

Student Handbook

Authority: Student Affairs

Date Enacted or Revised: Revised March 2016; July 2016; January 2020; August 2020; June 7, 2022; August 23, 2022

Administrative Authority and Scope

This policy is a codification of existing rules and regulations that pertain to students and student life whether traditional and/or online students. The Statement of Student Rights and Responsibilities represents the University's interest in creating and maintaining a learning environment conducive to academic excellence and student success. The Code of Student Conduct and Academic Integrity is promulgated by the Office of Student Services under the power and authority delegated by the Board of Supervisors for the University of Louisiana System to the president of McNeese State University. This publication is designed to enhance the role, scope, and mission of the University by communicating expectations pertaining to student behavior and prescribing procedures for managing violations of University policies. The Key Policies Impacting Student Conduct section identifies several, but not all, institutional regulations of particular significance to students. The University asserts an interest in the conduct of its students and expects students to observe University regulations and obey civil law at all times, whether on the campus or in the community at large, throughout the period in which they seek admission to, are admitted to, are enrolled in, or seeking continuing enrollment in the University. Students may be subject to disciplinary action by the University for any conduct that violates University regulations or civil and criminal laws, regardless of location wherein the conduct occurs, whether on- or off-campus. Students are further held accountable for the conduct of their guests on-campus or at University-sponsored or controlled events, functions, and locations including, but not limited to, entertainment and athletic venues, internship and cooperative education sites, off-campus instruction and clinical sites, and related locations.

Contact Information

Questions regarding the content and enforcement of policies referenced within the Student Handbook may be forwarded to the Office of Student Services.

Mailing Address:

Office of Student Services
McNeese State University
Box 92535
Lake Charles, Louisiana 70609

Physical Address:

4300 Col. Tony Polk Drive
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Brief Statement of Student Rights and Responsibilities

Visit www.mcneese.edu/studentservices/rights in order to view the Statement of Student Rights and Responsibilities in its entirety or contact the Office of Student Services, Box 92535, 4300 Col. Tony Polk Drive, Lake Charles, Louisiana, 70609 to obtain a print version of the document.

Full Statement of Student Rights and Responsibilities

McNeese State University conducts the tasks of education, research, and service on the fundamental assumption that every student who enrolls at the University has a right to a student-centered learning environment that fosters academic excellence and personal success. Students positively contribute to this environment by maintaining high standards of integrity and ethical honor in all academic work and personal conduct, familiarizing themselves with and adhering to all policies and regulations of the University, promptly fulfilling all academic, contractual, and financial obligations, and actively participating in University life.

Student Rights

Specific rights the University seeks to provide students include:

- The right to a student-centered education in an environment that promotes academic and personal success.
- The right of due process and provision for appeal in judicial proceedings for violations of the University's Code of Student Conduct and Academic Integrity Policy (Code of Student Conduct; [Academic Integrity Policy](#)).
- The right to appeal any sanction of suspension or dismissal from the University for a period of one academic year or greater to the University of Louisiana System Board of Supervisors ([UL System Board of Supervisors Bylaws and Rules](#)).
- The right to prevent disclosure of personal "directory" information by providing written notification to the Registrar ([Family Educational Rights and Privacy Act](#)).
- The right to experience a campus environment free from discrimination on the basis of sex, sexual harassment, and power-based violence ([Title IX: Power-Based Violence and Sexual Misconduct Policy](#)).
- The right to inspect and review education records and request corrections of records believed to be inaccurate or misleading ([Family Educational Rights and Privacy Act](#)).
- The right to make written complaint of discrimination by a member of the University faculty or staff or a recognized student organization ([Equity and Inclusion Policy](#)).
- The right of student representation on search committees considering candidates for employment at the level of dean or vice president ([Search Policies and Procedures for Positions of Dean or Higher](#)).
- The right to file a written complaint, through an appropriate vice president of the University, and to receive a written response to the complaint, within prescribed time limits ([Student Complaint Policy](#)).
- The right to acceptable use of certain information technology tools and resources needed to fulfill course requirements while enrolled ([Acceptable Use of Information Technology Resources Policy](#)).
- The right to organize interest groups, social and academic fraternities and sororities, and other organizations in order to strengthen the quality of campus life, provide leadership opportunities, and promote involvement in co-curricular learning ([Student Organizations Handbook](#)).
- The right of use of certain campus facilities while conducting legitimate business of a recognized student organization ([Facilities Use Policy](#)).
- The right to place certain printed material (papers, signs, posters, and banners) at designated locations on the campus ([Placement of Printed Materials on Campus Policy](#)).
- The right of special provisions pertaining to enrollment and fulfillment of course requirements for certain students called into active duty of the armed forces of the United States ([National Guard and Reservist Mobilization/Activation](#)).
- The right to appeal grades believed to be incorrect (see Undergraduate Grade Appeals section of the [Academic Regulations](#) page of the Academic Catalog or Graduate Grade Appeals section of the [Graduate School Regulations](#) page).

Student Responsibilities

Specific responsibilities the University expects students to assume include:

- Maintaining awareness of and compliance with all policies of the University.
- Demonstrating honesty and integrity in all academic relationships.
- Reporting cheating or academic dishonesty in any form to the faculty or Dean of Student Services ([Academic Integrity Policy](#)).
- Abstaining from the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or other drugs on University property or at any University function ([Alcohol and Other Drug Policy](#)).
- Investing a minimum of two hours additional work to accompany each hour of classroom or direct faculty instruction per week for each credit hour pursued. Additional work may include but is not limited to reading, studying, conducting research, writing, and related learning activities (see Class Attendance Regulations section of the [Academic Regulations](#) page of the Academic Catalog).

- Attending class regularly and punctually (see [Class Attendance Regulations](#) and [Withdrawal from Courses for Non-Attendance](#) sections of the [Academic Regulations](#) page of the Academic Catalog).
- Using University information technology resources in a responsible, ethical, professional, and legal manner ([Acceptable Use of Information Technology Resources Policy](#)).
- Maintaining confidentiality of all login credentials for University software, which serve as the sole means of identity verification ([Academic Integrity Policy](#); [Acceptable Use of Information Technology Resources Policy](#)).
- Ensuring adequate access to the technology required for a course. This may include access to a computer (not Chromebooks, iPads, etc.), webcam, internet, adequate bandwidth, etc. This requirement is a standard expectation for all courses regardless of initial course delivery format ([Acceptable Use of Information Technology Resources Policy](#)).
- Refraining from committing any act that discriminates or harasses another in relation to race, ethnic background, gender, sexual orientation, religion, disability, or age ([Equity and Inclusion Policy](#)).
- Abiding by Title IX and power-based violence regulations ([Title IX: Power-Based Violence and Sexual Misconduct Policy](#)).
- Reporting hazing in any form to appropriate University officials or appropriate law authorities ([Anti-Hazing Policy](#)).
- Ensuring that use of campus facilities by recognized student organizations occurs only for the legitimate conduct of organization business and not as a means of providing free use of space to a non-University affiliated group ([Facilities Use Policy](#)).
- Ensuring that events sponsored by recognized student organizations using campus facilities and/or resources are primarily geared toward McNeese State University students ([Student Organizations Handbook](#)).
- Complying with requirements of the Military Selective Service Act ([Selective Service Registration Policy](#)).
- Avoiding use of tobacco products, including electronic cigarettes, in campus buildings or in close proximity to entrances and exits of buildings ([Tobacco Use Policy](#)).
- Reporting instances of direct or eminent physical threat to individuals and property occurring on University-owned or controlled property to University Police; reporting violent behavior that does not constitute a direct or eminent physical threat to appropriate University officials ([Violence-Free Workplace and Campus Violence Prevention Policy](#)).
- Properly notifying the University registrar regarding changes in name, address, telephone number, email address, and social security number (see [Change of Address or Name](#) section of the [Academic Regulations](#) page of the Academic Catalog).

