

SOUTHERN UNIVERSITY LAW CENTER
CODE OF STUDENT CONDUCT MANUAL
2021–2023



REVISED JULY 2021

SOUTHERN UNIVERSITY LAW CENTER CODE OF STUDENT CONDUCT MANUAL

PURPOSE

The Code of Student Conduct Manual was drafted to furnish law students with a statement of policies, rules, and regulations governing the Southern University Law Center student body. Any student admitted to the Law Center agrees to abide by the rules and regulations of the Law Center Code of Student Conduct, the Law Center Honor Code, other applicable student conduct policies and procedures, as well as the rules of student conduct established by the Southern University System and Southern University and A&M College.

Rules contained in this Manual are subject to change. Students are responsible for staying abreast of any changes in Law Center policies or procedures.

SULC MISSION

The mission and tradition of the Law Center is to provide access and opportunity to a diverse group of students from underrepresented racial, ethnic, and socio-economic groups to obtain a high-quality legal education with special emphasis on the Louisiana civil law. Additionally, our mission is to train a cadre of lawyers equipped with the skills necessary for the practice of law and for positions of leadership in society.

POLICY ON NON-DISCRIMINATION

The Southern University Law Center is committed to ensuring equal opportunity without regard to race, color, national or ethnic origin, sex, actual or perceived gender, age, religion, creed, disability, sexual orientation, gender identity and expression, genetic information, or parental, martial, domestic partner, civil union, military, or veteran status. Policies, programs, dates, courses, tuition, and fees outlined in this publication are subject to change without notice.

FOR MORE INFORMATION, PLEASE CONTACT

SULC OFFICE OF STUDENT AFFAIRS

Southern University Law Center

P.O. Box 9294

Baton Rouge, LA 70813

(225) 771-3811

studentaffairs@sulc.edu

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STATEMENT OF STUDENT RIGHTS AND RESPONSIBILITIES

Southern University System

As a campus of the Southern University System, the Law Center first conforms to and communicates to students the rights, duties, and responsibilities that they have as expressed first by the Southern University Board of Supervisors in its Bylaws.

Section 1. In the Classroom

The University is committed to the principle that students in the classroom should be encouraged to exercise free discussion, inquiry, and expression relative to the subject matter of the discipline involved and that student performance should be evaluated solely on an academic basis, not on opinion or conduct in matters unrelated to academic standards.

Section 2. Student Records

The President of the University, with the advice and assistance of appropriate members of the administrative staff and faculty, shall formulate and issue regulations pertaining to keeping of student records in accordance with the law and appropriate respect for privacy. These regulations shall provide for maintaining separate academic and disciplinary records and shall clearly indicate the kinds of confidentiality that should be respected with regard to the records and the conditions of access to them.

Administrative staff and faculty members shall respect the confidential of information about students that they acquire in the course of their work.

Section 3. Student Affairs

The following standard shall be observed with regard to the freedom of students.

A. Freedom of Association

Students bring to the campus a variety of interest previously acquired and develop many new interests as members of the academic community. They shall be free to organize and join associations to promote their common interest in keeping with the law and University policies.

B. Freedom of Inquiry and Expression

Students and student organizations shall be free to examine and discuss all questions of interest to them. They shall be free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, students have the responsibility to make clear that in their public expressions, they and their organization speak only for themselves.

C. Student Participation in University Governance

As constituents of the academic community, students shall be given the opportunity to participate in the formulation of institutional policy, particularly in the area of student affairs. Students shall be represented on the Board of Supervisors in accordance with applicable state law and Board of Supervisors' rule(s) governing the appointment of said representative.

D. Student Publications/Media

Student publications and electronic media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and in providing an environment that fosters intellectual exploration on campus. Students shall be given the opportunity to publicize activities and events relevant to the University community through the official campus newspaper, student yearbook, student electronic media, and newsletters of officially registered student organizations. In their roles as student journalists, student journalists are ensured maximum amount of freedom of expression. However, it shall be clearly communicated in publications or other media that student journalists are responsible for the views they express and the content of their publications. Student publications and electronic media shall serve as forums for student expression and as laboratories for training. Students are expected to abide by the commonly accepted legal and ethical standards of responsible journalism, especially as it relates to nudity, obscene language, and statements or comments that can be deemed libelous and/or disruptive of the educational process. Student publications and other media shall be governed by the canons of responsible journalism.

Section 4. Procedural Standards in Disciplinary Proceedings

The Southern University System has the duty and the disciplinary powers to protect its educational purpose by setting standards of scholarship and conduct for students. The administration of discipline shall guarantee due process to an accused student. The System President shall ensure that appropriate procedures for students to register grievances are in place.

STATEMENT OF STUDENT RIGHTS AND RESPONSIBILITIES

Southern University Law Center

Non-Academic Rights and Responsibilities

Students have the same rights, privileges, and freedoms granted to every United States citizen. With these rights, privileges, and freedoms come the responsibility to obey federal, state, and local laws as well as abide by the rules and regulations of the University and Law Center. Essential to the effective functioning of the Law Center is the protection and promotion of a special set of interests and purposes, which include:

1. the opportunity of students to attain their educational objectives;
2. the creation and maintenance of an intellectual and educational atmosphere throughout the Law Center;
3. the protection of the health, safety, welfare, property, and human rights of all members of the Law Center, and the university community; and
4. the protection and reputation of the University itself.

Academic Rights and Responsibilities

The members of the Southern University Law Center community have established an Academic Honor Code because:

1. it is essential to the welfare of the legal profession and the people whom it serves that the integrity of all its members are at all times beyond reproach;
2. there is an overriding obligation that one's learning process is conducted in an ethical manner and this obligation goes beyond purely professional consideration.

The Academic Honor Code embraces five points:

1. it is the duty of every student to act honorably in all relations of student life;
2. lying, cheating, and stealing are specifically condemned;
3. any action that tends to gain an unfair advantage over other students' academic affairs is prohibited;
4. all scholastic dishonesty is forbidden;
5. each student has a duty to report any suspected infraction of the Honor Code.

STUDENT CONDUCT POLICIES AND PROCEDURES

SOUTHERN UNIVERSITY LAW CENTER
ACADEMIC HONOR CODE
(Updated September 2020)

I. JURISDICTION

- 1.1 A student is subject to the provisions of the Honor Code by virtue of matriculation at Southern University Law Center.
- 1.2 This Code covers any conduct that directly or indirectly pertains to the student's academic relation with the Law Center.
- 1.3 Sanctions imposed under this Code shall be Law Center sanctions exclusively. No university sanction shall be imposed hereunder.
- 1.4 The Honor Code Committee may render advisory opinions to the Chancellor as to whether given conduct is in violation of the Code.

II. ORGANIZATION

- 2.1 The Honor Code shall be administered by the Honor Code Committee of the Law Center.
- 2.2 The Honor Code Committee shall possess all powers necessary to properly exercise its jurisdiction and to conduct hearings in a dignified, orderly, and expeditious manner. It may punish, as a violation of the Honor Code, any unwarranted interference with its exercise of these powers.
- 2.3 The Honor Code Committee shall be composed of eight members. The Chancellor of the Law Center shall appoint five faculty members to serve one-year terms on the committee. The President of the Student Bar Association shall appoint three students to the Honor Code Committee. Two of these students shall be selected from the then junior class and one from the then freshman class, all for one-year terms.
- 2.4 The SBA President and the Chancellor shall each appoint, in the same manner as the appointment of regular members, two alternate members. The SBA President shall appoint one alternate from the junior class and one from the then freshman class. Faculty vacancies, including recusals due to conflicts of interest, shall be filled by faculty alternates, and student vacancies shall be replaced with student alternates according to the classification of the committee member being replaced.
- 2.5 To constitute a quorum, seven of the eight members of the committee (either regular members or their alternate) must be present and participate.
- 2.6 The Chancellor shall appoint a Chair of the Honor Code Committee from its membership.

- 2.7 There shall also be an Investigatory Committee, which conducts investigations of alleged violations of the Law Center's Honor Code and Code of Student Conduct. The Investigatory Committee is composed of seven members, including four faculty members appointed by the Chancellor and three students appointed by the Student Bar Association President. The Chancellor shall appoint a Chair of the Investigatory Committee from its membership, who shall apportion the investigations among the members of the committee.

III. INITIATION OF PROCEEDINGS

- 3.1 Proceedings under this Code shall be instituted by submitting to the Vice Chancellor for Student Affairs a written statement by any student, faculty member, staff member, or the Chancellor alleging that he or she has reason to believe that a violation of the Honor Code has occurred.
- 3.2 A violation must be reported within 30 days after the final day of examinations for the semester in which it occurred, unless it was a violation undiscoverable until a later date. In the latter case, the report must be filed within 30 days after the final day of examinations of the semester in which the violation was discovered. In no case shall prosecutions under this Code be commenced if these time limitations are not strictly observed.
- 3.3 The Vice Chancellor for Student Affairs shall review the allegations to determine whether there is reason to believe that a violation of the Honor Code has occurred. The review may include interviewing the accused, the complainant, and/or other witnesses to the alleged conduct.
- 3.4 If, following a screening of the allegations, the Vice Chancellor for Student Affairs finds that there is reason to believe that a violation of the Honor Code has taken place, then written notice is provided to the Chair of the Law Center's Investigatory Committee of that finding, along with a request to conduct an investigation into the matter. The Vice Chancellor for Student Affairs shall forward to the Investigatory Committee any preliminary evidence received from any of the parties involved while screening the case.
- 3.5 The Vice Chancellor for Student Affairs notifies the accused student in writing that the matter has been referred to the Investigatory Committee and also notifies the Chancellor of all matters referred to the Investigatory Committee for investigative procedures.
- 3.6 The Chair of the Investigatory Committee shall appoint one or more investigators to conduct a preliminary investigation of the alleged violation to determine if there is probable cause sufficient to warrant a hearing. The Chair shall be given the primary responsibility of the investigation with whatever assistance is deemed necessary.
- 3.7 Every effort should be made to divide responsibilities of the investigation among the members of the Investigatory Committee to ensure a thorough and prompt investigation, and to avoid overburdening one member of the committee.

- 3.8 An investigation of an accused student may consist of interviewing the complainant, the accused, and/or other witnesses identified by the complainant or accused; taking any necessary statements from any witnesses; and/or obtaining any other available evidence of the offense, including emails, text messages, documents, physical evidence, or otherwise.
- 3.9 Following a review of the evidence, if the Investigatory Committee finds probable cause that a violation of the Honor Code has occurred, it shall, within a reasonable time from receipt of the complaint, prepare a “charging statement” to provide to the accused. The charging statement is written notice to the accused of the following: 1) the date and nature of the alleged offense; and 2) a brief summary of the evidence. In addition, the accused shall be given a copy of these rules of procedure. The Chair of the Investigatory Committee shall also notify the Vice Chancellor for Student Affairs of its findings and forward a copy of the charging statement.
- 3.10 The investigator(s) shall contact the Chancellor of the Law Center to inform the Chancellor of the charge as soon as probable cause has been determined. The Chancellor and the investigator(s) shall hold a preliminary meeting if: a) there is a need for immediate temporary action by the Chancellor pending the holding of a hearing; or b) there are questions of law upon which the investigators desire the Chancellor’s advice.
- 3.11 The Chair of the Investigatory Committee shall then coordinate with the Chair of the Honor Code Committee and the accused student to set a date and time for the hearing. Written notice of the date of the hearing shall be given to the accused by the Chair of the Investigatory Committee.
- 3.12 The hearing shall commence not less than five nor more than 15 days, exclusive of examination periods, from the date on which notice is given to the accused. By mutual agreement, the investigator(s) and the accused may postpone the hearing for a reasonable period beyond the above limits.
- 3.13 The investigator(s) shall contact the accused at least two days prior to the hearing to receive the accused’s plea of guilty or not guilty and to discuss any matter on which agreement would expedite the hearing and help secure the ends of justice. At this time, the accused shall give the investigator(s) the names of all persons providing legal assistance, including retained counsel, if any. Additionally, the accused shall have an opportunity to review, prior to the hearing, the information to be presented against the accused at the hearing.
- 3.14 At the hearing, one of the faculty member investigators shall present the evidence to the Honor Code Committee. The investigator shall call the witnesses, present the evidence, and cross-examine witnesses called by the accused. The investigator(s) may, after consultation with the Chancellor, obtain the assistance of a member of the Louisiana State Bar Association to conduct the hearing. This should only be done in those cases where it is necessary for the orderly administration of justice.

IV. HEARING

- 4.1 The hearing shall be closed to the public.
- 4.2 The hearing shall be conducted with as much informality as is consistent with the purpose of the inquiry. Formal rules of evidence and procedure shall not apply.
- 4.3 When conducting a defense, the accused shall have the right to the assistance of any person, including retained counsel. The accused shall further have the right to confront the accuser and witnesses and to cross-examine these persons. The accused shall be afforded the right to remain silent, and no adverse inference shall be drawn therefrom. The accused shall be presumed innocent until proven guilty.
- 4.4 Should the accused—after notification of the charges and date, time, and location of the hearing—willfully fail to appear at the hearing, the Honor Code Committee may proceed in the accused’s absence. In such cases, the accused shall be deemed to have waived the right to present a defense to the charges, but this shall not be the equivalent of a guilty plea.
- 4.5 The preceding shall be bifurcated to determine: a) the guilt or innocence of the accused; and b) the sanctions to be imposed.
- 4.6 The Chair shall arrange for the hearing to be recorded in its entirety on the request of the accused. However, the preceding shall not be delayed pending receipt of the transcript.
- 4.7 The suggested order of this hearing shall be:
 1. Reading of the charge(s) against the accused.
 2. The accused’s plea of guilty or not guilty. If the plea is guilty, steps 3 through 11 shall be omitted.
 3. A general statement of facts and evidence by the investigator(s).
 4. A reply, if desired, by the accused, his counsel, or anyone assisting the accused with his defense.
 5. A presentation of the evidence by the investigators. The accused shall be allowed to cross-examine any witnesses presented by the investigators. After the accused and investigators have completed their questions, the Honor Code Committee members may ask witnesses questions.
 6. The presentation of any evidence that the accused desires to bring to the attention of the committee, including witnesses. The investigators and the Committee have the right to cross-examine and question the witnesses as above.
 7. At the discretion of the Chair, the investigators may be given the opportunity to present evidence, including recall of previous witnesses.
 8. The investigator’s summation of the evidence.

