Code of Conduct

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Preface

By issue of this Code of Student Conduct, Northwestern State University hereby establishes the standards and procedures that shall govern the conduct of students on University property, in University facilities and away from the University campus. Students, members, and advisors of student organizations will be expected to become familiar with this Code and assure the Code’s successful implementation by their observance of the provisions and their support of the objectives stated herein.

Classroom Civility Statement

Each Northwestern State University student is encouraged to help create an environment that promotes learning, dignity, and mutual respect for everyone in the learning environment. Students who speak at inappropriate times, take frequent breaks, interrupt the class by coming to class late or leaving early, engaged in loud or distracting behaviors, use cell phones or pagers (other noise-making devices like watches with alarms), listen to headphones/CDs, play with computers or hand held games, use inappropriate language, are verbally abusive, display defiance or disrespect to others, or behave aggressively toward others during the class period may be asked to leave the class and subjected to disciplinary action under the Northwestern State University Student Code of Conduct and Sanctions (Article VII Sanctions). The instructor of a course may deem additional behaviors or actions inappropriate; these action or behaviors will be outlined in the course syllabus. Copies of the infractions and sanctions are available on the NSU web sites at studenthandbook.nsula.edu

ARTICLE I. Introduction

Northwestern State University is an institution with an educational mission, which is carried out by means of programs and activities devoted to the pursuit of knowledge, through instruction, research and service. The University exists as a community of students, faculty, administrators, and staff who provide, participate in and support these activities and programs. The University campus, facilities, properties and other resources exist to facilitate this educational mission.

The University has an inherent interest in developing policies to preserve and enhance the University’s ability to function effectively and efficiently as an academic institution. These policies entail recognition of both rights and responsibilities for all members of the University community. These considerations make student conduct a legitimate concern of the University.

As a member of the University community, a student is entitled to the freedoms and rights guaranteed to students by the Constitutions of the United States and Louisiana. A student has a right to the opportunity to learn and benefit from an intellectual environment free of distractions.

Accompanying these rights are certain responsibilities. A student must abide by federal, state and local laws. A student is obliged to respect the rights of others. A student shall comply with valid institutional regulations, contribute to the order of the University’s academic and administrative processes and uphold standards of decency and honor in all conduct. Only when individuals are responsible can their rights be assured. Freedom must be exercised responsibly in the context of recognized interest of others and the institution.

The policies and procedures in this Code are established to secure these ends. Such policies and procedures are fundamentally designed to help maintain a campus environment conducive to learning and other educational pursuits. This Code is intended to ensure the enjoyment of students of all proper rights, without undue infringement by others. This Code is a means to the attainment of the University’s educational mission by protecting the institution’s processes, resources and constituent community.

General authority in the governance of students enrolled at Northwestern State University is delegated to the University President by the University of Louisiana System Board of Supervisors. Within the scope of this authority delegated the President, and pursuant to further delegation to the Dean of Students, this Code of Student Conduct is promulgated for Northwestern State University.

This Code shall be published and made available by reasonable means, to students attending the University, and shall be applicable to all students. Upon enrollment a student shall be deemed to have accepted the conditions and obligations stated herein and to have agreed to be bound hereby, in addition to all other applicable University
regulations which have been or may in the future be issued and published by proper authority. This Code shall likewise apply to all student groups, whether formally or informally organized and whether recognized by the University or not.

Conduct off campus as well as that taking place on University property shall be fully within the scope of this Code. The fact that criminal or civil proceedings may be instituted against a student or student organization shall not bar commencement of the disciplinary process involving such student or student organization under this Code, nor shall the University be bound by the outcome of such proceedings in the University’s determination of whether misconduct did or did not occur or in the selection of an appropriate sanction. In regard to conduct by a student which may be the subject of such a criminal or civil action, the University shall have the discretionary right to proceed under this Code against the student before, during the pendency of, or after the final disposition of such action, or even in the absence thereof. The University shall resort to the disciplinary process only where the alleged conduct directly and/or adversely affects the mission of the institution or the campus community.

The University may exercise jurisdiction off-campus when:

a. The victim of such offense is a member of the campus community (student, faculty, staff, administrator, contractor); or
b. The offense occurred at University sponsored or sanctioned event (Greek houses, athletic events, co-op program); or
c. The accused student used his or her status as a member of the University community to assist in the commission of the offense (student I.D. card to pass a bad check); or
d. The offense seriously impairs the pursuit of the University’s objectives (armed drug dealer arrested downtown).

ARTICLE II. Definitions
To enhance the understanding of this Code and protect the due process right of students, the terms and phrases of this Code are herein defined.

SECTION 1.0 Terms
1.1 Attorney: An attorney licensed to practice law in the state of Louisiana.
1.2 Conference: Meeting conducted by the Dean of Students or designated representative at which a student is verbally informed of an allegation(s) that the student has committed an infraction(s) of this Code and the student is provided an opportunity to respond. The Dean of Students or designated representative may dismiss the complaint, administer sanction(s), or schedule an administrative hearing.
1.3 Counsel: University faculty, staff or students selected to advise a student during a hearing.
1.4 Record: A written or electronic transcript of the proceedings of an administrative or appeals hearing.
1.5 Student: The term “student” includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate, graduate, or professional studies and those who attend post-secondary educational institutions other than the University and who reside in University residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students” solely for the purposes of the interpretations of this Code.
1.6 University: Northwestern State University of Louisiana.
1.7 Dean of Students: University employee (or designee) empowered by the University President to implement this Code and perform other assigned duties.

