

# Southeastern Louisiana University

# **STUDENT HANDBOOK**



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2023



#oursoutheastern



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# Division for Student Affairs Directory

Division for Student Affairs	Dyson Hall, Room 126 (985) 549-5250 <a href="mailto:esummers@southeastern.edu">esummers@southeastern.edu</a>
Office for Student Engagement	Student Union, Room 2307 985-549-2120 <a href="mailto:student.engagement@southeastern.edu">student.engagement@southeastern.edu</a>
Student Accessibility Services	Tinsley Hall, Room 102 985-549-2247 <a href="mailto:accessibilityservices@southeastern.edu">accessibilityservices@southeastern.edu</a>
University Police Department	Pride Hall, Room 139 Emergency: 985-549-2222 Non-Emergency: 985-549-3835 Administrative: 985-549-2318 <a href="mailto:police@southeastern.edu">police@southeastern.edu</a>
Transportation Services	Pride Hall, Room 139 985-549-5695 <a href="mailto:parking@southeastern.edu">parking@southeastern.edu</a>
Office of Career Services	Student Union, Room 2102 (985) 549-2121 <a href="mailto:careerservices@southeastern.edu">careerservices@southeastern.edu</a>
Dean of Students	Student Union, Room 1301 985-549-3792 <a href="mailto:deanofstudents@southeastern.edu">deanofstudents@southeastern.edu</a>
University Counseling Center	Student Union Annex 985-549-3894 <a href="mailto:slucc@southeastern.edu">slucc@southeastern.edu</a>
Office of Student Advocacy and Accountability	Mims Hall, Room 207 985-549-2213 <a href="mailto:OSAA@southeastern.edu">OSAA@southeastern.edu</a>
The Rec	Pennington Center 985-549-5591 <a href="mailto:recsports@southeastern.edu">recsports@southeastern.edu</a>
Student Publications	North Campus Main Building, Room 154. (985) 549-3731 <a href="mailto:stupub@southeastern.edu">stupub@southeastern.edu</a>



## Welcome from the Vice President of Student Affairs



It is truly a great time to be a Lion! You are about to embark on a journey that will extend far beyond the classroom. As you prepare for a great academic year, I want you to remember that you are a part of something bigger – the Southeastern family. A family with core values of excellence and caring for one another. It's who we are, it's what we do, and it is what we expect from all of our students. Below are 10 tips to follow to do your part:

- Greet people on campus with a smile or “hello” even when you don't know them.
- E-mail is the official form of communication at Southeastern - check it daily!
- Honor your obligations and responsibilities by showing up to your commitments, especially to class.
- Acknowledge motorists when walking across campus. Give them a wave of acknowledgment even if they are required to stop for you.
- If you face an issue or academic challenge, follow the chain of command. Start with the source and then proceed through the hierarchy if necessary. Here's the general chain order – instructor, department head, dean, provost. SGA is also a resource for the student voice.
- Treat everyone with courtesy and respect – please and thank you can go a long way!
- Have an open mind. Southeastern is a diverse place of higher learning. You will meet people with different backgrounds, beliefs, and opinions. This is an opportunity to engage, ask questions, and be challenged by discussing controversial issues in an intellectual and civil way.
- This is our home away from home. Maintain our beautiful grounds - pick up and properly dispose of trash.
- Ask for help if you need it! Student Affairs has a number of resources to support you in a time of need from counseling to career development. If you don't know where to go for support, complete the form available at [www.selu.edu/link](http://www.selu.edu/link) and someone will reach out to assist you.
- Get involved! The best way to make the most of your time at Southeastern, develop as a leader, and grow as a person is to get involved on campus. I'm challenging you to get out of your comfort zone and get involved.

These common courtesies will go beyond your years at Southeastern. Great leaders bring out the best in others, and the best way to do that is by bringing out the best in you. At Southeastern, your success matters; but most importantly, YOU matter.

**LION UP!**





## Dean of Students

The Office of the Dean of Students is committed to helping students reach their full potential both in and out of the classroom. We recognize that students come to our campus from many different places, with different backgrounds and different needs. Every effort is made to provide the best and most comprehensive resources possible for students' intellectual growth and personal development.

What we do:

- Provide academic and personal support
- Develop and implement support programs
- Support student safety
- Advance the student voice
- Assist students through crisis or difficult circumstances
- Facilitate communication between students and faculty/staff/administration

We strongly encourage you to actively participate in University life by seeking out opportunities to be involved, taking advantage of resources, and engaging in on-campus traditions. Our Dean of Students is available to answer any questions, to advocate on behalf of students, and to simply point students and their families in the right direction.



## Student Accessibility Services

The Office of Student Accessibility Services facilitates the process of academic accommodations for students with disabilities and works in collaboration with other University departments in an attempt to ensure full participation in all activities, programs, and services of the University. To register, you must self-identify and submit sufficient documentation. For any questions about the registration process, please contact our office or visit our website.

What we do:

- Provide disability accommodations to students who register by self-identifying and providing sufficient documentation with the office.
- Provide services aimed at increasing the students' abilities to understand their communication and learning styles, note-taking techniques, and overall ability to study and retain information
- Collaborate with other departments on campus to ensure students have full access to university course material, events, information, and more



## The Rec

Recreational Sports and Wellness is here to keep you healthy and thriving while on campus. We offer Group X classes, personal training, weight loss assistance, and intramural sports such as flag football, soccer, basketball, and softball. As a student, you are provided free access to “The Rec” and the Kinesiology pool.

What we do:

- Offer personal training at a low cost along with a variety of free group exercise classes
- Give students a chance to remain active by playing against their peers through intramural sports or against other universities through club sports.
- Intramural Sports- flag football, soccer, basketball, softball, etc
- Sport clubs- rugby, power lifting, tennis, and lacrosse- if you are interested in another sport, contact the Rec to start a new club
- Offer a fully functional gym with free weights, cardio machines, basketball and racquetball courts, and an indoor track





## University Police

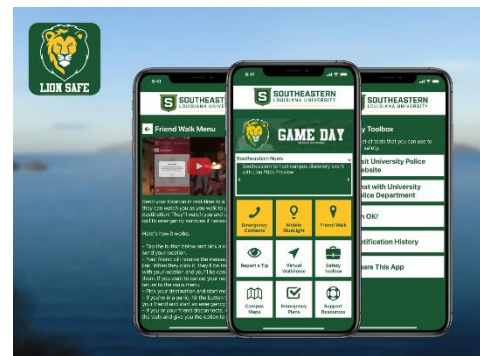
The University Police Department strives to maintain the trust of Southeastern's campus by actively engaging with the community it serves. The Police Department seeks to make its policies and operations as open as possible. Members of our campus community and members of the Police Department are united in their commitment to addressing crime, violence, and quality-of-life issues by engaging one another and all campus departments in problem-solving partnerships.

University Police Officers are responsible for the full range of law enforcement services. These include, but are not limited to, responding to an investigation of incidents and offenses, medical emergencies, fires, bomb threats, auto accidents, violations of state liquor, controlled substances, and weapons laws and other on-campus emergencies.

What we do:

- On-duty 24 hours a day, 7 days a week, including nights, holidays, campus closures, and emergency situations.
- Conduct educational classes aimed at enhancing students' understanding of campus safety.
- Provide after-hours escorts for students who may not feel comfortable maneuvering back to their vehicles or residence halls alone.
- Provide vehicle jump-start and unlock assistance.

The University Police Department now offers a safety app: Lion Safe. This free safety app is available to all Apple and Android users. The app allows you to connect directly with UPD 24 hours a day to request a virtual walk, activate an emergency mobile blue light, report a tip, and many other features. Download the app today!





## Student Publications

The Office of Student Publications and the students working therein are responsible for the planning, writing, designing, and production of *The Lion's Roar* and *Le Souvenir*, and a variety of other digital news offerings at Southeastern Louisiana University. The Office of Student Publications is committed to providing students and the campus community with relevant and timely news content. Through the presence of a weekly student newsletter and yearbook, Student Publications provides the students, faculty and staff of Southeastern with specific services and outcomes.

While aiding in the creation of various publications produced by the Department, staff members also benefit from the opportunity to learn and improve writing, reporting, editing, photography, layout, and graphic design skills.

Student Publications supports the Division for Student Affairs and the entire University's mission and goals by providing both individuals and groups at the University with vehicles to publicize activities and events of relevance to the campus community.

Students who wish to join the staff of Student Publications should visit the Student Publications Employment page.



## The University Counseling Center

The mission of Southeastern Louisiana University's Counseling Center is to enhance life-long learning by meeting the mental health needs of the students, staff, and faculty who seek our services. In addition to meeting the mental health needs of the constituencies, the University Counseling Center strives to provide a state-of-the-art training facility for graduate students in mental health counseling. Typical concerns addressed by the University Counseling Center include but are not limited to low self-confidence, self-defeating behaviors, difficulties with alcohol and drugs, relationships, dealing with feelings of depression, anxiety, suicidal thoughts, and other emotional and mental concerns.

What we do:

- Provide students, faculty, and staff with individual, couples, or group counseling in both in-person and online formats
- Provide students with substance abuse assessments and referrals
- Coordinate educational workshops, trainings, programming, and outreach
- Facilitate mental health crisis intervention



## Career Services

Career Services provides a wide array of career counseling and job search assistance services to students and recent alumni.

**Career Counseling Services** include assistance with:

- Career goals discussion and development
- Resume and cover letter development
- Interview preparation
- Assessments to clarify interests, personality, and strengths to better prepare resumes, enhance interview skills, and develop more effective job search strategies

**Job Search Assistance Services** include:

- Job postings available 24/7 through Handshake\* (off-campus, part-time, full-time)
- Campus-wide and specialized career fairs
- Part-time job fairs
- On-campus interviews
- Employer recruiting tables
- Internship, part-time, and full-time job-search strategies appointments

\*All students and alum have access to Handshake by logging in using their @[selu.edu](mailto:selu.edu) email address (Example: "firstname.lastname@selu.edu") and password. Handshake allows students and alum to manage their career preparation and job search needs all in one place.

Students interested in any of these services should learn more about the Office of Career Services at [www.southeastern.edu/career](http://www.southeastern.edu/career). Email us at [careerservices@selu.edu](mailto:careerservices@selu.edu) or call 985-549-2121 with any questions you may have. We are located in the Student Union Annex, Room 2102.

Interested in an on-campus job? Visit Southeastern's Student Employment Network website at [www.southeastern.edu/sen](http://www.southeastern.edu/sen) or contact the Work Study Office.

Interested in exploring a change in major? Visit Southeastern's Center for Student Excellence at [www.southeastern.edu/cse](http://www.southeastern.edu/cse), click on Academic & Career Exploration to make an appointment with an Academic and Career Exploration Coach.



## Student Engagement

The Office for Student Engagement (OSE) provides developmental opportunities for all students and challenges them to become empowered citizens through a comprehensive co-curricular experience. We encourage and facilitate student engagement through various avenues including the Student Government Association, Fraternity and Sorority Life, Student Organizations, Campus Activities Board, Multicultural and International Student Affairs, Leadership Development, and participation in campus-wide events and community service.

Following is a snapshot of a few of our services:

**Campus Activities Board:** The Campus Activities Board is a direct avenue to an exciting variety of entertainment. We sponsor outdoor activities, as well as lectures from prominent speakers. Add into this mix the Miss Southeastern Pageant, Gumbo Ya-Ya, Strawberry Jubilee, Movie Nights, Comedians and numerous special events, and you have CAB.

**Fraternity and Sorority Life:** On Southeastern's campus there are 18 national or international social Greek letter organizations, governed by three councils; National Pan-Hellenic Council, Collegiate Panhellenic Council, and Interfraternity Council, that offer membership as a college activity and as a lifetime experience.

**Leadership Development:** Leadership Development is designed to help students discover and develop their leadership abilities. The Office for Student Engagement offers unique opportunities for students on all levels of leadership training. Among these opportunities are

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ExCEL Leaders' Scholarship Program and Student Organization Leadership Experience (SOLE).

- The ExCEL scholarship is awarded to twenty-five high school seniors who demonstrate excellence in both their academic and extracurricular activities during their high school careers.
- The Student Organization Leadership Experience (SOLE) is a multi-day conference hosted by the Office of Student Engagement to help student organization leadership teams develop and strengthen their skills!

**Multicultural and International Student Affairs:** Responsible for resources like the Food Pantry, Project P.U.L.L, International Student Union, and International Education Week. The Office of Multicultural and International Student Affairs works to create a campus environment that encourages and welcomes student diversity. In cooperation with academic departments, student-led organizations, and other student support units, the office coordinates a wide range of academic support programs and services that are designed to assist all students in achieving academic success, adjusting to campus life, and broadening their appreciation of new cultures and diverse ways of thinking.

**Student Government Association:** The Student Government Association is here to serve the students of Southeastern Louisiana University through communication between students, administration, and the community. SGA hosts educational and social events, and offers numerous services that contribute to the advancement of the University and its students.

**Student Organizations:** Student Organizations at Southeastern are an integral part of campus life and one of the best opportunities for students to learn outside of the classroom. Students are provided with opportunities to merge experiences and knowledge from the classroom with the everyday experience of living and working in a society with people of varied cultures, interests, ideas and values.

With more than 90 student organizations, there's something for everyone.



## Office of Student Advocacy and Accountability

Student Advocacy and Accountability enhances the learning environment of the Southeastern community through education of students' rights and responsibilities. We strive to enrich learning through educational interventions and trainings that foster student development.

- Provide an avenue for faculty, staff, and students to report any alleged violations of the code of conduct or concerning behaviors. To report an incident, visit [southeastern.edu/reportit](http://southeastern.edu/reportit)
- Assist students in understanding and navigating the Student Conduct process by providing them with resources and information regarding their rights and responsibilities
- Create specific sanctions which foster growth and positive behavior change while taking into account each student's experiences and circumstances

### Reporting Options:

- For emergencies and Crisis call University Police: 985-549-2222
- Code of Conduct Violations: Report via [www.southeastern.edu/reportit](http://www.southeastern.edu/reportit)
- Outreach for personal challenges/hardships: Report via [www.southeastern.edu/link](http://www.southeastern.edu/link)



## Transportation Services

The Department of Transportation Services is committed to providing customer driven resources which help our students with their daily transportation needs. The Lion Traxx Shuttles are available to students at no additional cost. It is also the responsibility of our office to enforce the campus parking rules and regulations.

What we do:

- Provide free shuttle services to enrolled Southeastern students. To track the shuttles on their routes, visit [southeastern.edu/traxx](http://southeastern.edu/traxx)
- Enforce campus parking rules and regulations
- Educate students on how to properly register vehicles and how to display their parking permit





## Southeastern Online

SOUTHEASTERN LOUISIANA UNIVERSITY

### Southeastern Online

Southeastern Online is the distance learning branch of Southeastern Louisiana University. Students earning their degrees online or those taking online classes as part of their university experience may utilize Southeastern Online for resources and information. Our office works closely with other university departments to build strong online programming and outcomes. Visit our website to learn more.

What we do:

- Provide resources to students and faculty concerning online learning.
- Research technology beneficial to students and faculty in the online environment.
- Coordinate with other departments to ensure online students have access to campus resources.

Contact:

Southeastern Online

Mims Hall 112

(985) 549-5791

[southeasternonline@selu.edu](mailto:southeasternonline@selu.edu)

For More Information Visit:

[https://www.southeastern.edu/acad\\_research/programs/online\\_learning/](https://www.southeastern.edu/acad_research/programs/online_learning/)

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# Student Code of Conduct

## ARTICLE I: PURPOSE

Southeastern Louisiana University, in pursuit of its educational mission, seeks to teach students **citizenship, to value others and respect the community**. The University affirms that students, upon enrollment, do not lose the rights of, nor are they exempted from, fulfilling the obligations and duties of citizens. Students have the responsibility to familiarize themselves with the Student Code of Conduct and with University policies including, but not limited to, those pertaining to harassment, computer use, academic dishonesty, and traffic regulations. **Students are expected to conduct themselves in a manner which supports the educational mission and functions of the University, as well as to comply with all federal, state, and local laws, and all applicable University policies.**

It is each student's responsibility to keep informed and comply with the Student Code of Conduct as well as other published rules and policies. A current copy of the Student Code of Conduct can be found at [www.southeastern.edu/studenthandbook](http://www.southeastern.edu/studenthandbook). For additional information regarding the Student Code of Conduct Standards contact the Southeastern Louisiana University Office of Student Advocacy and Accountability at (985) 549-2213.

