Preamble

The purpose of the Code of Student Conduct is to create an educational climate of excellence that is rooted in the Jesuit, Catholic tradition. The Five Dimensions of the Saint Louis University Experience challenge all members of our community to strive for excellence, to become men and women for others, to integrate classroom and out-of-classroom learning, to develop their talents through discovery and reflection, and to be concerned for each person (cura personalis). All members of the university community are expected to contribute to the development and sustainability of community through word and action. Our community is characterized by respect for the dignity of others, honesty, and the pursuit of truth. These Dimensions are created to ensure the right and privileges of all and to preserve the integrity of our learning community.

Scholarship and Knowledge

By developing a well-rounded educational foundation which incorporates learning through experience, by becoming scholars in their chosen fields, and by dedicating themselves to the
advancement of knowledge, students are prepared for advanced study, for their careers, and for lifelong learning.

*Intellectual Inquiry and Communication*
By developing the abilities of intellectual inquiry and communication, students are able to learn effectively, express ideas and concepts clearly, and apply their knowledge to new situations they encounter.

*Community Building*
By welcoming and working with others, regardless of race, ethnicity, religion, or gender, students build an inclusive community which leads to respect and compassion for human life and the dignity of each person.

*Leadership and Service*
By serving others and by promoting social justice, students become men and women for others who lead by their example.

*Spirituality and Values*
By developing their spirituality, values, and openness to the transcendent, students determine principles to guide their actions and their relationships with others.

It is essential and expected that Students assume responsibility for their conduct and that of their guests. When Students infringe on the rights of others, the University may intervene. Student conduct proceedings initiated pursuant to the Code of Student Conduct (the “Code”) or other University policies are integral to the educational mission of the University. In order to maintain and preserve the educational nature of University actions taken under the Code of Conduct, proceedings are not intended to imitate or serve as a substitute for civil or criminal proceedings, nor are formal rules of evidence utilized in such cases applicable to proceedings of the University under the Code of Student Conduct.

Students are expected to inform their guests of the policies, procedures and expectations of the University and may be held responsible for the actions of their guests. Students are expected to take reasonable steps to ensure that their guests do not infringe on the rights of others or violate University policies. Students may not invite onto campus or to attend any University related function, as a guest or otherwise, any person whom they know or should have known is restricted from attending University activities or entering onto University premises.

**Statement of Rights and Responsibilities**

All student members of the Saint Louis University community have certain rights. These include:
The Rights as stated in the Notice of Non-Discrimination

All programs and activities at Saint Louis University are open to all students without regard to race, color, sex, age, national origin, religion, sexual orientation, disability or veteran status.

The Right of Expression...
The University recognizes each student’s right to free speech, association and the free exercise of religion in the context of our Jesuit, Catholic mission, values, and ideals. In keeping with this recognition, the student media shall be free of censorship and advance approval of material, provided that its student leadership develop written editorial policies, ethical operating procedures and provide accurate and balanced news coverage, all based on the highest journalistic standards, state and federal law and the Mission of the University.

The Right to Petition...
Each student shall have the right to petition the University for redress of grievances, amendment of University regulations, and modifications of University policy in a manner consistent with the Jesuit Catholic heritage and the University’s Mission.

The Right of Privacy...
Students shall be secure in their persons, living quarters, papers and effects from unreasonable searches and seizures. Information from disciplinary, academic, health and/or counseling files shall not be available to unauthorized persons without the express consent of the student involved.

The Right to Assembly...
Students shall have the right to assemble, provided it is done in accordance with University policy. The student body shall have formal and clearly defined means of participating in the formulation of University policy in student-related matters. Such participation will include, but not be limited to, membership on appropriate University committees. Students shall have the right to establish and elect a democratic student government, including designated organizations that fall under its penumbra, shall be recognized as the official and final voice of the student body.

As a member of an academic and social community, each student accepts the following responsibilities in keeping with the Five Dimensions of the Saint Louis University experience:

**Scholarship and Knowledge**

- Students have a responsibility to inform themselves on issues which affect them and the University, and to base their concerns and actions on accurate and timely information.
- Students have a responsibility to follow duly adopted policies of the University concerning appeals of decisions, adjudication of grievances, and access to activities.
Intellectual Inquiry and Communication

- Students are responsible for learning the content of any course of study for which they are enrolled and for putting forth their personal best efforts to be active and participating learners.
- As responsible members of the University community, students will conduct themselves in academic settings in a manner respectful of the rights of their fellow learners and their teachers.
- All students are expected to extend the highest standards of respect and professional integrity to the faculty, staff and administration of the University.
- Students will not engage in any abusive or threatening speech or communications, whether verbally, written, or electronic speech. When conflict and difference of opinion arise, students will address one another, as well as all other members of the University honestly and respectfully.

Community Building

- All students will be respectful of different backgrounds, religious traditions, personalities, and beliefs of the students, faculty, and staff who make up the Saint Louis University community.
- As responsible community members, students agree to follow the laws governing use of alcohol, controlled substances, firearms, and similar regulated substances and items, and to abide by the duly adopted policies of the University which are based on those laws and the community's desire for a healthful and safe environment.
- All members of the University community have a right to live and work safely. All students will conduct themselves in a manner which does not pose a threat to themselves or any other person.