SECTION 2.0 Phrases
2.1 Administrative Hearing: A formal hearing conducted by the Vice Provost or designated representative in which, should allegations of misconduct be substantiated, the alleged student violator may be subject to a sanction.
2.2 Appeals Hearing: A formal hearing conducted by a committee to hear an appeal of the sanction of the Dean of Students or designated representative.
2.3 Banishment from Campus: Prohibition from access to University property, activities, or events.
2.4 Class Day: A day on which classes are regularly scheduled or final exams are scheduled.
2.5 Normal University Communication Channels: The use of University personnel to deliver a written or oral notification to a student.

2.6 Substantial Evidence: That evidence which a reasonable mind might accept as adequate to support a conclusion; more likely than not (Black's Law Dictionary, 1983).

2.7 Preponderance of Evidence: The standard used in cases of sexual misconduct;

2.8 University Personnel: Any person employed by the University for any purpose.

2.9 University Property: All land, buildings, equipment, and facilities owned, leased or controlled by the University.

ARTICLE III. Student Rights & Responsibilities

As a means of giving greater content and definition to the important notion of student rights and responsibilities, those identified below shall be recognized as belonging to students of this institution. This enumeration is not intended to be exhaustive, however, nor shall it in any way prevent recognition of additional, different or modified rights and obligations for students through supplementation to this Code, issuance of other University policy, or any alternative appropriate means provided a legitimate reason exists for such additions.

SECTION 1.0 University Community

1.1 The University has the right and the responsibility to formulate and disseminate policies to promote the general welfare of the University community. Students have the responsibility to know such policies of the University.

1.2 Students shall be represented through the Student Government Association and by serving on committees in those affairs of the University that concern student welfare.

1.3 Students shall conduct themselves in a manner which recognizes the rights of others and promotes the welfare of the University community.

SECTION 2.0 Academic Freedoms and Responsibilities

2.1 In academic matters students have a right to be governed by justifiable regulations.

2.2 Students have a right to an environment conducive to learning and free from distraction. Students are responsible for behavior which is conducive to the teaching/learning process.

2.3 Students shall be free to take reasoned exception to data and views offered in the classroom without reprisal provided such exception does not hinder the structured learning process.

2.4 Students have a right to grades that represent the instructor's professional judgment.

2.5 Students have a right to accurately and clearly stated information which would enable them to determine:

2.5.1 The general requirements for establishing and maintaining an acceptable academic standing.

2.5.2 Their own academic admission status with the University and any special conditions which apply.

2.5.3 The graduation requirements of any particular degree program.

2.6 Students have a right to be informed of the content and objectives of a course, the method of evaluation and the relative importance of each test, paper, etc., comprising the total evaluation for the course.

2.7 Students are responsible for meeting the requirements of a course according to the standards of performance established by the instructor.

2.8 Students have a right to protection against improper disclosure of information acquired by instructors related to the student's grades, views, beliefs, health or character.

2.9 Students have a right to seek assistance from an instructor during the instructor's scheduled office hours.

2.10 Students have the right to refrain from activities that involve unreasonable risk to the student's physical and mental health.

SECTION 3.0 Educational Records

3.1 A student's right of confidentiality in and access to student educational records shall be stated in University policy.

3.2 A student's academic transcript and disciplinary records shall be separately maintained. Disciplinary dismissal now results in annotation to ACD. Transcript of semester eligible for readmission-effective Spring 2007.
SECTION 4.0 Freedom of Inquiry and Expression
4.1 Students shall be free to examine and to discuss all questions of interest and express opinions.
4.2 Students shall be free to support any causes by lawful means. At the same time, it shall be made known that public expression or demonstrations by students or student organizations represent only the views of those making the statement and not the University community.
4.3 Discussion and expression of all lawful views is permitted within the institution in public places subject to reasonable time, manner and place required for maintenance of order and to applicable state, federal and local laws. The University retains the right to provide for the safety of individuals, the protection of property, and the community of the educational process in maintaining order.
4.4 Recognized student organizations may invite and hear any persons of their own choosing, subject to requirements for use of institutional facilities and subject to the University speakers policy stated in 4.3 above.
4.5 Students have a right to express opinions through student media and they have a responsibility to adhere to the canons of professional journalism.

SECTION 5.0 Student Life
5.1 Students shall be free to organize and associate to promote their common interests.
5.2 Student organizations are required to publicize information concerning purpose, criteria for membership and a current list of officers.
5.3 Recognized student groups may use University facilities, if available, in accordance with normal scheduling policies.

SECTION 6.0 University Housing
6.1 A student has the right to be secure in his or her possessions against invasion of privacy and unreasonable search and seizure.
6.2 Students shall not violate the rights of other students residing in University residential facilities.
6.3 University housing is a privilege and not a right.
6.4 Students shall be in compliance with housing regulations and on-campus residency requirements.

SECTION 7.0 Redress of Grievances
7.1 In any instance a student's rights as outlined herein are contravened, the student shall have the right to petition for redress of such a grievance through procedures found in Appendix I of this document.

ARTICLE IV. Infractions
Every student and student group shall be required to act lawfully and in such a way as not to adversely affect the educational processes of the University or the rights of others. Violation of this general standard shall be considered an infraction of this Code. The following types of conduct are prohibited and individuals found to have committed such infractions by the procedures set forth in this Code shall be subject to sanctions being imposed including the sanction of probation, suspension or expulsion from the University.

