

LOYOLA UNIVERSITY NEW ORLEANS
STUDENT CODE OF CONDUCT
2019-2020

I. PREAMBLE

Loyola University New Orleans is an educational institution dedicated to fostering intellectual achievement, personal development, social responsibility, and is committed to the human dignity and worth of every person. Acceptance of admission to the University carries with it an obligation for the welfare of the community. As such, Loyola expects the highest standard of personal conduct from its students. The Division of Student Affairs is committed to providing a student-centered, values rich, co-curricular education. Dignity, excellence, wholeness, inclusiveness, and compassion are key values conducive to the pursuit of knowledge and to personal development.

Loyola University New Orleans fully supports and fosters a policy of non-discrimination on the basis of age, color, disability, gender, national origin, race, religion, sexual orientation, and veteran's status, or any other status or classification prohibited by federal, state, or local law.

It is the intention of this *Code of Conduct* to clarify standards of behavior essential to the University's educational mission and community life. The *Code* is applicable to all Loyola students. It is equally applicable to recognized student organizations and/or groups of students.

By accepting admission to Loyola University New Orleans, a student accepts Loyola's rules and acknowledges the right of the University to take action, up to and including suspension or dismissal.

II. INSTITUTIONAL AUTHORITY, JURISDICTION AND RELATED MATTERS

1. Institutional authority

The authority over student behavior involving individuals, groups, and/or organizations rests with the Board of Trustees and is delegated by them to the President of the University. The President delegates authority in matters of non-academic student conduct to the Vice President for Student Affairs & Associate Provost (VPSA/AP) to establish and hold student conduct proceedings that will ensure the proper administration of the University's rules and regulations. The VPSA/AP, along with the Chief Student Conduct Officer (CSCO), shall oversee the operation of the student conduct system and administration of the *Code of Conduct*. The VPSA/AP and the CSCO have the right to consider all alleged violations of University policy and determine if a student, group, or student organization should be charged with an alleged policy violation. The VPSA/AP and/or CSCO shall determine the appropriate course of action for all alleged policy violations. In exceptional circumstances and in the VPSA/AP's discretion, the VPSA/AP may modify procedures outlined under this Code of Conduct. In addition, Loyola expressly reserves the right to revise, supplement or withdraw any policy or portion of a policy from time to time, as it deems necessary.

2. Jurisdiction

Loyola has jurisdiction over violations of the Code of Conduct on University premises, at University sponsored events, where students are enrolled in a Loyola program offering academic credit, or elsewhere when the University has an identifiable interest. The VPSA/AP or designated representative has sole discretion to determine the jurisdiction, parameters, and application of the Code of Conduct. In assessing jurisdictional questions, the VPSA/AP or designee may consider the following factors, among others:

- the seriousness of the alleged misconduct, including whether the allegations involve violence, threats of violence, drugs or alcohol, or sexual misconduct and sexual assault, stalking, dating and relationship violence, or sexual harassment;
- whether the alleged victims or witnesses are members of the campus community;

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- whether the off-campus conduct occurred at, or in connection with, activities of a student organization or group;
- the ability of the University to gather information, including the testimony of witnesses;
- whether the off-campus conduct is part of a series of actions that occurred both on and off campus or otherwise concerns an identifiable interest of the University; and
- whether the misconduct had a significant negative impact on the University community, University property, or the University's reputation or mission.

3. Interim action and appeals

Pending the resolution of a conduct proceeding, the VPSA/AP or designated representative has sole discretion and final authority to take interim action, without prior notice, for reasons relating to the safety or welfare of students, faculty or staff; the protection of University property; the maintenance of public order; the preservation of the University's reputation; and the effective continuation of University operations and the educational process. Interim action may include, but is not limited to, suspension; restrictions on University privileges, access, and activities; removal from or relocation within courses; or removal from or relocation within University housing. The VPSA/AP or designated representative also may make an administrative referral to the University Counselling Center whenever a student's alleged actions may constitute a danger or hazard to the University community or a threat to self or others. Interim actions are not a finding that the charged student or group violated the Code of Conduct.

A student placed on interim suspension will be given 48 hours to present information in writing to the VPSA/AP or designee in support of a claim that the terms of the interim suspension should be modified. The VPSA/AP or designee has sole discretion and final authority to modify or confirm the interim suspension. The terms of the interim suspension will remain in effect unless they are modified in writing.

4. Pending criminal and civil matters

Students may be accountable to both civil authorities and the University for acts which constitute violations of law and of the Code of Conduct. At the discretion of the VPSA/AP, proceedings under this Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Determinations made or sanctions imposed under the Code will not be subject to challenge on the grounds that civil or criminal charges involving the same incident are pending or have been dismissed, reduced, or resolved in favor of or against the student.

5. Matters of interpretation

Any question of interpretation regarding the Code of Conduct shall be referred to the VPSA/AP or designee for final determination.

6. Attempts and failure to act

The following may be adjudicated to the same extent as completed violations: (1) attempts to commit an act that violates this Code and (2) failure to act after witnessing a public violation of this code.

7. Code supersedes other regulations

The Code of Conduct shall supersede any and all regulations and/or decisions made by student groups and/or organizations and their affiliates.

8. Conduct correspondence

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Conduct correspondence shall occur via Loyola University New Orleans (loyno.edu) e-mail. Campus mail, U.S. mail, and/or personal hand delivery of letters may also be used if necessary. Students will be held accountable for retrieving mail in a timely manner. Failure to do so is not an acceptable excuse for delaying the conduct process nor is it a basis for appeal.

9. Time limits

The complainant must file a complaint within one year of the alleged incident; except in cases of sexual misconduct and sexual assault, stalking, dating and relationship violence which can be filed at any time.

10. Knowledge of rules

Students are expected to know and comply with the Code of Conduct, University policies, and any special instructions and directives announced by the VPSA/AP or designee. Ignorance is not an acceptable justification for committing violations of the Code or other University policies. Lack of intent or awareness of the Code or other University policies will not be accepted as excuses for violations and will generally receive the same consequences as deliberate violations.

III. STUDENT CONDUCT PHILOSOPHY

1. Conduct process is educational

The student conduct process is regarded as an essential and constructive element of the educational process. Emphasis is placed on students' acceptance of personal responsibility to uphold and safeguard community standards. Sanctions are intended to challenge students' moral and ethical decision-making and to help bring behavior into accord with community expectations.

2. Findings of responsibility

The focus of the inquiry in disciplinary proceedings shall be to determine if the individual, group, or organization is "responsible" or "not responsible" for violation of the Code of Conduct. The student conduct process is fundamentally different from criminal and civil court procedures.

3. Fairness

Student conduct proceedings are conducted with fairness but do not include the same protections afforded by courts. Specifically, Loyola agrees to provide all of those accused of violating this Code of Conduct with written notice of the provision of the Code they are accused of violating, a right to provide their version of events, and the right to appeal as described within these procedures. Deviation from the prescribed procedures below does not necessarily invalidate a decision or proceeding.

4. Burden and standard of proof

To be found responsible for violating the Code of Student Conduct, the evidence must establish that the violation was committed by the charged student or group by a preponderance of the evidence (not beyond a reasonable doubt or by clear and convincing evidence). In other words, the evidence (which consists of the full totality of the circumstances) must establish that it was more likely than not that the student committed the alleged violation.

5. Sanctions

In general, sanctions will be proportionate to the severity of the violation(s) as determined in the discretion of the University.

6. Parental notification

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Loyola University reserves the right to notify parents/guardians of dependent students regarding any conduct situation. Where a student is not a dependent, Loyola University may contact parents/guardians to inform them of situations in which there is a health and/or safety risk, any conduct violation relating to alcohol and drug policy violations, and when a student is removed from the University. Loyola University also reserves the right to designate which university officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act ([FERPA](#)).

7. Student groups

Registered and unregistered student groups or organizations may be charged with violations of the Code. Officers, or other leaders or spokespersons, are responsible for the conduct of their members at events recognized and sponsored by the group or organization if the leader or spokesperson has implicitly or explicitly endorsed any violation of the Code. A student group or organization and its officers may be held collectively or individually responsible for violations of the Code by those associated with the group or organization. Charges against a student group for violation of the Code are subject to the same procedure as charges against a student. Sanctions of the group or organization may include up to suspension of recognition or charter revocation.

IV. STUDENT RESPONSIBILITIES

The following are examples of misconduct prohibited by this Code of Conduct; they are not intended to define misconduct in exhaustive or exclusive terms and should be construed broadly according to the fair import of their terms. The following actions or any actions that violate the principles of the preamble to this document violate University standards of conduct and will result in conduct action and, in appropriate cases, referral to University or other law enforcement personnel, and/or other University officials, for investigation. Violation of any of the standards of conduct may, depending on the facts of the case and the student or group's conduct history, result in sanctions including suspension or expulsion.

Anyone wishing to report a general policy violation may utilize the [Incident Reporting Form](#) or submit a report in person or over the phone to Student Affairs (504-865-3428), Residential Life (504-865-2445), Student Conduct (504-865-3428), or University Police (504-865-3434).

The Office of Student Affairs addresses violations that occur on-campus, off-campus, and online. While the Office of Student Affairs does not regularly monitor social media sites, receipt of a report indicating behavior that is documented or occurring online will be reasonably investigated.

1. Abusive or disorderly conduct

Abusive conduct includes any actions against one's self or others that causes physical injury, intimidates, harasses, threatens or otherwise unreasonably interferes with another person. Disorderly conduct includes any behavior that disrupts or interferes with the orderly functioning of the University or the performance of duties by University personnel and/or any behavior that unreasonably disturbs the peace and/or comfort of a person or persons.

2. Administrative instructions

A student of the Loyola community is expected to comply with the oral and written instructions of University Officials and Emergency Personnel (e.g. New Orleans police, Emergency Medical Service, etc.). Compliance would include providing clear and factual information concerning the situation and cooperating in a polite and respectful manner.

3. Alcohol

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The Loyola University New Orleans alcohol policy adheres to the laws of the State of Louisiana and Federal law regarding the purchase, sale and consumption of alcohol and in accordance with the following specific regulations that have been established by the University:

- a. A student of legal age (*i.e.* age 21) may purchase and consume alcoholic beverages;
- b. Public intoxication and/or alcohol abuse is prohibited and is not an excuse for irresponsible behavior or *Code of Conduct* violations;
- c. A student or visitor may not publicly carry open containers of alcohol on the University property except during approved university events. An “open container” includes any bottle, can, or other receptacle that contains any amount of alcoholic beverage and to which any of the following is applicable: (a) It is open or has a broken seal or (b) Its contents have been partially removed;
- d. The university dining service provider has the appropriate licenses to sell and serve alcohol at university events and is the only approved provider.

No liquor may be sold or served at any time or under any circumstance by any student organization without prior approval by the Department of Student Involvement;

- a. Unsanctioned kegs, pony kegs, grain alcohol, Everclear, multi-alcohol drink punches, party balls, or other large quantities of alcohol are prohibited;
- b. The act of providing alcohol or alcoholic beverages from common source containers (e.g. trash barrels, watermelons, igloos, punch bowls, etc.) is prohibited;
- c. Drinking games or other activities which deliberately encourage the irresponsible consumption of alcohol are prohibited;
- d. The possession of alcohol paraphernalia, (*e.g.* beer bong, funnels, etc.), that is designated for the irresponsible use of alcohol is prohibited;
- e. A student, group, or student organization will be held directly responsible for the destruction of personal or public property, the violation of the safety or rights of another person, or the violation of any other campus regulations that may occur while they are under the influence of alcohol;
- f. A student group or student organization is expected to comply with the event registration requirements for holding a “party” or “reception” on-campus, which can be found at the Department of Student Involvement.
- g. A student that is 21 or older, and resides on-campus in the residential halls may consume alcohol in their residence hall room as long as it is in a responsible manner. They cannot provide alcohol to those under the age of 21;
- h. Alcohol consumption and/or any open or closed container will only be permitted in private and not public areas of the residence halls or in the proximity of any residence hall unless it is deemed an official Residential Life, Department of Student Involvement, or University- sponsored reception;
- i. Private events are permitted in the residence halls so long as all relevant policies concerning alcohol are followed as well as the Private Event Policy for the residence halls.

4. Behavior on other campuses

A student is responsible for abiding by the policies set forth by other campuses when visiting as a guest. A student that violates host campus regulations while present as a student visitor or guest may be referred to the Office of Student Affairs at Loyola for a hearing on the alleged offense, and/or referred to the local police at the discretion of the responsible parties on the host campus.

5. Bystander intervention

To encourage a relationship between personal behavior and the quality of campus life, all community members have an affirmative duty to take reasonable action to prevent, stop, or report violations of the *Code of Conduct*. Students are prohibited from:

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- a. Encouraging or permitting others to engage in misconduct
- b. Failing to confront, prevent, or report misconduct to a University official, which may include intervention, contacting University Police, or submitting an [Incident Reporting Form](#)
- c. Failing to remove oneself from a situation in which misconduct is occurring
- d. To promote community responsibility and bystander intervention, reporting students may be protected by Amnesty, as outlined in Section VIII of the *Code of Conduct*.

6. Computer and internet use

Students must adhere to the [DMCA Compliance Policy and Notification Agent](#), [Wireless Lan Policy](#), and [Responsible Use Policy](#) as published by [The Office of Information Technology](#). Users shall understand that personal information, including pictures, videos, and comments, posted on the Internet via social media is public information. The university shall not regularly monitor online activity or information but may take action if and when such information is brought to the attention of university officials.

A student is responsible for his/her actions and behaviors while accessing the Loyola University New Orleans Internet technology network. A student may be subject to investigation and sanctions if alleged policy violations are brought to the attention of the University that describe or document University policy violations on-campus or at an off-campus University-sponsored function.

Users shall follow appropriate standards of civility to communicate with others. Such behavior involves identifying oneself when sending personal messages and refraining from any harassing, discriminatory, obscene, fraudulent, defamatory, threatening, or coercive comments or activity.

A student may not have access or use the University's administrative computer system except in the performance of their assigned duties as a student employee.

Users shall abide by all [copyright laws](#). Unauthorized attempts to browse, access, solicit, copy, use, modify, or delete electronic documents or programs belonging to other people, whether at the University or elsewhere, will be considered a serious violation of this policy.

The University will cooperate with efforts to control illegal downloads. The use of file-sharing (peer-to-peer/P2P) programs to trade or distribute copyrighted music, movies, or games, over the internet is illegal and is a violation of both [Federal law](#) and University policy.

The unauthorized access or use of University computer systems is a violation of University policy and a serious breach of law. Civil penalties might arise as a result of the improper use of computer resources. The State of Louisiana has enacted a number of laws construing inappropriate or unauthorized use of computers as criminal behavior. A student may also face University discipline that may include suspension. For more information see La. R.S. 14.73.1.

Destruction, modification, use, copying, or accessing data or programs stored in or with a computer without authorization may result in up to five years of imprisonment, a \$10,000 fine, or both. For more information see [La. R.S. 14.73.1](#)

7. Conduct unbecoming

Responsible individual behavior is a basic expectation. Such behavior must stem from a recognition of and basic concern and respect for dignity, rights, and sensibilities of others. Therefore any social behavior which

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might offend these rights, sensibilities, and dignity is clearly inappropriate and will subject a student to discipline.

8. Conviction of violation of federal, state, or local laws

The University expects that a student will comply with all federal, state, and local laws.

9. Decorations

A student or student organization is responsible for and will be charged for any decorations that stain, alter, or otherwise damage on-campus property. This includes on-campus rooms, walls, walkways, hallways, residential hall rooms, etc.

Damages include, but not limited to nail holes, hooks, decals, tape marks, and stickers.

A student or student organization will be charged if disturbing or moving attached or permanently fixed furniture, decorations, foliage, etc.

A student that resides in the residence halls is prohibited from decorating windows that face outside the building. Student residents will be subject to a conduct hearing if found in violation with inappropriate objects or decorations in the window. A student that resides in the residential halls is required to return his or her room to its original condition by the end of the contract period.

10. Dishonesty

A student is prohibited from being dishonest in such a way that includes but not limited to cheating, plagiarism, knowingly furnishing false information to the University, its officials or duly constituted committees, forgery, and the alteration or use of institutional documents or identification with the intent to defraud.

11. Drugs and controlled substances

The Loyola University New Orleans drug policy adheres to the federal, state, and municipal laws regarding the consumption, distribution, possession, sale, or intent to sale of illegal drugs and/or other controlled substances. The use of illegal drugs and controlled substances is a violation of federal, state, and municipal laws and the *Code of Conduct*. Loyola University cannot and will not protect students from prosecution under federal, state, and municipal laws.

The University reserves the right to periodically conduct unannounced canine drug searches in on-campus spaces, including residence hall rooms, to identify the presence of illicit drugs in order to encourage a drug-free living environment.

The following rules shall be enforced with respect to student conduct regardless of the status of violation in any courts:

- a. Possession of drug paraphernalia as commonly defined (pipes, bongs, etc.) is prohibited. Drug paraphernalia as it applies in this section means any equipment, product, or material of any kind that is used in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.
- b. The distribution or merchandising of illegal drugs and/or controlled substances is prohibited and will result in dismissal and/or arrest.
- c. All illegal drugs, controlled substances and/or drug paraphernalia will be confiscated by the proper authorities.

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- d. The illegal possession or consumption of drugs, prescription medication, possession of paraphernalia, or misconduct resulting from such, will result in disciplinary action up to and including dismissal.

12. Elevators

Tampering with elevator equipment is strictly prohibited, as it can pose a serious safety threat to all students of the University community. Should a student or guest of the University community drop keys or other personal items down the elevator shaft, it is advised that they wait until the elevator is serviced. The student may be required to pay a fee charged by the elevator repair company for retrieving personal items.

13. Facilities use

A student is expected to observe the rules relating to the use of campus buildings and other University owned, operated, or approved facilities. Use of any previously described facility must be approved beforehand by the Director of Residential Life (Residence Halls), the Associate Director of the University Sportsplex, or the Director of Student Involvement (Danna Student Center). A student should have the proper authorization before entering a locked building or office on campus.

14. False information

Students may not intentionally provide false or inaccurate information or records to the University or local authorities. This includes, but is not limited to providing a false report of an emergency, crime, or code violation; providing false statements during a University investigation or proceeding; or falsely activating a campus Emergency Blue-Light Call Box.

15. Falsification or misuse of university records

A student is required and expected to complete accurately and honestly all University records. A student is prohibited from falsely making, forging, manufacturing, printing, reproducing, tampering with or altering any writing, record, document, or identification form used or maintained by the University.

A student is prohibited from knowingly possessing, displaying, or causing or permitting to be displayed any writing, record, document, or identification form used or maintained by Loyola knowing the same to be fictitious, altered, forged, counterfeit, or made without proper authority.

If a student falsifies a record and it is discovered between the time of his or her application for admission and the beginning of classes, it will be considered cause for cancellation of registration. If such a falsification is discovered after the student has begun classes, it will be considered cause for dismissal.

16. Fire safety

It is prohibited to tamper with fire-fighting equipment and fire alarm systems, or in any way cause a fire alarm to activate. A student is expected to report anyone observed in violation of this policy. If found in violation, the responsible student(s) may be subject to:

- a. \$1,000 fine
- b. Residence hall dismissal if the perpetrator is resident student and offense occurs in a residence hall
- c. University discipline up to and including suspension from the University and/or civil prosecution for criminal mischief.

If a fire alarm sounds, all building occupants are to go to the nearest stairway and leave the building promptly. Instructions of University officials are to be followed. Failure to leave the building promptly or follow instructions may result in a fine of \$250 and disciplinary action up to and including disciplinary probation and/or residence hall dismissal, if applicable.

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17. Fireworks & combustibles

Loyola University prohibits the possession of and/or use of fireworks or combustible materials; simulated or otherwise. [Louisiana law](#) and University policy prohibit:

- a. The sale, possession, or use of fireworks; the manufacture, possession, or control of any explosive compound or mixture with a detonator or initiator or both, or any fake explosive.
- b. Initiating or causing to be initiated a fire, explosion, or other emergency initiating or causing to be initiated any false report or warning of fire, explosion or other emergency. Improper use of safety, emergency or firefighting equipment or any other violation of Loyola's fire safety procedures.

