



**Policy Title**

**Prohibition of Adverse Academic Action Policy**

**Policy Number**

**1-300**

<b>Responsible Unit:</b> Southern University Law Center	<b>Effective Date:</b> August 11, 2020
<b>Responsible Official:</b> Vice-Chancellor for Academic Affairs	<b>Last Reviewed Date:</b> October 21, 2020
<b>Policy Classification:</b> Academic Affairs	<b>Last Revised Date:</b> N/A
	<b>Origination Date:</b> October 21, 2020

**I. Policy Overview**

The purpose of this policy is to articulate the Law Center’s effort to comply with the law of Louisiana and the policy of the Louisiana Board of Regents prohibiting certain adverse academic actions against uniformed service personnel resulting from mobilization or activation and/or governmental workers who work or volunteer in response to a declared national, state, and/or parish emergency.

**II. Policy Scope**

This policy applies to administrators, faculty, students, and staff.

**III. Policy Compliance**

This policy will inform SULC faculty and students on the prohibition of adverse academic action against uniformed service personnel referenced in Revised Statute 29:420 (attached), the Academic Affairs Policy 2.21 (and similar policies) of the Louisiana Board of Regents and to extend the protections articulated therein to governmental workers and/or volunteers in cases of declared international, national, state, and/or local emergencies. Louisiana public higher education recognizes that many students serve our country in the reserve forces of the U.S. Armed Services and in the Louisiana National Guard, and that these students are subject to unforeseen

mobilization/activation in response to local, regional, national, or international emergency situations. It is the policy of Louisiana public higher education to minimize the effects of this disruption as much as possible. The policy excludes the application of certain SULC policies regarding adverse academic actions upon covered students, such as the mandatory attendance policy, due dates of assignments, opportunity to complete work after due dates, etc.

#### **IV. Policy Definitions**

1. Uniformed Service – reserved forces of the U.S. Armed Services or Louisiana National Guard.
2. Mobilization/Activation – when a member of a uniformed service receives military orders indicating that the member must prepare and/or appear at a place designated in the military orders.
3. Call Up – when a member of a uniformed services is mobilized or activated.
4. Covered Students – a student who is a member of a uniformed service, an employee of a governmental agency, or a volunteer who is engaged in actions in response to a declared international, national, state, and/or parish emergency.
5. Declared International, National, State, or Local Emergency – when the appropriate governmental head or organization declares a state of emergency as promulgated in law or authorized by governing policies.
6. Memorandum of Prohibition of Adverse Action – a memorandum generated by the Office of Academic Affairs informing professors of the covered students as well as the Office of Records and Registration that adverse academic actions are not to be taken against the covered student.

#### **V. Policy Development and Implementation Procedure**

The policy was developed by the Vice Chancellor for Academic Affairs and approved by faculty vote on August 19, 2020. The Vice Chancellor for Academic Affairs will be charged with implementing and enforcing this policy.

#### **VI. Policy and Applicable Procedures**

1. In order to qualify under the provisions of this policy, covered students must present to the Vice Chancellor of Academic Affairs or his/her designee a copy of the military orders or governmental directive indicating the mobilization/activation or call to action.
2. Covered students should contact the Vice Chancellor of Academic Affairs or his/her designee as soon as they are notified of the call up so that the Vice Chancellor can issue a Memorandum of Prohibition of Adverse Action to the professors of the covered student and the Office of Records and Registration. If, due to time constraints between the time of notification and the time of actual mobilization/activation or call to action, the covered student cannot present their orders or directive as required, the parents, guardians, or spouse of the covered student may do so.

3. The academic actions that are prohibited with respect to covered students under this policy include those actions outlined in the policies of the Louisiana Board of Regents covering such matters, particularly those actions outlined in Academic Affairs Policy 2.21 which was approved by the Board of Regents on August 26, 2015 (attached).
4. The time period for the prohibition of adverse action in this policy will be sufficient to allow the covered student a reasonable opportunity to reintegrate themselves into the academic environment post the declared emergency.