For academic infractions, students may receive a grade of 0 on an assignment or a grade of F in the class and be referred to Student Conduct for additional sanctions; or, a student may be referred for the purpose of creating a record in the Office of Student Conduct. For information on the NSU Honor Code and Grade Appeal Procedures, see Academic Regulations, in the current NSU Catalog. For information on disciplinary records, see Policies and Procedures in the NSU Student Handbook.

SECTION 1.0 Academic Infractions
1.1 Collaborating, conspiring or cooperating during an examination with any other person by giving or receiving information without authority.
1.2 Copying or obtaining information from another student’s examination paper.
1.3 “Duplicity” defined as the offering for credit identical or substantially unchanged work in two or more courses without approval in advance by the instructor(s).
1.4 “Plagiarism” defined as the use of any other person’s work and the unacknowledged incorporation of that work in one’s own work in fulfillment of academic requirements.
1.5 Requesting, bribing, blackmailing or in any other way causing any other persons to obtain an examination or examination in the process of being administered.
1.6 Selling or giving away all or part of an examination.
1.7 Selling, giving or otherwise supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, other written work painting, drawing, sculpture, or other art work.
1.8 Stealing, buying or otherwise obtaining all or part of an examination.
1.9 Submitting as one’s own, in fulfillment of academic requirements, any theme, report, term paper, essay, other written work, painting, drawing, sculpture, or other art work of another person.
1.10 Substituting for another person or permitting another person to substitute for one’s self to take an examination.
1.11 Using material during the examination not authorized by the person administering the examination.

SECTION 2.0 Financial Infractions
2.1 Failure to promptly meet University-related financial obligations.
2.2 Issuance of worthless checks for University-related financial obligations.

SECTION 3.0 Health and Safety Infractions
3.1 Illegal or unauthorized possession of firearms, ammunition, explosives, fireworks, or any other dangerous weapon (any instrument that may be used to inflict bodily harm), substance or material of any kind on University property or at any University approved activity.
3.1.1 Possession of a firearm, when in violation of state laws, System policy, or university policy, shall be grounds for dismissal from the university. Such campus disciplinary action must be written and published in the Student Code of Conduct. http://www.ulsystem.net/assets/docs/searchable/boards/ppm_weapons_on_campus.pdf
3.2 Setting a fire or attempting to set a fire on University property without proper authorization.
3.3 Unauthorized use, possession, or alteration of firefighting equipment, alarm devices, security systems, or other emergency or safety equipment.
3.4 Swimming or wading in Chaplin’s Lake except in authorized areas during authorized times.
3.5 The making of a false report of a bomb, fire, or other emergency on or off University property by means of activating an alarm or any other method.
3.6 Conduct which threatens or endangers the health and safety of another person.

SECTION 4.0 Informational Infractions
4.1 Fabricating, forging, altering, or misusing any University document, record, instrument of identification, etc.
4.2 Furnishing false information to the University with the intent to deceive.
4.3 Obtaining any service or thing of value from the University by false pretense.
4.4 Providing false identification to duly authorized University personnel.
4.5 Unauthorized use of or access to information in any forms proprietary to the University.
4.6 Theft or abuse of computer time, including but not limited to:
   a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
   b. Unauthorized transfer of a file.
   c. Unauthorized use of another individual’s identification and password.
   d. Use of computing facilities to interfere with the work of another student, faculty member or university official.
   e. Use of computing facilities to access, send, or receive obscene and/or abusive messages. f. Use of computing facilities to interfere with normal operation of the University computing system.

SECTION 5.0 Organizational Infractions
5.1 A student group or organization shall be deemed responsible for infractions committed by individuals where such acts:
SECTION 6.0 Personal Conduct Infractions
6.1 Disorderly conduct which disturbs the orderly functions and processes of the University and/or infringes on the rights of others as defined by this Code.
6.2 Intentional interference with the right of access to University facilities.
6.3 Intentional obstruction or disruption of teaching, research, administration, disciplinary procedures, or University authorized activities and events.
6.4 The intentional interference with the lawful rights of any person on campus.
6.5 Loud music, noise, or disruptive conduct on the University campus or while representing the University that interferes with educational events or processes.
6.6 Physical abuse, verbal abuse, intimidation, harassment, stalking, coercion, or threat thereof against any person on campus or at any University authorized event.
6.7 Sexual misconduct as outlined in the definitions found under the Sexual Conduct Policy in the Student Handbook including but not limited to harassment, intimidation, coercion, assault, unwanted touching, verbal abuse, and nonverbal conduct of a sexual nature, without consent or when the victim is unable to give consent.
6.8 Violation of a restriction or condition of probation.

SECTION 7.0 Unlawful Acts and Policy Infractions
7.1 Failure to comply with written Board of Supervisors or University regulations including those related to student housing and operation of motor vehicles on University property.
7.2 Conduct in violation of federal or state statutes or local ordinances.

SECTION 8.0 Property Infractions
8.1 Vandalism, destruction, damage, defacement, abuse, or misuse of public or personal property, whether intentional or by negligence.
8.2 Theft, embezzlement, misappropriation, or the unauthorized temporary taking or possession of the property of another, including the property of the University.
8.3 Littering on University property.
8.4 Unauthorized occupation of, entry on or into University property.
8.5 Unauthorized use, possession, duplication, and/or distribution of one or more keys to university property.

