property and expenses incurred because of a student's acts or omissions. At the discretion of the Dean, reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

D. A student may be restricted from engaging in certain activities or conduct, including, but not limited to, representing the University in any official function or leadership position (e.g., varsity athletics, teaching assistant, student leadership position, cheerleader, standing committee chairpersonship, elected office in any recognized student organization); entering/being in specific locations (e.g. a residence hall or other facility); and/or engaging in certain activities (e.g. driving and/or parking on campus; contacting a specified member of the campus community, etc.).

E. 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 Dean or hearing panel. If a student is found to have violated any rule of Louisiana State University while the penalty of deferred suspension is in effect, the penalty for such a violation will be immediate suspension. If a student disputes the charge(s), the facts of the case may be decided by a hearing panel, 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 violation. Deferred suspension will be recorded on the student's official University transcript.

F. Separation from the University

1. A student may be separated from the University with the right to petition for return under any of the following conditions:

a. Suspension for the remainder of the semester or summer term.

- b. Suspension for a longer but definite period of time.
- c. Indefinite suspension with a date established for the privilege of applying for readmission, such application to be reviewed and acted upon by the Dean of Students.
- 2. Expulsion is permanent separation from the University.
- 3. Undergraduate students separated from the University will be readmitted to the University if otherwise academically eligible at the discretion and recommendation of the Dean of Students.
- 4. A student separated from the University for "the remainder of the semester or summer term" as provided in Section 8.1.F.1.a., 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 8.5.A. and 8.6.A. of this Code.
- 5. When a student is found in violation of this Code prior to the end of the midsemester examination period (as stated in the LSU General Catalog), and the student is to be separated from the University, the separation will begin immediately. If the student is found in violation of this Code during or after the midsemester examination period, the Dean of Students or the hearing panel shall have discretion to have the separation begin with the current semester or the next regular semester. If the separation is to occur during the current semester, the student shall be considered to have completed one semester of separation. Summer term is not a semester.
- 6. When a student is separated from the University he or she may not be on University property during the period of separation without specific written authorization of the Vice Chancellor for Student Life
- G. Revocation of the degree and withdrawal of the diploma may be imposed when the violation calls into question the integrity of the work required for the degree.

[Back to Top](#)

## 8.2. University Intervention Program

Under unusual circumstances in cases involving academic misconduct, the Dean of Students or a hearing panel may recommend in writing to the Vice Chancellor for Student Life that the sanction imposed in accordance with such academic misconduct be suspended on the condition that the student successfully fulfill all conditions of the University Intervention Program. To be eligible, a student must:

- A. Admit responsibility for the violation and accept accountability for his or her actions.
- B. Participate in a specially designed noncredit course in values, ethics, and standards and meet all assignments required.
- C. Perform 25 hours of supervised community service at an agency or University unit acceptable to the Dean of Students.
- D. Forfeit the privilege of representing the University in any official capacity (student leadership position, varsity athletics, teaching assistant, etc.).
- E. Sign all forms necessary to suspend him or her from the University. Should the student fail to satisfy any condition of this agreement, or violate the Code of Student Conduct during the period of intervention, the student is to be immediately suspended from the University.
- F. The University Intervention Program is to extend for a minimum of one full academic semester. Disciplinary probation may run concurrently and may extend beyond the intervention program.
- G. A notation of disciplinary probation will be recorded on the student's official University transcript maintained in the Office of the University Registrar (see Section 9.7.B.).

[Back to Top](#)

## 8.3. Action Pending a Hearing

The Dean or hearing panel may 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 that would reasonably allow the imposition of the penalty of withholding an official transcript, grade, diploma, or degree or would otherwise impact the substance of the transcript. The Dean may take such action pending a hearing and/or exhaustion of appellate rights when, in the opinion of the Dean, the best interests of the University would be served by this action.

[Back to Top](#)

## 8.4. Mitigating or Aggravating Circumstances

If a sanction imposed or recommended represents a substantial departure from the minimum or maximum sanction outlined in Sections 8.5. or 8.6. below, the record of the proceeding must contain a listing of mitigating or aggravating circumstances or other justifications for the specific sanction recommended.