Code of Student Conduct and Academic Integrity

Section 1: Introduction

1. This code shall be cited as Code of Student Conduct and Academic Integrity.
2. The University president authorizes administration and enforcement of the Code of Student Conduct and Academic Integrity.
3. For Title IX-related student violations within jurisdiction, [Title IX Grievance Procedures](#) will be used to resolve a case. For violations of the [Power-Based Violence and Sexual Misconduct Policy](#) not within Title IX jurisdiction, the adjudication process within the Code of Student Conduct and Academic Integrity will be used to resolve a case.

Section 2: Definitions

1. **Administrator:** University officials authorized by the president to administer student conduct and academic integrity procedures.
2. **University:** McNeese State University.
3. **Student:** Anyone who seeks admission to, is admitted to, is enrolled in, or seeks continuing enrollment in the University.
4. **University Official:** Any person authorized by the University to execute prescribed functions in accordance with University and Board of Supervisors rules and regulations as well as the laws of the State of Louisiana.
5. **University Employee:** Any person employed by McNeese State University or a person duly authorized to act on behalf of the University.
6. **University Premise:** All lands, buildings, property or facilities owned, leased, used or otherwise controlled or operated by the University in the fulfillment of its mission.
7. **Normal University Communications Channels:** Use of any University employee, process, affiliated organization or system to contact a student.
8. **Residence Hall:** A residential dwelling unit controlled by the University.
9. **Class Day:** A day on which classes are regularly scheduled, final examinations are given, or the University is otherwise open for business.
10. **Calendar Day:** Any day of the week.
11. **Complaint:** A written or oral statement of the essential facts constituting an alleged violation of a University regulation or rule.

12. **Probative:** Serving to help prove a point.
13. **Student Advocate:** McNeese employee appointed to advise 1) students accused of violating the Code of Conduct and Academic Integrity and, in certain instances, 2) complainants of sexual harassment, sexual violence, and other forms of assault.
14. **Committee:** The University Conduct and Academic Integrity Committee, including any sub-panel constituted to hear cases of any kind.
15. **Summons:** A communication (written or verbal, in any form) notifying a student to appear before the administrator or University Conduct and Academic Integrity Committee.
16. **Bar:** Prohibition of a person from being on or in any lands, buildings, property, equipment, vehicles, or facilities owned, leased, used, or otherwise controlled or operated by the University.
17. **Procedural Review:** Process whereby an appropriate appeal authority reviews the administrative processes and procedures followed in administering student conduct and academic integrity without ruling on guilt or innocence.
18. **Academic Year:** A series of three consecutive periods of instruction (fall, spring, summer, spring, summer, fall; summer, fall, spring notwithstanding brief periods of instruction before, during or after these academic periods).
19. **Calendar Year:** 365 consecutive calendar days.
20. **Complainant:** A person (persons) or entity (entities) subjected to alleged acts prohibited under the Code of Student Conduct and Academic Integrity.
21. **Defendant:** A student (including student guests) accused of committing acts prohibited under the Code of Student Conduct and Academic Integrity.
22. **Attorney:** A person legally authorized to practice law in Louisiana per applicable state or federal law or regulation who may fully participate in any disciplinary proceeding to address an alleged violation of the institution's non-academic rules or policies when a violation of the Code of Student Conduct carries a penalty of 10 or more days, deferred suspension, or expulsion. Attorneys may also advise a student defendant or complainant during any hearing involving sexual harassment or sexual violence.
23. **Non-affiliated Participant:** A person who is not a student, employee, or contracted agent of the University.

Section 3: Student Conduct

Overview: Procedures and sanctions contained herein may be applied to any student (or student guest(s) visiting campus or University-owned/controlled location) who commits or attempts to commit, singularly or in concert with others, whether on or off University-owned or controlled premises, any of the following acts:

1. **Disregard:** Disregarding physical well-being, rights or property of others.
2. **Abuse:** Physical abuse (or threat thereof) against person(s) which threatens or endangers the health or safety of person(s).
3. **Attempted Theft:** The act of attempting to steal the property of another.
4. **Theft:** Unlawful or unauthorized possession/use of another's property.
5. **Fraud:** The acquisition of money, property, benefit(s) or services by fraud, embezzlement, bribery, illegal, or unethical means.
6. **Cheating:** Cheating in any form, including plagiarism, unauthorized collaboration, unauthorized information-sharing, improper obtaining of information or any other form of academic dishonesty. All instances of cheating detected by faculty and students should be reported to the designated administrator who will consult with the course instructor and investigate accordingly.
7. **Intellectual Property Violation:** buying or selling exams, notes, assignments, or other intellectual property without the expressed consent of the instructor who established the materials.
8. **Trespassing:** Unauthorized entry, use or occupation of any facility, premise, vehicle or grounds under the control of the University.
9. **Firearms:** Illegal or prohibited possession or use of guns (including pellet, bb, and similar devices) firearms, ammunition, or explosives of any type.
10. **Fireworks:** Unauthorized or legal igniting of fireworks on any premises or grounds or in any facility under the control of the University.
11. **Weapons Possession:** The use of knives, blades, martial arts devices, or any dangerous object for purposes of intending physical harm or damage to persons or property.
12. **Fighting:** The act of physical confrontation with a person or persons.
13. **Harassment:** Harassment is conduct so severe, pervasive, and objectively offensive, and that so undermines and detracts from the victims' educational experience, that the victim-students are effectively denied equal access to an institution's resources and opportunities, including that of committed by or against persons involved in any aspect of student disciplinary proceedings.
14. **Lying:** Knowingly furnishing false or misleading information to the University or its duly authorized agents concerning business relevant to the operation of the University and its programs and activities.
15. **Hazing:** Violation of the University's [Anti-Hazing Policy](#).

