

"Where Everybody Is Somebody"









CODE OF STUDENT CONDUCT

2021-2022



Division of Student Affairs Office of Student Conduct

#### **COVID-19 & Student Conduct**

All students who represent the university through affiliation with any Grambling State University® organization, or any university sponsored activity, **are required to wear a mask at all times**, and to be in good standing as a Grambling State University® student. Depending upon the severity of offense(s), and/or decisions rendered by the hearing officer(s) or Student Affairs Conduct Committee, students, student groups, and/or student organizations found responsible for violating the Student Code of Conduct, and are sanctioned to student conduct probation may lead to University representation restrictions. Representation includes, but is not limited to the following: Student Government Association, athletics, band, clubs, fraternities, sororities, and organizations.

## **COVID-19 related student conduct violations**

**2.60 FAILURE TO COMPLY.** Failure to comply with a proper order or summons when requested by authorized University officials; failure to comply with the directions of University officials (including residence hall staff) acting in the performance of their duties; failure to appear before a student conduct committee upon request; failure to provide student identification upon request; failure to abide by or comply with University policies and procedures, including student leadership, organization, and/or membership requirements; failure to comply with an ordered student conduct sanction.

This includes direct disobedience of a lawful order of a University official, or when otherwise so ordered by a University official, or local law official.

COVID-19 Pandemic requirement: Failure to comply with wearing a mask when in the presence of others while on campus, practicing social distancing/physical distancing, and exceeding campus gathering limits.

**2.80 GUEST'S BEHAVIOR.** Students are responsible for the behavior of their guests whom they invite to the campus or permit to visit on the campus. If a guest is found to be in violation of the Student Code of Conduct while in the company of the student host or with the student host's knowledge, applicable charges will be brought against the guest, as well as against the student host or the host student organization.

COVID-19 Pandemic requirement: Students are responsible for ensuring their guests are in compliance with campus safety rules, including practicing social distancing and wearing masks when in the presence of others on campus. **Guest are not permitted in the residence hall.** 

**TAMPERING with SAFETY** COVID-19 Pandemic requirement: Tampering with items required by the Centers for Disease Control and Prevention (CDC) for the health and safety of all. Stealing, discarding, or purposely tampering with roommate, suitemate, or campus COVID-19 safety items. Deliberate failure to abide by any health or safety standards for any university related function (campus events, classroom operations, etc.).

#### **TECHNOLOGY:**

COVID-19 Pandemic Requirement: This policy also applies to student conduct/behavior associated with technology use, as a health and safety measure, throughout the pandemic. This includes, but is not limited to:

Zoom Bombing (By Students and Non-Affiliated Parties)
Online Class Disruptions/Virtual Hearing Disruptions
Classroom/Virtual Events & Program Chat Behavior

#### **COVID-19 & Student Conduct Suggested Sanctioning**

Sanctions will be determined based on the level of severity of the violation, repeated offenses, or intent. Reports, along with supporting documentation, would be submitted to the Office of Student Conduct via email (<a href="wimberlyi@gram.edu">wimberlyi@gram.edu</a>) or (sheltonde@gram.edu).

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Ш	This does not apply to how faculty operate their classes. Of course, suspension is never the
	goal. However, the intention or impact would be based on non-compliance.
	Fine: \$75 plus educational sanctions or possible suspension based on the severity.
	Possible suspension for blatant disregard for policy and health concerns of the campus
	community.

For more information, please refer to the COVID-19 Pandemic Student/Student Organization Manual.

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## Division of Student Affairs Office of Student Conduct

#### Dear GSU Student:

This handbook is made available to each student at Grambling State University on the Division of Student Affairs Student Conduct web page at <a href="www.gram.edu">www.gram.edu</a>. The information herein has been carefully assembled to address topics of general concern, interest and use the student body. It is important that you become familiar with its contents.

Be informed that the University's policies and procedures are dynamic. We reserve the right to change them as the need arises; however, such changes will be communicated to you via e-mail in a timely manner as they occur. Although this handbook will be an invaluable resource to you, it should not deter your interactions with members of the University's administration, faculty, and staff. While this handbook is not a contract, it does provide guidance as to the conduct expected of students. You are encouraged to ask questions and obtain additional information as needed for clarity and understanding.

Information regarding academic policies is not provided in its entirety in this handbook, but is addressed in the University Catalog or other University policies. Specific academic regulations and information for various colleges can also be found in the University Catalog. Please see additional information when needed.

If you have questions, feel free to visit our office located at 403 Main St. (Across from Brown Hall), call us at 318.274.3169, and/or email at <a href="wimberlyi@gram.edu">wimberlyi@gram.edu</a> or <a href="mailto:sheltonde@gram.edu">sheltonde@gram.edu</a>. We wish you well throughout your collegiate journey at Grambling State University.

With Tiger Pride, The Director of Student Conduct and Staff

#### **PURPOSE/OBJECTIVE**

The primary mission of the Office of Student Conduct is to support the larger mission of both the University and the Division of Student Affairs. The Office of Student Conduct seeks to promote student learning, growth and development by increasing student awareness of the University's expectation(s) of behavior and collaboratively working with other departments in an effort to create a safe, secure, and civil environment conducive to learning. Additionally, the area exists to administer a fair student disciplinary process that adheres to prescribed standards.

It is each student's responsibility to adhere to the policies and standards of conduct prescribed by the University, the Board of Supervisors for the University of Louisiana System, as well as those established by local, state and federal laws. The University publishes rules, regulations and policies concerning acceptable student behavior in the Code of Student Conduct.

The Code of Student Conduct creates an expectation of behavior that the Institution deems acceptable. Its primary purpose is to ensure students will not be deprived of life, liberty or property without due process.

#### I. STATEMENT OF POLICIES

The President, as Chief Executive Officer of the University, has the overall responsibility for the implementation of the Code of Student Conduct (*Code*) and the student disciplinary process and has delegated his overall management to the Vice President for Student Affairs and the Director of Student Conduct. The Director of Student Conduct is directly responsible for the daily administration of the University's student judicial system. Code Authority is found in Louisiana Revised Statutes, Acts, Concurrent Resolutions, etc. as the following:

Louisiana Revised Statutes—17:10; 17:3101 through 17:3109 (1969); 17:3024 (1969).

Acts—Act No. 68 (1894), Act No. 529 (1968). Concurrent Resolutions No. 293 (1970) Title 1, OF THE DISTINCTION OF PERSONS, Act 37, Age of Majority (1972).

The <u>Code of Student Conduct</u> creates an expectation of behavior that the University deems acceptable. Its primary purpose is to ensure that students will not be deprived of life, liberty or property without due process. Although every student has rights guaranteed by the U.S. Constitution, these freedoms cannot be enjoyed, exercised, or protected in a community which lacks order and stability. It is, therefore, each student's responsibility to adhere to the conduct and standards prescribed by the University, the Board of Trustees for the University of Louisiana System, as well as those established by local, state and federal laws.

Admission to Grambling State University carries with it the presumption that students will conduct themselves as responsible members of the academic community. As a condition of enrollment, all students assume responsibility to observe standards of conduct that will contribute to the educational mission of the University.

The Code of Student Conduct shall be reviewed every two years by the Office of Student Conduct. Recommendations for revisions are to be submitted to the Vice President for Student Affairs and forwarded to the Policy Review Committee for consideration.

#### A. PREAMBLE

Grambling State University is a public institution having special responsibility for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, Grambling State University also has the obligation to maintain conditions conducive to freedom of inquiry and expression to the maximum degree compatible with the orderly conduct of its functions. For these purposes, Grambling State University is governed by the rules, regulations, procedures, policies, and standards of conduct that safeguard its functions and protect the rights and freedoms of all members of the university community.

#### **B.** ARTICLE ONE - DEFINITIONS

When used in this Code, the definitions of the following terms are provided for clarity and understanding.

- 1. "Administrative Appeals Board" refers to the appellate body authorized by the University to consider an appeal from a judicial board determination that a student or organization has violated the Code of Student Conduct.
- 2. "Behavioral Standards" refers to the policies, rules, regulations, directives, resolutions, and standards approved and/or issued by the president of the University and the Board of Supervisors for the University of Louisiana System as well as local, state and federal laws.
- 3. "Business Days" refers to those days that faculty and staff are required to work, generally Monday through Friday.
- 4. "Code of Student Conduct" refers to conduct standards set forth in writing in order to give students general notice of prohibited conduct and notice of how the Code shall be enforced.
- 5. "Judicial Board" refers to any person or persons authorized by the Office of the President to determine whether a student has violated the Code of Student Conduct and to recommend imposition of sanctions.
- 6. "Judicial Officer" refers to a University official authorized on a case-bycase basis to impose sanctions upon student(s) or organization(s) found to have violated the Student Code. The Director may serve simultaneously as a judicial officer, and the sole member, or one of the members, of a judicial board. Nothing shall prevent the same judicial officer to impose sanctions in all cases.
- 7. "May" is used in the permissive sense.