9. A reply, if desired by the accused, his counsel, or anyone assisting the accused with his defense.
 10. Secret deliberations of the Honor Code Committee on the question of guilt or innocence of the accused
 11. Announcement of the verdict of the Committee. The verdict shall be “guilty” or “not guilty.”
 12. If the verdict is guilty or the accused has entered a plea of guilty, he shall be allowed to make a statement or to present evidence to the Committee relating to mitigating circumstances. In so doing, the procedures of section 5 and 6 are to be followed with the accused presenting evidence first and the investigator following.
 13. The accused may make a final statement to the Committee.
 14. The Committee shall, in secret session, determine the appropriate sanction.
 15. The secrecy provided herein shall not extend to court proceedings.
- 4.8 At least six of the eight Committee members participating in the hearing shall concur in a verdict of guilty. If only seven members of the Committee are participating in the hearing, then five out of seven must concur in a verdict of guilty. If after sufficient deliberation a guilty verdict has not been reached, the verdict shall be “not guilty,” or the Committee may require further investigation.
 - 4.9 Any sanction, from oral admonition to expulsion from the Law Center, may be selected. The sanction must be approved by a majority of the Committee members participating in the hearing.
 - 4.10 Once a decision is reached, the Committee shall notify the accused of the sanction as soon as possible.
 - 4.11 Within a reasonable time after the completion of the hearing, the Committee shall submit to the Chancellor of the Law Center a written opinion and the physical evidence introduced at the hearing.
 - 4.12 If the verdict is “guilty,” the Chair shall ensure that the record of the hearing is retained for one year after the final decision is reached. It shall be dated and placed in the safe in the Office of Records and Registration. If a decision of not guilty is reached, the record shall be destroyed after one year from the date of the decision.

V. SANCTIONS

- 5.1 Sanctions other than oral admonition by the Honor Code Committee may be implemented only by action of the Chancellor. Oral admonition may be implemented by the Honor Code Committee subject to the provisions of 5.2 below.
- 5.2 Sanctions that may be determined by the Honor Code Committee include, but are not limited to, one or more of the following, which are set forth in descending order of severity:

1. expulsion from the Law Center;
2. suspension from the Law Center for one or more semesters;
3. a grade of “F” in any course to which the offense pertains;
4. withdrawal of credit in the course;
5. lowering of grade in any course to which the offense pertains;
6. suspension from one or more courses for any period of suspension from the Law Center for less than a semester;
7. a retake of an examination in the course or the doing or repetition of any work, less than the entire course, subject to any conditions established by the Committee;
8. probation;
9. a written reprimand; or
10. admonition, either oral or written.

VI. APPEAL

- 6.1 A verdict of “not guilty” is final and not reviewable.
- 6.2 A verdict of “guilty” may be appealed to the Chancellor of the Law Center within 48 hours of receipt of the decision and sanction by the accused, excluding weekends and holidays.
- 6.3 The Chancellor may approve the Committee’s findings or may order a reconsideration by the Committee.
- 6.4 The Committee’s findings, both as to guilt and sanction, shall become final when approved by the Chancellor.

VII. MISCELLANEOUS PROVISIONS

- 7.1 Words and phrases are to be read in their context and are to be construed according to the common and approved usage of the language.
- 7.2 The word “shall” is mandatory; the word “may” is permissive.
- 7.3 These rules, together with the Honor Code, shall be effective from the date on which they are ratified by: 1) a majority of the members voting at a student vote called for this occasion; 2) the Chancellor of the Law Center; and 3) the faculty of the Law Center. Amendments hereto and to the Honor Code shall be effective once they are similarly approved.

VIII. EXCLUSIONS

8.1 Nothing contained herein shall preclude:

- a) the administration, law faculty, or individual instructors from establishing and enforcing rules pertaining to the administration of exams, the promotion of academic performance, or the maintenance of classroom decorum;
- b) the establishment and enforcement by the individual instructor of rules pertaining to the methodology used in the classroom; and
- c) the use of authority by the instructor to do those things believed to be necessary to fulfill responsibility in the classroom, including devices to promote effective class participation, to prevent disturbance of the classroom situation, and to ensure punctuality as well as regular class attendance.

To report a violation of the Law Center Academic Honor Code, please visit “Report an Incident” on the SULC website under “Student Services.”

SOUTHERN UNIVERSITY LAW CENTER
NON-ACADEMIC CODE OF STUDENT CONDUCT

(Updated September 2020)

I. JURISDICTION

- 1.1 A student admitted to Southern University Law Center accepts the responsibility to conform to all regulations that the Law Center and University may publish. Any student who fails to meet this obligation shall be subject to disciplinary sanctions as may be provided for that include—but are not limited to—expulsion, suspension, probation, warning, or the imposition of reasonable fines.
- 1.2 This Code covers any inappropriate student conduct that is not academic as defined in the Honor Code and that is not covered under the Title IX Uniform Policy.
- 1.3 Sanctions imposed under this Code shall be Law Center sanctions exclusively. No university sanction shall be imposed hereunder.

II. ORGANIZATION

- 2.1 The Code of Student Conduct shall be administered by the Non-Academic Code of Student Conduct Judiciary Committee (hereinafter “Judiciary Committee”) of the Law Center.
- 2.2 The Judiciary Committee shall have initial jurisdiction to hear all disciplinary actions except violations of the Academic Honor Code and the Title IX Uniform Policy. The Committee shall consist of a) four faculty members; b) an administrator other than the Vice Chancellor for Student Affairs; and c) one student member. The faculty members and administrator shall be appointed by the Chancellor of the Law Center, and the student member shall be appointed by the Student Bar Association President.
- 2.3 The Appeals Board shall be appointed to review decisions of the Judiciary Committee. The Appeals Board shall consist of five members: a) two faculty members; b) one administrator other than the Vice Chancellor for Student Affairs; c) one student; and d) one member who is either a faculty member, student, or administrator. The faculty members and administrator shall be appointed by the Chancellor, and the student member shall be appointed by the Student Bar Association President.
- 2.4 To constitute a quorum, five of the six members of the Judiciary Committee must be present and participate.
- 2.5 The Chancellor shall appoint a Chair of the Judiciary Committee from its membership.

- 2.6 There shall also be an Investigatory Committee, which conducts investigations of alleged violations of the Law Center's Honor Code and Code of Student Conduct. The Investigatory Committee is composed of seven members, including four faculty members appointed by the Chancellor and three students appointed by the Student Bar Association President. The Chancellor shall appoint a Chair of the Investigatory Committee from its membership, who shall apportion the investigations among the members of the committee.

III. INITIATION OF PROCEEDINGS

- 3.1 Proceedings under this Code shall be instituted by submitting to the Vice Chancellor for Student Affairs a written statement by any student, faculty member, staff member, or the Chancellor alleging that he or she has reason to believe that a violation of the Code of Student Conduct has occurred.
- 3.2 A violation must be reported within 30 days of when the alleged conduct occurred unless it was a violation undiscoverable until a later date. In the latter case, the report must be filed within 30 days of when the alleged conduct was discovered. In no case shall prosecutions under this Code be commenced if these time limitations are not strictly observed.
- 3.3 The Vice Chancellor for Student Affairs shall review the allegations to determine whether there is reason to believe that a violation of the Code of Student Conduct has occurred. The review may include interviewing the accused, the complainant, and/or other witnesses to the alleged conduct.
- 3.4 While meeting with the accused, the Vice Chancellor for Student Affairs shall advise the student of his rights, provide a copy of these procedures, and advise the student of his right to have the matter handled administratively through the Vice Chancellor for Student Affairs in lieu of a hearing. The student must be made aware of all rights the student gives up if he elects to have the matter handled administratively through the Vice Chancellor for Student Affairs and must sign a form waiving such rights if he chooses to do so.
- 3.5 If, following a screening of the allegations, the Vice Chancellor for Student Affairs finds that there is reason to believe that a violation of the Code of Student Conduct has taken place, then written notice is provided to the Chair of the Law Center's Investigatory Committee of that finding, along with a request to conduct an investigation into the matter. The Vice Chancellor for Student Affairs shall forward to the Investigatory Committee any preliminary evidence received from any of the parties involved while screening the case.
- 3.6 The Vice Chancellor for Student Affairs notifies the accused student in writing that the matter has been referred to the Investigatory Committee and also notifies the Chancellor of all matters referred to the Investigatory Committee for investigative procedures.

- 3.7 The Chair of the Investigatory Committee shall appoint one or more investigators to conduct an investigation of the alleged violation to determine if there is probable cause sufficient to warrant a hearing. The Chair shall be given the principal responsibility of the investigation with whatever assistance is deemed necessary.
- 3.8 Every effort should be made to divide responsibilities of the investigation among the members of the Investigatory Committee to ensure a thorough and prompt investigation and to avoid overburdening one member of the committee.
- 3.9 An investigation of an accused student may consist of interviewing the complainant, the accused, and/or other witnesses identified by the complainant or accused; taking any necessary statements from any witnesses; or obtaining any other available evidence of the offense, including emails, text messages, documents, physical evidence, or otherwise.
- 3.10 If, following a review of the evidence obtained during the investigation, the Investigatory Committee finds probable cause that a violation of the Code of Student Conduct has occurred, it shall, within a reasonable time from receipt of the complaint, prepare a “charging statement” to provide to the accused. The charging statement is written notice to the accused, which includes: 1) the date and nature of the alleged offense; 2) the specific provision of Part VIII of the Code of Student Conduct for which probable cause was found; and 3) a brief summary of the evidence supporting the charge. In addition, the accused shall be given a copy of these rules of procedure. The Chair of the Investigatory Committee shall also notify the Vice Chancellor for Student Affairs of its findings and forward a copy of the charging statement to him.
- 3.11 The investigator(s) shall contact the Chancellor of the Law Center to inform the Chancellor of the charge as soon as probable cause has been determined. The Chancellor and the investigator shall hold a preliminary meeting if: a) there is a need for immediate temporary action by the Chancellor pending the holding of a hearing; or b) there are questions of law on which the investigators desire the Chancellor’s advice.
- 3.12 The Chair of the Investigatory Committee then shall coordinate with the Chair of the Judiciary Committee and the accused student to set a date and time for the hearing. Written notice of the date, time, and place of the hearing shall be given to the accused by the Chair of the Investigatory Committee. The notice should also include the documents to be presented and witnesses to be heard in the case.
- 3.13 The hearing shall commence not less than five nor more than 15 days, exclusive of examination periods, from the date on which notice is given to the accused. By mutual agreement, the Judiciary Committee, the investigator(s), and the accused may postpone the hearing for a reasonable period beyond the above limits.

- 3.14 The investigator(s) shall contact the accused at least two days before the hearing to receive the accused's plea of "guilty" or "not guilty" and to discuss any matter on which agreement would expedite the hearing and help secure the ends of justice. At this time, the accused shall give the investigator(s) the names of all persons providing legal assistance, including retained counsel, if any. Additionally, the accused shall have an opportunity to review, before the hearing, the information to be presented against the accused at the hearing.
- 3.15 At the hearing, one of the faculty member investigators shall present the evidence to the Judiciary Committee. This investigator shall call the witnesses, present the evidence, and cross-examine witnesses called by the accused. The investigator(s) may, after consultation with the Chancellor, obtain the assistance of a member of the Louisiana State Bar Association to conduct the hearing. This should only be done in those cases where it is necessary for the orderly administration of justice.

IV. HEARING

- 4.1 The hearing shall be closed to the public.
- 4.2 The hearing shall be conducted with as much informality as is consistent with the purpose of the inquiry. Formal rules of evidence and procedure shall not apply.
- 4.3 The accused, in conducting a defense, shall have an opportunity to speak in his own defense and the right to present his version of the facts through oral and written statement, including statements of witnesses. In conducting a defense, the accused shall have the right to the assistance of any person, including retained counsel. However, neither the legal counsel nor the advisor shall be permitted to speak except at the request of the Judiciary Committee.
- 4.4 The accused shall further have the right to confront the accuser and the witnesses and to cross-examine these persons. The accused shall be afforded the right to remain silent, and no adverse inference shall be drawn therefrom. The accused shall be presumed innocent until proven guilty.
- 4.5 Should the accused, after notification of the charges and date, time, and location of the hearing, willfully fail to appear at the hearing, the Judiciary Committee may proceed in the accused's absence. In such cases, the accused shall be deemed to have waived the right to present a defense to the charges, but this shall not be equivalent of a guilty plea.
- 4.6 The preceding shall be bifurcated to determine: a) the guilt or innocence of the accused; and b) the sanctions to be imposed.
- 4.7 The Chair shall arrange for the hearing to be recorded in its entirety on the request of the accused. However, the preceding shall not be delayed pending receipt of the transcript.

- 4.8 The suggested order of this hearing shall be:
1. Reading of the charge(s) against the accused.
 2. The accused's plea of "guilty" or "not guilty." If the plea is "guilty," steps 3 through 11 shall be omitted.
 3. A general statement of facts and evidence by the investigator(s).
 4. A reply, if desired, by the accused.
 5. A presentation of the evidence by the investigators. The accused shall be allowed to cross-examine any witnesses presented by the investigators. After the accused and investigators have completed their questions, the Judiciary Committee members may ask questions.
 6. The presentation of any evidence, including witnesses, that the accused desires to bring to the attention of the committee. The investigators and the committee have the right to cross-examine or question the witnesses as above.
 7. At the discretion of the Chair, the investigators may be given the opportunity to present evidence, including recall of previous witnesses.
 8. The investigator's summation of the evidence.
 9. A reply, if desired by the accused.
 10. Secret deliberations of the Judiciary Committee on the question of guilt or innocence of the accused.
 11. Announcement of the verdict of the Committee. The verdict shall be "guilty" or "not guilty."
 12. If the verdict is "guilty" or the accused has entered a plea of "guilty," the accused shall be allowed to make a statement or present evidence to the committee relating to mitigating circumstances. In so doing, the procedures of section 5 and 6 are to be followed, with the accused presenting evidence first and the investigator following.
 13. The accused may make a final statement to the Committee.
 14. The Committee shall, in secret session, determine the appropriate sanction.
 15. The secrecy provided herein shall not extend to court proceedings.
- 4.9 At least five of the six committee members participating in the hearing shall concur in a verdict of guilty. If only five members of the committee are participating in the hearing, then four out of five members of the committee must concur in a verdict of "guilty." If after sufficient deliberation a "guilty" verdict has not been reached, the verdict shall be "not guilty," or the committee may require further investigation.