[Back to Top](#)

## 8.5. Academic Misconduct by Undergraduate Students

### A. Assigning a grade when there is academic misconduct

- 1. Absent sufficiently mitigating circumstances, a student found responsible for academic misconduct will, at a minimum, be dropped from the course in which the academic misconduct occurred and a permanent grade of "F" must be assigned in the course. In no instance may the student receive credit for the 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 should 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 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.

### B. Non-grade related sanctions for academic misconduct

- 1. For the first offense, the minimum sanction, in addition to the grade related sanction, is disciplinary probation for a period of at least one year. Circumstances may warrant a lengthier period of probation or separation from the University. Particularly egregious violations may warrant expulsion (under certain circumstances, examples may include, but are not limited to, falsifying an academic record relating to grades, entering a building or office for the purpose of changing a grade or accessing an unadministered test, substituting for another person or permitting any other person to substitute for oneself to take a test, or taking or otherwise obtaining a test without authorization.)
- 2. For the second offense, the minimum sanction is separation for one full year. The maximum sanction is expulsion.
- 3. For the third offense, the sanction is expulsion.

[Back to Top](#)

## 8.6. Academic Misconduct by Graduate Students

### A. Assigning a grade when there is academic misconduct

- 1. A student found responsible for academic misconduct will be dropped from the course in which academic misconduct has occurred and a permanent grade of "F" must be assigned in the course.
- 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 should continue to complete all work and the instructor bringing the charge 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 work done in the course. If the student is found in violation of academic misconduct, the instructor shall assign a grade of "F" for the course.

## B. Separation from the University

1. For the first offense, the student will be separated from the University for an indefinite period of time with a date established for the privilege of applying for readmission to Graduate School. The period of separation shall be not less than one regular semester, but may be more if warranted by the circumstances of the violation. Readmission to the Graduate School is not guaranteed, and is subject to the criteria given in the LSU General Catalog in effect for the semester in which the offense occurred.
2. For the second offense, the sanction is expulsion.

[Back to Top](#)

### 8.7. Academic Misconduct by Veterinary Medicine Students

Students enrolled in the School of Veterinary Medicine who are found responsible for academic misconduct shall be separated from the University under this Code, as provided for in the School of Veterinary Medicine Bulletin in effect for the semester in which the academic misconduct occurred.

[Back to Top](#)

### 8.8. Sanctions for Other Misconduct

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

1. Offenses against persons and/or offenses that directly place persons in jeopardy

- a. The minimum sanction is separation from the University for the remainder of the semester in which the offense occurred plus one additional semester.
- b. The intermediate sanction is separation from the University for one calendar year or more.
- c. The maximum sanction is expulsion from the University.

2. Offenses that involve disruption of the University, its programs, or other University efforts to accomplish its objectives and/or that indirectly place persons in jeopardy of 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.
- b. The intermediate sanction is separation from the University for one or more regular semesters and restitution.
- c. The maximum sanction is expulsion and restitution.

4. All other violations.

- a. The minimum sanction is warning 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.

Neither a hearing panel nor the Dean of Students is required to adhere rigidly to the sanctions outlined in Section 8.8.A., above. However, a sanction more severe than the maximum sanction listed or less severe than the minimum sanction listed should not be imposed unless the record includes a listing of mitigating or aggravating circumstances or other justifications for the specific sanction.

If a student is charged with multiple violations in a single proceeding (either under the administrative or hearing panel procedures), the Dean of Students or hearing panel 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.

[Back to Top](#)

## 9.0. DUE PROCESS PROCEDURES

[Back to Top](#)

### 9.1. Charging a Student with a Violation of this Code

- A. An instructor, staff member, student or any other person who has

reason to believe that a student may have committed a violation of this Code shall present this information to the Office of the Dean of Students. This presentation should normally be in writing; however, the initial contact may be in person or by telephone. The Dean of Students will discuss the circumstances and evidence surrounding the alleged violation with the person providing the evidence and will advise that person on actions that may be taken under this Code. Upon receiving information that a student has allegedly violated a University regulation the Dean of Students shall investigate the alleged conduct.

