



XAVIER UNIVERSITY OF LOUISIANA STUDENT HANDBOOK

2025 - 2026



EXCELLENCE BEGINS HERE

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UNIVERSITY FACTS

Date Established	1925 by Saint Katharine Drexel and Sisters of the Blessed Sacrament	
Type of Institution	The only American Historically Black Catholic University	
Major Function	Teaching, Research & Community Service	
Accreditation	Xavier University of Louisiana is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award bachelors, masters, and doctorate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Xavier University of Louisiana.	
Major Divisions	College of Arts and Sciences, College of Pharmacy	
Degrees Offered	Bachelor of Arts, Bachelor of Science, Bachelor of Music, Master of Arts, Master of Arts in Teaching, Master of Theology, Doctor of Pharmacy	
Enrollment	3200	
Colors	Gold and White	
Mascot	Gold Rush (Men); Gold Nuggets (Women)	
Motto	"Deo Adjuvante Non Timendum" "with God Helping Us, There is Nothing to Fear"	
Varsity Sports	Men & Women's Basketball, Cross Country, Tennis, Track & Field, Women's Volleyball	
University Leadership	Dr. C. Reynold Verrett PRESIDENT	Mr. Joel Munza VICE PRESIDENT FOR ENROLLMENT MANAGEMENT
	Dr. Margarette Giguette INTERIM PROVOST / SENIOR VICE PRESIDENT OF ACADEMIC AFFAIRS	Mr. William Bostick ASSOCIATE VICE PRESIDENT FOR UNIVERSITY AUDIT
	Mr. Edward Phillips VICE PRESIDENT FOR FISCAL SERVICES	Ms. Adicia Waddell ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES
	Mr. Curtis Wright VICE PRESIDENT FOR STUDENT AFFAIRS	Father Victor Laroche, OP UNIVERSITY CHAPLAIN, SPECIAL ASSISTANT TO THE PRESIDENT FOR CATHOLIC IDENTITY
	Mr. Phillip D. Adams VICE PRESIDENT FOR INSTITUTIONAL ADVANCEMENT	Dr. Kathleen Kennedy DEAN, COLLEGE OF PHARMACY
	Dr. Mable Moore VICE PRESIDENT FOR TECHNOLOGY ADMINISTRATION	Dr. Anderson Sunda-Meya DEAN, COLLEGE OF ARTS & SCIENCES

UNIVERSITY MISSION STATEMENT

Xavier University of Louisiana, founded by Saint Katharine Drexel and the Sisters of the Blessed Sacrament, is Catholic and historically Black. The ultimate purpose of the University is to contribute to the promotion of a more just and humane society by preparing its students to assume roles of leadership and service in a global society. This preparation takes place in a diverse learning and teaching environment that incorporates all relevant educational means, including research and community service.

ALMA MATER

In the Mississippi Valley, In the Crescent Bend
Stands our loved and noble Xavier, Far her praises send.

(CHORUS)
Wave her colors, bear them onward
Gold and White so true

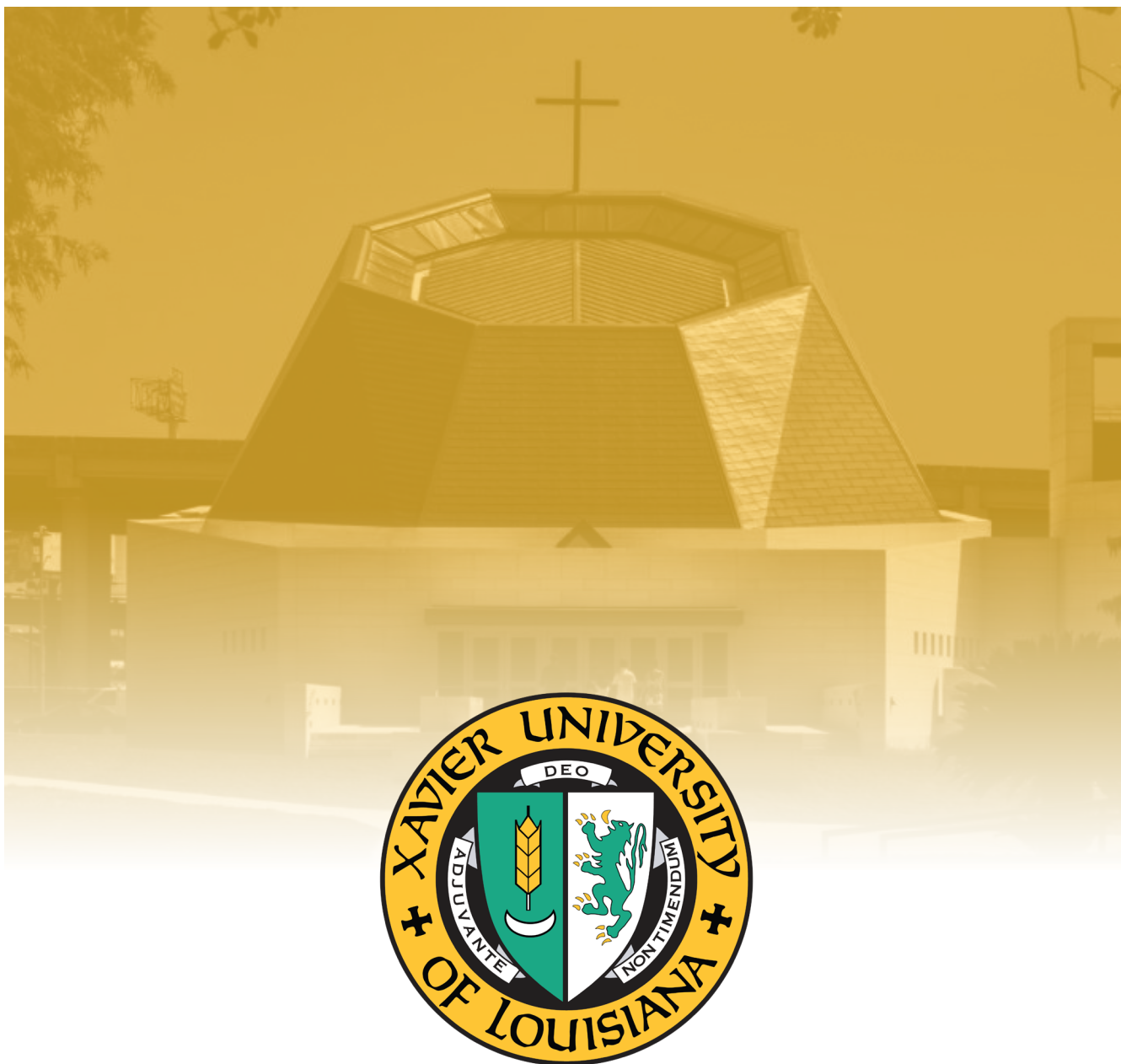
Hail to thee, all hail, dear Xavier

Hail, all hail, X. U.!