- 4.10 The committee may select any sanction, from oral admonition to expulsion from the Law Center. The sanction must be approved by a majority of the committee members participating in the hearing.
- 4.11 The committee shall notify the accused of the decision and sanction within 72 hours of the close of the evidence, exclusive of holidays and weekends, unless exceptional circumstances require a longer period of time.
- 4.12 Within a reasonable time after the completion of the hearing, excluding weekends and holidays, the committee shall submit to the Chancellor of the Law Center a written opinion and the physical evidence introduced at the hearing.
- 4.13 The accused shall be provided a written statement of the findings of fact, which shall be determined and based solely on what was presented at the hearing.
- 4.14 If the verdict is “guilty,” the Chair shall ensure that the record of the hearing is retained for one year after the final decision is reached. It shall be dated and placed in the safe in the Office of Records and Registration. If a decision of “not guilty” is reached, the record shall be destroyed after one year from the date of the decision.

V. SANCTIONS

5.1 Disciplinary Warnings

An official notification to the student that his behavior has been unacceptable. Any further misconduct will result in the imposition of a greater sanction. This sanction is a part of the official record, but is removed at the time the student completes the requirements for graduation.

5.2 Disciplinary Probation

An indication to a student that the student’s behavior has resulted in a sanction extremely close to suspension. The probation is imposed for a defined period of time. Any further misconduct while on disciplinary probation will result in suspension from the Law Center.

5.3 Disciplinary Suspension

Student is prohibited from taking courses at the Law Center (including remotely) and from being present without permission on the property of the Law Center or on any campus of Southern University for the duration of the sanction. The sanction shall not exceed a period of more than two full semesters following the effective date of suspension.

If required by the sanction, students who have been suspended must petition for reenrollment through the Law Center Judiciary Committee.

5.4 Disciplinary Withdrawal

The student is given the privilege of withdrawing from the Law Center under extenuating circumstances. Conditions may be established for readmission at the time of withdrawal.

5.5 Disciplinary Expulsion

The student is prohibited from ever enrolling as a student at the Law Center and from being present without permission on the property of the Law Center or any campus of Southern University.

5.6 Other Sanctions

The Law Center Judiciary Committee may impose any other appropriate sanction. These may include, but are not limited to, restriction of student privileges, restriction of right of access to campus facilities, or paying restitution to pay for damage to Law Center or University property.

A greater or less than specified sanction for a given code category may be imposed by the Judiciary Committee.

5.7 Statement of Concern

Faculty and staff members may issue a statement of concern to a student for violation of Code Three Offenses. Such statement shall be placed in the student's official disciplinary file and may be a basis for further disciplinary referrals. The Statement of Concern is removed at the time the student completes the requirements for graduation.

VI. APPEAL

- 6.1 A student shall be granted an opportunity to petition for an appeal to the Appeals Board. The petition shall be filed with the Vice Chancellor for Student Affairs within 48 hours after notification of the Judiciary Committee's decision on the student's case. The Vice Chancellor for Student Affairs shall immediately forward the petition to the Appeals Board.
- 6.2 The Appeals Board shall determine whether the student shall be granted an appeal hearing based on sufficient reason(s) indicated in the written opinion. Sufficient reason(s) shall be new evidence, discrepancies in the judicial procedure, and/or inappropriate sanctions or unfairness.
- 6.3 Appeals Board members appointed by the Chancellor cannot be persons who served on the Judiciary Committee during the hearing in that case. The Appeals Board shall, by majority vote, grant a hearing or deny the appeal. If the hearing is granted, the appeal may be: 1) denied, upholding the sanction; 2) granted, and a new hearing ordered; or 3) granted, and the sanction changed.
- 6.4 The Board is limited to ordering a new hearing to the extent that in its judgment, a defect in the original hearing is found that was sufficiently substantial to have changed the outcome in a significant manner.
- 6.5 If an appeal is granted by the Appeals Board, the procedures shall be as follows:
 1. Once the written appeal has been granted, an appeal hearing shall be held within the next seven days at a time that is convenient to both the student and the Appeals Board.

2. An official record of the appeal hearing shall be kept by the Vice Chancellor for Student Affairs.
 3. The student may be represented by a member of the Law Center Community, the student's parents, or by legal counsel. However, the student's representative(s) shall not be permitted to speak except at the request of the Appeals Board.
 4. The student may present all reasonable new evidence or arguments to show the merits of his appeal, but such evidence shall not be considered as requiring a new judiciary hearing unless it shows that the members of the Judiciary Committee were unreasonable in their judgment as to procedural fairness or sanction imposed. In this event, the Appeals Board can grant a new hearing.
 5. The Chair of the Appeals Board shall determine the procedures of the appeal hearing and preserve its order of operation. The Chair shall ask the Chair of the Judiciary Committee to provide all pertinent information requested.
 6. The Appeals Board shall make its recommendation known to the Vice Chancellor for Student Affairs, who has the option of approval or disapproval. If the Vice Chancellor for Student Affairs is the accuser, or otherwise has a conflict of interest in the case, the Appeals Board shall make its recommendation to the Chancellor of the Law Center.
 7. The Vice Chancellor for Student Affairs shall notify the student and the Chair of the Judiciary Committee of the decision within three days.
- 6.6 The decision of the Vice Chancellor for Student Affairs is usually final. Under extremely unusual circumstances, however, an additional appeal of disciplinary action may be made to the Chancellor of the Law Center. The Chancellor's decision may be appealed to the University President and then to the Board of Supervisors. Any appeal beyond the Appeals Board shall be made in writing only, unless otherwise directed by the Chancellor, University President, or Chairman of the Board of Supervisors.

VII. INTERIM OR EMERGENCY SUSPENSION

- 7.1 The Law Center shall invoke this policy when officials are faced with an immediate situation where the facts indicate that a student's continued presence on campus constitutes a clear and convincing danger to the normal function of the Law Center, to property, to others, or to the student's own self. In such situations, as supported by case law, the Law Center shall suspend the student immediately on an emergency basis.
- 7.2 The suspended student shall have the right to appeal the case immediately until a regular hearing can be held.

VIII. CODE OF OFFENSES

8.1 CODE ONE OFFENSES — A student found to have violated any of the following regulations may be subject to maximum sanction of expulsion.

1. **Dishonesty.** Knowingly furnishing, with intent to deceive or gain an unfair advantage, (a) false information by forgery, alteration, or misuse of any documents or records relied on by University or Law Center officials; (b) a written or oral statement known to be false; (c) false identification.
2. **Violation of Probation.** Violation of the terms of disciplinary probation imposed by the Law Center’s Judiciary Committee after being found guilty of violating a provision of this Code, while such probation is in effect.
3. **Repeated Offenses.** Violation of two or more Code Two offenses or repetition within two semesters of any offenses included in Code Two.
4. **Disruption/Obstruction.** (a) Knowingly and intentionally obstructing or interfering with the orderly conduct of Law Center or University affairs including teaching, research, administration, disciplinary proceedings, or any Law Center or University activities on Law Center or University-owned or controlled property; (b) intentionally obstructing the free flow of pedestrian or vehicle traffic on University-owned or controlled property; (c) intentionally throwing any object on the competing surface of an athletic event; (d) disturbing the peace and good order of the University with disruptive music at a high level, hampering an atmosphere conducive to teaching, learning, and conducting research.
5. **Intentional Bodily Harm.** Menacing. (a) Intentionally inflicting bodily harm on any person on Law Center or University-owned or controlled property; (b) intentionally taking action for the purpose of inflicting bodily harm on the person; (c) taking any action with reckless disregard that bodily harm could result upon any person; (d) threatening to use force to inflict bodily harm on any person on Law Center or University-owned or controlled property (for example, knowingly causing a person to believe that the offender will cause serious physical harm to one or one’s property).
6. **Intentional Destruction of Property.** Intentionally damaging, destroying, or defacing Law Center or University property or the property of any person while on Law Center or University-owned or controlled property.
7. **Theft.** Theft of Law Center or University-owned property or of the property of a member of the Law Center or University, when such act constitutes a criminal felony.
8. **Possession of Stolen Property.** Knowingly possessing property that may be identified as being stolen from the Law Center or University or from any other person or agency, when such act constitutes a criminal felony.

9. **Forcible Entry.** Forcibly breaking or entering any room, office, building, structure, or facility on Law Center or University-owned or controlled property.
10. **Hazing.** The intentional, knowing, or reckless act, occurring on or off Law Center or University property, by one person alone or acting with others, directed against an individual when both of the following apply: a) the person knew or should have known that such an act endangers the physical health or safety of the other person or causes severe emotional distress; and b) the act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. The sanction imposed for violation of this policy shall apply to individuals, student organizations, or both.
11. **Possession of Dangerous Weapon.** (a) Unauthorized possession or keeping of a firearm of any description, including such weapons as compressed air-guns, pellet guns, BB guns, or illegal knives on Law Center or University property; (b) unauthorized possession or keeping of any dangerous chemicals or explosive devices of any description on Law Center or University property.
12. **Manufacture, Distribution, or Sale of Drugs, Narcotics, or Marijuana.** The manufacture, distribution, or sale of any illegal drug or narcotic, including, but not limited to, barbiturates, hallucinogens, marijuana, and amphetamines.
13. **Possession of Drugs, Narcotics, Marijuana.** (1) Illegal possession or unauthorized use of drugs or use of any illegal drug or narcotic, including, but not limited to, barbiturates, hallucinogens, amphetamines, cocaine, opium, and heroin. (2) Possession of marijuana and/or hashish when such possession would constitute a criminal felony.
14. **Violation of Federal, State or Local Law.** (a) Violating a city, state, or federal law that demonstrates the student poses a potential threat or danger to the Law Center or University or toward a member of the Law Center or University; or (b) conviction for either a felony or repeated criminal misdemeanors.
15. **Trespassing.** Unauthorized entry into or use of Law Center or University buildings and grounds.
16. **Aiding and Abetting.** Conspiring with or knowingly helping, procuring, or encouraging another person to engage in the violation of a Code One offense.

8.2 CODE TWO OFFENSES — A student found guilty of any of the following acts may be subject to the maximum sanction of disciplinary suspension.

1. **Off-Campus Incidents Resulting in On-Campus Hearing.** Commission of illegal acts off-campus or conviction of crimes against criminal or civil law.
2. **Negligent Bodily Harm.** Failure to exercise reasonable care, thereby creating a substantial risk of serious bodily harm to another.
3. **Negligent Destruction of Property.** Failure to exercise reasonable care, thereby damaging, defacing, or destroying property of the Law Center or University or of any person on Law Center or University-owned or controlled property.
4. **Unauthorized Use of Property.** The unauthorized use of Law Center or University-owned or controlled property.
5. **Repeated Offenses.** Violation of two or more related Code Three offenses or repetition within two semesters of any offense included in Code Three.
6. **Theft.** Theft of property of the Law Center or University; property of any member of the Law Center or University community; or property of a visitor to the Law Center or University, when such act constitutes a criminal misdemeanor.
7. **Disturbing the Peace.** Disturbing the peace and good order of the Law Center or University by quarreling, being intoxicated in public, fighting, or playing loud music.
8. **Possession of Stolen Property.** Knowingly being in possession of property stolen from the Law Center or University or from any other person or agency that may be identified, where such act constitutes a misdemeanor in a criminal court as defined by Louisiana law.
9. **Failure to Comply.** (a) Failure to comply with directions of university police or any other law-enforcement officers acting in performance of their duties; (b) failure to comply with the directions, order, policy, or procedure of the Law Center or University officials acting in the performance of their duties, when such order, directions, policy, or procedure is designed to prevent harm to Law Center or University property or to a member(s) of the Law Center or University Community, or otherwise implemented for the well-being of the general student body or in furtherance of the program of legal education.
10. **Unauthorized Use of Law Center or University Keys.** (a) Making, or causing to be made, unauthorized use of any key or keys issued for any building, laboratory, facility, or room on Law Center or University premises.

11. **Misuse of Identification.** Transferring, lending, borrowing, altering, or otherwise misusing a student ID card.
12. **Misuse of University Telephone.** Charging any long-distance telephone call to any telephone on Law Center or University premises without proper authorization.
13. **Aiding and Abetting.** Conspiring with, helping, procuring, or encouraging another person to engage in the violation of a Code Two offense.
14. **Willful Indecent Exposure.** Willful indecent exposure, including, but not limited to, exhibitionism and streaking by a person in a place where there are other persons likely to be offended or is likely to suffer emotional harm.

8.3 CODE THREE OFFENSES — A student found guilty of any of the following acts may be subject to the maximum sanction of disciplinary suspension.

1. **Possession of Marijuana.** Possession of marijuana and/or hashish, when such possession would constitute a misdemeanor under Louisiana law.
2. **Unauthorized Use of Alcoholic Beverages.** (a) Possession or consumption of alcoholic beverages in any form on Law Center or University-owned or controlled property, except where authorized by Law Center or University Officials; (b) failure to comply with state and/or university regulations regarding the use and sale of beer and/or intoxicating liquors on Law Center or University-owned or controlled property; or (c) disorderly conduct resulting from the illegal use or the abuse of alcoholic beverages.
3. **Unauthorized Use of Tobacco Products.** Smoking or use of tobacco of any kind on Law Center or University-owned or controlled property—including internal or external areas, parking lots, entrances or exits—or in one’s own vehicle when the vehicle is parked on Law Center or University-owned or controlled property.
4. **Possession and/or Use of Fireworks.** Possession or use of fireworks of any description on Law Center or University premises.
5. **Gambling.** Illegal or unauthorized gambling at any time in any form on Law Center or University-owned or controlled property.
6. **Aiding and Abetting.** Conspiring with helping, procuring, or encouraging another person to engage in the violation of a Code Three Offenses.
7. **Unauthorized Use of Loudspeakers.** Use of loudspeakers on Law Center or University-owned or controlled property without prior approval of the appropriate officials.
8. **Illegal Registration of Automobiles.** Registering an automobile for any first-year student residing in an on-campus housing who has not been authorized to operate a vehicle on campus.

9. **Failure to Supplement Character and Fitness.** Failure of a student to report any information that could reasonably be expected to be relevant to assessing the student’s character and fitness to practice law, in accordance with Law Center policy, including any citations, summons, arrests, or criminal charges or convictions brought against the student while attending the Law Center; or any disciplinary action taken against the student by any government or administrative agency, including armed forces, whether or not the conduct results in an arrest or conviction.
10. **Use of Profanity.** Engaging in abusive, vulgar, or profane language when such language is directed toward a Law Center or University official acting in the performance of their duties.
11. **Abuse of Network or Technology Resources.** Intentionally engaging in conduct that materially alters, damages, or deletes Law Center or University-owned computers, software, or Network, without authority from the appropriate Law Center or University official. Such conduct may include, but is not limited to, using the network to engage in illegal activity, hacking/cracking or accessing accounts and files of others, creating or propagating computer viruses, or downloading or exchanging pirated or illegally obtained software on Law Center or University-owned computers or Network.