Leadership and Service

- Students have a responsibility to participate in the election and operation of the student government to assure it is representative of the diverse views of the student body, responsive to its varying needs and desires, and provides legitimate representation of student opinion.

Spirituality and Values

- In exercising the rights under the Statement of Student Rights, students will behave in a civil manner which is respectful of the rights of all other members of the University community—students, faculty, staff, and administrators, and will be guided by the duly adopted policies of the institution which promote an orderly, safe, and secure environment in the community.

2.1 Definitions
2.1.1
The term “University” refers to Saint Louis University and all of its affiliated schools, divisions, departments and related entities, campuses and controlled properties.

2.1.2
The “Student” refers to any and all persons enrolled at or taking courses through the University in any capacity. Persons who withdraw after allegedly violating the Code of Conduct, those persons not officially enrolled at the University but who maintain a continuing relationship with the University, those persons who have been notified of their admitted status to the University and individuals living in University owned residential facilities are also deemed “Students” under this Code.

2.1.3
The term “Accusation” refers to a written statement identifying the Accused Student and setting forth information relative to the alleged Code of Student Conduct violation, which may include the dates, times, witnesses and a brief description of the alleged misconduct.

2.1.4
The term “Accused Student” refers to the Student, group of Students or University affiliated organization accused of a violation of this Code of Student Conduct.

2.1.5
The term “Code” refers to the Code of Student Conduct.

2.1.6
The term “Complaining Party” means any person or entity who submits an accusation that a Student violated the Code of Conduct. When a Student believes that s/he has been a victim of another Student’s misconduct, the Student who believes s/he has been a victim will have the same rights under this Code as are provided to the Complaining Party, even if another member of the University community submitted the charge itself.

2.1.7
The term “Conduct Body” refers to the person or persons authorized to determine whether an Accused Student has violated the Code and impose outcomes, if any. The Conduct Body may include, without limitation, the Program Director of Student Conduct, the University Committee on Student Conduct, the Student Conduct Board, the Behavioral Concerns Committee, any individual University hearing officer or any other person or group of persons designated by the University to administer the policies and procedures of the Code or other University policies.

2.1.8
The phrase “Member of the University Community” includes any person who is a student, faculty member,
staff member, University official or any other person employed by or affiliated with the University. Any question as to a person’s status as a Member of the University Community shall be determined by the Vice President for Student Development.

2.1.9
The term “University Premises” includes all land, buildings, facilities and other property in the possession of, owned, used or controlled by the University including adjacent streets and sidewalks.

2.1.10
The term “Student Organization” refers to any number of persons who have complied with the formal requirements for University recognition or registration.

2.1.11
The term “University Activity” refers to any on-campus or off-campus event or function conducted, approved, sponsored or funded, in whole or in part, by the University or any Student Organization.

2.1.12
The term “University Committee on Student Conduct” refers to the standing Conduct Body generally composed of at least three faculty and/or staff members, and two Students. Faculty and staff members are appointed by the President and/or the Vice President for Student Development on an as needed basis. Student members are appointed by the President and/or the Vice President for Student Development on the recommendation of the Student Government Association on an as needed basis. The University Committee on Student Conduct may determine whether an Accused Student has violated the Code of Conduct and/or other University policies and may impose outcomes, if any, related to such determinations.

2.1.13
The term “Student Conduct Board” refers to the standing Conduct Body consisting of not less than four Students appointed by the Program Director of Student Conduct and the Vice President for Student Development, in consultation with the Student Government Association on an as needed basis. The Student Conduct Board may determine whether an Accused Student has violated the Code and/or other University policies and may impose outcomes, other than suspension or expulsion, related to such determinations.

2.1.14
The term “Behavioral Concerns Committee” refers to the Conduct Body consisting of parties from the University Community trained in policy and mental health issues, such as from the Office of Diversity and Affirmative Action, a representative from the University’s Student Health and Counseling Center or other SLU licensed mental health professional. Members are appointed by the President and/or the Vice President for Student Development. The purpose of the Behavior Concerns Committee is to perform the duties and responsibilities set forth in this Code relative to Student mental health issues and behavior.
2.1.15
The term “Program Director of Student Conduct” means the University official authorized to administer, enforce and facilitate the rules and procedures set forth in the Code and other University policies, procedures, rules and regulations. The Program Director of Student Conduct is authorized to serve simultaneously as the Program Director of Student Conduct and the sole or one of the members of any Conduct Body and may impose any and all outcomes in all cases.

2.2 Policy Overview and Applicability

It is impossible to list every category or specific example of conduct serious enough to warrant an official review. Therefore, the University reserves the right to initiate action and seek appropriate outcomes for conduct which is not specifically identified in this Code or other University policies, rules and regulations whenever in the judgment of the Vice President for Student Development or his or her designee, it is determined to be in the best interest of the University. This may include conduct that occurs away from the University’s premises and regardless of whether it is enumerated in the Code. Not all Accusations will be heard by the conduct body that the student’s prefers. The Director of Student Conduct or the Vice President shall have discretion over case assignments.