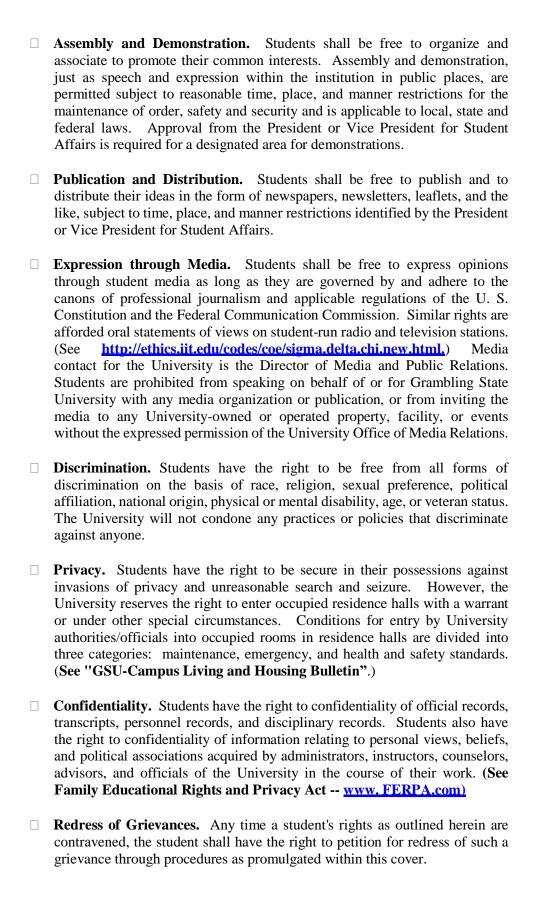
- 8. "Policy" refers to the written regulations of the University as found in, but not limited to, the Code of Student Conduct, Residential Life Handbook, and the GSU Catalog.
- 9. "Sanction" refers to the penalty or punishment for any violations of the rules and regulations set forth in the Code of Student Conduct Handbook.
- 10. "Shall" is used in the imperative sense.
- 11. "Student" refers to a person taking or auditing courses at the University either on a full or part-time basis or any person on the University premises or University-leased premises; registering as a student, camper, or special awards program attendee (i.e., auxiliary camps, sports camps, etc.).
- 12. "University" refers to Grambling State University or any division thereof including extension courses over which the Board of Supervisors for the University of Louisiana System has control and responsibility.
- 13. "University Community" refers to any administrator, faculty, staff, or student of the University, including all land, buildings, facilities, adjacent streets, sidewalks, and other property in the possession of or owned, used, or controlled by the University and the physical surroundings within close proximity of the campus.
- 14. "University Official" refers to any person employed by the University (including students) performing administrative, teaching, paraprofessional responsibilities (i.e., administrators, faculty, staff, Graduate Assistants, Resident Assistants in residence halls, etc.).
- 15. "University Premises" refers to all land, buildings, facilities and other property in the possession of or owned, used, or controlled by the University.

#### C. ARTICLE TWO – STUDENTS' RIGHTS AND RESPONSIBILITIES

Each student has rights guaranteed by the U.S. Constitution, these freedoms cannot be enjoyed exercised, or protected in a community which lacks order and stability. Additionally, it is each student's obligation to presume responsibility as a mature, civil and intellectual citizen while matriculating at the University. These student rights and responsibilities include, but are not limited to:

#### **Students' Rights**

Speech and Expression. Students shall be free to discuss questions of interest and to express opinions. Public expression of students reflects the views of those making the statement and not necessarily the University community. The University retains the right to provide for the safety of students, faculty, and staff, to protect property, and to ensure the continuity of the educational process in maintaining order. Authorization for any speech or demonstration will require identification of the individual and agreement to abide by University regulations.





# Policy # 69002

## FREEDOM OF SPEECH AND EXPRESSION

Effective Date: September 11, 2018 Revised Date: September 11, 2018

Responsible Office: Vice President for Student Affairs

**Division: Student Affairs** 

#### I. PURPOSE/OBJECTIVE

To provide guidance to faculty, staff, students, and visitors regarding how to protect and enhance the free exchange of ideas on the Grambling State University campus. By virtue of regulating the exercise of free speech on the campus, the University does not sponsor or sanction the messages being stated or the methods of speech being used unless expressly stated otherwise.

#### II. STATEMENT OF POLICY

The University encourages students, faculty, and staff to exercise the right of assembly, free speech and expression throughout the campus. The outdoor areas of the Grambling State University campus are considered traditional public forum areas. Protests, rallies, demonstrations, and other similar expressive activities are not permitted inside any University building. In support of free expression, the University encourages use of, but does not restrict expressive activities to designated public forum areas.

### III. DEFINTIONS

For purposes of this Policy, the definitions of key terms and other mandatory provisions shall remain consistent with those in Act 666 of the 2018 Regular Session codified at R.S. 17:3391.31.

"Expressive Activities" include but are not limited to any lawful verbal or written means by which individuals or groups communicate ideas to one another, as provided by the First Amendment of the Constitution of the United States of America and by the Constitution of Louisiana, including all forms of peaceful assembly, protest, speech, distribution of literature, carrying signs, and circulating petitions. This expressly excludes commercial activities where individuals or groups are being compensated or attempting to advertise, market, or accrue financial gain to any individual, corporation, business, or organization.

"Outdoor Areas" are outside areas of the University campus generally accessible to the majority of students, administrators, faculty, and staff, such as grassy areas, walkways, or other similar common areas, and do not include areas where access is restricted.

"Public Areas" of the University campus mean all Outdoor Areas.

"Student Organization" means an officially recognized group at the University, or a group seeking official recognition, comprised of admitted students.

#### IV. POLICY PROCEDURES

## **Policy**

- 1. The University strives to ensure intellectual freedom and free expression.
- 2. It is not the proper role of the University to shield individuals from speech protected by the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana, and other applicable laws, including without limitation ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.
- 3. The outdoor areas of the Grambling State University campus are considered traditional public forum areas. Protests, rallies, demonstrations, and other similar expressive activities are not permitted inside any University building. Nothing in this policy shall be interpreted as limiting the rights of expression elsewhere on campus.

## Non-Affiliated Organizations or Individuals (Non-Commercial Activities).

- Expressive activities by any non-University organization or individual are permitted in the public forum areas. Any rally, protest, demonstration or similar expressive activity conducted by organizations or individuals that are not members of the Grambling State University community must be registered with the University.
- o Non-affiliated organizations or individuals must contact the Office of Campus-Wide Activities at 318-274-3298 to register their activity

#### Public Forum Areas

- Public forum locations for individuals and groups which are not members of the University community include:
  - The fountain area and green space in front of T.H. Harris Auditorium;
  - The green space to the east of Tiger Village Clubhouse, RWE Jones Drive;
- Obesignated public forum locations are available for use at each campus, via 14-day advance reservation by contacting the Office of Campus-Wide Activities at 318-274-3298. Reservation of these spaces is provided on a first come first serve basis and approval is provided on a content neutral basis. Any denial of a reservation will include the reason for the denial

- 4. Expressive activities by students, administrators, faculty members, staff members, and invited guests are protected.
- 5. On Public Areas, students and faculty may assemble, distribute literature, and engage in spontaneous expressive activity as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution, subject to the requirements of this Policy.
- 6. Any person who wishes to engage in noncommercial expressive activity on the University campus will be permitted to do so freely, as along as the person's conduct is not unlawful and does not materially and substantially disrupt the functioning of the University.
- 7. Any person lawfully present on the campus may protest and demonstrate here. However, protests and demonstrations that infringe upon the constitutional rights of others to engage in or listen to expressive activity by creating a substantial and material disruption to the functioning of the institution or to someone's expressive activity shall not be permitted.

## **Association and Assembly**

- 1. Students have the right to organize and join organizations to promote their common interests. These organizations are obligated to register with the Office of Student Engagement (Clubs and Organization) via telephone at (318) 274--3334 for information regarding the use of Public Areas and are held to the policies and expectations outlined in the Student Handbook. Only approved organizations may enjoy the rights and privileges accorded by the University including the right to invite speakers to the campus to address the group of student body.
- 2. GSU will not deny a belief-based student organization any benefit or privilege available to any other student organization, or otherwise discriminate against a belief-based organization, based on the expression of the organization, including any requirement that the leaders or members of the organization:
  - a. Affirm and adhere to the organization's sincerely held beliefs.
  - b. Comply with the organization's standards of conduct.
  - c. Further the organization's mission or purpose, as defined by the organization.

