

## **University of New Orleans Student Code of Conduct**

The basic philosophy of the policies and procedures in this section is one of education. The focus is on growth and development of the individual student by encouraging self-discipline by publishing clear behavioral guidelines (rules and regulations) and by fostering the rights and privileges of others.

There exists a fundamental difference between the nature of the Student Code of Conduct and that of criminal law. The Student Code of Conduct is not intended to resemble the policies or procedures of the criminal justice system. The rules of criminal law are neither required nor necessary to achieve the educational goal of the university Student Code of Conduct.

The University of New Orleans (UNO) is a multicultural community composed of diverse students, faculty and staff. UNO will not tolerate discrimination or harassment of any person or group of persons based on race, color, religion, gender, disability, national origin, age, sexual orientation, marital or veteran status or any other status protected by law. Each member of the university is held accountable to this standard, which is strongly reflected in this code.

### **Code Authority**

The authority to administer the day-to-day affairs of the university has been given to the President of UNO by the Board of Supervisors of the University of Louisiana System. The President, in turn, has delegated the authority to administer the Student Code of Conduct to Student Affairs.

### **Statement of Purpose**

The university has the legal right and moral obligation to establish reasonable rules for academic and personal conduct and to deny admission to applicants or continued enrollment to students who do not meet or maintain these standards. The university does, in addition, reserve the right to review any action taken by civil or student accountability authorities regarding UNO students or student organizations. Special conditions such as counseling and/or sanctions may be imposed on students or student organizations that are found in violation of these standards.

### **Definitions**

The definitions of the following terms used throughout this code are provided for clarity and better understanding.

Academic Exercise: Any assignment given by a faculty member. This includes, but is not limited to, tests, examinations, papers, projects, art works, sculptures or computer programs.

Respondent: Any student or student organization who allegedly violated a university rule, regulation or policy.

Advisor: Any one person who the respondent/complainant chooses at his/her expense to bring to a University Board of Review Board of Review, such as a parent, legal guardian, friend or teacher. The advisor only advises or consults with the respondent/complainant and is not permitted to participate or to speak on behalf of the respondent/complainant during any Board of Review.

In cases involving Sexual Misconduct, both the respondent and the complainant are allowed to have advisors present.

Appeal: A procedure by which a finding is reexamined or reviewed. An appeal is considered by the Vice President of Student Affairs. In cases involving Sexual Misconduct, the complainant is also allowed to appeal the outcome.

Director of Student Accountability, Advocacy and Disability Services: The Director of Student Accountability, Advocacy

and Disability Services (referred to throughout this document as Director) is the university official who ensures that all procedures are properly followed, records are properly maintained and sanctions are properly enforced. In addition, the Director, or his/her designee, explains the process to everyone involved, coordinates the University Board of Review and conducts the Resolution Board of Reviews. The Director receives the recommendation of the University Board of Review and may either accept, reject or adjust in whole or in part their recommendation.

Chair: The faculty member who is in charge of the University Board of Review.

Code: The Student Code of Conduct that governs the behavior of students and student organizations.

Complainant: The person who alleges a violation of the Student Code of Conduct by a student or student organization.

Complaint: The official document accusing the student or student organization with alleged violation(s) of university policies, rules or regulations. The respondent is to receive a copy of this document.

Vice President for Student Affairs: The university official who has been delegated the authority by the President to oversee the accountability process.

Evidence: The facts and information that support or refute the alleged violation(s). Evidence should be attached to the complaint that provides a detailed account of the violation. Evidence may also include secondary or indirect knowledge relating to the alleged violation.

University Board of Review: A group of faculty, staff and students who review alleged violations of the Student Code of Conduct by means of a formal meeting and recommends to the Director whether a violation has occurred and the appropriate sanction(s), if any.

Flag: A notation on a student's record that bars a student from enrolling, receiving grades or other types of actions with the University.

Hazing: see [Anti-Hazing Policy](#)

Notification: Written notice of a pending or resultant student accountability process that is usually mailed to the student by the Student Accountability, Advocacy and Disability Services Office, although notification can be delivered personally.

Policy: Any written rule or regulation of the university as found in, but not limited to, the Student Handbook, Undergraduate and Graduate Catalogs, Student Organizations Handbook, UL System Bylaws and Rules, UL System Policies and Procedures and University Administrative Procedures (APs).

Organization President: The official head of a student organization. For the purpose of this code, the student organization president may appoint a student designee.

Regulation: A rule, policy or law by which conduct is ordered or regulated.

Administrative Hearing: The process by which the respondent and the complainant, when appropriate, discuss the alleged violation with the Director and agree on a resolution. If no resolution is reached, an informational Board of Review will be conducted by the University Board of Review.

Sanction: A penalty imposed upon a student or student organization for violation(s) of university policies, rules or regulations. The primary purpose of a sanction is to assist the student or student organization in reshaping or redirecting behavior. In cases involving Sexual Misconduct, the complainant is notified of the sanctions as well.

Semester: Any period of time that students are enrolled for classes, usually referred to as fall, spring or summer semester. The time periods between semesters are also covered.