Xavier, ever be our guide, And lead us on the way
Through life's journey, Onward, Upward, to the eternal day.

***Note: The Alma Mater is sung at the close of Convocations, assemblies and ceremonies.
All rise when the Alma Mater is sung, and no one is to applaud afterward.***





UNIVERSITY SEAL

The Xavier seal is composed of a shield inscribed in a circle. On one side of the shield is a lion rampant in a field of white. His claws are tinged with gold. On the other side of the shield, on a green field is a crescent and above the crescent a gold spear of wheat. The gold and white are Xavier's colors. The green field signifies confidence in God; the lion, symbol of courage and strength, stands for the Xavier student nourished with the wheat. The wheat may also stand for the Sisters of the Blessed Sacrament, who founded Xavier University. The Crescent represents the city of New Orleans; it may also symbolize Mary, the Virgin Mother of God, from who the Second Divine Person (Jesus Christ) arose.

WELCOME *Xavierites*



CURTIS WRIGHT

VICE PRESIDENT OF
STUDENT AFFAIRS

Welcome to Xavier University of Louisiana!

As a Xavierite, you are part of a spectacular community of students, faculty, staff, and alumni. It is my hope that you find yourself at XULA and explore all that the campus community has to offer. You are exactly where you are supposed to be and it is your responsibility to own your seat in this amazing community of scholars.

Whether you are an undergraduate or graduate; full-time or part-time; we are ready to help you succeed here, and the contents of this handbook will equip you with the tools to become successful. Your choices and actions will define your Xavier experience. Whether you choose to join XAB or SGA or volunteer in Vincent's Vault, there are many ways for you to get connected. Be curious, take risks and recognize that learning occurs within the context of our lives.

Student Affairs measures its success based on the ways in which we support you, therefore our success is inextricably connected the success that you enjoy. Please take advantage of every resource, service, and program offered. Each of us shares a responsibility for creating the community in which we live. As an institution of higher education, we commit ourselves to creating a climate where students, faculty, staff, and community members can explore concepts and ideas with openness and respect. You are the embodiment of Mother Katherine's dream of a more just and humane society. As a Xavierite, I hope you are challenged to grow both academically and spiritually; and that we can assist you on your journey to becoming a civic-minded agent of change.

If you see me walking across campus, say hello and let me know how you're doing. Have fun, stay safe, and have a great semester.

Take good care.

I Remain,

Dear New Xavierites,

Welcome to THE Xavier University of Louisiana! I'm so excited to officially say you made it! You are now part of a powerful legacy of excellence, service, and purpose. And trust me, there's no better place to grow into the leader, scholar, and changemaker you're meant to be.

My name is Brook Sellers, and I have the honor of serving as your Student Government Association President for the 2025–2026 school year. I'm a proud Neuroscience major from Palm Bay, Florida, and just like you, I once stood at the start of this incredible journey filled with nerves, excitement, and big dreams. So from one student to another, breathe

You're exactly where you're supposed to be. As you step into this new chapter, I want you to know that you're not alone. We're a community that uplifts, empowers, and supports each other every step of the way. So whether you're making lifelong friends in the caf, having deep talks on the Yard, or figuring things out one late-night study session at a time you've got this, and we've got you.

I can't wait to meet you, celebrate your wins, and be part of your journey here at Xavier. And if there's one thing I want you to remember about me, it's this: I lead with love. So if you ever need a friend, a cheerleader, or someone to help you navigate this Xavier life I'm always just one conversation away.

Here's to growth, greatness, and the best years of your life

Welcome home.

With so much love,
Brook Sellers

WELCOME
Xavierites



**BROOK
SELLERS**

**STUDENT
GOVERNMENT
ASSOCIATION
PRESIDENT**



DIVISION OF STUDENT AFFAIRS

OFFICE OF THE VICE PRESIDENT OF STUDENT AFFAIRS

UNIVERSITY CENTER 305B

The Vice President for Student Affairs (VPSA) provides administrative leadership, support and direction for all matters related to Student Affairs and student life and participates as a member of the President's cabinet in planning, budgeting, and policymaking for the university. The VPSA oversees the areas of Athletics and Recreational Sports, Campus Ministry, Center for Student Involvement, Community Standards, Health and Wellness, Inclusion and Social Justice, Residential Education, University Center and University Police. Other areas of responsibility include student conduct, student government, student organizations, and Greek life.

ATHLETICS & RECREATION

CONVOCATION ANNEX 322

Xavier places a strong emphasis on the holistic development of its students, offering an exceptional athletics program as a vital component. The university boasts intercollegiate varsity teams for men in baseball, basketball, cross country, rowing, soccer, tennis, and track and field. For women, Xavier offers varsity teams in basketball, cross country, rowing, soccer, softball, tennis, track and field, and volleyball.

The athletics program provides a safe and motivating environment for student-athletes to excel but also recognizes the need for students to pursue and achieve academic excellence. This combination of athletic achievement and academic excellence is the foundation of a sound athletic program with long-term success where coaches share the responsibility of educating our student-athletes.

Campus Recreation provides a welcoming environment with programs that inspire the University community to engage in recreation and wellness opportunities. Xavier students, faculty, and staff are eligible to participate in club sports, intramural activities, and informal recreation and fitness programs. These programs vary in skill to attract and involve students, faculty, and staff with differing interests and abilities. The balanced athletic and recreational sports program is an essential educational experience and provides excellent training for students in all university departments.