- B. Instructing a Student to Meet

1. The Dean may instruct a student to meet in connection with an alleged violation by sending a letter to the student at the address appearing in the registrar's records, having a letter hand delivered, sending an email to the student's listed address, or calling the student.
2. The Dean may bar and/or cancel the enrollment, place a hold on the records or proceed to hearing (in accordance with 9.3.B.) when a student fails without good cause to comply with a letter sent under subsection (1). A letter sent to the address listed in the registrar's records or hand delivered to the student shall constitute full and adequate notice. The failure of a student to provide an address change or forwarding address, or the refusal to accept a letter shall not constitute good cause for failure to comply with the summons. The modification to the student's enrollment status may be lifted when the student responds to the summons as requested.

C. After reviewing the evidence supporting the alleged violation, the Dean of Students will discuss the allegations with the student(s) involved. The Dean may choose to defer the matter for additional investigation. If the evidence is sufficient to justify such action, the student will be informed that the University is bringing formal charges under the Code. The student will be provided with a written notice of the formal charges. The student will also be informed of his or her rights, as outlined in the Code, that he or she may request the charge be referred to a hearing panel, or that he or she may request



the Dean of Students to resolve the matter administratively. Students may also make use of an adviser, as provided in Section 7.5.A. of this Code.

[Back to Top](#)

## 9.2. Administrative Disposition of Charges

- A. After being informed of the charges, the student may voluntarily waive his or her right to a hearing before a hearing panel and request an administrative decision by the Dean of Students.
- B. The Dean of Students may decline the student's request for an administrative decision. If the student's request is declined, the student shall be referred to a hearing panel.
- C. For the matter to be resolved administratively, the student must do all of the following:

1. Waive his or her right to have the charge considered by a hearing panel;
  2. Accept responsibility for his or her actions by declining to contest the specific charge(s);
  3. Request that the Dean of Students take jurisdiction;
  4. Agree to accept the sanction(s) to be imposed.
- D. The Dean of Students may impose any sanction or combination of sanctions consistent with similar cases with similar attendant circumstances.
- E. In cases of alleged academic misconduct, the instructor or staff member referring the matter may make a recommendation regarding the sanction. Referring parties are encouraged to contact the Dean of Students for consultation regarding an appropriate sanction. If the recommended sanction is not consistent with other cases involving similar attendant circumstances, the Dean of Students will make reasonable efforts to confer with the referring party before issuing a sanction. The Dean of Students will send notification of the sanction to the referring party after the case is resolved.
- F. At any time prior to the formal administrative decision, the accused student may request a hearing before a hearing panel. All such requests will be granted.

[Back to Top](#)

## 9.3. Referral to a Hearing Panel

- A. After being informed of the formal charges against him or her, if the student does not request that the charge(s) be handled administratively, the Dean of Students must refer the charge(s) to a hearing panel.
- B. If a student fails to respond to a letter sent in accordance with 9.1.B.2. within 21 days, the Dean may refer the charge to a hearing panel.

[Back to Top](#)

## 9.4. Structure of a Hearing Panel

- A. Hearing panels conduct hearings on cases of alleged student misconduct under this Code referred to it by the Dean of Students.
- B. Each hearing panel shall be composed of

1. Three faculty members;
2. Three students;
3. One additional faculty member, who shall be a voting member, appointed by the Chancellor to serve as a hearing panel chairperson.

C. When, in the judgment of the Dean of Students, the subject matter of a proceeding makes it advisable to have the services of persons with special knowledge or technical expertise (such as cases involving computer systems or the sciences), the Vice Chancellor for Student Life may appoint such persons to serve as nonvoting members of the panel.

D. In cases involving academic dishonesty, the Dean (or designee) of the college in which the student is enrolled shall bring to the hearing the student's complete academic record as maintained by the college. This person shall be available to provide relevant information as requested by the panel.

E. Five members of the hearing panel shall constitute a quorum; however, one of the five members must be a student and one must be the chairperson.

[Back to Top](#)

## 9.5. Hearing Panel Procedures

A. The chairperson of a hearing panel is delegated the authority and is charged with the responsibility to conduct the hearing in a manner that will protect

1. The due process rights of the charged student(s)
2. The rights of all witnesses.
3. The rights of all hearing panel members.
4. The rights and prerogatives of the University

B. Prior to considering the charges against the student, the chairperson of the hearing panel shall:

1. Provide a general outline of the procedures that the panel will follow.
2. Announce that the hearing panel will be closed to the public.
3. Stress the importance of the requirements of the confidentiality of the proceedings.
4. Provide a general outline of the rights of the student at the hearing.