The above prohibitions also apply to possession and storage of these items in a motor vehicle parked on Loyola's campus. Violation of the above policy and state law will subject the offender to University discipline up to and including dismissal from the University and/or prosecution under the state's criminal statutes depending on the nature and seriousness of the offense.

18. Guests

It is expected that guests of students of the Loyola community will at all times conduct themselves in accordance with the policies and standards of the University. A student will be accountable for the conduct of his or her guest(s) and may be subject to disciplinary action as the responsible party for violations of University policy incurred by their guests. Students are responsible for any activity that occurs in their residence hall rooms whether or not they are present at the time. This policy will apply to individual students, student groups, and recognized student organizations.

19. Hazing

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

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

Loyola University New Orleans seeks to promote a safe setting where students may participate in activities and organizations without compromising their health, safety, and welfare. Thus, Loyola University New Orleans will not tolerate any form of hazing and severe actions will be taken against any student or organization found in violation of this policy, up to and including indefinite revocation of the charter for the organization and suspension or dismissal for students involved. Our University is committed to supporting an environment that encourages respect for the dignity and rights of the entire university community, which includes students, faculty, staff, and visitors. To review the full policy on hazing, please visit: [http://studentaffairs.loyno.edu/sites/studentaffairs.loyno.edu/files/2019%20HAZING%20POLICY%20\(1\).pdf](http://studentaffairs.loyno.edu/sites/studentaffairs.loyno.edu/files/2019%20HAZING%20POLICY%20(1).pdf)

20. Identification cards

As part of registration, each student is responsible for securing a student identification card, known as the Loyola Express Card, which shall remain in his or her possession at all times. A student who withdraws or is withdrawn from the University shall surrender the identification card to the appropriate University official. A

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student shall, upon demand, surrender their identification card to the appropriate University authority. The individual requesting the surrender of the Loyola Express Card must properly identify themselves.

Refusal to surrender an identification card is cause for disciplinary action.

The identification card is issued to the individual student and is nontransferable. Any student using a Loyola Express Card improperly will be fined \$100 for the first violation. Any subsequent violation will be subject to a \$150 fine and disciplinary action.

21. Keys

A student shall not, without proper authority, knowingly possess, make, or cause to be made any key to operate any lock or locking mechanism used or maintained by the University. All keys to University locks are to be reproduced only by Physical Plant.

22. Noise

A student and/or student organization will keep noise at an acceptable level that does not disrupt on-campus residents or the learning environment around other buildings. The use of microphones, and other amplified noises in these areas must be approved by the Department of Residential Life and/or the Department of Student Involvement, and will be considered only with a written proposal, submitted no less than 24 hours before the start of the event. A fine of up to \$250 will be levied against student(s), student groups, or a student organization(s) that are found to be in violation of this policy.

Residence Hall Quiet Hours

In order to maintain an atmosphere in the residence halls that is conducive to study and sleep, quiet hours are observed during the following times:

- a. Sunday – Thursday: 8 p.m. – 10 a.m.
- b. Friday – Saturday: 10 p.m. – 10 a.m.
- c. The week prior to and during Final Examinations

During quiet hours, students in the residence halls, porches and residential quads must keep stereos, TVs, voices, musical instruments, and other sources of noise at a level that cannot be heard in another student's room. In addition to quiet hours, courtesy hours are in effect at all times. A student will comply with any and all reasonable requests made by University officials and students to lower their noise levels.

23. Obstruction of disciplinary matters

A student is expected to comply and participate fully in the disciplinary process of the University. Non-compliance will subject a student to further disciplinary action and/or sanctions. Non-compliance factors include, but are not limited to, the following:

- a. Any attempt to intimidate, harass, or abuse any party or witness to a disciplinary action, or any board member or hearing officer, before, during, or after a conduct hearing, is prohibited.
- b. Denial or failure to meet with the University Conduct Officer or other hearing officer(s) for a conduct administrative meeting.
- c. Failure to attend a conduct hearing with a hearing board or hearing officer(s).
- d. Failure to complete assigned sanctions.

24. Persistent misconduct

A student with prior conduct history may be subject to a full judicial file review during a proceeding if it is determined that behaviors reflecting consistent disregard for University or residence hall policy, and/or the rights of others, exist.

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25. Pets

Pets and other animals are not permitted in any residence hall or other campus facility, with the exception of aquatic fish (that live underwater 24 hours per day) in a properly maintained 10-gallon aquarium. Only emotional support and certified service/guide animals approved by The Office for Accessible Education are permitted in the residence halls or other campus facility.

26. Promotion of non-recognized student organizations

A student is prohibited from affiliating and promoting non-recognized student organizations. A student is prohibited from promoting the goals, purposes, identity, programs, or activities for suspended organizations or organizations whose charters have been revoked.

27. Property damage

A student is prohibited from removing, destroying, or otherwise damaging property of others and University property. A student is prohibited from any action that could inflict damage to University property. A student is prohibited from intending to, or accidentally damaging, defacing, or otherwise destroying University facilities. A student is prohibited from intending to, or accidentally damaging, defacing, or otherwise destroying personal property of a University community member.

28. Retaliation

The University prohibits retaliation (including retaliatory harassment) against anyone for inquiring about suspected breaches of University policy, registering a complaint pursuant to its policies, assisting another in making a complaint, or participating in an investigation under its policies. Retaliation is a serious violation that can subject the parties to strong responsive action, including sanctions, independent of the merits of the policy violation allegation. Retaliation is prohibited even if the University finds that no violation of the policy occurred.

Retaliation is defined as an adverse action or adverse treatment against an individual involved in an investigation by an individual who knew of the individual's participation in the investigation.

Anyone experiencing any conduct that he or she believes to be retaliatory (or retaliatory harassment) should immediately report it.

29. Room responsibility

All students found in the presence of a policy violation within a residence hall room, regardless of participation, will be charged with an alleged violation of the *Code of Conduct* and have a conduct hearing. Students may be found responsible in the conduct hearing for the alleged policy violation and appropriately sanctioned. Students are responsible for any activity that occurs in their residence hall rooms whether or not they are present at the time.

30. Theft

A student found to be appropriating University or private property for their own use or sale without the specific consent of the owner, or person legally responsible for it, will be subject to investigation from both University and civil authorities.

31. Tobacco

The use of any tobacco product in any form is prohibited on all Loyola University New Orleans facilities and property. Tobacco is defined to include any lighted or unlighted cigarettes (clove, bidis, kreteks), e-cigarettes,

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cigars, cigarillos, pipes, hookah products, any other smoking product; as well as any smokeless, spit or spit less, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff, or snus, in any form (orbs, sticks, strips, pellets, etc.). The sale of tobacco products or tobacco-related merchandise (including items that display tobacco company logos) is prohibited in and on all university-owned property and at all university-sponsored events, regardless of the vendor. The free distribution or sampling of tobacco products and associated products is prohibited on all university-owned and leased property and at university-sponsored events, regardless of venue. Tobacco industry and related company sponsorship of campus events, including athletic events and athletes, is prohibited.

32. Unauthorized Recording

Any unauthorized use of electronic or other devices to make an audio or video still frame or photographic record of any person without their prior knowledge or without their effective consent when the person or persons being recorded have a reasonable expectation of privacy and/or such recording is likely to cause injury or distress; this includes but is not limited to surreptitiously taking pictures of another person in a gym, locker room, or restroom or recording administrative meetings with university officials. If a recording is made that captures a violation of student rules or law, the CSCO may elect not to enforce this section of the rules against the student making the recording.

33. Verbal or physical aggression

A student is prohibited from any verbal or non-verbal comment or physical action, which could inflict or seriously threaten injury or harm to a person.

34. Violation of University Rules

Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website will be considered a violation of this policy. Such rules include, but are not limited to, Department of Residence Life Community Standards and Policies, Information Technology policies, Student Organization policies, and classroom expectations.

35. Visitation

a. Applicable Definitions

Residential Students are defined as full-time students living in one of the on-campus residential communities. Students will be provided a sticker (placed under the photograph on their student ID), which is unique to their building, at the start of each semester to indicate their status as a residential student. Non-Residential Guests are defined as any individual who is not residing on campus. This includes students residing in off-campus housing, family members, friends or acquaintances not associated with Loyola University New Orleans, or “friends of friends” who accompany another guest into the residence hall. Minors are defined as any person between the ages of 5-16 years. This includes children of students, family members, siblings, friends, and children of friends. Infants are defined as any person under the age of 5 years. Infants are not allowed to stay overnight at any time. Visitation Hours are specific hours in which guests (regardless of age, sex, or relation) are permitted to visit a residence hall room without the prior permission of roommates.

b. Check-In

Residential Students entering their assigned residence hall are required to show their student ID with the correct building sticker to the Desk Assistant upon entering the building each time.

Residential Students entering a residence hall in which they do not reside and Non-Residential Guests are required to be checked in by a host (a residential student assigned to that building) at the front desk. Both the host and guest will be required to leave a photo ID with the Desk Assistant upon entering the building each time and collect their IDs from the Desk Assistant upon exiting the building.

Non-residential guests who cannot present a photo ID will not be permitted to check into the building at any time, with the exception of Minors, who must obtain a visitor ID card at the front desk.

Non-residential guests are expected to conduct themselves in accordance with the policies and standards of the university at all times.

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- Identification cards will not be returned to any individual unless both the host and guest are present.

c. Visitation Expectations and Responsibilities

- Residential students will discuss and define visitation hours for their room within the first 7-weeks of the Fall semester. This information will be posted in the Roommate Agreements, which will be placed in each room and a copy will be filed with Residential Life.
- Entering first-year students will have Visitation Hours of 9:00am-12:00am, 7 days a week until they have completed and reviewed their Roommate Agreement with a Residential Life staff member.
- Entering upperclassmen will have 24-hour Visitation Hours until they have completed and reviewed their Roommate Agreement with a Residential Life staff member.
- Roommate Agreements may be amended at any time as deemed necessary by residents or staff. Amendments to established visitation hours should be completed with all room/suitemates and a Residential Life staff member. All changes must be documented on the Roommate Agreement.
- After a room swap or in the case of a new room/suite mate, the Roommate Agreement will be reevaluated to accommodate all current residents.
- Residential students are accountable for enforcement and reporting to a residential life staff member when visitation hours are violated. (See below for more information on the reporting process.)
- Regardless of the agreed upon visitation hours, individuals are required to maintain an atmosphere that is conducive to sleep and study and should be respectful of the rights and privacy of others at all times.
- Students violating Visitation Hours or the right of privacy of others will be subject to disciplinary action and possible loss of guest and visitation privileges.
- All Minors and Infants must be accompanied by an adult. Minors desiring to stay in the building overnight must be between the ages of 5-18 years; be the sibling of the residential student serving as their host; be able to prove their kinship; and have written permission from the Residential Life office 48 hours prior to the Minor's arrival.
- Residential students living in Carrollton, Buddig, and Cabra Halls may not host more than TWO guests (residential or non-residential) at any one time per resident. Residential students living in Biever Hall may not host more than ONE guest (residential or non-residential) at any one time per resident. Violations of this must be reported by students and/or enforced by Residential Life staff.
- Hosts will be held responsible for the conduct of their guest(s) and may be subject to disciplinary action as the responsible party for violations of the University policies incurred by their guest.
- Non-residential guests should be escorted by their host at all times.
- A staff member or resident may ask a guest (residential or non-residential) to leave at any time and guests are expected to comply with such requests.

d. Extended Stay Visitation

- Extended stay visitation is defined as any time a guest is present in their host's room outside of or past the established visitation hours.
- Hosts must seek and receive permission - at least 24 hours prior to the guest's arrival - from their roommates.
- Hosts must obtain written/electronic permission from a Residential Life Professional Staff member - at least 24 hours prior to the guest's arrival - for any guest staying more than one consecutive night. Requests may be submitted via the Residential Life Resources page.
- Guests (residential and non-residential) may not visit during extended stay hours more than three times in one week and not in two consecutive weeks. An extension of stay may be granted by the

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Community Director; questions, concerns, or violations of the extended stay policy may be directed towards your Resident Assistant or Community Director.

e. Intimate Relations

- Intimate relations are defined as any acts of physical intimacy that are characterized by a sexual nature or sexual activity.
- Intimate relations and cohabitation are not endorsed by the University and can be considered Conduct Unbecoming. These relations are prohibited regardless of age, sex, gender, or class standing.
- If a roommate or other hall residents believes that this policy is being violated, s/he is encouraged to seek the assistance of a Resident Assistant or Residential Life staff member. In the event of a formal complaint, the student(s) will be questioned and could be sanctioned through the discipline process, moved to another room, or both.
- Ultimately, guest policies are meant to ensure the privacy of our students who share rooms, suites, and apartments with others. Each resident has a right to privacy and comfort that outweighs his/her roommate's guest privilege. If the presence of a visitor/guest is an inconvenience to a roommate, the visitor/guest should leave. No one should abuse this right by making unreasonable demands. Students violating the guest policy or the right of privacy of others will be subject to disciplinary action and possible loss of privileges.

f. Addressing/Reporting Visitation Hour Violations

- Students are expected to report a violation of visitation hours to a residential life staff member (their Resident Assistant, the Resident Assistant on Duty, or the Desk Assistant), at which point, documentation and enforcement will occur. Students in violation will enter the conduct process and may lose visitation privileges as a result of their hearing.
- Students should first attempt to discuss any conflicts or violations with their roommate as they arise
- If the issue persists, seek out the assistance of your Resident Assistant who can schedule a meeting with both individuals to attempt to address the concern.

SPECIAL NOTE: Due to the influx of visitors and in attempts to heighten security during such a busy time, all visitation privileges for on-campus residents are suspended during Mardi Gras, starting on the Friday before and ending the Wednesday after Fat Tuesday. Special visitation regulations apply during this period which greatly restricts the number of guests allowed in the residence halls.

36. Weapons

Loyola University prohibits the possession of and/or use of firearms or other dangerous weapons; simulated or otherwise. [Louisiana law](#) and University policy prohibit:

- a. The manufacture, ownership, possession or custody or use of any switchblade knife, spring knife, or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by manipulation of a button, switch, latch, or similar contrivance.
- b. Carrying a dangerous weapon to include any gas, liquid, or other substance or instrumentality that, in the manner used, is calculated or likely to produce death or great bodily harm.
- c. The possession of firearms on-campus; simulated or otherwise.

The above prohibitions also apply to possession and storage of these items in a motor vehicle parked on Loyola's campus. Violation of the above policy and state law will subject the offender to University discipline up to and including dismissal from the University and/or prosecution under the state's criminal statutes depending on the nature and seriousness of the offense.

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V. TITLE IX POLICY

Loyola University of New Orleans complies with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual and gender based harassment, assault and sexual violence) based on gender in the University's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of gender discrimination. As outlined below, Loyola University of New Orleans has designated Title IX Coordinators to coordinate compliance with and respond to inquiries concerning Title IX.

The University will take prompt and effective steps to end any sexual or gender-based harassment and discrimination, assault and/or sexual violence as well as to eliminate any hostile environment. It will take prompt and effective steps to prevent the recurrence of the prohibited conduct, and remedy any effects on the victim or others as appropriate.

The purpose of the policy is to define the conduct prohibited, describe the process for reporting violations of the policy, outline the process used to investigate and adjudicate alleged violations of policy, and identify some of the resources available to University students who are involved in an incident that may violate this policy.

1. Applicability and prohibition

This policy applies to all University students—regardless of gender, sexual orientation, or gender identity. Members of the University community shall not engage in sexual discrimination, including dating and domestic violence, stalking, or sexual misconduct (all of which are discussed in more detail below) against employees, students, or third parties.¹ Persons who do so are subject to disciplinary action, up to and including dismissal for students. The University also prohibits sexual discrimination, including dating and domestic violence, stalking, and sexual misconduct by third parties towards members of the University community. The University prohibits retaliation, including retaliatory harassment, against individuals who report discrimination, dating and domestic violence, stalking, or sexual misconduct or who participate in the University's investigation and handling of such reports.

This policy and the procedures for addressing complaints apply to all forms of sex discrimination, including sexual and gender based harassment, assault, and violence, against students occurring in and all of the University's programs and activities, including when:

- a. The conduct occurs on campus;
- b. The conduct occurs off-campus in the context of University employment, education, or research programs or activities, including but not limited to University-sponsored study abroad, internships, graduate/professional programs, intercollegiate athletics, or other affiliated programs.
- c. If the conduct occurs off-campus outside the context of a University program or activity, the University will consider the effects of the off campus conduct in order to evaluate whether it has continuing adverse effects on campus or in any University program or activity, including the creation of a hostile environment on campus or in an off-campus education program or activity.

2. Gender Discrimination

¹ A third party is an individual who is not a member of the University community (faculty, staff, or student) such as a visitor or guest, contractor, alum, or student from another institution.

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Title IX of the Educational Amendments of 1972 prohibits gender discrimination at institutions of higher education. The University prohibits gender discrimination in any of its programs or activities. Sexual discrimination, including sexual assault, stalking, and other kinds of sexual violence, is a form of gender discrimination. This policy and its related procedures apply to complaints alleging all forms of gender discrimination (including sexual harassment, stalking, sexual assault, and sexual violence). For the purposes of this policy, references to sexual misconduct include all forms of sex discrimination, including sexual and gender-based harassment, assault, and violence.

3. Retaliation

Title IX and the University prohibit retaliation (including retaliatory harassment) against anyone for inquiring about suspected breaches of University policy, registering a complaint pursuant to its policies, assisting another in making a complaint, or participating in an investigation under its policies. Retaliation is a serious violation that can subject the parties to strong responsive action, including sanctions, independent of the merits of the policy violation allegation. Retaliation is prohibited even if the University finds that no violation of the policy occurred.

Retaliation is defined as an adverse action or adverse treatment against an individual involved in an investigation by an individual who knew of the individual's participation in the investigation.

Anyone experiencing any conduct that he or she believes to be retaliatory (or retaliatory harassment) should immediately report it to one of the Title IX Coordinators using the contact information below.

4. Title IX Coordinators

Loyola University of New Orleans has designated Title IX Coordinators to coordinate compliance with and response to inquiries concerning Title IX. A report of a violation of this policy should be made to one of the following:

Tommy Screen University Title IX Coordinator 301 Marquette Hall 504-864-7082 tscreen@loyno.edu	Dr. Diana Ward Deputy Title IX Coordinator for Students 205 Danna Student Center 504-864-7151 dmward@loyno.edu
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Any person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting: the U.S. Department of Education's website or calling 1-800-421-3481.

To the extent a violation of this policy may also violate a criminal law, impacted individuals are encouraged to report their complaint to local law enforcement. Any person making a complaint under this policy may pursue a complaint with the University and police simultaneously. The police and the University independently investigate complaints of relationship violence and sexual misconduct. The police investigate to determine whether there has been a violation of criminal laws. The University investigates to determine whether there has been a violation of University policy. The investigations proceed concurrently, and the outcome of one investigation does not determine the outcome of the other investigation.

Occasionally, the University may need to briefly suspend the fact-finding aspect of its investigation at the request of law enforcement while the police are in the process of gathering evidence. The University will maintain regular contact with law enforcement to determine when it may begin its investigation. The University will promptly resume its investigation as soon as notified by the police department that it has completed its evidence gathering process, or sooner if the University determines that the evidence gathering process will be

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lengthy or delayed. The University will not delay its investigation until the ultimate outcome of the criminal investigation. Even if the University investigation is briefly suspended, the University will nevertheless communicate with the complainant (the person filing the complaint or who was allegedly the victim of discrimination) regarding their rights, procedural options, and the implementation of appropriate interim measures to assist and protect the safety of the complainant and the campus community and to prevent retaliation. Even if the investigation is suspended temporarily, the University will implement appropriate interim measures to assist and protect the safety of the complainant and the campus community and to prevent retaliation.