To report a violation of the Law Center Non-Academic Code of Student Conduct, please visit “Report an Incident” on the SULC website under “Student Services.”

HAZING PREVENTION POLICY

(The full Hazing Prevention Policy, Hazing Prevention Handbook, and Hazing Report Forms are located on the Law Center website on the Policy Page.)

PROHIBITION AGAINST HAZING

The Southern University Law Center (“Law Center”) strictly prohibits hazing in all forms. The Law Center is committed to providing a supportive educational environment free from hazing, and one that promotes its students’ mental and physical well-being, safety, and respect for one’s self and others. To this end, the Law Center has implemented policies and procedures in compliance with this policy and shall take prompt and appropriate action to investigate and effectively discipline those accused of such conduct in a manner consistent with all applicable laws.

DEFINITIONS (LA. R.S. 17:1801)

- A. Hazing** is defined as the intentional, knowing, or reckless act, occurring on or off University property, by one person alone or acting with others, directed against an individual when both of the following apply:
- i. the person knew or should have known that such an act endangers the physical health or safety of the other person or causes severe emotional distress; and
 - ii. the act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.
1. Consent is not a defense.
 2. Hazing includes, but is not limited to, any of the following acts associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization:
 - i. physical brutality (such as whipping, beating, paddling, striking, branding, electric shocking, or placing of a harmful substance on the body) or similar activity;
 - ii. physical activity (such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics) that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress;
 - iii. activity involving consumption of food, liquid, or any other substance, including but not limited to an alcoholic beverage or drug, that subjects the individual to an unreasonable risk of harm that adversely affects the physical health or safety of the individual or causes severe emotional distress;
 - iv. activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

- B. Organization** is a fraternity, sorority, association, corporation, order, society, corps, cooperative, club service group, social group, or similar group whose members are primarily students at, or former students of, Southern University Law Center, including the national or parent organization of which any of the underlying entities provided for in this definition is sanctioned or recognized member at the time of the hazing.
- C. Pledging** is any action or activity related to becoming a member of an organization, including recruitment and rushing.
- D. Reckless behavior** is an activity or behavior in which a reasonable person knew or reasonably should have known that the activity or behavior may result in injury to another, including, but not limited to, excessive consumption of alcohol, binge drinking, drag racing, consumption of any controlled dangerous substance, acts of hazing, or other similar activity.
- E. Serious bodily injury** is bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, death, or a substantial risk of death.

HAZING EDUCATION REQUIREMENTS

- A. Each new student shall be provided educational information on the dangers of and prohibition on hazing during the new student orientation process in the form of a handbook.
- B. In addition to the requirement of providing educational information in the form of a handbook as provided in the previous paragraph, beginning in the Fall semester of 2019, each new student shall be provided educational information on the dangers of and prohibition of hazing during the new student orientation process either in person or electronically.
- C. Each organization as defined above in this Policy and in La. R. S. 17:1801.1 shall provide annually at least one hour of hazing prevention education to all members and prospective members. The education may be provided in person, electronically, or both. Each organization shall submit a report annually to the Office of the Vice Chancellor for Student Affairs relative to the students receiving such education evidenced by attestations of the students receiving the education.
- D. The hazing prevention education required under the provisions above shall include the information about criminal penalties for the crime of criminal hazing. Information shall also be provided to organizations on their obligations under the law, including the duty to investigate and report, and on the possible loss of funding and other penalties applicable to organizations under Hazing Laws.

THE DUTY TO ASSIST

- A. In accordance with La. R.S. 14:502(A)(1), any person at the scene of an emergency who knows that another person has suffered serious bodily injury shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the

injured person by seeking or reporting the need for medical assistance from the appropriate authority.

- B. In accordance with La. R.S. 14:502(A)(2), any person who engages in reckless behavior, including hazing, that results in serious bodily injury shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the injured person by seeking or reporting the need for medical assistance from an appropriate authority.

DUTY TO REPORT

- A. All campus organizations and institution officials are required to report any allegations that involves the commission of an act or acts of hazing to law enforcement as soon as practicable under the circumstances, and with all details known to the organizations or institutions with “no redactions,” including names of all individuals alleged to have committed the act or acts of hazing.
- B. Any institution that receives a report alleging the commission of an act or acts of hazing by one or more members of an organization that is organized and operating at the education institution shall report as soon as practicable under the circumstances, the alleged act or acts to the law enforcement agency having jurisdiction and the place where the allege act or acts of hazing occurred. The information reported to law enforcement as required law shall include all details received by the institution relative to the allege incident, with no information being redacted, including the name of all individuals alleged to have committed the act or acts of hazing. Failure to report could result in a maximum penalty of \$10,000 for violation of R.S. 14:40.8.
- C. Required Documentation: The information reported to law enforcement shall include all information and details received by the institution relative to the alleged incident, with no information being redacted, including the names of all individuals alleged to have committed the act or acts of hazing identified in the report. The institution shall also document, in writing, all actions taken with regard to the report including but not limited to the date the report was received, reports made to law enforcement as provided in R.S. 14:40.8, and any other information relative to the institution's investigation, processing, and resolution of the incident.
- D. All campuses and campus organizations shall utilize the standardized form developed by the Louisiana Board of Regents to report allegations of hazing. That form shall be immediately turned in to the SULC Office of Student Affairs. The Vice Chancellor for Student Affairs shall forward the form and all documents to the SU System Office of the General Counsel for submission to the Board of Regents.

HOW TO REPORT

You can report incidents of hazing by filling out the Uniform Hazing Incident Reporting Form found in the SULC Hazing Prevention Handbook and the SULC Student Affairs Office.

ORGANIZATION OBLIGATIONS

- A. Each organization shall provide annually at least one hour of hazing prevention education to all members and prospective members. The education may be provided in person, electronically, or both. Each organization shall submit a report annually to the University relative to the students receiving such education evidenced by an attestation of the student receiving the education.
- B. Organizations also have a duty to report incidents of hazing to the university, incidents in which the organization has taken disciplinary action against a member or potential member for hazing, as well as incidents in which a parent organization has disciplined a member for hazing.

CRIMINAL SANCTIONS

- A. Under La. R.S. 14:40.8, an individual who commits an act of hazing may be fined up to \$10,000 and/or imprisoned for up to five years.
- B. If an organization has knowledge of hazing and fails to report it to law enforcement, the organization may be fined up to \$10,000.
- C. In addition to criminal penalties, any individual or organization who violates La. R.S. 14:40.8 shall be expelled, suspended, or dismissed from the University.
- D. Under La. R.S. 14:502(C), failure to comply with the duty to give assistance may be punishable by a fine of up to \$2,000 and/or imprisonment for up to five years.

LAW CENTER SANCTIONS

Violation of the Law Center hazing policy can result in sanctions imposed under the Southern University Law Center Non-Academic Code of Student Conduct, which depending upon the circumstances surrounding the hazing incident, could result in expulsion from the Law Center.

WHO TO CONTACT FOR MORE INFORMATION

If you have questions about the SULC Hazing Prevention Policy, please contact the Office of Student Affairs at studentaffairs@sulc.edu.

GENDER BASED MISCONDUCT

The Southern University System is committed to fostering an environment in which all members of our campus community are safe, secure, and free from Sexual Misconduct of any form, including, but not limited to, Sexual Assault, Dating Violence, Domestic Violence, and Stalking. The University expects that all interpersonal relationships and interactions—especially those of an intimate nature—be grounded on mutual respect, open communication, and clear consent. Each student has the right to learn, and each employee has the right to work, in an environment free of prohibited sexual-based conduct.

Title IX of the U.S. Education Amendments of 1972 (“Title IX”) is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. SULC does not discriminate on the basis of sex in the education programs or activities that it operates, including admissions and employment.

Under Title IX, discrimination on the basis of sex can also include sexual harassment, which is defined as conduct on the basis of sex that satisfies one or more of the following:

1. an employee of the College conditioning the provision of education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
2. unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution’s education program or activity; or
3. sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), **in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.**

Such a report may be made at any time (including during non-business hours) by using the electronic mail address titleix@sulc.edu, by the online reporting system, or by mail to the office address listed for the Title IX Coordinator.

Power Based Violence (PBV)

The Southern University System is committed to fostering an environment in which all members of our campus community are safe, secure, and free from Power Based Violence (PBV). In 2021, the Louisiana Legislature set forth that any employee of the institution that witnesses an act of PBV or receives a report of PBV is required to report to the Title IX Coordinator and is considered a mandatory reporter under Louisiana law. **Any student that is employed as a Teacher’s Assistant (TA) is considered an employee for purposes of being a mandatory reporter.**

PBV is any form of interpersonal violence intended to control or intimidate another person through the assertion of power over the person and shall include the following:

1. dating violence;
2. domestic abuse and family violence;
3. nonconsensual observation of another person's sexuality without the other person's consent, including voyeurism, video voyeurism, nonconsensual disclosure of a private image, and peeping tom activities;
4. sexual assault;
5. sexual harassment;
6. stalking;
7. unlawful communications;
8. unwelcome sexual or sex or gender-based conduct that is (i) objectively offensive, (ii) has a discriminatory intent, and (iii) lacks a bona fide academic purpose.

For more information on Law Center Title IX policies and procedures or to report an incident, please visit <https://www.sulc.edu/page/title-ix-policies-procedures>.

STATEMENT REGARDING PRIVATE SOCIAL MEDIA USE IMPLICATING LAW CENTER INTERESTS

The Southern University Law Center fully supports its students' First Amendment rights, encouraging a full and robust discussion of all topics, both inside and outside of the Law Center. As the Supreme Court states in *Mahoney Area School District v. B.L.*, 594 U.S. ___, 7 (2021): “America’s . . . schools are the nurseries of democracy. Our representative democracy only works if we protect the ‘marketplace of ideas.’” However, as *Mahoney* affirms, a school *may* regulate some forms of speech, including speech that takes place outside the confines of campus or school-related activities, including the use of private social media accounts that may or may not be shared with other SULC students.

Under *Mahoney*, the Law Center may regulate “student speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others” (*Mahoney*, 594 U.S. at 5). In other words, like other inappropriate conduct that occurs off campus, certain private social media use could violate the Law Center’s Honor Code or Code of Student Conduct, subjecting the student to potential sanctions, including but not limited to suspension or expulsion. Such conduct may include speech that amounts to:

- severe bullying or harassment targeting particular individuals;
- threats aimed at other students, professors, instructors, administrators, or staff;
- failure to follow rules concerning class assignments, class discussions, paper writing, computer use, exam taking, or participation in other online school activities; and
- breaches of school security devices.

The administration does not intend to stifle robust, even painful discussions, but it cannot allow circumstances that intrude into and disrupt the Law Center’s learning environment. When using social media, be thoughtful of your content, even if just among friends.

Furthermore, as you prepare to enter a professional work environment, be mindful that many employers are now requiring access to applicants’ social media accounts or may surreptitiously monitor such accounts. Even if this is not the case, a number of people have been terminated from their employment when inflammatory posts have been made public. Thus, it is highly recommended that students thoroughly consider the consequences of all social media posts and other online activity prior to posting, particularly content that may be construed as inflammatory, bullying, or threatening.

**SELECT
ACADEMIC AFFAIRS
POLICIES AND PROCEDURES**

GRADING SCALE POLICY

The following grading scale is to be used in all SULC courses that are not designated pass/fail courses. If a course is designated a pass/fail course, then a student can only earn either a letter grade of “P” for passing the course or “F” for failing the course. In all other courses, the following grading scale is to be used.

A	4.0	96–100
A-	3.75	90–95
B+	3.50	87–89
B	3.00	83–86
B-	2.75	80–82
C+	2.50	77–79
C	2.00	73–76
C-	1.75	70–72
D+	1.50	67–69
D	1.00	63–66
D-	0.75	60–62
F	0.00	Below 60

GRADE DISTRIBUTION POLICY

The grade distribution listed below is mandatory for the following courses: Basic Civil Procedure, Civil Law Property, Common Law Property, Contracts I, Contracts II, Family Law, Obligations I, Obligations II, Torts I, and Torts II.

GRADE	RANGE
A, A-	0–10%
B, B+, B-	15–25%
C, C+, C-	25–50%
D, D+, D-	15–25%
F	0–15%

It is advisory for all other courses that are not clinical courses, practical courses, legal writing, legal research, independent research, workshops, seminars, and classes with less than 15 students.

The Vice Chancellor for Academic Affairs may approve a departure from this policy for good reasons.

COMPUTATION OF GRADE POINT AVERAGE

A student's GPA is computed by including grades earned in both the regular semesters (fall and spring) and summer sessions. If a student repeats a course, the grade earned in the course before it was repeated is included in calculating the student's cumulative grade point average. If the student repeats a course, the grade earned in the course prior to the course being repeated will not be used to calculate the grade point average in required courses.

If the student's GPA cannot be computed with certainty when these rules are applied, by reason of an instructor's failure to assign a grade on time, the GPA is computed tentatively by assuming that the outstanding grade is a "C." When the outstanding grade is supplied, these rules apply retroactively, and action taken on the stated assumption yields to that application. The tentative determination of GPA under this paragraph will not be used in determining the student's eligibility to receive scholarships or to graduate.

GRADUATION POLICY

For graduation, there must be satisfactory completion of at least 90 semester hours of professional courses, including required courses, earning a 2.0 cumulative grade point average. As such, any student successfully completing a minimum of 90 credit hours of professional courses, including required courses, earning a minimum 2.0 cumulative grade point average and earning a minimum 2.0 grade point average in required courses may graduate.

The faculty has discretion to relax the requirement of a minimal grade point average of 2.0 in required courses in exceptional cases, on such conditions as it deems appropriate, including the requirement of further study and repetition of designated courses. A student unable to graduate under this policy may petition the faculty for permission to remain enrolled until the student's graduation is approved.

PROCEDURE FOR ANONYMOUS GRADING SYSTEM

1. The Law Center utilizes ExamSoft for students to take final examinations in an anonymous fashion. The student's identity is obscured by a special number—a personal identification number (PIN)—that is auto-generated and loaded into the ExamSoft system.
2. A student, however, does not need to know the PIN when taking final examinations.
3. When grading exams within ExamSoft, the instructor/professor sees the PINs rather than the names of students.
4. Professors submit final grades for students in a course by PIN to the Records and Registration Department.
5. After a series of reviews, the Records and Registration Department will post grades into the student information system (Banner) for access by students.

