

LOYOLA UNIVERSITY NEW ORLEANS
STUDENT CODE OF CONDUCT
2020-2021

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.