## Time, Place, and Manner Restrictions for Public Forums (TPMR).

1. Students and faculty have the freedom to discuss any topic that presents itself, as provided under the First Amendment of the Constitution of the United States of America and Article I, Section 7 of the Constitution of Louisiana, and other applicable laws permit and within the limits of time, place and manner of expression that are necessary to achieve a significant University interest. TPMRs enforced by the University will be consistent with First Amendment principles -- content-neutral, serve a significant university interest and leave ample alternative channels for

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communication of information. In order to maintain safety, security, and order, the University reserves the right to limit activity by the following regulations regarding time, place, and manner of such activities. Any expressive activity conducted in violation the TPMR shall be grounds for mandatory cessation of such activities.

- a. If an individual or group of individuals attracts a group of 20 or more persons, then a representative from the group is encouraged to contact the Student Affairs Office or University Police as soon as circumstances reasonably permit. The University reserves the right to direct a group of 20 or more persons to another available Public Area in order to ensure the safety of campus members, to provide for proper crowd control, and to limit disruption of the academic and other operations of the University. Any relocation must not be based on the content or viewpoint of the expression.
- b. The activity does not create unreasonable safety risk to any participant, bystander, or University property;
- c. The activity does not disrupt the academic mission or daily operation of the University;
- d. The activity does not unduly disrupt vehicular or pedestrian traffic;
- e. Restricted areas of the University campus, or those areas not deemed a traditional public forum, may not be used for purposes other than for that facility's purpose.
- f. The activity does not damage or destroy University property, including buildings, grounds, vehicles, or equipment. The location(s) must be left in its original condition at the conclusion of the event. The group or individual damaging University property is responsible for costs directly associated with the repair to the damaged property or area;
- g. The activity does not violate City of Grambling, or other relevant municipal ordinances or state or federal laws;
- h. The activity does not utilize amplification equipment that interferes with the educational mission of the University. Any use of amplification equipment is limited to one of two designated public forum areas;
- i. The activity does not include expression that is not protected speech. This includes:
  - Engage in provocations by fighting words or incitements to engage in immediate violence;

- Make threats which demonstrate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals;
- o Interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit into and out of University facilities, roadways, exterior patios, plazas, walkways, or gathering spaces; d. Materially and substantially disrupt the educational mission and normal activities of the University;
- o Express or exhibit obscenity as defined by law;
- o Advocate the deliberate violation of law by preparing the group addressed for imminent action and seeing it to such action.
- o Engage in commercial for-profit activities absent a prior written agreement with the University authorizing such activities.
- o Force literature onto observers or passersby or affix literature to automobiles, trees, grounds, fixtures, or other stationary objects on the campus shall constitute a violation of this policy and will result in cessation of the Public Forum activity by appropriate University authorities.

## Posting of Signs, Notices and Posters by Members of the University Community

- 1. The University shall provide reasonable space indoors and outdoors for the posting of signs, notices and posters by members of the University community and their organizations. Such signs, notices and posters may deal with any subject matter including, but not limited to, notices of meetings or events and expressions of positions and ideas on social or political topics, and must clearly identify the author or sponsor of the materials.
- 2. Time, Place and Manner Restrictions
  - Members of the University community and their organizations may post signs, notices and posters on bulletin boards and kiosks maintained by the University and located on the campus. Signs, notices and posters shall not be attached to trees, buildings, walls or other University structures unless otherwise expressly authorized by the Office of Campus-Wide Activities. Messages or slogans of any kind shall not be painted or otherwise written on trees, buildings, sidewalks, grounds fountains, walls or other University structures or surfaces, or on the personal property of others.
- 3. Members of the University community and their organizations may also post signs, notices and posters on designated bulletin boards and electronic billboards maintained by the academic and administrative departments of the University subject to the approval and reasonable limitations of the appropriate departments. Colleges and departments may adopt reasonable time regulations limiting the time for display of signs, notices and posters on bulletin boards

maintained by colleges and departments to maximize everyone's opportunity to use designated areas for signs, notices and posters and may prohibit attaching signs, notices or posters to walls and other surfaces in order to prevent damage to walls and other surfaces.

- 4. Any sign, notice or poster posted on campus must contain a visible expiration date, a date after which the sign, notice or poster may be removed, not to exceed ten (10) calendar days from the date of posting. For purposes of this regulation, a visible expiration date shall be either a stamped expiration date by the Office of the Vice President for Student Affairs or official of the college or department responsible for the area where the sign, notice or poster is posted or a legible date placed in the lower right hand corner of the sign, notice or poster by the person or organization posting the sign, notice or poster. University maintenance personnel or other University officials may remove any signs, notices and posters which do not contain a visible expiration date as defined by this section.
- 5. The Vice President for Student Affairs may grant permission to post signs, notices and posters for a period longer than ten (10) calendar days where it is shown that there is good reason for the signs, notices or posters to remain in place for a longer period; but in no case shall the signs, notices or posters be allowed to remain posted beyond the end of the academic semester or ten (10) calendar days from the date of posting whichever comes later.

## Commercial and Non-University Community Signs, Notices and Posters

- 1. The Vice President for Student Affairs shall publish rules and regulations governing the posting or distribution of signs, notices, posters, and other materials for commercial purposes or by non-members of the University community. The regulations may include a schedule of fees and limitations upon the areas in which such commercial or non-member of the University community activity may take place.
- 2. The regulations shall be available for inspection in the office of the Vice President for Student Affairs and a written record of actions taken under the regulations shall be maintained and be open for public inspection.
- 3. Responsibility for Content of Signs, Notices or Posters
  Any person or organization shall be personally responsible for the content of
  any signs, notices or posters they sponsor or post on campus. By posting the
  sign, notice or poster on campus, the person or organization agrees to hold the
  University harmless for any assessed damages or liabilities incurred as a result
  of the sign, notice or poster.

#### Non-Endorsement/Ratification

Expressive activities permitted under this Policy do not imply official
endorsement or approval by the University. Groups or individuals engaged in
expressive activities are responsible for the content of the
expression. Expressive activities that are directed to provoke and likely to
produce imminent lawless actions, or are harassing, threatening, or bullying are
not protected.

## **Supplementary Procedures**

• The Vice President for Student Affairs is encouraged and authorized to develop, publish and disseminate supplementary procedures to further support the implementation of this Policy and any such supplementary procedures shall be consistent with this Policy.

## V. Enforcement, Grievance and Appeal Procedures

Any person aggrieved by a violation of this policy may file a written appeal of the decision or action with the GSU Vice President for Student Affairs or designee, within fourteen (14) business days of the decision or action. The University shall provide a written response to the appellant with fourteen (14) business days of receipt of the appeal, unless good cause, additional time is needed to ascertain facts or speak with the appellant or relevant officials. The decision of the Vice President for Student Affairs shall be final.

## VI. Superseding Policy

This policy supersedes and nullifies any provision in the policies and regulations of the University that restricts speech on campus and is therefore inconsistent with this policy on free expression.

### VII. Appendices, References and Related Materials

UL System Policy Number M-22 (PPM M-22) on Free Speech, adopted by the System Board effective October 25, 2018

(https://s25260.pcdn.co/wp-content/uploads/2018/10/Free-Speech-PPM-M-22.pdf

Act 666 of the 2018 Regular Session of the Louisiana Legislature, codified at R.S. 17:3399.31 through 3399.27 ("Louisiana Campus Free Expression Law") (http://legis.la.gov/legis/BillInfo.aspx?sessionid=18RS&billtype=SB&billno=364

### **Students' Responsibilities**

by the University, Board of Trustees for the University of Louisiana System, as well as those established by local, state and federal laws. Failure to read this document will not excuse any student from responsibility for abiding by policies and procedures described herein.
To respect the rights of others regardless of ethnicity, gender, sexual orientation, religious or public beliefs.
To respect all property owned, operated, housed and/or leased by the University.
To maintain the highest ethical standards in preparing and submitting course work.
To comply with all financial obligations as published in University documents and websites.
To seek the help of faculty, other professionals and resources provided as you complete your degree requirements.
To report in good faith, and without fear of retaliation, violation(s) of the Code of Student Conduct and other policies of the University to appropriate academic and/or administrative personnel.

## D. ARTICLE THREE - JUDICIAL AUTHORITY

- 1. There shall be a Judicial Board consisting of twenty (20) members. All members, including the chairperson, shall be appointed by the President. The President may authorize the Director of the **Office of Student Conduct** to serve simultaneously as a chairperson. The Board shall be divided into four panels designated as A, B, C, and D respectively. A chairperson, two (2) faculty or staff representatives and two (2) student representatives shall compose each panel. The Director may appoint a special panel when necessary.
- 2. The Director of Student Conduct shall determine which judicial panel shall be authorized to hear each case.
- 3. The Director of Student Conduct shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings which are consistent with provisions of the Student Code.
- 4. The Judicial Board has **RECOMMENDING** authority in terms of sanctions. Each board has the responsibility of determining if a student is responsible or not responsible of violating the Code of Student Conduct. The board's recommendations are made to the Director of Student Conduct.