6. If a student wishes to review course exam answers and grading with an instructor/professor, the student shall contact the Records and Registration Department to request their PIN.
7. The student may then contact their course instructor/professor, provide the PIN, and request a review of the exam.

ADMINISTRATION OF FINAL EXAMINATION POLICY

1. Final examinations will be administered pursuant to procedures/guidelines that will be published by the Office of Academic Affairs at the beginning of each academic term (Fall, Spring, Summer).
2. Final examinations are generally administered in required doctrinal courses.
3. Final examinations are not generally administered in skills courses, simulation courses, or electives.
4. Use of computers/laptops/tablets/iPads to take final examinations is a requirement absent extraordinary circumstances or an ADA accommodation.

RULES FOR FINAL EXAMINATIONS

(as of June 14, 2021)

- I. All final exams that are administered pursuant to the Final Exam Schedule must be administered via ExamSoft.
- II. Generally, professors will write a three-hour exam in the ExamSoft program. No exam will be longer than three hours.
- III. Prior to taking final exams, students must take two practice exams through the ExamSoft program. A detailed schedule for the practice exams will be timely supplied each semester.
- IV. Exams will be posted on the ExamSoft program, and students will have to download their exams on a specified date. While the exams will be downloaded to the student's computer, the exam cannot be accessed without a password. A student will need access to Wi-Fi to download exams.
- V. On the day of a given exam, SULC will send students a password thirty minutes prior to the start of that exam. The passwords are unique to exams starting at a specific time on a specific date of the exam. A password used for an exam scheduled for 9:00 a.m. will not work for another exam scheduled to start at another time or on a different day (even if that exam scheduled on a different day is scheduled for 9:00 a.m.).
- VI. Students will not need Wi-Fi access to take the exam in ExamSoft. Students should find, where possible, a quiet and well-lit area in which to take their final exam.
- VII. Students will be permitted two blank sheets of paper as scratch paper in an exam. At the commencement of an exam (once the timer has started) the student will have to show both sides of each blank sheet of paper to the camera.

- VIII. A student can take a single bathroom break (no more than five minutes) during each hour of the final exam (e.g., for a three-hour final exam, three bathroom breaks); however, the time in which the student takes the exam is not extended as a result of taking the bathroom break(s).
- IX. The examination cannot be printed out, which is why two sheets of scratch paper are being allowed, but students will be able to highlight information in the question inside of ExamSoft.
- X. Once a student completes the exam—or the three-hour time period has elapsed—the student should complete the process for submitting the exam. The step for completing or ending an exam is different from the step of submitting an exam. To submit an exam, a student will need Wi-Fi access. This task should be completed within 24 hours of completing each final exam.

Final exam rules are subject to change each semester by the Vice Chancellor for Academic Affairs.

EXAMINATION CONFLICT POLICY

An examination conflict exists when a student has two examinations with starting times that are less than 24 hours apart. For example, an examination starting at 8:00 a.m. one day does not conflict with an examination beginning at 8:00 a.m. the next day. Students with an examination conflict must complete the Examination Conflict Form and return it to the Vice Chancellor for Academic Affairs by the date stated on the form.

Forms will be available in the Office of Records and Registration or in such other way as the Vice Chancellor for Academic Affairs or the Vice Chancellor's designee may direct. Only examinations that have been approved by the Vice Chancellor for Academic Affairs can be rescheduled. Conflict examinations will be given only on the scheduled examination conflict days.

Professors do not have the authority to allow students to reschedule an examination. Students shall not contact the professor to reschedule an examination unless instructed to do so by the Vice Chancellor for Academic Affairs. Contacting a professor to reschedule an anonymously graded examination breaches the anonymity and is an Honor Code violation.

GRADE OF INCOMPLETE POLICY

A student who does not appear for a scheduled final examination or other similar assessment shall receive a failing grade of "F" in the course unless an application for a temporary grade of incomplete ("I" grade) is timely submitted and approved by the Vice Chancellor for Academic Affairs. The temporary grade of incomplete is available for only the strongest of reasons, such as serious illness or death in the immediate family, serious personal illness, hospitalization, subpoenaed absence, or military duty.

Students who do not appear for a scheduled final examination or other similar assessment or who know in advance that they will be unable to appear shall follow the procedure below.

1. A student who does not appear for a scheduled final examination or other similar assessment must never contact their professor to indicate that they cannot or did not appear for the examination or assessment prior to the posting of the student's grade.
2. The student must make a formal request to the Vice Chancellor for Academic Affairs to receive an "I" grade. The request must include the student's "U" number and SULC email address. Documentation to support the reason for the absence must accompany the request. Documentation from a medical provider must be on the provider's letterhead and signed by the provider. The documentation must state that because of illness or injury the student is unable to take the student's examination on the applicable date(s). While the formal request for an incomplete grade should contain all of the information above, this policy recognizes that circumstances may prevent a student from filing a request that fully complies with the information above.
3. The Vice Chancellor for Academic Affairs will notify the student that the student's request has been approved or denied. The Vice Chancellor for Academic Affairs will also notify the Director of Records and Registration, who will notify the affected professors.
4. Students shall not contact professors to schedule makeup examinations. The Vice Chancellor for Academic Affairs, or their designee, will consult with professors and arrange for the examinations to be administered. Students who receive accommodations must contact the Health, Wellness, and Disability Director.
5. Students who receive "I" grades in the spring semester must take make-up examinations or otherwise complete their course work no later than the last scheduled examination date in the summer session following the spring semester in which they received "I" grades.
6. Students who received "I" grades in the fall semester or in the summer must take make-up examinations or otherwise complete their course work within six weeks after the start of the next term.
7. Two weeks after completing the make-up examination the student must check his transcript on Banner to verify that the "I" grade has been changed to a letter grade.
8. Absent extraordinary circumstances, should a student fail to timely complete a makeup examination, the temporary incomplete grade will be converted into a grade of "F."

Failure to Complete a Final Examination or Assessment

Students who appear for an examination or other assessment, but who are unable to complete it due to serious personal illness must contact the Vice Chancellor for Academic Affairs to be excused from the examination. Students excused from an examination shall follow the procedure above to receive and remove a temporary grade of "I" in the course.

PROHIBITION OF ADVERSE ACADEMIC ACTION AGAINST MOBILIZED OR ACTIVATED MILITARY OR GOVERNMENTAL WORKERS

The Law Center complies 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.

To qualify under the provisions of this policy, covered students must present to the Vice Chancellor for Academic Affairs (or the Vice Chancellor's designee) a copy of the military orders or governmental directive indicating the mobilization/activation or call to action.

LIMIT ON STUDENT EMPLOYMENT POLICY

(Formerly the "20-Hour Work Week Policy")

First-year, full-time students are not allowed to work in a job, internal or external to SULC, during the academic semester unless the student obtains written permission from the Vice Chancellor for Academic Affairs.

Full-time students who have completed their first year of study may work no more than 20 hours in a job, internal or external to the Law Center, during the academic semester unless the student obtains written permission from the Vice Chancellor for Academic Affairs. Part-time students are not limited in the number of hours that they can work during an academic semester.

Students transferring from part-time to full-time status must declare adherence to this policy when applying for the change in status.

CLASS ATTENDANCE POLICY

Regular class attendance and adequate daily preparation for a class are mandatory for all students. Attendance of eighty (80) percent of the scheduled classes is a prerequisite for credit in a course. Students who do not attend 80 percent of the scheduled classes will be administratively withdrawn from the class and a note will be made on their transcript that the withdrawal was due to excessive absences. Professors have the discretion to create an attendance policy that requires more than 80 percent attendance.

As a matter of SULC policy and because of ABA Standard 310(b), students must devote at least two hours of out-of-class work for every hour of in-class instruction.

NO-SHOW POLICY

An enrolled student who does not attend any of the student's scheduled classes during the first week of school will be designated as a "No Show" and will be contacted by the Office of Records and Registration. A "No Show" student will be informed that the student's course roster will be removed from Banner (i.e., the student will be removed from all classes) if the student does not prove that he or she is attending classes. A student's attendance in class will be based on a review of the attendance software used by the Law Center and/or confirmation from the student's professor.

Any "No Show" student who does not prove attendance in class by the second week of school shall have the student's course roster removed from Banner (i.e., student will be removed from all classes) and any financial aid awarded to the student will be cancelled and returned to the student's lender and/or provider.

POLICY STATEMENT ON INDEPENDENT RESEARCH

(Updated June 2021)

An application for academic credit for student independent research may be granted in conformance with provisions given hereunder:

1. One (1) or two (2) hours of academic credit may be earned and a student may engage in independent research only ***once*** for academic credit during the students' matriculation.
2. To be eligible for consideration, a student must have earned at least 30 semester hours. Students must be in academic good standing, i.e., not on academic probation.
3. Save exigent circumstances that must be verified by the applying student and only if approved by the Vice Chancellor for Academic Affairs, ***independent research will not be allowed during summer sessions.***
4. A student will not be allowed to take more than a total of 16 semester hours, including the independent research hours, during the semester in which the independent research is to be completed.
5. A student who desires to conduct an independent research project for course credit must write a proposal in the form of an abstract or prospectus describing the particular research project.
6. The student must complete an application and submit the application and an abstract or prospectus to a full-time faculty member for approval. The faculty member must sign the completed application agreeing to guide and supervise the research project. The number of course credit hours recommended by the faculty member must appear on the application. The application and abstract or prospectus must be submitted to the Vice Chancellor for Academic Affairs.

7. The Vice Chancellor for Academic Affairs will forward research projects that are approved by the Academic Affairs Office to the Records and Registration Department for processing.
8. A professor shall supervise only one (1) student enrolled in an independent research project per semester.
9. A student research project must be completed during the same semester of enrollment unless extenuating circumstances prevent its completion. If this occurs, the supervising professor must submit a statement explaining the delay.
10. The students shall be required to write a substantial research paper as a requirement of the independent research project. Students shall confer individually with their professor for assessment of written work and then edit and rewrite their papers to produce works of such quality that they could be published as student notes in a law review.
11. The supervising professor shall evaluate the final written product and submit a final grade of pass or fail to the Director of Records and Registration.
12. The supervising professor shall keep and maintain for two (2) years at least one copy of the graded final research product and provide a copy of the same to the Vice Chancellor for Academic Affairs.
13. Withdrawal from the Independent Research course shall be governed by the same regulations governing formal withdrawal from any other course.
14. Research projects seeking the two hours advanced writing credit must meet the requirements of ABA Standard 303(a)(2) and Interpretation 303-2.
15. If the student desires only one hour of academic credit for the project, the paper must meet all requirements stated in section 10 above and be at least 4,500 words, including the footnotes, but excluding the cover or other ancillary pages. If the student desires to earn two hours of academic credit, the paper must meet all requirements stated in section 10 above and be at least 9,000 words, including the footnotes, but excluding the cover or other ancillary pages. A paper that meets the requirements for two hours of course credit is eligible for advanced writing credit.

Procedure

1. The student completes an application and an abstract or prospectus with a complete bibliography.
2. The student contacts and presents to the proposed supervising professor the application and abstract or prospectus.
3. The professor reviews the prospectus or abstract and indicates approval to supervise the project by signing the application.
4. The student submits to the Vice Chancellor for Academic Affairs the application signed by the professor, and the Vice Chancellor will either approve or deny the research project. The Vice Chancellor for Academic Affairs may deny the application for reasons that the Vice Chancellor deems appropriate.

5. If the Vice Chancellor for Academic Affairs approves, the Vice Chancellor will give written notification to the professor and to the Records and Registration Department.
6. The student should check his or her Banner account for the Independent Research course or may email the Vice Chancellor for Academic Affairs.
7. The application and abstract must be approved no later than five (5) days after the semester begins. Students are encouraged to submit the application in the prior semester.
8. The student may drop the course, but only after written notice to the professor and Vice Chancellor for Academic Affairs and only after timely completion of the withdrawal process.

Any other matters, substantive or procedural, not covered above will be resolved by the Vice Chancellor for Academic Affairs with the permission of the Chancellor as need may arise and dictate.

**If the project will be submitted for the two hours of upper-level writing credit, the supervising professor must submit to the Office of Records and Registration, a certification verifying that all requirements for upper-level writing credit have been met. The certification form is available on the Law Center website.*

CHARACTER AND FITNESS SUPPLEMENT POLICY

(Updated June 2021)

- A. **Duty to Report.** All Law Center students are under a continuing duty to supplement their file with any information that affects their character and fitness to practice law. All information that is requested on the original law school application, but not originally submitted, must be reported if it would change the status of the original response. This duty continues from the time of the submission of the original law school application until graduation.
- B. Character and fitness information should be reported within 14 days of the student becoming aware of the relevant information.
- C. **Information to report.** Character and fitness information encompasses all information that could affect a student's character and fitness to practice law. It includes all information included on the original law school application, including any citations, summons, arrests, criminal charges, or convictions brought against the student while attending the Law Center. It may include disciplinary action taken against the student by any government or administrative agency, including armed forces. It may also include domestic violence matters, even where there has been no arrest or conviction.
- D. **How to report.** Supplements to a student's character and fitness should be submitted to the Office of Records and Registration. An enrolled student who requests to supplement his or her file under this policy will be required to formally submit the request in the Maxient system via the online report form located at <https://www.sulc.edu/page/registrar-forms>.
- E. Requests by students or graduates to supplement their character and fitness reports will be dealt with in the following manner, depending on the situation.

1. For former students who have graduated or otherwise left the Law Center, the school will not supplement the student's record because the student's academic record at SULC is closed. Nonetheless, any information submitted by a graduate or former student to supplement their file will be placed in the student's file along with the school's responsive letter provided by the Office of Records and Registration Office. The responsive letter shall indicate that no action is being taken on the information because the student has graduated or otherwise left the school. The former student will also be informed that information provided will be made available to any requesting bar authorities, along with the responsive letter.
 2. For current students, any information submitted to supplement the student's file shall be submitted in the Maxient system via the online report form.
 - a. If after consultation between the Vice Chancellor for Academic Affairs and the Vice Chancellor for Student Affairs, a decision is made that the matter does not require further investigation by the Law Center, then a letter will be sent to the student indicating that the student's file has been supplemented.
 - b. In all other cases, the matter will be turned over to the Office of Student Affairs for processing. In such situations, a letter indicating that the matter has been transferred to the Office of Student Affairs for processing will be sent to the student.
 - c. After the Office of Student Affairs has completed its processing of the matter, a letter indicating the final disposition of the matter will be placed in the student's file and serve as the final step in the Law Center's response to the request to supplement the file.
- F. A decision by the Law Center to take no adverse action against a student based on the information reported (within their request to supplement their file) does not mean bar admission committees will refuse to take action on the information reported. Bar admission committees may refuse to certify the character of a graduate based on the information provided or based on the graduate's failure to report such information.
- G. Failure to report a character and fitness issue in compliance with this policy within 14 days of the incident in question may result in an action being brought against the student in violation of Section 8.3(9) of the Code of Student Conduct.
- H. The Law Center's action of supplementing a student's file for character and fitness issues is a separate and distinct matter from any duty imposed by a bar examination authority on a bar applicant to report character and fitness issues. The supplementing of a student's file at the Law Center for character and fitness issues does not alleviate any duty to comply with any reporting requirements imposed by a bar examining authority.