16. **Stalking:** Willful, malicious, and repeated following, contacting or harassing of another person by any means (cyber, electronic, telecommunications or other method) that places another in fear of death, bodily injury, psychological or emotional distress, or other form of harm.
17. **Vandalism:** Destruction, damage, or defacing of the property of others.
18. **Arson:** Intentionally and improperly causing a fire.
19. **Forgery:** The misuse, falsification or alteration of any assessments, documents, records, books, grade reports, transcripts, forms, parking permits, ID cards, or other materials relevant to University operations, regardless of intent.
20. **Disruption:** The intentional obstruction or disruption of teaching, research, administration, or other University event or activity.
21. **Drug Violation:** The possession, distribution, use or manufacture of illegal substances as defined by state or federal law (including improper or unauthorized prescription medication use or distribution), or being influenced by the same.
22. **Alcohol Violation:** Possession, consumption, distribution, or manufacture of alcoholic beverages (except legal consumption where designated by the president); illegal acts involving alcohol including, but not limited to, sale or distribution of alcohol to underage persons; or being illegally influenced by the same.
23. **Delinquency:** Failure to meet University related financial obligations, including delinquency with University-employed agents and contractors.
24. **False Reporting:** The false reporting of an emergency, including false activation of a fire alarm or similar safety, security or warning device.
25. **Emergency or Safety/Security Equipment Misuse:** Unauthorized or improper possession, use, or tampering with emergency, fire, public safety, building and premise security and safety equipment, devices and systems.
26. **Disorderly Conduct:** Disruptive behavior.
27. **ID Card Violation:** Misuse of and/or failure to present a University identification card or other generally accepted government-issued identification on request by a University administrator, employee, or official.
28. **Rules Violation:** Violation of rules governing conduct in any University owned or controlled location whether on or off campus property.
29. **Policies Violation:** Violation of published policies, regulations or written administrative direction or memoranda of the University or its controlling body.
30. **Summons Violation:** Failure to answer a University summons, including failure to appear as a witness before the administrator or committee.
31. **Malfeasance:** Misuse, malfeasance, or misconduct in an elected or appointed office or role in a student organization, campus job, or University committee.
32. **Non-Compliance:** Failure to comply with a sanction or statement of agreement imposed under the authority of the administrator or committee.
33. **Discrimination:** Violation of the University's [Equity and Inclusion Policy](#).
34. **Interference:** Interfering with the performance of any University official acting within the scope of their duty, including failure to comply with a reasonable request.
35. **Law Violation:** Violation of civil or criminal law at any time or place.
36. **Sexual Misconduct:** The act or attempted act of any of the following: rape, aggravated rape, forcible rape, simple rape, sexual battery, second degree sexual battery, oral sexual battery, sexual assault, sexual assault with an object, voyeurism, forcible fondling, forcible sodomy, non-forcible sexual offenses, or any form of unsolicited sexual contact.
37. **Unauthorized Access:** Unauthorized access to property, information, or materials belonging to another (student, faculty, staff, person, University, University-related entity), acquired in any form and by any means.
38. **Retaliation:** Reprisal or "pay back" against a person who witnesses or reports known or suspected prohibited or unlawful activity or who is an alleged or known perpetrator of such activity or who is a member of the committee.
39. **False Impersonation:** Falsely presenting oneself in any form and by any means as a University official, employee, or other official, agent, or persona.
40. **Dating or Domestic Violence:** Domestic abuse battery; domestic abuse aggravated assault; forms of violence committed by a person in a social, romantic or intimate relationship per applicable state or federal law yet not excluding other unauthorized or unsolicited sexual contact.
41. **Bullying:** Habitual overbearing mistreatment or domination of others; inclusive of cyberbullying through social media, text messaging, or other forms of electronic communication.
42. **Terrorizing Conduct:** Conduct in which the actor means to communicate a serious expression of intent to terrorize or acts in reckless disregard of the risk of terrorizing, one or more University students, faculty, or staff. 'Terrorize' means to cause a reasonable person to fear bodily harm or death, perpetrated by the actor or those acting under the actor's control.
43. **Hate Act:** A hateful action taken against a person or property that does not appear to constitute a crime or actionable discrimination but intimidates, mocks, degrades, or threatens a person or group.

44. **Verbal Abuse:** Blatantly offensive language intended to humiliate and gain power over another person. Language protected by free speech laws shall not constitute verbal abuse.

Section 4: Administration of Conduct and Academic Integrity

1. **Vice President for Student Affairs (appointing authority):** ensures conduct and academic integrity policies and procedures are administered. The vice president for student affairs or designee will appoint at least eight (8) faculty or staff members, considers for appointment at least seven (7) of the Student Government Association president's recommended nominees, and may appoint other employees and students to the committee. The vice president or designee appoints a faculty chairperson to preside over the committee and may appoint multiple panels and panel chairpersons in order to efficiently manage proceedings.
2. **Administrator:** enforces the Code of Student Conduct and Academic Integrity. The administrator or designee will investigate alleged violations of the Code and determine if the violation is minor, moderate or major. The administrator may conduct administrative disciplinary processes for all moderate or minor violations without convening the committee. The administrator initiates the committee hearing process, when appropriate, for major violations of the Code and may adjudicate minor and moderate violations through the committee hearing process at his or her discretion. The administrator may also conduct processes for major violations when convening the committee is not practical (holiday breaks, periods between instructional sessions, and situations where concern for health and safety of the campus community must prevail).
3. **Committee:** hears cases whereby a student is charged with a Code of Student Conduct and Academic Integrity violation when requested by the administrator or chairperson or when the administrator's decision in a disciplinary matter is appealed. Quorum of a duly constituted committee or panel thereof, is comprised of at least five (5) members plus one (1) faculty chairperson. All members are appointed to serve for one calendar year beginning with the first day of class for the Fall semester and serve at the pleasure of the vice president or designee. The chairperson reserves the option to appoint multiple panels and panel chairpersons of the committee to hear cases, and such panels are authorized to convene as long as quorum is met. From the faculty and staff members, the vice president or designee will appoint a chairperson. The committee (or panel thereof) will elect a faculty vice chairperson to preside in the absence of the chairperson. In the event a committee or panel chairperson and vice chairperson are unable to preside, the committee or panel members present will elect a faculty acting chairperson to preside so business may be conducted without delay. All members of the committee or panel are voting members, except the chairperson, who only votes in event of a tie. If a committee member resigns or is removed from the committee, the vice president or designee may appoint a replacement.
4. **President (appeal authority):** hears appeals of committee decisions. The president's decisions regarding appeals of committee actions constitute procedural review (except as noted in Section 16.8) and are final except in cases of suspension or dismissal lasting one or more years.
5. **Board of Supervisors:** hears appeals of the president's decision if the sanction involves suspension or dismissal from the University for one or more years. Board decisions constitute procedural review and are final.

Section 5: Summoning a Student Defendant

1. **Summons:** The administrator or committee will use normal University communication channels to summon students. Normal communications may include, but are not limited to, written notice by letter or memo delivered in person or by postal mail, fax, or other method; verbal notice via telephone, third party messenger, or in person; notice via email, text, social networking tool, telephone voice mail message, or other electronic communication method utilized by the University to conduct business.
2. **Administrative Hold:** The administrator or committee may place a hold on a student record to prevent class registration, graduation, degree conferral, disbursement of financial aid or refunds, or release of transcripts when normal University communication channels prove unsuccessful in summoning a student. The administrative hold is released once the student responds and cooperates with conduct and academic integrity procedures. Per the [Power-Based Violence and Sexual Misconduct Policy](#), a student who is the subject of a power-based violence or sexual misconduct formal complaint and attempts to transfer to another institution shall have their transcript withheld or notated until the allegations are resolved.

Section 6: Initiation of Conduct and Academic Integrity Proceedings

1. **Allegations:** When the administrator receives an allegation a student has violated any of the offenses listed in Section Three, he/she will begin a preliminary investigation into the alleged violation(s), determine if the allegation has merit, and make a professional judgment as to whether the violation should be considered a major, moderate or minor infraction. The administrator will determine whether to handle the matter through an administrative process or through committee hearing.
2. **Summons:** The administrator will summon the student(s) for a conference.