- 5. The Judicial Board is the primary judicial body of the University. It has original jurisdiction over all student cases involving alleged violation(s) of the Code of Student Conduct referred to it by appropriate University officials. It also has jurisdiction over all student cases from immediate interim suspension.
- 6. The presence of a majority of panel members shall constitute a quorum; and with a quorum present, the board may hear the case. The chairperson may accept substitute representatives for regular members when it is necessary for regular members to be absent. The chairperson shall vote in the case of a tie vote. Proxy voting shall not be permitted.
- 7. When any board member is involved in or associated with a case, that person must be excused from participation in the hearing procedures.
- 8. Decisions made by the Director of Student Conduct shall be final, pending the normal appeal process.
- 9. The technical rules of evidence applicable to civil and criminal cases shall not apply.

#### E. ARTICLE FOUR - PROSCRIBED CONDUCT

**Jurisdiction of the University.** Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises or conduct which occurs at a University sponsored function or event whether on or off-campus. However, the University will take disciplinary action against a student for an offcampus offense only when it is required by law to do so or when the nature of the offense is such that in the judgment of the Director of Student Conduct, the continued presence of the student on campus is likely to interfere with the educational process or the orderly operation of the University; or the continued presence of the student on campus is likely to endanger the health, safety, or welfare of the University community, or is intimidating or threatening to another individual within the University community; or the offense committed by the student is of such a serious nature as to adversely affect the student's suitability as a member of the University community. The action of the University with respect to any such off-campus conduct shall be taken independently of any off-campus authority. **The** prospect of criminal charges does not preclude the possibility of the University judicial hearing.

#### STUDENT CONDUCT - RULES AND REGULATION

Any student(s) engaging in behavior that interferes with the safety and well-being of any member of the University and/or that interferes with the mission, purpose, function and process of the University will be subject to disciplinary sanctions outlined in Article VI:

**Abduction or Kidnapping.** The enticing, persuading or forcible seizing and carrying of any student, faculty, staff, or University official from one place to another without that person's consent.

**Arson.** The malicious, fraudulent or intentional burning of property on the University premises. Such acts include, but are not limited to, creating fires, setting persons afire, open flames and/or igniting flammable materials.

**Assault.** The intentional harassment, degradation, threat or intimidation of another in an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. **Physical contact is not required.** This includes engaging in, attempting or intending to engage in any form of verbal or mental abuse, or coercion which is directed toward another person or group of people which creates an intimidating, fearful or offensive environment in the classrooms, offices, dormitories, and the University premises in general.

**Battery.** The intentional use of force or violence upon another, or the intentional administration of a poison or other noxious liquid or substance to another for the purpose of physical abuse, or violence involving physical contact. Any form of physical contact that is directed to another which threatens or endangers the health or safety of any person, except when such response constitutes self-defense. This includes slapping, pushing, and contact using a weapon or other instrument. **Physical contact is required.** 

Contempt. Willful disobedience to, or displaying open disrespect for a University judicial body such as: failure to obey a written notice from the Office of Student Conduct or University Police to appear for a meeting or hearing as a part of the judicial process; falsification, distortion, or misrepresentation of information before a hearing officer or board; disruption or interference with the orderly conduct of a judicial proceeding; institution of a judicial proceeding in bad faith; attempting to discourage an individual's proper participation in or use of the judicial process; attempting to influence the impartiality of a member of a judicial board prior to and/or during the course of the judicial proceeding; failure to adhere to or comply with disciplinary conditions and sanctions imposed by a judicial body or administrative officer.

**Cyber Bullying.** Any activity that deliberately threatens, harasses, intimidates an individual, places an individual in reasonable fear of harm to the individual or damage to the individual's property; or has the effect of substantially disrupting the orderly operation of the individual's daily life via the use of electronic information and communication devised, to include but not be limited to: e-mail messages, instant messaging, text messaging, cellular telephone communications, internet blogs, social media cites, internet chat rooms, and internet postings.

**Dangerous, Threatening, Unsafe Behavior.** Any conduct or behavior which threatens or endangers the health or safety of any person in the University environment. This includes but is not limited to, verbal threats to injure or harm another, horse playing, practical jokes, abductions, and kidnapping.

Dangerous Weapons and Explosives. The use, possession, or storage of dangerous weapons, explosives and chemicals are strictly prohibited, even if legally possessed in a manner that harms, threatens or causes fear to others. These include but are not limited to: firearms, shotguns, B.B. guns, paint guns, sling shots, bows, air pistols/rifles, pistols, rifles, gasoline, ammunition, gunpowder, firecrackers, fireworks, bombs, and other incendiary devices except as required for classroom instruction and only with the express written authority of the President or Vice President for Student Affairs.

**Destruction or Damage to Property.** Willful negligent or malicious destruction and/or damage to University property or to the property of another. This includes acts of vandalism or misuse.

**Dishonesty, Forgery and Fraud.** Acts of Dishonesty, Forgery and Fraud include but are not limited to: furnishing false information to any University official and on any University document; alteration of materials, or misuse of University documents, records, instrument of identification, or any documents and records belonging to another; cheating, plagiarism, or other forms of academic dishonesty, tampering with the election of any University recognized student election; malfeasance or misuse of elective or appointive office in a student organization, its members, or the welfare of the University community; and issuing worthless checks to the University. Unauthorized use of university logo, seal, etc., without written permission of the University General Council.

**Insubordination and/or Disrespect for Authority.** Not complying with reasonable and lawful requests or directives by members of the faculty or staff.

Obstruction, Disruption or Disorderly Conduct. The intentional obstruction, interruption, hindrance, or disruption of teaching, research, administration, ceremonies, disciplinary proceedings, other University tasks and activities; interfering with the duties of a student, faculty/staff member or University official; withholding information vital to any investigation carried out by an authorized agent of the University; creating excessive noise which can be heard in other areas of the campus and which interferes with the normal operations of the University, and the University community; interfering with an approved campus demonstration; and leading or inciting others to disrupt scheduled and/or ordinary activities within the University premises.

**Unauthorized Entry.** Entry without proper permission into residential halls, buildings, or structures within the University premises, or the aiding and assisting of such unauthorized entry.

**Aiding or Inciting.** Aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by the University, assisting or persuading others to commit any act of misconduct in the University community or environment.

Alcoholic Beverages. Violation of the University Alcohol and Controlled Substance Policy, including but not limited to the use, consumption, possession, purchase, sale, and/or distribution of alcoholic beverages on University property, or at any of its activities (whether on or off-campus) are prohibited, except as expressly permitted by University regulations and local, state and federal law. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to any person under twenty-one (21) years of age. (Refer to Alcohol and Illegal Controlled Substances Policy.)

**Dangerous Drugs.** Violation of the University Alcohol and Controlled Substance Policy, including but not limited to the use, consumption, possession, manufacturing, purchase, sale and/or distribution of illicit drugs, narcotics or other controlled dangerous substances and drug paraphernalia are strictly prohibited; all local, state, and federal laws apply. (**Refer to Alcohol and Illegal Controlled Substances Policy**.)

**Dogs, Cats and Other Animals.** Bringing animals and pets onto the University premises is prohibited. Seeing-eye dogs, when accompanied by their owners, are permitted.

**Drunkenness.** Appearing in public on the University premises while intoxicated or under the influence of alcohol or illicit drugs is strictly prohibited. This includes any disorderly conduct regardless of whether such conduct results in injury to persons or property.

**False Reporting of Emergencies.** These include but are not limited to activating a fire alarm or falsely reporting a bomb.

**Gambling.** Illegal gambling on University premises is strictly prohibited.

**Information Disclosure.** Failure to provide personal identification and/or furnishing false information to any University official, faculty/staff member, or office is prohibited. For example, failure to present a driver's license or identification card when requested by a University police officer.

**Indecent, Obscene, Immoral Behavior, or Profanity.** This includes conduct which is disorderly, lewd, or indecent. Such acts include but are not limited to: the use of obscene gestures, improper body exposures, or other immoral acts or use of profanity to any faculty, staff, student, or University official. This also includes but is not limited to any unauthorized use of electronic or other devices to make an audio or video recording of any person or student without his/her knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This also includes taking pictures of another person in a gym, locker room or restroom.

**Selling or Soliciting.** Trading or exchanging any goods or services on University premises for monetary considerations without prior and appropriate authorization.

**Traffic or Parking Violations.** Failure to obey traffic and parking regulations is punishable by the University Police Department and/or the Office of Student Conduct. This includes, but is not limited to, operating or attempting to operate a motor vehicle on campus while under the influence of alcohol or illicit drugs, reckless driving, obstruction of the free flow of pedestrian or vehicular traffic on University property or at University sponsored or supervised functions, and parking in improper zones. Moreover, applicable local, state, and federal traffic laws are enforced.