Upon entry into the Law Center, students will be required to sign an acknowledgement form indicating that the student is aware of this duty, agrees to comply with the duty, and understands the consequences for failure to comply with the duty.

STUDENT GRIEVANCE AND COMPLAINT POLICIES AND PROCEDURES

EXAMINATION REVIEW AND GRADE APPEAL POLICY

(Updated June 2021)

Section I

Creation of Grade Appeals Board, Purpose

1. There is hereby established a permanent Grade Appeals Board consisting of six (6) members.
2. This Board shall have authority to hear complaints made by students regarding their final letter grade received in a course and make recommendations consistent with its finding.

Section II

Composition and Selection of Members

1. This Board shall consist of four (4) members of the Law Center's faculty and two (2) members of the student body. Three (3) of the faculty members shall be appointed by the Chancellor of the Law Center. One (1) faculty member shall be appointed by the Law Center's Senior Class in a process approved by the Associate Vice Chancellor for Student Affairs. The faculty member appointed by the Senior Class shall be selected no later than Friday of the second full week of the fall semester.
2. The two (2) student members shall be chosen in the manner provided for by the rules of the Student Bar Association, provided that one student member shall come from the second-year class and one from the third-year class. The student members of the Board shall be appointed no later than Friday of the second full week of the fall semester. A student must be in the top five (5) percent of that student's class to serve on the Board.

Section III

Tenure, Voting Power, and Meetings

1. Each Board member shall be appointed to serve one (1) academic year. A Board member may be reappointed. A faculty member shall not serve more than three (3) consecutive years. A faculty member who has served three (3) consecutive years may be reappointed after at least a one (1) year break in that faculty member's service.
2. The Chancellor shall appoint the chairman of the Board and, if necessary, one (1) faculty member as an ad hoc faculty member of the Board. The ad hoc member will serve only when a conflict on a grade appeal occurs for a Board member.
3. The Board members shall have equal voting power.

Section IV

Power of the Board

The Board shall have the following authority:

1. render a finding of fact upholding the decision of the professor;
2. render a finding of fact indicating that there are reasonable grounds to believe possible error resulted in grading a student's examination; and

3. in cases in which the Board finds that there are reasonable grounds to believe possible error resulted in grading a student's examination, the Board shall make recommendations consistent with its findings.

Section V

Examination Review and Discretionary Grade Change

1. Prior to appealing a grade earned in a course, the student shall review his final examination or paper with the professor by contacting the professor directly. Upon a student's request, professors shall provide the student with an opportunity to review his or her final examination paper. Any explanation that explains the grading process and identifies the substantive shortcomings in the student's answer is sufficient to meet the requirement. The term "review" does not necessarily mean a face-to-face discussion of the examination paper with the student. Examples of a review are providing the student with the student's examination paper and the grading sheet; providing the student with the student's paper and answering any question that the student may have via email; providing the student with the student's examination paper that contains detailed marks and comments that indicate how the points were determined; or conferring with the student one-on-one to explain the grading process. The professor should at least provide a copy of the examination during the review. This list is only illustrative and is not meant to exclude other methods that explain the grading process and identifies the substantive shortcomings in the student's answer.
2. While reviewing his or her examination, the student should record specific errors the professor made while grading the examination that may form the basis of the student's grade appeal in the event the issues cannot be resolved with the professor.
3. After reviewing a student's paper, if the professor learns that the grade submitted was incorrect, the professor may change the student's grade via the form located in the Records Office. Grades should only be changed if the professor discovers the grade submitted was incorrect due to error such as mathematical error, scrivener's error, failure to include points earned by the student, etc. All grade changes must be approved by the Vice Chancellor for Academic Affairs and the Chancellor.

Section VI

Rules for Appeal of Final Grade

After reviewing a final examination, a student may appeal a grade earned in a course in accordance with the following rules:

- Rule 1. Any student, other than a freshman student who has just completed the first semester, shall have the right to appeal the final grade earned in a course if the grade is at least one letter grade lower than that student's overall law school cumulative grade point average at the end of the term prior to the term in which the challenged grade was assigned.

Example: A student with an overall letter grade average of C must be given the right to review if the student makes a letter grade of D or F. On the other hand, if that same student with the C average should earn a D+ in a particular course, that student will have no right to review as a part of the appeal process.

A freshman student who has completed only the first semester of studies has a right to review that student's examination with the professor in accordance with Section V, Paragraph 1 above, but the student does not have the right to appeal a grade received in the first semester.

- Rule 2. A student desiring to exercise that student's rights under Rule 1 shall file a written request to appeal his or her final grade in the Maxient system via the online report form located on the Law Center website (<https://www.sulc.edu/page/registrar-forms>). The student's appeal request shall include a specification of errors detailing the mistakes the student believes were made by the professor while grading the examination or final paper.
- Rule 3. The request must be filed within 30 calendar days after the beginning of classes in the semester immediately following the semester in which the appealed grade was received, excluding summer sessions. Except as provided in Sections VII and VIII, grades earned in the spring semester shall be addressed in the subsequent fall semester. In cases in which the professor submits a student's final grade after the 30 days identified herein, the grade appeal request must be filed within ten (10) calendar days of receiving the final grade. If the 30th or 10th calendar day is on a weekend or holiday, the student will have until the next business day to exercise the student's rights hereunder.
- Rule 4. Upon request by the Chairman of the Grade Appeal Board, the Office of Records shall immediately forward the student's grade point average to the Chair of the Board.
- Rule 5. Upon notice to the professor of the student's grade appeal, the professor shall have seven (7) days after receipt of the notice to forward to the Board chair a copy of the examination in question, the student's answer(s), and any other information the professor deems necessary to explain the student's grade.
- Rule 6. The hearing must be held within 30 days after the receipt of the information mentioned in Rule 5, absent unusual circumstances. The Board chair shall notify the student in writing of the date and time set for the hearing. A hearing may not be held without at least four (4) members of the Board present, including both student members of the Board. At the hearing, the student shall have the burden of establishing reasonable grounds to believe that the grade given was likely the result of significant and serious error.
- A majority of the Board members present must concur in a decision. The Board shall notify the student and professor of its decision no later than three (3) days after the decision has been made.
- Rule 7. A finding by the Board upholding the decision of the professor shall preclude any further review in the correctness of the grade that was the subject of the student's complaint.

- Rule 8. A finding by the Board that there are reasonable grounds to believe that the grade given was likely the result of significant and serious error shall be presumptive evidence of the probability that the student's grade should be changed in accordance with the recommendation of the Board.
- Rule 9. Upon a Rule 8 finding by the Board, written notice shall be sent immediately to the concerned professor advising the professor of the professor's right to appear before the Board on a date and time provided in the notice. The professor may rebut allegations made by the student, answer questions from the Board members, or otherwise explain the grade received by the student.
- Rule 10. After meeting with the professor, if the Rule 8 finding remains, the Board may recommend to the professor that the student's grade be changed in accordance with its findings.
- Rule 11. Absent an agreement by the Professor to comply with the recommendation of the Board, the Board may recommend a grade change to the Chancellor, along with an explanation of its findings supporting the recommendation. After a review of the Board's findings that recommend changing a grade that was originally given in a course, and providing an opportunity for the professor to address the grade given, the final decision to change a professor's grade rests with the Chancellor of the Law Center.

Discretionary Review and Hearing

The Board may in its discretion grant a student a grade appeal hearing in cases not otherwise provided herein. In such case, the articles and rules above shall apply as much as practicable.

Expedited Grade Appeal

In the case of a graduating senior, the Grade Appeal Board may use an expedited process to review a student's final grade in a course taken during the student's final semester, in accordance with the procedures set forth herein.

Board Authority to Adopt Rules

The Board shall have authority to adopt procedural rules not in conflict with the Rules of Procedure for Appeal of Grades provided herein.

Amendments to Rules

The members of the Board may recommend changes to the grade appeal procedure by a majority vote of all members. Any changes to the Grade Appeal Policy must be submitted to the Law Center faculty for its approval.

SOUTHERN UNIVERSITY LAW CENTER STUDENT GRIEVANCE PROCEDURE

The Office of Student Affairs is designated to coordinate general student grievances. The Law Center’s internal student grievance procedure provides for prompt and equitable resolution of complaints from students against the school, faculty, other students, student organizations, or a law school official; or complaints regarding a department’s compliance with a policy or procedure.

1. Grievances should be filed using the report form located on the Law Center website under “Report and Incident.” The complaint should contain the name and address of the person filing it, a description of the nature of the complaint, and any supporting evidence.
2. A complaint should be filed within seven (7) days of the student becoming aware of the alleged problem or concern.
3. An investigation, as may be appropriate, will follow the filing of the complaint. The investigation will be conducted by the Office of Student Affairs, by or under the direction of the Vice Chancellor for Student Affairs.
4. In exceptional circumstances, the Vice Chancellor for Student Affairs may, in the Vice Chancellor’s discretion, appoint an ad hoc committee of faculty members to investigate the grievance and recommend a resolution. If the complaint involves the Vice Chancellor for Student Affairs, the ad hoc committee shall be appointed by the Associate Vice Chancellor for Student Affairs, who shall receive the proposed resolution from the ad hoc committee, and who will make recommendations to the Chancellor consistent therewith.
5. These rules contemplate informal, but thorough investigations, affording all interested persons an opportunity to submit evidence relevant to the complaint.
6. A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by the Vice Chancellor for Student Affairs and a copy forwarded to the complainant within a reasonable time after its filing. Every effort will be made to resolve student grievances within 30 days unless exceptional circumstances exist that warrants additional time.
7. The Vice Chancellor for Student Affairs will maintain the files and records of the students at SULC as it relates to general student complaints filed.
8. The complaining student can request a reconsideration of the case in an instance where the student is not satisfied with the resolution. The request for reconsideration should be made to the Chancellor within seven (7) days of receiving written notice of the resolution from the Vice Chancellor for Student Affairs.
9. These rules are construed to protect the substantive rights of interested persons, meet appropriate due process standards, and ensure that Southern University Law Center complies with the Code of Student Conduct.

10. No Southern University Law Center administrator, faculty, staff member or other person affiliated with the Southern University Law Center shall intimidate, threaten, coerce, or discriminate against any student for the purpose of interfering with any right or privilege secured by use of this procedure.
11. This procedure shall not be used to address issues or disputes regarding grades received in a course. Grades may only be appealed using the Law Center's Grade Appeal procedure.

**SOUTHERN UNIVERSITY LAW CENTER
AMERICANS WITH DISABILITIES ACT (ADA)
STUDENT GRIEVANCE PROCEDURE**

SULC has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act (ADA) and by the U.S. Department of Justice regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794). Section 504 states, in part, that “no otherwise qualified individual with a disability . . . shall, solely by reason of her or his disability, be excluded from the participation, in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

1. A student can file a complaint under this procedure if the student believes an inappropriate decision has been made regarding:
 - a) the student's request for an accommodation; or
 - b) the manner in which the accommodation was or is being granted.
2. Complaints must be filed in writing via the online report form with the Associate Vice Chancellor for Academic Support, Bar Preparation, and Counseling. If a complaint involves the Associate Vice Chancellor for Academic Support, Bar Preparation, and Counseling, then the complaint will be filed with the Associate Vice Chancellor for Evening Division and Emerging Initiatives. A copy of the complaint will be provided to the Health, Wellness, and Disability (HWD) Director unless the HWD Director is the subject of the complaint.
3. The complaint must be filed within seven (7) days of the student becoming aware of a violation of SULC policy on ADA Accommodations.
4. Once a complaint is received under this policy, the Chancellor will appoint an ADA Grievance Committee, which will be composed of a total of three (3) members. It will be chaired by either the Associate Vice Chancellor for Academic Support, Bar Preparation, and Counseling, or the Associate Vice Chancellor for Evening Division and Emerging Initiatives.
5. The complaint will be investigated by the ADA Grievance Committee, and a decision will be issued by that committee within fourteen (14) days of commencing the investigation.

6. The decision of the committee will be placed in writing and forwarded to the student, the HWD Director (where appropriate) and any other relevant person based on the nature of the complaint.
7. The student can request a reconsideration of the decision issued by the ADA Grievance Committee by submitting a written request to the Vice Chancellor for Academic Affairs within seven (7) days of the committee's decision.
8. The Vice Chancellor for Academic Affairs will issue a decision, upon approval of the Chancellor, within seven (7) days of receipt of the request for reconsideration. The decision will be issued directly to the student and any other relevant person based on the nature of the complaint.
9. The right of a person to a prompt and equitable resolution of the filed complaint will not be impaired by the person's pursuit of other remedies, such as a filing of a Section 504 or ADA complaint with the responsible federal department or agency. Using this grievance procedure is not a prerequisite of other remedies.

STUDENT COMPLAINTS RELATING TO ABA PROGRAM OF LEGAL EDUCATION STANDARDS

In accordance with the American Bar Association Standard for the Approval of Law Schools, students at the Southern University Law Center may share any complaints about the Law School's program of legal education as it relates to matters directly connected to those Standards. For purposes of this process, a "complaint" is a communication in writing that seeks to bring to the attention of the Law School a significant problem that directly implicates the school's program of legal education and its compliance with the Standards. The Law Center administration welcomes any feedback related to its adherence to the ABA standards.

Any student who wishes to file a complaint under this provision should submit the complaint in writing, via the online report form, to the Vice Chancellor for Student Affairs. A student's complaint must identify the ABA standard(s) at issue, identify the student, and include the student's email address and student's identification number.

The Vice Chancellor for Student Affairs will utilize the Student Grievance procedure in the Code of Student Conduct Manual to process the complaint.