5. Prohibited Conduct-Domestic and Dating Violence (Intimate Partner Violence)

“Domestic and Dating Violence” is defined as abusive behavior, including threats, verbal and/or emotional abuse, and physical assault, between persons in an intimate and/or dating relationship. Examples of domestic violence include, but are not limited to, intimidation, threats, and physical harm. Preventing a partner from making contact with others among the partner’s family, friends, or peer group also falls within this definition. This includes behavior toward another person when the intimate and/or sexual relationship has ended.

6. Prohibited Conduct-Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person’s property. Stalking includes, but is not limited to, the intentional and repeated uninvited presence of the alleged perpetrator at another’s home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, or sexual assault.

7. Prohibited Conduct-Sexual Misconduct

a. Nonconsensual Sexual Intercourse and Sexual Conduct

Any sexual behavior including sexual intercourse or attempted intercourse without consent, including rape, attempted rape, molestation, and other cases where the victim is unable to refuse or effectively consent to sexual advances. The definition applies regardless of whether the alleged assailant is a stranger or an acquaintance. Examples include, but are not limited to, forced insertion, oral copulation, rape by foreign object, sodomy and unwanted touching of an intimate part of another person for the purpose of sexual gratification. Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger or inanimate object.

For purposes of this policy, consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Silence alone, without actions evidencing permission, does not demonstrate consent. While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings, which may lead to a violation of this policy.

It is the responsibility of the initiator of any sexual activity to obtain their partner’s consent.

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Consent must be knowing and voluntary. To give consent, a person must be at least 17 years old. Assent does not constitute consent if obtained through “coercion” or from an individual whom the respondent knows or reasonably should know is “incapacitated”.

Coercion for purposes of this policy is the use of express or implied threats, intimidation, or physical force which places an individual in reasonable fear of immediate harm or physical injury.

An individual is considered to be incapacitated for purposes of this policy if, by reason of mental or physical condition, the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Someone who is drunk or intoxicated is not necessarily incapacitated. Individuals who are asleep, unresponsive or unconscious are incapacitated. Among the factors the University will use to assess whether someone is incapacitated for purposes of this policy are: inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance. The existence of any one of these factors will support a finding of incapacitation for purposes of this policy.

An individual’s use of alcohol or drugs does not diminish that individual’s responsibility to obtain consent if that individual is the one who initiates sexual activity.

Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of consent has been expressed, the sexual activity must cease immediately. Consent is automatically withdrawn by a person who is no longer capable of giving consent.

A current or previous consensual dating or sexual relationship between the Parties does not itself imply Consent or preclude a finding of responsibility for misconduct.

b. Sexual Exploitation

Taking nonconsensual or abusive sexual advantage of another for one’s own advantage or benefit, or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to:

- Intentionally exposing a private or intimate part of one’s body in a lewd manner;
- Committing any other lewd act in a public place;
- Prostituting another student;
- Non-consensual video or audio recording of sexual activity;
- Exceeding the boundaries of explicit consent, such as allowing friends to hide in a closet to witness one’s consensual sexual activity;
- Engaging in non-consensual voyeurism; and/or
- Knowingly transmitting a sexually transmitted disease/infection or HIV to another student.

c. Sexual Harassment

Unwelcome sexual advances or requests for sexual favors and/or other verbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment, or services, or academic status; or
- Submission to, or rejection of, such conduct by an individual used as a basis for employment, or services, or academic decisions affecting him or her; or
- Such conduct, whether verbal or physical, has the purpose or effect of interfering with the individual’s work or academic performance or of creating an intimidating, hostile or offensive employment, service or educational environment.

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d. Sexual Verbal Abuse

Language that is sexual in nature and unwanted on the part of another person. Examples include, but are not limited to, obscene telephone calls and use of written and/or oral communication that would be considered obscene.

8. Confidentiality

The goal of this policy is to provide members of the community with a positive working and learning environment that is free from sexual misconduct. Complaints of sexual misconduct will be investigated in a manner that is consistent with this goal. All participants in the investigation will be advised that they should keep the complaint and the investigation confidential.

The University cannot promise complete confidentiality in its handling of sexual misconduct complaints. To the extent possible, the University will keep the complaint and investigation confidential and will make every reasonable effort to handle inquiries, complaints, and related proceedings in a manner that protects the privacy of all parties. Each situation is resolved as discreetly as possible, with information shared only with those who need to know. Because Title IX and the University prohibit retaliation, the University will take proper steps to prevent such retaliation and will take strong responsive action if such retaliation occurs.

If a complainant requests anonymity or that an investigation not be pursued, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as honoring the request does not prevent the University from responding effectively to the harassment and preventing harassment of others. If a complainant requests anonymity, the scope of University's ability to respond to the alleged misconduct may be limited. In certain circumstances, the University may be able to address concerns and stop problematic behavior without revealing to the alleged harasser the identity of the person who complained and/or the individuals involved in the investigation. However, this is not possible in every matter, as some situations require the disclosure of the complainant's identity in order to fully investigate the matter and/or to enable the respondent to fully respond to the allegations against him or her. In cases when a complainant requests anonymity or does not wish to proceed with an investigation, the Title IX Coordinator and/or appropriate Deputy Title IX Coordinator will determine whether the University has an obligation to proceed with the investigation notwithstanding this request based on concern for the safety or well-being of the broader University community. The University reserves the right to take appropriate action in such circumstances, even in cases when the complainant is reluctant to proceed. In making this evaluation, the University may consider the following:

- a. The seriousness of the alleged incident;
- b. The age of the alleged victim;
- c. Whether there have been other complaints or reports of policy violations against the accused individual;
- d. The rights of the accused individual to receive information about the accuser and the allegations if a proceeding with sanctions may result;
- e. The increased risk that the accused individual will commit additional acts of relationship violence or sexual misconduct, such as: (a) Whether there have been other relationship violence or sexual misconduct complaints about the same alleged perpetrator; (b) Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence; (c) Whether the alleged perpetrator threatened further relationship violence or sexual misconduct against the alleged victim or others; (d) Whether the relationship violence or sexual misconduct was committed by multiple perpetrators; and/or (e) Whether there have been threats to kill or harm the alleged victim;
- f. Whether the alleged policy violation was perpetrated with a weapon; and/or

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- g. Whether the University possesses other means to obtain relevant evidence of the policy violation (e.g., security cameras or personnel, physical evidence)

9. Violations: Complaint Procedures

All reports describing conduct that is inconsistent with the policy will be promptly and equitably resolved in accordance with Title IX and other relevant laws and regulations.

All individuals are encouraged to promptly report conduct that may violate this policy to the University through its Title IX Coordinator or appropriate Deputy Title IX Coordinator. As discussed above, notice may be given at:

Tommy Screen University Title IX Coordinator 301 Marquette Hall 504-864-7082 tscreen@loyno.edu	Dr. Diana Ward Deputy Title IX Coordinator for Students 205 Danna Student Center 504-864-7151 dmward@loyno.edu
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For the sake of clarity, the Title IX Coordinators above are the only people at the University with the authority to institute corrective measures on the University’s behalf pursuant to this policy. In addition, all individuals are encouraged to report conduct that may also violate criminal law to both the University and to local law enforcement. These processes are not mutually exclusive.

The University strongly encourages individuals affected by sex or gender discrimination, sexual harassment, relationship violence, stalking, and sexual misconduct to talk to someone about what happened and obtain support services. The University also needs to respond appropriately to reports of violations of this policy in order to provide a safe and effective learning environment.

The University can most effectively investigate and respond to alleged violations of this policy if the complaint is made as promptly as possible after the alleged violence or misconduct occurs. The University does not, however, limit the time frame for reporting. If the respondent is not a member of the University community at the time of the report, the University will still seek to meet its legal obligations by providing reasonably available support for a complainant, but its ability to investigate and/or take action may be limited. The University will, however, assist a complainant in identifying external reporting options.

The University encourages students to report all incidents of relationship violence or sexual misconduct. Therefore, students who in good faith report violations of this policy will not be disciplined by the University for a violation of the University's drug and alcohol possession or consumption policies that may have occurred in connection with the reported incident.

10. Mandatory Reporters-University Employees.

All University employees, other than counselors, pastors, or advocates and those employees legally regarded as confidential sources must bring reports of violations of this policy, including sexual and gender-based harassment, assault and violence that they observe or learn about, immediately to the attention of the Title IX Coordinator or appropriate Deputy Title IX Coordinator.² Failure to do so can result in discipline, up to immediate discharge.

² Students who are not also employees do not have reporting obligations under this Policy. Nevertheless, students who have witnessed relationship violence or sexual misconduct are strongly encouraged to promptly report such information to the University.

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The employee must report all relevant details about the alleged policy violation, including the name of the alleged victim, the accused, any witnesses, and any other relevant facts, including the date, time, and specific location of the incident. Complainants may request confidentiality or anonymity, including that their name not be shared with the respondent, that the respondent not be notified of the report, or that no investigation occur. If the alleged victim wants to tell the mandatory reporter what happened, but also wants to maintain confidentiality or anonymity, the employee should tell the alleged victim that the University will consider the request but cannot guarantee confidentiality or anonymity. The employee should advise the alleged victim that the details of the incident will be disclosed only to those officials with a legitimate institutional interest in knowing the information. In reporting the details of the incident to the Title IX Coordinator or appropriate Deputy Title IX Coordinator, the employee will inform the Coordinator of the alleged victim's request for confidentiality or anonymity.

The Title IX Coordinator or appropriate Deputy Title IX Coordinator will weigh the alleged victim's request for confidentiality or anonymity against the University's obligation to provide a safe, nondiscriminatory environment for all students, including the alleged victim.

If the University honors the request for confidentiality, the Title IX Coordinator or appropriate Deputy Title IX Coordinator will explain to the complainant that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator may be limited. The Title IX Coordinator or appropriate Deputy Title IX Coordinator will also explain that the University prohibits retaliation for filing a complaint and will take steps to prevent retaliation and take strong responsive action if any retaliation occurs. If the complainant continues to ask that his or her name not be revealed, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not prevent the University from responding effectively to harassment and preventing harassment of others.

Regardless of whether the request for confidentiality is honored, the University will take steps to limit the effects of the alleged relationship violence or sexual misconduct and prevent its recurrence when possible. Such steps might include providing increased security or supervision at locations or activities where a pattern of relationship violence or sexual misconduct exists; providing education and training materials for students, student groups, or employees; reviewing applicable relationship violence and sexual misconduct or disciplinary policies; and conducting climate surveys regarding relationship violence and sexual misconduct.

At times, in order to provide a safe, non-discriminatory environment for members of the campus community, the University may not be able to honor an alleged victim's request for confidentiality. In such circumstances, the Title IX Coordinator or appropriate Deputy Title IX Coordinator will inform the alleged victim prior to starting an investigation and will share information only with people involved in the University's investigation. Individuals who choose to discuss an incident of relationship violence or sexual misconduct only in a privileged/confidential or private setting should understand that the University will not be able to conduct an investigation into the particular incident, or pursue disciplinary action against the alleged perpetrator, unless the incident is reported to the University directly by the alleged victim, law enforcement, someone who is obligated to make a report, or by a confidential party who has been given written permission by the alleged victim to make a report. Counselors and advocates who are able to maintain confidentiality of reports will still assist their clients in receiving support services, regardless of whether a report is made. At the individual's option, this will include coordinating with the University to provide any necessary interim measures.

A complainant who requests confidentiality may later decide to file a complaint to the University or law enforcement and have the incident fully investigated. Safety risks associated with the University contacting or interviewing the accused will be taken into consideration before that occurs, especially in cases where the

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alleged victim is fearful and does not want the perpetrator contacted, or when the threats and abuse may escalate and put the alleged victim in increased danger due to the investigation process.

As discussed above, the University will attempt to balance a complainant's request for anonymity or not to participate in an investigation with the University's broader obligation to campus safety.

11. Processing Complaints and Reports

All reports of alleged violations of this policy are reviewed by the Title IX Coordinator and/or Deputy Title IX Coordinator. The University will process all complaints and reports of policy violations it receives, regardless of where the conduct which is the basis for the complaint allegedly occurred. The Title IX Coordinator and/or Deputy Title IX Coordinator may also determine that an investigation is warranted without a complaint if the University has sufficient notice that violations of this policy may have occurred. The University is not precluded from investigating an alleged violation of this policy simply because the alleged victim either did not directly bring the complaint or does not want to participate in an investigation of a possible policy violation.

To the extent applicable, upon receipt of a report of a violation of this policy, the University will provide a written explanation to the complainant and respondent summarizing their respective rights and options. This written explanation will include information about reporting.

Even if it is determined by the Title IX Coordinator and/or Deputy Title IX Coordinator that a formal investigation is not warranted, the University will take prompt, responsive action to support a complainant and will take steps to eliminate, prevent, or address a hostile environment if it determines that one exists.

12. Investigation

The investigatory and appeal processes pursuant to this policy apply when the respondent is a Loyola student. Allegations of sex or gender discrimination against faculty and staff are handled in a manner consistent with the Faculty Handbook and Human Resources Policies and Procedures Manual.

An investigation pursuant to this policy will commence as soon as practical following receipt of the complaint by the Title IX Coordinator or Deputy Title IX Coordinator, generally within two weeks. An investigator with appropriate training will be appointed by the Title IX Coordinator and/or appropriate Deputy Title IX Coordinator. In some cases the Title IX Coordinator may retain an outside investigator. Mediation will not be used to resolve complaints involving some charges of sexual misconduct, including sexual violence.

The complainant (or alleged victim if differing) is not required to participate in the investigation. The complainant (or alleged victim) may decline to participate in the investigation, appear in a proceeding with the respondent present, or otherwise confront the respondent during the grievance process, including any meetings or appeals. Should the complainant (or alleged victim) choose not to participate in an investigation, the Title IX Coordinator or appropriate Deputy Title IX Coordinator will explain that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be limited.

The investigation of alleged policy violations will be conducted in a private manner, except insofar as information needs to be disclosed so that the University may effectively investigate the matter or take corrective action.

The University does not allow conflicts of interest, real or reasonably perceived, by those investigating or adjudicating allegations under this policy. A conflict of interest exists when an individual's knowledge of the matter or personal or professional relationships with the complainant, respondent, or witnesses would preclude the individual from being able to investigate or adjudicate the case fairly and impartially. Individuals who wish to challenge an investigator because of a conflict of interest may do so by filing a challenge with the Title IX

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Coordinator within five business days of an investigator being appointed. The Title IX Coordinator retains sole discretion to determine whether a conflict exists and to otherwise take appropriate actions to address the issue in a prompt and equitable manner.

a. Notice

Both the complainant and the respondent will be promptly notified of the initiation of an investigation. The notice will be in writing and shall be given by the Title IX Coordinator or appropriate Deputy Title IX Coordinator. All notices provided to students under this Policy will be sent to the individual's official University email account and students are presumed to regularly check their email accounts.

Unless reasonable extensions of time are needed, both the complainant and respondent will be notified of the initiation of an investigation within ten business days of receipt of the complaint or the time upon which the University otherwise becomes aware of conduct necessitating investigation.

The notice to both the complainant and the respondent shall include the potential policy violation(s) at issue. Each shall be notified of their right to participate in an investigation and timelines for responding. Each shall be notified of the identity of the investigator and their ability to challenge the assignment of the investigator. Each shall be further advised that the investigation may proceed without the participation of either party.

b. Investigatory Process

During an investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The investigator will review evidence presented and will meet with additional witnesses identified by the complainant, the respondent, or third parties, as determined appropriate in the sole discretion of the investigator.

The complainant or respondent's character or reputation with respect to other sexual activity is never relevant and will not be considered as evidence. However, prior sexual history may be considered under the following limited circumstances:

- Where there was a prior or ongoing relationship between the complainant and respondent, and the respondent asserts that consent was sought and given, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of the policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- To establish a pattern or practice of conduct similar in nature by the respondent.

In addition, other conduct by either party may, under limited circumstances, be relevant to establish intent, motive, absence of mistake, to explain an injury or physical finding, or another ground deemed probative by the investigator.

All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information throughout the investigation process. In some cases, the investigator may interview the parties on more than one occasion.

c. Investigation Meetings

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During the investigation process, both parties will be provided timely notice of any meeting at which their presence is requested or required. Such meetings can provide both parties with an opportunity to be heard and present their account of the events in-person. The complainant has the right not to appear in the same room or otherwise confront the respondent during the investigation process, including appeals. The parties are not permitted to personally cross-examine each other during the investigation process, including any hearings or appeals. However, either party may submit questions in writing to the investigator to be asked of the other party. The investigator has the sole discretion to determine whether the questions are relevant to the investigation and whether to direct the question to the other party. Either party may submit questions at any time during the investigation process up to the deadline for the review of the preliminary investigation report. The opportunity to ask questions may not be used to harass or intimidate the other party.

Throughout the investigation and any subsequent appeals, both the complainant and the respondent shall have the right to have an advisor of choice present at any meeting. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. Limits on the role of an advisor shall be applied equally to both the complainant and respondent.

The advisor is a silent and non-participating presence who is there solely to observe and provide support during the process. The University has the right at all times to determine what constitutes appropriate behavior on the part of an advisor as well as the right to request that an advisor leave a meeting in the event the investigator determines that the advisor is not acting appropriately. The advisor is encouraged to join the complainant or respondent's initial meeting with the Title IX Coordinator or appropriate Deputy Title IX Coordinator for an orientation to the University's policies and procedures, privacy protections and expected participation/decorum. The advisor may not be a fact witness or otherwise have any conflicting role in the process.

d. Interim Measures

The University may provide reasonable interim accommodations or remedies to support a complainant and to ensure a safe and nondiscriminatory environment pending investigation through final resolution of a complaint, including appeals. The issuance of interim measures is not disciplinary in nature and should not be construed as a determination by the University that the respondent violated this policy. The University will notify complainants, in writing, that interim measures are available during the University's investigation through final resolution of a complaint, including appeals. Such written notice to the complainants shall further state that such measures may be requested at any time during the process by contacting the Title IX Coordinator or appropriate Deputy Title IX Coordinator to make such a request and shall include the means for contacting the Title IX Coordinator or appropriate Deputy Title IX Coordinator.

The Title IX Coordinator or appropriate Deputy Title IX Coordinator has the discretion to ensure the appropriateness of any interim measure based on all available information, and is available to meet with a complainant or respondent to address any concerns about the provision of interim measures. Examples of interim protective measures include, but are not limited to: access to counselling or mental health services, an order of no contact, residence hall relocation, adjustment of course schedules or work-study employment, a leave of absence, transportation arrangements, or reassignment to a different supervisor or position.

The University will take steps to ensure that appropriate interim measures are provided. The University will attempt to ensure, where possible and as supported by available information, that such interim measures minimize the burden and adverse effects on the complainant and the respondent.

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The University will maintain the privacy of any interim measures provided under this policy to the extent practicable and will promptly address any violation of the interim measures. These interim measures may be kept in place until the end of any review or appeal process or may be extended permanently as appropriate.

Violations of interim measures, such as university no-contact orders and access restrictions, should be reported to the Title IX Coordinator or appropriate Deputy Title IX Coordinator. Students may face disciplinary action up to and including expulsion for such violations.

e. Preponderance of Evidence

At all stages in the process, the investigator and/or persons hearing any appeal will investigate and make findings on the merits of an alleged violation using a preponderance of the evidence standard.

Preponderance of the evidence means that the greater weight of the evidence favors either the finding of a violation or the finding of a non-violation. This standard is based on the more convincing evidence and its probable truth or accuracy, and not on the amount of evidence presented.

f. Investigation Outcomes

At the conclusion of the investigation, the investigator will determine whether the preponderance of the evidence indicates that the respondent has violated this policy. The investigator will then provide her or his analysis and conclusions and any recommended actions to the appropriate Deputy Title IX Coordinator. The appropriate Deputy Title IX Coordinator and/or designee will review the analysis and conclusions to ensure that a thorough and equitable investigation was conducted. If the Deputy Title IX Coordinator and/or designee concludes that additional witnesses should be interviewed, additional evidence should be considered, or has questions regarding the investigative report, he or she can request the investigator address any and all deficiencies or questions identified. Assuming there are no questions or additional investigating to be conducted, the Deputy Title IX Coordinator, in consultation with the Title IX Coordinator, will make a decision concerning any corrective or remedial actions that will be imposed.

g. Potential Remedial Actions and Disciplinary Sanctions

In cases where a violation of this policy is found to have occurred, the University will determine the appropriate, enforceable sanction. The sanction will be reasonably calculated to stop the violation and prevent its recurrence.