3. **Advice of Rights:** The conference begins with the administrator informing the student of their rights and all known Code of Student Conduct violations they have allegedly committed. Additionally, the student will be provided with information regarding any evidence the University used and collected in making the charge. An Advice of Rights form will be signed by the administrator and student, verifying the student understands he/she is being investigated, has been advised of rights and afforded opportunity to consult with a Student Advocate prior to answering questions concerning the allegations. If a student refuses to sign an Advice of Rights, the document is still official, and the administrator will notate the date and "student refuses to sign."
4. **Student Advocate:** If the student wishes to consult with a Student Advocate prior to answering questions, the administrator will immediately refer the student to the first available advocate. Once the student consults with the Advocate, the student in question and student advocate (if so desired by the student) must immediately schedule a conference with the administrator.
5. **Minor and Moderate Violations:** The administrator may handle minor and moderate violations through processes outlined in Section 7.
6. **Major Violations:** The administrator will activate the committee to hear all major violations (except as noted in Section 4.2), and may activate the committee to hear moderate or minor cases. Major violations are those in which the student may be facing severe sanctions such as suspension for at least 10 days, deferred suspension, or expulsion.
7. **Interim Measures:** At any point during the disciplinary process, interim measures may be enacted to ensure the physical safety of members of the campus community during a timely investigation and adjudication of a student disciplinary issue including but not limited to the ability to making adjustments in student housing arrangements, imposing conditions of mutual no contact between the accused student and the alleged victim, temporarily suspending a student, or banning a student from campus. Within 72 hours of the alleged violation being deemed an immediate threat, written notice of the interim measure that explains the institution's reasons for enacting the measures will be provided.
 - a. Within seven business days of the written notice pursuant to Section 6.7, unless otherwise waived by the accused student, an interim measure hearing will be held to determine whether there is substantial evidence that the student poses a risk to the physical safety of a member of the campus community and that the interim measure is appropriate to mitigate that risk. At the hearing, both the accused student and the alleged victim shall have the right to be represented by an attorney or non-attorney advocate provided in Section 9.9. An accused student's waiver of the right to an interim measure hearing shall not constitute an admission of guilt or a waiver of any additional rights provided.
 - b. Interim measure hearings are subject to quorum as prescribed in Section 4.3.

Section 7: Administration of Conduct and Academic Integrity by the Administrator

1. **Authority:** The administrator has the authority to administratively dispose of any violation that he/she determines is a minor or moderate violation without a committee hearing by reaching a finding of guilt or innocence.
2. **Sanctions:** The administrator is authorized to apply any one or combination of Sanctions 15.1 through 15.15 in a consistent manner that they deem appropriate for minor or moderate violations where guilt is determined.
3. **Letter of Agreement:** The administrator and student will sign a Letter of Agreement form acknowledging a finding of guilt and accepting the applied sanctions. If a student refuses to sign a Letter of Agreement, the document is still official, and the administrator will notate the date and "student refuses to sign."
4. **Appeal:** The student defendant (and complainant in certain cases as prescribed in Section 16.1) has 10 class days to file a written appeal of the administrator's finding(s) and sanction(s) to the committee as prescribed in Section 16.1 (appeal procedure). Such appeal initiates a committee hearing as prescribed in Sections 8 through 15.
5. **Confidentiality:** Information discussed and evidence considered in conduct investigations and proceedings with the administrator are confidential. Student conduct records are protected by the FERPA and are not disclosed to others except as noted in Sections 14, 17, and 18.
6. **Enforcement:** The administrator enforces fulfillment of sanctions and may impose other sanctions if non-compliance by the student defendant occurs.

Section 8: Administration of Conduct and Academic Integrity by the Committee

1. **Authority:** The committee may determine guilt or innocence by majority vote of members present for any matter brought before it. If the student is found guilty, the committee may apply sanctions it deems appropriate. Sanctions are agreed upon by majority vote of the committee.
2. **Summons:** The committee has the authority to summon any individual(s) affiliated with the University to testify as a witness for the University or student defendant or for informational purposes.
3. **Protection:** All persons appearing at a committee hearing have the right to police protection throughout the hearing, if warranted. The chairperson, in consultation with the administrator and/or Chief of University Police, will determine necessity and arrange police presence at the hearing, if warranted.

Section 9: Student and Complainant Rights in a Conduct and Academic Integrity Committee Hearing

1. **Private Hearing:** The student defendant will be given a private hearing.
2. **Innocence vs. Guilt:** The student defendant may plead guilty, not guilty or no plea. If the student defendant is not present, a plea of not guilty will be entered on their behalf. The burden of proof rests with the University.
3. **Student Advocate:** The student defendant may consult with a student advocate prior to appearing before the committee. The administrator shall offer referral to a student advocate immediately upon notifying the student of the committee hearing date, time, and location.
4. **Student Advocate as Hearing Advisor:** The student may appear alone or may request a Student Advocate to appear and serve as an advisor (Section 2.13). The advocate, except as noted in Section 9.9, may not personally cross-examine witnesses, address the committee or administrator, or present the case for the student defendant but may appropriately and professionally communicate with the student defendant throughout the hearing in keeping with the dignity of the proceedings.
5. **Challenges to the Committee:** The student defendant may dismiss one (1) Committee member from the hearing without cause and may request to dismiss one (1) committee member from the hearing with cause. When a challenge for cause is initiated, the student defendant, challenged committee member, administrator and other guests will leave the room while remaining committee members deliberate and vote.
6. **Witnesses:** The student defendant will be notified of the charges that may be brought against them and the names of witnesses that may be called to testify against them at least three (3) class days prior to the hearing. The student defendant may request, in writing, witnesses appear on his/her behalf, may know the identity of the witnesses that may testify against him/her, and may cross-examine witnesses called by the University. The administrator will summon witnesses for the student if such request is made in writing at least two (2) class days prior to the hearing provided the witnesses are subject to the summons.
7. **Evidence:** The student defendant (and complainant in certain cases) may request, in writing and at least two (2) days prior to hearing, copies of all evidence or written descriptions of all evidence that may be presented by the University. The administrator must furnish this information at least one (1) class day prior to the hearing. In the case of major violations where a disciplinary violation potentially carries a penalty of suspension for 10 or more days, deferred suspension, or expulsion, evidence and unrestricted documents will be available to the defendant and respondent beginning at least seven days prior to the hearing.
8. **Separate Hearing:** If more than one student is involved with the alleged violation, they may request, in writing, a separate hearing from the other student(s) provided they show cause. This must be received by the chairperson a minimum of three (3) days prior to the scheduled hearing. The chairperson will have final authority to rule on the request.
9. **Student Attorney or Non-Attorney Advocate:** In accordance with Section 2.22 and applicable state or federal laws or regulations, students may be eligible for accompaniment by an attorney in hearings involving certain alleged violations. Defendant and complainant students involved in non-academic disciplinary cases that carry a potential penalty of 10 or more days, deferred suspension, or expulsion have the right to be represented, at the student's expense, by an attorney or non-attorney advocate who may fully participate during the hearing process.
10. **Complainant's Rights:** In accordance with Section 2.13 and 2.22 and applicable state and federal laws or regulations, complainants of certain alleged offenses may be eligible to receive assistance from a student advocate, may be eligible to receive copies of evidence or written descriptions of evidence to be presented by the University during disciplinary proceedings related to matters in which they are a complainant, may be eligible for accompaniment by an attorney during disciplinary proceedings related to matters in which they are a complainant, may be notified of the outcome of disciplinary proceedings and corresponding sanctions for matters in which they are a complainant, may be eligible to appeal the outcome of disciplinary proceedings related to matters in which they are a complainant, and may have other rights not specified in the Code of Student Conduct and Academic Integrity at the time of its publication.
11. **Attorney Activity:** Attorney representing student defendants or complainants at student disciplinary hearings, if authorized per Section 2.22, may not personally cross-examine witnesses, may not address the committee or may not raise motions or objections, and may not otherwise engage hearing attendees or procedures. The attorney may communicate directly and confidentially with his or her client in a manner consistent with the dignity of the proceedings. Attorneys representing students for cases involving major non-academic violations (Section 6.6) may fully participate in the hearing process but are subject to the governance of the rules of decorum and the hearing chairperson.

