

**LOYOLA UNIVERSITY NEW ORLEANS
STUDENT CODE OF CONDUCT
2022-2023**

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 of Student Affairs (VPSA) to establish and hold student conduct proceedings that will ensure the proper administration of the University's rules and regulations. The VPSA, along with the Director of Student Conduct (DSC), shall oversee the operation of the student conduct system and administration of the Code. The VPSA and the DSC have the right to consider all alleged violation(s) of University policy and determine if a student, student organization or group should be charged with an alleged policy violation(s). The VPSA and/or DSC shall determine the appropriate course of action for all alleged policy violation(s). In exceptional circumstances and at the VPSA's discretion, the VPSA may modify procedures outlined under this Code. 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 on and off University premises, at University sponsored events (virtual or in-person), at events hosted, organized, sponsored, or managed by registered student organizations or groups (virtual or in-person), where students are enrolled full-time, part-time or visiting, on a leave of absence or pursuing undergraduate, graduate, or professional studies or elsewhere when the University has an identifiable interest. The DSC, VPSA, or designated representative has sole discretion to determine the jurisdiction, parameters, and application of the Code. In assessing jurisdictional questions, the DSC, VPSA, 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 witness statements
- 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 or designee 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

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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 or designee also may make an administrative referral to the University Counseling 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 student, student organization, or group violated the Code.

A student or student organization placed on interim suspension will be given 48 hours to present information in writing to the VPSA or designee in support of a claim that the terms of the interim suspension should be modified. The VPSA 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 violation(s) of law and of the Code. At the discretion of the DSC or designee in consultation with the VPSA, proceedings under this Code 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 shall be referred to the DSC or designee for final determination.

6. Code supersedes other regulations

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

7. 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.

8. Time limits

A complainant must file a complaint within one year of an alleged incident. A complainant may file a complaint at any time in case(s) of sexual misconduct and sexual assault, stalking, dating and relationship violence pursuant to the University's [Title IX Policy](#).

9. Knowledge of rules

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Students are expected to know and comply with the Code, University policies, and any special instructions and directives announced by the VPSA or designee. Ignorance is not an acceptable justification for committing violation(s) of the Code or other University policies. Lack of intent or awareness of the Code or other University policies will not be accepted as an excuse for violation(s) and will generally receive the same consequence(s) as deliberate violation(s).

10. Definitions

When used in this Code,

- A. ***“Appellate Body”*** refers to the Appellate Officer and University Board of Appeals (UAB), both of which are entities tasked with reviewing submitted appeals pursuant to the appeals process under this Code in order to determine whether to grant or deny submitted appeals.
- B. ***“Applicable Hearing Body”*** refers to either an Administrative Hearing Officer or Student Justice Board (SJB), both of which are entities tasked with adjudicating student conduct cases under this Code.
- C. ***“Campus”*** means all buildings, facilities, and properties that are owned, operated, managed, or controlled by the University, including, but not limited to, buildings or grounds in which students reside and where University food service facilities are located; or facilities operated in the name of any officially registered student organization. This definition is not limited to buildings or grounds owned or leased by the University on Main or Broadway campus.
- D. ***“Code”*** means the Student Code of Conduct.
- E. ***“Complainant”*** refers to the person who filed a complaint to report a violation(s) of this Code. It also includes any person who is reported to have experienced a violation(s) of this Code in case(s) where some other person has made a report on that person’s behalf.
- F. ***“Complaint”*** refers to a report made to the University, whether through any of the University’s reporting forms, of violation(s) of this Code or of violations(s) experienced by an individual.
- G. ***“Distribution”*** means any form of sale, exchange, or transfer.
- H. ***“DSC”*** refers to the Director of Student Conduct.
- I. ***“Group”*** refers to any number of persons who are associated with each other, but who have not complied with University requirements for registration as a student organization.

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- J. **“Organization”** means any number of persons who have complied with University requirements for registration with the University as a student organization.
- K. **“Respondent”** refers to any individual, student organization or group, charged with a violation under this Code.
- L. **“Sanction”** refers to a consequence imposed by the University on a respondent who is found responsible for violation(s) of this Code.
- M. **“Student”** refers to any person who is currently enrolled whether full-time, part-time or visiting, on a leave of absence or pursuing undergraduate, graduate, or professional studies, whether or not in pursuit of a degree or of any form of certificate of completion.
- N. **“University”** means Loyola University New Orleans and all of its undergraduate, graduate, and professional schools, divisions, and programs. For the sake of clarity and for purposes of this Code, University also refers to faculty and/or staff members acting on behalf of the University in the investigation and adjudication of violation(s) of this Code.
- O. **“VPSA”** refers to the Vice President for Student Affairs.
- P. **“Working Days”** refers to days that the University is open for business, Monday - Friday during the hours of 8:30 a.m. - 4:45 p.m. central time.
- Q. **“University sponsored events”** means events and activities initiated by a student, student organization, University department, faculty or staff member, or employee that are expressly authorized, aided, conducted, or supervised by the University, funded in whole or in part by the University, or initiated by an officially registered student organization and conducted or promoted in the name of that student organization and/or the University.