This Code shall apply to conduct that occurs on University Premises, at University sponsored events and to off-campus conduct and activity that may adversely affect the University community or the pursuit of the University’s objectives. Each Student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded). This Code shall apply to a Student’s conduct even if the Student withdraws from the University while a disciplinary matter is pending. The Vice President for Student Development has the right to amend or modify the procedural requirements of this Code as deemed warranted and appropriate in his/her sole discretion.

2.3 Conduct Occurring Off-Campus

While the Director of Student Conduct or the Vice President for Student Development have ultimate discretion in determining whether or not off-campus incidents will be addressed under this Code, some factors that are considered in determining whether or not an off-campus incident will be addressed under this Code include but are not limited to:

2.3.1 The extent to which the behavior significantly impair, obstructs, or interferes with the mission, processes or functions of the University.

2.3.2 The significance of the effect of the behavior upon other members of the University.
2.3.3 The manner in which the behavior tends to inhibit or impede the development of the University Student(s).

2.3.4 The potential positive impact that a resolution of the matter under the Code would have on the University community and the Student.

2.4 Policy Violations

Any Student found to have committed or to have attempted to commit the following misconduct may be subject to educational outcomes:

2.4.1 Abuse of the Conduct System
Abuse of the Student Conduct System, including but not limited to:

a. Failure to obey a notice or request from a Student Conduct Body, Program Director of Student Conduct or University official to appear for a meeting or hearing as part of the Student Conduct System.

b. Falsification, distortion, or misrepresentation of information before a Student Conduct Body.

c. Disruption or interference with the orderly conduct of a Student Conduct Body proceeding.

d. Institution of a Code proceeding or Accusation in bad faith.

e. Attempting to discourage an individual's proper participation in, or use of, the Student Conduct System.

f. Attempting to influence the impartiality of a member of a Student Conduct Board prior to and/or during the course of the Student Conduct Board proceeding.

g. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Body prior to, during and/or after a student conduct code proceeding.

h. Failure to comply with the sanction(s) imposed under this Code.

i. Influencing or attempting to influence another person to commit an abuse of the Student Conduct System.

2.4.2 Alcohol
Unlawful use, unlawful possession, unlawful manufacturing, unlawful distribution or sale of alcoholic beverages (except as expressly permitted by written University policy) or public intoxication.

2.4.3 Appropriate Conduct as a Student
Students are required to engage in responsible social conduct that reflects credit upon the University community according to the University's mission, values, objectives and responsibilities, and to model good citizenship in any community.
2.4.4 Assault and Harassment
Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other acts which threaten or endanger the health, safety or wellbeing of any person, or which may be reasonably interpreted to threaten or endanger the health, safety or well-being of any person.

2.4.5 Compliance
Failure to comply with a University Agreement, a reasonable request of a University official, authorized University agent, or law enforcement official and/or failure to properly identify oneself to these persons when requested to do so.

2.4.6 Dishonesty
Acts of dishonesty, including but not limited to the following:
   a. Charging any long distance telephone call to any telephone on University Premises without proper authorization;
   b. Falsely manufacturing, forging, transferring, altering, unlawfully possessing, possessing in violation of University policy, or otherwise misusing any University document, record, or instrument of identification or;
   c. Providing false and/or misleading information to a University official, authorized University agent, or other Member of the University Community.
   d. Providing false emergency contact information to the Banner Information System, Office of the Registrar or other University agent, including but not limited to: emergency telephone numbers, addresses, names, and emails.

2.4.7 Disorderly Conduct
Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University Premises or at functions sponsored by, or participated in by the University or members of the academic community.

2.4.8 Disruptive Behavior
Behavior that disrupts, obstructs, or interferes with classroom activities, teaching, research, advising, or other University learning or scholarly activities and functions.

2.4.9 Drugs
Use, possession, manufacturing, sale or distribution of illicit drugs, controlled substances, or drug paraphernalia except as expressly permitted by law.

2.4.10 Firearms
Unless otherwise expressly permitted by law, possession, use or keeping of a firearm, weapon, explosive device, dangerous chemical or any such item on University Premises or at a University Activity or otherwise illegally possessing a firearm, weapon, explosive device, dangerous chemical or any such item or if legally possessed, using any such item in a manner that harms threatens or causes fear to others.

2.4.11 Fire and Fire Safety Systems
Inappropriate activation or misuse of a fire detection system or any other safety or security
equipment and/or failure to evacuate a building promptly during a fire alarm or other emergency situation. Starting or contributing to a fire or possessing an incendiary device may also be considered a violation of this policy.

2.4.12 Hazardous Materials
Acquiring, creating, possessing, distributing, or using a hazardous or potentially hazardous material or substance.

2.4.13 Hazing
Hazing, defined as any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts and may be considered violations of this policy.

2.4.14 Implied Consent
If a student is aware of, or in the presence of, a violation of University policy and remains in the presence of it, or fails to take reasonable actions to stop the violation may be interpreted as having given their implied consent to this violation due to inaction.