**The University reserves the right to change the Student Code of Conduct at any time during the academic year.**

**Revised May 12, 2022**

## ARTICLE II: DEFINITIONS

The following definitions apply to terms and or phrases used in Southeastern Louisiana University Student Code of Conduct:

- A. The term "**University**" means Southeastern Louisiana University.
- B. The term "**Student**" includes all persons taking courses at the University whether full time, part-time, dually enrolled, and visiting, online, for non-credit, or pursuing undergraduate, graduate, professional studies or non-degree seeking. Also included are those who attend post-secondary educational institutions other than Southeastern Louisiana University and who reside in University residence halls. This Code of Conduct also applies to all persons taking courses at satellite locations of the University.
- C. The term "**Organization**" and/or "**Student Organization**" means any number of persons who have complied with the formal requirements for University recognition. These terms are interchangeable with the term "student" as it relates to all areas of the Student Code of Conduct unless otherwise stated. In other words, student organizations will be held responsible for abiding by the Student Code of Conduct as if they were individual students and are subject to all regulations and sanctions herein stated.
- D. The term "**Faculty Member**" means any person hired by the University to conduct classroom or academic activities.
- E. The term "**Staff Member**" means any person hired by the University to work and/or perform administrative or other responsibilities.
- F. The term "**University Official**" includes any person employed by the University, performing assigned administrative or professional responsibilities.

G. The term “**Member of the University community**” includes any person who is a student, faculty member, staff member, University official or any other person employed by or associated with the University. A person’s status in a particular situation shall be determined by the Vice President for Student Affairs or the Chief Student Conduct Officer.

H. The term “**University premises**” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks), either on the main campus or at satellite sites.

I. The term “**Conduct Authority**” means those persons designated by the Vice President for Student Affairs to administer the Student Code of Conduct. The Conduct Authority serves as Hearing Officers and Hearing Board Advisors. Nothing shall prevent the Vice President for Student Affairs from authorizing the Conduct Authority from imposing sanctions in all cases. The Conduct Authority consists of three types of conduct officers:

- a. The term “**Chief Conduct Officer**” or Director for the Office of Student Advocacy and Accountability (OSAA) means that person designated by the Vice President for Student Affairs who is primarily responsible for administration of the Student Code of Conduct.
- b. The term “**Assistant Director of OSAA**” means that person designated by the Vice President for Student Affairs and reports to the Chief Student Conduct Officer who is responsible for administration of the Student Code of Conduct.
- c. The term “**Residential Conduct Officer**” means that person designated by the Director of University Housing who is responsible for administration of the Student Code of Conduct as it applies to on-campus residents who are involved in incidents that occur within the facilities and do not rise to the level of possible expulsion or suspension from the University.

J. The term “**Hearing Board Advisor**” means the professional staff person designated by the Vice President for Student Affairs who serves in an advisory capacity to a hearing board.

K. The term “**Hearing Body**” means any person or persons authorized by the Vice President for Student Affairs to determine whether a student has violated the Student Code of Conduct. There are two types of hearing bodies: (1) a Hearing Officer, and; (2) a Hearing Board.

- a. The term “**Hearing Officer**” or “**Administrative Hearing Officer**” means a University official authorized to administer the Student Code of Conduct, its corresponding administrative procedures, and to impose sanctions upon students found to have violated the Student Code of Conduct. Examples of Hearing Officers include, but are not limited to, the Chief Student Conduct Officer, the Assistant Director of OSAA, the Director of University Housing, and/or Residential Conduct Officers. Nothing shall prevent the Vice President for Student Affairs from authorizing a University Official to serve in the role of “Hearing Officer” or “Administrative Hearing Officer.”
- b. Hearing Boards include:
  - i. Student Conduct Hearing Board: A committee of students and faculty and/or staff members who hear discipline cases. This hearing board is authorized to determine whether a student and/or a student organization has violated the Student Code of Conduct and to recommend the imposition of sanctions. The board consists of at least two but no more than four members and a Chairperson (who votes only in case of a tie).
  - ii. Administrative Hearing Board: A group of faculty and/or staff who are appointed by the Vice President for Student Affairs, the Chief Student Conduct Officer or designee to serve as the hearing body. The board consists of at least two but no more than four members and a chairperson (who votes only in case of a tie). An Administrative Hearing Board may be

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used in cases including, but not limited to those involving: scheduling difficulties, such as when a hearing is scheduled between academic semesters or during final examination periods; the sensitive nature of an incident, such as cases of alleged sexual harassment where a party involved is concerned with issues of confidentiality, and/or; other cases where the Vice President for Student Affairs, the Chief Student Conduct Officer or designee determines an administrative hearing is appropriate to the incident.

L. The term “**Mediator**” means a University official authorized on a case-by-case basis by the Vice President for Student Affairs, the Chief Student Conduct Officer or designee to conduct an alternative dispute resolution process in cases where both parties agree to work to resolve an incident in a setting less formal than a hearing.

M. The term “**Complainant**” means any member of the University community who submits a charge alleging that a student violated the Student Code of Conduct.

N. The term “**Respondent**” means any student accused of violating this Student Code of Conduct.

O. The term “**Advisor**” means an individual allowed to offer support to either the complainant or respondent during the Accountability process. An Advisor may not have personal involvement regarding any facts or circumstances of the charge.

P. The term “**Sanction**” means any type of corrective or restorative action intended to remediate a violation of the Student Code of Conduct.

Q. The term “**Witness**” means anyone who has first-hand knowledge of an incident. Witnesses play a voluntary role and may decline any involvement in the disciplinary process. Both the Complainant and Respondent shall have the right to call witnesses. Although both the complaining and responding parties are responsible for requesting the support of their own witnesses, nothing shall prevent the Chief Student Conduct Officer, the Assistant Director of OSAA, the Director of University Housing, the Residential Conduct Officer or designee from calling witnesses.

R. The term “**Administrative Discipline Conference**” or “**Discipline Conference**” means a meeting between the student and the appropriate hearing officer. At that conference the Student Code of Conduct and applicable administrative procedures are discussed. S. The term “**shall**” is used in the imperative/mandatory sense.

T. The term “**may**” is used in the permissive sense.

U. The term “**policy**” is defined as all written regulations of the University.

V. The term “**cheating**” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic materials belonging to a member of the University faculty or staff; (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion; (5) and/or other violations as defined by University policies.

W. The term “**plagiarism**” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes stealing and passing off the ideas and/or words of another as one’s own; using a created production without crediting the source; the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; and/or other violations as defined by University policies.

X. The term “**amnesty**” includes a pardon or reprieve from an offense or violation. The purpose of Amnesty is to remove barriers and increase the likelihood that students who require emergency medical assistance because of high-risk behaviors (alcohol and/or drug use) will seek

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such assistance. All incidents will be assessed by The Office of Student Advocacy and Accountability to determine if amnesty will be granted.

Y. The term **“Identity and Expression”**, is Gender Identity means how a person sees themselves. It is their own internal sense and personal experience of gender. Gender expression includes all the ways a person communicates their gender based on societal factors such as gender norms and perceptions.

Z. The term **“Hate Act”** is acts of prejudice that are not crimes and do not involve violence, threats, or property damage.

AA. The term **“Hate Crime”** is a crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

### **ARTICLE III: CONDUCT AUTHORITY**

A. The Conduct Authority shall determine the composition of hearing bodies.

B. The Vice President for Student Affairs and the Conduct Authority shall develop policies for the administration of the conduct program and procedural rules for the conduct of hearings which are consistent with provisions of the Student Code of Conduct.

C. An Administrative Hearing Officer, Residential Conduct Officer, and/or a Hearing Board determines if a student or student organization is responsible for a breach of the Student Code of Conduct and any other University policy regarding student behavior. Hearing Boards recommend sanctions to the Conduct Authority. The only authority who can determine sanctions (as opposed to recommending those sanctions) is the Conduct Authority, and/or the administrator who hears the appeal.

D. As a rule, all incidents which may result in suspension or expulsion from the University will be referred, after an initial disciplinary conference, to a Student Conduct Hearing Board or an Administrative Hearing Board. However, should the accused take responsibility for the alleged violation and choose not to proceed to a hearing board or panel, the Vice President for Student Affairs, the Conduct Authority, or designee may choose to honor the request. The request must be in writing and signed by the respondent.

E. Decisions made by a hearing board and/or hearing officer shall be final, pending normal appeal procedures.

F. After an initial contact with an administrative hearing officer, a mediator may be designated as arbitrator of a dispute within the campus community in cases where both parties agree to this alternative resolution. Both parties must agree to mediation and to be bound by the decision with no right of appeal. If the parties do not uphold the mediated agreement; if the parties do not appear at the designated mediation session; or, if the incident cannot be resolved in the mediation, the case may be resolved through a hearing.

### **ARTICLE IV: PROSCRIBED CONDUCT**

#### **A. Jurisdiction of the University**

Generally, University jurisdiction and discipline shall be limited to conduct, which occurs on University premises, at University sponsored activities, or off-campus conduct that adversely affects the University Community and/or has a detrimental impact on the University’s educational function.

#### **B. Amnesty**

In certain cases, the Office of Student Advocacy & Accountability will grant amnesty. Students who take reasonable action to prevent, stop, or report violations of the Student Code of Conduct may be protected by amnesty.

#### **C. Conduct - Standards and Regulations**

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Any student found to have committed an act of misconduct, including but not limited to the following illustrations of misconduct, is subject to disciplinary action:

**1. Acts of dishonesty/Academic Dishonesty.** Acts of dishonesty are any form of fraudulent behavior. Acts of dishonesty includes but is not limited to:

- furnishing false information to any university official, office, or other law enforcement officer;
- forgery, alteration, unauthorized possession, or misuse of University documents, records, instruments of identification (including faculty materials related to the educational process), or access devices (including keys);
- tampering with the election of any University-recognized student organization or University-recognized event;
- ineligible association in a student organization or University-recognized event;
- collusion;
- writing checks to the University on a closed account or on accounts with insufficient funds;
- offering or causing to be offered any bribe or favor to a University official, office, or other law enforcement officer to influence a decision;
- knowingly performing, attempting to perform, or assisting another in performing any acts of academic dishonesty, cheating on examinations, plagiarism, improper acknowledgment of sources in essays and the use of a single essay or paper in more than one course without permission are considered very serious offenses and shall be grounds for disciplinary action;
- “stealing, buying, or otherwise obtaining all or part of a non-administered test or academic document including, but not limited to: practice test, study guide, lab reports; selling or giving away or engaging in bribery to get all or part of a non-administered test or academic document (practice test, study guides, lab reports) or any information about it is prohibited.

**2. Disorderly conduct.** Disorderly conduct is lewd, indecent behavior or conduct which disrupts University functions. Disorderly conduct includes all unruly behavior including but not limited to:

- obstructing the flow of pedestrian or vehicular traffic;
- conducting a campus demonstration which disrupts the operations of the University and infringes on the rights of other members of the University community;
- creating excessive noise or aiding, abetting, or procuring another person to breach the peace;
- interfering with the duties of a student, faculty/staff member or university official;
- impersonating a university official
- withholding information vital to any investigation carried out by an authorized agent of the University;
- malfeasance of office in a student organization;
- any unauthorized use of devices to make an audio or video record of any person without his or her prior knowledge or consent.
- Inappropriate use of coasting devices (skateboards, roller blades, bicycles, and similar wheeled devices) including but not limited to: riding on rails, curbs, benches, or any such fixtures that may be damaged by these activities.

**3. Abusive conduct.** Abusive conduct includes all forms of harassment, abusive, and violent behavior. Abusive conduct includes all offenses which create an intimidating or offensive academic, work, or campus environment including but not limited to:

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- bias incidents including but not limited to acts of bias, acts of conduct, speech, or expression that target individuals and groups based on age, citizenship, disability, ethnicity, gender identity or expression, geographic origin, language, marital status, nationality, race religion, sexual orientation, or socioeconomic status;
  - engaging in, attempting any form of physical abuse injurious to oneself, to another or to a group of people;
  - threatening, intimidating, humiliating, coercing, hate act, hate crime, discrimination and/or harassing in a manner which causes another person or group of people to be reasonably apprehensive;
  - endangering the health or safety of oneself or another person;
  - stalking;
  - bullying;
  - abuse or harassment involving the use of telecommunications, computer equipment, and/or social media.

**4. Power-Base Violence and Sexual Misconduct.** Power-based violence defined as any form of interpersonal violence intended to control or intimidate another person through the assertion of power over the person. Sexual misconduct is sexual harassment, abuse, assault; and/or any form of sex discrimination prohibited by Title IX. Sexual misconduct cases may be adjudicated under general conduct and/or Title IX procedures based on jurisdiction.

The link below provides a full definition of Power-based Violence and Sexual Misconduct: <http://www.southeastern.edu/resources/policies/assets/powerbased-sexual-misconduct.pdf>

**5. Endangerment.** Endangerment involves endangering another's or one's own physical well-being that disrupts the learning environment. Endangering behavior includes, but not limited to:

- conduct that threatens or endangers the health or safety of oneself, another, or a group of people;
- compromising the security of a residence hall or other university facility;
- unsafe operation of a motor vehicle including but not limited to University premises (i.e. excessive speed, seatbelt...)
- unsafe behavior including, but not limited to riding bicycles, skateboards, roller blades, paintball games/wars, and/or kicking or playing ball unsafely and/or in unauthorized areas on campus.

\*Students who endanger their own, another, or a group of people's physical well-being; and disrupt the campus community, may be suspended on an interim basis from the residence halls and/or the University.

**6. Drug Violation.** Is the use, consumption, possession, manufacture, furnishing, procuring, purchasing, sale, and/or distribution of any form of drugs except as expressly permitted by law. Use of drugs includes but not limited to:

- illicit drugs, narcotics, or other controlled substances;
- synthetic drugs (including but not limited to all forms of marijuana, incense, bath salts, and other manufactured drugs);
- drug paraphernalia (including but not limited to hookahs and other smoking devices, weights, scales, and rolling papers);
- operating or attempting to operate a motor vehicle while under the influence of drugs.

**7. Alcohol Violation.** Is the use, consumption, possession, manufacture, purchasing, sale, furnishing and/or distribution of alcoholic beverages on University

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property or at any of its activities (whether on or off-campus) except as expressly permitted by University regulations and the law. The use of alcohol includes but not limited to:

- unauthorized use, consumption, possession;
- use, consumption, possession and/or purchasing of alcoholic beverages by persons under twenty-one (21) years of age either through action or inaction;
- furnishing, serving, and/or otherwise providing alcoholic beverages to persons under twenty-one (21) years of age;
- operating or attempting to operate a motor vehicle while under the influence of alcohol;
- operating or attempting to operate a motor vehicle while under the influence of alcohol;
- public intoxication on University property;
- failure to properly register events involving alcohol, as required by the University Alcohol and Drug Policy;
- violations as noted in the University Alcohol and Drug Policy.

**8. Abuse of property.** The abuse of property includes all forms of property abuse. Abuse of property includes but not limited to:

- attempted or actual theft, unauthorized possession (including the possession of property that can reasonably be determined to have been stolen from the university, another person, business or organization)
- malicious misuse, or destruction of property;
- damaging and/or vandalizing property;
- unauthorized possession, duplication, or use of keys to any University premises;
- unauthorized use of University premises;
- unauthorized use of University names and images;
- unauthorized possession of animals on campus;
- smoking on campus;
- unauthorized chalking;
- littering, dumping, posting, and/or distribution of unauthorized materials.

**9. Trespassing.** Trespassing is unauthorized presence on, in, or within any virtual space, building, or property owned or operated by the University, and/or, unauthorized visitation in a University residence hall including violations of established open house and/or closing hours.

**10. Weapons violation.** A weapons violation includes the possession or use of weapons. Weapons violations include but are not limited to:

- possessions of sticks, poles, clubs, swords, shields, body armor or makeshift body-armor, masks, helmets and other garments, such as sporting protective gear, that alone or in combination could be reasonably construed as weapons or body-armor on property owned or controlled by the University, without written permission from the dean of students;
- possession or use of guns and other firearms (i.e., airsoft, pellet, paintball, etc.), tasers, and knives with blades longer than five inches on University property;
- any illegal or unauthorized possession, use, or threatening the use of firearms, knives, other weapons, or dangerous chemicals;
- other violations in weapon policy or as defined by the Board of Supervisors of the University of Louisiana System Policies and Procedures.

**11. Explosives violation.** An explosives violation includes the possession or use of explosives. Any unauthorized possession or use of explosives including but not limited to:



- threatening the use of explosives, bombs or incendiary devices, except as required for classroom instruction;
- use or possession of ammunition, fireworks and/or firecrackers without official University permission.