Student: Any person who is registered for study at the university. In addition, this term includes persons who are not officially enrolled for a particular semester but who have a continuing relationship with the university, e.g., any person accepted for admission or readmission.

Student Handbook: The official source of university policies, rules and regulations for students and student organizations. The student handbook is compiled by the Office of Student Affairs and published by the University of New Orleans.

Student Organization: All departmental, registered, or provisional student organizations on campus. A registered organization must meet the formal requirements as established by the Office of Student Involvement and Leadership.

University: The University of New Orleans (UNO), including all departments, colleges, programs, activities and affiliations.

University Document: Any written communication or record maintained by the university.

University Official: A member of the university community who is given the authority to implement and supervise university activities.

University Property: All land, buildings, facilities, equipment or other property owned, leased, loaned or controlled by the university and the University of Louisiana System.

Violation: A breach, infringement, disobedience or disrespect of a university policy, rule or regulation.

Withdrawal: When a student, either voluntarily or involuntarily, is no longer enrolled in the university or therefore is no longer a student.

Witness: A person who can give a first-hand account of an incident.

Working Day: Each day that the university is open for official business (also referred to as a business day.)

### **Due Process- Substantive and Procedural**

The purpose of this code is to provide for the orderly administration of the student and student organization accountability process in view of the principles of due process. It is assumed that all persons involved in the accountability process will provide accurate and truthful information. There are two types of due process, substantive and procedural.

Substantive due process requires that all university regulations, rules and policies governing student conduct and student accountability matters are fair and reasonable. The treatment of students accused of a violation shall be based on the general principle of fair and equal treatment, regardless of race, color, religion, gender, disability, national origin, age, sexual orientation, marital or veteran status or any other status protected by law.

Procedural due process requires that adequate notice and an opportunity to be heard be provided when required by law.

### **Faculty and Departmental Action**

Faculty and staff complaints regarding students and/or student organizations should be handled at the lowest possible level. In general, that means that the faculty member, department personnel, or staff member should first attempt to resolve the conflict with the student directly.

In the case of a student's inappropriate behavior in or out of the classroom, a faculty or staff member may assign a Warning or Restitution and ask the student to leave the classroom or location for that period but may not permanently ban him/her from the class or location.

If a student does not agree that a violation occurred or does not agree with the sanction imposed, he/she may request to have the case heard through the student accountability process outlined in the code.

Alleged violation(s) or sanction(s) that are considered to be more severe must be directly addressed through the Student Code of Conduct. All departmental sanctions should be sent to the Director in writing within seven (7) working days. The attending record will be maintained with all other procedural files in the Student Accountability, Advocacy and Disability Services' Office. Other operating units of the university, including, but not limited to, academic colleges, academic departments, University Housing, University Center, the Library, dining services, intramural and intercollegiate athletics and Greek governing structures, also may have rules and policies that students and student organizations must follow, as long as they are consistent with the provisions of this code. If questions arise over a violation, a sanction or a policy, this Student Code of Conduct shall supersede.

### **Academic Dishonesty**

Academic honesty and intellectual integrity are fundamental to the process of learning and to evaluating academic performance. Maintaining such integrity is the responsibility of all members of the University. All faculty members and teaching assistants should encourage and maintain an atmosphere of academic honesty. They should explain to the students the regulations defining academic honesty and the sanctions for violating these regulations.

However, students must share the responsibility for creating and maintaining an atmosphere of honesty and integrity. Students should be aware that personally completing assigned work is essential to learning. Students who are aware that others in a course are cheating or otherwise committing academic dishonesty have a responsibility to bring the matter to the attention of the course instructor and/or academic unit head, or the Director. To promote academic integrity, students will use the following pledge when required by the instructor.

*I pledge that I have completed the work I am submitting according to the principles of academic integrity as defined in the statement on Academic Dishonesty in the UNO Student Code of Conduct.*

### **Academic dishonesty includes, but is not limited to, the following:**

Cheating: The act of deception by which a student misrepresents mastery of information on an academic exercise. These acts can be either premeditated or not. Examples include, but not limited to, copying or allowing someone else to copy from another student, unauthorized use of a textbook or other material during an examination; inappropriate and unauthorized collaboration during an academic exercise; unauthorized use or possession of specialty prepared materials, such as notes or formula lists, during an academic exercise.

Plagiarism: The unacknowledged inclusion of someone else's actual words, ideas or data or the paraphrasing of someone else's words, ideas or data as if they were the student's own.

All source material must be appropriately identified and cited according to the conventions for acknowledging source material. (Students are responsible for learning these scholarly conventions; disregard of proper citation conventions can be considered plagiarism.)

Academic Misconduct: The actual or attempted tampering or misuse of academic records or materials such as transcripts and examinations. Examples include stealing, buying, or otherwise obtaining all or part of a non-administered test or academic exercise; selling or giving away or engaging in bribery to get all or part of a non-administered academic exercise or any information about it; changing or altering a grade book, test, or other official academic records of the University; entering a building or office without authorization for the purpose of changing a grade or tampering in any way with grades or examinations.