2.4.15 Keys and Access to Buildings
Unauthorized possession, duplication or use of keys or unauthorized access to any University building or area on University Premises.

2.4.16 Obstruction of Traffic
Obstruction of the free flow of pedestrian or vehicular traffic on or around University Premises or at University-sponsored events or University-supervised functions.

2.4.17 Riots
Participation in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operation of the University and/or infringes on the rights of other Members of the University Community; leading or inciting others to disrupt scheduled or normal activities within any campus building or area or near any campus building or area.

2.4.18 Sexual Assault
Sexual acts of any nature that occur without the undisputable consent of the victim or that occur when the victim may be incapable of consenting. (See Sec. 1.12)

2.4.19 Destruction of Property/Theft
Attempted or actual theft of and/or damage to property or services of the University, a member of the University community, or other personal or public property, on or off campus.

2.4.20 Trespassing
Trespassing or unauthorized entry into any building, structure, facility or area on University Premises.
2.4.21 Unauthorized Use of Electronic Devices
Unauthorized use of electronic or other devices to make an audio or video record of any person without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a residence hall room, classroom, gym, locker room, or restroom.

2.4.22 Unauthorized Use of Computers
Theft, unlawful use of or other abuse of computer facilities, files, software and resources, including but not limited to:

   a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
   b. Unauthorized transfer of a file.
   c. Use of another individual’s identification and/or password.
   d. Use of computing facilities and resources to interfere with the work of another student, faculty member or University Official.
   e. Use of computing facilities and resources to send obscene or abusive messages.
   f. Use of computing facilities and resources to interfere with normal operation of the University computing system.
   g. Use of computing facilities and resources in violation of copyright laws.
   h. Any violation of the University's computer Appropriate Use Policy.

2.4.23 Violation of Rules and Regulations
Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website.

2.5 Mental Health Issues and Behavior

2.5.1 Referrals and Reporting
Any person from the university community (faculty, staff, parent, community member, alum, or student) may refer a student of concern or report an incident involving distressed or disruptive behavior to the Dean of Students office. Faculty, staff, and students may also contact Student Health and Counseling Services (“SHCS) or a Behavioral Concerns Committee (“BCC”) designee for a consultation when s/he observes early warnings signs of concerns. Reports and referrals will be forwarded to the BCC for review and/or evaluation.

2.5.2 Behavioral Concerns
The following are some examples, although not an exhaustive list, of student behaviors and/or policy violations that the BCC may choose to review and/or evaluate:
a. Cutting, self-mutilation;
b. Impulsive behaviors/lack of self control;
c. Suicide threats or ideation;
d. Suicide attempts;
e. History of alcohol or drug abuse;
f. Pattern or trend of disrespectful behavior towards others and/or campus community;
g. Threat of harm to others;
h. Inadequately managed psychological or medical conditions; and/or
i. Eating disorder (anorexia, bulimia, etc.) patterns and behaviors that may place the person at risk.

2.5.3 BCC Review
The Dean of Students, or Dean’s designee, presents cases that have been referred or reported by a university community member to the BCC for initial review. The BCC may be convened as needed or such regular times as determined by the committee for full case review of a student who was discharged from the hospital for a medical crisis incident.

If after the case review, the BCC concludes that the student does not pose imminent harm to self, others, or community, but should complete recommendations intended to assist the student in modifying his or her behavior, the BCC will provide the student an opportunity to participate in a Non-Crisis Case Management Response process. The Dean of Students, or Dean’s designee, will inform the Student of possible referrals for assistance and help the Student establish communication with various sources of assistance and support, including parents.

If after the case review, the BCC concludes that the student does pose an imminent threat to self, others, or community, the BCC will engage the student in a Crisis Case Management Response process that will include parental notification and may include the student’s involuntary participation. A student agreeing to voluntarily participate in a Crisis Case Management Response process understands that he or she is agreeing to complete all of the BCC’s recommendations and waives his or her right to appeal the decision. If no agreement is reached, the matter may proceed to a formal BCC hearing (see Section 2.5.5 below).

If a student agrees to voluntarily participate in a Crisis Case Management Response but fails to substantively follow or comply with agreed upon recommendations, the matter may also proceed to a formal BCC hearing.

2.5.4 Involuntary Referral for Evaluation
A Student may be required to have a mental health evaluation completed by a University approved, licensed mental health professional, at the Student’s expense, if the Dean of Students, Dean’s designee, or other University administrator facilitating the Accusation believes that:
a. the Student may lack the ability or capacity to understand and/or respond to the Accusation;
b. the Student may not have known or understood the nature of the alleged Accusation; or
c. the Student provides information or exhibits behavior indicating s/he may have a mental health issue that may have a significant impact on the Student’s behavior, personal well being or continued participation as a member of the University community.

A Student who fails to complete this evaluation may be referred to a BCC Hearing and as well as may be subject to immediate interim suspension.