Note: In addition to the Student Handbook, there is a Student-Athlete Handbook. The Student-Athlete Handbook is available online at www.xulagold.com.

CAMPUS MINISTRY

ADMINISTRATION BUILDING SUITE 101

Campus Ministry encourages students, faculty, and staff to grow in their own faith and to find support within the University community. It offers a variety of programs and opportunities for faith development through one-on-one interaction and group settings. Opportunities are provided for students, faculty and staff to meet with the Campus Ministry staff to plan and prepare spiritual activities that will meet the needs of the Xavier community—fostering fellowship, community outreach, leadership development and values clarification. Campus Ministry is staffed by a Director, 2 fulltime Chaplains (Catholic and Interfaith), Catholic Deacon, Administrative Assistant, Music Minister, Liturgical Dance Instructor and Peer Leaders (student volunteers). Other opportunities for student involvement in Campus Ministry include liturgical dancers, bible study, gospel choir, retreat team, praise team, Knights of Peter Claver Collegiate (Unit 403), Society of St. Vincent DePaul Conference, Church Minister (Lectors, Ushers, EM, Decorators), and Catholic Relief Ambassadors.

CENTER FOR STUDENT INVOLVEMENT

UNIVERSITY CENTER 316

The role of the Center for Student Involvement is to bring awareness to student life through programming and leadership development. The Center for Student Involvement cultivates leadership development while stewarding and positioning our students to participate in civic engagement. Through our rigorous leadership development we seek to continue to enhance student life while preparing our students to make significant contributions to their respective communities.

The Center for Student Involvement advises the Student Government Association, Peer Dean Planning Committee/Peer Deans, Xavier Activities Board, National Pan-Hellenic Council, Commuter Student Network, Royal Court, Homecoming, Springfest, Class Councils, Honda Campus All Star Challenge Competition Team, and Omicron Delta Kappa Honor Society. The office supports over 100 registered student organizations.

We want you to stay up to date with all campus activities and events. You can do so by utilizing **X-connect** (<https://xula.campuslabs.com/engage/>). Through X-Connect you can search for programs and organizations that may be of interest to you as well as receive information regarding who to contact if you want to get involved.

CENTER OF HEALTH & WELLNESS

ST. JOSEPH A & HRC 217

The Center for Health & Wellness provides quality holistic care for all of Xavier students. We, as a unit are committed to creating a healthy environment and atmosphere for all students. Our friendly, caring and professional staff provides medical and mental health services, accessibility resources and health education programs that help students make healthy lifestyle choices in support of their academic, personal, and professional goals for the ultimate purpose of helping to create a more just and humane society.

INSURANCE

All full-time undergraduate students are automatically enrolled in the Student Health Insurance plan. Students must be covered by health insurance which provides coverage in the New Orleans metropolitan area for both physician office visits as well as emergency room visits. Students who meet the criteria may waive the Student Health Insurance plan. This waiver requirement must be met each year during the Fall semester or in the Spring for students enrolling for the first time in January during the open waiver period.

Graduate students and their dependents are eligible to enroll on a voluntary basis. Exception: The Physician Assistant Program requires their students to be automatically enrolled in the Student Health Insurance plan and they are required to complete a waiver form during the waiver period. Please see insurance policy and waiver information: <https://www.xula.edu/center-of-healthwellness/insurance/index.html>.

COUNSELING AND PSYCHIATRIC SERVICES

ST. JOSEPH A & HRC 202

Counseling & Psychiatric Services promotes the wellbeing of all Xavier students by providing counseling, consultation, prevention, and training that enhances the student's academic and personal success at Xavier and prepares them for the future with a caring team of licensed mental health professionals. The staff are available to assist students across varied presenting concerns. Counseling & Psychiatric Services encourages a healthy community through mental health promotion, interpersonal development, and crisis intervention.

All on campus counseling services, care coordination, and psychiatry services are free. Referral services are available through our care coordinator. Cost for **off-campus services** are the responsibility of the student.

Office Hours are Monday – Friday, 8:30 a.m.-9 p.m. Walk-ins are welcome, appointments are recommended. **Please note:** after 5:00 pm - by appointments only, except in case of an emergency (504) 520-7315. Website: <https://www.xula.edu/center-of-health-wellness/counseling-service/index.html>

DISABILITY SERVICES

CONVOCATION CENTER ANNEX 215

The Office for Disability Services works to ensure that students with disabilities have equal access to education and campus life at Xavier. Disability Services, coordinates all services and programs for individuals with a disability. Support and assistance are given to students with physical and/or mental/emotional impairments, learning differences, chronic illnesses, and temporary disabilities. Disability Services encourages student empowerment through self-advocacy, program accessibility/accommodations, and a psychologically supportive environment.

Disability Services is a resource for the accommodation of students regarding academic and nonacademic accessibility issues relevant to campus life, personal growth and career development. Personalized support services, programs, and referrals are also available to reasonably accommodate students with the special needs who self-identify.

Some of the available services available are accessibility assistance testing services and coordination of academic or non-academic accommodations, such as extended time for testing, a distraction reduced environment, and housing and dining accommodations. All services are confidential and in accordance with the American with Disabilities Act and Section 504 of the Rehabilitation Act.

Office hours are Monday – Friday, 8:30 a.m. – 4:30 p.m. Appointments and walk-in services are available. You may contact the Office of Disability Services by: phone (504)520-7607 or email disabilityservices@xula.edu. Website: <https://www.xula.edu/center-of-health-wellness/disability-services/index.html>

XAVIER OCHSNER STUDENT HEALTH SERVICES

ST. JOSEPH A & HRC 217

Xavier Ochsner Student Health Services provides for the maintenance and improvement of the health and welfare of enrolled students with emphasis placed on mitigating illness. The on-campus health care facility offers a range of medical care services including primary health care and acute care (non-life threatening) services. All currently enrolled Xavier students are eligible for unlimited office visits at no charge. The student's insurance plan will be billed for certain procedures and/or medications (EKG, Blood work). All medical information is **confidential**.