SECTION 9.0 Substance Infractions
9.1 Possession or consumption of alcoholic beverages on university property, during any trip sponsored by the University or University affiliated organization except as provided in university policy.
9.2 Unauthorized or illegal possession, use, sale, manufacture, or transportation of narcotics, stimulants, depressants, hallucinogenic, or other controlled substances as defined by state statute.
9.3 Public intoxication and/or operation of a motor vehicle or water craft while intoxicated.

SECTION 10.0 Other Infractions
10.1 Failure to comply with a lawful order, direction or request of a University employee made by the employee in the performance of the employee's duties.
10.2 Any conduct not specifically stated herein which adversely affects the educational processes of the University or the rights of members of the University community or others.
10.3 Aiding or inciting others to commit any infraction in this Code.
10.4 Hazing in any form, including any action taken or situations intentionally created which may bring to an individual undue attention that may be degrading, demeaning or cause physical discomfort, emotional ridicule or harassment.
10.5 Stalking which is, the repeated following or harassing of another person accompanied by the making of a credible threat with the intent to place that person in reasonable fear of death or serious injury.

10.6 Visitation on other college or university campuses or industrial sites, or any property for the purpose of defacing or destroying said property, or of disrupting normal activities of such institutions or property.

ARTICLE V. Administration of the Code of Student Conduct

The Dean of Students or a designated representative is responsible for administration of this Code of Student Conduct in a fair and impartial manner. It shall be the responsibility of the Dean of Students to see that this code is available to all students and that students subject to actions prescribed in this Code understand their right to due process.

SECTION 1.0 Filing a Complaint
1.1 A complaint alleging a student or an organization committed an infraction(s) of this Code may be filed by any member of the University community or authorized University personnel having knowledge of the infraction(s) based on personal observation or other reliable information.
1.2 Complaints must be in writing.
1.3 The complaint shall identify the alleged infraction(s), the facts upon which the allegation is based, and shall be signed by the person filing the complaint.
1.4 Filing the complaint shall be accomplished by submitting the signed complaint to the Dean of Students or any member of the Student Affairs staff.

SECTION 2.0 Preliminary Investigation
2.1 Upon receipt of a complaint that a student has allegedly committed an infraction(s) of this Code, the Dean of Students or designated representative shall conduct a preliminary investigation. In cases of alleged sexual misconduct, investigators may assist in the investigation process.
2.2 If the preliminary investigation indicates the allegation to be unsubstantiated, the Dean of Students or designated representative shall dismiss the complaint.
2.3 If the allegation is found to have substance, the Dean of Students or designated representative shall summon the student and conduct a conference. A substantive allegation may result in a temporary hold being placed on a student’s record.
2.4 The student may choose during the conference to:
2.4.1 Admit knowingly and willingly to the allegation(s) in writing and waive all further hearings and right to appeal and agree to accept the disposition of the matter.
2.4.2 Admit knowingly and willingly to the allegation(s) and request an administrative hearing.
2.4.3 Deny the allegation(s) in writing and agree to accept the Dean of Students disposition of the matter without benefit of an administrative hearing or right to appeal.
2.4.4 Deny the allegation(s) and request an administrative hearing.
2.5 Following the conference, the Dean of Students or designated representative shall dismiss the complaint as unsubstantiated, administer appropriate sanctions, or schedule an administrative hearing. The outcome of the conference will be provided to the student in writing in a letter or with a copy of the signed NSU Judicial Affairs Status Report through the normal University communication channels via student email, via US mail or by certified mail return receipt requested. The student may appeal a decision resulting from a conference by requesting in writing an Administrative Hearing within three (3) class days after receipt of notification of the outcome of the conference. A student may request an Administrative hearing using the appeals criteria listed in Article VI.

SECTION 3.0 Administrative Hearing
3.1 Notice of an administrative hearing shall be in writing through normal University channels or certified mail return receipt requested. The notice shall state the alleged act(s) of the student, the infraction(s) of the Code allegedly committed, and the date, time and place of the hearing.
3.2 The notice of the hearing shall advise the student of the student’s right to counsel (as defined in Article II, Section 1.3) during the hearing and right to view evidence prior to the hearing. In cases of alleged sexual assault or
harassment, notice of the hearing shall advise the student of the student’s right to an attorney (as defined in Article II, Section 1.1) during the hearing. The role of the attorney is to advise only. Both complainant and accused are allowed legal council.

3.3 Legal rules of evidence do not apply (except in cases of sexual misconduct where Preponderance of Evidence is used) in an administrative hearing, but the Vice Provost or designated representative may use and give probative effect to evidence that possesses probative value and is commonly accepted by a reasonable person.

3.4 An administrative hearing shall be scheduled at a reasonable time to allow the student to prepare proper defense.

3.5 The Vice Provost or designated representative shall set the date, time, place, and make necessary arrangements for the administrative hearing.

3.6 The Vice Provost for Academic and Student Affairs or designated representative, for good cause, may reschedule the hearing.

3.7 The hearing procedure shall be informal and provide reasonable opportunity for the student to present a defense and for witnesses to be heard. The accused student is responsible for notifying any witness of the date, time, and place for the hearing. The names of witnesses and their relationship to the matter must be submitted to the Office of the Vice Provost in writing in advance of the hearing.

3.7.1 The hearing shall be closed only to those persons directly involved.

3.7.2 The Vice Provost or designated representative shall present the University’s evidence and call such witnesses as required.