Section 10: Administrator Rights in a Hearing

1. **Witnesses:** The administrator may summon witnesses to appear on behalf of the University (assuming such witnesses are subject to summons), may know the identity of witnesses that may be called by the student defendant, may cross-examine witnesses testifying in the student defendants' behalf, and may cross-examine the student defendant if he/she testifies in his/her own behalf.

2. **Evidence:** The administrator may request, in writing and at least two (2) days prior to the hearing, copies of evidence the student defendant may use in his/her defense and the names of all witnesses that may be utilized by the student defendant. This information must be furnished at least one (1) class day prior to the hearing. The student defendant (and complainant in certain cases) may request, in writing and at least two (2) class days prior to the hearing, copies of all evidence or written descriptions of all evidence to be presented by the University. The administrator must furnish this information to the requesting party at least one (1) class day prior to the hearing.
3. **Student Defendant's Absence:** The administrator may request to proceed with the University's case if a student defendant fails to appear without good cause. In the case of a non-academic disciplinary hearing for a major violation, a student defendant's attorney may present the student's case on their behalf but may not testify on behalf of the student.
4. **Challenges to the Committee:** The administrator may dismiss from the hearing one (1) committee member for cause and may request to dismiss one (1) committee member without cause. When a challenge for cause is initiated, the student defendant, challenged member, administrator and other guests will leave the room while remaining committee members deliberate and vote.

Section 11: Duties and Responsibilities

Chairperson of the Committee or Panel

1. **Voting:** The chairperson shall vote only in the event of a tie. No record of committee member votes other than overall finding(s) will be made.
2. **Date, Time, and Place:** The chairperson will determine the date, time and location of the hearing.
3. **Closed Hearing:** The chairperson must maintain a closed hearing.
4. **Rights:** The chairperson must ascertain, at the beginning of each hearing, all rights of the student defendant(s), complainant(s) (when applicable), and administrator have been afforded.
5. **Evidence, Objections, and Motions:** The chairperson shall rule on the admissibility of evidence, validity of objections and validity of motions.
6. **Vice Chairperson:** The chairperson will arrange for the Vice chairperson to preside in his/her absence. The Acting chairperson may preside in the absence of the chairperson and/or Vice Chairperson
7. **Deliberations:** The chairperson will ensure that all committee deliberations, discussions and votes are conducted professionally and in closed session. The student defendant, administrator, and all other guests must exit the hearing room prior to commencement of deliberations.
8. **Professionalism:** The chairperson must ensure the hearing process is conducted with professionalism, integrity, justice and order in keeping with the dignity of the proceedings.
9. **Removal from Hearing:** The chairperson may order removal of committee member(s), student defendant(s), complainant(s), witnesses, University official(s), advocate(s), attorney(s) or other participant(s) from a hearing for inappropriate behavior by motion, second and majority vote of the members present. Hearings may continue following removal if a quorum exists.
10. **Written Notification:** The Chairperson must provide the student defendant with written notice of the committee's verdict, imposed sanctions and appeal procedure at least five (5) class days following the hearing. The Chairperson may provide the student, at his or her discretion, informal verbal notification immediately upon conclusion of the hearing.

Administrator

1. **Notification:** The administrator will notify the student defendant, in writing, at least three (3) class days prior, but no more than 30 class days prior, of the date, time, and place of the hearing. The notification shall be either hand-delivered, sent by mail, or sent by email to the student defendant at an address appearing in the student's University records.
2. **Witnesses:** The administrator will summon all students, University employees, and others who may appear on behalf of the University to serve as witnesses in the case. The administrator will summon witnesses to appear on behalf of the student defendant as prescribed in Section 9. The administrator must provide the student defendant with a list of all of the witnesses who may appear on behalf of the University's case at least three (3) class days in advance of the hearing upon written request from the student defendant. For cases involving major non-academic violations, the administrator must provide witness information to the student defendant at least seven (7) days in advance of the hearing upon written request from the student defendant.
3. **Evidence:** The administrator must provide the student defendant, at least three (3) class days prior to the hearing upon written request, copies of all documentary evidence and a written description of all other evidence the administrator intends to present. The administrator must ensure the presence of documentary and other evidence gathered from the investigation requested by the student defendant or requested by the committee. For cases involving major non-academic violations, the administrator must provide all documentary evidence collected to the student defendant at least seven (7) days in advance of the hearing upon written request from the student defendant.

4. **Records:** The administrator will arrange for audio and/or video recording of all open sessions of the case. All documentary evidence must be kept on file, in a secure location, for a period of not less than seven (7) years.
5. **Prosecution:** An assigned administrator will present the University's case. For cases involving major non-academic violations, the prosecuting administrator must be different from the administrator who performed the investigation which lead to charges being applied.

Committee Members

1. **Professionalism:** Members of the committee are required to conduct themselves in a professional, courteous, and non-prejudicial manner.
2. **Attendance:** Each committee member is expected to attend all hearings and/or meetings. In the event unexpected conflicts arise, the committee member is expected to notify the chairperson as soon as possible.
3. **Conflict of Interest:** A committee member must inform the chairperson if participating in a particular case could or does pose a conflict of interest. Committee members are not allowed to be a complainant's counselor, advisor, or advocate.
4. **Confidentiality:** Proceedings of hearings are confidential. Student conduct records are protected by FERPA and are not disclosed to others except as noted in Sections 17 and 18. University officials with legitimate educational or safety and security interests and other parties (complainants of certain offenses and anyone as prescribed in Section 18) may be notified of the outcomes and sanctions of certain disciplinary proceedings as permitted under applicable state or federal law or regulation.
5. **Voting:** Each committee member is required to cast a vote in determining guilt or innocence regarding each allegation as well as appropriate sanction(s) to be imposed. Abstentions are not permitted.

Student Defendants

1. **Attendance:** The student defendant is expected to be on time, professional in appearance, and in attendance until completion of the hearing. The chairperson, upon motion, second and majority vote of the committee, may proceed with a hearing in the absence of a student defendant who fails to appear without good cause, who prematurely exits the hearing, or who is removed from the hearing. In the case of a non-academic disciplinary hearing for a major violation, a student defendant's attorney may present the student's case on their behalf but may not testify on behalf of the student.
2. **Evidence:** The student defendant is required to furnish the administrator, upon written request by the administrator and at least one (1) class day prior to the hearing, copies of all documentary evidence and a written description of all other evidence he/she will present in their defense.
3. **Witnesses:** The student defendant is required to furnish the administrator, upon written request by the administrator and at least one (1) class day prior to the hearing, a list of witnesses that he/she may call to testify on their behalf.