A student who requires the services of a physician or nurse practitioner after hours will be referred to an off-campus physician or emergency room at his/her expense. Off – campus services, e.g., laboratory test, x-rays, prescriptions, etc., are the responsibility of the student.

Excuse notes:

- Excuse Notes are given at the discretion of the Student Health staff based on their medical findings and professional assessments.
- Excuse notes are only given when care is received through the Xavier Ochsner Student Health Services. Please acquire a note from the place of service when care is received elsewhere.
- The Student Health staff does not have the authority to exempt students from class, exams, etc. These decisions will be made by the professor, faculty, department, etc.

Website: <https://www.xula.edu/center-of-health-wellness/student-health-services/office-student-health-services.html>

Xavier University's Wellness Promotion and Prevention Center provides resources, programs, and services that help Xavier students make healthy choices in support of their academic, personal and professional goals.

Wellness is committed to engaging the Xavier community in creating a healthier campus, healthier students, and reducing barriers to wellness. Wellness includes a health centered-model on wellbeing, interactive learning, and academic success. Wellness Education programs include holistic wellness topics including mental health promotion, alcohol/substance use, interpersonal skills, sexual health, physical wellness, stress management, nutrition and body image.

XULA Well also houses the Peer Health Educators (PHE). Our PHE's are trained student volunteers who collaborate with the Center FOR Health and Wellness to host and promote holistic wellness year-round. Our team of dedicated professionals are here to help by contacting XULA Well staff to have an informational table or presentation for your events with the date, time, location, and theme of the event. We are always interested in learning about new opportunities to serve students and collaborate with the campus community!

Office hours Office are Monday – Friday, 8:30 a.m. – 4:30 p.m. Appointments and walk-in services are available. You may contact XULA Well at: phone (504)520-5165.

Website: <https://www.xula.edu/center-of-health-wellness/counseling-service/index.html>

The Office of Inclusion and Social Justice is committed to catalyzing social change through advocacy, ethical leadership, community engagement, and public discourse—both within and beyond the walls of our institution. Upholding the values of St. Katharine Drexel, the Office serves as a conduit for thoughtful introspection, courageous conversation, and deliberate action as we work toward our shared goal of cultivating a more just and humane society.

To bring this commitment to life, the Office oversees a wide range of transformative programming and inclusive spaces that center student voice, community impact, and equity-driven leadership. Signature initiatives include:

- Black Male Experience Programming – Intentional, identity-affirming initiatives designed to build the capacity of men of color to lead with empathy and integrity. This series includes the Men of Xavier Program and Magnificent Male Programming, both rooted in mentorship and ethical leadership development.
- Service Saturday – Monthly service opportunities that connect students with the resilience and needs of the New Orleans community. Embedded within this program is MAX (Mobilization at Xavier), a robust leadership development experience that prepares students to enter community spaces with empathy and a commitment to being part of sustainable, local solutions.
- Gender Equity Initiatives – A series of programs that challenge gender-based bias and foster inclusive dialogue and advocacy. Highlights include Women’s Week and The In Truth Series, both of which uplift the narratives and experiences of women and gender-diverse communities.
- LGBTQ+ Programming – A vibrant calendar of programs that includes Safe Zone Trainings, identity-affirming spaces, and a week-long series of events that culminate in campus-wide celebrations—ranging from formal galas to casual picnics—designed to celebrate authenticity, joy, and belonging.
- Alternative Break Trips – Domestic and international immersive experiences rooted in service, reflection, and global justice. Students have participated in trips such as Sankofa of the Spirit (Ghana) and Chasing the American Dream (New York City), which explore the intersections of culture, identity, and systemic inequity. Each ending in a capstone project that brings their learning back to the campus.
- Gumbo Garden – A nationally recognized food justice and environmental equity project that provides between 5,000 and 7,000 pounds of fresh produce annually—free to the New Orleans community. This space is both a farm and a platform for environmental education, civic engagement, and intergenerational healing.
- Volunteer Services – A year-round service hub that connects students with meaningful volunteer opportunities across New Orleans and beyond.
- Civic Engagement Programming – A comprehensive initiative that empowers students to make informed decisions about policy, voting, and their civic rights and responsibilities. Through dynamic workshops, dialogue series, and voter education campaigns, students learn what it truly means to engage responsibly in a democracy. This program also includes a robust lineup

of speaker series and leadership development opportunities that prepare student leaders to advocate ethically, think critically, and lead change within their communities.

Additionally, the office manages two signature student-centered spaces:

- The Civic Center, located in the university library, serves as a flexible, inclusive venue for student-led programming, campus events, and collaborative workshops.
- Adjacent to the Civic Center is the Innovation Lounge, a newly constructed, state-of-the-art hub where students can engage in immersive programming, connect creatively, or simply relax in a welcoming space. The Lounge also features two professional podcast studios, empowering students to elevate their voices, tell their stories, and amplify social justice issues through media and storytelling.

Together, our programs and spaces ensure that inclusion and justice are not just institutional values—but daily lived experiences that inspire students to lead with purpose, compassion, and courage.

The central location of the Office of Inclusion and Social Justice is located in the University Center, Room 305.

RESIDENTIAL EDUCATION

UNIVERSITY CENTER 208

Welcome to the Office of Residential Education at Xavier University. Xavier's Office of Residential Education offers a variety of living environments designed to meet the diverse needs of students. St. Martin dePorres Hall is our high-rise residence hall that is double style housing with a private bathroom, St. Katharine Drexel offers all-female housing as an option and St. Michael Hall provides an all-male living for our first-year students. The Living Learning Center, which is our suite-style residence hall, is the home to our Xavier University Honors College students. St. Katharine Drexel also houses first-year students, and those who are part of this hall participates in our First Generation Living Learning Community.

UNIVERSITY CENTER

UNIVERSITY CENTER

The University Center is the center of campus life at Xavier. The University Center serves students, faculty, staff, alumni and guests offering a variety of programs, activities, services, and facilities to complement the academic experience. An extensive array of cultural, educational, social and recreational programs provides students, in particular, the opportunity to balance course work and free time as cooperative factors in education. The University Center functions as the gathering place of the university community as it provides services and conveniences in offices for student organizations, Student Affairs, e-conference rooms, campus card center, campus mail service, campus dining service, a game room, a café, and a large study area that converts to a showcase lounge and much more.