3.7.3 The student shall present any evidence or call such witnesses to present a defense.

3.7.4 The Vice Provost or designated representative and/or student may question all witnesses.

3.7.5 The student is given an opportunity to make a final statement.

3.8 Within three class days of the conclusion of the administrative hearing, the Vice Provost or designated representative may dismiss the allegations as unsubstantiated or impose appropriate sanctions. The notice of decision shall be delivered by normal University communication channels or certified mail return receipt requested. The notice shall include proper appeals procedures.

ARTICLE VI. Appeals Procedures

A student may appeal a decision of the Provost or designated representative which results in the student receiving the sanction of disciplinary probation, suspension from on-campus classes, suspension or expulsion from the University or suspension from residing in a University residence hall or for any sanction related to sexual misconduct. A student may appeal on the basis of: a) new evidence is available which was unavailable at the initial hearing; b) the student believes the University failed to follow its procedures; or c) the student believes the sanction is excessive for the infraction. The student shall submit a written appeal to the Vice Provost within five class days of receipt of notice of such sanction.

SECTION 1.0 Appeals Committee

1.1 The appeals committee shall consist of eleven members, four faculty or staff members and two students appointed by the University President, and two faculty or staff members and three students recommended by the Student Government Association and appointed by the University President. When hearing cases of sexual misconduct, students may be released from the committee.

1.2 The University President shall appoint the chairperson. In the absence of the appointed chairperson, the committee shall elect a temporary chairperson.

1.3 A quorum shall consist of six members, two of which must be student members.

1.4 Faculty or staff members shall serve staggered terms of four years; student members shall serve for their tenure as a full-time student in good standing with the University.

1.5 A member unable to serve shall submit a written resignation to the chairperson. A chairperson unable to serve shall submit a written resignation to the University President.

1.6 The committee may remove a member by simple majority vote for malfeasance, nonfeasance or misfeasance of the committee’s responsibilities.
1.7 If a quorum of the committee cannot be assembled in order to meet time lines required by this Code, the University President shall make the necessary temporary appointments to provide a quorum.

SECTION 2.0 Chairperson's Responsibilities
2.1 The chairperson shall instruct the committee on this Code and hearing procedures. The hearing shall be conducted in the spirit of fair play. Rulings of the chair may be overruled by a two-thirds vote of the members present.
2.2 The chairperson presides over the hearing.
2.3 The chairperson ascertains that the Dean of Students and the student have performed their responsibilities.
2.4 The chairperson rules on the admissibility of evidence, motions, objections and recognizes committee members for the purpose of questioning.

SECTION 3.0 Student Affairs Administration Responsibilities
3.1 The Vice Provost or designated representative, with the concurrence of the chairperson shall establish the date, time, place and provide notice of hearing to all involved persons.
3.2 The Vice Provost or designated representative shall provide the student with a transcript of the administrative hearing if requested by the student. New evidence and/or names of witnesses, which were unobtainable or unavailable for the administrative hearing, shall also be provided to the student.
3.3 The Vice Provost or designated representative summons students and/or University personnel to serve as witnesses and insures that evidence and/or witnesses requested by the student and/or committee are available for the hearing.
3.4 The Vice Provost or designated representative reports noncompliance with a summons by University personnel to the appropriate vice president.
3.5 The Vice Provost or designated representative makes necessary arrangements for the hearing, including the recording of the proceedings.
3.6 The Vice Provost or Dean of Students shall present the case on behalf of the University.

SECTION 4.0 Students Responsibilities
4.1 The student shall appear for the hearing on the scheduled date at the prescribed time.
4.2 The student shall notify the Vice Provost or designated representative in writing three days prior to the hearing of any documents or witnesses the student wishes summoned on the student’s behalf.
4.3 At least three class days prior to the hearing, the student shall notify the Vice Provost or Dean of Students if the student is to be advised by an attorney during the hearing.

SECTION 5.0 Notice of Hearing
5.1 Notification of the hearing shall be in writing through normal University communication channels by certified mail addressed to the student at the address appearing in the registrar’s records. If the student is a minor, a copy of the letter may be mailed to the student's parents or guardian.
5.2 The notice shall specify the date, time and place of the hearing. The hearing shall not be less than four nor more than ten class days after the date of receipt of notification. The chairperson, for good cause, may postpone the hearing and request the Vice Provost or designated representative to notify involved persons of the new hearing date.
5.3 The notice shall direct the student to appear and inform the student that failure to do so without good cause will result in the student's forfeiture of the right to appeal.
5.4 The notice shall advise the student that the hearing shall be closed and of the student’s right to be advised by counsel or attorney and right to present evidence and question witnesses.

SECTION 6.0 Hearing Procedures
6.1 The hearing procedures shall be informal in nature and provide reasonable opportunities for witnesses to be heard.
6.2 The hearing shall be closed. Persons present shall be limited to the Vice Provost or designated representative and appropriate staff, members of the student’s immediate family, attorneys or counsels for the student and University, and the committee members. Witnesses shall be sequestered.

6.3 The standard of review shall be arbitrary and capricious. The committee shall ascertain whether or not valid reasons for the sanctions were substantiated and the procedures followed were consistent in their application.

6.4 The committee shall follow the procedures outlined herein:

6.4.1 The Vice Provost or designated representative presents the procedures and evidence used to reach the decision.

6.4.2 The members of the committee shall have an opportunity to question the Vice Provost or designated representative for points of clarification.

6.4.3 The student shall have an opportunity to explain irregularities or inconsistencies in the procedures and/or application of the rules and regulations.

6.4.4 The members of the committee will have an opportunity to question the student for point of clarification.

6.4.5 The University or the student may present new evidence. Such evidence must have been unavailable for the administrative hearing.