**12. Abuse of computers and other technology.** Abuse of computers and other technology is all forms of technology abuse. Abuse of computers and other technology includes but is not limited to:

- sending or posting obscene or abusive messages through electronic means;
- unauthorized entry into a file, to use, read, change the contents, transfer, or for any other purpose;
- misrepresentation of self or a student organization through computer or electronic means;
- unauthorized use of another individual's identification and/or password; sharing the use of restricted passcodes for electronic educational platforms;
- use of computers and other technology to interfere with normal operation of the University computing system, the work of another member of the University community, or to harm a member of the University community;
- all other violations as noted in the University policy on computer use.

**13. Safety violation.** A safety violation involves a failure to abide by and/or interfering with safety regulations, emergency evacuations, and/or equipment. Safety violations include but are not limited to:

- failure to wear face coverings in compliance with the University's rules, policy, and regulations;
- failure to adhere to governmental mandates or public health orders established to reduce the risk of spreading infectious disease;
- failing to leave a building or area during emergency evacuation, hindering another's exit during an alarm or evacuation;
- tampering, or attempting to tamper with fire/safety equipment;
- intentionally aiding, encouraging or starting a fire unless approved for academic purposes by the Vice President for Student Affairs or designee; • causing a fire on campus because of negligence;
- possessing flammable liquids, burning candles, oil lamps, incense or other flammable items or substances that produce an offensive odor, in any building owned by the University, except as required for classroom instruction;
- failing to park bicycles in designated bike areas;
- possession and/or use of any equipment not approved for use in your residential facility.

**14. Violation of other published University policies, rules, or regulations.** Violation of other published University policies, rules, or regulations includes any failure to adhere to any published University policy. To view a full list of University Policies, please visit this link: [www.southeastern.edu/policies](http://www.southeastern.edu/policies)

**15. Violation of federal, state, and/or local laws.** A Violation of federal, state, and/or local laws involves any conduct on University premises or at University sponsored or supervised functions which constitutes a violation of a federal, state, or local law; and/or, illegal activity occurring away from campus resulting in arrest, prosecution, or the imposition of the penalty prescribed by the federal, state, or local law where such violations have an adverse effect on the educational mission of the University.

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**16. Failure to comply.** Failure to comply is any refusal to comply with the directions of a University official in the performance of his/her duties. Failure to comply includes but is not limited to:

- failing to identify one's self;
- failing to respond to a disciplinary conference and/or a hearing summons;
- failing to complete any sanction given by a hearing body or University official;
- failing to meet financial obligations incurred by the student to the University.

**17. Abuse of the campus discipline system.** Abuse of the campus discipline system involves interfering with the disciplinary process. Abuse of the campus discipline system includes but is not limited to:

- attempting to discourage an individual's proper participation in, or use of, the campus discipline system;
- falsification, distortion, or misrepresentation of information before a hearing body;
- disruption or interference with the orderly conduct of a campus disciplinary proceeding;
- knowingly initiating campus discipline procedures without cause;
- attempting to influence the impartiality of a member of a hearing body prior to, and/or during a campus disciplinary proceeding;
- harassment (verbal or physical) and/or intimidation of a member of a hearing body prior to, during, and/or after a campus disciplinary proceeding;
- influencing or attempting to influence another person to commit an abuse of the campus discipline system.

**18. Disruption.** Disruption is disturbing the peace and good order of the university and surrounding communities and/or bringing a guest to any classroom setting without prior authorization.

**19. Hazing.** Hazing means any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply:

- i. The person knew or should have known that such an act endangers the physical health or safety of the other person or causes severe emotional distress.
- ii. The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.

To learn more about Southeastern Louisiana University's Hazing Policy visit:

[https://www.southeastern.edu/resources/policies/policy\\_detail/hazing.html](https://www.southeastern.edu/resources/policies/policy_detail/hazing.html)

#### **D. Violation of Law and University Discipline**

1. If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this code, disciplinary action may be taken, and sanctions imposed for grave misconduct which has a detrimental impact on the University's educational function.
2. Students may be accountable to both external authorities and to the University for acts that constitute violations of federal, state, or local laws and this code. At the discretion of the Vice President for Student Affairs or the Chief Student Conduct Officer disciplinary proceedings will continue normally regardless of pending administrative, civil or criminal proceedings arising out of the same or other events. The outcomes of disciplinary proceedings will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced, or are pending.
3. When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual

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because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a hearing body under the Student Code of Conduct, however, the University may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty/staff members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## **ARTICLE V: STUDENT RIGHTS AND RESPONSIBILITIES**

### **A. Student Rights**

**The University affirms the following student rights and privileges in disciplinary proceedings:**

1. To be informed of the Student Code of Conduct and its corresponding procedures;
2. To petition for redress of a grievance arising from an incident which violates University policy and/or the Student Code of Conduct. Any member of the University community may file a discipline charge or complaint against a student when that person believes the student has violated any University policy;
3. To receive notice of any alleged violations of University policy and/or breaches of the Student Code of Conduct;
4. To have the benefit of an opportunity to be heard by an impartial Hearing Board or Hearing Officer in addressing an allegation/s of a violation of University policy;
5. To have an advisor, including an attorney, present in a disciplinary conference and/or hearing. Advisors may not participate directly in a disciplinary conference and/or hearing process, nor may an advisor address any participant in the disciplinary conference and/or hearing process other than the student the advisor represents. An advisor may represent in cases that are associated with Title IX.
6. To examine evidence to be used against him or her at the administrative discipline conference or prior to a formal hearing;
7. To view the list of witnesses against him or her at the administrative discipline conference or prior to a formal hearing.

### **B. Victim's Rights**

**The University affords additional rights to student victims of acts of violence and harassment (i.e. such as sexual assault, rape, physical assault, hazing, sexual harassment, and stalking) in disciplinary proceedings:**

1. To be informed of available accommodations both on and off campus (i.e. notified of available counseling, changing academic and living arrangements);
2. To have a campus no contact order against the alleged student;
3. To have a hearing board comprised of representatives of both genders;
4. To have unrelated past behavior excluded from the hearing (i.e. irrelevant prior sexual history);
5. To testify with special accommodations (i.e. by phone, behind a screen, video, etc.);
6. To have no direct contact with the accused student during the hearing (i.e. questions from the accused student would be posed through the Board Chairperson and then relayed to the victim or an appointed Confidential Advisor may speak on the student's behalf);

7. To provide questions to the Board Chairperson prior to or during the hearing that she/he may incorporate those into questioning the accused student;
8. To be informed of the names of all witnesses who will be called to give testimony;
9. To have an advisor present at all proceedings; in cases of Title IX offenses, a Confidential Advisor is required.
10. To request a recess during the hearing;
11. To be informed of outcome of the discipline process, simultaneously with the responding party;
12. To appeal the Hearing Board's decision as defined in Article VII, Section A of the Code of Student Conduct.

### C. Student Responsibilities

The following responsibilities represent the standard of conduct at the University:

1. To maintain a level of behavior consistent with the mission of the University;
2. To observe the laws of local, state, and federal government;
3. To read, become familiar with, and adhere to University policies;
4. To respect the personal and property rights of others;
5. To stay informed by reading communications from the University.

## ARTICLE VI: DISCIPLINARY PROCEDURES

### A. Charges

Complaints of misconduct against a student may be filed online at [www.southeastern.edu/reportit](http://www.southeastern.edu/reportit) by any member of the University community. **Always, call University Police at 985-549-2222 or 911 in the case of an emergency.** Complaints shall be prepared in writing and directed to the Office of Student Advocacy and Accountability, or, in violations occurring in the University residential facilities, to the Residential Conduct Officer or designee. In the disciplinary hearing, the complainant (person filing charges) bears the burden of proof. Persons considering filing complaints are encouraged to arrange for a meeting with a Conduct Officer prior to filing complaints to discuss filing and hearing procedures. **The written complaints should include:**

1. Full name, local address, and phone numbers of the complainant, accused, and witnesses, (and whenever possible, "W" numbers);
2. The specific conduct standard, policy, and/or rule allegedly violated (this may be determined by the conduct officer);
3. The date, time, location and persons involved in the incident under investigation;
4. A narrative of the incident describing what occurred;
5. Copies of pertinent witness statements, police and/or housing reports, along with a list of any other physical evidence (photographs, written documents, items, etc.), to be presented at the hearing; and,
  - Complaints should be submitted as soon as possible after the incident, preferably within ten (10) working days. Barring unusual or extenuating circumstances, such as sexual misconduct and acts of violence, complaints may not be accepted for incidents which occurred more than 30 working days prior to filing.
  - Students may not avoid campus disciplinary action by withdrawing or graduating from the University. Any complaints/charges or sanctions pending when a student leaves the University must be properly disposed of prior to

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releasing the student's records or the matter may be adjudicated without the respondent being present.

- The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any. Students who receive a disciplinary sanction involving separation from the University, and/or University housing are reminded that the University's normal refund policy will apply.
- The Hearing Officer may investigate to determine if the complaint has merit and/or if the complaint can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Hearing Officer.

### **B. Preliminary Administrative Disciplinary Conference**

1. Upon receipt of a properly filed complaint, a staff member of the appropriate conduct office shall notify the accused student by email, regular mail or hand delivery that proceedings have been initiated. The letter indicates a scheduled meeting time with a Hearing Officer or directs the student to schedule a preliminary/administrative discipline conference within a specified amount of time. The letter also lists the alleged violation with which the student is being charged. Failure to comply with this directive may result in a full hearing board being scheduled.
2. The purpose of the preliminary administrative disciplinary conference is to provide the student an opportunity to review the alleged offense/s with the Hearing Officer, to examine evidence, to discuss the Student Code of Conduct and the discipline process. Students who do not have a copy of the Student Code of Conduct will be directed to an online copy. Further, the student and the Hearing Officer will determine if the matter can be resolved through mutual agreement, including, but not limited to, the charges/complaints being rendered null and void; an administrative agreement being signed which indicates the student assumes responsibility for a violation/s of the Student Code of Conduct; or, a referral to mediation. If at the administrative disciplinary conference, the respondent assumes responsibility for an infraction, the student may sign an administrative agreement and waive any further proceedings and/or appeals. If the complaint cannot be disposed of by mutual consent, the matter will be referred to a hearing involving a Student Conduct Hearing Board, an Administrative Hearing Board, or a Hearing Officer.
3. Failure to respond to a Disciplinary summons may result in any or all of the following:
  - a. A referral of your case to a hearing board.
  - b. A \$100 fine assessed against your account.
  - c. A block placed on your ability to register for future classes.
  - d. A hold placed on your academic records.

### **C. Hearings involving a Hearing Board**

In cases which cannot be resolved in an Administrative Disciplinary Conference, and in those incidents, which rise to the level of expulsion or suspension from the University or University Housing, the matter will be referred to a Student Conduct Hearing Board, or an Administrative Hearing Board. Hearings involving a hearing board are designed for both the complainant and respondent to present their accounts of an incident.

1. The accused student shall be given written notice of the hearing to inform him/her of the specific charge(s), of his/her rights as a student, and the date, time, and location of the hearing.
  - a. Generally, a time set for a hearing will be at least two or no more than 15 working days after the student has been notified of the hearing. However, due

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- to the nature of the academic year, if the incident occurs close to the end of a semester, or if the appropriate hearing body cannot be scheduled, the student's case will be heard as soon as a hearing can be scheduled.
- b. Maximum time limits for scheduling hearings may be extended at the discretion of the Vice President for Student Affairs and the Conduct Authority.
  - c. Notice shall be sent/delivered to the last local/ mailing address and/or Email account identified on the student's official records and shall be considered delivered two working days after the letter has been posted.
  - d. Students are responsible for notifying the University of their current contact information including physical/ mailing/ electronic addresses. Address changes must be made through the Office of Records and Registration. Failure to notify the University of the current local address, to collect one's mail from one's address, and/or to receive or sign for a discipline mailing does not void the fact that a notice was delivered.
  - e. Hand delivered notices are delivered on the date they are given to the student.
2. The purpose of a disciplinary hearing is to determine if the accused student is responsible for violating one or more standards of the Student Code of Conduct, and to recommend any appropriate sanctions. A student is presumed to be not responsible until proven responsible in a disciplinary hearing. The burden of proof shall rest on the complainant.
3. Order of the Hearing: The hearing is structured such that the discussion proceeds in an orderly manner. Below is the order that the hearing follows:
- a. The reading of the complaint/charges by the hearing chairperson;
  - b. The entering of pleas by each respondent.
  - c. There are three pleas: Responsible, Not Responsible, and No Plea, which indicates that the student does not know whether she/he is responsible, or means the student is unwilling to say and is allowing the Board to decide.
  - d. Statement of complainant and introduction of evidence;
  - e. Questioning by the respondent and the Board and or the Hearing Board Advisor;
  - f. Statement of the respondent and introduction of evidence;
  - g. Questioning by the complainant and the Board, and the Hearing Board Advisor;
  - h. Statement of the complainant's witnesses, followed by respondent's questions, and, then those of the Board and or the Hearing Board Advisor;
  - i. Statements of the respondent's witnesses, followed by complainant's questions, and, then those of the Board, and or the Hearing Board Advisor;
  - j. Additional questions by the Board, the Hearing Board Advisor, complainant, and/ or respondent;
  - k. Closing statements, first by the complainant and then by the respondent; Closing statements shall be specific to the incident involved and may include any reiteration of previously stated facts, written statements of character by a third party, and/or any other comments involving the case. Closing statements are the final opportunity for the respondent and the complainant to provide any additional information which will facilitate the Board's decision, including recommendations for sanctions. Closing statements may be limited to a specified time constraint at the Board and or the Hearing Board Advisor's discretion.

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- I. Deliberation of the Board;
  - m. Recommendation of the Board to the advisor;
  - n. Notification of the decision and, if necessary, sanctions. Delivery of the notice may be by hand, E-mail, or through the mail.
4. A hearing before a Hearing Board shall be conducted according to the following guidelines:
- a. Hearings normally shall be conducted in private. Only the hearing body/officer, respondent, complainant, their designated advisors, the recorder, and persons identified with the University community as having an educational need to know, may be present for the beginning of the hearing. Each witness will be called into the hearing individually to give testimony. Subject to the approval of the Hearing Board Advisor and the parties involved, an observer may be admitted, but shall not have the privilege of participating in the hearing. Written requests for a waiver of rights to a private hearing, along with proper documented approval from all parties outlined above, must be submitted to the Conduct Authority at least 48 hours prior to the hearing. Admission of any person to the hearing shall be at the discretion of the hearing body and/or the Hearing Board Advisor. Only the hearing body/officer and persons identified with the University community as having an educational need to know may be present during deliberations.
  - b. In hearings involving more than one respondent student, the Hearing Board Advisor, at his or her discretion, may permit the hearing concerning each student to be conducted separately.
  - c. The complainant and the respondent have the right to be assisted by any advisor they choose, at their own expense. The complainant and the respondent are responsible for presenting their own cases and; therefore, advisors are not permitted to speak or to participate directly in any hearing before a hearing body. Written notification of the name and relationship of an advisor to the complainant or respondent must be submitted to the Hearing Board Advisor at least 48 hours prior to the hearing.
  - d. The complainant, the respondent and the hearing body shall have the privilege of presenting witnesses, subject to questioning. All parties are responsible for notifying their witnesses of the date and time of the hearing. Written notification of the names and relationships of witnesses to the complainant or respondent must be submitted to the Hearing Board Advisor at least 48 hours prior to the hearing.
  - e. Respondents have the right to remain silent, although present, at disciplinary hearings; Respondents may refuse to answer any question(s) and shall participate in the remainder of the hearing. Remaining silent or refusing to answer questions shall not be construed as an admission of responsibility or used against the student. Failure to appear to a hearing will not be viewed as an act of silence. Failure to appear will not delay the hearing process and may result in additional charges issued.
  - f. Statements given in disciplinary hearings are confidential in nature and may not be discussed outside of the hearing and/or discipline process.
  - g. Lying or intentionally misleading the Board/Hearing Officer will not be tolerated and may be referred for disciplinary action.
  - h. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by a hearing body at the discretion of the chairperson and/or the Hearing Board Advisor.