#### **VII. Policy History and Review**

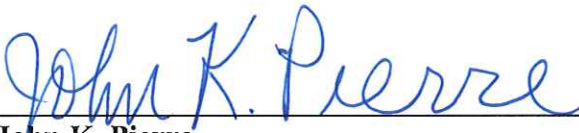
This policy was created on October 21, 2020 with a retroactive enforcement date of August 11, 2020 – which is the first day of the 2020-2021 academic year. The policy is subject to a five-year policy review cycle and shall be reviewed by the Vice Chancellor for Academic Affairs and any changes will be submitted to the faculty for consideration.

#### **VIII. Publication of Policy**

This policy is published on the Southern University Law Center website at [www.sulc.edu](http://www.sulc.edu).

#### **IX. Policy Approval**

This policy was approved by:

  
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John K. Pierre  
Chancellor, Southern University Law Center

October 21, 2020  
Date

**RS 29:420****SUBPART J. PROHIBITION AGAINST ACADEMIC PENALTIES****§420. Academic penalties prohibited**

A.(1) No student member of any uniformed service of the United States shall have his postsecondary education, including but not limited to colleges and universities, unnecessarily disrupted because of his service in the uniformed services, in accordance with the Board of Regents' "Policy on Reservist and National Guard Mobilization/Activation for Louisiana Public Postsecondary Education Institutions", (Section II, 8.2). No student member of the uniformed services of the United States shall have his postsecondary education, including but not limited to postsecondary proprietary schools, vocational or technical or trade schools, or nonpublic colleges and universities licensed to do business within the state of Louisiana as provided by law, unnecessarily disrupted because of his service in the uniformed services.

(2)(a) Policies shall be developed jointly by the Board of Regents and the management boards of public postsecondary education to address academic matters of members of the uniformed services resulting from mobilization or activation to ensure that the pursuit of education is disrupted to the minimum extent possible and that no undue penalties are assessed due to a military call to service. The policies shall address the awarding of academic credits, grades, time frames for resumption of academic work, academic status upon reenrollment, scholarships, student grants and loans, student fees, assessments and tuition, and related matters relative to the disruption of academic pursuits due to the mobilization or activation of student members of the uniformed services.

(b) Proprietary schools and nonpublic colleges and universities licensed to do business in the state of Louisiana by the Board of Regents shall also adopt policies consistent to the maximum extent possible with the policies set forth in Subsection A of this Section.

B. The enforcement of this Section shall be reserved for the proper authority and the appropriate jurisdiction of the Board of Regents and the management boards of public postsecondary education or the successor of such boards, and the boards of trustees of the private colleges and universities in this state which award a baccalaureate or higher degree and which maintain and operate educational programs for which credits are given.

C. As used in this Section, "uniformed services of the United States" shall have the same meaning as defined in R.S. 29:403(11).

Acts 1991, 1st E.S., No. 6, §1, eff. April 17, 1991; Acts 1995, No. 716, §1, eff. June 21, 1995; Acts 2001, 2nd Ex. Sess., No. 9, §1, eff. Oct. 16, 2001.

## ACADEMIC AFFAIRS POLICY 2.21 UNIFORMED SERVICE MOBILIZATION

Louisiana public higher education recognizes that many students serve our country in the reserve forces of the U.S. Armed Services and in the Louisiana National Guard, and that these students are subject to unforeseen mobilization/activation in response to local, regional, national, or international emergency situations. It is the policy of Louisiana public higher education to minimize the effects of this disruption as much as possible.

In order to qualify under the provisions of this policy, students must present to the registrar or other appropriate college/university official a copy of military orders indicating their mobilization or activation. Students should contact the office of the dean of their college as soon as they are notified of the call up. The dean's office will inform them of the procedures to be followed. If, due to time constraints between the time of notification and the time of actual mobilization or activation, the students cannot present their orders as required, the parents, guardians, or spouse of the student may do so.