6.4.6 The Vice Provost or designated representative shall present the University's final closing remarks.

6.4.7 The student shall make closing remarks.

6.4.8 The Vice Provost or designated representative shall make succinct final remarks.

6.4.9 All involved parties including the Vice Provost or designated representative shall be excused and the committee shall commence sequestered deliberations.

6.5 The committee can uphold the decision of the Vice Provost or designated representative, reduce the sanctions imposed by the Vice Provost or designated representative vacate the decision of the Vice Provost or designated representative due to irregularities in procedures or remand the matter for rehearing to cure procedural irregularities.

6.6 The student shall be notified in writing by normal University communication channels or certified mail return receipt requested of the committee’s decision within three class days following the hearing. The notice of decision shall inform the student of the student’s right to appeal, in writing, the committee’s decision within five class days to the University President.

6.7 A student may appeal to the Board of Supervisors if the sanction is one of suspension from the university for a period of one academic year, or if the sanction is of greater severity. For appeals regarding less severe sanctions, the final appeal shall be at the university level. If the student chooses to appeal to the Board of Supervisors after all administrative procedures have been exhausted at the institutional level, the appeal must be within 30 calendar days of the institution’s decision. The Board's review is limited to a determination of compliance with established and appropriate procedures at the institutional level. The student shall be notified of the Board’s decision.

The Board of Supervisors conducts reviews of student appeals via materials provided by the student grievant and the university. It consists of an exhaustive examination of procedures followed by the university in regard to due process and not the specific details of the grievance matter. The student grievance process does not provide the benefit of hearing by the student directly to the Board of Supervisors.

ARTICLE VII. Sanctions

An individual or student organization committing an infraction(s) of this Code shall be subject to sanctions outlined in this article. A sanction may be imposed alone or in conjunction with one or more additional sanctions. Sanctions described are categorized as sanctions for disciplinary misconduct, academic misconduct, and organization misconduct. Students are subject to grade changes, dismissal from classes, and referral to student conduct as per the faculty member where academic conduct is alleged. To appeal a grade, students should follow the appeal procedure outlined in the University Catalog.

SECTION 1.0 Sanctions for Disciplinary Misconduct

1.1 Expulsion: Permanent, involuntary forced withdrawal from the University. Upon expulsion, the expelled student is banned from the campus.
1.2 Suspension: Involuntary forced withdrawal from the University for a specified period of time determined on an individual case basis. During any period of suspension, campus access of the suspended student is limited to written permission in advance from the Dean of Students.

1.3 Voluntary Withdrawal: Option offered to a student to voluntarily withdraw from the University upon condition that readmission not be sought for a specified period of time. Upon voluntary withdrawal, campus access of the withdrawn student is limited to written permission of the Dean of Students (banishment).

1.4 Probation: Placement of that student in a probationary status for a specified period of time. Restrictions, which accompany probation, shall be determined on a case by case basis. Probation shall also indicate that further infractions of the Code may result in suspension or expulsion from the University.

1.5 Restriction of Privileges: Denial withdrawal or limitation of one or more privileges made available for students by the University for a specified period of time.

1.6 Work Reparation: An option which can be used in lieu of restitution, probation or fine.

1.7 Fine: An order that the student pays the University a designated sum of money in view of the type of offense.

1.8 Restitution: An order that the student make a compensatory payment to an appropriate party for damages to property, loss of funds, or medical bills as a result of the act of battery.

1.9 Educational Alternative: An order or option that the student issue an apology, carry out research, participate in counseling, attend a seminar, or perform any other reasonable assignment intended to have an educational effect.

1.10 Censure: An official, written reprimand, which includes a notification that further instances of misconduct within a stated or indefinite period of time may result in more severe disciplinary action.

1.11 Warning: A written or oral notice to the student that a continuation or repetition of a specific conduct may be cause for further and more severe disciplinary action.

1.12 Bar Against Readmission: Imposed on a student who has left the University and has action pending on allegations of disciplinary misconduct. Sanction terminates on resolution of the matter of disciplinary misconduct.

1.13 Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

1.14 Residence Hall Expulsion: Permanent separation of the student from the residence halls.

SECTION 2.0 Sanctions for Academic Misconduct

2.1 Expulsion: Permanent, involuntary forced withdrawal from the University, which limits the student’s access to the campus to written permission from the Dean of Students.

2.2 Suspension: Involuntary forced withdrawal from the University for a specified period of time determined on an individual case basis, which limits the student’s access to the campus to written permission from the Dean of Students. During any period of suspension campus access of the suspended student is limited to written permission in advance from the Dean of Students.

2.3 Voluntary Withdrawal: Option offered to a student to voluntarily withdraw from the University, which limits the student’s access to the campus to written permission from the Vice President for Student Affairs, upon condition that readmission not be sought for a specified period of time.

2.4 Forced Withdrawal from Course: Involuntary forced withdrawal from the course in which the offense occurred without credit for the course.

2.5 Voluntary Withdrawal from Course: Option offered to a student to voluntarily withdraw from the course in which the offense occurred without credit for the course.

2.6 Probation: Placement of the student in a probationary status for a period of time. Restrictions which accompany probation shall be determined on a case by case basis. Probation shall also indicate that further infractions of the Code may result in suspension or expulsion from the University.

2.7 Change in Course Grade: Change in grade of the course in which the infraction occurred. Required approval of the Dean of the College of the student’s major.