Section 12: Evidence

1. **Admissibility:** The Chairperson of the committee will determine the admissibility of all evidence presented. Documentary evidence may be admitted in the form of copies, extracts, or by incorporation through reference. Real evidence may be admitted in the same manner. Real evidence may also be photographed or described for the record.
2. **Rules of Evidence:** Legal rules of evidence do not apply to student conduct and academic integrity hearings, but the chairperson and/or committee may admit evidence possessing probative value that is commonly accepted by reasonable persons.
3. **Rules of Privilege:** The committee will give effect to the rules of privilege as recognized by law and, in addition, shall recognize as privileged, communication between a student and a member of the staff of the Student Health Center, Counseling Center, or Kay Dore Counseling Clinic.
4. **Hearing Record:** All evidence presented becomes part of the record.
5. **Standards of Evidence:** The committee shall presume a student defendant innocent of the allegation until it is convinced of his/her guilt by clear, convincing evidence except in cases involving allegations of sexual harassment, sexual violence, or power-based violence where a preponderance of the evidence standard shall be applied in compliance with the [Power-Based Violence and Sexual Misconduct Policy](#).
6. **Prior Conduct/Academic Record:** A student defendant's prior conduct or academic record cannot be used as evidence in determining guilt. The committee is only allowed to review prior records for sanctioning purposes.

Section 13: Hearing Procedure

1. **Closed Hearing:** The hearing will be closed to the public. The following persons may attend: members of the committee, administrator, witnesses, complainant(s), student defendant(s), student advocate(s), and attorneys (if authorized per Section 2.22 or in the case of non-academic major violations). Other University officials are permitted to attend as observers for training or security purposes by chairperson approval.
2. **Call to Order:** The chairperson will call the hearing to order.

3. **Introductions:** The student defendant will then state his/her name and introduce his/her advocate(s) and/or attorney. The chairperson will ask each committee member, administrators, University officials, witnesses, complainant(s), student advocate(s), and attorney(s) to introduce themselves at appropriate junctures.
4. **Student and Administrator Rights:** The chairperson will review and ascertain student and administrator rights have been properly afforded.
5. **Charges:** The chairperson will ask the administrator to read the charges.
6. **Plea:** The chairperson will ask the student defendant to enter a plea to each of the charges. The student defendant has the right to enter one of the following pleas: (1) Guilty, (2) Not Guilty, (3) No Plea. A plea of "not guilty" for each charge shall be entered by the chairperson in the event of the student defendant absence or absence of a student defendant response.
7. **Guilty Plea:** The chairperson will record the plea(s) and immediately begin the sanctioning phase of the hearing.
8. **Not Guilty/No Plea:** The chairperson will call for presentation of evidence and witnesses.
9. **Presentation of Evidence:** The administrator will begin with an opening statement summarizing the investigation and then present witnesses and evidence collected during the investigation. The student defendant will then be allowed to make an opening statement pertaining to the charges against him/her and present his/her defense witnesses and evidence. In the case of non-academic major violations with the potential of suspension for ten or more days or expulsion, the student defendant's attorney or non-attorney advocate may make the student's opening statement, call and cross-examine witnesses, and present evidence.
10. **Witnesses:** A witness summoned to testify must wait outside the hearing room until called into the hearing. Once called the witness must introduce himself or herself to the committee and respond to the Question of Truth prior to testifying. Witnesses are dismissed on completion of their testimony, unless otherwise directed by the chairperson, and may no longer attend the hearing.
11. **Question of Truth (Students):** *"Do you understand it is a violation of the University Code of Student Conduct and Academic Integrity and University policy to provide false information to this committee?"*
12. **Question of Truth (Employees):** *"Do you understand it is a violation of the University Personal Conduct and Civility Policy to provide false information to this committee?"*
13. **Question of Truth (Non-Affiliated Party):** *"Do you understand you are only to provide truthful and firsthand information to this committee?"*
14. **Cross-Examination of Witnesses:** Only the committee, administrator, and student defendant may question witnesses. In the case of non-academic major violations with the potential of suspension for ten or more days, deferred suspension, or expulsion, the student defendant's attorney or non-attorney advocate may cross-examine witnesses. The student defendant does not have to testify unless he/she serves as a witness.
15. **Summation:** The student defendant may give a summation immediately following their defense. In the case of non-academic major violations with the potential of suspension for 10 or more days, deferred suspension, or expulsion, the student defendant's attorney or non-attorney advocate may deliver the student defendant's summation. The administrator may give a final summation.
16. **Deliberation:** At the conclusion of the administrator's summation, the committee will go into closed session to deliberate guilt or innocence. Only committee members may participate in such deliberations. No record of deliberations is created.
17. **Imposition of Verdict:** At the conclusion of deliberations, the chairperson will reconvene the committee, invite attendees to return, and read the verdict. The hearing concludes immediately in event of a sole verdict of not guilty.
18. **Continuance:** The chairperson reserves the authority to determine that the hearing cannot be completed in a timely manner in a single session, and may continue any phase of the hearing to a later date within seven (7) class days. No more than one continuance of a hearing is permitted.

Section 14: Sanctioning

1. **Sanctioning:** A guilty verdict or plea will warrant a sanctioning phase of the hearing. The chairperson shall determine if sufficient time exists to complete the sanctioning phase in an appropriate manner, or if the hearing should be continued at a later time in order to impose sanctions. Sanctions must be imposed within seven (7) class days of the guilty verdict.
2. **Student Recommendation:** The chairperson will ask the guilty student for his/her recommendation of appropriate sanction(s).
3. **Dean's Recommendation:** The chairperson will ask the administrator for a recommendation of appropriate sanction(s).
4. **Conduct Record:** The student defendant's conduct record will be presented to the committee by the administrator during the sanctioning phase of the hearing.
5. **Deliberation:** Upon receiving recommended sanctions, the committee will go into closed session to deliberate. Only committee members may attend and participate in deliberation of sanctions. No record of deliberations is created.
6. **Imposition and Notification of Sanctions:** The student defendant is officially notified in writing of the decision of the committee concerning sanctions within five (5) class days of a guilty verdict. However, the chairperson may, at his or her own discretion, invite attendees to return to the

room for unofficial, verbal notifications of sanctions. Complainants of sexual harassment or sexual violence are notified of the verdict and sanctions in writing within five (5) class days of the hearing's conclusion in compliance with applicable state or federal laws or regulations.

7. **Conclusion:** The chairperson will conclude the hearing upon cessation of deliberation, verdict and imposition of sanctions.
8. **Enforcement:** The administrator shall enforce fulfillment of sanctions imposed by the committee and may impose additional sanctions if non-compliance by the student defendant occurs. The administrator may prescribe deadlines for fulfillment of sanctions where not otherwise specified by the committee.