Falsification/Fabrication: The intentional use of false information or the falsification of research, findings, personal or university documents with the intent to deceive. Examples include citing information not taken from the source indicated; listing sources in a bibliography not used in the academic exercise; inventing data or source information; submitting as one's own any academic exercise prepared totally or in part for/by another; taking a test for another student or permitting another student to take a test for oneself; submitting work previously used for credit in another course without express permission of the instructor; falsifying or misrepresenting oneself on resumes or other such documents or university related forms.

Accessory To Acts of Academic Dishonesty: The act of facilitating, supporting, or conspiring with another student to commit or attempt to commit any form of academic dishonesty.

### **Procedure for Reporting Academic Dishonesty**

Faculty complaints regarding a student's violation of academic integrity should be handled starting at the lowest possible level. If an instructor feels that academic dishonesty has occurred, the instructor should, if feasible, first meet with the student (or students) involved to discuss this matter. Whether or not a meeting with the student(s) takes place, the following procedures govern the reporting of academic dishonesty and any actions taken as a result of an incidence of academic dishonesty.

1. The instructor, after meeting with the student, must (a) complete and file an [Academic Dishonesty Report Form](#) check this link once you upload the new form with the Director and include the supporting documentation, (b) provide a copy of the Form to the student, and (c) submit copies of the Form to the Chair of the instructor's department and to the Dean of the instructor's college.
2. The instructor may assign a grade of Zero or "F" on the academic exercise (such as test, paper, project, assignment, computer program, etc.) in question. This action is subject to the following provisions:
  - a. This grade may not be dropped in the calculation of the final grade;
  - b. If the instructor feels that the violation on the academic exercise in question threatens the learning outcomes for the course, then a permanent course grade of "F" may be assigned. If a student is found to have committed academic dishonesty as a result of the accountability process, an "F" will be noted. Students who believe that the grade of "F" was unfairly assigned should consult with their professor for clarification.
3. Resolving the appropriate response to the alleged instance of academic dishonesty shall continue to an Administrative Hearing with the Director and the instructor, and/or continue to a Board of Review, if
  - a. The student, in filling in his/her part of the Academic Dishonesty Report Form, requests that the case be heard through the student accountability process,
  - b. The instructor and the Director agree that the act of academic dishonesty in question deserves further review and/or a different response than that made so far by the instructor,
  - c. This is a second report/incident of academic dishonesty for a student, the case will automatically be brought before

the Board of Review.

If an alleged academic dishonesty case cannot be resolved prior to the issuance of the final grades, the instructor will assign an "I" (incomplete) grade. This notion will remain until the alleged violation has been completely resolved; at that time the faculty member can assign an appropriate final grade.

Alleged violation(s) or sanction(s) that are considered to be more severe must be directly addressed through the Student Code of Conduct. All departmental sanctions should be sent to the Director in writing within seven (7) working days. The attending record will be maintained with all other procedural rites in the Student Accountability, Advocacy and Disability Services' office. Faculty and Departments should be aware that all instances of academic dishonesty must be reported to the Director of Student Accountability, Advocacy and Disability Services.

### **Procedure for Reporting All Other Offenses**

Any member of the university community can lodge a complaint against any student or student organization believed to be in violation of this code. All complaints must be made to the Director in writing. Any complaint should be submitted as soon as possible after the alleged violation occurs, but preferably no more than seven (7) working days after the alleged violation(s) or knowledge of the alleged violations). The Director will review the complaint and will either proceed with the complaint or dismiss the complaint. If the complaint is dismissed, the complainant may submit a written appeal within three (3) working days of the dismissal to be heard by a panel of three selected from a pool of the University Board of Review. The appeal must explain why the complaint should be heard through the student accountability process. The Board will notify the complainant, in writing through the Director, of its decision within five (5) working days of receiving the appeal. If the case is accepted and later goes to the Board of Review, the panel members will not serve on Board of Review. If the complaint is not dismissed, the Director will officially notify the student or student organization of the complaint.

The complaint should include: the name of the person making the complaint; the full name, address and telephone number (if available) of the person being respondent of a violation or the student organization's name; the alleged violation(s); all information supporting the alleged violation (i.e., exam papers, pictures, statement of reasons which support the complaint); date and time of the alleged violation; witnesses), (include information on how to contact witness(es), names of persons involved or those with pertinent information; and a description of the alleged violation in a logical and clear manner. A student or student organization may be respondent of more than one violation in the complaint.

Any person filing a complaint may be required to appear at the Administrative Hearing, unless excused, and at a Board of Review, if one is conducted. Should the student against whom the accusations of code violations not be excused and fail to appear at the Administrative Hearing or at a Board of Review, the case may still be considered. Should the complainant not appear before the Board of Review, the case may be dismissed.

### Amnesty for Victims and Witnesses

The university community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to university officials or participate in resolution processes because they fear that they themselves may be respondent of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to university officials, and that witnesses come forward to share what they know. To encourage reporting, the university pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident. Sometimes, students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to the Campus Police). The university pursues a policy of amnesty for students who offer help to others in need. While policy

violations cannot be overlooked, the university will provide educational options, rather than punishment, to those who offer their assistance to others in need.