2.8 Change in Assignment Grade: Change of grade for the theme, report, term paper, essay, either written work, painting, drawing, sculpture, or other art work in which the infraction occurred.
2.9 Censure: An official, written reprimand, which includes a notification that further instances of misconduct within a stated or indefinite period of time may result in more severe disciplinary action.

2.10 Warning: A written or oral notice to the student that a continuation or repetition of a specific conduct may be cause for further and more severe disciplinary action.

2.11 Bar Against Readmission: Imposed on a student who has left the University and has action pending on allegations of academic misconduct. Sanction terminates on resolution of the matter of academic misconduct.

2.12 Educational Alternative: An order or option that the student issue an apology, carry out research, participate in counseling, attend a seminar, or perform any other reasonable assignment intended to have an educational effect.

SECTION 3.0 Sanctions for Organizational Misconduct

3.1 Deactivation: Termination of University recognition of the organization permanently or for an indefinite period of time. Reapplication for an organization deactivated for an indefinite period of time shall not be permitted within two calendar years from the date of deactivation.

3.2 Suspension: Denial to the organization of access to University facilities, services, and any other privileges granted to organizations recognized by the University for a specified period of time not to exceed two years.

3.3 Probation: Placement of the organization in a probationary status for a designated period of time. Restrictions, which accompany probation, shall be determined on an individual basis. Probation shall also carry with it a warning that further infractions of the Code may result in suspension or expulsion.

3.4 Restriction of Privileges: Denial, withdrawal or limitations of one or more privileges made available by the University to organizations for a designated period of time.

3.5 Fine: An order that the organization pays the University a designated sum of money.

3.6 Work Reparation: An option offered to the organization, usually in instances in which restitution to the University is an appropriate sanction, and members of the organization perform work for the University without pay.

3.7 Restitution: An order that the organization makes a compensatory payment to an appropriate party for damage to property or loss of funds. In the case of property damage, restitution shall be limited to the actual cost of repairs or replacement.

3.8 Educational Alternative: An order or option that the organization participate in a workshop or carry out any other reasonable assignment intended to have an educational effect.

3.9 Censure: An official, written reprimand, which includes a notification that further instances of misconduct within a stated or indefinite period of time may result in more severe disciplinary action.

3.10 Warning: A written or oral notice to the organization that a continuation or repetition of a specific conduct may be cause for further and more severe disciplinary action.

ARTICLE VIII. Interim Suspension

Under certain exigent circumstances, expedited, temporary suspension of a student may be necessary or appropriate. The following policies and procedures shall govern such suspensions.

SECTION 1.0 Circumstances for Use

1.1 A student may be suspended on an interim basis without benefit of due process procedures as previously outlined in Article V of this Code where the student’s continued presence is a viable threat to the safety of self or other members of the University community and/or substantially interferes with the University’s educational processes.

1.2 A student may be suspended on an interim basis without benefit of due process procedures as previously outlined in Article V of this Code where the student’s continued presence is a threat to the student.

SECTION 2.0 Procedures

2.1 An interim suspension may be imposed by the Dean of Students or designee.

2.2 The student shall be given written notice of the imminent possibility of suspension and opportunity to appear before the Dean of Students or designee.
2.3 The Dean of Students or designee shall provide the President with a written rationale for the need to suspend a student on an interim basis and provide the student with a copy of such rationale.

SECTION 3.0 Length of Interim Suspension
3.1 An interim suspension shall remain in effect pending completion of the normal disciplinary process.
3.2 The Dean of Students shall have the authority to modify the terms of an interim suspension.

SECTION 4.0 Other Interim Sanctions
4.1 The Dean of Students shall have the authority to impose any lesser sanction on an interim basis in accordance with these procedures.
4.2 A student organization shall be subject to interim sanctions under the same circumstances and procedures as an individual student.

APPENDIX I Student Grievance Procedure
Resolution of a student's grievance or the grievance of members of a student organization, unless otherwise specified, shall begin with the persons whose decision is being appealed. If the problem cannot be resolved at this level, the matter may be pursued through the appropriate administrative chain, the immediate supervisor of the person rendering the last decision. Appeals are to be submitted in written form. Students may contact the office of the Dean of Students to assist in the grievance process who may act as a representative for the student or designate a representative to assist the student in the process in such ways as requested by the student including attendance at meetings and negotiations.

• Grievances against a faculty member may be pursued through the Department Head, Dean of the College, and the Vice President for Student/Academic Affairs.
• Grievances against a staff member may be pursued through the staff member's immediate supervisor and the Vice President who has responsibility for the unit.
• Grievances against a Vice President may be pursued through the President.
• Grade appeals should follow the procedures listed in the University Catalog.
• Students may utilize the Office of Counseling and Career Services before filing a grievance or at any time during the grievance process.

At each level of appeal above the initial level, the student shall provide the appropriate person a written statement of grievance, setting forth the nature of the grievance, the pertinent facts, and the remedial action desired; any other relevant material shall also be presented. The student shall receive a written response from such person within five class days of the latter's receipt of the grievance statement. The response shall be one of the following:

(a) A decision in favor of the student.
(b) A decision supporting the previous action.
(c) A statement of compromise agreed to in a discussion with the parties involved and signed by them. (d) A recommendation to the challenged person's immediate supervisor, with a copy to the student; or an explanation for delaying the decision for an additional five class days, followed by a response as in (a) – (d) above by the end of the additional five class days.

If at any level, a student does not receive a response in the manner stated above, the student may, within five class days submit grievance to the person at the next level. The procedure there will be the same as described above. The failure of a person to respond will therefore not preclude a student addressing the grievance to the next level.