When a violation of this policy is found, possible disciplinary actions may include, but are not limited to written warnings, loss of privileges, mandatory training or counseling, probation, suspension, demotion, exclusion, expulsion, and termination of employment. The University's response is based on several factors, including the severity of the conduct and any prior policy violations, and aims to prevent problems from recurring and remedy any discriminatory effects on a complainant or others.

In addition, the University may take steps to address the effects of the conduct on victims and others, including, but not limited to, counseling and support resources, academic and housing assistance, change in work situations, leaves of absence, and training or other preventative measures.

h. Notice of Outcomes

The complainant and the respondent will be notified in writing, at the same time, of the outcome of the investigation, including whether the policy was determined to be violated, any sanctions imposed on the respondent that directly relate to the complainant, and other steps that have been taken to eliminate a hostile

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environment and prevent recurrence. When required by law, the University will also provide the complainant with notification of all disciplinary sanctions assessed on respondent. Notification of findings and sanctions may be provided to the complainant and the respondent in separate correspondence from the Title IX Coordinator or appropriate Deputy Title IX Coordinator and the appropriate office imposing corrective action.

i. Investigation Timelines

The University will use its best efforts to complete its investigations within 60 calendar days, although this timeframe may be extended for good cause. Good cause may exist for a variety of factors, including the complexity of the circumstances of each allegation, the integrity and completeness of the investigation, to comply with a request by law enforcement, to accommodate the availability of witnesses, to account for University breaks or vacations, or to address other legitimate reasons. In the event a time frame is extended, both the complainant and the respondent will be notified of any delay and the anticipated length of the delay.

13. Appeals

The complainant or respondent may appeal a decision. Both parties may participate equally in the appeal process even if the party did not file the appeal himself or herself. The appeal must be made within five business days of the date of the written notification of the conclusion of the investigation, or if a sanction is being appealed, within five business days of the date of the written notification of the sanction imposed. An appeal must be in writing, submitted to the Title IX Coordinator, and specify the substantive and/or procedural basis for the appeal.

The original finding is presumed to have been decided reasonably and appropriately by a preponderance of the evidence, and the only grounds for appeal are as follows:

- a. Partiality.** The inability of the investigator to refrain from acting upon predisposed or developed bias during the investigation or the determination of its outcome.
- b. New Evidence.** Information or material which was unable to be known at the time of the investigation. The student is expected to demonstrate that such evidence was unable to be known. Evidence that was known or was accessible during the investigation, but which the student chose not to or neglected to present does not constitute a sound basis of appeal. In those cases where new evidence becomes known after the period of filing for an appeal has expired, and reasonable grounds for an appeal seem substantial, access to the appellate process may be granted by the VPSA/AP.
- c. Disregard for Rights.** That a student was not afforded a right provided by this policy.
- d. Arbitrary and Capricious Decision.** The decision is arbitrary and capricious in that it was not made on reasonable grounds. For the sake of clarity, it is not an appropriate basis of appeal to suggest that the appellate body should submit its judgment for the judgment of the investigator. Rather, an appeal on the basis of arbitrary and capricious decision-making will only be granted if there is NO reasonable basis for the original decision.
- e. Inappropriateness of the Sanction.** A sanction is inappropriate if it does not reflect a proper alignment between the nature of the offense, the student's previous disciplinary record, other factors which should be considered, and the sanction administered. Because these multiple factors are incorporated in each individual disciplinary decision, previous decisions do not establish precedent in University disciplinary hearings.

The Deputy Title IX Coordinator will share the appeal with the other party or parties (e.g. if the responding student appeals, the appeal is shared with the complainant, who may wish to file a response, request an appeal

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on the same grounds or different grounds). The Deputy Title IX Coordinator will refer the request(s) to an appropriately trained appellate body appointed by the Deputy Title IX Coordinator.

The appellate officer or board chair will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. The appellate officer or board chair must consult the Deputy Title IX Coordinator on any procedural or substantive questions on relevant cases.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the designated appellate body will review the appeal. In conducting the review, the original finding and sanction are presumed to have been reasonably and appropriately decided, thus the burden is on the appealing party (parties) to show clear error. The appellate body must limit their review to the challenges presented.

The appellate body may affirm or change the findings and/or sanctions of the original investigation but only according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the appellate body are to be made within fifteen business days of submission (though this may vary based on the scope of the investigation or unforeseen circumstances) and are final. A written decision will be provided to both parties, which shall be final and not subject to further appeal.

The presumptive stance of the University is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the sole discretion of the Title IX Coordinator when necessary, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams.

The University does not allow conflicts of interest, real or reasonably perceived, by those investigating or adjudicating allegations under this policy or its related procedures. Individuals who wish to challenge an appellate officer or board member because of a conflict of interest may do so by filing a written challenge to the Title IX Coordinator. This challenge must be filed within three business days of the individual being notified of the identity of the appellate officer or board member.

VI. Procedures For Cases Except Those Brought Pursuant to Student Affairs Title IX Policy

1. Hearing bodies and disciplinary procedures

Charges based on alleged Code of Conduct violations may be brought against any student. The University utilizes Administrative Hearings and the Student Justice Board in order to adjudicate student cases. The choice of which of these two to use in any particular case is left to the sole discretion of VPSA/AP or designee.

The University does not allow conflicts of interest, real or reasonably perceived, by those investigating or adjudicating allegations under this policy or its related procedures. Individuals who wish to challenge a hearing or appellate body of a conflict of interest may do so by filing a written challenge to the Chief Student Conduct Officer. This challenge must be filed within three business days of the individual being notified of the identity of the officer or board members.

For the sake of clarity, hearings pursuant to this Code are designed to determine whether it is more likely than not that a violation of this Code has been committed. The hearing bodies are not courts of law and their proceedings are not legal in nature. Formal rules of evidence applied in legal proceedings will play no role

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whatsoever in a hearing body's work other than the hearing body will endeavor to consider evidence which in its sole discretion is relevant.

a. Original Hearing Bodies

- **Administrative Hearing Officer.** An Administrative Hearing is held between the charged student and a hearing officer(s), who may impose sanctions consistent with the *Code of Conduct*, University policy, and the offense under consideration. Decisions are final and sanctions are implemented pending appeals.
- **Student Justice Board.** The Student Justice Board (SJB) consists of 10 members selected via an interview process and then vetted through the CSCO or designee. All appointments are for one academic year without term limits. All SJB Hearings are conducted by a panel of three persons selected by the VPSA/AP or designee, and are advised by the CSCO or designee. Decisions are made by a majority vote. The CSCO or sits in on all proceedings to ensure the proper procedures are administered and assure compliance with guidelines set forth in the Code of Conduct. The SJB may recommend sanctions consistent with the Code of Conduct, University policy, and the offense under consideration. SJB sanction recommendations are sent for review to the VPSA/AP or designee, who will make a final decision about appropriate sanctions.

b. Appellate Body

- **Appellate Officer.** The VPSA/AP, or designee, is authorized to receive all appeals of disciplinary decisions from the Student Justice Board and Administrative Hearings.
- **University Board of Appeals.** The University Board of Appeals (UBA) consists of 15 members represented equally by faculty, staff, and students appointed by the Faculty Senate, the VPSA/AP (who is not eligible for membership), and SGA respectively. The UBA is authorized to receive all appeals of disciplinary decisions from the Student Justice Board and Administrative Hearings. All UBA reviews are conducted by a panel of three persons, which can be made up of any combination of faculty, staff, or students, and are decided by a majority vote. All appeal reviews are advised by the CSCO, or designee. The CSCO or designee sits in on all proceedings to ensure the proper procedures are administered and assure compliance with guidelines set forth in the Code of Conduct and to answer process questions the appellate board may have about the hearing being appealed. In cases where decisions of the CSCO or their designee are being appealed, the VPSA/AP will advise the appellate board. Recommendations of appellate body are final except in cases of disciplinary suspension and dismissal which are forwarded to the University President for final review and disposition.

2. Selection and operating procedures of hearing bodies

Complainants and charged students will be given the option to challenge all board members and hearing officers on the ground of personal bias. Board members and hearing officers should also disqualify themselves on these grounds and will be notified of any challenges in this regard. Such challenges shall be made in writing to the VPSA/AP at least 24 hours prior to the commencement of the applicable hearing. The VPSA/AP has final authority to resolve any questions of personal bias prior to the original hearing. If the student fails to timely challenge board members or hearing officers, the student waives the right to challenge any findings on the basis of any personal bias.

3. Procedures for original hearings

All reports of conduct violations are preliminarily reviewed by the CSCO or designee to determine, assuming all of the facts presented in the reports are true, whether the conduct alleged gives rise to a potential Code of Conduct violation. If it does, the charged student can request a preliminary conduct meeting between the charged student and CSCO or designee.

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At that preliminary conduct meeting, if requested, the charged student will be notified about the alleged Code of Conduct violation and which hearing body has been assigned the case. The charged student will also be informed of their rights under the Code of Conduct. At the preliminary conduct meeting, the charged student or group may accept responsibility for the alleged violation. In this case, the CSCO or designee will propose an appropriate sanction. If the student or group agrees to the proposed sanction, the student or group waives their right to a hearing and appeal, the resolution becomes final, and the outcome is recorded on the student's or group's conduct history. If the case involves a complainant, he/she will be notified of the charged student's decision to take responsibility for the action and the sanctions determined by the conduct officer. If both the charged student and complainant accept the sanctions, no conduct hearing is convened and the process is considered complete and may not be appealed. If the charged student and/or complainant reject the sanctions, a conduct hearing will be convened. If a case is not resolved at the preliminary conduct meeting or such a meeting is not requested, it will be referred to an Administrative Hearing or to the Student Justice Board.

All members of the University community with knowledge of facts pertinent to a case are expected to cooperate fully in student conduct proceedings and investigations. A witness's unreasonable failure to cooperate in student conduct proceedings may result in conduct action against that student but will have no impact on the underlying conduct hearing or determination. Should a witness be unable to attend a hearing, the witness may submit a written statement in lieu of personal testimony.

All persons who provide testimony in a campus hearing shall be asked to affirm that their testimony is truthful. Furnishing false information to the University may result in the filing of conduct charges against students.

A complainant, witness, or victim may give testimony in a campus hearing by means other than being in the same room with the charged student(s). For the sake of clarity, no participant in this conduct process will have the right to question another witness directly.

All disciplinary hearings will take place with or without the presence of the charged student and sanctions will be handed down should they be found responsible. The victim/complainant also has the right not to be present throughout the hearing.

If an involved party has a disability that requires accommodation throughout this process, please contact the Office of Disability Services. All approved accommodations will be communicated to Student Conduct from the Office of Disability Services.

The following procedural information is meant to serve as a general outline followed during conduct hearings.

a. Notice of Hearing

The charged student and complainant will be notified, in writing/via email, about the alleged *Code of Conduct* violation and which hearing body has been assigned the case. For the sake of clarity, electronic mail sent to the student's University designated e-mail address constitutes written notice. Moreover, failure by the student to open or read electronic mail does not constitute a basis for appeal.

The written notification shall include the type, date, time, and location of the hearing. It will also identify the person designated to handle the administrative hearing or the members of the board, as applicable. It shall also make clear if the charged student and complainant are required to submit additional material (*e.g.* phone calls, texts, images, or other documentation) that may be relevant to the alleged incident. The charged student/group and complainant will be informed that they will have opportunity to respond to or supplement the complaint and will have an opportunity to present witnesses and evidence.

b. Hearings

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There is no time limit on how many days a hearing may last. Advisors may not participate in the proceedings except to advise the complainant or charged student. Advisors who do not follow the instructions of the hearing officer or board chair will be removed from the hearing.

c. Sanction Proceeding

In a hearing, a determination that the violation was committed by the charged student shall be followed by a proceeding in which the complainant, the charged student, and appropriate University official(s) may submit information or make statements concerning the appropriate sanction to be imposed. In the Chair's discretion, the charged student may submit a limited number of character witnesses, and the complainant may submit a limited number of impact witnesses. The testimony of these character and impact witnesses will be provided in writing only. The hearing board may consider the conduct history of the charged student in the sanction proceeding.

d. Review of Sanctions

Unless the Code of Student Conduct provides otherwise, decisions concerning sanctions are recommendations to the VPSA/AP or designee. Recommended sanctions may be approved, altered, deferred or withheld at the discretion of the VPSA/AP or designee. If no action is taken on the recommendation within five working days or such longer period as the responsible official designates in writing to the affected parties, the recommended sanction shall be final.

4. Notice of Outcome

It is to be clearly understood that this is confidential information and is not to be shared with anyone other than those involved directly with the case. The student will normally be informed in writing (within 3-5 working days) of the hearing outcome and, if applicable, the sanction(s) imposed. The appropriate university officials will be notified of the outcome of the hearing, and parents/guardians are notified in cases of Suspension and/or Dismissal.

5. Possible Sanctions

The following sanctions may be meted out for violations of the *Code of Conduct*:

- a. Conduct Reprimand.** Written warning to the student or organization indicating they have violated *Code of Conduct* policies. It further warns that if a student or organization is found in further violation of the *Code of Conduct*, within a specified period of time, there may be grounds for more severe disciplinary action.
- b. Disciplinary Probation.** Temporary suspension of a student or organization's good standing in the University for a stated period of time as set forth in the conduct sanction letter. If a student or organization is found responsible for violating the terms of disciplinary probation during the period set up by the preceding judicial body, there may be grounds for more severe disciplinary action, including immediate suspension. At the end of the probationary period, the student or organization will be returned to good standing providing that all the terms of the probation have been successfully completed. The student or organization remains enrolled/chartered in the University but under the stated conditions of the probationary status, as outlined in the letter of disciplinary probation. A loss of privileges may occur. A letter may be written to the parents, guardians, advisors, or national office of the student/organization explaining the terms of the probationary period.
- c. Disciplinary Suspension.** Disciplinary Suspension establishes a fixed period of time during which the student or organization may not participate in any academic or other activity of the University. In cases of individual student discipline, this means that the student is physically separated from the University and must leave the campus and remain off campus during the period of suspension, unless they return for official business related to applying for readmission. Parents or guardians of a dependent student are informed of the disciplinary suspension of a student. A student that is suspended during a semester will forfeit all tuition, fees, housing, and food services monies. A grade of W will be entered into the

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student's academic transcript for all courses enrolled in during that semester. At the end of the suspension period, the person may be returned to good standing in the university and may apply for readmission. Academic credit received at another University during the specified period of the suspension is not transferable to Loyola University. The office of the Vice President for Student Affairs and Associate Provost must clear all students for admission who have been suspended from the University for disciplinary reasons. In cases of organizational discipline, disciplinary suspension is equivalent to student organization charter suspension. This means that an organization has no legal basis for operating on campus or at off-campus university-sponsored events, for recruiting members, or for promoting the organization, its identity, or its activities. Suspension of charter for a period of time under stated conditions means that organizations must adhere to sanction requirements or face delay of reinstatement or permanent charter revocation for repeated non-adherence to sanction conditions. Additional conditions may be imposed requiring the organization to perform or refrain from certain actions.

- d. Disciplinary Dismissal.** Disciplinary Dismissal establishes a permanent termination of student or organizational status. In cases of individual student discipline, parents or guardians are informed of all actions of dismissal, and the fact that a student has been dismissed becomes a permanent part of the student's conduct file. A student that is dismissed during a semester will forfeit all tuition, fees, housing, and food services monies. A grade of W will be entered into the student's academic transcript for all courses enrolled in during that semester. In cases of organizational discipline, disciplinary dismissal is equivalent to the permanent termination of the organizations charter. This means that an organization has no basis for operating on campus or at off-campus university-sponsored events, for recruiting members, or for promoting the organization, its identity, or its activities. Termination of charter is a permanent disciplinary sanction.
 - e. 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.
 - f. Residence Hall Dismissal.** Permanent separation of the student from the residence hall both as a resident or visitor.
 - g. Fines and Other Fees.** Fines may be used to cover the cost of drug testing, restitution, and/or other procedures. A violation of the Alcohol and/or Drugs and Controlled Substances policies will result in fines up to and including \$500. A procedural fine is applied if a student does not complete the sanction(s) assigned by a hearing board by a stated date; the student may also be restricted from registering or receiving transcripts until all sanctions are completed.
 - h. Other Penalties.** Hearing officers/boards are not limited to the sanctions listed, but may impose sanctions of a less severe nature which bear a reasonable relation to the fault for which the sanction is imposed. Other sanctions may include but are not limited to attendance at substance abuse counseling, testing and group education, research papers, community service, required activities, fines, restriction or loss of privileges, counseling evaluations, and work assignments.
- 6. Record Retention and Expungement.** Individual disciplinary files that contain cases that have disciplinary suspension or dismissal as a final outcome shall be kept permanently on file. All other individual files shall be kept for five years after any sanctions expire unless they are expunged. Students may request to have their disciplinary record expunged under the conditions listed below. Expungement shall be at the sole discretion of the VPSA/AP or designee and shall require the entire record to be expunged or none of it to be expunged (i.e. no partial expungements shall be allowed). Conditions include:
- a.** Application for expungement shall occur only upon completion of all degree requirements and attainment of a degree;
 - b.** Expungement may occur only for students who have sanctions other than disciplinary suspension or dismissal and whose violations were determined to have not threatened or endangered the health or

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safety of any person. Students who have been suspended or dismissed are not eligible for expungement; and

- c. Expungement decisions shall be made based on obvious long-term improvement in behavior, or lack thereof, (e.g., no violations of the student code for two or more consecutive semesters prior to graduation), and/or evidence, or lack thereof, of cooperation in previous student judicial matters, and/or any other reasonable factor.

7. Procedures for conduct appeals

A student or organization found responsible for violating the *Code of Conduct* may appeal the final, approved decision of any of the University's hearing bodies. A statement citing the basis for appeal, as well as supporting statements for the basis, must be submitted via the [Appeals Submission Form](#) within five working days following notification of the outcome of the original hearing.

The appellate review will normally occur within seven working days of a student filing an appeal. An extension of the preparation period or the date of the appellate review may be granted, upon request, by the CSCO or designee. Once the appellate process has been completed, whether through an appellate decision or the expiration of time to file an appeal, the outcome is final and all sanctions go immediately into effect. The following procedural information is meant to serve as a general outline followed during the appellate process:

a. Submission of Appeal

An appeal can only be based upon one of the following five reasons:

- **Partiality.** The inability of the hearing board member or hearing officer to refrain from acting upon predisposed or developed bias during the hearing or the determination of its outcome.
- **New Evidence.** Information or material which was unable to be known at the time of the original hearing. The student is expected to demonstrate that such evidence was unable to be known. Evidence that was known or was accessible during the original hearing, but which the student chose not to or neglected to present does not constitute a sound basis of appeal. In those cases where new evidence becomes known after the period of filing for an appeal has expired, and reasonable grounds for an appeal seem substantial, access to the appellate process may be granted by the VPSA/AP.
- **Disregard for Rights.** That a student was not afforded a right provided by this Code.
- **Arbitrary and Capricious Decision.** The decision is arbitrary and capricious in that it was not made on reasonable grounds. For the sake of clarity, it is not an appropriate basis of appeal to suggest that the appellate body should replace its judgment for the judgment of the original hearing body. Rather, an appeal on the basis of arbitrary and capricious decision-making will only be granted if there is NO reasonable basis for the original decision.
- **Inappropriateness of the Sanction.** A sanction is inappropriate if it does not reflect a proper alignment between the nature of the offense, the student's previous disciplinary record, other factors which should be considered, and the sanction administered. Because these multiple factors are incorporated in each individual disciplinary decision, previous decisions do not establish precedent in University disciplinary hearings. In those cases where the appellate board believes the original hearing board or officer made a substantial misjudgment of the severity of the incident or the student's record and, in turn, the sanction administered, the appellate body may make its own recommendations.

b. Review of Appeal

The VPSA/AP or designee has sole discretion to assign an appeal to an Appellate Officer or a UBA. The applicable appellate body has discretion to determine the means by which it will assess the appeal. For instance, the appellate body can rely solely on the written submissions, can solicit additional information from any relevant source, and/or can conduct hearings where witnesses may be questioned and/or other

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information is gathered. Upon completing its review, the appellate body can either grant or deny the appeal. Such decisions are made based on a majority vote of its members when applicable.

c. Respond to the Appeal

In the event the appeal is granted, the appellate body must elect one of the following courses of action:

- Refer the case back to the original hearing body for a rehearing;
- Refer the case to the CSCO; or
- Make their own determinations.