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- i. All procedural questions are subject to the final decision of the chairperson of the hearing body and/or the Hearing Board Advisor.
  - j. After the hearing, the hearing body shall determine (by majority vote) whether the student violated each section of the Student Code of Conduct the student is charged with violating.
  - k. Hearing body deliberations to determine responsibility shall be conducted in confidential, closed sessions, as are any sanctioning portions.
  - l. The hearing body's determination of responsibility shall be made if a preponderance of the information, that is, the facts and information, presented in the hearing are such that the hearing officer or hearing board finds it more likely than not that the respondent is responsible for the offense as charged.
  - m. Strict rules of evidence do not apply at campus disciplinary hearings. Although first hand testimony is preferable, written statements, hearsay testimony and other evidence are allowed, subject to the discretion of the hearing chair and/or Hearing Board Advisor.
  - n. Following the final decision of the hearing body, the respondent, will be informed of the determination and recommended sanction, if any, within ten business days. In cases of sexual assault and/or physical violence, the complainant shall also be informed simultaneously of the determination.
5. There shall be a record, usually an audio tape recording, of all hearings before a Hearing Board. Deliberations shall not be recorded. The official hearing record will be a transcription of the audio tape recording. An official hearing record may be made at the expense of the appellant. Students are cautioned that information contained in official hearing records is strictly confidential and should only be used in matters of campus appeals. The record shall be the property of the University.
  6. The Hearing Board may accommodate concerns for the personal safety, wellbeing, and/or fears of confrontation of the Complainant, Respondent, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, indirect questioning, or other means, where and as determined in the sole judgment of the Conduct Authority to be appropriate.
  7. Except in the case of a student charged with failing to obey the summons of a hearing body or University official, no student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a hearing body. In all cases, the evidence in support of the complainant(s) charge(s) shall be presented and considered, whether or not the respondent is present.
  8. Refer to the specific policy for further details of other University policies.
  9. In order to preserve confidential disciplinary records no individual is allowed to remove notes from hearing proceedings. The use of audio, camera and video recording devices by participants in a hearing is strictly prohibited. Failure to comply with these rules may result in the removal from proceedings and additional disciplinary action.

#### **D. Sanctions**

The following sanctions, individually or in combination, may be imposed upon any student or student group/organization found to have violated the Student code of Conduct. This list is neither exhaustive nor in order of severity and may be enlarged upon or modified to meet the circumstance of any given situation.



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1. **Loss of Privileges** - removal of specified privileges for a designated period, including but not limited to, loss of privileges such as living in university owned housing, room/hall selection, visitation, parking event/party registration, guest registration, holding elective or appointive office, pledging or initiation into campus organizations, and/or having motor vehicles, stereos, or other equipment on campus. When the designated time ends, the student is eligible for reinstatement of privileges; however, conditions for reinstatement may be specified in the original sanction.
  2. **Fines** - the student or student group/organization may be assessed an administrative fee at the discretion of the Vice President for Student Affairs, the Chief Student Conduct Officer, the Assistant Director of OSAA, Director of University Housing, or the Residential Conduct Officer. If assessed, the following shall apply:
    - Missed Disciplinary Conferences: \$50.00
    - Missed Hearings: \$100.00
    - Alcohol: \$50.00
    - Damage to Property: Full Restitution
    - Violation of Coasting Policy: \$100.00; plus, full restitution (if property is damaged)
    - Damage to Oaks/Village Gate Operations: \$100; plus, full restitution
    - Drugs: \$100.00
    - Fire Safety: \$50.00
    - Littering: \$50.00
    - Use of Tobacco Products on Campus: \$50.00
    - Tobacco Spitting: \$50.00
    - Repeat Offenses: Doubled
    - Restitution - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
  3. **Discretionary Sanctions:** students or student groups/organizations may be assigned disciplinary sanctions based on the nature of the incident and needs of the student or student organization.
    - Notification of parents and/or guardians;
    - Counseling conference(s);
    - Educational activities may be assigned to a student to encourage and facilitate positive behavioral change and developmental growth. These include but are not limited to, attendance/participation at educational programs, academic tutoring in the CSE, creation of documents, and community service.
    - Evaluation by a member of the University Counseling Center or by a licensed mental health professional based on the review by a member of the University Counseling Center;
    - Residence hall transfers and/or service to the university, the local community, or other related discretionary assignments;
    - Written assignments or projects.
    - No Contact Order (May also serve as a supportive measure in certain cases.)
  4. **Warning** - a written reprimand for violation of specified regulations. Warning is for a designated period and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the warning period.

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5. **University Disciplinary Probation** - final warning status and a written reprimand for violation of specified regulations. University Disciplinary Probation removes a student from good disciplinary standing for a designated period of time and places the student on final warning status. If the student is found to be in violation of any institutional regulation(s), particularly during the probationary period, separation from the institution may occur.
  6. **Residence Hall Warning** - serves to note that student behavior was not in accordance with University Housing policy. Residence Hall Warning removes a student from good disciplinary standing within the residence halls for a designated period of time and places the student on a warning status. If the student is found to be in violation of any institutional regulation(s), particularly during the warning period, further disciplinary action may occur.
  7. **Residence Hall Probation** - final warning status and a written reprimand for violation of specified regulations. Residence Hall Probation removes a student from good disciplinary standing within the residence halls for a designated period of time and places the student on final warning status. If the student is found to be in violation of any institutional regulation(s), particularly during the probationary period, separation from the residence halls may occur.
  8. **Residence Hall Suspension** - separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Suspended students are restricted from visiting or entering any residential facility operated by the University during the period of separation. When separated from the residence halls, students should be aware that they may forfeit their residence hall deposits and fees subject to any refund policies. Students should direct all inquiries in this matter to the Office of University Housing.
  9. **Residence Hall Expulsion** - permanent separation of the student from the residence halls. Expelled students are restricted from visiting or entering any residential facility operated by the University during the period of expulsion.
  10. **Disciplinary Suspension** - involuntary separation of the student from the University for a definite period of time, after which the student is eligible to return assuming no intervening serious misconduct has occurred. The student is placed on Disciplinary Probation for a definite period of time following the return to the University. Students who are involuntarily separated from the University are restricted from visiting or entering Southeastern Louisiana University premises for the period during which their sanction is in effect without advance written authorization from the Chief Student Conduct Officer. A hold may be placed on the ability to register and or the records of students involuntarily separated from the University for the period of separation. A student is responsible for dropping any classes and any fees assessed on the student accounts. In addition, a notation will appear on the transcript stating the terms of the suspension period.
  11. **Disciplinary Dismissal** - involuntary separation of the student from the University for a definite period of time and without a guarantee of readmission. The terms of readmission will be established by the Chief Student Conduct Officer with the burden of proof lying on the student. Students will be required to reapply to the university. Conditions for consideration of readmission may be specific. Students who are involuntarily separated from the University are restricted from visiting or entering Southeastern Louisiana University premises for the period during which their sanction is in effect without advance written authorization from the Chief Student Conduct Officer. A hold may be placed on the ability to register and or the records of students involuntarily separated from the University for the period of separation. The student is placed on Disciplinary Probation for a definite period of time following the return to the University. A student is responsible for dropping any classes and any fees assessed on the student accounts. In addition, a notation will appear on the transcript stating the terms of the suspension period.

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- 12. Disciplinary Expulsion** - Permanent separation of the student from the University. Students who are involuntarily separated from the University are restricted from visiting or entering Southeastern Louisiana University premises without advance written authorization from the Chief Student Conduct Officer. A hold may be placed on the ability to register and or the records of students involuntarily separated from the University for the period of separation.
- 13. Withholding Degree** - The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

In addition, the following sanctions may be imposed upon student groups and organizations.

1. Those sanctions listed above in Section D 1, 1-9.
2. Recommendation for Charter Revocation: An official request to a national office that the local chapter's charter be revoked.
3. Deactivation: loss of privileges, including loss of university recognition, either permanently or for a specific period of time.

In each case in which a hearing body determines that a student has violated the Student Code of Conduct, the sanction(s) shall be recommended by the hearing body but final determination will be imposed by the Hearing Board Advisor. Sanctions are not limited to those recommended by the hearing body but may be modified by the Conduct Authority.

Following the hearing, the Hearing Board Advisor shall advise the Respondent in writing of the determination of the sanction(s) imposed, if any. In cases of sexual assault and/or physical violence, the complainant shall also be informed simultaneously of the determination.

### **E. Typical Ranges of Sanctions**

Sanctioning ranges established by the University exist for students found responsible for violating certain sections of the Student Code of Conduct.

However, ranges exist to provide a guide and are not mandatory as each case is determined on a case-by-case basis, considering intervening variables, the determination of the Hearing Officer or Board of the student's realization and understanding of his/her actions, whether the student has been involved in past infractions of the Student Code of Conduct, and the individual circumstances of the incident. Thus, ranges may be increased, decreased or changed as needed.

The following sanctioning ranges exist as follows for first-time offenses:

1. Alcohol Violations:
  - a. Referral to an alcohol assessment, an alcohol education program and/or mandatory counseling/treatment;
  - b. Community service hours;
  - c. Warning up to Disciplinary Suspension for up to one year- repeated offenses may lead to punitive actions (i.e. Expulsion.)
  - d. If the student is a resident, University Housing Probation up to University Housing Suspension and;
  - e. If the student is under the age of 21, parental notification at the discretion of the Hearing Officer;
  - f. Fine or Restitution (mandatory for property damage);
  - g. Loss of parking privileges for offenses related to driving under the influence.
  - h. Educational service hours and/or an administrative assessment;

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2. Drug Violations:
    - a. Referred to a substance abuse assessment and/or mandatory counseling/treatment;
    - b. Community service hours
    - c. Educational program or course;
    - d. Educational service hours and/or an administrative assessment;
    - e. Warning up to Disciplinary Suspension for up to one year- repeated offenses may lead to punitive actions (i.e. Expulsion.);
    - f. If the student is a resident, University Housing Probation for one semester or more, and;
    - g. If the student is under the age of 21, parental notification at the discretion of the Hearing Officer.
    - h. Fine/administrative assessment. Fines double per additional violation.
  3. Incidents involving sales or furnishing of illegal drugs:
    - a. University Disciplinary Dismissal for two years up to Expulsion;
    - b. Substance abuse counseling/treatment completion prior to return;
    - c. Educational service hours and/or an administrative assessment upon return;
    - d. Disciplinary Probation upon return;
    - e. If the student is a resident, University Housing Expulsion with no eligibility to reapply.
  4. Incidents involving Violence to Persons:
    - a. Mandatory counseling assessment
    - b. Community service hours;
    - c. No Contact Order
    - d. Educational program or course;
    - e. Disciplinary Probation for one year up to Expulsion, and;
    - f. If the student is a resident, University Housing Probation up to University Housing Expulsion.
  5. Incidents involving disruption and or Disorderly Conduct:
    - a. Educational service hours
    - b. Disciplinary Probation up to Disciplinary Suspension, and;
    - c. If the student is a resident, University Housing Probation up to University Housing Suspension.
    - d. Written Assignment; i.e. reflection paper, etc.
    - e. Counseling Referral
  6. Incidents involving damage or abuse to property:
    - a. Restitution;
    - b. Disciplinary Probation for one year up to Suspension for one year or more, and;
    - c. If the student is a resident, University Housing Probation for one year up to University Housing Expulsion.
    - d. Educational service hours and/or an administrative assessment.
  7. Incidents involving a violation of the sexual misconduct policy (excluding sexual assault)
    - a. Disciplinary Probation for one year up to suspension;

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- b. Mandatory counseling assessment
  - c. If the student is a resident, University Housing Probation for one year up to University Housing Suspension or Expulsion.
8. Incidents involving sexual assault
- a. Suspension for one year up to Expulsion.

### **F. Interim Suspension**

In certain circumstances where there is a perceived threat of safety to the University Community, the Vice President for Student Affairs, the Chief Student Conduct Officer, the Assistant Director of OSAA, or designee, may impose a University or residence hall suspension prior to final disposition of the matter. Upon issuance of an Interim Suspension, the Chief Conduct Officer, the Assistant Director of OSAA, or designee, shall endeavor to contact the Student, advise the student that an Interim Suspension is in effect, and provide the Student with an opportunity to address the alleged misconduct.

Living on campus is a privilege, not a right. The University reserves the right to terminate this privilege, at any time, for inappropriate behavior by a student.

1. Interim suspension may be imposed only:
  - a. To ensure the safety and well-being of members of the University community or preservation of University property;
  - b. To ensure the student's physical or emotional safety or well-being; or,
  - c. If the student poses a threat of disruption of or interference with normal University operations.
2. During the interim suspension, the Vice President for Student Affairs, the Chief Student Conduct Officer, the Assistant Director of OSAA or designee may deny the student access to any or all of the following: residence halls; the entire campus (including classes); designated areas of campus; contact with certain individuals; and/or, all other University activities and/or privileges for which the student might otherwise be eligible.

### **G. Disciplinary Record:**

Disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's confidential disciplinary record. Confidential disciplinary records remain on file with the Office of Student Advocacy and Accountability seven years after the incident date. Confidential disciplinary records may be expunged at the student's written request one year after his/ her graduation from the University in minor cases that do not involve separation from the institution. Open cases that await completion of a disciplinary action shall remain part of the student's permanent disciplinary record. Confidential disciplinary records involving the imposition of sanctions entailing separation from the institution are kept indefinitely.

### **ARTICLE VII: APPEALS**

A. A decision reached by the hearing body or a sanction imposed by the Conduct Authority may be appealed by the respondent(s). A decision reached by the hearing body may also be appealed by a complainant(s) in cases under the Sexual Misconduct Policy that could include acts of violence and harassment [(i.e. such as sexual assault, rape, physical assault, hazing, sexual harassment, and stalking); please refer to the Sexual Misconduct Appeal policy for further details.] A conduct appeal must be directed to the Vice President for Student Affairs or his/her designee within ten (10) working days of being notified of the decision. If the student is notified of the decision by letter, the student has ten (10) working days from the draft date of the letter to

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make an appeal. Such appeals shall be in writing and shall be delivered to the Vice President for Student Affairs and/or Chief Conduct Officer or his/her designee. The rendered sanction is in effect as of the date identified on the sanction letter, or until an appeal is granted. The Vice President for Student Affairs or his/her designee may choose to suspend the outcome of a hearing while the appeal is being reviewed. Generally, a time set for an appeal response will be no more than ten (10) working days after the student has delivered the appeal. However, time limits for an appeal response may be extended at the discretion of the Vice President for Student Affairs, the Chief Conduct Officer, the Assistant Director of OSAA, and/or designee.

1. Appeals of decisions and/or sanctions involving individuals or student organizations must be submitted to the Vice President for Student Affairs.
  2. A student may appeal the decision of the Vice President for Student Affairs to the President of the University or his/her designee if the sanction is one of suspension from the University for a period of one academic year, or if the sanction is of greater severity. For appeals regarding less severe sanctions, the final appeal shall be at the Vice President for Student Affairs level.
  3. A student may appeal the decision of the University President to the Board of Supervisors for the University of Louisiana System if the sanction is one of suspension from the University for a period of one academic year, or if the sanction is of greater severity. For appeals regarding less severe sanctions, the final appeal shall be at the University level. If the student chooses to appeal to the Board of Supervisors after all administrative procedures have been exhausted at the University level, the appeal must be submitted to the President of the University of Louisiana System which refers the appeal to the Board of Supervisors for the University of Louisiana System. The appeal must be made within 30 calendar days of the University's decision. The Board's review is limited to a determination of compliance with established and appropriate procedures at the University level. The student shall be notified of the Board's decision through electronic means or written correspondence.
- B. Except as required to explain the basis of new information, an appeal at the University level may be limited to a review of the written statement by the party requesting the appeal and/or written documents pertaining to the case. The scope of review shall be limited to consideration of the following questions:
1. Whether the discipline process was conducted fairly and in conformity with the properly prescribed procedures;
  2. Whether to consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing.
  3. Evidence of bias by the Hearing Body or Conduct Authority.
  4. Whether the sanction or remedy imposed was in due proportion to the gravity and nature of the conduct. (Submit documentation outlining how the sanction (s) was/were excessive or extreme for the violation(s) for which you were found responsible.)
- C. If an appeal is upheld in cases involving appeals by students who have been found to have breached the Student Code of Conduct, the President and Vice President for Student Affairs or his/her designee may either:
1. Reduce, change, or dismiss the sanctions of the hearing body;
  2. Remand the case to a new hearing body although nothing shall prevent the same Student Conduct Advisor from serving as advisor to this new hearing body.
- D. It is important for students who file grievances with the University of Louisiana System Board of Supervisors to understand the following:

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1. The Board of Supervisors does not consider appeals for academic matters, but only matters pertaining to appeals of university rulings on conduct.
  2. The Board of Supervisors conducts reviews of student appeals via materials provided by the student grievance and the university.
  3. Review by the Board of Supervisors consists of an exhaustive examination of procedures followed by the university in regard to due process and not the specific details of the grievance matter.
  4. The University of Louisiana System student grievance process does not provide the benefit of a hearing by the student directly to the Board of Supervisors.
- E. It is important for students and student organizations who file an appeal at the University level to understand that imposed sanction(s) from the hearing outcome are in effect until further notice.