2.5.5 BCC Hearing

a. Accusations involving potential mental health issues may be referred by the Dean of Students, or Dean’s designee, for a hearing by the BCC that is chaired by the Director of Student Conduct. The BCC will convene to consider what, if any, responsibility the Accused Student has relative to the alleged Code violation and what, if any, action should be taken to ensure the best interests of the Student and the University community are being met.

i. The Student shall be given at least 48 hours notice to appear at the BCC hearing.
ii. The Student may be assisted by only one person, such as a family member, an advisor, a licensed psychologist, a psychiatrist or other licensed mental health professional.
iii. Legal counsel is not permitted to be present as an advisor unless facing criminal charges resulting from the behavior under review. At no time will legal counsel, if permitted to attend, be allowed to speak or otherwise participate in the hearing.
iv. The Student may submit information relative to the Accusation being considered.
v. A Student will be allowed to speak on his/her own behalf whenever possible subject to such reasonable rules that the committee establishes for its proceedings.

b. The BCC shall have the capability of determining responsibility and issuing outcomes just as any Conduct Body referred to in this Code.
c. The BCC shall also determine whether or not resolution of the matter at the present time best serves the Student and/or the University community. Consideration of these behaviors may be delayed due to the Student’s voluntary or involuntary withdrawal, hospitalization, or in-patient treatment program or other relevant circumstances.

2.6 Interim Suspension

The Vice President for Student Development or his or her designee may invoke an interim suspension from the University whenever in his or her judgment such action is necessary to protect the safety and well-being or property of Members of the University Community, protect the Accused Student’s own physical or
emotional safety and well-being, or if the Accused Student poses a potential or significant threat of disruption or potential interference with the orderly functioning of the normal operations of the University. The imposition of interim suspension shall entitle the suspended Accused Student to a hearing on the matter as soon as practicable in accordance with the hearing procedures set forth in this Code.

2.7 Professional Standards

All undergraduate, graduate and professional program Students at the University are members of both a particular school or college, as well as general Members of the University Community. Because social conduct, professional conduct and discipline in certain professional groups may be closely related to professional suitability, the dean of a particular school or other similarly situated person shall have and may assume full authority and responsibility to handle such cases as a related academic matter. Standards of professional conduct and policies and procedures for handling such matters observed by the individual academic units may take precedence over the policies set forth in this Code at the discretion of the Vice President for Student Development. A Student may be accused of and sanctioned for violating this Code and for violating academic unit policies arising under the same facts, circumstances and actions.

2.8 Violation of Law and the University Code of Student Conduct

University Code proceedings may be instituted against a Student charged with conduct that potentially violates both the criminal law and this Code, without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Vice President for Student Development. Determinations made or outcomes imposed under this Code shall not be subject to change because criminal charges arising out of the same facts giving rise to the Accusation were dismissed, reduced, or resolved in favor of or against the criminal or civil law defendant.

When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a Student. If the alleged offense is also being processed under the Student Code, the University may advise off-campus authorities of the existence of the Code matter and how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement authorities and other agencies in the enforcement of criminal laws on campus and in the conditions imposed by criminal or civil courts for the rehabilitation of Student violators (provided the conditions do not conflict with campus rules or outcomes). Students and other Members of the University Community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

2.9 Residence Hall/Apartment Rules and Regulations
Students and guests in the residence halls/apartments are subject to the rules and policies appearing in the Residence Life Guide, Residence Hall/Apartment Contract and this Code. Individual floors and halls/apartments also have authority to formulate standards of behavior for the residents in addition to those contained herein, subject to the approval of the Director of Housing and Residence Life. These policies will be established using the processes and criteria published by the Department of Housing and Residence Life. Floor and hall/apartment policy changes must be posted in designated areas or distributed to the affected individual Students at least 72 hours before they become effective. In the event of a conflict between any floor or hall policy and those policies contained in this Code or elsewhere, the more stringent policy shall take precedence.

2.10 Preliminary and Hearing Procedure

2.10.1 The Director of Student Conduct, or his or her designee, shall serve as the coordinator for all Accusations arising under the policies contained in this Code.

2.10.2 When the Accused Student is believed to have violated University policy, the Director of Student Conduct may direct the Accusation to the appropriate Conduct Body or hearing officer in his/her sole discretion, or may allow the Student to choose a hearing before a Conduct Body or individual hearing officer.

2.10.3 Any Member of the University Community may file an Accusation against any Student or Student Organization for misconduct or a violation of this Code or any other University policy. All Accusations should be filed with the Director of Student Conduct within one year from the date of the alleged violation.

2.10.4 The Director of Student Conduct may conduct an investigation to determine if the Accusation is meritorious and/or if it could be educationally resolved by mutual consent of all involved parties. If a Student accepts responsibility for a Code violation and agrees to be sanctioned by the Director of Student Conduct or other designated hearing officer, this shall be the final disposition of the matter.

