

LOYOLA UNIVERSITY NEW ORLEANS
STUDENT CODE OF CONDUCT
2020-2021

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;
- 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.

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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

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.