### **Article VIII: Students in Mental Health Crisis Mental**

#### **Health Emergencies:**

1. Contact University Police upon observing or becoming aware of a mental health crisis. Give the location of the individual's condition to the police officer/dispatcher.
2. Follow the directions as given by the officer/dispatcher.
3. University Police, upon notification of a mental health, will act as appropriate to:
  - a. Instruct the caller what to do.
  - b. Dispatch officer(s) to the scene.
  - c. Contact the ambulance/medical facility.
  - d. Contact University administrators:
    - University Counseling Center person on call
    - Contact the Dean of Students
      - Notification: If a student poses an imminent risk of harm to include danger to self, danger to others, or gravely disabled, the University must notify the student's parent, guardian, or identified emergency contact.

#### **Mental Health Assessment/Evaluation**

The student may be recommended and/or required to complete a Mental Health Assessment/Evaluation to assist in the student's readiness to return to the University regarding behaviors that violate the Student Code of Conduct. To obtain a copy of the Mental Health Assessment form, visit [www.southeastern.edu/forstudents](http://www.southeastern.edu/forstudents) and forward the completed form to the Office of Student Advocacy and Accountability in person Mims Hall room 207 or email [osaa@southeastern.edu](mailto:osaa@southeastern.edu).

### **ARTICLE IX: INTERPRETATION AND REVISION**

Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Vice President for Student Affairs, Chief Student Conduct Officer, the Assistant Director of OSAA or his/her designee for final determination. The Student Code of Conduct shall be reviewed periodically under the direction of the Vice President for Student Affairs or designee.

# University Alcohol Policy

## Policy Statement

Southeastern Louisiana University is committed to the health, safety, and well-being of each member of the University community. In order to further student learning and promote the University's academic mission, Southeastern fosters an environment of personal responsibility and respectful citizenship. This means that all members of the university community – students, faculty, and staff - in addition to visitors – have a shared responsibility in safeguarding a healthy learning environment in which inappropriate behaviors and the associated negative consequences of alcohol misuse are addressed in a manner appropriate to the circumstance. The University, as outlined in the following policy, strives to create a culture that supports students who have made the decision to not use alcohol, as well as encourage, through education, students who choose to drink alcohol to do so in a safe, legal, and responsible manner.

The possession, use, sale, distribution, or manufacture of alcohol may be done only in accordance with the provisions of federal and state laws, local laws and ordinances, and University regulations, including this policy. Louisiana state law prohibits the purchase, public possession or consumption of any alcoholic beverage by persons under the age of 21.

### Applicability

This policy applies to all Southeastern students, faculty, staff, and visitors.

### LEGAL SANCTIONS

Students and employees are reminded that local, state, and federal laws provide for various legal sanctions and penalties for unlawful possession or distribution of alcohol. These sanctions include, but are not limited to, incarceration and monetary fines.

### UNIVERSITY SANCTIONS

Students found to be in violation of this policy will be afforded due process as prescribed in the University Code of Student Conduct. Sanctions for policy violations include a disciplinary warning, up to and including expulsion from the University.

\*Students may also be referred for counseling and/or referral for individual assessment; referral may be included as a condition of any sanction.



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## DEFINITIONS

- “Alcoholic beverage” means beer, wine, or distilled spirits (liquor) as defined by state law.
- “Purchase” means acquisition by the payment of money or other consideration.
- “Public possession” means the possession of any alcoholic beverage for any reason, including consumption, on any street or highway or in any public place or any place open to the public, including a club, which is de facto open to the public.
- “Student” includes all persons taking courses at the University whether full time, part time, dually enrolled, visiting, online, for non-credit, or pursuing undergraduate, graduate, professional studies or non-degree seeking. Also included are those who attend post-secondary educational institutions other than Southeastern Louisiana University and who reside in University residence halls.
- “Employee” means any person having an employment relationship with the University, including but not limited to classified and unclassified staff, faculty, graduate assistants and student employees.

## Section I. General University Regulations

This section of the policy applies to all University students, employees, and guests.

All students, employees, and guests are strictly prohibited from the unlawful possession, manufacture, use, or distribution of alcohol on University property or as part of any University activity, whether on or off campus. This policy will extend to any other sites the University might operate or be represented. This policy will apply to the sale, possession, or consumption of alcohol in or at any University sponsored or registered event. The possession, consumption, sale or furnishing of alcoholic beverages is prohibited except in those areas where such activities are specifically allowed or preapproved.

The following conduct is prohibited except as permitted by University regulations and the law:

- The use, consumption, possession, manufacture, purchase, sale, furnishing, and/or distribution of alcoholic beverages on University property, or at any of its activities
- The use, consumption, possession and or purchase of alcoholic beverages by persons under 21 years of age.

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- Possession, consumption, sale, manufacture, or furnishing of alcoholic beverages in the residence hall or residence hall room.

Students residing in Southeastern Oaks may possess alcohol in their room dwelling if all residents are of legal age to possess and consume alcohol. Alcohol may not be present in common areas of the apartment if ALL residents in the apartment are not of legal age.

- Furnishing, serving, and or otherwise providing alcoholic beverages to persons under 21 years of age.

A contract must be signed with the University Police Department for an officer(s) to be present at all third-party rental events and at University (or University affiliated) sponsored events where alcohol is to be served if students will be present and it is plausible that students might be served alcohol, e.g., students are participating in the event other than in their capacity in the employment of the University.

## Section II. Student Organizations

This section of the policy applies to all registered student organizations

A. Student Organization's Event: An event may be considered a student organization event if one and more of the following occur:

- The event was pre-planned or premeditated (flyers, emails, organizations social media)
- The event was discussed or planned during the organizations meeting
- The majority of the organization's members knew of and/or attended the event
- Organizational resources were used in any way (i.e. entertainment, transportation, food, beverages, advertisement, etc.)
- A significant portion of attendees were invited by members of the organization
- In addition, an event could be considered a student organizations event if a non-member perceives the event as being sponsored by an organization.

Students and those affiliated with the organization should refer to the Student Organization Alcohol Event Procedures for a full list of action items an organization must complete before events where alcohol is served will be approved. Failure to complete any action items will result in your event being disapproved or cancelled.

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## B. General Regulations

- A contract with the University Police Department must be signed for any event where alcohol will be served. Subject to approval by the University Police, local law enforcement may be contracted for events occurring outside of Tangipahoa Parish.
- Student organizations may not distribute alcoholic beverages free of charge.
- No organization may co-sponsor an event with an alcohol distributor, charitable organization, tavern, or where alcohol is given away, sold, or otherwise provided to those present.
- Alcohol on campus will be allowed only at catered Food Service events and will be sold by Dining Services personnel or approved licensed servers.
- Alcohol, bar tabs, coupons for free or reduced-priced drinks, etc., may not be awarded as prizes for any raffles or other events.
- Alcohol may not be distributed free of charge by an alcohol company or distributor at any student organization event under any circumstances on campus.
- The cost of alcoholic beverages may not be included in the cost of an admission ticket, cover charge, or any other assessment required of members or guests.
- Vendors/servers are responsible for assuring that no person under the age of 21 is served alcohol.
- BYOAB (Bring your own alcoholic beverage) events will not be allowed on campus (tailgating is the only exception).
- No alcoholic beverages in bulk form (keg, etc.) may be purchased or used. Kegs of beer will not be allowed. A keg is considered a common source of alcohol. Providing a common source of any alcoholic beverage—be it beer, alcoholic punch, or an open bar—implies that it is provided by or on behalf of the organization, regardless of who actually purchased it.
- All alcohol events must be registered with the Office of the Dean of Students. Student organizations are only allowed to register/sponsor a total of three (3) alcohol events Sunday through Thursday during each semester. Events on Fridays and Saturdays are not subject to this limitation but are subject to the requirement that they be registered with the Office of the Dean of Students.

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- No events involving alcohol will be approved for the fourteen (14) calendar days prior to and including finals; this includes the weekend between the two weeks.
  - No events involving alcohol will be approved during any University closure (including but not limited to Fall Break, Spring Break, Thanksgiving, Mardi Gras, semester breaks, etc.)

### Section III. Alcohol at Athletic Events including Tailgating

Events should be conducted in an environment that is safe and enjoyable for all. As public events have great potential to attract a variety of spectators, the following regulations has been developed for these events:

- No alcoholic beverages may be possessed, distributed, served, or consumed by persons under that age of 21.
- Tailgating will be limited to home games unless otherwise approved by the Dean of Students Office.
- For home games that occur during a regular school day, tailgating activities will be allowed a time specified by the Dean of Students. For home games that occur on days when school is not in session, tailgating will be allowed starting at 5:00 p.m. the night before the game.
- No oversized or common source containers of any sort (including, but not limited to kegs, punch bowls; etc.).
- Drinking games involving alcohol are prohibited.
- Funneling or any other activity deemed by the University as inappropriate are prohibited.
- Individual(s) or groups engaging in inappropriate or disruptive behavior will be directed by law enforcement personnel to cease and desist from doing so and are subject to University, local, or state action.
- At home games, alcohol, cups, containers, ice chest, etc.; cannot be brought into the venue and all persons entering the venue are subject to a reasonable check/search of personal bags, purses, coats, etc.
  - Anyone found in possession of alcoholic beverages (other than those sold in the venue) and/or other items deemed dangerous or inappropriate will be refused admission to the game.

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- Any individual found in possession of said items will be evicted from the venue and will not be allowed to re-enter the venue for the remainder of the calendar day on which the game is held.
  - Alcohol may be purchased inside the venue by those of legal age with valid identification.

Failure to follow these rules and regulations may result in eviction from campus with possible University, local, or state action to follow.

# Drug Policy

## Manufacture, Distribution, Possession, and Use

Southeastern Louisiana University prohibits the unlawful manufacture, distribution, possession, or use of illicit drugs or drug paraphernalia on University property or as part of any university activity, whether on or off campus as set forth by this policy and defined by Louisiana Law. Law as it applies to this section of the policy refers to Louisiana R.S. 40:961 through R.S. 40:1034.

### LEGAL SANCTIONS

Students and employees are reminded that local, state, and federal laws provide for various legal sanctions and penalties for unlawful manufacture, distribution, possession, or use of illicit drugs. The range of penalties and violations of Louisiana Law cited above is fines up to \$1,000,000 and up to life in imprisonment without parole depending on the drug involved and the nature of the violation.

### UNIVERSITY SANCTIONS

Students found to be in violation of this policy will be afforded due process as prescribed in the University Code of Conduct. Sanctions for policy violations include a disciplinary warning, up to and including expulsion from the University.

Students may also be referred for counseling and/or referral for individual assessment; referral may be included as a condition of any sanction.

# Hazing Policy

## Policy Statement

In compliance with Acts 635, 637, and 640 of the 2018 Regular Session of the Louisiana Legislature as well as Act 382 of the 2019 Regular Session of the Louisiana Legislature, the 2019 Louisiana Board of Regents Uniform Policy on Hazing, and the University System Policy, Southeastern Louisiana University (“the University”) reaffirms in this Policy its mandate that any form of Hazing of any student is prohibited.

### Purpose of Policy

The University including the Division for Student Affairs does not tolerate hazing, including the physical, mental or psychological abuse of any individual or individuals. All allegations of hazing will be fully investigated by the appropriate authorities. Any organization, and/or individuals within an organization, found responsible of hazing may face disciplinary action up to and/or including expulsion from the University and criminal charges.

### Applicability

This policy applies to all Southeastern students, student organizations, potential student organizations, student organization advisors, alumni, volunteers, and faculty and staff, associated with student organizations.

## 1. Prevention and Education Programs

- Each new student shall be provided educational information on the dangers of and prohibition on Hazing during the new student orientation process in the form of a handbook.
- In addition, beginning the fall semester of 2019, each new student shall be provided education information on the dangers of and prohibition on Hazing during the new student orientation process either in person or electronically.
- If the student receiving this information is a minor, that information shall also be provided to the student’s parents or legal guardians.
- The Hazing prevention education required in this policy shall include the information about criminal penalties for the crime of criminal hazing. University shall also provide information to Organizations on their obligations under the law, including the duty to investigate and report, and on the possible loss of funding and other penalties applicable to Organizations under the Hazing laws.

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## 2. Organization Requirements to Operate at University

Each organization (as defined below in this policy and R.S. 17:1801.1), as a condition of operating at the University, is required to:

- Adopt the Hazing Policy and shall include the possible University sanctions against the Organization in the event of a reported or confirmed hazing incident and have a policy that prohibits hazing.
- Provide annually at least one hour of hazing prevention education that includes education relative to the applicable hazing policies to all members, prospective members, and anyone who is employed by or volunteers with the organization. The education may be provided in person, electronically, or both.
- Report annually to the university the students, employees, and volunteers who have received the education with an attestation from each that they received the education.

## 3. Duty to Seek Assistance

- In accordance with the Hazing laws, any person at the scene of an emergency who knows that another person has suffered serious bodily injury shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the injured person. Reasonable assistance includes immediately seeking or reporting the need for medical assistance from an appropriate authority
  - An appropriate authority includes:
    - Any state or local law enforcement agency
    - A 911 Public Safety Answering Point
    - Emergency Medical Personnel
    - Dean of Students
    - Office of Student Advocacy and Accountability
- Any person who violates the provisions of this Section shall be fined not more than one thousand dollars, imprisoned with or without hard labor for not more than one year, or b If the serious bodily injury results in the death of the person, any person who violates the provisions of this Section shall be fined not more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.



- It is important to note that consent is not a defense. It is not a defense against prosecution of an offense that the person against whom the hazing was directed consented to the Hazing Activity.

### Louisiana Laws on Hazing

#### **RS 17:1801 Amended: Hazing Prohibited**

Hazing in any form, or the use of any method of initiation into organizations in any education institution supported

wholly or in part by public funds, which is likely to cause bodily danger or physical punishment to any student or other person attending any such institution is prohibited.

Whoever violates the provisions of this Section shall be expelled, suspended, or dismissed from the education institution and not permitted to return for at least one semester, quarter, or comparable academic period. In addition, the person violating such provisions may also be subject to the provisions of R.S. 14:40.8.

#### **RS 14:40.8 Criminal Hazing**

It shall be unlawful for any person to commit an act of hazing. Any person who commits an act of hazing shall be fined up to one thousand dollars, imprisoned for up to six months, or both.

If the hazing results in the serious bodily injury or death of the victim, or the hazing involves forced or coerced alcohol consumption that results in the victim having a blood alcohol concentration of at least .30 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, any person who commits an act of hazing shall be fined up to ten thousand dollars and imprisoned, with or without hard labor, for up to five years.

If any person serving as a representative or officer of an organization, including any representative, director, trustee, or officer of any national or parent organization, is a sanctioned or recognized member at the time of the hazing, knew and failed to report, as soon as practicable under circumstances to law enforcement, that one or more of the organization's members were hazing another person, the organization may be subject to the following:

- Payment of a fine up to ten thousand dollars.
- Forfeiture of any public funds received by the organization.
- Forfeiture of all rights and privileges of being an organization that is organized and operating at the education Institution for a specific period of time as determined by the court.

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If the hazing results in the serious bodily injury or death of the victim, or results in the victim having a blood alcohol concentration of at least .30 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, the period of time shall be for not less than four years.

#### Definitions

1. Louisiana Law defines Hazing as any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply:
  - The person knew or should have known that such an act endangers the physical health or safety of the other person or causes severe emotional distress.
  - The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in or maintaining membership in any organization.
  
2. Hazing includes but is not limited to any of the following acts associated with pledging, being initiated into, affiliating with participating in, holding office in, or maintaining membership in any organization:
  - Physical brutality, such as whipping, beating, paddling, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity.
  - Physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress.
  - Activity involving consumption of food, liquid, or any other substance including, but not limited to, an alcoholic beverage or drug, that subjects the individual to an unreasonable risk of harm that adversely affects the physical health or safety of the individual or causes severe emotional distress.
  - Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.
  - Activities or events that facilitate rapid drinking, drinking games, intoxication or impairment, and forced consumption of both palatable food and, or any other substance.