Appeal decisions are final except in cases of disciplinary suspension or, dismissal which are forwarded to the University President for final review and disposition.

8. Rights of students

a. Prior to the Hearing

- The charged student and complainant are informed of their right to have the alleged violation adjudicated by the appropriate hearing body.
- The charged student and complainant are informed in writing of the hearing, in sufficient detail and in ample time that they may have an opportunity to prepare for the disciplinary. Specifically, students will be given no less than 72-hours' notice (including weekends and holidays) of an administrative hearing. In the case of a board hearing, the charged student and complainant will be given no less than seven days' notice, including weekends and holidays.
- Witnesses may be granted anonymity when in the reasonable discretion of the VPSA/AP it is necessary to afford the University meaningful information to investigate a Code violation. The charged student and complainant will be given a copy of any written statement presented by witnesses who have been granted anonymity, so they may challenge the statement and present questions to be answered by the anonymous person in a manner to be determined by the hearing authority. Anonymity will typically be granted: (a) When there is reasonable cause to believe that the safety of the witness is in jeopardy or (b) the witness may be subject to intense harassment.

b. During the Hearing

- The charged student is presumed to be not responsible until proven responsible. The burden of proof rests upon the member of the university community bringing the charge.
- The victim/complainant has the right not to be present throughout the hearing. If they elect to be present, the victim/complainant may be present via teleconference or other appropriate medium as approved by the hearing body and/or hearing advisor.
- Students have the right not to have irrelevant, unfairly prejudicial past history discussed during the hearing.
- The charged student and complainant may have an advisor present for investigatory meetings, hearings, and all other official meetings relating to the disciplinary process. While reasonable attempts will be made to accommodate scheduling conflicts for all participants, an advisor's inability to attend any scheduled investigatory meetings, hearings, or any other official meetings relating to the disciplinary process will have no impact on whether the university moves forward with such meetings or hearings.
- The charged student and complainant must be given an opportunity to testify and to present information and witnesses.
- All matters upon which a decision might be based must be introduced into evidence during the proceedings. The decision should be based upon the totality of the evidence.

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- Disciplinary hearings are private except for necessary University officials, involved parties, and advisors. Recording devices of any kind are not permitted for use by the students, witnesses, or advisors.

9. Amnesty

Loyola University strongly encourages victims and individuals to report all Code of Conduct violations, sex discrimination, violence in general (including sexual violence) and medical emergencies. It is likely that many victims may be hesitant when it comes to reporting conduct that he/she believes violates the Code of Conduct or University policy because of fear that they personally may be accused of violating policies or sections of the Code in connection with the incident they are reporting.

Underage drinking is a common example of conduct that may have occurred during such an incident. Because of the importance of reporting serious incidents, and in order to encourage reporting, Loyola will not normally charge a victim who reports a violation of the Code of Conduct or University policy, even though the victim may have participated in a non-violent violation of the Code of Conduct or University policy (e.g., unauthorized use of alcohol). Loyola may also elect to extend amnesty to students who report medical emergencies that may have occurred during an incident involving a potential conduct violation. In such cases, however, Loyola may exercise its discretion to impose educational sanctions as a required activity intended to engage the student in a positive learning experience related to the student's inappropriate behavior.

10. Separation order

A Separation Order shall prohibit named students from contacting, emailing, telephoning, or otherwise disturbing each other. In situations where the VPSA/AP or their designee has reason to believe that an alleged violation of harassment, or a physical and/or sexual nature may have occurred on campus, a Separation Order can be issued. The Separation Order will not prohibit students named from attending classes or any other campus activity (even though students named may be enrolled in the same class(es)). Normally, the duration of the directive will be noted on the administrative action. Should the situation result in University disciplinary action, the administrative action will continue concurrently.

The Separation Order will not be construed as a finding of responsibility on the part of any student. It may require moving the student(s) named to another residence hall or removing the student(s) from the residence hall environment.

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

A student seeking a Protective and/or Restraining Order from the city or state can receive assistance in the process by contacting University Police.

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VII: Student Rights and Freedoms

Loyola University New Orleans is a private, Jesuit, Catholic institution, committed to the educational and spiritual traditions of the Society of Jesus and the development of the whole person. Thus, all student events and activities should align with the mission and goals of the University. Accordingly, the University permits members of the University community to assemble and express views on campus subject to this policy, consistent with its mission and commitment to protecting campus community members and the environment in which that mission is experienced.

In keeping with the University's commitment to promoting free speech and expression, Loyola University New Orleans respects the right of all members of the academic community to explore, discuss, and express opinions, and debate issues publicly in a civil, orderly, and safe manner. These forms of expression—regardless of the content or viewpoints expressed—are permitted on campus so long as they are orderly, lawful, do not disrupt or interfere with the regular operations or authorized activities of the University, are consistent with the mission and goals of the University and comply with the requirements of this policy and all other policies within the Student Code of Conduct, Faculty Handbook, and Human Resources Manual. Expression that is indecent, grossly obscene, or discriminatory on matters such as race, sex, color, national or ethnic origin, age, religion, disability, marital status, sexual orientation, genetic information, military status, gender or gender identity, or any other legally protected classification is inconsistent with the University's mission and will not be tolerated.

I. Freedom in the Classroom

The professor in the classroom and in a conference should encourage free discussion, inquiry, and expression in the subject of the course. Student performance is to be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

II. Freedom of Expression & Inquiry

1. Students are free to take reasoned exception to the information or views offered in any course of study, and to reserve judgment about matters of opinion. However, they are responsible for learning the content of any course of study for which they are enrolled and for abiding by the Student Code of Conduct.

2. Students and student organizations are free to examine and discuss all questions of interest to them and to express opinions publicly and privately. Freedom of speech and freedom of assembly are principles which Loyola has traditionally upheld and reaffirms. Implicit in these freedoms and with regard for the common purposes of the institution is the right to dissent and demonstrate in a peaceful and non-disruptive manner.

A. The University community holds that those who enjoy these freedoms must also accept responsibility for order and discipline. While Loyola guarantees the right to peaceful and non-disruptive dissent to all the members of its academic community, it cannot and will not permit any actions or activities which are disruptive of its normal operations. Examples include obstructive picketing or obstructive occupation of space and any activity which substantially prevents normal movement of persons, creation of interruptive noise or conduct which interferes with a person's right to speak (including oral, written, or symbolic expressions imposed on an audience or a person), repeated interruption of or substantial interference with a person's normal

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expectations of quiet for formal campus pursuits (such as education and administrative activities, studying, eating, and sleeping).

B. Immediate suspension of those specific activities judged to be disruptive may be ordered by the President, the Senior Vice President of Enrollment Management and Student Affairs, and/or the Executive Director of Student Affairs, or their designated representatives whenever it is determined such preventive action is required in order to protect lives or property or to insure the maintenance of order. The order from a University official to cease all actions which are considered to be disruptive will take the form of a public statement to cease the disruptive activity and to disperse within a specified reasonable time as determined by the University official. If the individuals or groups participating in said demonstration cease their disruptive activity and disperse within the time specified, that fact will be taken into consideration in any disciplinary hearings that may follow the disruptive action.

3. Any segment of the academic community is free to invite and hear any personality and idea presented in the University forum. Sponsorship of speakers does not imply approval or endorsement of the views expressed, either by the sponsoring group or by Loyola. Registered student organizations must seek approval **a minimum of three business days prior to the** event, activity or speaker from Student Life and Ministry; as a private Catholic University, based in the Ignatian tradition, all registered student events and activities should align with the mission and goals of Loyola University New Orleans. With that said, the Provost, Director of Government and Legal Affairs and/or the Executive Director of Student Affairs, or their designee, shall have the authority to either cancel or reschedule a speaker in the event there are reasonable concerns regarding the safety of the University community, in the event a speaker will unreasonably impact the operations of the University, or if the event does not comply with the requirements of this policy and all other policies within the [Student Code of Conduct](#), [Faculty Handbook](#), and [Human Resources Manual](#).

4. It is incumbent upon the academic community to ensure that the University forum is neither disregarded nor taken lightly since the forum reflects on every member of the academic community.

III. Guidelines for Political Campaign-Related Activities at Loyola

1. Introduction

Loyola University New Orleans is committed to the expression of diverse ideas and opinions and to the discussion and critique of each. Consistent with this commitment, Loyola encourages all students, faculty and staff to be politically active and to support the candidates and causes of their choice. In fact, the University encourages student groups, faculty and staff to invite speakers to campus to further the discussion of the diverse ideas that make our country, state and city a great place to live. In accordance with Loyola University New Orleans policy, all registered Student Organizations must seek approval for all events, activities and speakers from Student Life and Ministry.

As a tax-exempt, charitable institution Loyola University is subject to the rules and regulations of the Internal Revenue Code that prohibits the University from ‘participating in, or intervening in any political campaign on behalf of (or in opposition to) any candidate for public office.’ This guide is provided to assist and inform all members of the Loyola community so that they can engage in rational debate without violating Loyola’s tax exempt status.

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2. Guidelines for Campaign Related Activities

To ensure that Loyola University adheres to the prohibitions mentioned in the introduction to this policy, the following guidelines must be followed:

A. All students, faculty and staff remain free to express their individual and collective political views, provided that they ensure that it is clear they do not speak on behalf of, or for, the University and that their participation in political activity in their individual capacity is separate and apart from their relationship with Loyola University New Orleans.

B. Organizations created solely for the purpose of advocating for the election of a political candidate (i.e. Students for Candidate X) or ballot initiative may not receive funding from the University. However, Loyola University New Orleans does permit students and faculty to organize voluntary political clubs. These clubs are self-supporting and are permitted to exist insofar as they engage in lawful activities and comply with the requirements of this policy and all other policies within the Student Code of Conduct, Faculty Handbook, and Human Resources Manual.

C. Recognized campus-based student organizations, that is to say those organizations that receive University funds, may participate in a political campaign on behalf of any candidate for public office as long as their campus-based activities comply with: University policies and procedures, including these guidelines; the student organization clearly identifies itself as a student organization that does not represent the official views of Loyola University New Orleans; and the registered Student Organizations seeks approval for all events, activities and speakers from Student Life and Ministry.

D. Loyola's name, or logo, is prohibited from appearing on any material that is used in support of a particular candidate, or partisan political cause.

E. Should a candidate for any political office be invited to campus by the University or student group, in his/her capacity as a candidate, candidates from each political view for said office must be invited to appear on campus in a similar setting. However, an elected official may be invited to campus in a non-candidate capacity without any requirement to invite other elected officials, so long as that elected official does not make reference to his/her candidacy and speaks only in his/her non-candidate capacity.

F. Should a candidate appear on campus, a reasonable effort must be made to ensure the event takes the form of an educational/informational speech, or question and answer session, or similar communication in an academic setting and not a political rally.

G. It must be made clear by the host of the event during the introduction of the candidate, and in any and all publicity of said event, that the candidate's appearance does not represent an endorsement of the candidate by Loyola University New Orleans, and that he/she was invited by the organization not by the University. The following paragraph can be used as a template for the required disclaimer:

This event is sponsored by _____. The use of Loyola University New Orleans' facilities for this

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event does not constitute an endorsement by the University. Loyola University New Orleans does not endorse any candidate, or organization, in connection with this or any other political campaign or election.

H. Any expenses associated with an event that are typically not covered by Loyola University New Orleans, must be billed to the sponsoring organization so that there is no appearance of sponsorship by the University.

I. Absolutely no fundraising for the candidate, party, or partisan political cause, shall take place at any event on campus. This prohibition extends to the posting, or transmission, of campaign related materials over the Internet.

J. At no time shall Loyola University New Orleans use funds, supplies, email lists, directories, copiers, computers, telephones, fax machines, offices, return addresses or other equipment on behalf of, or against, any candidate for public office, political party, or political action committee.

Please note that whether an organization, or individual, is causing Loyola University New Orleans to participate or intervening, directly or indirectly, in any political campaign on behalf of or in opposition to any candidate for public office depends upon all the facts and circumstances of each case.

3. Use of University Facilities

University facilities (meeting rooms, lecture halls etc.) in general may not be used on behalf of, or against, any candidate for public office, political party, or political action committee.

If a Loyola University New Orleans facility is regularly made available to non-University groups, however, such facilities may be made available for political campaign activities if:

- A. The facility is provided on the same terms and conditions governing the use for purposes other than political activities,
- B. The facility is made available on an equal basis to other candidates and,
- C. Prior approval is granted from the Office of Government and Legal Affairs in the Office of the President.

4. On-Campus Appearances by Candidates

Candidates for public office or their designee's are welcome to appear on campus for non-campaign related activities, such as an educational or informational talk to the University community. Such appearances must be sponsored by a University department or officially recognized campus organization and satisfy the following criteria:

- A. The individual(s) is/are chosen to speak for reasons other than candidacy for public office.
- B. The individual speaks in a non-candidate capacity.
- C. The event or organization maintains a nonpartisan atmosphere.

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D. No specific organized campaigning activity occurs in connection with the event. The campus event involving a candidate should not be dictated by, or put under the control of, a candidate, his or her representatives, or any outside organization.

E. Any such event must be open first to the entire University community (without preference based on political affiliation) and then, if space permits, to the general public (again, without preference based on political affiliation).

F. Any additional criteria appropriate for the particular event as determined by the University.

G. Student organizations must initiate requests for an appearance of a candidate for public office in a non-candidate capacity through the Department of Student Life and Ministry a minimum of three business days prior to the event.

In addition, three options exist for campaign-related appearances of candidates and their surrogates. In all three cases, fundraising is strictly prohibited and approval must be obtained from the Office of Government and Legal Affairs; approval is also needed by the Department of Student Life and Ministry if a registered student organization is making the request.

A. Candidate Debates

All candidates duly registered for the ballot must be invited and given a reasonable opportunity to agree to participate, and the event must be managed in such a way as to not favor or endorse any particular candidate. Arrangements and formats for such debates must be reviewed and approved by the Office of Government and Legal Affairs; approval is also needed by the Department of Student Life and Ministry if a registered student organization is making the request.

B. Events for Individual Candidates

All candidates for office or their surrogates may be invited once during a primary season and once again during the main election season. If a candidate running for one of these offices speaks at Loyola University New Orleans, other candidates for the same office must be given the opportunity to speak in a comparable venue and similar timeframe.

C. Non-sponsored events

Campaigns are welcome to rent meeting rooms and event spaces and, as such, are subject to the same rules, regulations, and fees for all external users as set by the Department of Student Life and Ministry. Advertising and publicity material should state that the event is not sponsored by Loyola University New Orleans and all campaign-related activities must be contained within the rented venue or facility.

Approved appearances by candidates or their surrogates sponsored by University departments or campus groups may take advantage of campus promotional outlets provided the communications are designed to promote and support the event, but not the candidate

5. Conclusion

To ensure that Loyola University New Orleans is in compliance with the rules and regulations of the IRS and FEC, please ensure that all public appearances by candidates for political office be coordinated with

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the Office of Government and Legal Affairs and the Office of Student Life and Ministry, if invited by a student organization, and the Provost's office, if invited by a faculty member.

The law in this area can evolve over time. Thus, should you have any questions, please do not hesitate to contact, Director of Government and Legal Affairs, Tommy Screen at tscreen@loyno.edu.

6. For More Information

Please go [here](#) for a comprehensive review of the relevant IRS guidelines regarding the limits imposed upon non-profit higher education institutions with respect to political activities.

IV. Campus Demonstration Guidelines

1. Philosophy

Freedom of speech and freedom of assembly are encouraged and supported at Loyola University New Orleans. Implicit in these freedoms and with regard for the common purposes of the institution is the right to dissent and demonstrate in a peaceful and non-disruptive manner. Most importantly, those who enjoy these freedoms must also accept responsibility for order and discipline. While Loyola University New Orleans seeks to ensure the right to peaceful and non-disruptive dissent to all the members of its academic community, it cannot and will not permit any actions or activities which are disruptive of the academic/educational process and/or its normal operations. Additionally, Loyola University New Orleans cannot and will not permit any actions or activities that do not comply with the requirements of this policy and all other policies within the [Student Code of Conduct](#), [Faculty Handbook](#), and [Human Resources Manual](#).

2. Protocol

A. Notification: Campus demonstrations and/or protests must be sponsored by a recognized Loyola University New Orleans group or organization and the sponsoring group/organization must notify the Executive Director of Student Affairs or designee of plans to demonstrate on campus. Additionally, registered student organizations must seek approval for all demonstrations from Student Life and Ministry. For the purpose of these Guidelines, "demonstration" or "protest" means an event requiring the presence of one or more persons in a University location with the intent to express a particular point of view in a manner that attracts attention, as in rallies, sit-ins, vigils or similar forms of expression. Campus Demonstration Registration Forms are available in the Department of Student Life and Ministry and online. Groups may reserve quads and rooms for a demonstration; however, the use of space is subject to the Executive Director of Student Affairs, or their designee's, judgment about the appropriateness of the location for the planned event, availability, applicable usage fees and associated charges. Registration forms must be returned to the Department of Student Life and Ministry a minimum of three business days prior to the event.

B. Response and Preparation to a Campus or Student Sponsored Event: All campus protests, demonstrations, and/or similar forms of expression or conduct taking place on campus must be approved by the Department of Student Life and Ministry and registered with the Executive Director of Student Affairs or designee in advance of the activities taking place so that the Executive Director of Student Affairs, or their designee, can take the following steps:

a. The Executive Director of Student Affairs or designee will convene a preliminary

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meeting of all key stakeholders involved in participating, coordinating, or sponsoring the event to determine an appropriate time and location for the event and what steps are necessary to ensure adequate safety. This meeting may include members from the Loyola University Police Department (LUPD), student affairs staff, faculty, surrounding community, staff, and students.

b. Additional preparation meetings to review campus demonstration procedures and other details may be held prior to the event.

c. Additional assignments may be delegated by the Executive Director of Student Affairs or designee to ensure adequate safety, preparation, and/or education of others.

3. General Conduct

Loyola University New Orleans sponsored events and outside groups must abide by the conduct regulations of the University as outlined in the Code of Conduct and other institutional policies. Those who are not affiliated with the University must at all times conduct themselves as guests. Groups or participants failing to comply with University policies may face immediate removal from campus and/or other appropriate actions by University officials and University police.

4. Access to Buildings/Rooms

A. Access to buildings/rooms is only approved via the Campus Demonstration Registration process (see form online) and is at the discretion of the Department of Student Life and Ministry and/or the Executive Director of Student Affairs or designee. If approval is granted, participants of campus demonstrations may enter approved campus buildings for the purpose of conducting orderly and peaceful demonstrations. Participants may sit or stand in the hallways, but may not:

a. Enter or occupy rooms or offices without permission;

b. Obstruct or restrict the free movement of persons;

c. Block hallways, doorways, stairs or exits of University facilities;

d. Use appliances/equipment that require the use of electrical and telephone outlets.

Participants may be present in the buildings only during normal hours of operation. The opening and closing times of buildings may be obtained from LUPD. LUPD will ask everyone to leave the building at closing time. Failure to do so may result in removal from the building or other appropriate actions as determined by University officials.