CAMPUS RESOURCES



ACADEMIC COMPUTING SERVICES

There are academic computer labs across campus available to Xavier students. Xavier operates four open Computer Labs – Library RMC, NCF Computer Lab, St. Joseph Computer Lab, Xavier South Computer Lab---and Mini Labs in the Residence Halls. Each computer is connected to the Internet and can access e-mail and software servers located throughout the campus. Information Technology Services trains students to work in the labs, answer questions and help students with printing and access problems.

ATMS

Two Liberty Bank ATMs are located in the University Center 1st floor & in St. Martin dePorres Hall

BANKS ACCOUNTS, DIRECT DEPOSIT, & CHECK CASHING

Xavier University will cash one-party checks for students up to \$25.00. Students are urged to open an account with a local bank in order to avoid complications in the management of funds. Numerous banks are located within a five-mile radius of campus. All refunds, work-study and student employment earnings must be direct deposited into bank accounts. Keep careful records of credit and point of sale purchases to avoid fees for insufficient funds.

BOOKSTORE

The University Bookstore is located on the second floor of the University Center. It supplies all university required textbooks and school supplies. Also available are various school insignia clothing, novels, books and magazines and other gift/souvenir items for the entire family and campus community. In addition, snack, beverage and toiletry items are offered.

REFUND POLICY

Textbooks:

- A full refund will be given in your original form of payment if textbooks are returned during the first week of classes with original receipt.
- With proof of a schedule change and original receipt, a full refund will be given in your original form of payment during the first 30 days of classes during Fall and Spring sessions; the first 5 days of class for the Summer Sessions.
- No refunds on unwrapped loose leaf books or activated eBooks.
- Textbooks must be in original condition.
- No refunds or exchanges without original receipt.

BOOKSTORE

General Reading Books, Software, Audio, Video and Small Electronics:

- A full refund will be given in your original form of payment if merchandise is returned within 14 days of purchase with original receipt.
- Opened software, audio books, DVDs, CDs, music, and small electronics may not be returned. They can be exchanged for the same item if defective.
- Merchandise must be original condition.
- No refunds or exchanges without original receipt.

All Other Merchandise:

- A full refund will be given in your original form of payment with original receipt.
- Without a receipt, a store credit will be issued at the current selling price.
- Cash back on merchandise credits or gifts cards will not exceed \$1.
- No refunds on gift cards, prepaid cards, phone cards.
- Merchandise must be original condition.

For more information on returns and exchanges by mail or for online purchases, please see <https://xula.bncollege.com/shop/xula/home>. Purchases may be made with cash, check, major credit cards or on the XCard/Rush-Buck\$ account.

CAMPUS CARD OFFICE / STUDENT AFFAIRS OFFICE OF OPERATIONS

The Office of Student Affairs Operations houses the Campus Card office and also oversees contracted services for the university---Bookstore, Dining Services, Document Centre, Post Office, Faculty, Commencement Regalia and Vending, ATM and Laundry machines. Operations also is the campus lost and found location. All students must obtain their mobile credential XCARD/ID that will be added to your google or apple wallet via your cell phone. For assistance, please visit the Campus Card Office, University Center, Room 122, Monday – Friday, 9:00 a.m. – 4:30 p.m. A new student (i.e., first time attending Xavier University) may obtain the mobile credential after he/she (1) has registered for classes for the current semester and (2) has been fiscally cleared via a Student Accounts representative/cashier. Physical XCARDS are no longer issued unless there is an extenuating circumstance (e.g. student does not have a smart phone). Physical replacement XCARDS are \$30 and cannot be added to the student's account.

COPY SERVICES / DOCUMENT CENTER

Coin/card operated copy machines for student use are available in the University Center, University Library, Pharmacy Library, Chemistry Dept., Xavier South 2nd floor, St. Katharine Drexel Hall and the Living Learning Center. Students may deposit RUSHBUCK\$ and use the XCard/ID Card to make copies.

COPY SERVICES / DOCUMENT CENTER

The XU Document Center is located on the 1st floor of the University Center. It provides “While You Wait” services for all print jobs up to 300 sheets and 24 hour service for up to 5000 sheets, business cards and typesetting jobs. Copy services include black and white/full color copies on letter, legal, tabloid (12 x 18) on white, pastel, bright, resume paper or card stock. Stationary/graphic services include: brochures, envelopes, flyers, invitations, letterhead and newsletters. Binding/finishing services include: automated folding, cutting, stapling and spiral binding. The Centre also provides special services such as digital printing, faxing, laminating, scanning and transparencies.

DINING ON CAMPUS

The dining experience at Xavier offers a variety of menu choices catered to the casual diner and residential students. Xavier Campus Dining Services operates the UC Dining Hall, Café Noir, Chick-Fil-A, SubConnection and Catering. Xavier Campus Dining menus are planned around the greatest variety possible to meet the most diverse range of individual preferences. Diners are encouraged to choose from a wide variety of food every day for the healthiest and most balanced diet. Students who are interested in more information, have special needs or concerns about nutrition, are invited to schedule a meeting with the General Manager, by email to tj.talabi@sodexo.com.

Note: Inappropriate attire which includes, but is not limited to sleepwear or loungewear, will not be permitted in the dining hall of Xavier University.

UC DINING HALL – Xavier’s 650-seat residential restaurant features a traditional all-you-can-eat dining program. The dining hall houses six different stations which offers students a variety of delicious cuisines which include home-style meals, made to order pasta and stir-fry, burgers, vegan options, a salad bar, an array of desserts and more.

CHICK-FIL-A - In our kitchen, we focus on fresh and simple ingredients. We serve chicken that is whole breast meat, with no added fillers or hormones, and we bread it by hand. Produce is delivered fresh to our kitchens several times a week. Salads are chopped and prepared fresh throughout the day. Our lemon juice is hand mixed daily with pure cane sugar and water (yep, that’s all) to make Chick-fil-A Lemonade. It may not be the easy way, but it’s the only way we know. Located on the 1st floor of the University Center.