2.10.5 Notice/Investigation

If an Accusation is not disposed of through a mediation process or an admittance of wrong doing by the Accused Student as set forth above, the following procedures will be followed:

a. At the sole discretion of the Director of Student Conduct, Students who are alleged to be involved in two or more incidents of misconduct may have all of the Accusations combined and presented to the Conduct Body at the same time.
b. Absent special circumstances, a hearing will ordinarily be scheduled not less than five (5) or more than fifteen (15) calendar days after the Accused Student has received written notice of the Accusation. The maximum time limit for scheduling a hearing may be extended at the discretion of the Director of Student Conduct.

c. When a hearing is scheduled, the Accused Party will be notified in writing of the Accusation. Hearing notices will generally be sent to the involved parties via University e-mail or campus mail. If the Accused Student refuses to accept the written notice, hearing notice will be deemed received at the time of attempted delivery, deposited into US Mail, deposited into the campus mailbox or if sent by e-mail, on the date and time the e-mail notice was sent.

d. Due to time constraints, Accusations occurring during the first two weeks and last two weeks of a semester may receive expedited processing and a hearing, if appropriate, at the discretion of the Director of Student Conduct. Students may appeal the decisions in such cases, but may not be scheduled for a preliminary interview for the sake of expediency.

2.10.6
Hearings shall be conducted in accordance with the following procedures:

a. Absent extenuating circumstances as deemed appropriate by the Vice President for Student Development, hearings will be conducted in a relatively private setting, in compliance with the Family Educational Rights and Privacy Act, and involving only those persons involved in the alleged incident and those reasonably necessary for the Conduct Body to determine whether or not an Accused Student has violated University policy.

b. The Accused Student and the Complaining Party may be accompanied by a personal advisor. Each party is responsible for presenting his/her own information and therefore, advisors are not permitted to speak or to directly participate in the hearing. Legal counsel (including without limitation, law students, law school graduates not licensed to practice law and licensed attorneys) is not permitted at a hearing, even as a personal advisor, except when criminal charges are concurrently pending against the Accused Student, arising out of the same conduct that is the subject of the hearing. In such cases, the Accused Student and the Complaining Party are permitted, but not required, to have legal counsel present as an advisor. In such instances, legal counsel may only personally advise the client and may not participate in any manner in the hearing. All advisors are subject to final approval of the Director of Student Conduct. The Director of Student Conduct may, in his/her sole discretion, prohibit an advisor at any time prior to or during the hearing process and in such instance, the Accused Student will be given a reasonable amount of time to identify a replacement advisor if desired.

c. A list of possible witnesses, advisors, pertinent records, exhibits and written statements, including, without limitation, a Student Impact Statement, may be accepted for consideration by a Conduct Body, provided they are submitted to the Director of Student Conduct or designated Hearing Officer at least 48
hours before the hearing. In certain circumstances, individual names or personally identifiable information may be redacted in order to comply with federal privacy laws.

i. If additional witnesses or documents are identified that were not available prior to this forty-eight (48) hour period, the hearing may be postponed for an additional forty-eight (48) hours upon request of any participating party and upon the final approval of the Director of Student Conduct in his/her sole discretion.

ii. The Conduct Body, Accused Student or Charging Party may arrange for witnesses to present relevant information at the hearing. Witnesses will be required to provide relevant information and answer questions from the Conduct Body.

iii. To preserve the educational tone of the hearing, the Accused Student and/or Complaining Party may suggest questions to be answered by the witnesses and each other. Any questions shall be suggested to the Conduct Body chairperson or hearing officer, as the case may be, rather than to the witnesses or other parties directly. The appropriateness and relevancy of all such questions are subject to the approval of the Conduct Body chairperson or hearing officer in his/her sole discretion.

iv. The Complaining and/or Accused Student may request to have Student witnesses be required to be in attendance at the hearing. The request shall specify the witness’ name and the information expected from the Student. The Director of Student Conduct will determine in his/her sole discretion whether the expected information would be appropriate and relevant and will approve or deny the request. If approved, the Director of Student Conduct will take appropriate steps to attempt to secure the attendance and participation of the student witness.

d. The Conduct Body chairperson or individual hearing officer, generally, is the presiding University official responsible for overseeing the hearing and for taking all steps necessary and appropriate to conduct the hearing. All procedural questions during the hearing are subject to the final decision of the presiding University official.

e. In any hearing or other related meeting, the Accused Student may remain silent, and such silence will not be used against him/her in determining whether or not a violation of University policy has occurred. If an Accused Student chooses not to participate in the hearing process, the final decision as to whether or not the Accused Student violated University policy will be based on the information presented in the hearing.

f. After the hearing, the Conduct Body will determine (by a majority vote if the Conduct Body consists of more than one person) whether the Accused Student has violated University policy based on the information presented in the hearing. In its determination, the Conduct Body will utilize a standard of whether it was more likely than not that the Accused Student violated University policy.

2.10.7 If the Accused Student fails to appear before the Conduct Body at the time of the scheduled hearing, the hearing will be conducted in the Accused Student’s absence.
2.10.8
The Conduct Body may accommodate deviations from general hearing procedures when such deviations are reasonably necessary to protect an individual’s safety or well-being (including without limitation, psychological well-being) under the circumstances. This accommodation may be made at the sole discretion of the Director of Student Conduct and such accommodation may be made at any time prior to or during the hearing process.

2.10.9
The Conduct Body may announce a decision at the conclusion of the hearing or meet following the hearing to consider the information presented and communicate its decision in writing to the Accused Student within five days of the hearing. Notification will include an explanation of the appeal process. Subject to the requirements of the Family Educational Rights and Privacy Act and/or other state and federal laws, the Complaining Party or other appropriate parties may be notified of the decision of the Conduct Body.