Section 15: Sanctions

1. **Verbal Reprimand:** The administrator or committee may verbally counsel the student in regard to his/her inappropriate behavior.
2. **Written Reprimand:** The administrator or committee may issue a written reprimand regarding inappropriate behavior. A copy of this letter will become part of the student's conduct record.
3. **Warning Probation:** The administrator or committee may place a student on warning probation for up to one calendar year beyond the date the sanction is imposed. Further violations may result in more severe sanctions.
4. **Conduct Probation:** The administrator or committee may place a student on conduct probation for up to two calendar years beyond the date the sanction is imposed. Further violations may result in a committee hearing and/or more severe sanctions by way of administrator or committee action.
5. **Permanent Probation:** The committee may place a student on permanent probation for remaining and future periods of enrollment in the University. Violations during this period automatically result in a committee hearing.
6. **Withhold Transcript, Degree, Admission, Registration, or Graduation:** The administrator or committee may issue an administrative hold on a student who fails to meet University financial obligations or fails to clear a conduct issue. The hold terminates on payment of the debt or clearance of the issue.
7. **Bar from University Property:** The administrator or University Police may immediately and indefinitely, without benefit of a conference as prescribed in Section 6.2, bar from University-owned or controlled property, or portion thereof, a person, whether or not a student, deemed to pose a threat to the health, safety and secure operation of the University. A bar may be lifted at the discretion of the administrator or Chief of University Police upon satisfactory resolution of the matter leading to the bar. A student may appeal a bar order to the committee or higher authority once every six months.
8. **No-Contact Order:** The administrator may impose a mutual or non-mutual no-contact order between individuals associated with a disciplinary violation. No-contact orders may be for a specified period or indefinitely. No-contact orders apply to any form of verbal or electronic communication including communication through a third party. Temporary or permanent exceptions to no-contact orders must be approved by the administrator.
9. **Restitution:** The administrator or committee may order restitution for damages to University, public or private property. Restitution may take the form of service or payment to repair or compensate for actual damages.
10. **Apology:** The administrator or committee may require a verbal or written apology by a student to offended persons. The content and completion date of the apology are subject to the approval by the administrator or committee.
11. **Community Service:** The administrator or committee may require a student render volunteer service in a campus department or appropriate external agency. Community service hours may not exceed forty (40) in a single long term (fall, spring) and may not exceed twenty (20) in summer period.
12. **Suspension of Rights or Privileges:** The administrator or committee may impose limitations to fit the particular case.
13. **Counseling, Education, or Mentoring:** The administrator or committee may require a student to undergo counseling, educational, or mentoring activities.
14. **Suspension of Eligibility:** The administrator may temporarily revoke eligibility for extracurricular activities (except intercollegiate athletics) up to one year. The committee may temporarily or permanently revoke eligibility for extracurricular activities including intercollegiate athletics.
15. **Failing Grade:** The administrator (with concurrence of course instructor) or committee may assign a failing grade in an assignment, examination or course for cheating and other forms of academic dishonesty. The administrator (with concurrence of course instructor) or committee may assign a failing grade in an assignment, examination or course for violations of 3.4 Theft, 3.5 Fraud, 3.7 Intellectual Property Violation, 3.8 Trespassing, 3.14 Lying, 3.19 Forgery, or 3.20 Disruption, when such acts occur in relation to acts of academic dishonesty. Failing grades may be retroactively assigned when cheating and academic dishonesty are detected after course grades are posted or after a student withdraws from a course or withdraws, resigns, or graduates. A failing grade assigned after a student graduates that affects that student's eligibility to graduate may result in a revocation of degree.
16. **Suspension (Temporary Expulsion):** The administrator may suspend a student for a period not to exceed one calendar year. The committee may suspend a student for a period not to exceed two calendar years. A suspended student is immediately barred from campus until the suspension expires or the sanction is overturned on appeal, if applicable. Once the suspension is complete and the conduct issue resolved, the student may return to the University subject to normal admission and enrollment eligibility factors.

17. **Denial or Revocation of Degree:** The committee may deny or revoke a degree for offense involving cheating or falsification of academic records (whether such falsification occurs before, during or after enrollment).
18. **Dismissal (Indefinite Expulsion):** The committee may dismiss a student from the University for an indefinite period of time. The student is immediately expelled and barred from University property and must vacate the premises. Once dismissed, a student may be readmitted only by action of the committee or higher authority according to Section 16 and may be subject to admission criteria in effect at the time readmission is sought. Requests for readmission following dismissal are permitted in writing to the committee, once per calendar year with no benefit of a hearing.

Section 16: Appeal Procedure

1. **Appeal Rights:** The student defendant may appeal a sanction or decision imposed first by the administrator to the committee. Committee findings on appeals shall be final except in cases involving suspension lasting 10 or more days or expulsion. The student defendant may appeal a sanction or decision imposed first by the committee to the president. The student defendant may appeal the president's ruling only in cases of suspension for one or more calendar years or dismissal. In cases involving sexual harassment, sexual violence, or power-based violence (per federal Title IX regulations) the complainant may appeal a sanction or decision imposed first by the administrator to the committee (after which no further appeal shall exist) and may appeal a sanction or decision imposed first by the committee to the president (after which no further appeal shall exist).
2. **Chain of Command:** The student may appeal the administrator's sanction or decision to the committee. The chairperson shall convene to consider the case, and the committee's ruling shall be final except in cases involving suspension or dismissal lasting more than one calendar years. Committee sanctions or decisions may be appealed to the president. The president's ruling on an appeal constitutes procedural review, is final, and no other appeal exists, except for sanctions of suspension for one calendar year or more or dismissal. A sanction of suspension for three-hundred sixty-five (365) days or more or dismissal may be appealed to the Board of Supervisors. The Board of Supervisor's ruling on an appeal constitutes procedural review, is final, and no other appeal exists.
3. **Appeal Procedure:** A student must file a detailed, written notice informing the appropriate party of the specific sanction(s) to be appealed within the time frame prescribed to the appropriate official.

1. Appeal of the administrator's sanction must be received by campus, regular, or certified mail, or email within 10 class days of written imposition of the sanction at the address provided below. Committee rulings on appeals of the administrator's decisions are final unless a suspension or dismissal lasting 365 calendar days or longer is imposed.

chairperson, Student Conduct and Academic Integrity Committee

C/O Office of Student Services

McNeese State University

PO Box 92535

Lake Charles, LA 70609

studentservices@mcneese.edu

2. Appeal of committee sanctions (including all supportive material and relevant evidence originating with the student defendant) must be received by campus, regular, or certified mail within 10 days of written imposition of the sanction at the address provided below. The president's ruling on appeals of committee decisions are final unless a suspension or dismissal lasting 365 calendar days or longer is imposed.

president

McNeese State University

PO Box 93300

Lake Charles, LA 70609

3. Appeal of the president's ruling on committee sanctions (including all supportive material and relevant evidence originating with the student defendant) must be received by regular or certified mail within 30 calendar days of the president's written ruling at the address provided below. University of Louisiana System Board of Supervisors decisions are final.

University of Louisiana System Board of Supervisors

1201 North Third Street Suite 7-300

Baton Rouge, LA 70802

4. **Adherence to Procedures:** Failure to follow prescribed procedures and failure to observe assigned deadlines relative to appeals will result in rejection of the appeal request without review.
5. **No Benefit of Hearing:** Appeals to the president or Board of Supervisors do not guarantee the benefit of a hearing by the student directly before the appeal authority.