To file a Student Grievance, an ADA Accommodation Grievance, or a complaint relating to the ABA Program of Legal Education, please visit "Report an Incident" on the SULC website under "Student Services."

OTHER LAW CENTER POLICIES AND PROCEDURES

SOUTHERN UNIVERSITY LAW CENTER
SATISFACTORY ACADEMIC PROGRESS (SAP) POLICY
(Eligibility to Receive Financial Aid)

SATISFACTORY ACADEMIC PROGRESS POLICY

Students receiving federal student financial aid must maintain Satisfactory Academic Progress (SAP) to be eligible to receive aid. The financial aid office evaluates SAP after the completion of each academic year, generally two semesters. There are three components to satisfactory progress: a qualitative standard (grade point average); pace (an incremental quantitative standard/number of credits attempted and earned for each year of study); and a maximum time frame for the degree or program. All courses attempted must be factored into the determination of satisfactory academic progress.

Purpose

The intent of this policy is to ensure that students using the financial aid program are demonstrating responsible use of public funds in pursuit of their educational goals; to set standards for monitoring all financial aid recipients' course of their educational goals; to set standards for monitoring all financial aid recipients' course completion rates each year, and to warn individual students when progress is inadequate.

Definitions

Attempted Course—course that remains on the student's record after the first fourteen days of the term.

Completed Course/Earned Credit—course in which a grade of A, B, C, or D was received. Withdrawals (W), incomplete grades (I), or failures (F) are not considered "earned credit" for meeting satisfactory academic progress requirements.

Financial Aid— The Federal Title IV programs, state, and institutional programs listed below:

1. Federal Direct Stafford Loan (subsidized and unsubsidized)
2. Tuition Opportunity Program for Students (TOPS)
3. Scholarships, Stipends, and other awards
4. Fee Waivers

Financial Aid Probation—A term in which a student who has been identified as not meeting one or more standards in this policy and continues to receive financial aid. At the end of the semester of financial aid probation, a student is expected to meet satisfactory academic progress requirements in order to continue receiving financial aid.

Financial Aid Termination—The point at which a student is no longer eligible to receive financial aid as defined in this policy; normally, this is following an unsuccessful term of probation.

Incomplete—A grade of “I” received for an attempted course; no credit is received until the course is completed.

Quantitative Measure (Pace)—Time frame for the student to complete the program and a minimum number of credits the student must satisfactorily complete each year.

Qualitative Measure—Measurements of a student’s academic standing consistent with the requirement for graduation from the program of study.

Satisfactory Academic Progress—completion of courses at a rate that meets the standards defined in this policy.

Transfer credit—Course(s) accepted for credit at SULC from another institution.

SATISFACTORY PROGRESS STANDARDS

It shall be the policy of the Southern University Law Center to provide financial aid awards to students who are making satisfactory academic progress toward their degrees. For the purpose of determining eligibility for financial aid, satisfactory academic progress shall be defined as having a minimum cumulative grade point average as outlined in the chart below and having earned 70 percent of the credits attempted.

A financial aid recipient should earn credit for at least 70 percent of all courses attempted. A student who receives financial aid, but does not earn credit for any courses within a semester is not eligible to receive financial aid in subsequent semesters. If mitigating circumstances were responsible for zero course completion within a semester, a student may appeal and be granted a term of financial aid probation if adequate documentation is provided (e.g., doctor’s statement).

Financial aid recipients who do not meet these conditions will lose their financial aid eligibility. Unless otherwise stated, a student’s entire academic history (including transfer hours) is considered for the purposes of this policy regardless of whether the student received financial aid at the time the credit hours were completed. The official class list from the 14th day report is used to determine a student’s attempted hours.

Credit hours attempted	Maintaining Progress	Financial Aid Suspended
0–29 credit hours	1.9 or better	0.00–.89
30–96 credit hours	2.0 or better	0.00–1.99

Course Repetitions, Incompletes, and Withdrawals

When a student repeats a course, the grade earned in the course before it was repeated is included in the cumulative computation of the student’s average. If a student falls below a 2.00 GPA in required courses, which is necessary to graduate, SULC will exclude the failing repeat grades to see if the student will exceed a 2.00 GPA for purposes of graduation only.

Students receiving excessive incomplete grades in their courses are not progressing satisfactorily. Therefore, a student who has six or more hours of incomplete grades in any semester or at any time will be placed on financial aid probation for the next semester of attendance and is expected to complete the courses with incomplete grades in a timely manner. Students who receive “I” grades in the spring semester must make up examinations no later than the last scheduled

examination date in the summer session following the spring semester in which the student received the “I” grades. The administration will devise a schedule for all make-up exams. Students who receive “I” grades in the fall semester must make up examinations according to the schedule developed by the administration. Two weeks after completing the make-up examination, and allowing some time for the examining professor to grade the exam, the student must check his or her transcript on Banner to verify that the “I” grade has been changed to a letter grade. Absent extraordinary circumstances, should a student fail to timely complete a make-up examination, the temporary incomplete grade will be converted to a grade of “F.”

A course in which a student withdraws and receives a “W” will be counted as an attempted course in evaluation of the student’s satisfactory academic progress.

MONITORING INTERVALS

Satisfactory academic progress shall be monitored annually at the conclusion of each spring semester or at the time the student is applying for financial aid if a current satisfactory progress assessment is not available.

NOTIFICATION OF FINANCIAL AID PROBATION OR TERMINATION

The Financial Aid Office will send a warning letter to any student who is put on probation or a termination letter to any student who is no longer eligible for financial aid. It is the responsibility of the student to maintain current addresses with the Records and Registration Department or Banner Self-Service.

INELIGIBLE STUDENTS

Students who are deficient in credit hours or grade point average at the end of the spring semester and subject to losing their financial aid eligibility may make up the deficiencies during the summer session. First-year students who fall below a 2.0 cumulative grade point average are not eligible to attend summer school. A student may lose financial aid eligibility if the student fails to attain satisfactory academic progress after the summer session.

APPEALS

Students who have been denied financial aid based on this policy have the right to appeal. To initiate a satisfactory academic progress appeal, the student must complete a Satisfactory Academic Progress Appeal Form and submit it along with all required supporting documentation to the Southern University Law Center Financial Aid Appeals Committee. If a student is on academic probation and the Law Faculty allows the student to continue enrollment, the student will continue to receive a probationary semester of aid if approved by the Appeals Committee. In special extenuating circumstances, the SULC Director of Student Financial Aid may use professional judgment to review an appeal request.

REASONS FOR APPEAL

Under general circumstances, a student may appeal financial aid termination for one or more of the following reasons.

1. Change of grade.
2. Death or serious illness of an immediate family member (e.g., parent or legal guardian, sibling, spouse, or family member). A death certificate and a notarized statement regarding the relationship with the deceased are required.
3. Medical illnesses or injury to the student or dependent child (attending physician's statement is required).
4. Other causes (e.g., natural disaster, acts of God.).
5. All appeals must be in writing and submitted within the timeline established by the Appeals Committee. All documents and appeal applications will be accepted by U.S. Mail, Express Mail (e.g., Federal Express), or hand delivery. Faxes and separate documents will not be accepted. All appeals must be completed by the student. Appeals completed by the parents, guardians, friends, or other parties on behalf of the student will not be accepted.

REINSTATEMENT OF FINANCIAL AID ELIGIBILITY

Students who do not meet satisfactory academic progress shall lose their eligibility for financial aid and may regain eligibility only after eliminating all deficiencies.

RETURNING AND TRANSFER STUDENTS

Returning and transfer students must be in good academic standing and must have earned 70 percent of all hours attempted with a minimum cumulative grade point average of 2.0 to be eligible to receive financial aid.

This policy will be amended whenever applicable federal or state laws and regulations are changed.

SOUTHERN UNIVERSITY LAW CENTER FERPA POLICY

The purpose of this policy is to protect the privacy of student records. The Family Educational Rights and Privacy Act of 1974 (“FERPA”), also known as the Buckley Amendment and codified at 20 U.S.C. §1232g, protects the privacy of student records. The Act applies to all institutions that are the recipients of federal funding, including SULC.

FERPA and its regulations, found at 34 CFR Part 99, give students the rights to (a) inspect and review education records, (b) seek to amend those records, (c) limit disclosure of information from the records, and (d) annual notice of the school’s policies. In addition, under 34 C.F.R. § 99.7, schools must annually inform students of their rights as follows:

(a)

(1) Each educational agency or institution shall annually notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Act and this part.

(2) The notice must inform parents or eligible students that they have the right to—

(i) Inspect and review the student's education records;

(ii) Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;

(iii) Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and §99.31 authorize disclosure without consent; and

(iv) File with the Department a complaint under §§99.63 and 99.64 concerning alleged failures by the educational agency or institution to comply with the requirements of the Act and this part.

(3) The notice must include all of the following:

(i) The procedure for exercising the right to inspect and review education records.

(ii) The procedure for requesting amendment of records under §99.20.

(iii) If the educational agency or institution has a policy of disclosing education records under §99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

(b) An educational agency or institution may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights.

(1) An educational agency or institution shall effectively notify parents or eligible students who are disabled.

(2) An agency or institution of elementary or secondary education shall effectively notify parents who have a primary or home language other than English.

This policy implements SULC’s obligations under FERPA and its implementing regulations. It is the intent that this policy be interpreted in accordance with regulations.

FERPA POLICY DEFINITIONS

A. “Directory Information”

Under 20 U.S.C. §1232g(a)(5)(b), schools may identify directory information that is an exception from FERPA’s limits on disclosure of student records without consent. Under 20 U.S.C. §1232g(a)(5)(b), once a school identifies such information, students must have a reasonable time to inform the institution to prevent such disclosure without further consent. Accordingly, SULC identifies the following as directory information under FERPA:

- name;
- address;
- email address;
- date and place of birth;
- participation in officially recognized activities, such as law review and moot court;
- dates of attendance;
- degrees and awards received;
- previous educational agency or institution attended by the student.

B. “School Official” and “Legitimate Educational Interest”

Under 34 C.F.R. §§ 99.7 and 99.31(a)(1), SULC must identify whom SULC considers “school officials” and what it considers a “legitimate educational interest.”

SULC considers school officials to be all faculty and staff at SULC. SULC considers a legitimate educational interest identifying and assisting students to succeed and assessing and implementing successful instructional techniques.

POLICY AND APPLICABLE PROCEDURES

SULC will maintain student records pursuant to the Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment, which protects the privacy of student records. The Act provides for the right to inspect and review education records, the right to seek to amend those records, and to limit disclosure of information from the records. The regulations for FERPA can be found in 34 CFR § 99. SULC will not release student records without obtaining the consent of the student to release those records unless a specific exception to the need of consent applies.

In addition, the Registrar will provide electronic forms for students to opt out of disclosure of directory information, obtain inspection of their records, and propose amendments of records.

Finally, SULC will inform each student each year of its definition of directory information, explain how each student can opt out of disclosure of directory information, and describe the procedures where students can inspect student records and seek amendment of such records and make complaints to the Department of Education.

SOUTHERN UNIVERSITY LAW CENTER ACCEPTABLE USE OF TECHNOLOGY POLICY

Guidelines are provided to make all SULC technology users aware of the responsibilities that they accept when they use SULC technology resources. In general, what is required is efficient, ethical, and legal utilization of technology resources on the SULC campus—use that is respectful of the rights of all users in the SULC community. The Honor Code and general school rules for behavior apply. A signature on the User Agreement Form indicates that the signed party has read the terms and conditions of use, understands their significance, and agrees to abide by the terms.

Guidelines for Acceptable Use of Technology

- 1. Appropriate Use of Technology Resources.** SULC provides innovative technology resources, including the Internet, to support the pursuit of educational excellence by its students. Within the school environment, these resources are to be used to conduct research, support classroom activities, and to engage in self-discovery activities that are consistent with educational goals and mission of the school.

Uses that might be acceptable on a user's private, personal account on another system may not be acceptable on this system because of its limited educational purpose.

- 2. Use of Technology Resources—A Privilege, Not a Right.** The use of technology resources at SULC is a privilege, not a right. Users who fail to adhere to the terms of the Acceptable Use Policy face cancellation of access privileges as well as disciplinary or legal action.
- 3. Unacceptable Uses.** SULC seeks to protect the civil, personal, and property rights of those individuals using school technology resources and regards the following technology use as unacceptable.

Accessing Information That Does Not Support Educational Purposes

- Sexually explicit adult sites; hate sites that promote racism sexism or hatred based on religion, ethnic origin, sexual orientation; sites that promote violence or illegal activity; sites that provide sale of term papers, book reports, or other types of school work.
- Chat rooms unless specific, written approval has been granted.

Sending, Forwarding, Posting, or Publishing

- Communications containing language that is obscene, profane, sexually explicit, lewd vulgar, rude, disrespectful, threatening, or inflammatory.
- Communications containing harassment or personal attacks (including prejudicial or discriminatory) or spreading false or defamatory material about a person or organization.
- Sending hate mail or chain letters.

- Spamming—sending annoying or unnecessary messages to large numbers of people.
- Personal webpages that connect student(s) to SULC.
- Using references to SULC on any unauthorized web pages.

Abusing Technology Resources

- Changing, rearranging, adding, or deleting desktop and software settings or resources used by multiple users.
- Downloading and storing executable or zip files without specific approval.
- Downloading files, video clips, graphics, MP3s, or programs to the hard drive of a network computer.
- Storing information such as bookmarks or Word Documents in any places other than those specifically for student data.
- Downloading and/or storing information not pertinent to classroom activities on network resources.
- Wasting finite resources, e.g., print cartridges and paper, by printing unnecessarily.
- Using school technology resources to conduct personal business or for other unauthorized commercial gain.
- Using the network to engage in illegal activity.
- Using the network in ways that disrupts network use by others.
- Vandalizing, damaging, or disabling equipment software or data.
- Playing video games (this includes all games from online games to a free cell).

Safety and Security Issues

- Failing to keep personal passwords confidential.
- Failing to log off when finished using a workstation.
- Logging on using the password of another person.
- Disclosing photographs or personal information such as names, addresses, or phone numbers online for the school, oneself, or others.
- Entering credit card numbers and purchasing materials or services online.
- Hacking, cracking, or otherwise accessing accounts and files of others.
- Creating/propagating computer viruses or overloading the school's network resources.

Copyright Issues

- Downloading or exchanging pirated or illegally obtained software.
- Violating software licensing agreements by loading software illegally.
- Copying, modifying, distributing, displaying, or transmitting the work of another without contacting the owner for permission (material on website and protected by copyright).