XAVIER CATERING SERVICES – Xavier University Catering Services understand that student organizations work with limited budgets and are committed to work to fulfill the dining needs for your student event. No matter how basic or large scale, you will be provided a full range of quality and innovative catering services. The catering department will gladly work with you to create your special event or to tailor a menu for a theme party or reception. For arrangements, stop by the catering office located in the University Center, Room 113, visit our website <https://xuladining.sodexomyway.com/catering> or call (504) 520-7573.

For more information about Xavier Dining Services, visit <https://xuladining.sodexomyway.com/>

IDENTIFICATION CARD (XCARD)

Each student should carry his/her ID card (the XCard). It provides identification for tracking class attendance, checking out library books, gaining entry to University sponsored events, and gaining entry into the cafeteria for those who have a Meal Plan or RUSHBUCK\$. Students may not lend their cards to anyone else; permitting another person to use a card or using someone else's card is considered fraud. The XCard is your personal ID card but is the property of Xavier University and should be carried at all times while on campus and presented upon request by any University official and can be confiscated from bearer as a result of inappropriate conduct or abuse.

The XCard is also financial transaction card. The XCard RushBuck\$ refers to a stored value account established by pre-depositing funds via each student's online campus card account - Transact. As a cash alternative, RushBuck\$ can be used for purchasing services/goods from selected copy and vending machines, merchandise from the bookstore as well as meals from Xavier food services.

INSURANCE

All full time undergraduate students are automatically enrolled in the Student Health Insurance plan. Students must be covered by health insurance which provides coverage in the New Orleans metropolitan area for both physician office visits as well as emergency room visits. Students who meet the criteria may waive the Student Health Insurance plan. This waiver requirement must be met each year during the Fall semester or in the Spring for students enrolling for the first time in January during the open waiver period.

Graduate students and their dependants are eligible to enroll on a voluntary basis.

Exception: The Physician Assistant Program requires their students to be automatically enrolled in the Student Health Insurance plan and they are required to complete a waiver form during the waiver period.

Please see insurance policy and waiver information: <https://www.xula.edu/center-of-health-wellness/insurance/index.html>.

INTERNATIONAL EDUCATION

The Office of International Education (OIE) offers structured learning services to both international and domestic students, faculty, and staff, as well as facilitating opportunities to experience and understand values, beliefs, and behaviors different from their own. The OIE works to ensure that F-1 international students maintain their visa status and expert guidance on government compliance, supports students' campus acclimatization (navigating academic expectations, campus life and community engagement), hence empowering students to succeed not only in their studies or research but also in their personal and professional development.

For more information: <https://www.xula.edu/international-ed/index.html>

LIBRARY

The Xavier University Library/Resource Center provides services to students, faculty, staff and alumni. A Federal Documents Depository since 1991, the Library houses federal publications, Archives and Special Collections division, Instructional Media Services, and specially designed class/viewing rooms and wet study carrels. Inter-library loans are available to students, faculty and staff. The Library is open until midnight five nights a week, and special hours during final exams, holidays and summer months.

LOST AND FOUND

Items lost and found on the main campus are usually returned to the University Police Office or Auxiliary Services, UC 122G. Items are kept for 30 days and disposed of after that time. Individuals may inquire of lost and found items at either office between the hours of 9 a.m. and 9 p.m. Monday - Friday, except holidays.

NON-UNIVERSITY RELIGIOUS GROUPS

Non-university religious groups that wish to come to the campus to present programs or otherwise encounter students must have the approval of the Vice President for Student Affairs. The vice president (or designee) will grant such approval after consultation with the Office of Campus Ministry.

NOTICES / ANNOUNCEMENTS / PUBLICITY

All signs or posters which are to be placed on the campus must be approved in the appropriate office. Please bring the sign or poster to be approved before it has been duplicated. Student Affairs (UC 305B) manages the posting/publicity policy and is responsible for approving posters and flyers on campus in for confirmed and scheduled events. Requests for banners and oversized posters must be submitted to the Center for Student Involvement. Requests for outdoor banners and signs must be submitted to Building Services. Failure to receive authorization will result in the removal of the signs or posters, restitution for any damage and may result in loss of posting or reservation.

PACKAGED ITEMS - EXPRESS MAIL & PICK-UP

Non-U.S.P.S. Express Mail and packaged items shipped via UPS (United Parcel Services) are handled through the Receiving Department (504) 520-7345.

Post Office/Contract Postal Unit (CPU) The University Post Office is located on the 1st floor of the University Center. You may purchase stamps, mail letters and packages during window service hours M – F, 8:30 am – 4:30 pm. Closed from 1pm - 2pm for lunch and periodically during mail sorting and delivery. All other services (.e.g. on-campus mail pick-up) are available M – F, 8:00am – 4:30pm. Please note that the Post Office is closed on the weekends and any designated University holidays/closure. Also, incoming/outgoing off-campus mail services are suspended on Federal mandated holidays (e.g. Labor Day)

Federal Express Mail, DHL Mail, and items shipped via United Parcel Services (UPS) are handled through the Receiving Department (504-520-7345). The Post Office/Contract Postal Unit only handles mail for the United States Postal Services (USPS).

Students living in the following residence halls should have incoming mail addressed as:

Student's Name
Living Learning Center
1 Drexel Drive
New Orleans, LA 70125-1098

Student's Name
St. Martin dePorres Hall
1 Drexel Drive
New Orleans, LA 70125-1098

Student's Name
St. Katharine Drexel Hall
1 Drexel Drive
New Orleans, LA 70125-1098

Student's Name
St. Martin Hall
1 Drexel Drive
New Orleans, LA 70125-1098

PUBLICATIONS

Student publications include the Xavier Herald newspaper and the University Yearbook "Xavierite." Students are encouraged to seek positions on the newspaper and yearbook staffs. This Month at Xavier (TMAX), a monthly newsletter, is published by the Department of Marketing & Communications. This newsletter is circulated to alumni, students, staff and parents. The Department of Marketing & Communications also emails the weekly e-news to all students, faculty and staff.