6. **Limitation of Appeals:** Appeals must relate to matters of student conduct. Grievances not related to student conduct (grade disputes, student employment grievances, general complaints) must be handled through appropriate complaint channels.
7. **Appeal Materials and Evidence:** Review of appeal requests are based on materials and evidence provided by the student and sanctioning party.
8. **Appeal of Suspension or Expulsion:** Appeals to the president involving suspension for ten or more days, deferred suspension, or expulsion are subject to review of the following: new evidence, contradictory evidence, and evidence the student was not afforded due process. The president may also consider police reports, transcripts, and the outcome of any civil or criminal proceeding directly related to the appeal.
9. **Procedural Review:** Appeals to the president (except as specified in Section 16.8) and UL System Board of Supervisors are limited to a determination of the compliance of the sanctioning authority with established and appropriate procedures at the institutional and system level.
10. **President's Appeal Ruling:** For appeals as noted in Section 16.8, upon consideration of the evidence, the president may grant the appeal, deny the appeal, order a new hearing, or reduce/modify the punishment. If the appeal results in the reversal of the decision or lessening of the sanction, the institution shall reimburse the student for any tuition and fees paid for the period of suspension, including a deferred suspension, or expulsion which had not been previously refunded, if applicable.
11. **Exhaustion of Recourse:** Appealing students must exhaust their appeal procedures at each administrative level before advancing to the next level.
12. **Conduct Notation on Transcript:** Academic transcripts of students suspended or dismissed from the University due to disciplinary action will be noted to reflect "Student is ineligible to enroll" or "Student is eligible to return (semester) (year)". Only students who are eligible to return to their previous institution will be admitted to campuses within the University of Louisiana system per UL System Board of Supervisors Policy Memo S-II.I.B-1.

Section 17: Records

1. **Conduct Record:** The administrator shall maintain, for every student who has received any disciplinary sanction under Section 15, a record containing information pertinent to the proceedings. This record must be kept for a period of at least seven years. After the seven-year period, the record may be destroyed at the discretion of the administrator or committee.
2. **Confidentiality:** The conduct record is separate from the student's academic record, except as noted in Section 16.10, and is confidential except as noted in Section 2, 4, 7, 9, 11, 14, 16, and 18.
3. **Access to Records:** The contents of a conduct record, including descriptions of the contents of a conduct record, may not be revealed to persons other than authorized parties (Sections 2, 4, 7, 9, 11, 14, 16, and 18).

Section 18: Notifications

1. **Notifications to Academic Division(s):** Cheating and academic dishonesty disciplinary actions may be reported to the academic dean, department head, program coordinator, and academic advisor of the college/division in which the offense occurs and/or the one in which the student has a declared major according to the Registrar's Office records.
2. **Notification to Complainants and Others:** Certain investigative and disciplinary outcomes and sanctions related to sexual harassment, violence, and sexual crimes may be reported to the complainant(s) and, in some instances, anyone, pursuant to power-based violence law, federal Title IX, Family Educational Rights and Privacy Act, Higher Education Opportunity Act, and Jeanne Clery Act requirements.
3. **Notification to Parents:** Alcohol and drug violations may be reported to parents if notification occurs while the student is under 21 years of age.
4. **Notification to Curricular and Extracurricular Programs:** Conduct and academic integrity violations may be reported to the advisor, coach, supervisor or administrator (including contractors, volunteers or other parties to whom the University has delegated or contracted institutional services or supervisory functions) who provides oversight of student in curricular and extracurricular programs, including, but not limited to student organizations, on-campus employment and on – and off-campus observation, internship, practicum, student teaching, and related educational sites, in which a student under sanction is involved.
5. **Administrative Notification to President:** The administrator will notify the president and/or designee of the outcome of all cases involving an administrative finding of guilt.
6. **Committee Notification to President:** The chairperson will notify the president and/or designee of the outcome of all cases heard by the committee with a finding of guilt or innocence.

Section 19: Key Institutional Policies Directly Impacting Student Conduct

The following are brief descriptions and internet locations of key institutional policies that most frequently and directly impact student conduct at McNeese State University. Violations of these policies, whether the offense occurs on or off University owned or controlled premises, is grounds for disciplinary action. This list is not exhaustive, and students are responsible to know and abide by other policies, regulations, and administrative

rules of the University.

These policies are current and located at the hyperlink address noted on the date this document was published. Students are responsible for knowing and adhering to University policies and regulations at all times; ignorance is not an acceptable basis for excusing misconduct. Contact the Office of Student Services for assistance in obtaining information about policies and regulations that impact student life at the University.

1. **Acceptable Use of Information Technology Resources Policy**: Access to and use of University information technology resources and services are institutionally-granted privileges (not rights). These privileges which must be accepted in strict compliance with all applicable laws and with the highest standards of ethical behavior. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations relative to computer software may be grounds for sanctions against members of the academic community. Violators of copyright law may also be held personally liable for any infractions.
2. **Equity and Inclusion Policy**: The commission of any act by a student that discriminates against or harasses member of the University community in relation to race, ethnic background, gender, sexual orientation, religion, disability, or age will not be tolerated.
3. **Alcohol and Other Drug Policy**: The University recognizes that drug and alcohol use can adversely impact its most important concerns: academic excellence, student development, employee job performance, and the health and safety of the campus community.
4. **Anti-Hazing Policy**: Hazing is a violation of Louisiana law and University policy and may result in criminal prosecution in addition to institutional sanctions. All members of student organizations must adhere to the anti-hazing policy and law at all times regardless of whether their activities occur on or off University-controlled property.
5. **Power-Based Violence and Sexual Misconduct Policy**: McNeese State University prohibits discrimination on the basis of sex. This policy applies to all members of the McNeese community, guests, visitors, and authorized users of the University's facilities in accordance with federal and state law, including Act 472 of the 2021 Legislative Session of the Louisiana Legislature (Act 472), Title IX of the Education Amendments of 1972 (Title IX) and Title VII of the Civil Rights Act of 1964 (Title VII), the Violence Against Women Act (VAWA), The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and other applicable laws. The comprehensive scope of this policy includes procedures to address both power-based violence (which includes sexual misconduct) and Title IX conduct.
6. **Residence Life Policies**: Students who reside on campus are expected to observe regulations specific to University housing at all times. Students who reside in residence halls (King Suites, Watkins Suites, Zigler Suites, Bel Gardens Apartments, Sallier Gardens Apartments, Collette Hall, or Burton Hall) may view residential policies at <http://www.mcneesereslife.com>. McNeese State University prohibits alcohol, regardless of whether or not the possessing or consuming party is of legal age, in on-campus residence halls and apartments at all times.
7. **Student Employment Policy**: Students who are employed in part-time, seasonal, occasional, and graduate assistant positions in campus departments are responsible for familiarity and compliance with employment policies and procedures noted in the Student Employment Policy.
8. **Student Organizations Handbook**: All students who participate in clubs, fraternities and sororities, honor societies, and other recognized groups must adhere to the University rules and regulations at all times.
9. **Traffic Regulations**: The operation of a motor vehicle on the campus is a privilege granted to students by the University. Serious or excessive infractions of these regulations constitute grounds for the revocation of this privilege and other disciplinary action. View this policy at <http://www.mcneese.edu/police>.
10. **Violence-Free Workplace and Campus Violence Prevention Policy**: McNeese State University is committed to providing an environment for its faculty, staff, and students which is safe, secure, and respectful—an environment that is free from violence. Consequently, no form of intimidating, hostile, threatening, or violent behavior will be tolerated. The University strictly forbids the possession and/or presence of any type of firearms or other weapons or objects that can be used as weapons on property owned or otherwise controlled by the University. Specific weapon definitions and descriptions of prohibited activities may be found in the policy.
11. **University Policies**: The most recently updated versions and all other McNeese State University policies may be viewed on the [University Policies webpage](#).

Communication

This policy is distributed via the Academic Catalog, the University Policies webpage, and through communication with students by the Office of Student Services.