**Trespassing.** Unauthorized presence on, in, or within any building or property owned or operated by the University (**including residence halls**), or the unauthorized entry into or remaining in a facility or office under the control of another after having been asked to leave.

**Unauthorized Use of Property.** Unauthorized use of University premises; unauthorized possession, duplication or use of keys to any University premises; and the unauthorized use of University property, such as telephones, vehicles, and office equipment.

**Violation of Housing Rules.** Any violation of Campus Living and Housing rules!

Disorderly Assembly. Participating in an on-campus or off-campus demonstration, riot, or an activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area. It is strictly forbidden for any group to gather in such a manner as to disturb the public peace, to do violence to any person or property, to interfere with its faculty or staff in the performance of their duties, or otherwise by such gatherings bring disgrace or disrespect to the University. This includes surprise attacks by a group of students on University premises. Any student who encourages or in any way participates in the formation of or prolonging of such a gathering is subject to **IMMEDIATE DISMISSAL** from the University. **CAVEAT:** Students involved in group violations will be treated as though the act occurred on an individual basis. Refer to Article two: Students' Rights and Responsibilities (Speech and Expression and Assembly and **Demonstration**).

**Student Dress Code.** The University still maintains the traditional notion that students (**male/female**) are prohibited from wearing hats, caps, sagging pants (*exposing undergarments*) and/or other headgear in classrooms, offices, assemblies, dining facilities, any building, or other places where hats are not expected to be worn. Students must adhere to any special dress standard set by groups presenting social programs such as lyceum events, or pageants. (**Refer to Dress Code Policy**)

**Theft.** Stealing in the University environment and/or the attempted or actual theft, or unauthorized possession of property. This includes knowingly possessing stolen property.

**Hazing.** Participation in any act which is degrading or injurious, or in which another is held against his/her will, or which endangers the mental or physical health or safety of another, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Such acts may include, but are not limited to, striking, beating, bruising, manning, or other abusive and humiliating treatment or threats of such treatment. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts, they are violations of this rule. (**Refer to Hazing Policy**)

Misuse of Computer Resources. The unauthorized entry into a file to use, read, or alter the contents thereof, or transfer a file for any purpose. These include, but not limited to, use of another's identification and password without authorization, use of computing facilities to interfere with the work of another, to transmit obscene harassing or abusive messages, to interfere with the normal operations of the University computer system, network, or services. (Refer to Information Technology Center Policy and Procedures)

Tampering with Safety Equipment and Hindering Evacuation. Tampering with safety and fire equipment (e.g., fire alarms, smoke detectors, exit signs, fire hoses, fire extinguishers, or emergency lighting equipment) is prohibited. This also includes failing to leave a building or area, or otherwise hindering an evacuation or investigation of the emergency.

Scholastic Dishonesty. Scholastic Dishonesty shall include, but is not limited to, scholastic dishonesty: (a) **Acquiring Information:** Acquiring answers for any assigned work or examination from any unauthorized source; working with another person(s) on any assignment or examination when not specifically permitted by the instructor; observing the work of other students during any examination; (b) **Providing Information:** Providing answers of any assigned work or examination prior to the time the examination is given; (c) **Plagiarism:** Failing to credit sources used in work product in an attempt to pass off the work as one's own; attempting to receive credit for work performed by another, including papers obtained in whole or in part from individuals or other sources; (d) Conspiracy: Agreeing with one or more persons to commit any act of scholastic (e) Fabrication of Information: dishonesty; The falsification of the results obtained from the research or laboratory experiment; the written or oral presentation of results of research or laboratory experiments without the research or laboratory experiment having been performed; (f) Violation of Departmental or College Policies: Violation of any announced departmental or college policy relating to academic matters, including, but not limited to, abuse or misuse of computer access of information. This listing is not exclusive of any other acts that may reasonably be said to constitute scholastic dishonesty; (g) Academic Misconduct: Any student suspected of academic misconduct on tests, examination papers, or any other assigned work for which he/she is responsible will be reported, by the faculty person in charge, to the Dean of the division of the student's major.

Off-Campus Violations. Students whether residing on or off campus, must behave at all times as responsible students in the community in which they reside, shop, and/or otherwise socialize. In keeping with the traditional spirit of Grambling State University, students are expected to conduct themselves in a manner that is becoming to a student of Grambling State University. Accordingly, students may be brought before a University judicial body for any off-campus conduct that is deemed volatile of this code, and for any conduct and/or behavior that reflects negatively on the image or reputation of the University. The specific action or behavior will be described in all charges levied against the student.

Cell Phone Usage. The use of cell phones inside the classroom, official testing sites and during an official assembly period is prohibited. This includes but is not limited to, placing and/or receiving calls and/or text messages as well as conversing on cell phones. (Official University emergency notification messages are excluded/refer to Electronic Devices Policy)

**Tobacco.** Smoking and the use of tobacco products (**including cigarettes, cigars, pipes, smokeless tobacco, e-cigarettes and other tobacco products**) by students, faculty, staff and visitors are prohibited on all Grambling State University property.

**University Policy Violation.** Violation of any University policy, rule or regulation published in hard copy or available electronically on the University website.

**Violation of any federal, state or local law.** On or Off-Campus actions or activities that violate federal, state, or local law, also violate the Code of Student Conduct.

### F. ARTICLE FIVE - JUDICIAL PROCEDURES

- Any member of the University community may file charges against any student for misconduct. Charges shall be prepared in writing and directed to the Office of Student Conduct which is responsible for the administration of the University judicial system. Any charge should be submitted as soon as possible after the event takes place.
- 2. A Judicial Officer may conduct an investigation to determine if the charges have merit and/or if they can be disposed of informally by mutual consent of the parties involved on a basis acceptable to the Judicial Officer. Such disposition shall be final and there shall be no subsequent proceedings. Additionally, all sanctions rendered shall be final and binding upon all involved. If the charges cannot be disposed of by mutual consent, the Judicial Officer may later serve in the same matter as the judicial body or a member thereof.
- 3. A University registration flag may be imposed on a student's record. The flag will be removed following adjudication of charges. When a student(s) is reported for violations of University rules and regulations that require

appearance before a judicial board, hearings are scheduled. The student will be given at least a five (5) business-day notice (excluding Saturdays, Sundays and state holidays) to appear for the hearing. In the notice to appear, the following information will be provided:

- **a.** the University regulation(s) that was allegedly violated;
- **b.** the statement of the specific charges against the student;
- **c.** the date, time and place of the hearing;
- **d.** the names of witnesses against the student;
- **e.** the statement explaining that the student is entitled to present his/her own witnesses and to cross-examine the witnesses against him/her;
- **f.** a statement explaining that the student is entitled to a hearing that will be recorded by the University; and
- **g.** a statement indicating that if the student brings an attorney to the hearing, the attorney will be allowed to attend only as an advisor to his client.
- 4. Charged student(s) who fail to appear before a formal judicial board without just cause shall be found responsible for the charge(s) based only on input from the charging party, and disciplinary sanctions shall be imposed. If the judicial board finds that unavoidable circumstances prevented the appearance of the student(s) before the judicial board, the hearing shall be rescheduled.
- 5. Hearings shall be conducted by a judicial board according to the following guidelines:
  - **a.** Hearings normally shall be conducted in private. At the request of the accused student and subject to the discretion of the chairperson, a representative of the student press may be admitted but shall not have the privilege of participating in the hearing;
  - **b.** Admission of any person to the hearing shall be at the discretion of the judicial board and/or its judicial chairperson;
  - **c.** In hearings involving more than one accused student, the chairperson of the judicial board, at his or her discretion, may permit the hearings concerning each student to be conducted separately;
  - **d.** The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a judicial board;
  - **e.** The complainant, the accused and the judicial board shall have the privilege of presenting witnesses, subject to the right of cross examination by the judicial board;
  - **f.** Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a judicial board at the discretion of the chairperson;
  - **g.** All procedural questions are subject to the final decision of the chairperson of the judicial board;
  - **h.** After the hearing, the judicial board shall determine (by majority vote if the judicial board consists of more than one person) whether the student has violated each section of the Student Code which the student is charged with violating; and

- i. The judicial board's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Code of Student Conduct.
- 6. There shall be a single verbatim record, such as a tape recording, of all hearings before the judicial board. The record shall be the property of the University.
- 7. The University may implement an emergency procedure to allow hearings to be set forth and held prior to the end of the respective semester or term in which the violation occurs.

#### G. ARTICLE SIX – DISCIPLANARY SANCTIONS

Sanctioning is intended to accomplish six aims:

- 1. To make sure the student(s) sanctioned has learned from the experience.
- 2. To educate the student(s) so he/she does not commit the violation again.
- 3. To offer the student(s) the opportunity to make good on a mistake.
- 4. To ensure that University expectations regarding appropriate behavior are clear.
- 5. To educate the student(s) concerning how his/her behavior impacts others in the community.
- 6. To protect the University community from people who may harm others in the community or who may substantially interfere with the educational mission of the University.