The amnesty provision aims to remove the barriers that may prevent any student from seeking emergency medical attention by providing an opportunity for the University to intervene in a caring and non-punitive manner. The goal is to reduce the potential risk of alcohol and/or drug-related injuries or deaths, and increase the likelihood that students will seek medical attention in crisis situations.

A student who seeks emergency medical attention (or who has emergency medical attention sought on his/her behalf) for drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to that incident, as long as the student completes the following requirements:

- a) Participates in an initial meeting with the Vice President for Student Affairs, or designee, and
- b) Completes all recommendations from the Vice President for Student Affairs, or designee, and
- c) Submits proof of completion of all recommendations, within the time frame designated by the Vice President for Student Affairs, or designee, at the initial meeting.

A bystander student who has engaged in drug or alcohol consumption and who seeks emergency medical attention for someone else or tries to actively engage in assistance for someone else for that person's drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to his/her own consumption, but will be invited to meet with the Vice President for Student Affairs.

The University will not pursue any disciplinary action related to any drug or alcohol consumption against any student who has been sexually assaulted or sexually harassed for their use of drugs or alcohol at the time of the sexual assault or sexual harassment.

This policy will only apply to a student who seeks emergency medical attention before police or University employees or agents take any official action or intervention related to the drug or alcohol consumption.

The policy does not preclude disciplinary action regarding other violations of the Student Code of Conduct.

The policy only applies to the university's student disciplinary system for violations of the Student Code of Conduct.

This policy does not apply to any criminal, civil or other legal consequence for violations under Federal, State or local law.

The policy is not designed to protect or shield those students who repeatedly violate the Student Code of Conduct. Each situation will be assessed on a case-by-case basis, denying the safeguards of the Amnesty Policy if serious or repeated incidents prompt a higher degree of concern or response, which may include disciplinary action under the Student Code of Conduct.

### **Violations of the Student Code of Conduct**

Action may be initiated by the university or by any member of the university community. Sanctions may be imposed upon any student or student organization found in violation of the code. Even the most severe sanction, including suspension, denial of a degree or expulsion, can be imposed upon the first violation of any of the following rules and regulations:

Academic dishonesty, including but not limited to, cheating and plagiarism. (See section on Academic Dishonesty)

Physical, mental or verbal abuse, including assault and/or battery, by any person who poses a clear and present threat to the health, safety or wellbeing of any person in the UNO community. This may be a single incident or a series of incidents.

Behavior by any person which poses a clear and present threat to the health, safety or well-being of any person in

the UNO community.

Sexual misconduct of any person.

Harassment of any person based on race, color, religion, gender, disability, national origin, age, sexual orientation, marital or veteran status, or any other status protected by law, that poses a clear and present threat to the health, safety or well-being of any person in the UNO community. This may be a single incident or a series of incidents.

Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his or her prior knowledge, or without his or her effective consent when such a recording is likely to cause injury or distress, including, but not limited to: video cameras, digital recorders, hand-held cameras, and internet exposure.

Hazing, defined as initiation rites involving physical abuse or mental anguish. (See [Anti-Hazing Policy](#) )

Disrupting/jeopardizing the safety of the UNO community: e.g., tampering with elevators, tampering with fire safety equipment, falsely reporting a bomb or fire or engaging in behavior that creates a fire or safety hazard.

Possession, use, or threatened use of dangerous items including but not limited to firearms, weapons, fireworks or any gas liquid or other substance or instrumentality, which in the manner used, is calculated or likely to produce death or great bodily harm. (See [Weapons on Campus Policy](#) )

Participating in campus demonstrations that disrupt the university operations or infringe on the rights of others, including, but not limited to, noting or inciting a riot.

Vandalism, malicious destruction, damage, or misuse of university or private property, including but not limited to university housing facilities.

Unauthorized use or misuse of university property, including but not limited to, the university computer facilities: e.g., access to facilities and/or rooms; access to computers, software, systems, data bases; making false entries; unauthorized transfer of a file; unauthorized use of another's password or ID number; defacing or destroying computer information or stored records.

Manufacture, distribution, sale, possession or use of illegal drugs and/ or paraphernalia. (See [Alcohol and Drug Policy](#) )

Forgery, alteration or misuse of university documents, records or Identification Card.

Intentionally failing to meet financial obligations to any authorized university office, including issuing bad checks or falsely reporting vending machine losses.

Dishonesty by providing inaccurate, incomplete or information which is deceiving, including admission application and/or financial aid information.

Theft, fraud, shoplifting, embezzlement or possession of stolen property (including buying and receiving stolen property).

Failure to follow any University Housing or Privateer Place policy and/ or regulation.

Misuse or unauthorized use of library materials, including but not limited to, theft, vandalism or malicious destruction.



Littering or endangering the environment.

Lewd, indecent, obscene, disorderly conduct (including, but not limited to, conduct resulting from drug or alcohol use)

Undue noise or behavior that results in unreasonable annoyance to members of the UNO community

Any obstruction or disruption of teaching, research, or administrative functions, student accountability procedures, living and learning environment or other University activities, including public service functions or other authorized activities on University property or at University sponsored events.

Storing anything flammable/combustible inside a university building, including but not limited to, gas powered vehicles.