2.10.10
The Conduct Body may impose any sanction or outcomes deemed appropriate under the circumstances.

2.11 Outcomes

The following outcomes may be imposed singly or in combination upon a Student or Student Organization found to have violated this Code or any other University policy. Other outcomes not listed may be imposed upon recommendation by the Conduct Body or hearing officer.

2.11.1
Written Admonition and Warning: A written notice may be given to the Student that states the Student has violated a University policy and a warning that future similar violations of University policy may incur more severe action being taken against the Accused Student.

2.11.2
Disciplinary Probation: A written warning may be given to the Student about the University policy violation that reclassifies them as a Student “not in good standing” with the University. Probation is for a designated period of time and includes the probability of more severe disciplinary outcomes if the Student is involved in any other conduct violations during his/her probationary period. A student deemed to be “not in good standing” with the University may be subject to any or all of the limitations/restrictions that the hearing officer/Conduct Body deems appropriate, such as:

- Loss of eligibility for apartment living;
- Loss of ability to represent the University in any public performance or event;
- Loss of ability to hold office in any student organization;
• Loss of ability to participate in Intramurals or Club sports;
• Loss of ability to participate in leadership or student organizations.

2.11.3
Discretionary outcomes: Include, but are not limited to, work assignments; service to the University or community; letters of apology; completion of educational programs; assessment and counseling; evaluation or treatment by an appropriate health care or other professional; disqualification from representing the University in official University activities such as intercollegiate athletic contests, holding or seeking an officer position in a University organization and/or participation in intramural athletic events or other discretionary assignment deemed appropriate by the Conduct Body.

2.11.4
Restitution: Monetary compensation for loss, damage or injury as determined by the Conduct Body.

2.11.5
Assessments/Fines: The imposition of a monetary sanction appropriate under the circumstances.

2.11.6
Loss of Privileges: Denial of privileges to University services and facilities and/or attendance or participation in activities, events or programs.

2.11.7
Restricted Access: Restriction or termination of a student’s access to a residence hall/apartment or designated portion of a residence hall/apartment as a guest, or other University facilities or a portion thereof.

2.11.8
Living Unit Suspension: Separation of the student from a floor or residence hall for a definite period of time. Conditions for reinstatement may be imposed.

2.11.9
Contract Termination: Termination of the student’s residence hall/apartment contract and removal from the Residence Life system. Readmission to the Residence Life system may occur only with written approval from the Director of Housing and Residence Life. Students whose contracts are terminated will lose visitation privileges to all residence halls/apartments and may be assessed housing and other charges in accordance with the terms of the living unit contract.

2.11.10
Degree and/or Transcript Withholding: The University may withhold awarding of a degree otherwise earned
or an official University transcript until the completion of the process set forth in this Code, including without limitation, the completion of all outcomes imposed.

2.11.11
Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions of readmission may be specified. Students who are suspended from the University may forfeit all tuition and other fees paid or required to be paid for the academic year.

2.11.12
Expulsion: Permanent separation of the student from the University. Any student who has been expelled from the University under the Code may be readmitted only with written approval of the Vice President for Student Development. Students who are expelled from the University may forfeit all tuition and other fees paid or required to be paid for the academic year.

2.11.13
Revocation of Admission and/or Degree: Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of standards in obtaining the degree, or for serious violations committed by a Student prior to graduation.

2.12 Student Organizations

2.13.1
All hearing procedures applicable to Accused Students are also applicable to Student Organizations.

2.13.2
If a Student Organization is found in violation of the Code of Conduct, the Conduct Body may impose one or more of the following outcomes or other outcomes not set forth below but determined to be reasonable and appropriate by the Conduct Body:

a. Probation: Probationary status for not less than one academic semester, during which time the organization will be required to fulfill specific conditions or refrain from certain actions or activities. Violation of the probation conditions, or any University policy or procedure, may result in additional and more severe outcomes.

b. Suspension: Separation from the University for a specified period of not less than one semester. Suspension involves a loss of all privileges, including, without limitation, the use of University facilities and services as well as a probationary status for not less than one year following completion of the suspension.

c. Termination: Permanent separation of a student organization from the University and the forfeiture of any organizational funds in the possession of the University.

d. Discretionary outcomes: Without limitation, work assignments, service to the University or outside
community, letters of apology, completion of educational programs, assessment and/or counseling, or other appropriate and reasonable assignment.

e. Fine/Assessment: The imposition of a monetary sanction appropriate under the circumstances.
f. Restitution: Monetary compensation for loss, damage or injury as determined by the Conduct Body.
g. Loss of privileges: The suspension of certain organizational privileges, opportunities and/or the right to participate in certain activities.

2.13. Appeals

2.13.1. An accused student may appeal the outcome of a conduct hearing within two University business days after receiving formal notification of the decision. An appeal must be filed in writing with the appropriate appeal officer and directed to the Vice President for Student Development or his or her designee. As a general rule, neither the outcomes resulting from a disciplinary decision nor any change in the status of a Student will be enforced until the appeal has been fully considered. However, each matter shall be considered on a case-by-case basis, taking into account, among other things, the health and safety of individual community members or the community as a whole.