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- Any action taken or situation created that may cause pain, injury, excessive physical stress or fatigue including, but not limited to the following: paddling, slapping, tackling, pushing, and exercise that is not part of a reasonable all-organization athletic event.
  - Activities that involve the use of rope, string, elastic, or any device or material utilized to restrain or confine an individual.
  - Activities involving lineups, interrogation, or verbal abuse.
  - Theft of property.
  - Transportation against an individual's will such as kidnapping and/or abandonment at distant location.
  - Illegal activities such as requirement to steal items as part of a scavenger hunts.
  - Activities or expectations that are so time consuming as to significantly interfere with class work, study time, and sleep.
  - Requirements that financially take advantage of individuals within the group (Requiring an individual to purchase items as punishment).
  - The use of obscenities and vulgarities in dress, language or action.
  - Sexual degrading activities, including stripping, simulation of sexual acts or sexually explicit cheers, chants, and songs.
  - Conducting any form of personal servitude including, but not limited to driving individuals to class, cleaning another individual's room, serving meals to another individual, washing another individual's car; etc.
  - Activities that cause psychological stress including, but not limited to, any deception designed to convince a student that he/she will not be initiated, will be removed, or will be injured during any activity.
  - Dressing alike in specific costumes or clothing (this does not apply to dress attire required for business or ritual meetings).
  - Activities that cause psychological stress, including but not limited to, any deception designed to convince a student that they will not be made a member of the organization or group, will be removed, or will be injured during the activity.
  - Forcing or requiring the violation of University Policy, Federal, State or local law including, but not limited to, burglary, defacement, trespassing, animal cruelty, academic dishonesty, and providing false or misleading information.
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## Reporting Hazing Activities and Sanctions

### 1. University

- When the University receives a report alleging the commission of an act or acts of Hazing by one or more members of an Organization, the University shall:
  - Report, as soon as practicable under circumstances, the alleged act or acts to the law enforcement agency having jurisdiction in the place where the alleged act or acts of Hazing occurred and the University Police Department. The information reported to law enforcement shall include all details received by the University relative to the alleged incident, without any information being redacted, including the name of all individuals alleged to have committed the act or acts of hazing; and
    - Document in writing all actions taken with regard to the report, including but not limited to the date the report was received, reports made to law enforcement as provided in R.S. 14:40.8, and any information relative to the University's investigation, processing, and resolution of the incident.
    - A standardized form that the University shall use to document such reports made to law enforcement as provided by La. R.S. 14:40.8 and the manner in which each hazing incident is handled and resolved at the University level is attached to this policy as Appendix A.
- If the University fails to comply with the provisions of the Hazing Laws it may be subject to the penalties outlined in La. R.S. 14:40.8, including payment of a fine up to ten thousand dollars.

### 2. Authority of University Police Officers

The right of university or college police officers to carry a concealed weapon and to exercise the power of arrest when discharging their duties shall extend to alleged acts of hazing committed by members of an organization that is organized and operating at the university or college for which the police officer is commissioned regardless of the location where the alleged act occurs. Any person arrested by a college or university police officer, in the exercise of the power granted through R.S. 14:40.8, shall be immediately transferred by such officer to the custody of the sheriff or city police wherein the arrest occurs.

### 3. Organizations and Affiliates

- If an organization takes disciplinary action against one of its members for Hazing or has reason to believe that any member of the organization has participated in an incident of

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hazing, the organization shall report the incident as soon as practicable to law enforcement and to the Dean of Students without any information being redacted, including the name of all individuals alleged to have committed the act or acts of hazing

- If an organization or any of its members has been disciplined by a parent organization for hazing, the organization shall report the hazing for which the organization was disciplined as soon as practicable to law enforcement the Dean of Students without any information being redacted, including the name of all individuals alleged to have committed the act or acts of hazing
- If any person serving as a representative or officer of an organization (including but not limited to, any representative, director, trustee, or officer of any national or parent organization) knew and failed to report, as soon as practicable under the circumstances, to law enforcement that one of the organizations members were hazing another person, the organization may be subject to penalties under R.S. 14:40.8
- A standardized form that Organizations shall use in making the reports required is attached to this Policy as Appendix B.

#### 4. Students

Any student who violates the provisions of the Hazing laws and or this policy shall be expelled, suspended, or dismissed from the University; will not be permitted to return for at least one semester, and may be subject to criminal charges

Any student who fails to seek assistance as defined by the Hazing Laws and this policy shall be subject to the penalties outlined in La. RS. 14:40.8

#### How a student should report

Southeastern cares about the safety and wellbeing of its students. If you are being hazed or know someone in your student group or organization who is hazing or being hazed, we want you to be aware of your options in seeking assistance and reporting to the following designees.

If you are being hazed or know someone in your student group or organization who is hazing or being hazed, come forward and report to any of the following office/designees:

- University Police Department:
  - 985-549-2222
  - [police@southeastern.edu](mailto:police@southeastern.edu)
  - [Anonymous Reporting Form](#)

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- Office of Student Advocacy and Accountability
    - 985-549-2213
    - [Incident Reporting Form](#)
  - Office for Student Engagement
    - 985-549-2120
    - [engagement@southeastern.edu](mailto:engagement@southeastern.edu)
  - University Housing
    - 985-549-2118
    - [universityhousing@southeastern.edu](mailto:universityhousing@southeastern.edu)
  - Athletic Department
    - 985-549-2395
    - [lionscompliance@southeastern.edu](mailto:lionscompliance@southeastern.edu)
  - University of Louisiana System
    - [Louisiana System Anonymous Reporting Form](#)

Many organizations and groups also have internal procedures for reporting hazing anonymously. Please see your advisors and/or coaches for information specific to your organization or group.

Additionally, any faculty member or staff member that becomes aware of possible hazing of Southeastern Louisiana University students must immediately report the matter to one of the offices listed above.

### **Enforcement of Hazing Policy**

Any violation of the hazing policy shall be deemed a violation of the University's Student Code of Conduct and applicable laws. Thus, all allegations of hazing will be investigated by local law enforcement, the University Police Department, and the Office of Student Advocacy and Accountability. Individuals or groups found responsible for violating the Hazing Policy may face disciplinary action including expulsion from the University. The Chief Conduct Officer and the Assistant Director of Advocacy and Accountability may impose interim sanctions immediately upon notice of charge of violation of the Hazing Policy.

The University will not tolerate retaliation by any individual or group (whether that person was directly involved in the original incident) against any faculty, staff or student who reports, participates in an investigation of, or is Complainant or witness in a disciplinary proceeding involving the allegation of hazing. Claims of retaliation will be investigated as a breach of the University's Hazing policy and may result in University sanctions.

Policy Amended: 10/1/2019

Review Process: Executive Staff Review

# Sexual Misconduct Policy

## Policy Statement

Southeastern Louisiana University, hereinafter referred to as Recipient, prohibits sexual misconduct and is committed to providing a learning, working, and living environment that promotes integrity, civility, and mutual respect in an environment free from sexual misconduct as provided in Title IX and other applicable laws. Recipient shall take prompt and appropriate action to investigate and effectively discipline those accused of such conduct in a manner consistent with the law and due process. Recipient shall provide support and assistance to those alleging sexual misconduct and shall report instances of sexual misconduct in accordance with law. Recipient will strive to create and maintain safe learning, working, and living environments for all individuals who participate in Recipient's education programs and activities, including online instruction. Any non-confidential report of sexual misconduct, as defined herein, must be investigated, addressed, and resolved by Recipient under the appropriate policy and procedures.

## Purpose of Policy

This policy was designed to ensure a safe and non-discriminatory educational and work environment and to meet legal requirements. Recipient complies with all applicable federal and state laws and regulations, and this policy shall be amended to reflect any changes to federal and state laws and regulations including, but not limited to, the following:

- Title IX of the 1972 Education Amendments which (i) prohibits discrimination on the basis of sex in educational institutions and (ii) requires colleges and universities receiving federal funding to combat gender-based violence and harassment, and respond to survivors' needs in order to ensure that all students have equal access to education;
- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), which requires (i) policies and procedures for sexual assault and (ii) requires timely warning and external reporting of crimes;
- Section 304 of the Violence Against Women Reauthorization Act of 2013 (VAWA), which extends the Clery Act to include dating violence, domestic violence and stalking.

## Applicability

This Policy applies to Recipient's students and faculty/staff. This policy prohibits sexual misconduct committed by or against students and faculty/staff by other students, faculty/staff, or

third parties.

As to cases covered by Title IX, this policy applies when sexual harassment, as defined in the Policy, occurs in Recipient's education program or activity, against a person in the United States.

For all other types of sexual misconduct not covered by Title IX, this Policy applies generally to sexual misconduct on Recipient's premises; at Recipient-affiliated educational, athletic, or extracurricular programs or activities that have an adverse effect on the education or employment of a member of the Recipient's community; or that otherwise threatens the health and/or safety of a member of the Recipient's community. Recipient may address such misconduct in any manner Recipient chooses, including providing supportive measures or pursuing discipline as prescribed by the Code of Student Conduct (for students) or the appropriate employment policy (for employees).

## Definitions

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

**Complainant.** An individual who is alleged to be the victim of conduct that could constitute sexual harassment irrespective of whether a formal complaint has been filed.

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

**Decision Maker.** The individual or the panel that makes the decisions regarding the outcome of a hearing. Makes determination regarding relevancy of questions in cross-examination. Writes and issues the written decision letter.

**Incapacitation.** An individual is considered to be incapacitated if, by reason of mental or

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physical condition, the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Being drunk or intoxicated can lead to incapacitation; however, someone who is drunk or intoxicated is not necessarily incapacitated, as incapacitation is a state beyond drunkenness or intoxication. Individuals who are asleep, unresponsive or unconscious are incapacitated. Other indicators that an individual may be Incapacitated include, but are not limited to, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance.

**Investigator.** The individual who collects statements and other evidence regarding a Formal Complaint of sexual harassment. The investigator also writes a summary report.

**Parties.** The Complainant(s) and Respondents(s) involved in a Formal Complaint.

**Perpetrator.** An individual found guilty of sexual misconduct.

**Program or Activity.** Includes locations, events or circumstances over which the Recipient exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Recipient.

**Recipient.** An education entity receiving federal funds.

**Remedies.** Restore or preserve equal access to Recipient's education program or activity. Such remedies may include supportive measures; remedies need not be non-disciplinary or non-punitive and need not avoid burdening Respondent.

**Respondent.** An individual whose conduct has been reported that could constitute sexual harassment.

**Retaliation.** Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this Policy, or as retribution or revenge against anyone who has reported Sexual Misconduct or who has participated (or is expected to participate) in any manner in an investigation, or proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, and discrimination. Title IX prohibits retaliation. For purposes of this Policy, an attempt requires a substantial step towards committing a violation.

**Sexual misconduct.** A sexual act or contact of a sexual nature that occurs, regardless of personal relationship, without the consent of the other person(s), or that occurs when the person(s) is unable to give consent or whose consent is coerced or obtained in a fraudulent manner. For the purpose of this Policy, sexual misconduct includes, but is not limited to, sexual assault, sexual abuse, violence of a sexual nature, sexual harassment, quid pro quo harassment, non-consensual sexual intercourse, sexual exploitation, video voyeurism, contact of a sexual nature with an object, or the obtaining, posting or disclosure of intimate descriptions, photos, or videos without the express consent of the persons depicted therein, as well as dating violence, domestic violence, and stalking.

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Recipient shall use the federal and state definitions of the following terms when making all decisions regarding sexual misconduct including publication of definitions, disciplinary decisions, Clery reporting decisions, campus climate decisions, and training and prevention decisions. If there are any changes to state and/or federal law, definitions must be amended to reflect any changes to federal and state laws and regulations.

**Dating Violence**, as defined by the Clery Act. Violence including, but not limited to, sexual or physical abuse or the threat of such abuse, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such a relationship will be determined based on a consideration of the length and type of relationship and the frequency of interaction.

**Dating Violence**, as defined by Louisiana law. Includes, but is not limited to, physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one dating partner against the other. La. RS § 46.2151(C). For purposes of this Section, “dating partner” means any person who is, or has been, in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: (1) The length of the relationship. (2) The type of relationship. (3) The frequency of interaction between the persons involved in the relationship.

**Domestic abuse**, as defined by Louisiana law. Includes, but is not limited to, physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family or household member against another. La. RS 46:2132(3)

**Domestic Violence**, as defined by the Clery Act. Violence, including but not limited to, sexual or physical abuse or the threat of such abuse committed by a current or former spouse or intimate partner or any other person from whom the alleged victim is protected under federal or Louisiana law. A felony or misdemeanor crime of violence committed: By a current or former spouse or intimate partner of the victim;

- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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**Family violence**, as defined by Louisiana law. Means any assault, battery, or other physical abuse, which occurs between family or household members who reside together or who formerly resided together. La. RS § 46.2121.1(2)

**Non-Consensual Sexual Contact.** Any intentional sexual touching or attempted sexual touching, without consent.

**Non-Consensual Sexual Intercourse.** Having, or attempting to have, sexual intercourse, cunnilingus, or fellatio without consent. Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger, or inanimate object.

**Sexual Assault as defined by the Clery Act.** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program.

**Sexual Battery as defined by Louisiana State Law.** Includes any act or offense under the provisions of LSA R.S. 14:41 to 14:43.1.

**Sexual Exploitation.** An act attempted or committed by a person for sexual gratification, financial gain, or other advancement through the abuse or exploitation of another person's sexuality. Examples of sexual exploitation include, but are not limited to, non-consensual observation of individuals who are undressed or engaging in sexual acts, non-consensual audiotaping or videotaping of sexual activity, prostituting another person, allowing others to observe a personal consensual sexual act without the knowledge or consent of all involved parties, and knowingly exposing an individual to a sexually transmitted infection without that individual's knowledge.

**Sexual Harassment**, as defined by the Department of Education Title IX regulations. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following: (1) An employee of Recipient conditioning the provision of an aid, benefit, or service of the Recipient on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30). For purposes of this Policy, the various forms of prohibited Sexual Harassment are referred to as "Sexual Misconduct."

**Sexually Oriented Criminal Offense.** Any sexual assault offense as defined in La. R.S. 14:41 to 14:43.1

**Stalking, as defined by Clery Act.** Intentional and repeated following or harassing that would cause a reasonable person to feel alarmed or that would cause a reasonable person to suffer emotional distress or Intentional and repeated uninvited presence at another person's home, workplace, school, or any other place which would cause a reasonable person to be alarmed or would cause a reasonable person to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily

injury, sexual assault, kidnapping, or any other statutory criminal act to the victim or any member of the victim's family or any person with whom the victim is acquainted. 34 CFR 668.46(a) (ii)

**Stalking**, as defined by Louisiana State law. Stalking is the intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include, but not be limited to, the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, sexual assault, kidnaping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted. La. RS § 14:40.2(A) "Harassing" means the repeated pattern of verbal communications or nonverbal behavior without invitation which includes, but is not limited to, making telephone calls, transmitting electronic mail, sending messages via a third party, or sending letters or pictures. "Pattern of conduct" means a series of acts over a period of time, however short, evidencing an intent to inflict a continuity of emotional distress upon the person. Constitutionally protected activity is not included within the meaning of pattern of conduct. La. RS § 14:40.2(C)

**Supportive measures.** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to Recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Recipient's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus and other similar measures.

**Victim.** An individual who, after all due investigation and/or adjudication, has been found to be the target of sexual misconduct.

## Requirements of State Law, Federal Law and Department of Education Regulations

### **Amnesty from Student Discipline for the Reporting Party and Material Witnesses.**

Assisting students who are reporting, or assisting in an investigation of, sexual misconduct is Recipient's primary interest. In order to facilitate reporting, Recipient shall not charge students who, in good faith, report sexual misconduct or serve as material witnesses with Student Code of Conduct violations, for behavior that otherwise would be considered violations (for example consuming alcohol underage or consuming illegal drugs).

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**Campus Climate Survey.** To adequately assess perceptions and behaviors of sexual misconduct on Recipient's campus, Recipient shall administer an anonymous sexual assault campus climate survey to its students once every three years. If the survey is included as a separate component of a broader survey regarding campus safety, the sexual assault component will be clearly identified as such.

**Confidential Advisors.** Recipient has designated trained individuals who shall serve as Confidential Advisors. They shall, to the extent authorized under law, provide confidential services to students.

Confidential Advisors may, as appropriate, serve as a liaison between an alleged victim and Recipient or local law enforcement when directed to do so in writing by an alleged victim who has been fully and accurately informed about what procedures shall occur if information is shared, and assist an alleged victim in contacting and reporting to a responsible employee or local law enforcement.

The Confidential Advisor shall be authorized to liaise with appropriate staff and Recipient to arrange supportive measures, as defined hereinabove. Requests to a Confidential Advisor for supportive measures shall not trigger an investigation by Recipient.

The Confidential Advisor shall be authorized to accompany the alleged victim, when requested to do so by the alleged victim, to interviews and other proceedings of a campus investigation and institutional disciplinary proceeding.

The Confidential Advisor is authorized to advise the alleged victim of, and provide written information regarding, both the alleged victim's rights and the Recipient's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a court of competent jurisdiction or by Recipient. The Confidential Advisor is not obligated to report crimes to Recipient or law enforcement in a way that identifies an alleged victim or an accused individual, unless otherwise required to do so by law.