Plagiarism

- Using the work of another person without permission or proper citation; and
 - Using technological resources to reformat and revise the work of another, then submitting that work as one's own.
- 4. Consequences of Inappropriate Use.** Access to technology is provided as an important component of the SULC educational environment. Users who fail to adhere to the terms of the Acceptable Use Policy face cancellation of access privileges as well as disciplinary or legal action.
 - 5. Procedure of Reporting Inadvertent Inappropriate Use.** If a user inadvertently uses a technology resource inappropriately, the user is responsible for immediately notifying a professor, librarian, or an administrator of the mistake. Failure to report unintentional misuse will result in the incident being considered an intentional violation.
 - 6. Limited Expectation of Privacy.** Users of SULC technology resources have the right to privacy in their email correspondence and personal file; however, SULC administration reserves the right to gain access to the files to investigate unusual activity on the system or any user believed to be in violation of acceptable use guidelines.

Although the Internet is a very worthwhile educational tool, it poses the risk of its users being exposed to inappropriate materials. SULC focuses on students' learning to make appropriate choices based on school guidelines and personal values. Campus Internet use is monitored so that users making inappropriate choices can be redirected towards productive use in accordance with school guidelines.

- 7. Disclaimer.** SULC makes no warranties of any kind, whether express or implied, for the Internet access services it provides. SULC specifically denies any responsibility for the quality of information obtained through the Internet. SULC denies responsibility for loss of data resulting in delays, non-deliveries, misdeliveries, or interruptions as a result of system failure. SULC denies responsibility for financial obligations arising from unauthorized use of the system for the purchase of products or services. SULC accepts no responsibility for damages incurred by user's inappropriate use of the system.

Students who violate the Acceptable Use Policy may be subject to charges being brought under the Law Center's Honor Code for academic violations (e.g., cheating, plagiarism, etc.), or under Code III Section 8.3(11) (Abuse of Network or Technology Resources), for non-academic violations.

SOUTHERN UNIVERSITY SYSTEM POLICIES

HEALTH RISKS ASSOCIATED WITH THE ABUSE OF ALCOHOL AND DRUGS

Consumption of alcohol and drugs has a negative impact on individual and familial health. Alcohol consumption can result in an increased risk of coronary heart disease, cirrhosis of the liver, ischemic and hemorrhage stroke, hypertension, and some types of cancer. Prenatal alcohol consumption can result in fetal alcohol syndrome as well as learning disabilities in other childhood neurological disorders. Drug abuse has been associated with malnutrition, various infections, cardiopulmonary arrest, permanent chromosomal damage, poor fetal development, memory loss, and other neurological disorders. Both alcohol and drugs are addictive and have been associated with social and mental disorders, crime, accidents, family breakdown, and poor school and job performance.

Based on these risks, the University has adopted a policy concerning both drugs and alcohol.

DRUG POLICY STATEMENT

Adopted pursuant to the Drug Free Workplace Act of 1988

A. Statement of Policy

Recognizing that drug use poses health and safety hazards to employees/students and to the community at large, the University considers the abuse drugs to be a very serious matter, one that cannot be tolerated in the workplace or classroom. Therefore, it is the policy of the Southern University A&M system to maintain a drug-free workplace and environment conducive to the learning process. All employees/students are notified that it is unlawful to manufacture, distribute, dispense, possess, or use any illegal drugs or alcohol or to abuse a control substance in the workplace and classroom or other related areas associated with the learning process including the dormitories. Such actions are prohibited on all University property and at any other location where employees/students are conducting University business.

B. Definitions

For purposes of this Policy Statement, the following definitions shall apply:

- (1) **Drug**—any substance, other than food, which when inhaled, injected, consumed, or introduced into the body, in any manner, alters mood or function.
- (2) **Drug Abuse**—any continuing use of illegal drugs, alcohol, or controlled substance that produces problems for the user, the user’s family, or society at large.
- (3) **Unlawful Manufacture**—to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug by propagation, extraction, chemical synthesis, compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incidental to production.
- (4) **Distribute**—to deal in, ship, transport, or deliver; this does not include administering or dispensing a drug by a person authorized or qualified to do so (e.g., physician, pharmacist, etc.).

- (5) **Dispense**—to sell, leave with, give away, dispose of, or deliver.
- (6) **Possess or Possession**—having control over a thing or substance; possession may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.
- (7) **Use**—the taking, partaking, or utilizing of a drug or other controlled substance.
- (8) **Drug Abuse Offense**—corrupting another with drugs, trafficking in drugs, abusing drugs (including abuse of alcohol), possessing drug abuse instruments, permitting a dangerous drug, processing drug documents illegally, abusing harmful intoxicants, or dispensing illegal drug samples; violating any state or federal law in which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, and administering to another, or using, or otherwise dealing with a controlled substance is an element; or conspiring or attempting to commit any of the above offenses.
- (9) **Controlled Substance**—a drug, compound, mixture, preparation, or other substance as defined in 40:961 to 40:995 of the Louisiana Revised Statutes or as defined by applicable statutes of other states and the Federal government.
- (10) **Reasonable Suspicion**—belief based on objective and documented facts sufficient to lead a prudent University-authorized supervisor to suspect that an employer/student is using drugs or alcohol.

C. Compliance with University Substance Abuse Policy

- (1) All employees/students of the Southern University System are expected to abide by the terms of this policy. An employee/student found in violation of this policy shall be subject to appropriate sanctions and penalties. Such penalties and sanctions may include, but are not limited to, referral for counseling, written or oral reprimands, suspensions with or without pay, or termination in accordance with the established rights of the employee/student, including the right to due process.
- (2) All University employee/students who are engaged in employment or other work under the terms of any grant from an agency of the Federal government shall as a condition of employment be required to:
 - (a) Acknowledge receipt of and abide by the terms of the University drug-free policy.
 - (b) Notify his/her administrative supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Any employee who fails to report such a substance abuse conviction within five (5) days will be subject to sanctions up to and including termination of employment.

- (3) Upon receipt of notice under the preceding paragraph or if the University should otherwise receive actual notice of such conviction, the University shall notify the granting or contracting agency within 10 days after receiving such notice.
- (4) The principal investigator of any grant, project, or contract from a Federal agency is required to ensure that each employee engage in the performance of the grant be given a copy of this policy and be required to acknowledge its receipt.
- (5) Any employee/student who is in any way chemically dependent must comply with the University-approved assistance program if the dependency is disclosed. Failure to do so can result in the sanction and penalties described in C.(1).
- (6) No identified employee/student will be allowed on University property and at any other location where employees/students are conducting University business under the influence of drugs, alcohol, or any abused controlled substance (for alcohol use, see **Student Alcohol Use**).
- (7) Upon receipt of a notice of conviction of an employee for a violation of any criminal drug statute, the University, within 30 days of receiving such notice, shall:
 - (a) take appropriate personnel action against such an employee subject to established disciplinary procedures, up to and including termination, in accordance with the requirements of due process; or
 - (b) require such employee to satisfactorily complete a drug-abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law-enforcement, or other appropriate agency.

D. Search and Inspections

The University authorized supervisor has the right to conduct on-the-spot search and inspection of employee/students and their personal effects as described above if said supervisor has a “reasonable suspicion” that the employee/students are in violation of this policy.

E. Drug Testing

Searches and inspections under this policy may also include unannounced Urine Drug Screen. This test may be used under the following circumstances:

- (a) for pre-employment examinations;
- (b) when an authorized University supervisor has a reasonable suspicion or just cause that an employee/student is intoxicated, using, or under the influence of controlled drugs.
- (c) when an employee/student is found in possession of a suspected controlled substance or a controlled substance is found in an area controlled by the employee/student; and
- (d) following a serious accident or incident in which safety precautions were violated or careless acts were performed.

F. Due Process

If any disciplinary action is taken against an employee under this policy, such an employee has the right to due process. The Faculty Handbook, handbook for University Personnel, the Student Code of Conduct, and collective bargaining agreement list these procedures.

G. Good-Faith Effort

The University, in adopting and implementing this policy, pursuant to the Drug Free Workplace Act of 1988, further certifies that it will make a good-faith effort to maintain a drug-free workplace and to respect the privacy rights of its employees.

THE SOUTHERN UNIVERSITY SYSTEM POLICY STATEMENT ON STUDENT ALCOHOL USE

All members of the campus community (students, faculty, staff, alumni, and guests) must adhere to all applicable state and local laws and University regulations related to the sale and use of alcoholic beverages. A summary of the Louisiana State Statutes and local ordinances of alcoholic use is included below.

1. It is unlawful for any person under twenty-one (21) years of age to purchase, possess, or consume wine, spirituous liquors, or mixed beverages (those containing more than six percent (6%) of alcohol by volume). Persons twenty-one (21) years of age or older may purchase, transport, and consume alcoholic beverages containing more than six percent (6%) alcohol by volume (spirituous liquors).
2. It is unlawful for any person to aid or abet an underage person in the purchase or attempted purchase of alcoholic beverages.
3. It is unlawful for any person to knowingly sell or give alcoholic beverages to an underage person.
4. It is unlawful for any person to falsify driver's license or other identification document in order to obtain or attempt to obtain alcoholic beverages.
5. It is unlawful for any person to permit use of his or her driver's license or any other identification document by an underage person to purchase or attempt to purchase alcoholic beverages.
6. It is unlawful for any person to consume any alcoholic beverage, beer, ale, or malt beverage or wine in or on any public street, right away, sidewalk, alley, or other public place within the City unless a waiver is secure from the City-Parish Council.
7. Such unlawful act may result in fines, imprisonment, and/or revocation of driver's license. Revocation of a driver's license can occur even though use of a vehicle is not involved in the unlawful act.

The possession or consumption of alcoholic beverages is prohibited in any form on University-owned or controlled property, including residence halls, restrooms, stadium, etc., unless prior approval has been granted by the respective Chancellor.

The respective Chancellor of each campus, at the recommendation of the Vice Chancellor for Student Affairs, may grant permission to any person, group of persons, or organizations to serve or permit the service of alcoholic beverage within the confines of the University facilities or social events consistent with this policy when it is deemed to their satisfaction that the user of the facility is both willing to and capable of implementing this policy during and throughout the duration of the said social event.

Order and decorum must be maintained at all times. The service and/or consumption of alcoholic beverages at events other than social is prohibited.

All student organizations planning to serve alcohol at any function must have approval from the Vice Chancellor for Student Affairs at least one month prior to the event. All sections of the property Alcohol Beverage Form must be completed. The individual responsible for the event will sign the statement indicating an understanding of state laws regarding appropriate service of alcoholic beverages, legal liabilities for irresponsible service, and the care of intoxicated person.

No person, group, or organization may sell alcohol beverages except pursuant to a license granted by the State through the local government licensing authority.

Both the chairperson of the event and of the sponsoring organization shall be responsible for compliance with applicable laws, campus regulations, and University policies.

No person under legal drinking age or any obviously intoxicated person shall be furnished, served, or given an alcoholic beverage.

The following guidelines concern the serving and consumption of alcoholic beverages during the hours of the event.

- a. The burden of proof for showing legal age is placed on the person desiring alcohol service. No service will be provided unless clear evidence of legal age is presented.
- b. There must be a system to ensure that “no one” who is underage is served any alcoholic beverages. The following are suggested systems.
 1. Allowing only persons of legal drinking age to attend the event.
 2. Use an ink stamp to stamp the hands of all persons who are of legal drinking age.
 3. Check the picture IDs at the distribution center. Acceptable identification consists of a valid driver’s license with the photo or other ID issued to non-drivers by the Department of Public Safety.
 4. Serve each person only one drink at a time. If there is a possibility that persons under legal drinking age may attend the event, personnel must be stationed at the entrance to the event at all times to check the picture ID of all participants.

Sponsors of social gatherings where beer and or other alcoholic beverages are provided shall be required to provide “bartenders” and/or appropriate dispensing stations for service of food and beverages with identification procedures for proof of age and limitation of quantities per person.

“Bartenders” shall be full-time University employees and shall not consume alcoholic beverage or be under the influence of alcohol while tending bar; and they shall not serve anyone who appears to be intoxicated.

Alcoholic beverages may not be brought in by others nor be removed for consumption elsewhere.

Alcoholic beverages will be served only in the area(s) reserved.

Sponsors are required to provide one or more alternative non-alcoholic beverages available in sufficient quantity throughout the evening. If the alcoholic beverage is being sold, the alternative beverage(s) should be available at a reasonable and comparable price.

Alcoholic beverages expenditures shall not exceed the value of food and nonalcoholic beverage costs.

Drinking “games” or any activity that contributes to alcoholic overindulgence or abused are prohibited.

Alternative beverages are to be advertised whenever alcohol is advertised and should be featured as prominently as alcoholic beverages in the advertisement.

Sponsors of events are required to provide security (at their own expense) and arrange adequate security coverage with the Chief of Police.

Any student and/or organization found in violation of either of these offenses will be referred to the Vice Chancellor for Student Affairs. Reports of such offenses and actions taken shall be forwarded to the Chancellor.

The Chancellor is the ultimate authority responsible for enforcing this policy. However, all employees/students are responsible for implementing and enforcing this policy.

TOBACCO FREE POLICY

The Southern University System (SUS) recognizes the overwhelming scientific evidence assembled by the U.S. Surgeon General, Centers for Disease Control, Environmental Protection Agency, and the World Health Organization, which demonstrates that tobacco is a profound agent of deadly diseases, responsible for many millions of deaths worldwide each year, both to tobacco users and nonusers. Tobacco use is inconsistent with a culture of wellness. While acknowledging the hazards of smoking, SUS has, more importantly, dedicated itself to providing safe, healthy, comfortable, and productive living and learning environment through its five (5) campuses for visitors, employees, and students.

Accordingly, pursuant to the provisions of LA. RS. 40:1300. 252-40:1300. 263, the SUS issues this 100 percent tobacco-free policy. Smoking and tobacco use of any kind will be prohibited on all SUS campuses and/or other properties owned and or leased location/premises; all internal and external areas, parking garage, and parking lots; all entrances and exits; and in all SUS owned and

or leased vehicles. Employees may not smoke in their own or others' vehicles when the vehicles are parked on SUS properties.

This policy will be in place at all SUS sponsored events-both on our premises and at external locations hosting events, including non-University hours and will further apply to all faculty, staff, students, and visitors.

The entire policy may be found on the Southern University Law Center's website.

UNAUTHORIZED POSSESSION OF A WEAPON POLICY

Unauthorized possession of a weapon—gun, knife, or any other dangerous instrument—is prohibited on campus. See SUBR Student Code of Conduct for additional information.