#### II. DISCIPLINARY SANCTIONS

University officials authorized by the President to impose sanctions upon students, either prior to (pending scheduled judicial hearing date) or after a judicial hearing, may impose or recommend one or more of the following penalties for a student(s).

Any student withdrawing with disciplinary action pending or those being suspended for disciplinary reasons are not eligible for refunds after the  $14^{th}$  class day for Fall and Spring semesters and the  $7^{th}$  class day for Summer sessions.

**Expulsion**- Permanent dismissal from the University.

**Suspension** - Dismissal from the University for a specified period of time.

**Indefinite Suspension -** Dismissal from the University for an unspecified time period. After one year, a student may request a review of his file for readmission consideration.

**Interim Suspension** - Temporary suspension with a hearing to follow.

Suspend network privileges -

**Revoked Suspension** - A suspension is revoked if a student agrees to remain at the University under certain conditions or as long as the student does not violate certain prescribed conditions.

**Hold on Registration/Hold on Transcript** - A sanction used until all monies, fines and such owed to the University have been paid.

**Fine** - A student may be assessed a reasonable monetary sanction for violating certain Code of Student Conduct rules.

**Campus/Community Service**- A student(s) may be required to provide services on the campus, without pay, for a specific period of time for violating the Code of Student Conduct rules.

**Probation** - A student(s) is subjected to a time period of restrictions or conditions, after which the University authorities will determine if his/her behavior has improved.

**Restitution** - A student(s) or organization(s) is held accountable for public or private damage that he/she has damaged or destroyed.

**Counseling/Educational Assignment** - A student(s) is given behavioral counseling, either on a regular basis or by appointment. An educational assignment may include but is not limited to, attendance and/or participation in alcohol/drug education programs, workshops, panel discussions, letters of apology, and reflective essays.

**Restraining Order** - An order by the President or the President's designee prohibiting a student from entering the University premises except public streets or roadways.

**Verbal/Written Reprimand** - A student is warned, verbally and/or in writing, that further misconduct may result in more severe disciplinary action.

**Loss of Privilege** - The withdrawal of a privilege, use of a service, or participation in an activity for a specific period of time consistent with the offense committed and the rehabilitation of the student.

**Extracurricular Activity Suspension -** The suspension of participation in official extracurricular activities. This includes, but is not limited to prohibiting the student from joining a registered student organization and/or attending its meetings or functions and/or from participating in official athletic or non-athletic extracurricular activities.

**Mandatory Off-campus Housing** – A student is suspended from oncampus housing privileges for a specific period of time.

**Administrative Withdrawal** – A student is officially withdrawn from the University for Various Reasons. In such cases as the student posing a significant threat to self or others of the University community; failing to pay all financial obligations to the University by a designated date; failing

to answer University summons or to address allegations of violations; failing to perform assigned University community service; failing to complete mandatory counseling; and/or failing to abide by the Code of Student Conduct. A student administratively withdrawn after the census date shall be assigned the grade of "W" in all courses. Students who withdraw on an involuntary basis are subject to the same refund policies as other students.

**University Ban** – A student is banned permanently or for a specific period of time from an individual building(s) or event.

## **SPECIAL NOTE: Interim Suspension**

Whenever students are disruptive or dangerous to themselves, including threatening or attempting suicide and are dangerous to others, to property, or to the stability and continuance of normal University functions, the President or the President's designee may suspend students immediately on an interim basis without providing the **NORMAL HEARING NOTICE.** The letter from the Director of Student Conduct will constitute Normal Hearing Notice.

If the facts and evidence suggest that the student's continued presence on University premises constitute imminent or clear and present danger to themselves, to others, to property, or to the stability and continuance of normal University functions, the President or the President's designee may issue a Restraining Order against the students restricting them from the University premises prior to the **NORMAL JUDICIAL HEARING** and **AFTERWARDS**, if he/she deems it necessary.

Whenever the interim suspension rule is invoked, the student shall be given the opportunity to **DISCUSS** the incident with a University official **PRIOR TO THE INTERIM SUSPENSION.** Any student so suspended shall have the right to a post-suspension hearing on the merits of the case within five business days of the suspension.

Students who endanger their own physical well-being shall be required to provide the Director of Office of Student Conduct with a Psychiatric Evaluation signed by a licensed mental health professional indicating that the student is not a threat to him/herself or the campus community. Additionally, the parents, legal guardian, and/or student are advised that threatening and/or attempting suicide is a violation of the Code of Student Conduct and may result in disciplinary action by the University.

#### NOTATION OF DISCIPLINARY ACTION ON ACADEMIC TRANSCRIPTS

In severe cases of misconduct, a student may be suspended or expelled. System universities shall note such on the student's academic transcript as follows:

• "Student is ineligible to enroll"

This will be noted when a student is permanently dismissed from the university for disciplinary reasons.

• "Student is eligible to return (semester) (year)"

This will be noted when a student is "suspended for disciplinary reasons" for a specified period of time. The transcript indicates which semester the student will be eligible to return. In the case where the student is not suspended academically but is suspended for disciplinary reasons, the transcript note indicates that the student cannot return until some future semester.

All system universities shall employ the <u>notations</u> above on student academic transcripts beginning with the Spring semester, 2007.

Notation of disciplinary action on academic transcripts may or may not affect eligibility to enroll at other higher education institutions.

#### MANDATORY ALCOHOL/SUBSTANCE ABUSE PROGRAM

As an educational component of the University's discipline process, students involved in alcohol and/or drug violations are required to participate in the Student Counseling Center's Alcohol and Substance Abuse Program or any Alcohol and Substance Abuse Program of your choice.

Attendance at all sessions/workshops or other activities as assigned is mandatory for students required to participate in the program as a result of University disciplinary action, in addition to any fine or other disciplinary actions that may have been imposed. Failure to comply with the mandatory requirement by the stated deadline may result in additional disciplinary action imposed by the University, including disciplinary suspension.

#### H. ARTICLE SEVEN - APPEALS

- 1. A decision reached by the Judicial Hearing Board or a sanction imposed by the Director of Student Conduct may be appealed by accused student within three (3) business days of the decision. Such appeals shall be in writing, addressed to the Chairperson, Administrative Appeals Board and delivered to the Office of the Vice President for Student Affairs. The board shall consist of a chairperson, one (1) faculty or staff representative, and one (1) student representative appointed by the Vice President for Student Affairs.
- 2. Criteria for filing an appeal are limited to:
  - X The student's rights were violated in the hearing process or if there were hearing procedural errors.
  - X There is new material evidence which could not have been discovered at the time of the hearing.
  - X The evidence did not support the decision.
  - X The sanctions imposed were not appropriate for the violation or were made in an arbitrary or capricious manner.

All appeals shall be limited to review of the verbatim record of the initial hearing. Based upon the merits of written justification, the chairperson of the Administrative Appeals Board may accept or reject the student's request for an appeal.

- 3. If the request for an appeal is granted, the Chairperson of the Administrative Appeals Board, within reasonable time, shall set a date, time, and place for the board to review the findings, decision, and recommendation of the disciplinary hearing board. The complete record of the hearing and evidence presented before the Judicial Hearing Board panel shall be made available to the Administrative Appeals Board. The Vice President for Student Affairs or his/her designee shall be present at this hearing.
- 4. If an appeal is upheld by the Administrative Appeals Board, the matter shall be returned to the original Judicial Hearing Board for re-opening to allow reconsideration of the original determination and/or sanction(s).
- 5. If an appeal is not granted by the Chairperson of the Administrative Hearing Board, then, the sanction imposed shall be considered final and binding upon all involved.
- 6. Students have the right to appeal the finding, decision, and recommendation of the Administrative Appeals Board if the reasons are based on the criteria listed in #2 of this article. To do so, a student must give written notification to the Office of the President of his/her intent to appeal and reasons for appealing within three (3) business days after notice of the finding, decision, and recommendation of the Administrative Appeals Board. Late notification of intent to appeal to the Office of the President will be accepted or rejected after hearing the student's reasons for failure to comply with above statement.
- 7. If the request for an appeal is granted, the President or President's designee shall set a date, time, and place to review the findings, decision, and recommendation of the Administrative Appeals Board.
- 8. The President or his/her designee may, at his/her discretion, make any of the following sanctions:
  - Approve the recommendation of the Administrative Appeals Board
  - Amend and approve the recommendation; or
  - Return the recommendation to the original Judicial Hearing Board for reopening to allow for reconsideration of the original determination and/or sanction(s).

Note: As the Chief Executive Officer of the University, the President holds the ultimate authority in matters of student discipline.

Additionally, it will be the discretion of the President or his/her designee as to whether or not a student remains under suspension pending the outcome of the appeal. Factors that will be considered include the nature of the violation, interference with the University's educational mission and the safety and welfare of other members of the University community.