Gambling in violation of law.

Violation of University alcohol regulations, including underage possession or consumption of alcohol, as well as solicitation of donations or use of alcohol as an enticement to events. (See [Alcohol and Drug Policy](#))

Failure to comply with university policies, rules or regulations as pronounced by university officials acting in the performance of their official duties.

Unauthorized release of private and confidential information from student, faculty or staff records, such as health, educational or financial information, unless permitted by law.

Tampering with an election of any officially recognized campus activity or organization.

Violation(s) of student organization rules, as stated in the group's constitution, Student Organization Handbook, and/or Student Handbook by any student organization or member of a student organization.

Abuse or blatant disregard of the Student Accountability system, including failure to comply with the terms of any university sanction, disrupting a University Board of Review or Administrative hearing, harassment of any witness or providing false or inaccurate information at any Administrative Hearing or Board of Review.

Breaking and entering, trespassing or unauthorized entry.

Attempt to commit any violation of the Student Code of Conduct or other university policy or regulation.

Accessory to any violation of the Student Code of Conduct or other university policy or regulation.

Attempt to commit or the commission of any local, state or federal crime, or the violation of any ordinance or law. It is not necessary that the student be charged or convicted of a crime or violation in order to file a complaint through the university student accountability process.

### **Student Organization Offenses**

A student organization may have a complaint brought against it for a violation of the Student Code of Conduct. A student organization and its officers may be held collectively and/or individually responsible for violation(s) of the code. The alleged violation may take place either during an event sponsored by the organization or by an individual representing that organization.

Student organizations are responsible for compliance with the code and with university policies. Upon proof that a

member who has violated the code had the knowledge and/or consent of his student organization officers or that the member acted in concert with at least four other members of the student organization, both the student organization and the individual members involved may be subject to university sanctions.

The following rights will be afforded to student organizations:

1. The president or his/her designee must be given reasonable notice of the complaint in accordance with the code. The president or designee is then required to represent the student organization in any proceedings. Failure of the president or designee to appear on behalf of the student organization will not prevent the disposition of the case.
2. The student organization's president or designee shall be afforded all procedural rights of the code.
3. Any individual who accepts an invitation to join any fraternity or sorority may be subject to individual fraternity or sorority and/or Greek governing structure sanctions in addition to university sanctions for group or individual offenses.

### **University Sanctions**

Conduct Admonition: The student or student organization is given written notice that their conduct is in violation of university policies, rules or regulations. Future violations of the code may result in the imposition of additional sanctions.

Administrative Separation Directive: Prohibits named students from contacting, emailing, telephoning or otherwise disturbing each other in situations where there is reason to believe that an alleged violation of harassment, a physical altercation and/or sexual misconduct may have occurred an Administrative Separation Directive can be given to one/all parties involved. The Administrative Separation Directive will not prohibit students named from attending classes or any other campus activity (even though students named may be enrolled in the same class(es)). The Administrative Separation Directive will not be construed as a finding of responsibility on the part of any student. It may require moving the student(s) named to another residence hall or removing the student(s) from the residence hall environment.

Violation of the term or conditions of the on-campus Administrative Separation Directive may subject the student to the disciplinary action without regard to the outcome of the case that led to the issuance of the administrative action.

Community Service: The student or student organization is required to complete a designated number of hours in the service of the university.

Counseling: The student must attend, either through UNO's Counseling Services or through some other agency or workshop, sessions appropriately connected to the presenting issue. The sessions may include, but are not limited to, topics concerning decision-making skills, anger management, stress management, and such personal issues as determined by you and the counselor.

### Parental Notification:

1. If a registered student under the age of 21 is involved in a university policy violation and/or violation of Louisiana state law for public intoxication, the possession, consumption or distribution of alcohol or illicit drugs, the student's parents or guardian may be notified in writing.

2. If a registered student is transported to an emergency medical treatment facility for drug use or alcohol intoxication, the student's parents, guardians, or other appropriate parties may be notified by Student Affairs or other university administrators, if necessary to protect the safety of the student or other individuals. (In accordance with FERPA's health or safety emergency provision (See 34 CFR §§ 99.31(a)(10) and 99.36.)

Reflection Project: This may include a research paper, participation in an on-line educational program relevant to the issue, or other assignment relevant to the violation(s) of the Student Code of Conduct.

#### Fines and Other Fees

1. Alcohol and/or Illegal Drugs: Violation of the Alcohol and/or Drug policies may result in fines up to and including \$500.00
2. Drug Testing Kit: Items found on-campus suspected of being illegal drugs will be subject to a chemical test at the UNO Police Department. If the items test positive for illegal drugs, and the involved student is found responsible, the student will be fined for the cost of the test. If more than one student is found responsible in the same situation, the director or Board of Review board will decide what student(s) will be fined.
3. Procedural: If a student does not complete the sanction(s) given the stated date, a procedural fine of no less than \$50.00 per sanction may be assessed to the student. The student may also be restricted from registering or receiving transcripts until all sanctions are completed.
4. Restitution: Compensation for damage to or misappropriation of property. Compensation for a grievance caused to members of the University community may take the form of reimbursement or any appropriate positive action which the disciplinary body or administrative Board of Review officer shall deem germane to the violation.