Confidential Advisors shall complete online training developed by the Attorney General in collaboration with the Board of Regents. In the event updated and relevant training from the Attorney General and the Board of Regents are not available, Recipient will make available and document receipt of a comprehensive description of the role, responsibility, and duties of the confidential advisor.

**Confidential Advisors for Recipient are:**

Peter Emerson, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

Annette Baldwin-Newton, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

Paige Moody, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

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Courtney Williams, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

Marcela Spicuzza, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

Wes Erington, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

Amanda Anderson, [slucc@southeastern.edu](mailto:slucc@southeastern.edu)

Their offices are located in The University Counseling Center, which is located at:

303 A Union Ave.

Student Union Annex

Hammond, LA 70402

Coordination with the City of Hammond Police Department and the 21st Judicial District Attorney's Office. Recipient maintains Memoranda of Understanding with the City of Hammond Police Department and the 21st Judicial District Attorney's Office Rape Crisis Program regarding the coordination of its efforts with said agencies to clearly delineate responsibilities and share information in accordance with applicable federal and state confidentiality laws including, but not limited to, trends about sexually-oriented criminal offenses occurring against students of Recipient and joint or shared trauma informed training specific to assisting sexual assault victims.

**Freedom of Speech.** This Policy & Procedures will be implemented in a manner that does not infringe upon anyone's First Amendment Rights.

**Institutional Task Force.** The Campus Assault Response and Education (C.A.R.E.) Team is a standing committee responsible for coordinating Recipient's sexual misconduct education and prevention programs. Members include representatives from the University Counseling Center, University Housing, Student Engagement, Student Health Services, Advocacy & Accountability, The University Police Department, Athletics, Student Government, Human Resources, the Title IX Officer, the Title IX Deputy Officer, and other individuals deemed important by the University President.

## Medical and Counseling Resources

- The National Sexual Assault Telephone Hotline

If you need immediate help, call 800.656.HOPE (4673) to be connected with a trained staff member from a sexual assault service provider in your area.

- **RAINN Online Chat Information**  
Visit [online.rainn.org](http://online.rainn.org) to chat one on one with a trained support specialist with RAINN (Rape, Abuse, & Incest National Network) anytime 24/7.
- **Medical Information**  
The hospital nearest to Recipient where a victim may have a rape kit administered by an individual trained in sexual assault forensic medical examination and evidence collection is North Oaks Medical Center located at 15790 Paul Vega, M.D. Drive, Hammond, LA. Information regarding transportation to North Oaks can be obtained by contacting the University Counseling Center (549-3894) located in the first floor of Pride Hall.

**Preservation of Evidence.** Preservation of evidence is critical in instances of sexual misconduct. Prompt reporting may preserve options that delayed reporting does not, including the preservation of physical evidence (which may be necessary to prove sexual misconduct or to obtain a judicial order of protection), the support of crisis counseling, and immediate police response

**Prevention and Awareness Programs.** Recipient annually offers education and prevention programs that include, but are not limited to: (a) awareness programs; (b) bystander intervention programs; (c) ongoing prevention and awareness campaigns; (d) primary prevention programs; and (e) education on risk reduction.

**Awareness Programs.** Awareness programs consist of community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce sexual misconduct.

**Bystander Intervention.** Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

**Ongoing Prevention and Awareness Campaigns.** Ongoing prevention and awareness campaigns consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing, dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

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**Primary Prevention Programs.** Primary prevention programs consist of initiatives and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**Risk Reduction.** Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence. Additional options may include designation and publication of “red zones” (i.e., times and places of high incidence of crimes, including sexual violence).

Generally, Recipient must offer education and prevention programs to all students during their first semester of enrollment and on an ongoing basis throughout their enrollment. Programs shall cover (1) statements that Recipient prohibits all forms of Sexual Misconduct, as defined by this Policy, and the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined by federal law; (2) the definitions of dating violence, domestic violence, sexual assault, and stalking under state law; (3) the definition of “Consent,” as provided in this Policy; (4) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or to intervene when there is a real or perceived risk of dating violence, domestic violence, sexual assault, or stalking against a person other than the individual; (5) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; (6) information about the procedures that complainants should follow, and that

Recipient will follow, after an incident of dating violence, domestic violence, sexual assault, or stalking has occurred; and (7) any other content or resources that support prevention and reduction of sexual misconduct.

## **The Process of Investigation and Adjudication of the Criminal Justice System.**

For useful information, concerning what to expect should you choose to pursue the criminal court process RAINN (Rape, Abuse & Incest National Network) provides useful information. Log on to [www.rainn.org/get-info/legal-information/working-with-the-criminal-justice-system](http://www.rainn.org/get-info/legal-information/working-with-the-criminal-justice-system)

For information regarding programs offered by the District Attorney’s Office for the 21st Judicial District Court dealing with Victim’s Assistance, Rape Crisis and Domestic Violence log on to [www.21jdda.org](http://www.21jdda.org)



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**Retaliation.** Retaliation against an individual for making a good faith complaint of unlawful discrimination, harassment or other unlawful practice, or for using or participating in the complaint process, is a violation of Recipient's policy and is strictly prohibited. Employees or students making a sexual misconduct report or complaint, or assisting in the investigation of such a complaint, will not be adversely affected in terms and conditions of employment and/or academic standing nor discriminated against, terminated, or expelled because of the complaint. More about the University's retaliation policy can be found at <http://www.southeastern.edu/resources/policies/assets/retaliation.pdf>.

**Training.** Title IX Coordinators, investigators, decision makers, confidential advisors, and any person who facilitates an informal resolution process, shall receive training on sexual harassment as defined by this policy, the scope of Recipient's education program or activity, how to conduct an investigation and the grievance process.

Decision makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators shall receive training on issues of relevance and how to create an investigative report that fairly summarizes relevant evidence.

Annual training should occur at new employee orientations and at the beginning of each academic year.

Recipient is required to provide an annual training report to the University of Louisiana System on July 1 every year. The report shall include a (1) list of all university employees who received training, (2) the type of training provided; and (3) the date the training was completed.

Training materials shall be made available on Recipient's website.

**Transfer Policy.** The transcript of a student who has been accused of a sexually oriented criminal offense and withdraws pending disciplinary action shall be withheld until investigation and adjudication of the matter by the institution is completed.

## Policy & Procedure

If a complainant chooses to informally bring allegations, they may bring the matter to any of the individuals designated hereinbelow under the section "Reporting Options." If the person to

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whom harassment normally would be reported is the individual accused of misconduct, reports may be made to another manager, supervisor, or designated employee or directly to the Title IX Coordinator or the Deputy Title IX Coordinator.

All Recipient employees are mandatory reporters, with the exception of confidential advisors and those employees deemed exempt by Recipient (e.g. employees of the Physical Plant). Should any mandatory reporter observe, encounter, or learn of conduct that may be in violation of this policy, said individual must report that conduct to either the Title IX Coordinator or the Deputy Title IX Coordinator. This includes conduct by employees, students, or third parties.

Reports of sexual misconduct should be brought forward as soon as possible after the alleged conduct occurs. While there is no stated period for reporting prompt reporting will better enable the University to respond to the report, determine the issues, and provide an appropriate remedy and/or action. All incidents should be reported even if a significant amount of time has passed. However, delaying a report may impede Recipient's ability to conduct an investigation and/or to take appropriate remedial actions.

**Reporting Options.** If an individual chooses to informally bring allegations, complainant must be notified of the right to, at any time, pursue a formal complaint and/or take legal action.

A "Formal Complaint" is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that Recipient investigate the allegation of sexual harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in, the education program or activity of Recipient. A Formal Complaint can be filed by a third party, such as a parent or guardian, on behalf of a Complainant.

Recipient maintains an online reporting system to collect anonymous disclosures of crimes and track patterns of crimes on campus. An individual may submit a confidential report about a specific crime to Recipient using the online reporting system. Said system includes information regarding how to report a crime to a responsible employee and/or law enforcement as well as how to contact a Confidential Advisor.

Individuals are encouraged to report to any of the sources below. Recipient supports, encourages and will assist those who have been the victim of alleged sexual misconduct to report the incident to any individual or entity listed below:

University Police Department. Complainant may report an incident of sexual misconduct directly with Recipient's University Police Department by dialing (985) 549-2222 or by visiting the department at its campus office located in Pride Hall, 1301 SGA Drive. Reporting to such officials helps protect others from future victimization; apprehend the Respondent; and maintain future options regarding criminal prosecution, Recipient disciplinary action and/or civil action against the respondent. A Complainant may request that his or her identity be kept confidential when reporting sexual harassment to a sworn peace officer. Filing a police report does not obligate the Complainant to continue with criminal proceedings or disciplinary action.

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Title IX Coordinator & Deputy Title IX Coordinator. Any incident of sexual harassment can be brought to the attention of the Title IX Coordinator or the Deputy Title IX Coordinator. Although Recipient strongly encourages reporting sexual harassment to the police, Complainant may request administrative action by the Title IX Coordinator or the Deputy Title IX Coordinator with or without filing a police report.

The Title IX Coordinator and his contact information is as follows:

Gene Pregeant

Rm. 120 Dyson Hall

Telephone number: 985/549-5888

Email address: [gpregeant@selu.edu](mailto:gpregeant@selu.edu)

The Title IX Deputy Coordinator and his contact information is as follows:

Dr. Gabe Willis

Rm. 1301 Student Union

Telephone number: 985/549-3792

Email address; [deanofstudents@southeastern.edu](mailto:deanofstudents@southeastern.edu)

The Office of Advocacy & Accountability. A Complainant may request disciplinary action by the Office of Advocacy & Accountability with or without filing a police report. A complaint can be filed with the Office of Advocacy & Accountability by dialing (985) 549-2213, reporting it at [www.southeastern.edu/reportit](http://www.southeastern.edu/reportit), or at the campus office, located in Room 207 Mims Hall. The Director of the Office of Advocacy & Accountability is Curtis Meyers. The Office of Advocacy & Accountability may impose interim actions such as a no contact order or an interim suspension from school and/or removal from an activity to protect the safety of the victim. Prior to an emergency suspension/removal, Recipient must undertake an individualized safety and risk analysis to determine if an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies suspension/removal. Further Recipient must provide Respondent with notice and an opportunity to challenge the decision immediately following the suspension/removal.

Human Resources. A complaint of sexual harassment when an employee of Recipient is the Respondent may be brought to Tara Dupre, Human Resource Director, Human Resources Department, 900 D West University Avenue, North Campus, who will promptly inform the Title IX Officer of the complaint. Human Resources can be contacted by dialing (985) 549-2001 or by email, [tara.dupre@selu.edu](mailto:tara.dupre@selu.edu)

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**Responsible Employee.** An individual may report alleged sexual misconduct to all employees designated as Responsible Employees. Responsible Employees shall include all of the individuals described hereinabove as well as all other administrators, unclassified staff, faculty, and resident assistants. Responsible Employees must report the incident to the Title IX Officer or the Deputy Title IX Officer. Employees with confidentiality obligations as described herein below are not Responsible Employees.

**Anonymous Reports.** Anonymous reports can be made at [http://www.southeastern.edu/admin/police/anonymous\\_reporting/index.html](http://www.southeastern.edu/admin/police/anonymous_reporting/index.html). Individuals who choose to file anonymous reports are advised that it may be very difficult for the University to follow up and/or take action on anonymous reports, where corroborating information is limited. Anonymous reports may be used for Clery Act data collection purposes and shall be forwarded to the Title IX Officer.

**Confidentiality.** Recipient, once in receipt of a report of sexual misconduct, shall take all reasonable measures to protect the privacy of the Complainant and of the Respondent, while promptly investigating and responding to the report. Recipient shall take appropriate action to maintain the confidentiality of the information reported, which information is subject to privacy requirements of the Family Educational Rights and Privacy Act ("FERPA"), while considering its responsibility to provide a safe and non-discriminatory environment for students, including the Complainant.

The Recipient will respect the confidentiality of alleged victims of possible sexual misconduct, consistent with Recipient's legal obligations. Individuals who wish to report or discuss incidents of sexual misconduct should be aware that employees on campus have different reporting responsibilities and different abilities to maintain confidentiality or privacy, depending on their roles at the University.

Limited Confidentiality of Reports to Employees. When considering reporting options, Complainants should be aware that certain Recipient personnel must maintain strict confidentiality, while others have mandatory reporting and response obligations. Recipient personnel who are Mandatory Reporters and who receive a report of alleged sexual misconduct are required to share the information with appropriate administrative authorities for investigation and follow up. Recipient will protect a Complainant's confidentiality by refusing to disclose his or her information to anyone outside Recipient to the maximum extent permitted by law. As for confidentiality of information within Recipient, Recipient must balance a Complainant's request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the Recipient community.

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Employees Required to Maintain Confidentiality. The following individuals are not required to report information about an incident to the Title IX Officer without a Complainant's permission. Non-reporters include physical and mental health professionals, including licensed counselors who provide mental health counseling to members of the University community and those who act under the supervision of a health care employee. Those offices are:

University Counseling Center

Location: 912 N. Oak St.

War Memorial Student Union

303 A Union Avenue

Phone: (985) 549-3894

Fax: (985) 549-5007

Email: [slucc@selu.edu](mailto:slucc@selu.edu)

Website: <http://www.southeastern.edu/admin/counseling/>

University Health Center

Location: War Memorial Student Union Annex

303 Union Avenue

Phone: 985-549-2242

Fax: 985-549-2093

Email: [health@selu.edu](mailto:health@selu.edu)

Website: [http://www.southeastern.edu/admin/health\\_ctr/](http://www.southeastern.edu/admin/health_ctr/)

These offices will maintain confidentiality in accordance with the law and their professional rules of conduct. They will assist in a crisis and provide information about possible resources, some of which may include law enforcement, medical assistance, psychological counseling, victim advocacy assistance, legal assistance, University disciplinary action, immigration services, and criminal prosecution. They will not reveal the Complainant's identity to anyone without the Complainant's permission except under very limited exceptions (e.g., if an immediate threat to the complainant or others is present, or if the complainant is a minor). Complainants need not reveal their names if calling these individuals for information. These offices are obligated to report complaints to the University Police Department for purposes of the Clery Act but not in a way that identifies an alleged victim or an accused individual unless otherwise required to do so by law.

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Confidentiality Requests and Supportive Measures. Recipient's inability to take disciplinary action against a Respondent accused of sexual misconduct because of a Complainant's insistence of confidentiality will not restrict the Recipient's ability to provide appropriate supportive measures for the reasonable safety of the Complainant or the Recipient community. Recipient may also use the information as an anonymous report for data collection purposes under the Clery Act.

Victim Identity Protected from Open Records. The identity of those complaining of sexual misconduct will be withheld unless mandated by court order or otherwise required to be released by law.

#### Investigation Procedures and Protocols Under Title IX.

Actual Notice. The duty to begin an investigation under Title IX is triggered by notice of allegations of sexual harassment to Recipient's Title IX Officer or the Deputy Title IX Officer.

Assignment. The Title IX Coordinator and the Deputy Title IX Coordinator will both review the complaint and discuss the matter. An initial determination will be made as to whether reasonable cause exists for moving forward, whether any of the requirements for dismissal of the matter are present, whether the case is suitable for informal resolution, and what appropriate supportive interim measures are warranted. The Title IX Coordinator will assign the matter to an investigator, and advise the Complainant of the name and contact information of that individual. If a student Complainant requests a disciplinary review the Title IX Coordinator may also assign the investigation to the Office of Advocacy & Accountability. The procedures and protocols for the Office of Advocacy & Accountability can be found at [southeastern.edu/code](http://southeastern.edu/code).

Initial Meeting with Complainant. As soon as is practicable (but no later than five working days following actual notice), the individual investigating the complaint shall contact the Complainant and schedule an initial meeting. At the initial meeting the Investigator will:

Provide a copy of this policy which explains the process and rights of all parties;

Request additional information regarding the reported incident;

Explain the investigatory process;

Explain the options for reporting to law enforcement authorities (whether on campus or local police) and the Office of Student Conduct;

Discuss confidentiality standards and concerns with the complainant and advise that confidentiality may impact the University's ability to investigate fully;

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Determine whether the Complainant wishes to pursue a resolution (formal or informal) through Recipient and that the decision to begin with an informal resolution does not preclude formal resolution;

Explain to the Complainant the process for filing a formal complaint;

Refer the Complainant, as appropriate, to the Counseling Center or other resources which may include law enforcement, medical assistance, psychological counseling, victim advocacy resources, legal resources, University disciplinary action, immigration services, and criminal prosecution; and,

Inform the Complainant that they have the right to utilize a Confidential Advisor and/or any other Advisor of their choosing throughout the process;

Discuss with the Complainant, as appropriate, possible supportive measures as defined hereinabove and explain that these can be offered with or without the filing of a Formal Complaint;

If the Respondent is a student, the Office of Advocacy & Accountability may impose interim supportive measures such as a no contact order or an interim suspension from school/removal from an activity to protect the safety of the Complainant. Prior to an emergency suspension/removal, Recipient must undertake an individualized safety and risk analysis to determine if an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies suspension/removal. Further Recipient must provide the Respondent with notice and an opportunity to challenge the decision immediately following the suspension/removal. The Office of Advocacy & Accountability extends additional rights in disciplinary procedures to victims of Sexual Harassment which can be found at [southeastern.edu/code](http://southeastern.edu/code).