9. Each institution is authorized to establish policies and regulations governing student conduct. Students shall have due process in disciplinary matters, and any student who exhausted all due process procedures at the institutional level may appeal his/her grievance 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. Within thirty (30) days after all due process procedures have been exhausted at the institutional level, the student must present his appeal to the System President of the University of Louisiana System. The staff shall review the due process proceedings from the institution and submit recommendations to the Board of Trustees for the University of Louisiana System. If the request for appeal is granted, the System President or his designee shall, within a reasonable time, set a date, time, and place to review the findings, decision, and recommendation of the President of Grambling State University. The complete records of this case shall be made available for use by the System staff and Board of Trustees. The System Office may request the presence of an individual, administrator or student involved in the case.

Note: If the decision of the Judicial Hearing Board and/or the Administrative Appeals Board is upheld, then the sanction will be imposed as of the original date unless the President affixes a different sanction or date. Students who are suspended or expelled from the University are not eligible for refunds after the 14<sup>th</sup> class day for Fall and Spring semesters and the 7<sup>th</sup> class day for Summer sessions.

#### I. ARTICLE EIGHT

#### Records

- a. Records shall be created for all reported cases of student misconduct.
- b. Disciplinary records are considered academic records and are protected by the **Family Educational Rights and Privacy Act (FERPA)**. Records may be released to University officials on a need-to-know basis only.
- c. All disciplinary records are the property of Grambling State University and are maintained in the Office of Student Conduct. The University reserves the right to maintain these records for any time depending on the severity of the infraction. Major offenses involving criminal charges or suspensions and expulsions shall be maintained indefinitely.
- d. A tape recording shall be made of every judicial board hearing. The tape recording shall be the property of the University. Neither the complainant nor the accused shall be allowed to make a separate recording of any type. Under no circumstances will a copy of the recording be released except in the case wherein the records are subpoenaed by a court order.

#### J. ARTICLE NINE

#### **Interpretation and Revision**

The President is responsible for shaping the University's mission and academic standards in cooperation with the Board of Supervisors for the University of

Louisiana System. The President has final authority over all employees and students. The President is also charged with the responsibility of maintaining appropriate standards of student conduct.

Any question of interpretation regarding the Code of Student Conduct shall be referred to the Office of Student Conduct for final determination.

The Code of Student Conduct shall be reviewed every two (2) years under the direction of the Office of Student Conduct.

#### K. HAZING POLICY

#### I. PURPOSE/OBJECTIVE

No chapter, team, club, colony, unit, student, alumnus/alumna, advisers, and/or other persons associated with a university recognized or sponsored organization shall conduct or condone any activity which can be described as hazing.

#### II. STATEMENT OF POLICY

In compliance with Acts 635, 637 and 640 of the 2018 Regular Session of the Louisiana Legislature and the 2018 Board of Regents Uniform Policy on Hazing, the university reaffirms its policy that any form of hazing of any student enrolled at Grambling State University, is prohibited. Violation of this policy can result in both disciplinary action imposed by the organization and/or institution as well as criminal charges.

#### A. Definitions.

- 1. **Hazing** is defined as any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against an individual that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution, including but is not limited to:
- 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.
- 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:
- I. Physical brutality, such as whipping, beating, paddling, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity.

- II. 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.
- III. 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.
- IV. 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.
- 3. It is important to note, physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the postsecondary education institution is not considered "hazing."
- 4. **Organization** is a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group whose members are primarily students at, or former students of, a postsecondary education institution, including the national or parent organization of which any of the underlying entities provided for in this definition is a sanctioned or recognized member at the time of the hazing.
- 5. **Pledging** is any action or activity related to becoming a member of an organization, including recruitment and rushing.

## **6.** Appropriate authority

- I. Grambling State University Police (318-274-2222 on campus) or any state or local law enforcement agency.
- II. If off campus, a 911 Public Safety Answering Point as defined in Title 33 of the Louisiana Revised Statutes of 1950.
- III. Emergency medical personnel.
- 7. **Reckless behavior** is an activity or behavior in which a reasonable person knew or reasonably should have known that the activity or behavior may result in injury to another, including but not limited to excessive consumption of alcohol, binge drinking, drag racing, consumption of any controlled dangerous substance, acts of hazing, or other similar activity.
- 8. **Serious bodily injury** is bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, death, or a substantial risk of death.
- B. Prevention, Awareness, and Educational Programs.
- 1. Each new student shall be provided educational information on the dangers of and prohibition on hazing during the new student orientation process and during First Year Experience (FYE) courses. Information shall be provided in the form of a handbook or as a section in the FYE Book.
- 2. In addition, beginning in the Fall Semester of 2019, each new student shall be provided educational information on the dangers of and prohibition on hazing during the new student orientation process: in person at the first convocation; at the first Residence Hall Meetings; and electronically through the campus email system.

- 3. Each registered campus organization (as defined above in this Policy and in R.S. 17:1801.1) shall provide annually at least one hour of hazing prevention education to all members and prospective members. The education may be provided in person, electronically, or both. Each organization shall submit a report annually to the Office of Student Leadership & Engagement with which it is affiliated relative to the students receiving such education evidenced by an attestation of the student receiving the education.
- 4. The Office of Student Leadership & Engagement will also sponsor a Hazing Prevention Program each fall and spring semester, which shall be required attendance for all students who are interested in participating in any university-sponsored organization.
- 5. The hazing prevention education required under the provisions above shall include the information about criminal penalties for the crime of criminal hazing. Information shall also be provided 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.

### C. Reporting Requirement.

It shall be the duty of all current and potential student organization members and pledges to report immediately, in writing, any violation of this policy to the Office of Student Leadership and Engagement. Any violation of this policy shall be investigated by the Office of Student Leadership and Engagement, with support from the Office of Student Affairs, and appropriate disciplinary action as needed, will be taken.

## D. Duty to Seek Assistance

- 1. In accordance with Act 637 of 2018, codified at R.S. 14:502, any person at the scene of an emergency who knows that another person has suffered bodily injury caused by an act of hazing 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.
- 2. The criminal penalties for failure to seek assistance in violation of R.S. 14:502, states that any person who violates the provisions of this Section shall be fined not more than one thousand dollars (\$1,000), imprisoned with or without hard labor for not more than one year, or both. 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 (\$2,000), imprisoned with or without hard labor for not more than five years, or both.

#### E. Sanctions.

#### 1. Organizations and Affiliates

- i. If an organization has taken 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 hazing, the organization shall report the incident, in writing, to the Office of Student Leadership and Engagement. The Office of Student Leadership and Engagement will make a determination on whether or not additional campus sanctions and/or student conduct adjudication, may be necessary.
- ii. 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, in writing, to the Office of Student Leadership and Engagement. The Office of Student Leadership and Engagement will make a determination on whether or not additional campus sanctions and/or student conduct adjudication, may be necessary.

iii. 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 of which any of the underlying entities as recognized in this Policy is sanctioned or recognized member at the time of the hazing, knew and failed to report to law enforcement that one or more of the organization's members were hazing another person, the organization may be subject to penalties under R.S. 14:40.8. In addition, the Office of Student Leadership and Engagement will make a determination on whether or not additional campus sanctions and/or student conduct adjudication, may be necessary.

#### 2. Students

- i. Any student who violates the provisions of Acts 635, 637 and 640 of the 2018 Regular Session of the Louisiana Legislature and this Policy shall be expelled, suspended, or dismissed from the institution and not permitted to return for at least one semester, quarter, or comparable academic period and may be subject to criminal charges.
- ii. Consent is not a defense. It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.
- iii. Any student who fails to seek assistance as defined by the law and this policy shall be subject to penalties outlined in R.S. 14:40.8. Any person or organization shall be personally responsible for the content of any signs, notices or posters they sponsor or post on campus. By posting the sign, notice or poster on campus, the person or organization agrees to hold Grambling State University harmless for any assessed damages or liabilities incurred as a result of the sign, notice or poster.

#### L. ALCOHOL AND ILLEGAL CONTROLLED SUBSTANCES POLICY

Grambling State University has a "**zero tolerance**" policy on the improper use of controlled substances. As a member of the University of Louisiana System, Grambling State University is designated an "alcohol and drug free" campus. The unlawful manufacture, distribution or use of illegal controlled substances or alcohol, or underage consumption of alcohol is strictly prohibited on university properties and/or as part of any university activity. Such behavior may be grounds for disciplinary action.

Grambling State University endorses the Drug Free Schools and Communities Act Amendment of 1989 (**Public Law 101-226**) and abides by all state and local laws and ordinances relative to alcoholic beverages and illegal controlled substances. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to any person under twenty-one (**21**) years of age.

Students found responsible for violating the Alcohol and Illegal Controlled Substances Policy shall be subject to disciplinary action through the Office of Student Conduct.