RELIGIOUS LIFE

Xavier University is a Roman Catholic institution and through the Office of Campus Ministry offers religious programs and activities for the entire University community, regardless of religious affiliation. Mass is held daily and all religious observances of the Catholic Church are followed. Non-Catholic students are invited to attend all of the religious services, but are also provided information on Protestant services. All activities of a religious nature must be in accordance with the "Policy on Religious Activities."

VANS AND USE OF PERSONAL VEHICLES

The Student Government Association maintains a 15-passenger van for use by recognized student groups for official university business. Only those persons on the university's approved drivers list and who maintain a good driving record may operate a university van. Drivers must be 21 years of age, complete the university's "Van Safety Driving Course" and pass a background check prior to being placed on the list of approved drivers. Student groups who use vans must have a faculty/staff advisor with them if the van is taken outside the metropolitan area. Faculty, staff and students are insured by the university's policy while operating university-owned or university-rented vehicles. Employees' personal automobile coverage is primary when using their own vehicles on university business. Students driving their own vehicles will have to rely solely on their own liability coverage for accidents even when participating in activities or attending events required for academic credit.

VEHICLE REGISTRATION / PARKING

The University Police Department oversees parking and traffic control on campus. All students who park on university property are required to display a valid university parking decal. Vehicles parked without a valid decal are subject to parking ticket and may be immobilized (booted) without warning. Please refer to the Parking and Traffic Guide for more specific regulations at <https://www.xula.edu/student-affairs/parking-information.html>.

Booting Policy

The university uses an outside company to manage vehicle booting with XUPD. If your vehicle is booted, it will not be released until both the parking ticket and boot fee are paid in full. Once payment is received, you will receive a code to unlock and remove the boot.

Reserved Parking

Reserved parking spaces are for faculty and staff members who pay for and are assigned those spots. Students are not allowed to park in reserved spaces at any time. Parking in a reserved space will result in your vehicle being immediately booted, even if you have a valid student decal.

To avoid tickets and booting:

- Register your vehicle online at https://xula.campusinnovation.com/xula_myparking_prod/
- Clearly display your student parking decal at all times
- Park only in areas designated for student parking
- Never park in reserved or restricted zones.

VOTER REGISTRATION

The National Voter Registration Act of 1993 (NVRA) and Act 10 of the 1994 Louisiana Legislative Session encourages voter registration by providing new and innovative ways to register to vote—mail, motor voter, and agency-based registration.

The Office of Student Affairs offers students the opportunity to register to vote as part of Orientation and when reporting for an Identification Card. Voter registration applications are available in the Office of Student Affairs, University Center 305B.

VIOLENCE PREVENTION EDUCATION AND ADVOCACY

Violence Prevention Education and Advocacy is a comprehensive resource for any student who has experienced sexual misconduct. The office helps connect students to campus and community resources related to their specific needs. The demands of college life are substantial and a traumatic event can be overwhelming, compounding current stress. Violence Prevention Education and Advocacy strives to alleviate some of the burdens of navigating processes and resources. Violence Prevention Education and Advocacy wants to help restore a sense of normalcy in students' lives by offering a supportive presence and assistance to students who have been victimized. Some specific services provided include:

- Confidential disclosure for sexual assault, domestic violence, dating violence, non-consensual sexual contact, sexual exploitation, sexual harassment, and stalking
- Direct crisis intervention
- Exploration of options
- Information and resources
- Referrals to on and off-campus resources
- Ongoing follow-up and support as needed
- Personalized safety planning
- Education and consultation for students, faculty, and staff

Violence Prevention Education and Advocacy also oversees the SAPHE program (Sexual Assault Prevention Health Educators.) Students can apply to complete the SAPHE certification with Violence Prevention Education and Advocacy, which allows students to volunteer with the office to train other students about sexual misconduct, healthy relationships and safer sex. Students must complete monthly training to maintain active certification. Upon graduation, active members receive recognition at graduation with a SAPHE honorary graduation cord.

XAVIER UNIVERSITY POLICE DEPARTMENT

DREXEL DRIVE

University Police maintains the campus as a safe and secure environment. The Office of University Police is open 24 hours a day, 7 days a week and serves as the information center to visitors entering the campus. Officers patrol the campus on a regular schedule by foot, bicycle, gulf carts and vehicles. Officers also avail themselves as crime prevention practitioners by providing safety & security information to students, faculty and staff of the university as well as local community. Major emphasis is placed upon personal safety and security beginning with the individual. The Office of University Police oversees parking and traffic control, crime prevention and offers several crime prevention and safety awareness programs throughout the year.

Members of the Xavier University Police department include commissioned officers and non-commissioned security personnel. Commissioned officers have completed the police academy and attained P.O.S.T. (Peace Officers Standards Training) certification, commissioned by the State of Louisiana, Office of State Police. Non-commissioned security personnel may attend the police academy within the first year of hire.

University Police is responsible for responding to and investigating all violations of law. To assure safe access to the University, officers need the cooperation and support of all members of the Xavier community. Any suspicious or potential criminal activity or other emergencies should be reported immediately at 504-520-7490. Other services provided by University Police: *investigation of suspicious or criminal acts, auto accidents; access to university facilities; vehicular, bicycle, and foot patrol of all XU properties; enforcement of university policies.*

Emergency Assistance

The university maintains an emergency system via telephone and through the XULASafe app. Students should contact the Office of University Police at 504-520-7490 for emergency assistance on campus, and an officer will be dispatched to your location to assist you. Students should dial 911 for off campus emergencies and be prepared to provide the following information:

- Name
- Phone Number
- Location
- Brief Nature of the Emergency

We encourage students to download the XULASafe app to stay up to date with safety alerts and emergency notifications.

University Police staff will notify the appropriate emergency personnel and/or the Student Affairs Administrator on-call from the Health and Wellness Center and/or the Office of Violence Prevention.

Emergency Alert Systems:

- XULASafe App: <https://www.xula.edu/itc/xula-safe-mobile-app.html>
- Eleven Emergency Blue Light call stations are located throughout the campus and connect directly to the Xavier Police Dept. to report any emergency or suspicious activity.
- An Emergency alert messaging system is extended to the campus community to receive notification of weather alerts and other emergencies via text, email and voice mail after registration of a cell phone number and email address. All Students should register. However, all Students in on-campus housing must register for this service. To sign up for the Emergency Alert and Mass Notification System go to: <https://www.xula.edu/campusafetyandsecurity/emergency-alert-system.html> to ensure your email address and cell phone number is updated.