B. In no event will protests or demonstrations be allowed in the following buildings or rooms:

a. Residence halls; or b. Private offices, research laboratories and associated facilities, and computer centers; or

c. Offices, libraries, and other facilities that often contain valuable or sensitive materials, collections, equipment, records protected by law or by existing University policy such as educational records, student-related or personnel-related records, or financial records; or

d. Classrooms, seminar rooms, auditoriums or meeting rooms in which classes or private meetings are being held or are immediately scheduled; or

e. Emergency facilities, communications systems, utilities, or other facilities or services vital to the continuing functioning of the University.

5. Sound

Sound associated with the demonstration must be reasonable and shall not interfere with classes, residence halls, or business offices. The use of loudspeakers or other amplifying sound equipment is restricted to outdoor demonstrations and can only be used Monday, Wednesday and Friday from noon to

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1:00 pm and 4:00 to 7:00 pm; Tuesday and Thursday from noon to 1:45 pm and 4:00 to 7:00 pm.

6. Placards

Placards used by participants must be made of poster board or of other similar material, but not out of material of a hard substance. Placards may be carried or worn on the person, but not tacked or nailed to trees or buildings or within buildings.

7. Literature/Printed Materials

Literature or other printed materials cannot be forced upon others or distributed in a manner that will obstruct free flow of traffic. Literature or other printed materials may not be scattered on the ground or left unattended on University benches, tables, sidewalks or building entrances.

8. Care of Property

In addition to restrictions on the use of placards (see above), reasonable care must be taken to reduce damage to the property of others and University property, including lawns. All trash and any literature/printed materials must be collected and placed in refuse/recycling containers; failure to do so will result in denial of future privileges.

Individuals or groups violate these guidelines if:

- A. They interfere unreasonably with the activities of other persons, the educational process or the operations of the University. The time of day, size, noise level, and general tenor of a meeting, event or demonstration are factors that may be considered in determining whether conduct is reasonable;
- B. They do not comply with the requirements of this policy and all other policies within the Student Code of Conduct, Faculty Handbook, and Human Resources Manual.
- C. They cause injury to persons or property or threaten to cause such injury;
- D. They hold meetings, events or demonstrations under circumstances where health or safety is endangered; or
- E. They knowingly interfere with unimpeded movement in a University location; or
- F. They continue to engage in conduct after the Executive Director of Student Affairs or designee has declared that the conduct is in violation of the Guidelines and has instructed the participants to modify or terminate their behavior.

V. Privacy

1. Protection Against Improper Disclosure

Information about student views, beliefs, and political associations that professors acquire as instructors,

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advisors, and counselors is considered confidential. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge and consent of the student.

2. Protection of Student Records

A. The student's permanent educational record remains a personal document, and its contents are revealed only under rigid regulations as specified in the Family Educational Rights and Privacy Act (known as FERPA or the Buckley Amendment), 20 U. S. Code 1232g, 20 Code of Federal Regulations Part 99. Academic transcripts contain information concerning the academic status of the individual; disciplinary records are maintained separately from academic records in order to prevent simultaneous disclosure. No records are available to unauthorized persons either inside or outside the academic community without the express consent of the student involved (or his or her legal guardian in the case of a student who is a minor).

B. Civil authorities must present an order of the court to have access to these records. Staff and faculty should respect confidential information about students which they acquire in the course of their work. Students should likewise exercise extreme caution in the circulation of information about fellow students that does not have a direct bearing upon their academic performance. The student has the right to obtain a copy of his or her academic transcript from the Office of Student Records.

C. The complete policy on the Release of Student Information may be found on the Loyola website, in the Office of Student Records, and in the Academic Information section of the Code of Conduct.

VI. Campus Organizations

1. Students should be free to organize and join associations to promote their common interests.
2. The membership, policies, and actions of a student organization are determined by vote of those persons who hold or have held bona fide membership in the University community.
3. Institutional recognition of an organization is granted by the Department of Student Life and Ministry and the Student Government Association. Student organizations are required to submit statements as deemed necessary for institutional recognition and chartering.
4. Affiliation with an extramural organization does not of itself disqualify a student organization from University recognition.
5. Campus advisors are required for each organization: each organization is free to choose its own, subject to approval by the Office of Student Life and Ministry. University recognition will not be immediately withdrawn solely because of the inability of a student organization to secure an advisor. Chartered student organizations will have up to two months to secure an advisor. The Executive Director of Student Affairs or designee will consider any extenuating circumstances which may require an extension of that time. Campus advisors counsel organizations, but they do not have the authority to control the policies of such organizations.
6. Campus organizations, including those affiliated with an extramural organization, are open to all

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students without regard to age, color, disability, gender, national origin, race, religion, sexual orientation, and veteran's status as a condition for University recognition. Organizations with a 501C IRS Code may exclude membership based on gender. Religious qualifications may be required by organizations whose aims are primarily religious. Implementation of this policy is the responsibility of the Standing Committee on Student Rights, Freedoms, and Responsibilities.

7. Student organizations must adhere to policies as outlined in the Student Organization Handbook and the Student Code of Conduct.

8. The University is not liable or responsible for any injuries incurred by participants in or spectators at intramural activities, club sports, or general recreation in or outside of University facilities. Students participating in the intramural program or other recreational sports are responsible for ensuring that they are medically able to withstand the rigors of the physical activity in which they plan to engage. Likewise, all students should have sufficient health insurance in the event of an accident.

9. Certain University/student-sponsored events will require special University police coverage. The Director of University Police, the Executive Director of Student Affairs (or designee), or the Director of Student Life and Ministry will make the final determination whether an event will require special security coverage and the number of officers required. Arrangements for special security services must be made with the University Police Department at least 10 working days prior to the scheduled event. Failure to make appropriate arrangements for University police coverage will subject the event to cancellation.

VII. Participation in Institutional Government

As constituents of the academic community, students are free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body so long as their speech/conduct is orderly, lawful, does not disrupt or interfere with the regular operations or authorized activities of the University, and complies with the requirements of this policy and the Student Code of Conduct. The student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of SGA and both its general and specific responsibilities should be made explicit, and the actions of the SGA within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.

VIII. Student Media

Student media is to be a free and independent voice acting in the best interest of the University in the pursuit of truth. It is the responsibility of the University to provide editorial freedom and sufficient financial autonomy for these media to establish and maintain their integrity for free inquiry and free expression in the University. It is the responsibility of these organizations to observe the canons of responsible journalism and broadcasting. Representatives of the student communications media have the right to review non-privileged information in the academic community; the community has the responsibility to share this information so that these students may perform their functions to the fullest.

IX. Off-Campus Freedom of Students

Loyola University New Orleans students are both citizens and members of the academic community. As citizens, students should enjoy the same freedom of speech, peaceful assembly, and the right of petition

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that other citizens enjoy; and, as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership. The academic community should ensure that institutional powers are not employed to inhibit such intellectual and personal development of students exercising their rights of citizenship both on and off campus.

X. Amendments

This statement of policy may be amended to provide for proper interpretation, to alter the original intent, or to make additions. Board member should propose amendments to the Chief Student Conduct Officer. Amendments can also be proposed by the Student Government Association, the Chief Student Conduct Officer, and/or the Director of Student Life and Ministry. Amendments will then be presented to the Executive Director of Student Affairs (or designee) and the Director of Government and Legal Affairs. If approved, amendments will be included in the Student Rights and Freedoms section.

IX: DISCRIMINATION AND HARASSMENT POLICY

I. Purpose

- a. Loyola University New Orleans strives to create and maintain a working and learning environment in which individuals are treated with dignity, decency and respect. The University acknowledges individual differences, including, but not limited to, the dimensions of race; color; sex; national origin; age; religion; gender identity; transgender status; sexual orientation; ethnicity; disability status; marital status and citizenship status; and values all individuals. This idea is rooted in the belief that diversity enriches our social interactions and intellectual lives by exposing us to different cultures, ideas, and ethnicities. Recognizing the role which diversity plays in our mission, the University strives to maintain an educational community that is safe, welcoming, and inclusive for its faculty, staff, and students. It is expected that students, faculty, staff, and other individuals covered by this policy will treat one another with respect and are responsible for promoting an environment of inclusion. The environment of the University is characterized by mutual trust and the absence of intimidation, oppression and exploitation. For these reasons, the University does not tolerate discrimination or harassment. Reports of discrimination and harassment under this Policy are taken seriously and will be dealt with promptly. Through implementation and enforcement of this policy, and through education of faculty, staff, and students, the University seeks to discourage, prevent, correct, and when necessary sanction behavior that violates the University's Policy on Discrimination and Harassment.

II. Scope and Application

- a. This policy applies to all students, faculty and staff of Loyola University New Orleans, as well as others who participate in the University's programs and activities. Its application includes the University's programs and activities both on and off campus, including overseas programs. It is a violation of this Policy to discriminate in the provision of employment or educational opportunities, to create discriminatory work or learning conditions, or to use discriminatory evaluative standards if the basis of that discriminatory treatment is, in whole or in part, the person's race; color; sex; national origin; age; religion; gender identity; transgender status; sexual orientation; ethnicity; disability status; marital status and citizenship status or any other characteristic prohibited by applicable law. Acts of harassment, including sexual assault, stalking, domestic violence, and dating violence, are violations of this policy and Title IX and will subject students, faculty, and staff of Loyola University New Orleans, as well as others who participate in the University programs and activities, to sanctions.

III. Definitions

- a. *Campus* for purposes of this Policy means all buildings, facilities, and properties that are owned, operated, managed, or controlled by the University.
- b. *Complainant* for purposes of this Policy shall mean the person who files a complaint to report a violation of this policy. It also includes any person who is reported to have experienced a violation of this Policy in cases where some other person has made a report on that person's behalf.
- c. *Consent* to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually

understandable words and/or actions that clearly indicate a voluntary intention to engage in a specific sexual activity. Silence alone, without actions clearly and unambiguously evidencing permission, does not demonstrate consent. While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions that do not clearly and unambiguously evidence permission may lead to confusion and potential for misunderstandings, which may lead to a violation of this policy. It is the responsibility of the initiator of any sexual activity to obtain their partner's consent. Consent must be knowing and voluntary. To give consent, a person must be at least 17 years old. Assent does not constitute consent if obtained through "coercion" or from an individual whom the respondent knows or reasonably should know is "incapacitated." Coercion for purposes of this policy may be psychological or physical and includes the use of express or implied threats, intimidation, or physical force which places an individual in reasonable fear of harm or physical injury. An individual is considered to be incapacitated for purposes of this policy if the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Individuals who are asleep, unresponsive or unconscious are incapacitated. Individuals who have drunk alcohol, or used drugs, may be incapacitated, depending on the amount and type of alcohol, or drugs, used. The totality of the circumstances will be considered in determining incapacitation. Among the factors the University will use to assess whether someone is incapacitated for purposes of this policy are: inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance. The existence of any one of these factors will support a finding of incapacitation for purposes of this policy. An individual's use of alcohol or drugs does not diminish that individual's responsibility to obtain consent to sexual activity. Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of consent has been expressed, the sexual activity must cease immediately. Consent is automatically withdrawn by a person who is no longer capable of giving consent. A current or previous consensual dating or sexual relationship between the Parties does not imply Consent or preclude a finding of responsibility for misconduct.

- d. *Domestic and Dating Violence* is defined as abusive behavior, including threats, verbal and/or emotional abuse, and physical assault, between persons in an intimate and/or dating relationship. Examples of domestic violence include, but are not limited to, intimidation, threats, and physical harm. Preventing a partner from making contact with others among the partner's family, friends, or peer group also falls within this definition. This includes behavior toward another person when the intimate and/or sexual relationship has ended.
- e. *Discriminatory harassment* for purposes of this Policy is defined as verbal or physical conduct directed toward an individual because of his or her race; color; sex; national origin; age; religion; gender identity; transgender status; sexual orientation; ethnicity; disability status; marital status and citizenship status that is offensive to the individual and
 - i. Intentionally stigmatizes the individual to invoke violence or harm, or
 - ii. Is of a severe and/or pervasive nature such that it creates an intimidating, hostile or offensive working, academic or campus environment, or

- iii. Unreasonably interferes with an individual's work or academic performance
- f. *Hate Crime* means any offense against person and/or property because of actual or perceived race; color; sex; national origin; age; religion; gender identity; transgender status; sexual orientation; ethnicity; disability status; marital status and citizenship status of that person or the owner or occupant of that property or because of actual or perceived membership or service in, or employment with, an organization.
- g. *Human Resources* for purposes of this Policy means the Human Resources Department at Loyola University New Orleans, 6363 St. Charles Avenue, Mercy Hall, Room 102, New Orleans, Louisiana. The phone number is (504) 864-7757.
- h. *Loyola University Police (University Police)* for purposes of this Policy means the Loyola University New Orleans Police at 6363 St. Charles Avenue, Biever Hall, First Floor, New Orleans, Louisiana. The phone number is (504) 865-3434.
- i. *Office of Government and Legal Affairs* for purposes of this Policy means the Office of Government and Legal Affairs of Loyola University New Orleans, 6363 St. Charles Avenue, Marquette Hall, New Orleans, Louisiana. The phone number is (504) 865-2657.
- j. *Policy* means this Loyola University New Orleans Discrimination and Harassment Policy.
- k. *Nonconsensual Sexual Intercourse and Sexual Conduct* for purposes of this Policy means any sexual behavior including sexual intercourse or attempted intercourse without consent, including rape, attempted rape, molestation, and other cases where the complainant is unable to refuse or effectively consent to sexual advances. The definition applies regardless of whether the alleged assailant is a stranger or an acquaintance. Examples include, but are not limited to, forced insertion, oral copulation, rape by foreign object, sodomy and unwanted touching of an intimate part of another person for the purpose of sexual gratification. Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger or inanimate object.
- l. *Respondent* for purposes of this policy shall mean the person responding to an allegation of a violation of this policy.
- m. *Sex Discrimination* for purposes of this Policy includes treating a person unfavorably because of that person's sex, including in hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits and any other term or condition of employment. It also includes treating a person unfavorably because of that person's failure to conform to gender or sex-based stereotypes.
- n. *Sexual Exploitation* for purposes of this Policy means taking nonconsensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to:
 - i. Intentionally exposing a private or intimate part of one's body in a lewd manner;
 - ii. Committing any other lewd act in a public place;
 - iii. Prostituting another student;
 - iv. Possession, or sharing of, photographs, video or audio recording of sexual activity in person, or on any social media platforms or internet sites, without the consent of the persons depicted or involved;

- v. Exceeding the boundaries of explicit consent, such as allowing friends to hide in a closet to witness one's consensual sexual activity;
 - vi. Engaging in non-consensual voyeurism; and/or
 - vii. Knowingly transmitting a sexually transmitted disease/infection or HIV to another student.
 - o. *Sexual Harassment* for purposes of this Policy means the creation of a hostile workplace environment, as well as unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct or communication of a sexual nature in person, or on any social media platforms or internet sites when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of employment, services, or academic status; or
 - ii. Submission to, or rejection of, such conduct by an individual is used as a basis for employment, services, or academic decisions affecting him or her; or
 - iii. Such conduct, whether verbal or physical, is severe and/or pervasive so as to have the purpose or effect of interfering with the individual's work or academic performance or of creating an intimidating, hostile or offensive employment, service or educational environment.
 - p. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex, gender identity or transgender status. For example, harassing a woman, or man, by making offensive comments about women, or men, in general may constitute sexual harassment.
 - q. *Sexual Verbal Abuse* for purposes of this Policy is language that is sexual in nature and unwanted on the part of another person. Examples include, but are not limited to, obscene telephone calls and use of written and/or oral communication that would be considered obscene.
 - r. *Stalking* for purposes of this Policy is a course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. Stalking includes, but is not limited to, the intentional and repeated uninvited presence of the alleged perpetrator at another's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, or sexual assault.
 - s. *University* for purposes of this Policy means Loyola University New Orleans.
- IV. What Constitutes Sexual Harassment
- a. Types of Relationships
 - i. Sexual harassment may occur within a variety of relationships. These relationships may or may not involve unequal authority, as between supervisors to employees supervised, faculty members to students, residence hall staff to student residents, and student leaders to other students. They may also involve relationships among peers. However, allegations of sexual harassment will be scrutinized, regardless of the relationship of a complainant to an alleged offender. Generally, there are three (3) types of relationships where sexual harassment occurs:

1. Quid pro quo - where submission to harassment is used as the basis for employment or educational decisions. Quid pro quo harassment occurs when employee benefits such as raises, promotions, working hours, etc., or student benefits such as grades, assignments, recommendations, etc. are directly linked to compliance with sexual advances. Therefore, only someone with the authority to grant such benefits can engage in quid pro quo harassment.
2. Hostile work or learning environment - where offensive remarks or conduct is severe and/or pervasive and creates an offensive working or learning environment or when it results in an adverse employment decision (such as being demoted, or fired).
3. Third party harassment - when a party or parties are not sexually harassed directly, but suffer the consequences of sexual harassment.

b. Forms of Sexual Harassment

- i. Determining what constitutes sexual harassment depends on the specific facts and context in which the offensive language or conduct occurs. Sexual harassment may take many forms - subtle and indirect or blatant and overt. For example, it may:

1. Be offensive words or conduct toward an individual of the opposite sex or the same sex;
2. Occur between peers or between individuals in a hierarchical relationship;
3. Be aimed at coercing an individual to participate in an unwanted sexual relationship;
4. Have the effect of causing an individual to change behavior or work performance; and
5. Consist of repeated words or actions, or may even arise from a single incident, if sufficiently egregious.

c. Examples of Sexual Harassment

- i. The following are some examples of conduct which may constitute or contribute to sexual harassment:
 1. Gender harassment, including statements and behavior that convey insulting, degrading, or demeaning attitudes towards women, or men;
 2. Direct proposition of a sexual nature and/or subtle pressure for sexual activity that is unwanted and unreasonably interferes with a person's work or academic environment;
 3. Derogatory, degrading, or insulting statements and behavior targeting, or ridiculing a person's sexual orientation, transgender status, or gender identity;
 4. Persistent and unwanted requests for dates, unwelcome and inappropriate letters, telephone calls, email, or other communication or gifts;
 5. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
 6. Subtle or overt pressure for sexual favors;

7. Unwanted physical contact such as touching, hugging, brushing against a person's body, or impeding or blocking movements;
 8. Sexually explicit statements, questions, jokes, or anecdotes, regardless of the means of communication (oral, written, email, text messages, etc.);
 9. The display of inappropriate sexually oriented materials;
 10. Sexual assault, attempted rape, or rape;
 11. Sexual submission when made a term or condition, explicitly or implicitly, of obtaining employment, services, or education;
 12. Sexual submission when used as a factor in decisions affecting an individual's employment, services, or education;
 13. Sexual conduct or communication when of such a nature that it creates an intimidating, hostile, or offensive work or educational environment; and
 14. Domestic violence, dating violence, and stalking.
- d. Consensual Sexual or Romantic Relationships
- i. With the exception of cases where individuals are married, or in a formal domestic partnership, the University prohibits faculty and staff from knowingly entering into a romantic, or sexual relationship, with any students over whom such faculty and staff exercise supervisory, or evaluative authority.
 - ii. The University prohibits faculty and staff from knowingly entering into a romantic or sexual relationship with an undergraduate student, regardless if that faculty, or staff, exercise supervisory, or evaluative authority, over the undergraduate student.
 - iii. With the exception of cases where individuals are married, or in a formal domestic partnership, the University strongly discourages faculty and staff from knowingly entering into a romantic or sexual relationship with a graduate or professional student enrolled at the University even if the student is not subject to the supervisory, or evaluative authority, of said faculty or staff. Faculty, or staff, who enter into such a relationship must disclose the relationship to the Provost's Office, and staff must report it to Human Resources or the Director of Government and Legal Affairs, so that the University is in a position to ensure that those faculty and staff do not exercise supervisory or evaluative or other authority over that student.
- e. Pregnancy and Breast feeding/Lactation
- i. The University values families and a woman's need for accommodation during pregnancy and childbirth. Consequently, the University will work with pregnant employees to accommodate the needs of the pregnancy and childbirth. Federal law imposes its own requirements and renders it unlawful to harass a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The Pregnancy Discrimination Act (PDA) forbids discrimination based on pregnancy when it comes to any aspect of employment, including hiring, termination, pay, job assignments, promotions, layoffs, training, fringe benefits, such as leave and health insurance, and any other term or condition of employment. Lactation is a pregnancy-related medical condition. The University will make available

time and a private space for its employees to accommodate lactation-related needs.