2.13.2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the record of the Conduct Body and supporting documents for one or more of the following purposes:

a. To determine whether the hearing was conducted fairly in light of the charges and information presented, and in substantial conformity with prescribed procedures that provide the Complaining Party a reasonable opportunity to prepare and to present information that the Code was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the record that, if believed by the fact finder, were sufficient to establish that a violation of the Code occurred.

c. To determine whether the sanction(s) imposed were appropriate for the violation of the Code which the Student was found to have committed.

d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Conduct Body Hearing.

2.13.3. The appeal officer may adjudicate the appeal or may remand the matter back for a full or limited hearing to the original Conduct Body for further proceedings in the following circumstances:
a. If it is determined on appeal that a serious deficiency occurred that may have materially affected the Conduct Body's decision.
b. If it can be demonstrated that new evidence sufficient to alter a decision was unavailable or could not have been known to a party at the time of the original hearing.
c. In the discretion of the University official reviewing the appeal, a remand is necessary in the interest of fairness.

2.13.4
In appeals of cases/outcomes by Students accused of violating the Code or any other University policy, more severe outcomes may be imposed.

2.13.5
A Complaining Party may appeal under the same terms and conditions as an Accused Student in those instances when the University, in compliance with state and federal law, may disclose the outcome of a conduct proceeding to the Complaining Party.

2.13.6
All appeal decisions of the Code of Student Conduct are final.

2.14 Disciplinary Records

Other than expulsion, or revocation or withholding of a degree, disciplinary outcomes will not be made part of the student's permanent academic or educational record but will become part of the student's discipline record. Matters involving the imposition of outcomes other than residence hall expulsion, suspension, expulsion or revocation or withholding of a degree shall be expunged from the Student’s University record seven (7) years after the final disposition of the matter. In situations involving both an Accused Student(s) (or a Student Organization) and a Student claiming to be the victim of another Student's conduct, the records of the process and of the outcomes imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the Student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

2.15 Parental Notification

The purpose of Saint Louis University's parental and guardian (from hereafter referred to as parental or parents) notification policy is to foster a healthy and safe campus community while promoting the educational and professional success of students. Consideration to notify parents demonstrates Saint Louis University’s commitment to “cura personalis” or a deep “care of the person” and our goal “to work toward the common good.”
While the University’s primary relationship is with its students, the University also understands that parents and/or guardians maintain an interest in their students’ behavior while at college, and can play a positive role in the learning experience. Therefore, the University strives to foster a partnership with both students and their parents in which each has a unique responsibility to promote a healthy and productive learning experience. As part our mission, the University expects students to assume personal responsibility and accountability for their actions as they learn to function interdependently.

The University also recognizes that the process of establishing appropriate levels of personal autonomy requires support and, at times, assistance or intervention. In the appropriate circumstances, notification of parents or legal guardians can be a means of support in that transition. Parental notification is intended as a means to inform and encourage communication between a student and his or her parents without compromising our primary relationship with the student and his or her ability to assume responsibility for his or her actions. Parents are encouraged to use this information to assist their student in fulfilling his or her educational goals through the use of open dialogue. After parental notification has occurred, the University will continue to correspond and otherwise conduct business directly with the student, and not through parents, guardians, or any other third party.

**Policy**

In accord with the Family Educational Rights and Privacy Act Policy, the University has established the following guidelines for notifying parents when there is:

1. concern for the welfare of a student; or
2. the student's behavior may jeopardize the welfare of others; or
3. the student is involved in violations of federal, state, or local law or university policies related to the possession, use, or distribution of alcohol or a controlled substance (drugs).

Specifically, the university grants to the vice president for student development the authority to appoint who may notify parents or guardians, as well as to determine when and by what means they may do so.

The vice president for student development or designee -- whenever possible -- will involve the student in a discussion about the decision to notify his or her parents or legal guardian and will inform the student when notification has occurred. However, Saint Louis University may disclose information to parents, without written consent from the students, when notification is determined to be necessary to protect the health or safety of the student or others. Nothing in these proposed guidelines shall prevent University officials from notifying parents or legal guardians of health or safety emergencies, regardless of the student’s conduct status.
Circumstances for Notification

In general, notification of parents or legal guardians for a violation of federal, state, or local law or University policy may happen given the following circumstances:

1. The student receives treatment at a medical facility for a serious or life threatening injury.
2. The student has threatened or caused harm to self or others.
3. The student has been found responsible for a conduct violation and part of a sanction includes housing contract cancellation, disciplinary probation, deferred suspension, interim suspension, suspension, or expulsion.
4. The University is notified by police that a student was arrested or taken into custody.
5. The information regarding the student is needed in connection with an emergency to protect the health or safety of the student or other individuals.
6. The student and/or a student’s guest is 17 years of age or younger and alleged to have violated any federal, state or local law, or any rule or policy of the institution.

The University retains the right in its discretion to notify parents of any conduct or behavioral matter.