### I. Awarding of Academic Credit/Grades

- A. Students in the uniformed services who are mobilized/activated during a semester or term will be given the option of either: (1) complete withdrawal from the college or university for the semester; or (2) withdrawal from or continuation in individual courses within the college or university upon a determination that institution guidelines are met and that it is educationally sound to allow such continuation. Students who choose to remain enrolled in some or all courses should be provided reasonable support to ensure that the pursuit of education is disrupted to the minimum extent possible and that no undue penalties are assessed due to a military call to service.
- B. Course Withdrawals. When mobilization/activation occurs *prior* to the college or university census date, mobilized students who withdraw will incur no penalty or grade in any course. Those who withdraw from all courses will be given a complete withdrawal from the college or university (with 100 percent refund of tuition and fees which have been paid, including student insurance and other non-refundable fees). *After the census date*, mobilized students who withdraw from a course shall receive a grade of "W" in the course and 100 percent refund of course-related tuition and fees which have been paid, *excluding* student insurance fees and other non-refundable fees. When possible, transcripts should be annotated to reflect that the resignation is the result of activation for military duty. Room and board payments will be refunded on a prorated basis, regardless of the date of involuntary mobilization/activation.
- C. Continued Enrollment After Involuntary Mobilization/Activation. Students may choose to remain enrolled in individual courses upon a determination that it is educationally sound to allow such continuation and with the concurrence of the instructor and dean (or equivalent), as required by college or university guidelines. For courses in which enrollment is continued, institution policies should address, at a minimum, and dependent upon the date of involuntary mobilization, provisions for students to request: (a) a grade of incomplete; (b) a final grade based upon course work prior to the date of mobilization; or (c) an early final examination in order that the instructor can determine a final course grade. Those students who receive incomplete grades shall have no longer than one year after conclusion of the involuntary term of active duty to meet with university officials and work out a timetable for removing the incomplete grades.

### II. Academic Status Upon Re-enrollment. When students whose enrollment was interrupted by mobilization/activation re-enroll in the same institution within one year of completion of their involuntary term of active service, the college or university will make every possible effort to place the students back into their academic studies track as close as possible to the same place they occupied when mobilized/activated. The normal readmission application fee will be waived for these students.

- A. Reasonable attempts should be made to give preferential enrollment into high demand courses necessary for these students to continue their studies with as little interruption as possible.

- B. Time spent on active duty should not be counted in determining the catalog under which the student must meet curricular or degree requirements; involuntary mobilization/activation will not be considered a break in continuous attendance, for catalog purposes. A person who, upon being offered separation from involuntary active duty, reenlists or otherwise voluntarily extends active duty, may be considered to have broken continuous attendance.
  - C. In instances of substantial change to curricula or course inventory during the period of involuntary military service, the institution shall make reasonable accommodations with substitute courses, independent study or other appropriate means. If a student's curriculum no longer exists at the time of re-enrollment, the institution shall reasonably assist the student in changing to a new curriculum or transferring to an institution where the desired curriculum is available.
  - D. For law students, waivers will be granted as necessary for the requirements of the American Bar Association Standards.
- III. Scholarships. A student who is mobilized/activated while holding a scholarship under the control of the college or university in which the student is enrolled shall have the scholarship, or an equivalent scholarship, reinstated upon re-enrolling at the college or university after the period of involuntary active duty so long as he/she remains otherwise eligible. This provision shall lapse if the student does not re-enroll in the same college or university within one year from the time of separation from the involuntary active duty.
- IV. Books. If course textbooks are to continue being used in subsequent semesters or terms for courses from which a mobilized/activated student withdraws, colleges and universities should arrange for the purchase of these textbooks by the campus bookstore, when possible.
- V. Student Grants and Loans. Students who have been awarded grants or loans and are mobilized/activated at any time during the semester or term should be advised to consult with the Financial Aid Office of the college or university they are attending in order to obtain clarification and/or further information on the status or repayment requirements of any existing grants and loans for attending college. Students on any State aid (e.g., TOPS, GO) should be urged to contact the Louisiana Office of Student Financial Assistance before leaving the campus ([www.osfa.state.la.us](http://www.osfa.state.la.us)).
- VI. Spouses and Dependents of Mobilized/Activated Students.
- A. Insurance Coverage. When applicable, colleges and universities should work closely with spouses of students who are mobilized/activated to ensure maximum medical insurance coverage to the extent allowed by the insurer for the spouse and dependents of the student.
  - B. Housing. Spouses and dependents of students who are mobilized/activated and who live in college/university married student housing shall be allowed to continue renting or leasing these quarters. If the student does not re-enroll in the college or university within six months after the completion of the involuntary mobilization/activation period, then the spouse and dependents may be required to vacate the college/university housing.