If the student believes that a satisfactory resolution of the grievance has been reached at any level, the process shall be concluded and no further action taken by any party. If after exhausting the administrative chain, a student still believes that there is just cause for grievance, the student may seek redress from the University President.

When the matter is presented in writing to the President, the President shall request the University Appeals Committee to conduct a hearing on the matter and forward to the President a recommendation as to disposition of the matter. The President shall render a final decision within fifteen class days of receipt of the grievance.
A student may appeal to the Board of Supervisors if the sanction is one of suspension from the university for a period of one academic year, or if the sanction is of greater severity. For appeals regarding less severe sanctions, the final appeal shall be at the university level. If the student chooses to appeal to the Board of Supervisors after all administrative procedures have been exhausted at the institutional level, the appeal must be within 30 calendar days of the institution’s decision. The Board’s review is limited to a determination of compliance with established and appropriate procedures at the institutional level. The student shall be notified of the Board’s decision.

**APPENDIX II Involuntary Withdrawal Due To Severe Psychological Disturbance**

Northwestern State University is committed to offering an educational opportunity to all students. However, when a student constitutes a threat to the health, safety and welfare of the student, or others, or to University property, or is unable to effectively pursue academic studies because of maladaptive behavior which is disruptive to the educational process of the University, the student may be withdrawn from the University. Such withdrawal should follow the procedures prescribed herein.

Involuntary withdrawal for medical reasons will be undertaken when the student exhibits behavior resulting from severe psychological disturbance as documented by a licensed psychologist, psychiatrist or counselor.

Involuntary withdrawal for medical reasons will be undertaken when the student exhibits behavior resulting from severe psychological disturbance as documented by a licensed psychologist, psychiatrist or counselor.

**Conditions for involuntary withdrawal include:**

- Behaviors either voluntary and/or involuntary that violate the Student Code of Conduct.
- Behavior that poses an actual direct threat to the health or safety of other members of the University community.
- When the University is no longer able to guarantee a safe environment for the student after all reasonable interventions and accommodations have been made to provide the student support and protection.
- Behavior that is so disruptive to other members of the University community that it disrupts or derails the educational process interfering with the rights of others to learn and meet their educational goals.

A student shall be summoned in writing to attend a conference with the Dean of Students and any person the Dean of Students requests as a consultant. The notice shall include:

- A statement of the reasons for the conference.
- A statement that if the appropriate professional staff and/or consultant recommends the student to be involuntarily withdrawn from the University, the student has the option to voluntarily withdraw from the University while waiving any rights to a hearing or to request a hearing.
- A statement advising the student that the election of a hearing waives the student’s confidentiality rights to medical and psychological records for the purpose of the hearing.
- A statement outlining the rights of the student as provided herein. The purposes of the conference with the Dean of Students are:
  - To review with the students the incidents.
  - To assess the degree of the problem.
  - To determine whether the individual will be referred immediately to the appropriate professional staff or consultant for an interview and, if so, advise the student that refusal to participate in the interview will subject the student to suspension from the University.
  - To review the rights of the student as cited herein.
  - To afford the student the right to choose voluntary withdrawal from the University or request a hearing before the Committee on Involuntary Withdrawal. If an administrative referral is made, the following procedures shall be used:

Whenever possible, the student will be accompanied to the interview by an appropriate professional staff member. The professional staff member or consultant conducting the interview shall make a determination concerning the degree of psychological disturbance and advise the Dean of Students of the appropriate action.

The student shall be afforded the following rights when a hearing is requested before the Committee on Involuntary Withdrawal:
• A written letter of the time and place of the hearing at least three class days prior to the hearing. The letter will also advise the student of the student’s right to an attorney as defined in the University Code of Student Conduct and inform the student that if the student chooses to have an attorney present during the hearing, the student is required to notify the Dean of Students at least two days prior to the hearing. Additionally, the letter shall inform the student that the student’s representative shall be limited to advising the student during the proceeding.

• The right to present witnesses and evidence on behalf of the student and to question witnesses and challenge evidence presented by the University.

• The right to appeal the decision of the committee to the University President within five class days of receipt of the committee’s decision. The appeal is limited to grounds of prejudicial procedural error or actions which are arbitrary and capricious. The decision to appeal will not stay initiation of the withdrawal. The President shall notify the Dean of Students and the student within five days of receipt of the appeal.

If a hearing is requested before the Committee on Involuntary Withdrawal, a hearing shall be arranged within five class days. The committee is appointed by the President and includes but is not limited to a staff counselor, a member of the psychology department faculty, faculty member from the social science department and the Dean of Students shall serve in an ex-officio capacity. The committee shall determine by substantial weight of the evidence:

• Whether the student exhibits behavior cited herein.
• Whether the student should be involuntarily withdrawn.

On determination that involuntary withdrawal is necessary, and in turn carried out, the conditions for readmission are specified and depend on a psychological evaluation by a psychiatrist and a medical clearance being submitted for review by appropriate University professional staff and/or consultant.

A student may be removed immediately from University property as provided in Article VII of the University Code of Student Conduct pending initiation of the above procedures.

The Student Handbook is published by The Dean of Students, in conjunction with The Division of Student Affairs of Northwestern State University. The information in this handbook was collected and compiled in the summer of 2014. Since the programs and services contained therein are subject to continuous review and evaluation, the University reserves the right to make changes at any time without notice. This publication, therefore, is intended for information only.