V. Reporting Policies and Procedures

a. Complainants

i. Places to Report

1. Internal Reporting

a. In cases of stalking, sexual assault, and sexual violence, Loyola University Police should be notified initially and immediately. Loyola University Police can be reached at: (504) 865-3434. If the complainant believes that they are being harassed or discriminated against by any member of the University community, or a third-party doing business with the University; or if you observe harassment or discrimination by another member of the University community, or a third-party doing business with the University, against a third party; please report the incident immediately to one of the following:

i. Government & Legal Affairs – (504) 865- 2657; or

ii. Human Resources Department - (504) 861-7756;
or

iii. Chief Student Conduct Officer/Title IX Coordinator – (504) 864-7151; or

iv. University Counseling Center – (504) 865-3835; or

v. Provost Office – (504) 865-3034; or

vi. Office of Diversity and Inclusion – (504) 865-2306

b. If the perpetrator of the alleged harassment or discrimination is listed as a contact person above, then you should report to another person listed. Loyola University New Orleans takes all complaints of unlawful harassment and discrimination seriously and will not penalize anyone for reporting a potential harassment or discrimination problem in good faith.

2. External Reporting to Government Agencies:

a. In cases of stalking, sexual assault, and sexual violence, it is the practice of Loyola University Police to notify complainants of their right to file a criminal complaint. Discrimination and harassment are prohibited by state and federal law. In addition to the internal resources just described, individuals may pursue complaints directly with the government agencies that deal with unlawful harassment and discrimination claims:

i. If the complainant is a faculty or staff member, they should contact the U.S. Equal Employment Opportunity Commission (EEOC) (Title VII employment discrimination claims) at:
<http://www.eeoc.gov/field/neworleans/index.cfm>;

ii. If the complainant is a student, they should contact the Office for Civil Rights (OCR) of the U.S.

Department of Education (Title IX sex discrimination claims) at:

<http://www2.ed.gov/about/offices/list/ocr/index.htm>;

iii. In addition, all complainants can contact the Louisiana Commission on Human Rights at:

<http://gov.louisiana.gov/page/lchr>.

b. Please know that a violation of this policy may exist even where the conduct in question does not violate the law. If there is immediate danger, contact 911.

b. University Employees as Mandatory Reporters for Sexual Assault and Harassment

i. All University employees, other than counselors, pastors, or advocates and those employees legally regarded as confidential sources, must bring reports of violations of this policy, including sexual and gender-based harassment, assault and violence that they observe or learn about, immediately to the attention of the Office of Human Resources (if the respondent is a staff member), the Office of the Provost (if the respondent is a faculty member), or the Title IX Coordinator (if the respondent is a student). Failure to do so can result in discipline, up to immediate discharge. The employee must report all relevant details about the alleged policy violation, including the name of the complainant, the accused, any witnesses, and any other relevant facts, including the date, time, and specific location of the incident. Complainants may request confidentiality or anonymity, including that their name not be shared with the respondent, that the respondent not be notified of the report, or that no investigation occur. A mandatory reporter should inform the complainant that there are other University employees available to discuss complaints, like advocates or counselors, who can preserve the complainant's confidentiality. If the complainant wants to tell the mandatory reporter what happened, but also wants to maintain confidentiality or anonymity, the employee should tell the complainant that mandatory reporters cannot guarantee confidentiality or anonymity. The employee should advise the complainant that the details of the incident will be disclosed only to those officials with a legitimate institutional interest in knowing the information. In reporting the details of the incident to the University, however, the employee will disclose that the complainant has requested confidentiality, or anonymity. The University will then weigh the complainant's request for confidentiality, or anonymity, against the University's obligation to provide a safe, nondiscriminatory environment for all members of the Loyola Community, including the complainant. If the University honors the request for confidentiality, the applicable investigating office will explain to the complainant that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator may be limited. Explanation of the University's retaliation policy shall be provided to the complainant. If the complainant continues to ask that his or her name not be revealed, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not prevent the University from responding effectively to harassment

and preventing harassment of others. Regardless of whether there is a request for confidentiality or whether the request for confidentiality is honored, the University will take steps to limit the effects of the alleged relationship violence or sexual misconduct and prevent its recurrence. Such steps might include providing increased security or supervision at locations or activities where a pattern of relationship violence or sexual misconduct exists; providing education and training materials for students, student groups, faculty, and staff; reviewing applicable relationship violence and sexual misconduct or disciplinary policies; and conducting climate surveys regarding relationship violence and sexual misconduct. Individuals who choose to discuss an incident of relationship violence or sexual misconduct only in a privileged/confidential or private setting (to a counselor, pastor or advocate) should understand that the University will not be able to conduct an investigation into the particular incident, or pursue disciplinary action against the alleged perpetrator, unless the incident is reported to the University directly by the complainant, law enforcement, someone who is obligated to make a report, or by a confidential party who has been given written permission by the complainant to make a report. Counselors and advocates will assist their clients in receiving support services, regardless of whether a report is made. At the individual's option, this will include coordinating with the University to provide any necessary interim measures. A complainant who requests confidentiality initially to a mandatory reporter or who reports only to a confidential source (a counselor, pastor or advocate), may later decide to file a complaint with the University or law enforcement and have the incident fully investigated. Prior to conducting an investigation, the University will take into consideration any safety risks associated with the University contacting or interviewing the accused, especially in cases where the complainant is fearful and does not want the perpetrator contacted, or when the threats and abuse may escalate and put the complainant in increased danger due to the investigation process. As discussed above, the University will attempt to balance a complainant's request for anonymity or not to participate in an investigation with the University's broader obligation to campus safety.

- c. [Louisiana Reporting Law](#)
 - i. Pursuant to state law, any report of abuse or neglect of minors or persons with a disability, including disabilities or challenges caused by aging, will be reported to state authorities.
- d. [Clery Act Requirements](#) and Other Legal Guidelines
 - i. In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, popularly known as the Clery Act, University Police annually collects, compiles, and publishes crime statistics for a 3-year reporting period. Additionally, University Police identifies and works with Campus Security Authorities (CSAs) to ensure that they satisfy their annual training and reporting requirements pursuant to the Clery Act. A CSA is an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. CSAs are required to report certain offenses that are reported to them and that have

occurred on campus, in residence facilities, in certain non-campus property, and certain public property. CSAs receive training regarding the specific locations (Clery geography) and specific offenses (Clery crimes) that trigger a duty to report. In addition, the University has a responsibility to notify the campus community about any crimes, not just Clery Act crimes, that are serious or pose an ongoing threat. A Timely Warning Notice, known as a BOLO (Be On The LookOut), may be issued for both on and off-campus crime reported to University Police by NOPD, Tulane Police, CSAs, or any other source and shall be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the university community, and the possible risk of compromising law enforcement efforts. The Clery Act encourages voluntary, confidential reporting so that incidents of crime that are reported exclusively to professional and pastoral counselors will be included in the annual crime statistics. University Police and the New Orleans Police Department (NOPD) work closely together to keep the campus neighborhood safe. The University Police officers and NOPD communicate regularly on the scene of incidents that occur in and around the campus area. The University Police investigators work closely with the investigative staff at NOPD when incidents arise that require joint investigative efforts, resources, crime-related reports, and exchanges of information, as deemed necessary. The University Police do not have a Memorandum of Understanding with NOPD. University Police officers patrol regularly in the uptown area usually bordered by Freret Street, Jefferson Avenue, Pitt Street, and Cherokee Street. University Police also coordinate efforts and work with Louisiana State Police when incidents arise that require collaboration. University Police are a member of the Louisiana State Analytical and Fusion Exchange where intelligence and information are shared with other local and state agencies. A daily crime log is kept of all reported crimes. It is available for public review by request at University Police headquarters located in Biever Hall. University Police also monitor incidents at its off-campus sites and records those offenses. University Police report all serious on-campus crimes to NOPD along with providing them with a copy of pertinent records. NOPD accepts and processes evidence for serious crimes such as drug cases.

- VI. Assistance for Complainants of Sexual Assault
- a. Sexual assault is an egregious form of sexual harassment and it is a crime. The University takes all incidents seriously. The University supports the right of the complainant of a sexual assault to decide how best to utilize various University, community, private, and public support systems designated to address crimes of sexual assault. Complainants of sexual assault are highly encouraged to contact Loyola University Police. Reporting an assault to the Loyola University Police does not require filing criminal charges. Nor does it require the complainant to participate in a University investigation. However, it does allow the University to assist and support the complainant. Loyola University Police offers complainants the option of communicating with a counselor on-call or a Complainant's Advocate. If you are a student complainant of sexual assault, you have the right to pursue the remedies and processes set forth in this Policy and the [Student Code of Conduct](#).

The University encourages you to report sexual assault both to campus safety and to the local police and will assist you in doing so. You may choose to:

- i. Report the incident to University Police and pursue University judicial action and/or criminal charges with the New Orleans Police Department; or
- ii. Only report the incident without pressing charges; or
- iii. Report the incident anonymously without providing any personal information.

VII. Title IX Coordinator

a. Roles and Responsibilities of Title IX Coordinator

- i. The Title IX Coordinator oversees the University's efforts to comply with and carry out its responsibilities under Title IX, including investigation of any complaint communicated to the University alleging noncompliance with Title IX or alleging any actions which would be prohibited by Title IX. The Coordinator will track reports of discrimination and sexual harassment for statistical purposes and report at least annually concerning their number, nature, and disposition to the University President or their designee. The Coordinator may keep confidential records of reports of sexual harassment and the actions taken in response to those reports, and use them for purposes such as to identify individuals or departments likely to benefit from training so that training priorities can be established. Investigation records and evidence obtained in investigations will be maintained separately from student records and personnel files in a secure, limited access location for a period of time in accordance with the University's Record Retention Policy and in accordance with Title IX guidelines from the federal government.

b. Contact Information for Title IX Coordinator

- i. Dr. Diana Ward - Title IX Coordinator; 205 Danna Student Center; 504-864-7151; dmward@loyno.edu

VIII. ADA/Section 504 Coordinators

a. Roles and Responsibilities of ADA/Section 504 Coordinators

- i. The University's ADA/Section 504 Coordinators have overall responsibility for assisting the University in meeting the requirements of the ADA and Section 504, including assisting individuals with disabilities in seeking reasonable accommodations; delivering support; providing auxiliary aids; addressing concerns about disability discrimination; and coordinating campus services for students and employees with disabilities.

b. Contact Information for ADA/Section 504 Coordinators

- i. The ADA/Section 504 Coordinator for Students is:
 1. Andrea Rodriguez; 504-865-3265; alrodrig@loyno.edu
- ii. The ADA/Section 504 Coordinator for Faculty/Staff is:
 1. Rachel Dirmann; 504-864-7768; rdirmann@loyno.edu

IX. Protection Against Retaliation

- a. Retaliation and/or reprisals against an individual who in good faith reports or provides information about behavior that may violate this policy are against the law and will not be tolerated. See also the Loyola University [Non-Retaliation Policy, Policy No. 5-16](#) for more information.

X. Confidentiality

- a. The University recognizes the importance of confidentiality. Those responsible for implementing this Policy will respect the confidentiality and privacy of individuals reporting or accused of discrimination or harassment to the extent reasonably possible. Although individuals involved with investigations are not asked to abide by a nondisclosure agreement, information should be shared on a need-to-know basis to avoid claims of the [Family Educational Rights and Privacy Act \(FERPA\)](#) violations, defamation, or threats of retaliation. In all cases, the issues of confidentiality must be balanced with the University's need to investigate and take appropriate action. FERPA protects a student's right to review his or her education record and it permits the University to inform the complainant of the institution's final determination and any disciplinary sanctions imposed on the perpetrator in sexual violence cases, not just those sanctions that directly relate to the complainant.

XI. Investigation Procedures and Protocols

a. Formal Options

- i. The applicable procedure depends on the circumstances and the status of the person bringing the charge and the person against whom the charge is brought. Generally, the process consists of the individual's submission of a complaint, a fact-finding process or investigation by a University representative, followed by a decision and, in some cases, the possibility of one or more appeals, pursuant to the [faculty appellate process](#), the [human resources operating manual](#) or the [Student Code of Conduct](#). The relevant grievance/adjudication procedure and appeal procedure (see below) should be read carefully, since the procedures vary considerably. The investigation will be conducted in a way that respects, to the extent possible, the privacy of all persons involved. The results of the investigation may be used in any complaint or disciplinary action. Throughout the investigation and any subsequent appeals, all parties shall have the right to have an advisor or attorney of choice present at any meeting. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. The advisor is a silent and non-participating presence who is there solely to observe and provide support during the process. The University has the right at all times to determine what constitutes appropriate behavior on the part of an advisor as well as the right to request that an advisor leave a meeting in the event the investigator determines that the advisor is not acting appropriately. The advisor may not be a fact witness or otherwise have any conflicting role in the process.

1. For Students

- a. Investigations involving students will be conducted by a Student Conduct Officer.

2. For Staff

- a. Investigations involving staff members will be conducted by Human Resources.

3. For Faculty

- a. Investigations involving faculty members will be conducted by the Office of the Provost.

- ii. Reports of sexual harassment are taken seriously and the University strives to complete the investigation process within 60-business days of receiving a complaint. Depending on the complexity of the investigation and the

severity and extent of the alleged conduct, timeframes for investigations may vary. However, the University will provide periodic status updates throughout the process, and the University aims to respond promptly and equitably to all complainants.

b. Grievance/Adjudication Procedures and Appeals

- i. In appropriate cases, disciplinary procedures may be initiated. The applicable disciplinary procedure depends on the status of the individual whose conduct is in question:
 1. Students are subject to the [Student Code of Conduct](#).
 2. Staff members are subject to the [Human Resources Policies and Procedures Manual](#).
 3. Faculty are subject to the [Faculty Handbook](#).
- ii. The individuals referenced in this section are available to discuss these options and other methods for dealing with discrimination and harassment. Investigators will make findings using a preponderance of the evidence standard or "more likely than not." The specific action taken in any particular case depends on the nature and gravity of the conduct reported and may include intervention, mediation, investigation, and the initiation of complaint and disciplinary processes. Where discrimination and harassment has occurred, the University will act to stop the harassment, prevent its recurrence, and discipline and/or take other appropriate action against those responsible. Both parties receive simultaneous written notice of the outcome in the form of a redacted copy of the decision. The Clery Act requires, and Family Educational Rights & Privacy Act (FERPA) permits, the University to inform the complainant of the University's final determination and any disciplinary sanctions imposed on the perpetrator in sexual violence cases (as opposed to all harassment and misconduct covered by Title IX) not just those sanctions that directly relate to the complainant. The question sometimes arises as to whether the University will defend and indemnify a University employee accused of discrimination or sexual harassment. The issue of indemnification depends on the facts and circumstances of each situation.

c. Prevention and Education

- i. Consistent with this Policy and the University's commitments under it, the University offers a variety of prevention and education/training programs and services for its faculty, staff, and students. Such programs and services may include:
 1. New student orientation training, specifically Everfi's "Think About It" course (an online course regarding substance abuse and sexual assault prevention);
 2. New employee orientation, which includes a discussion of important information regarding Human Resources policies and procedures, specifically the Discrimination and Harassment Policy;
 3. Sexual discrimination and harassment training requirement for all University employees, which includes reporting of sex and gender discrimination incidents, including sexual harassment, sexual assault, stalking, domestic violence, and dating violence, is designed

to inform all employees about their duty to report sexual harassment and other behaviors that fall under Title IX;

4. Bystander Intervention training for students, which includes measures that students may take as active upstanders to prevent sexual harassment or violence;
5. Workshops and event programming for "Take Back the Night;"
6. Group counseling for students;
7. Residence hall posters and presentations;
8. Care for the Pack blog posts providing health information to students, faculty, staff, parents, and alumni;
9. Sexual Aggression Prevention Programs;
10. Sexual Trauma Support Group;
11. Conducting Campus Climate Surveys;
12. Boots on the Ground training for faculty; and
13. Student Handbook information.

d. Training

- i. Complainant Advocates training for students, faculty, and staff;
- ii. Clery Act training for University Police and Campus Security Authorities;
- iii. Training for Title IX Coordinator, Title IX Deputy Coordinators, and Title IX Investigators, which includes a discussion of domestic violence, dating violence, sexual assault, and stalking. Additionally, the annual training will review how to conduct an investigation and the hearing process that both protects the safety of complainants and ensures due process for all parties.

e. Enforcement of Policy

- i. A person found responsible for discrimination or harassment as prohibited in this Policy may face:
 1. Student disciplinary action, up to and including dismissal
 2. Letter of reprimand
 3. Denial of promotion
 4. Demotion
 5. Suspension
 6. Termination
- ii. The University may also take necessary interim actions before determining whether a violation has occurred. The University may terminate relationships or take other appropriate actions against non-University entities that violate this Policy.

f. Policy Review and Evaluation

- i. This policy amends the policy previously adopted on August 1, 2004, and adopted as revised on May 17, 2012. This Policy is subject to periodic review by the Office of Government and Legal Affairs. Any comments or suggestions should be forwarded to the Office of Government and Legal Affairs.

X: COVID-19 ADDENDUM TO THE STUDENT CODE OF CONDUCT

- Introduction
 - During challenging and uncertain times, we need to lift each other up and act in ways that demonstrate our Jesuit Values of being people for and with others. COVID-19 presented unprecedented challenges worldwide and gravely impacted and continues to impact the local New Orleans community including Loyola University. Until a vaccine is created and widely available, health authorities report that COVID-19 presents an ongoing risk. For that reason, we have developed this addendum to the Student Code of Conduct, which codifies best practices related to mitigating the spread of COVID-19 on college campuses and beyond.
 - These new expectations, in addition to the existing student responsibilities outlined in the [Student Code of Conduct](#), are important to be mindful of at all times but even more so while the Loyola University New Orleans community and beyond continues to adapt to life during the COVID-19 pandemic. Please make every effort to embody the Jesuit Loyola spirit on-campus, off-campus and online by continuing to be exemplary students and community members. *Please ensure you are aware of and cooperating with University and government officials with regards to guidelines on social distancing and other public health directives, such as policies regarding the wearing of masks.* Kindly remember, all University policies and regulations, including those in the [Student Code of Conduct](#) and in this addendum, remain in effect and will be enforced on campus, off campus, and online.
 - This addendum was developed through a review of federal, state, and city guidelines and in consultation with the University Counseling Center, Student Health, the Office of Accessible Education, Student Life and Ministry, and Residential Life. This addendum is also informed by Loyola's Jesuit mission and values, not the least of which are *Cura Personalis* and *Cura Apostolica* — care for the whole person and care for the entire organization.
 - This is a living document; the policies may change as we receive more guidance from the federal, local, and state organizations and/or from our healthcare partner, Ochsner Health System. Any changes to this document will be announced on the Student Affairs website and will be communicated to all students through their Loyola e-mail. Students should check their Loyola e-mail at least once every 24 hours Monday through Friday.
- Procedures for cases except those brought pursuant to student affairs Title IX policy
 - The student conduct process remains largely unchanged during these exigent circumstances. Please see pages 27-34 in the full [Student Code of Conduct](#) for more information about the general process for student conduct investigations. The Student Code of Conduct still applies to misconduct online, off-campus and on-campus. Any reports of alleged violations of the Student Code of Conduct will be addressed in a timely manner by the University through the process outlined in the [Student Code of Conduct](#). Students are expected to comport themselves appropriately particularly when engaging and interacting with faculty, staff, other students, and the community whether online or in person.
 - While conduct hearings are typically held in person, Loyola University New Orleans wants to support efforts to limit the spread of COVID-19. As such, all conduct hearings will be conducted over the phone, through Zoom, or through Google Hangout until further notice. Students participating in the conduct process will receive detailed instructions via Maxient to their Loyola student e-mail regarding how meetings will be conducted. Students should check their Loyola e-mail at least once every 24 hours Monday through Friday.
 - Student Justice Board hearings and Board of Appeals hearings will also be conducted over Zoom or Google Hangout.