## M. WEAPONS ON CAMPUS POLICY

Grambling State University, as a member of the University of Louisiana System is designated as a "firearm-free zone" pursuant to Louisiana law R.S. 14:96.6. Carrying a firearm or dangerous weapon by a student or non-student on campus property, at campus-sponsored functions, or in a firearm-free zone is unlawful and violators shall be subject to criminal charges and campus discipline as stated in the University of Louisiana System, Board of Supervisors' "Weapons on Campus Policy".

Grambling State University explicitly prohibits the use, possession, or storage of dangerous weapons and explosives. Chemicals are also strictly prohibited even if legally possessed in a manner that harms, threatens or causes fear.

Any person who wishes to possess a firearm sanctioned by state law and university policies while on school property, school transportation, or at any school sponsored or affiliated function, shall obtain written authority of the President or Vice President and register such weapon with campus police before bringing the firearm on school property, school transportation, or to any school sponsored or affiliated function.

Possession of a firearm, when in violation of state laws, the University of Louisiana System policy, or University policy, shall be grounds for suspension, or expulsion from the University.

Students found in violation of the "Weapons on Campus Policy" shall be subject to disciplinary action through the Office of Student Conduct.

#### O. ZERO TOLERANCE FOR AGGRESSIVE BEHAVIOR POLICY

Grambling State University has a "**Zero Tolerance**" policy for Aggressive Behavior. The purpose of this policy is to address incidents of unacceptable behavior which create fear, bodily harm to another, or damage to property.

Aggressive Behavior is defined as intimidating gestures, threatening, abusive language, fighting or physical actions which create fear, intent of bodily harm, bodily harm to another person or damage to university or personal property. Additional definitions of aggressive behavior maybe identified in the student handbook, which may include, but are not limited to the following:

- 1. Assault
- 2. Battery
- 3. Dangerous, Threatening Unsafe Behavior
- 4. Destruction/Damage to Property

Any student found in-violation of an aggressive behavior act may result in immediate suspension up to expulsion from the University. The University has jurisdiction over all behavioral infractions which occur in University facilities or on University property. University charges and criminal charges are totally independent of each other.

#### P. ELECTRONIC DEVICES POLICY

The use of any unauthorized electronic device including, but not limited to, cell phones, pagers, IPods, MP3, etc., during official classroom instruction, University assembly periods, and official University testing administration sites are strictly prohibited. Students entering into a classroom or testing site must turn off and store their phones prior to entering the room. Cell phones are not allowed on desks or table tops. Students must obtain permission from the instructor prior to the beginning of class and must operate the phone in silent mode if extenuating circumstances require a cell phone to be on during class. The instructor may

determine the consequences for violations of this policy or refer written complaints to the Office of Student Conduct.

## Q. CLASSROOM MISCONDUCT POLICY

- 1. When a student's behavior in class is **as seriously** disruptive as to compel immediate action, the instructor has authority to remove a student from the class on an interim basis, pending an informal hearing addressing the behavior. A student who has been removed from a class on an interim basis is entitled to an informal hearing before the head of the department offering the course within three working days of the removal. The department head may either:
  - a. Approve an agreement of expectations between the student and the instructor and reinstate the student to the class; or
  - b. Extend the removal of the student from the class and refer the case to the Office of Student Conduct for adjudication. (A copy of all material shall be forwarded to the instructor's academic dean, the student's academic dean and to the Office of Student Conduct.)
- 2. When a student's action is **not as serious** as to require immediate removal from the class, the following steps shall be followed:
  - a. The instructor for the class shall inform the student that his/her behavior has been inappropriate;
  - b. The instructor shall describe to the student specific needed changes in the student's behavior;
  - c. The student will be provided an opportunity to modify his/her behavior in accordance with the changes identified in writing, inclusive of a summary of his/her discussion with the student, and the instructor will retain a file copy of the summary;
  - d. If a student believes an instructor's expectations are unreasonable, he/she may confer with the instructor's department head about the matter. The department head may choose to support the guidelines developed by the instructor, or he or she may work with the instructor to develop a modified set of expectations. If there are changes in the instructor's original set of expectations, a signed and dated copy will be provided by the department head to both the student and the instructor; and
  - e. If a student's behavior continues to be unacceptable, the department head may initiate additional discussion with the instructor and/or the student. If the department head concurs with the instructor's view that the problem has not been resolved, the situation may be referred to the Office of Student Conduct. A memorandum describing the student's behavior, as well as a copy of the written summary and any other

related material shall be forwarded to the **Office of Student Conduct**. (A copy of all material shall be forwarded to the instructor's academic dean, student's academic dean and the Office of Student Conduct.)

## R. DRESS CODE POLICY

Grambling State University, a community of leaders preparing students to compete as well as succeed in their chosen careers, still maintains the traditional notion of acceptable dress attire. The personal appearance of every university student is an important component of maintaining a student centered learning environment. In order to achieve the total educational process an appropriate dress code which promotes a positive image of the university must be presented at all times. Students are expected to dress in a manner supportive of a positive learning environment, free from disruptions and distractions.

The following standards shall apply and will be enforced:

Examples of inappropriate attire include but are not limited to:

- a. Wearing hats, caps, do-rags, skullcaps, bandanas, stocking caps and/or other headgear;
- b. Lounging shoes, lounging slippers, bare feet, short-shorts, sagging pants (exposing undergarments), lounging pants (except in the privacy of the student's living quarters); and
- c. Clothing consisting of derogatory and or offensive messages either in pictures or words.

This policy does not apply to headgear identified as religious or cultural dress. Students seeking approval for headgear attire shall make a written request through the Office of the Vice President for Student Affairs.

Students must adhere to any special dress standard set by groups presenting social programs such as musical arts, convocations, commencement, etc. Admission to such events may be denied if manner of dress is inappropriate.

Appropriate student behavior addressing the dress code policy shall be monitored by university faculty and staff.

#### S. PARENTAL NOTIFICATION

The Family Educational Rights and Privacy Act (**FERPA**) is a federal law that permits universities to notify parents or guardians of students under 21 years of age of alcohol and other drug violations which result in a determination that the student has committed a disciplinary violation. This exception to the privacy rights of students was enacted because of the health and safety consequences of alcohol and other drug abuse. Grambling State University is committed to the total

development of each student. We believe that parents share the University's concern in such situations for their child's health, safety, and academic progress.

Therefore, Grambling State University may notify parent(s) or legal guardian(s) of any student under the age of 21 found responsible for a violation of any federal, state, and/or local law or university policy regarding alcohol and/or controlled substances or other dangerous drugs.

# **Ouestions Pertaining to this Code of Student Conduct should be directed to:**

Inetha M. Wimberly
Director/Office of Student Conduct

Grambling State University|403 Main Street| GSU Box 4309|Grambling, LA 71245 Phone: 318-274-7782| Fax: 318-274-3297

wimberlyi@gram.edu|www.gram.edu

#### T. NON-DISCRIMINATION STATEMENT

Grambling State University adheres to the equal opportunity provisions of federal civil rights laws and regulations that are applicable to this agency. Therefore, no one will be discriminated against on the basis of race, color, or national origin (**Title VI of the Civil Rights Act of 1964**); sex (**Title IX of the Education Amendments of 1972**); or disability (**Section 504 of the Rehabilitation Act of 1973**) in attaining educational goals and objectives and in the administration of personnel policies and procedures. Anyone with questions regarding this policy may contact the **EEO Officer Beverly Crawford, Brown Hall Rm. 127 at (318) 274-2660**.

The health, safety, and well-being of students, employees, campus visitors and authorized users are the University's primary concern. If you or someone you know is the victim of any form of sexual misconduct, you are strongly urged to seek immediate assistance.

If the University is open, employees, students and non-students may file a report in person during regular business hours (7:30 a.m. to 5:00 p.m., Monday – Thursday, and 7:30 a.m. – 11:30 a.m., Friday) with the Title IX Coordinator Beverly Crawford, Brown Hall; Room 127:

Title IX Coordinator Brown Hall Rm. 127 403 Main Street Grambling, LA 71245 Phone: (318) 274-2660

Email: titleix@gram.edu or crawfordb@gram.edu

Assistance can be obtained 24 hours a day, seven days a week from:

- **□** University Police
  - o 1-911, emergency; on-campus
  - o (318) 274-2222, off campus
- ☐ Local Hospital:
  - Northern Louisiana Medical Center-
    - 401 East Vaughn Avenue, Ruston, LA 71270
       (318) 254-2100

In addition, the Grambling State University Counseling Center (274-3277) and the Student Health Center (274-2351), both are located at the Foster-Johnson Health Center.

NOTE: Although this handbook was prepared with available information at the time of publication, Grambling State University reserves the right to amend, without obligation, any information or statement in the publication as deemed necessary.

Students should be familiar with the latest policies and procedures so promulgated. They supersede all others.

Updated July 1, 2020