If the Respondent is a member of the Recipient's faculty or staff supportive measures provided by Recipient may include modification of work schedules, campus escorts services, mutual restrictions on contact between parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Formal Complaint Signed by the Title IX Coordinator. In the event that a Complainant ultimately requests that Recipient not investigate a potential Title IX violation, that request should be respected unless the Title IX Coordinator determines that signing a Formal Complaint to initiate an investigation is not clearly unreasonable in light of the known circumstances.

Informal Resolution. A process of informal resolution, where appropriate, may be utilized at any point prior to reaching a determination of responsibility as long as the following requirements are met

A Formal Complaint has been filed.

Respondent is not an employee.

The facilitator is adequately trained

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All parties provide voluntary, written consent to the process.

All parties are provided with a written notice that includes:

The allegations

The requirements of the process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations

The requirement that either party prior to agreeing to a resolution, has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

The consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Recipient may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints. Likewise, Recipient may not require the parties to participate in an informal resolution process.

Dismissal of Formal Complaint Prior to Full Resolution. If the conduct alleged in the Formal Complaint does not constitute sexual harassment as defined in this policy (even if proved), if it did not occur in Recipient's education program or activity, or it did not occur against a person in the United States, Recipient must dismiss the Formal Complaint with regard to that conduct. Such dismissal does not preclude action under another provision of the Recipient's Code of Conduct or applicable employment policy.

Recipient may dismiss the Formal Complaint, or any allegations therein, if at any time during the investigation or hearing Complainant notifies the Title IX Coordinator of the Deputy Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein.

Recipient may dismiss the Formal Complaint, or any allegations therein, if the Respondent is no longer enrolled or employed by the Recipient.

Recipient may dismiss the Formal Complaint, or any allegations therein, if specific circumstances prevent Recipient from gathering evidence sufficient or reach a determination as to the Formal Complaint or any allegations therein.



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In the event a complaint is dismissed, Recipient will immediately send written notice of the dismissal and reasons therefore simultaneously to the Complainant and the Respondent.

Notice of Allegations to Complainant and Respondent. Within ten working days after the initial meeting with Complainant, the Investigator will provide Complainant and Respondent written notice of the following:

A copy of Recipient's grievance process including any informal resolution process;

The allegations of sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Such details should include:

The identities of the parties involved (if known).

The specific section(s) of the policy alleged to have been violated.

The conduct that would be considered sexual harassment.

The date of the incident.

The location of the incident.

A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is only made at the conclusion of the grievance process

That Complainant and Respondent both have the right to inspect and review evidence

That both parties have the right to an advisor of their choice. That advisor may, but is not required to be, an attorney.

That at any proceeding, if a party is without an advisor, one will be provided at no cost to the party.

That advisors may be present during any stage of the process, including all meetings, interviews, and proceedings.

That restrictions regarding the extent to which the advisors may participate in the proceedings are allowed, as long as the restrictions apply equally to all parties.

That advisors will cross examine opposing parties during the live hearing.

That the Code of Student Conduct provides that it is a violation for a student to knowingly make false statements or knowingly submitting false information during the grievance process.

That all parties, as well as all others whose participation in the grievance process is invited or expected, shall be provided with written notice of the date, time, location, participants, and the purpose of all hearings, investigative interviews or other meetings, with sufficient time for preparation to participate.

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That if, in the course of an investigation, Recipient decides to investigate allegations about the Complainant or Respondent that are not included in the original notice, Recipient must provide notice of the additional allegations to all parties whose identities are known.

**Consolidation of Formal Complaints.** Recipient may consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

**Investigation Time Frame.** The investigation should begin within five working days of the notice to the Respondent and a report (as described in section m below) must be prepared and shared with all parties within a reasonable time frame, preferably no longer than ten working days from the day the investigation began.

**Equitable Treatment.** Investigator will remain neutral throughout the investigation and provide both Complainant and Respondent opportunities to respond in person and in writing, to submit relevant documents, and to produce relevant witnesses. Both parties shall also be afforded simultaneous notices of the opportunity to have a representative or advisor present at all meetings, and the ability to inspect any information that will be used after the investigation during informal and formal disciplinary meetings. At no time will either party be offered mediation as an option to resolve a sexual misconduct case that involves violent or criminal conduct.

**Gathering Evidence.** The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests with Recipient.

Recipient cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to party, unless Recipient obtains that party's voluntary written consent.

Recipient must provide an equal opportunity for the parties to produce witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

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Recipient shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

**Right to Inspect, Review, Access, and Respond to Evidence.** All parties shall be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including evidence upon which Recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source.

After said review, parties shall have ten working days to submit a written response to said evidence, which the Investigator will consider prior to completion of the report.

Recipient must make all such evidence available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross examination.

**Report of Investigation.** No later than ten days following the completion of the investigation, the Investigator will complete a written investigative report that includes summaries of interviews conducted; photographs, if any; documents and materials received; descriptions of relevant evidence; summaries of relevant electronic records; and a detailed report of the events related to the incident.

At least ten working days prior to a hearing on the determination regarding responsibility, the report shall be sent (via hard copy or electronic format) to each party and each party's advisor.

**Live Hearing.** Recipient's Title IX grievance process shall provide for a live hearing. The hearing may be conducted with all parties physically present in the same geographic location, or, at Recipient's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

All parties shall be notified of the details of the hearing, including date, time, location, participants, and purpose. Said notice shall be provided ten working days prior to the hearing, and whether the matter will be decided by an individual or a panel.

Recipient shall create an audio, audiovisual recording, or transcript, of the hearing and make it available to all parties for inspection and review.

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If a party does not have an advisor present at the hearing, Recipient must provide, without fee or charge to that party, an advisor of Recipient's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Each party's advisors shall be permitted to ask the other party and any witnesses all relevant questions and follow up questions, including those challenging credibility.

Questions must be first evaluated by the Decision-Maker(s) for relevance before being allowed, and any questions rejected will be explained on the record.

While Recipient might otherwise restrict the participation of advisors, cross-examination must be conducted directly, orally, and in real time by the advisors and never be a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness.

**Rape Shield.** Questions and evidence about Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than Respondent committed the conduct alleged by Complainant, or if the questions and evidence concern specific incidents of Complainant's prior sexual behavior with respect to Respondent and are offered to prove consent.

**Refusal to Submit to Cross Examination.** If a party or witness does not submit to cross-examination at the live hearing, the Decision-Maker(s) shall not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided however, that the Decision-Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination of other questions.

**Standard of Evidence.** Recipient shall apply the "preponderance of the evidence" standard for finding responsibility in all Title IX cases.

**Determination of Responsibility.** A written finding by the Decision-Maker(s) is required following the hearing. This report shall include:

All of the allegations which potentially constituted sexual harassment.

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A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.

Findings of fact supporting the determination.

Conclusions regarding the application of the particular section of Recipient's Code of Conduct to the facts (if Respondent is a student) or regarding applicable employment policies (if Respondent is an employee).

A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions Recipient imposes on Respondent, and whether remedies designed to restore or preserve equal access to Recipient's education program or activity will be provided to Complainant.

All parties shall be notified of the Determination simultaneously.

Proceedings and grounds for appeal.

Sanctions. In the event of a disciplinary proceeding, both Complainant and Respondent will be informed in writing of the results of any disciplinary proceedings no later than ten working days after the resolution. If Respondent is found responsible for sexual misconduct, Recipient will initiate a sanctioning process designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting Recipient's educational mission and Title IX obligations. Sanctions or interventions may also serve to promote safety or deter students and employees from similar future behavior. Some behavior is so harmful to the Recipient's community or so detrimental to the educational process that it may require more serious sanctions or interventions, such as removal from Recipient housing, removal from specific courses or activities, suspension or expulsion from Recipient, or employment discipline/termination. Sanctions or interventions may include, but are not limited to, one or more of the following:

Formal Reprimand. A formal notice that Respondent has violated Recipient policy and that future violations may be dealt with more severely.

Disciplinary Probation. A designated period of time during which Respondent is not in good standing with Recipient. The terms of probation may involve restrictions of student privileges and/or set specific behavioral expectations.

Restitution. Reasonable and limited compensation for loss, damage, or injury to the appropriate party in the form of money or material replacement.

Restriction from Employment at Recipient. Prohibition of, termination from, or limitation on Recipient employment.

Class/Workshop/Training/Program Attendance. Enrollment in and completion of a class, workshop, training, or program that could help Respondent or the Recipient community.

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University Housing Transfer or Removal. Placement in another room or housing unit or removal from Recipient housing. Housing transfers or removals may be temporary or permanent depending on the circumstances.

Professional Assessment. Completion of a professional assessment that could help Respondent or Recipient ascertain Respondent's ongoing supervision or support needs to successfully participate in Recipient's community.

Removal from Specific Courses or Activities. Suspension or transfer from courses or activities at Recipient for a specified period of time.

No Contact. Restriction from entering specific Recipient areas and/or from all forms of contact with certain persons.

Suspension. Separation from Recipient for a specified period of time or until certain conditions are met.

Expulsion. Permanent separation from Recipient.

Transfer Notification. If a student is found responsible for a sexually-oriented criminal offense upon the completion of such investigation and/or adjudication and seeks to transfer to another institution, Recipient is required to communicate such a violation, when the institution becomes aware of the student's attempt to transfer, with the institution(s) to which the student seeks to transfer or has transferred.

Appeals. Either party may appeal the outcome of the matter except where Respondent has accepted an agreement under the sanctioning process outlined above. The dismissal of a Formal Complaint or any allegations contained therein may also be appealed. Appeals will be conducted in an impartial manner by impartial decision maker.

A review of the matter will be efficient and narrowly tailored. A party may seek review only on the following grounds:

- A procedural irregularity that affected the outcome of the matter;
- There is newly discovered evidence that could affect the outcome of the matter;
- A member of the Title IX personnel involved in the case (the Title IX Coordinator, the Deputy Title IX Coordinator, an investigator, a Decision-Maker, or any individual designated by Recipient to facilitate an informal resolution process) had a conflict of interest or bias; and/or
- The sanctions/interventions are not designed to restore or preserve Complainant's access to Recipient's education program or activity.

- The sanctions/interventions are inappropriate or disproportionate to the determined violation(s).
- All other parties shall be notified in writing in the event any party files an appeal. Parties shall be given a reasonable opportunity to submit a written statement in support of, or challenging, the outcome.

In cases involving student Respondents adjudicated by the Office of Advocacy and Accountability a party may appeal a decision based on the appeals procedures outlined in the Student Code of Conduct which can be found at [www.southeastern.edu/code](http://www.southeastern.edu/code). In such cases, the Code of Conduct requires that the appealing party must file an appeal with the Vice-President for Student Affairs, within ten working days of notification of the decision. Within ten working days, the Vice-President's decision will be made available to the participating parties, in writing, simultaneously. The Vice-President's decision shall be final and unreviewable except in the event of a sanction of expulsion or suspension for a period of one year or longer for the Respondent, in which event the Respondent may appeal to the President. Such appeal must be made within ten working days of notification of the Vice-President's decision. Within ten working days, the President's final and unreviewable decision will be made available to the participating parties, in writing, simultaneously.

In cases involving employee Respondents, a party may submit a written appeal to Recipient's President within ten working days of the date of the notification of the decision. Within ten working days, the President's final and unreviewable decision will be made available to the participating parties, in writing, simultaneously.

**Delays/Extensions.** In the event that there is a legitimate good cause need for a delay or a limited extension of time at any stage in the Title IX proceedings (whether at the request of any official or party), Recipient shall notify in writing all parties of the rationale for the delay or extension as well as the new timeframe. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

**Prohibition on Dual Roles.** No individual can serve in more than one role in any investigation – the Title IX team members, specifically the Investigator(s), Decision-Maker(s), appeals officer(s), coordinator(s), and advisor(s) must all be different officials.

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Bias or Conflicts of Interest. When making decisions regarding the selection of all Title IX team members in each case, Recipient must vet all of the potential members to ensure that none of them have a bias or conflict of interest regarding any party to the proceeding. If an official believes that they cannot serve for one of these reasons they may recuse themselves from the proceeding. In the event that a party believes that any official may have a bias or conflict of interest the party may challenge that official. Said challenge would be made to the Deputy Title IX Coordinator unless that individual is the subject of the challenge, in which event the challenge would be made to the Chief Title IX Coordinator. After a review of the challenge, if found meritorious, the individual will be replaced.

Recordkeeping. Recipient must maintain records for seven years. Records that must be maintained include supportive measures, investigative reports, hearing outcome, hearing media files or transcripts, sanctions, remedies, appeal, and informal resolutions.

Title IX Regulations mandates the public sharing of materials used to train school and college Title IX team members. The following link is to training materials provided by ATIXA, which were utilized by certain members of Recipient's Title IX team.

<https://atixa.org/2020-regulations-requirement-posting-of-training-materials/>

### **ATIXA's Mission Statement provides:**

ATIXA provides a professional association for school and college Title IX Coordinators, investigators, and administrators who are interested in serving their districts and campuses more effectively. Since 1972, Title IX has proved to be an increasingly powerful leveling tool, helping to advance gender equity in schools and colleges. Title IX's benefits can be found in promoting equity in academics and athletics programs, preventing hostile environments on the basis of sex, prohibiting sexual harassment and sexual violence, protecting from retaliation and remedying the effects of other gender-based forms of discrimination. Every school district and college in the United States is required to have a Title IX Coordinator who oversees implementation, training, and compliance with Title IX. ATIXA brings campus and district Title IX coordinators, investigators, and administrators into professional collaboration to explore best practices, establish industry standards, share resources, empower the profession, and advance the worthy goal of gender equity in education.

Other members of Recipient's Title IX team received training through Thompson Coburn's Higher Education Practice. The link to that training follows:

<https://www.thompsoncoburn.com>



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To assist institutions of higher education working to comply with the new regulations, Thompson Coburn, a nation-wide law firm with 380 attorneys and a higher education practice, has created a free, online lecture series that provides foundational training for those individuals who will be administering the new Title IX process this fall, including Title IX coordinators, investigators, advisors, hearing officers and appeal officers

## The Clery Act

According to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), institutions which participate in Federal student financial aid programs are required to provide information to the public regarding campus safety and security policies and procedures. Statistics regarding crimes related to their campuses must also be reported. The definition set used for this format is according to the FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS). Southeastern Louisiana University is dedicated to providing a safe, secure and crime free environment for students, faculty, staff and visitors to our Hammond Campus, Baton Rouge Nursing Center, and Livingston Parish Literacy and Technology Center. Many individuals and departments are involved in campus safety and security. This information can help keep you and others safe at Southeastern. At Southeastern Louisiana University, we endeavor to consistently provide accurate information to our community regarding the safety of our campus. In furtherance of these efforts, we make our policies, procedures, and statistics available electronically on this site (links below). These documents are in .pdf format for easy printing and saving, in case you would like your own copy. You may also contact the University Police Department and request a printed copy.

[http://www.southeastern.edu/admin/police/clery/security\\_fire\\_reports/annual\\_reports](http://www.southeastern.edu/admin/police/clery/security_fire_reports/annual_reports)

## Avoiding Unintended Pregnancy During College

This information provided in accordance with ACT 321 - SB 106 effective June 2017. All public postsecondary institutions are required to address the prevention of unplanned pregnancies among unmarried college students as a part of freshmen orientation.

Less than 1 in 10 students with children complete a bachelor's degree within 6 years of college entry.

61% of women who have children after enrolling in community college fail to finish their degree, which is 65% higher than the rate for those who don't have children.

Over a quarter (26%) of all undergraduate students, or 4.8 million students are raising dependent children.

The unintended pregnancy rates in Louisiana are among the highest in the U.S.

95% of unintended pregnancies occur when partners do not use any contraception or use contraception incorrectly.

Abstinence is the only 100% effective method of preventing pregnancy BUT when used correctly there are several contraceptive methods that are extremely effective.

The University Health Center provides contraceptive counseling and prescriptions. Make an appointment online for your contraceptive needs. Free condoms are always available.

For more information, visit: [southeastern.edu/health](http://southeastern.edu/health)