C. The Dean of Students shall read and clarify the charge(s) in cases brought before hearing panels. The Dean of Students is responsible for coordinating the presentation of evidence that supports the charge(s).

D. A decision by the hearing panel to find the student in violation of this Code shall be based solely on the evidence presented at the hearing.

E. Evidence of any past violation(s) may not be introduced as evidence (except as allowed for in Section 7.5.G.) nor considered in the deliberation of responsibility for the violation. If the student is found responsible for the violation, records of past violations will be introduced by the Dean of Students or hearing panel chairperson and will be considered by the hearing panel in determining a sanction.

F. A simple majority vote of the hearing panel members is required to find a student in violation of this Code.

G. All hearings will be tape recorded except any deliberations or consultation with University legal counsel. The University retains the sole right to record hearings. No other recordings may be made of hearings.

[Back to Top](#)

## 9.6. Imposing Disciplinary Sanctions

When disciplinary sanctions are to be imposed, the student shall be sent written notice from the Office of the Dean of Students of the sanction imposed and the specific conditions of the sanction.

[Back to Top](#)

## 9.7. Maintaining Disciplinary Records

- A. Disciplinary cases and records are confidential records of the University and are maintained by the Office of the Dean of Students. Consistent with the Educational Family Rights and Privacy Act of 1974, a student may examine his or her disciplinary records. However, these records are generally not available to persons outside the University except in accordance with state and federal law. University personnel or University legal counsel may have access to the disciplinary records of individual students only if such information is needed in the performance of duties assigned to that person.
- B. Disciplinary probation or any disciplinary action that separates the student from the University is recorded on the student's official academic transcript maintained in the Office the University Registrar. At the end of the period of suspension or probation, the student may petition the Dean of Students in writing to have this notation removed from his or her academic transcript. At the discretion of the Dean of Students, this notation will be removed from the academic transcript; however, the disciplinary record maintained in the Office of the Dean of Students will remain. A notation of permanent expulsion from the University is never removed from a student's official academic transcript.
- C. Warning probation is not recorded on the academic transcript.

[Back to Top](#)

## 10.0. APPEAL PROCEDURES

[Back to Top](#)

### 10.1. Grounds for Appeal

- A. Students availing themselves of the right of appeal are reminded of the nature and purpose of an appeal. The purpose of the appeal procedure is to provide the opportunity for questioning the appropriateness of actions or recommendations growing out of a Code of Student Conduct hearing. It is not the nature or purpose of the appeal procedure to provide for a new hearing at a higher administrative level.
- B. The following guidelines for making an appeal are established:
  1. The appeal must be in the form of a written memorandum addressed to the Vice Chancellor for Student Life;
  2. This memorandum should clearly state the specific actions or recommendations that are being appealed, e.g., the findings of a hearing panel, the sanctions imposed or recommended by a hearing panel, both the findings and the sanctions of a hearing panel, and actions by the Dean of Students;
  3. This memorandum should clearly present specific reasons, grounds, or justifications to support the appeal;
  4. The memorandum must be signed by the person making the appeal.

[Back to Top](#)

### 10.2. Appellate Process

- A. The student who plans to make an appeal must notify the Office of the Vice Chancellor for Student Life within 48 hours of the findings and/or sanctions being rendered.
- B. The actual written appeal must be received in the Office of the Vice Chancellor for Student Life within 7 calendar days after the student is notified of the final action on his or her case, unless an extension of time is requested in writing and approved by the Office of the Vice Chancellor for Student Life.
- C. Appeals of the actions by a hearing panel may be made on any reasonable basis.
- D. Appeals of actions by the Dean of Students shall be limited to those based on an assertion of failure to follow the provisions established in Section 9.2. or other significant procedural errors.