Suspension of Rights and Privileges: Limitations or requirements that fit the particular case/code violation may be imposed.

Probation with the Loss of Some Privileges: The student or student organization is placed on probation for a specified period of time, along with the loss of one or more privileges, such as, but not limited to, representing the University in any official function or leadership position (e.g., varsity athletics, teaching assistant, student leadership position, cheerleader, standing Board of Review chairpersonship, membership in any registered student organization or holding of an elected office in any registered student organization); entering or being in specific locations (e.g. a residence hall or other facility); and/or engaging in certain activities (e.g. driving and/or parking on campus; contacting a specified member of the campus community, etc.).

Probation in University Housing: The student or non-student resident is placed on supervisory status for a specified period of time. If the student is found to be in violation of any institutional regulation(s), particularly during the probationary period, suspension from all housing on campus may occur.

University-Wide Probation: The student or student organization is placed on supervisory status for a specified period of time. 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.

Suspension: An involuntary separation of the student from the University for a specified period of time after which the student is eligible to return assuming no intervening serious misconduct has occurred and any prerequisite conditions for readmission have been met. During the period of suspension, the student is prohibited from receiving credit at a component of the university system for scholastic work done in residence or by correspondence or extension. Conditions for readmission may be specified. In accord with University of Louisiana System Policy Number: S-II.I.B.-1, the notation "*Student is eligible to return (semester) (year)*" will be placed on the student's transcript. This notation will be removed from the transcript when the student is eligible to return. The student is placed on Disciplinary Probation for the first semester following the return to the University.

Suspension from University Housing: The student is removed from University Housing and University Housing visitation rights for a specified period of time. If a student wishes to regain such privileges, he or she must contact the Director and receive approval. If approval is given the student must apply for housing and/or visitation rights in accordance with University Housing procedures.

Suspension with Review: This sanction is the same as Suspension outlined above but, in addition, the student or student organization must meet with the Director or the University Board of Review for approval prior to regaining full student status or readmission to the university.

Temporary Suspension: A student may be temporarily and immediately suspended prior to a Board of Review when it is reasonable to determine that the student's behavior is disruptive to the normal educational process at the university and/or cause has been found that danger or harm may result to others if the student is allowed to remain on campus pending a decision.

Voluntary resignation: In the course of a Board of Review, the University officer/Board of Review Board in conjunction with the student, determine this to be the best course of action. (This action shall result in assignment of W's for the student's courses.)

Suspension with Review from University Housing: The student is temporarily removed from University Housing and is not afforded University Housing visitation rights. If a student wishes to regain such privileges, he or she must contact the Director and meet with the Board of Review for approval prior to housing privileges.

Organization Suspension: The student organization loses all campus privileges, is no longer recognized by the University, and must completely cease all organizational activities for a specific period of time and/or until specific conditions are met. If it is determined that the organization is operating in an underground/unofficial fashion, the organization will be subject to an extension of the suspension term.

Denial of a Degree: The University may not award the student an academic degree if the student is found guilty of academic dishonesty. This is noted permanently on the student's transcript.

Revocation of Degree: An academic degree previously awarded by the university may be revoked on proof that it was obtained by fraud or dishonesty or that a significant part of the work submitted in support of the degree was plagiarized. This is noted permanently on the student's transcript.

Expulsion: The student is involuntarily and permanently separated from the university, including access to the university and its resources. The notation "*Student is ineligible to enroll*" will be made on the student's transcript when a student is permanently dismissed from the University for Disciplinary Reasons. Should the student be allowed to return, the student will be placed on Disciplinary Probation for the first semester following the return to the University and the transcript notation will be removed; otherwise the transcript notation is permanent.

### **Types of Conduct Meetings: Administrative Hearing or University Board of Review**

Any student or student organization respondent of violating the Student Code of Conduct may participate in an informal Administrative Hearing with the Director and, when appropriate, the complainant. The student may choose to forego the informal Administrative Hearing and request that a University Board of Review be held to hear the charge(s).

### **Administrative Hearing**

The purpose of an Administrative Hearing is to resolve alleged violations in an informal setting. After a written complaint has been submitted to the Director, the respondent will be notified in writing (via UNO email) of the complaint within a reasonable time. In addition, the respondent will be emailed or otherwise provided with a copy of the Student Code of Conduct. A pre-hearing meeting may be held with the respondent and a Student Affairs staff member to explain the procedures and to discuss the documentation supporting the complaint. This meeting will take

place prior to the Administrative Hearing so that the respondent has adequate time in which to prepare. An Administrative Hearing consists only of the respondent, the complainant (when appropriate), and the Director. If the respondent fails to appear at the Administrative Hearing, the case will be referred to the University Board of Review. At the Hearing, the complainant may make a statement, followed by the respondent's statement. Questions and discussion may follow. If an agreement has been reached on the violation(s), appropriate sanction(s) will be agreed upon. A written agreement including sanction(s), if any, will be prepared and the respondent, the complainant (when applicable) and the Director must sign the agreement. If the agreement is not signed within three (3) working days, the case will be referred to a Board of Review. Should the complainant not appear at the Administrative Hearing and has not been excused by the Director, the case is subject to dismissal.