- Student Responsibilities
 - During this exceptional time, we all have a responsibility to practice social distancing and engage in other risk mitigation behaviors in order to help maintain the health and safety of the University and broader community. As such, we are implementing new directives and enhanced sanctions, effective immediately, to help mitigate the spread of COVID-19. It is urgent that you read, understand, and comply with them fully.
 - Effective immediately and until further notice, we will be actively enforcing the following directives for undergraduate and graduate students with enhanced sanctions for violations.
 - **Social Distancing:** Keep at least six (6) feet of distance between you and any other individual at all times — this includes while outdoors, in common areas, and in classrooms. Additionally:
 - All individuals should avoid crowded places.
 - ***Students are not permitted to organize or attend parties or gatherings, even outdoors, of more than ten people on-campus or off-campus with the exception of University sponsored events where social distancing and other guidelines will be adhered to*** (student organizations seeking to hold events must receive advance approval from Student Life and Ministry and abide by all guidelines in the [Student Code of Conduct](#) and COVID-19 Addendum to the Student Code of Conduct). If you participate in a gathering of more than ten people, regardless of who hosted it, you will be subject to discipline.
 - At a gathering with ten people or less, individuals still need to maintain six-feet of distance from others and wear face masks or coverings.
 - All individuals must comply with all social distancing markings (e.g., 6-foot markers for food lines, capacity limits for elevators, signs requiring use of certain stairwells in a particular direction, etc.).
 - **Visitation/Guests:** ***If you live in assigned University housing, you are not permitted to have any guests in your assigned residential facilities with the exception of other Loyola students who live in your residence hall. Guests from off campus, the hotel Loyola is partnering with, or from other residence halls will not be permitted in your residence hall.*** Approved guests still need to maintain a six-foot distance from others and wear face masks/coverings.
 - Cabra students who need to use the telehealth room in Founders will be permitted to do so.
 - Students who need to meet with a Residential Life staff member can schedule an appointment to do so and will then be able to enter the building where that staff member is located at the assigned date/time.
 - During move in and move out, students will be allowed a limited number of guests, typically family members and/or guardians, to assist with the process. Students should refer to communication from Residential Life about move in and move out procedures for further details.
 - **Facilities Use:** A student is expected to observe the rules relating to the use of campus buildings and other University owned, operated, or approved facilities. This includes complying with social distancing markers and limiting the number of people gathered in an area to the guidelines laid out for that room while also maintaining 6 feet of distance from others and wearing masks or face coverings.
 - Contact Student Life and Ministry for information about the number of people that can be in a room at one time in the Danna Center.

- Until further notice, most common spaces in the residence halls can be used but select larger spaces must be reserved in advance by contacting reslife@loyno.edu. For all common spaces in the Residence Halls, students must wipe down and disinfect the area before and after use; cleaning supplies will be available in common areas. Failure to abide by social distancing guidelines or other guidelines in these areas or failure to disinfect the area after use will result in the student losing the privilege of using the space.
- **Administrative Instructions:** Students must comply with any directive from the University *and* Federal, State, or Local Government (e.g. wearing masks in public). All students must also comply with social distancing markers (e.g. when standing in food lines).
- **Theft:** A student found to be appropriating University or private property, *including cleaning supplies*, for their own use or sale without the specific consent of the owner, or person legally responsible for it, will be subject to investigation from both University and civil authorities. If you or a student you know is in need of something, please submit a [report](#) and the University will connect students to resources.
- **Disorderly Conduct:** Disorderly conduct includes any behavior that disrupts or interferes with the orderly functioning of the University or the performance of duties by University personnel and/or any behavior that unreasonably disturbs the peace and/or comfort of a person or persons. Disorderly conduct can encompass disturbances in the classroom or at other University functions that take place in person or online. *For example, students must refrain from “Zoom bombing.”*
- **Conduct Unbecoming:** Responsible individual behavior is a basic expectation. Such behavior must stem from a recognition of and basic concern and respect for dignity, rights, and sensibilities of others. Therefore, any social behavior which might offend these rights, sensibilities, and dignity is clearly inappropriate and will subject a student to discipline. *For example, if a student mistreated another student because they tested positive for COVID-19, this would be a violation of this policy.* This policy also includes behavior that occurs online.
- **Room Conditions:** You must regularly clean individual interior bedrooms, common areas, bathrooms, and kitchens. You must also abide by any cleaning expectations established in your roommate agreement. Finally, you must comply with any directive from Residential Life concerning sanitation and cleanliness of rooms/bathrooms/common spaces.
- **Isolation/Quarantine:** *In the interest of safety, the University will require students who have tested positive for COVID-19 or who were exposed to someone with COVID-19 to isolate/quarantine.* Students must comply with any directive from a University official or medical professional regarding isolation/quarantine in the event of exposure or infection from COVID-19 including following any direction to move to a new room or floor during the isolation/quarantine period. Self-isolation/quarantine means staying in your home or residence hall room and not going to work, classes, athletic events or other social gatherings. Residents in isolation/quarantine may not interact in person with other people in the hallway or common areas, and may not leave the building unless there is an emergency that requires evacuation (e.g. a fire). *If a student shows symptoms of COVID-19, tests positive for COVID-19, or becomes exposed to someone with COVID-19, they should immediately call Student Health Services (504-865-3326); Student Health*

Services and/or Residential Life will provide the student with more information about next steps (e.g. isolating/quarantining, getting food, etc.).

- In the event of an evacuation emergency, students staying in residence hall quarantine due to a COVID-19 diagnosis or exposure should proceed to the nearest exit with essential items, including a personal face mask or covering.
 - Quarantined students in Buddig Hall should proceed to the first floor of the Freret Parking Garage; they should distance themselves from other residents by at least 12 feet.
 - Quarantined students in Founders Hall should proceed to the Veritas Lawn with other Broadway students, but should distance themselves from other residents by at least 12 feet.
- **Face Masks/Coverings:** *Loyola requires all individuals to wear a face mask covering their nose and mouth while in all buildings except when that individual is alone (e.g. personal residence hall rooms). Loyola and the City of New Orleans also require masks or face coverings when individuals are outdoors.* Masks must be appropriate and not violate our Conduct Unbecoming policy or any other University policy. Individuals who cannot wear a face mask because of health reasons or functional reasons should contact the Office of Accessible Education to determine other accommodations. For specific guidance on the proper use and cleaning of your face mask, visit <http://ldh.la.gov/index.cfm/page/3940>
- **Elevators:** Students should comply with any signs regarding the number of people that can be in an elevator. Each elevator should have a sign outside the doors stating the number of people allowed in the elevator at one time. In the absence of a sign, elevators are limited to a capacity of four (4) people; each person must stand in one of the four corners. Everyone is required to wear a mask covering their mouth and nose while riding in an elevator. Individuals should attempt to stand as far away from others as possible while in the elevator.
- **Student Organizations:** Students are strongly encouraged to use video-conferencing platforms (e.g. Google Hangout; Zoom) for all meetings or events; ***Virtual meetings/events are the safest option.*** *If an event must be held in person, the student organization should still plan to have a virtual component so that all students can participate. All events, regardless of size, must be approved by Student Life and Ministry.*
 - For student organization meetings or events with less than 10 people:
 - *The event must be approved by Student Life and Ministry.*
 - All participants must wear masks, maintain 6 feet of distance from each other, and follow all other guidelines in the [Student Code of Conduct](#) and the COVID-19 Addendum to the Student Code of Conduct.
 - Nothing should be shared including pens, drinks, and utensils.
 - The event must occur on campus.
 - The event must adhere to room capacity regulations; students should contact Student Life and Ministry to determine how many people may be hosted in any given room.
 - If the event is outside, it also must adhere to space requirements - individuals must be able to stand six feet apart, and they must wear masks or face coverings.

- Student organizations will be required to maintain a roster of anyone who attended the in-person event; this will aid with contact tracing in the event someone tests positive for COVID-19.
 - If policies are not followed, the student organization will lose the privilege of holding events in the future.
- For student organization meetings or events with more than 10 people:
 - *The event must be approved by Student Life and Ministry.*
 - All participants must wear masks, maintain 6 feet of distance from each other, and follow all other guidelines in the [Student Code of Conduct](#) and the COVID-19 Addendum to the Student Code of Conduct.
 - Nothing should be shared including pens, drinks, and utensils.
 - The event must occur on campus.
 - The event must adhere to room capacity regulations; students should contact Student Life and Ministry to determine how many people may be hosted in any given room.
 - If the event is outside, it also must adhere to space requirements - individuals must be able to stand six feet apart, and they must wear masks or face coverings.
 - Student organizations will be required to maintain a roster of anyone who attended the in-person event; this will aid with contact tracing in the event someone tests positive for COVID-19.
 - ***Additionally, the student organization must have designated Wellness Monitors and/or LUPD present; these monitors and/or LUPD will be trained and will ensure the following are enforced: all participants must wear masks, maintain 6 feet of distance from each other, and follow all other guidelines in the [Student Code of Conduct](#) and the COVID-19 Addendum to the Student Code of Conduct.*** If policies are not followed, the Wellness Monitors and/or LUPD are to shut the event down, and the student organization will lose the privilege of holding events in the future.
 - Note: There is a minimum booking requirement of 1 officer for 3 hours, even if your event is less than three hours. The rate for each officer is \$35.00 per hour. LUPD reserves the right to select the number of officers needed for any event. While we understand it can be difficult to estimate exact numbers of attendees, please provide LUPD with an estimated attendance number. If the variance between the estimate and the actual attendance at the event is significant and additional detail officers must be brought in during the course of the event the hourly rate will double; if no additional officers are available the event will be cancelled. *Please provide LUPD with at least 2 weeks notice of the event.* To learn more about securing LUPD detail, please visit: <http://finance.loyno.edu/police/police-details>
- In addition, for fall 2020, while the threat of COVID-19 is still pressing:
 - There will be a moratorium on events with alcohol. ***No event with alcohol will be approved for the fall 2020 semester.*** Alcohol

consumption can lead to impaired judgement which could impact the ability of a person to engage in healthy behaviors like maintaining social distancing guidelines.

- Events with catering will be limited to grab and go. The sharing of food, especially in a buffet style, could lead to the spread of COVID-19.
 - No off-campus events will be approved.
 - No overnight retreats will be approved.
 - *These decisions will be re-evaluated for spring at the end of the fall 2020 semester and an announcement will then be made to all students.*
- **Student Demonstrations:** Freedom of speech and freedom of assembly are encouraged and supported at Loyola University New Orleans. Given that no vaccine yet exists for COVID-19, in order to allow for safe demonstrations, students must maintain 6 feet of distance from each other when demonstrating, and students must wear a face mask covering their nose and mouth even when outside. Students cannot share any items while participating in a demonstration including but not limited to megaphones, signs, candles, etc. Students who feel sick or are experiencing any symptom of COVID-19 should not attend a demonstration. Students should sanitize their hands while participating in a demonstration and wash their hands for at least twenty seconds with soap and water after participating in a demonstration. Demonstrations should not occur inside given the increased risk for the spread of COVID-19. Students must abide by all other rules in the [Student Code of Conduct](#) and the COVID-19 Addendum to the Student Code of Conduct while participating in a demonstration. ***Students must also still register demonstrations per the guidelines outlined in the [Student Organization Handbook](#).***
 - **Tabling:** Tabling can occur outside of the Danna Student Center, in the Res Quad, and in the Peace Quad. ***Tabling will not be allowed inside.*** If students would like to hand out something specific that could help limit the spread of COVID-19, like disinfectant or hand sanitizer, they must receive advance approval from the Department of Student Life and Ministry. Otherwise, students cannot hand out anything while tabling including fliers or food. Students are still welcome to play music, display posters, or talk about their club, but all students must maintain 6 feet of distance from each other and wear a mask or face covering.
- If you are found responsible for a violation of any of these directives, you will be subject to disciplinary action under the [Student Code of Conduct](#) and sanctioning. *Remember these policies are meant to keep you and others safe.*
- Possible Sanctions
 - Consequences for violating any policy in this addendum to the Student Code of Conduct could include but are not limited to verbal warning, conduct reprimand, disciplinary probation, removal from University housing, and suspension or dismissal from the University.
 - In addition, failure to follow this policy can result in disciplinary fines: \$50 for a first offense, \$100 for a second offense, and \$150 for all subsequent offenses (community service can be issued in lieu of a fine). Fines are issued by Student Conduct. Students who fail to follow any aspect of this policy may also be required to complete community service, attend educational programs, and/or meet with University officials like those in Student Health. If a

student's behavior or actions could potentially cause a health risk for themselves or others, the student's parents/guardians may be contacted.

- **Amnesty:** Our normal amnesty policy for drugs and/or alcohol will still apply; see the policy [here](#). In addition, *we want to encourage students to be honest if they must speak with a Contract Tracer about where they have gone and who they may have interacted with in case they contract COVID-19. So that students feel comfortable sharing where they have gone and who they have interacted with to a Contract Tracer, students will not receive punitive sanctions for any information they disclose to a Contact Tracer that would otherwise constitute a violation of the [Student Code of Conduct](#) or the COVID-19 Addendum to the Student Code of Conduct.* Students receiving amnesty may still receive educational resources or be required to meet with a representative from Student Health, or their designee, to ensure they understand health and safety guidelines related to COVID-19.
- Other Risk Mitigation Efforts
 - **Handwashing:** Wash hands frequently with soap and water for at least 20 seconds, including before and after meals, after sneezing or coughing, after touching frequently-touched surfaces (such as door handles and elevator buttons), and after using the restroom. If soap and water are unavailable, use hand sanitizer, which will be provided in stations located around campus. Do not touch your nose, mouth, or eyes with unwashed hands. Sneeze or cough into a tissue and discard immediately, then wash your hands. If a tissue is unavailable, sneeze or cough into the inside of your elbow, then wash your hands.
 - **Temperature Checks:** Loyola students may be subject to non-invasive temperature checks before entering a building, residence hall, office space, or classroom.
 - **Avoid Touching:** *Loyola has a no-touching policy (no handshakes, hugs, or other close contact including that of a romantic or sexual nature) for all Loyola students and visitors to the campus.* Please note, family members who have been quarantining together may hug and have other contact.
 - **Avoid Sharing:** Students should not share any materials, supplies, food, or utensils. If you or a student you know is in need of such materials, please [submit a report](#) and the University will connect students to resources.
 - **Gloves:** General use of plastic gloves is not required unless directed by your professor, work study supervisor, or internship site.
 - **Personal Travel:** All students living in on-campus or off-campus housing during the Fall 2020 semester will be expected to remain in the New Orleans area during the semester, refraining from unnecessary travel until we go home at Thanksgiving. ***If you must travel, please call Student Health Services (504-865-3326) and inform them of your travel plans;*** you may be asked to self-isolate for 14 days upon your return. The University (e.g. SGA) will not approve or provide funding for any travel for individuals or student organizations (e.g. to attend conferences).
 - **Daily Symptom Assessment:** All individuals living on or coming to campus are required to conduct a daily symptom self-assessment.
 - Symptoms for COVID-19 include:
 - Fever, cough, or shortness of breath or difficulty breathing
 - Or, at least two of the following symptoms:
 - Fever
 - Chills
 - Muscle pains
 - Headache
 - Sore throat

- Digestive issues, or
 - New loss of smell or taste
- All individuals should take their temperature each day to monitor if they are becoming ill.
 - If you have a temperature of 100.4 degrees or higher, you must not come to campus or, for those living on campus, you must remain in your room.
- *Students who have a temperature or who are exhibiting symptoms should contact Loyola's Student Health Services at (504) 865-3326. **Do NOT go to the Student Health Clinic without calling to schedule an appointment or to receive further directions for telehealth services.***
- **Call Student Health Services (504-865-3326) if you experience symptoms of COVID-19, test positive for COVID-19, and/or become exposed to someone with COVID-19.** In addition:
 - If you were symptomatic and received a positive COVID-19 test result, you must be fever-free without a fever suppressant and free of respiratory symptoms for 3 days before returning to class or resuming other activities.
 - If you were asymptomatic and received a positive COVID-19 test, you can return to class and resume other activities after 10 days of receiving the positive test without developing symptoms.
 - If you have confirmation that you were exposed to someone with COVID-19, you can return to class and resume other activities 14 days, symptom-free, after the confirmed exposure.
- Frequently Asked Questions
 - What if I'm immunocompromised or have other health issues that put me at a higher risk of contracting or experiencing complications from COVID-19?
 - Students who are immunocompromised or who have other health complications should make arrangements with the Office of Accessible Education for learning accommodations. Students with the last name of A-L can book an appointment here <https://spollard.youcanbook.me/>; Students with the last name of M-Z can book an appointment here <https://dbayardo.youcanbook.me/>.
 - I think I was exposed to COVID-19. What do I do now?
 - **If you believe that you have been in contact with a person with COVID-19, stay at home or in your room and contact Student Health (504-865-3226). Do NOT go to the Student Health Clinic without calling to schedule an appointment or to receive further directions for telehealth services.** You should then follow the instructions of Student Health.
 - Will Loyola be conducting contact tracing? Will I be contacted if Loyola learns I've come into contact with someone who had COVID-19?
 - Yes and yes. For those exhibiting symptoms or with known exposure to COVID-19, Loyola officials, or their designee, will contact you to determine those you may have come into contact with on campus and alert other campus community members as needed, while protecting individual privacy.
 - **Please note, Loyola wants to encourage students to be honest if they must speak with a Contact Tracer about where they have gone and who they may have interacted with in case they contract COVID-19. So that students feel comfortable sharing where they have gone and who they have interacted with to a Contact Tracer, students will receive amnesty and not receive punitive sanctions for any information they disclose to a Contact Tracer that would otherwise constitute a violation of the [Student Code of Conduct](#) or the COVID-19 Addendum to the**

Student Code of Conduct. Students receiving amnesty may still receive educational resources or be required to meet with a representative from Student Health, or their designee, to ensure they understand health and safety guidelines related to COVID-19.

- Will I still be able to eat in the campus dining hall?
 - Sit down food service will be available in the Orleans Room (OR), but students must follow directions, abide by social distancing markers, wear a face mask or covering until they eat, and keep six feet of distance between themselves and others. Mobile ordering will be available for retail food locations. Commuter students are encouraged to bring food from home in personal coolers or lunch bags to discourage crowding in kitchenettes on campus. Kitchenettes will be open, but students must clean them after use. Students must also maintain six feet of distance between themselves and others, wear face masks or coverings until they eat, refrain from sharing items, and abide by maximum occupancy numbers in the kitchenettes. Satchmo's will be open for fall 2020, but students need to keep six feet of distance between themselves and others, wear face masks or coverings, refrain from sharing items, and disinfect anything they touch after use. Students must also adhere to maximum occupancy numbers; students should contact Student Life and Ministry about this. All students must comply with social distancing markers when standing in food lines. Hand sanitizer stations will be placed near all food service outlets. All vendors will offer touchless point-of-sale options where possible.
- What cleaning measures will the University own and what will I be expected to do with regards to cleaning?
 - WFF will clean all public areas (including classrooms, labs, vending machines, amazon lockers, and seating areas) and restrooms; these areas will be disinfected on a daily basis, especially faucets, toilets, doorknobs, elevator buttons, light switches, desks, keyboards, and seating. ***You may be asked to wipe down your classroom work area or desk upon arrival and departure, including chair, desk, keypads and screens, or other equipment.*** Residential students will be expected to maintain cleaning of interior rooms of their suite or apartment. When using common spaces, students are required to sanitize with provided cleaning supplies before and after use.
- I have general questions about COVID-19; where can I get more information?
 - For general COVID related questions, students, faculty and staff can dial 211.
- I'm experiencing anxiety or other mental health issues related to COVID-19, are there additional resources available beyond the University Counseling Center?
 - The state's 24/7 COVID mental health hotline is 1-866-310-7977.