[Back to Top](#)

### 10.3. Guidelines for Ruling on Appeals

- A. Normally, an appeal relating to a decision regarding a finding of violation by a hearing panel will be successful only if clear and convincing new evidence is presented in the appeal. A successful appeal based on new evidence will result in the case being referred to the hearing panel for reconsideration or, if the situation merits it, in the establishment of a new hearing panel to consider the charge, based on the facts of the case, including the new evidence.
- B. An appeal seeking to modify a sanction imposed or recommended by a hearing panel will be successful only if clear and convincing reasons are advanced to show that the sanction does not meet the test of reasonableness and fairness. A successful appeal will normally result in the case being referred to the hearing panel for reconsideration of the sanction; however, the Vice Chancellor for Student Life may make reasonable modifications in a sanction. Any modifications of sanctions must be consistent with similar cases with similar attendant circumstances.
- C. A successful appeal of a case that was handled administratively by the Dean of Students will always result in the case being referred to a hearing panel to be considered on its merits.
- D. The decision of the Vice Chancellor for Student Life concludes the appellate process.

[Back to Top](#)

### 10.4. Request for Review by the Chancellor

- A. Although the decision of the Vice Chancellor for Student Life concludes the appellate process, if the student believes that the Vice Chancellor committed a serious procedural error or abused discretionary authority in reaching a decision on an appeal, then he or she may make a written request to the Office of the Chancellor for a review of the Vice Chancellor's actions. The imposition of sanctions shall not be delayed by a request for review by the Chancellor.
- B. The request must
  1. Be in writing and signed by the person requesting the review;
  2. Be filed within 7 days after receiving the Vice Chancellor's decision;
  3. Contain a complete statement of the alleged serious procedural errors and/or specific examples of abuse of discretionary authority;
  4. Outline the relief sought.

C. The Chancellor's review will be limited to the question of Serious procedural errors and/or the abuse of discretionary authority. The Chancellor in his sole discretion may decline a request to review.

[Back to Top](#)

## 11.0. INTERIM SUSPENSION

In special circumstances, the Dean of Students may suspend a student charged with violating this Code for an interim period prior to the outcome of a full disciplinary hearing based on the merits of the charge.

[Back to Top](#)

### 11.1. Circumstances in Which Interim Suspension May Apply

This authority will be exercised only in those situations in which there is reasonable cause to believe that the student's alleged act of misconduct is of such a serious nature that his or her continued presence at the University is potentially dangerous to the health and safety of the University community, its property, or its educational mission. Such acts of misconduct include, but are not limited to, assault and/or battery with any type of weapon or instrument; gross sexual misconduct; rape; armed robbery; arson; the manufacture, distribution, and/or possession of any hazardous, incendiary or explosive device; possession of controlled substances and other acts that might endanger persons or property. Interim suspension may not be invoked for any type of academic misconduct; however, interim suspension may be invoked for any other serious misconduct, including the conduct listed in Section 5.2.A.

[Back to Top](#)

## 11.2 Procedure

### A. Interim Suspension

To invoke interim suspension, the Dean of Students should conduct, if feasible, a preliminary hearing at which the student will be presented with written notice of the alleged violation(s) and given an opportunity to respond. However, if it can be shown that such a hearing is not feasible, the Vice Chancellor for Student Life may waive this requirement. If a student fails or is unable to appear, the hearing may proceed in absentia.

### B. Hearing

1. A student who is suspended under subsection 11.2.A. is entitled to a proceeding at his or her written request as provided under Section 9. The student will be provided with this opportunity within 7 class days after the date of the written request. The student's interim suspension shall not be used as evidence of his or her culpability in the hearing process. However, statements made by the student at any point may be admitted as evidence at any proceeding under this Code.
2. Should the proceedings find that the student did not commit the act(s) for which he or she was suspended, the suspension will be revoked and the student immediately reinstated without penalty.

### C. Terms of Interim Suspension

Interim suspension is to begin immediately after the preliminary hearing. The student is to physically remove himself or herself from the premises of the University until the initiation of a hearing, as per Section 11.2.A., above. A student who has been placed on interim suspension is prohibited from being on campus property without prior written permission from the Vice Chancellor for Student Life.

[Back to Top](#)

## 12.0. PROCEDURE FOR REVISING THE CODE OF STUDENT CONDUCT

The Code of Student Conduct may be amended by majority vote of the Committee on Student Conduct, subject to approval by the Chancellor.

[Back to Top](#)

*Issued by the Office of the Chancellor*



Office of the Dean of Students  
Division of Student Life

116 Johnston Hall  
Baton Rouge, LA 70803

Phone: 225/578-9442

Fax: 225/578-5637

E-mail: [dos@lsu.edu](mailto:dos@lsu.edu)

Internet 2 University Member

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