### **University Board of Review Composition and Power**

The University Board of Review holds an informational meeting to review alleged violation(s). The maximum number of board members shall be no more than four faculty/staff members and three students but no less than a total of four board members, with at least one member being a student are required to hear a complaint. However, it is required that four board members be present to vote on a complaint or sanction. A faculty member appointed by the Director shall serve as chair of the board. At the discretion of the chair, non-voting board members may be present. Staff and student members are chosen by the President from a pool of names submitted by each Academic Dean, university departments, and by the Student Government. Faculty members will be drawn from the University Senate Board of Reviews Pool on Student Misconduct/Academic Dishonesty. To be eligible, students may not be on academic probation or under any university sanction.

If the respondent is found to be in violation of the Student Code of Conduct, the board will recommend the appropriate sanction(s) to the Director. If the recommended sanction is expulsion, the board's recommendation must be unanimous; if other sanctions are recommended, a majority vote is necessary. If the respondent does not attend the Board of Review and does not provide a satisfactory explanation of his/her absence at least 24 hours in advance, or if the respondent leaves the Board of Review prior to its conclusion, the review will proceed and the board shall make a recommendation based on the available information. Should the complainant not appear if requested to do so, the case may be dismissed.

The chair is responsible for conducting an orderly meeting and deciding on the admissibility of information, procedural questions, etc. The chair may expel or exclude anyone from the proceeding who is disorderly or for any other appropriate reason. It is expected that all persons involved in the Board of Review will be treated with respect and it is the chair's role to ensure that the environment is conducive to the process.

### **University Board of Review Procedures**

The respondent will be given notice in writing of the time and place of the meeting. The notice will include the alleged violation(s). All written evidence discussed at the Administrative Hearing will be presented to the University Board of Review. In addition, the Director will prepare and submit to the Board a written summary statement indicating why the case was not resolved at the resolution Board of Review. The Board of Review will take place as soon as possible following the Administrative Hearing.

Two (2) working days prior to the meeting, both the respondent and the complainant can submit the name of their adviser, witness(es) and additional written information (review the definition section). All information will be shared with the respondent and complainant(s). To have any information released by the Director to the student's advisor, written approval from the respondent must be obtained. It is both the respondent and the complainant's responsibility to have their witnesses present.

When two or more students or student organizations are respondent in the same complaint, each will have a separate Board of Review before the University Board of Review unless a joint University Board of Review is requested in writing. The request must include the reasons of support and must be submitted to the Director at least two (2)

working days prior to the Board of Review. After review, the chair may decide to grant a joint Board of Review only if it is shown that it would be fair and reasonable to all involved.

If the respondent or the complainant feels that a member of the University Board of Review is biased, the respondent and the complainant have the right to voice an objection. The Board of Review will review and determine the validity of the request prior to the start of the Board of Review. The order of the Board of Review is as follows:

1. The University Board of Review will convene and review all written evidence. If the respondent or complainant has written information to share with the Board of Review, it must be submitted two (2) working days prior to the beginning of the Board of Review. It is the responsibility of each, at their expense, to supply each Board of Review member with a copy (copies for the Board of Review and a copy or copies for the respondent/complainant(s)).
2. The Board of Review will conclude its executive session and admit both the respondent and the complainant to the room. Both the respondent and the complainant(s) will be present during the questioning.
3. The complainant may make a short statement and present information to the Board of Review concerning the alleged violation(s).
4. The respondent may make a short statement concerning the allegations.
5. The University Board of Review may ask questions to any persons present, except the advisors, throughout the process. Both the respondent(s) and the complainant(s) may question each other and witness(es) by directing questions through the chair if the chair deems the questions are germane to the case. Also, questions about any written information submitted to support the allegation may be raised even if the author is not present.
6. Witness(es) for both the respondent and the complainant will be called into the room to provide information supporting or refuting the alleged violations. The respondent, the complainant and the witnesses may refuse to answer any question if the answer could lead to violations of this code or to violations of local, state or federal laws. The chair may call the Board of Review into executive session at any time to discuss a procedural matter.
7. After all statements, questions and supporting or refuting information have been submitted to the Board of Review, all non-Board of Review members will leave, and the Board of Review will go into executive session. At that time, the Board of Review will decide if the respondent was in violation of the code. The decision will be based on the information submitted at the Board of Review. If the Board of Review determines that a violation was committed, the Board of Review will recommend an appropriate sanction to the Director. If the respondent has been found in violation and has had accountability action taken and/ or sanctions imposed in the past, the chair will inform the Board of Review of such in order that this history can be considered when recommending a sanction.
8. The chair shall prepare a brief written summary of the Board of Review, on a prepared form, including the Board of Review's recommendation and rationale. This is to be submitted to the Director. Should the respondent request a copy of the written summary, it will be provided free of charge. All proceedings of the Board of Review are officially recorded except for executive sessions. No other recording devices may be used during the Board of Review. The respondent may request a copy of the official recording of the Board of Review at his/her expense. The recording will be kept in the Office of Student Affairs for one year if the student is found in violation of the Student Code of Conduct, two years if the sanction imposed is suspension, and indefinitely if the sanction is expulsion. The recording is destroyed if the student is not found in violation of the Student Code of Conduct.
9. Within five (5) working days following the Board of Review, the Director will render a decision, affirming, rejecting or modifying in any way the Board of Review's recommendation. The respondent and the complainant may pick up a copy of the University Board of Review decision from the Office of Student Accountability and Advocacy. A copy of the decision will also be mailed to the respondent person's local address listed with the Registrar's Office. The appeal

date is established by the date that the decision is mailed.

10. Appropriate university offices will be notified of the imposed sanction after the appeal deadline has passed.

### **Appeals Process**

The respondent may file a written appeal of the decision to the Vice President for Student Affairs within five (5) working days from the mailing date of the decision. The appeal is processed through the Office of Student Accountability and Advocacy. The decision of granting an appeal will be based upon information presented in the written letter of appeal.

The filing of a letter of appeal is a formal written request and must contain the student's name, the date of the decision, and the university's action taken, the name of the student's advisor, and a clear statement as to the basis of the appeal.

An appeal may be granted if one or more of the following applies:

1. Additional information is submitted which was unknown or unavailable at the time of the University Board of Review and would alter the facts of the case.
2. A substantial procedural error was committed.
3. A reasonable claim is made and supported that the sanction imposed was unjust.

If the appeal is granted by the Vice President for Student Affairs, the following actions are available:

1. Uphold the decision, including the sanctions imposed.
2. Uphold the decision, but impose different sanctions.
3. Resubmit the case to the University Board of Review for a new Board of Review or with specific instructions. This option may be used in cases involving a procedural error or when additional information has become available.
4. Reverse the decision.

The Vice President for Student Affairs will, in writing, inform the parties involved of his/her decision within ten (10) working days of receiving the appeal.

The sanctions will not take effect until after the appeal is heard, unless it is determined by university officials that the student's presence on campus poses a threat of danger to persons or property or is an ongoing threat to the academic process or the safety of the UNO community.

A student may appeal to the Board of Supervisors 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 institutional level, the appeal must be submitted within 30 calendar days of the institution's decision. The Board's review is limited to a determination of compliance with established and appropriate procedures at the institutional level. The student shall be notified of the Board's decision.

### **Proceedings during Vacation or Emergency Situations**

The Director may conduct a University Board of Review during vacation periods or in emergency situations that may arise during the school year, when it is believed that the student's behavior or activity is endangering the safety of others. Resolution of the alleged violation and sanctions, if appropriate, may be imposed after review and approval by the Vice President for Student Affairs. If the student chooses to appeal, the case will be heard by the University Board of Review when classes resume. However, the sanction(s) may be imposed pending resolution of the appeal. (This differs from other types of appeals.)

### **Violation of Law and the University of New Orleans Student Accountability Process**

If a complaint is brought against a student or student organization for an act that took place off campus that is a violation of federal, state, or local law, whether or not the conduct is a violation of the Student Code of Conduct, action may be taken and sanctions imposed. Sanctions may also be imposed for grave misconduct demonstrating flagrant disregard for the UNO community.

Campus accountability proceedings may take place if the violation(s) of a law is also a violation of the code, without having to wait for civil or criminal adjudication. Proceedings under the code may be carried out prior to, simultaneously with or following civil/criminal proceedings off campus. The university will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by the criminal courts for student violators.

### **Procedure for Immediate Withdrawal or Temporary Suspension**

When a student is unable to effectively pursue academic work because his/ her behavior is disruptive to the normal educational process of the university, he or she may voluntarily withdraw immediately or be temporarily suspended as set forth below. Circumstances leading to such action may include the following: drug/alcohol abuse, illegal activities, behavior or circumstances indicating severe mental, emotional or medical conditions when such condition poses a significant threat of danger to other members of the university community; undue interference with the rights of other students, staff, faculty or with any university exercise, activity or function. A student may be temporarily and immediately suspended prior to a Board of Review when the Director has reasonable cause to believe that danger or harm will result to others if the student is allowed to remain on campus pending a decision by a Board of Review.

If the student does not withdraw voluntarily, a Board of Review may be convened at the request of the Director and shall consist of the Director and at least two other representatives from offices such as: Student Health Services, Counseling Services, Office of Disability Services, and members of the University Board of Review. The student may present any information to the board that he or she deems relevant. The board, after reviewing all pertinent information, will render a decision about the student's ability to continue at the university and will notify the student in writing of its decision. The student may appeal the decision to the Vice President for Student Affairs within ten (10) working days of receipt. The decision of the Board of Review becomes final and effective if a timely appeal is not filed.

At the time the student is ready to resume his/her education, he or she must request, in writing, that his or her case be examined by the review board. Supporting documentation and an interview may be required before the student can be readmitted.

### **Student Code of Conduct Changes and Amendment**

This code will be reviewed every two years. Recommended revisions are welcome from the UNO community. Amendments are to be supported by Student Affairs and approved by the President. Changes to this code supersede all previous university policies, rules and regulations.

(Revised December 2015)