Reserved parking spaces are for faculty and staff members who pay for and are assigned those spots. Students are not allowed to park in reserved spaces at any time. Parking in a reserved space will result in your vehicle being immediately booted, even if you have a valid student decal.



STUDENT INVOLVEMENT

The University offers students various services, resources and co-curricular programs to enhance student engagement and involvement. These services and programs fall under the supervision of the **Division of Student Affairs**. Student Affairs at Xavier is committed to an active participation in student success and learning both in and out of class. All programs and services are designed to encourage and link learning experiences and student development goals. Our philosophy is based upon the principle that the strongest education integrates the existing academic program with a supportive, caring atmosphere for each student to learn and grow outside the classroom. Responsibilities of staff extend to ensure students' personal growth and development:

- to advocate for students,
- to enlist student involvement in University programs and processes,
- to guide student transition to college life,
- to advise on policies and procedures, and
- to assist students in their learning and development as students, emerging leaders, engaged citizens and aspiring professionals.

Staff is available to assist in advising student organizations, aid in problem-solving and any special needs programs. Our doors are open and students may feel free to stop by the offices

STUDENT GOVERNMENT

The Student Government Association (SGA) is the official representative of students in University policy-making and administration. This organization establishes an accountable self-government and provides the opportunity for responsible, individual and collective action. Its purpose is to plan, promote, and make recommendations for the interests and welfare of the student body as well as the University. It is charged with enacting legislation which regulates other student organizations and the general conduct of student life.

STUDENT LIFE COUNCIL

The Student Life Council advises the Vice President of Student Affairs on the current issues regarding student housing, welfare, guidance, counseling, career services and employment, and student activities to help students forge educationally relevant campus experiences of a non-academic nature. The Student Life Council sets the standards for student elections; recommends guidelines for student housing, welfare, utilization of student facilities; and provides advisory support to programs related to varsity athletics, intramurals, residence halls, and student organizations. Membership in the Student Life Council includes: student government leadership, residence hall association leadership, university center governing board, the three faculty representatives appointed by the President from among recommendations submitted by the Academic Assembly, guidance counselors, residence hall and faculty advisors and membership in major student organizations.

UNIVERSITY CENTER ADVISORY BOARD

The University Center Advisory Board is composed of students, staff, and faculty members. It makes recommendations affecting the overall functioning of the Center; periodically evaluates the Center's activities in relation to programs, facilities, and staff; and encourages social, cultural, and recreational programs for the University community. It serves in an advisory capacity in matters pertaining to the University Center. The Advisory Board is composed of students (6) appointed by the Student Government Association from students nominated to the Board from the Student Body at Large; the Senior Conduct Officer; and the UC Director. All offices are held by students. All meetings are open to the general University community.

COMMUTER / OFF-CAMPUS STUDENT NETWORK

The purpose of the Commuter Student Network is to provide services and activities for local and off-campus students as well as serve as a vehicle to voice their issues and concerns. All non-resident students are eligible and encouraged to get involved in this group. For more information, the Center for Student Involvement Office located in the University Center, Suite 316.

GREEK LIFE / NATIONAL PAN-HELLENIC COUNCIL (NPHC)

The National Pan-Hellenic Council (NPHC) is the advisory and governing body of Xavier University's eight (8) social Greek organizations. NPHC provides a forum for the exchange of ideas, to coordinate matters of common interest, to plan cooperative service and academic programs and to formulate membership intake rules, policies, and plans. Individual member organizations offer leadership, service, cultural and personal development opportunities. Information may be obtained from the NPHC Advisor.

XAVIER ACTIVITIES BOARD

The Xavier Activities Board (XAB) serves as the planning body for major student activities. This student-run group provides diverse programming that appeals to the entire student body and aids in the development of the well-rounded student. Membership in XAB includes an Executive Board, Program Chairs, and representatives from the student body. XAB holds weekly executive board meetings and all students are encouraged to attend and provide varied ideas. XAB operates under the Center for Student Involvement office and is advised by the Director of Student Involvement.

PHARMACY STUDENT ASSOCIATION

PSA promotes cooperation between pre-pharmacy and pharmacy student body, faculty, administration, and SGA. Supervise student affairs consistent with the particular needs of the pre-pharmacy pharmacy students. Concern itself with the work in the interest of the pre-pharmacy pharmacy students as they relate to the College of Pharmacy and Xavier University. Endeavor to support the High standards of the profession of Pharmacy at XU and in the surrounding community.

MOBILIZATION AT XAVIER

Mobilization at Xavier (M.A.X.) was founded in August of 1988. We center social justice as we coordinate and implement weekly volunteer service opportunities and events on and off campus in conjunction with Volunteer Services. M.A.X. helps students maximize their time by actively engaging in the community as volunteers to promote social awareness and social responsibility. M.A.X. hosts weekly service opportunities, campus-wide Service Saturdays, Social Justice Trainings, Service Seminars, and much more. By becoming a member of f students serve the community, partake in civic engagement, and become diligent advocates to our most vulnerable populations who often are unheard.



STUDENT GOVERNMENT ASSOCIATION **CONSTITUTION**

PREAMBLE

We, the students of Xavier University of Louisiana, desiring to promote the welfare of the Student Body; to develop a sense of leadership and responsibility for growth through initiative, discipline and self-direction; to assume the fullest powers and responsibilities of self-government, not inconsistent with the responsibilities and policies of the University administration; to encourage a clear and continuous exchange of ideas between students, faculty, and administration of this University; to promote academic freedom and responsibility; believing that these ideas are essential to the welfare of this Catholic University, and, recognizing the need of guidance from the Lord Jesus Christ in the attainment of these goals; establish this constitution in an exercise of the authority delegated to us by the Board of Trustees and the President of Xavier University of Louisiana.

ARTICLE I. NAME AND MEMBERSHIP

- | | |
|-------------|--|
| SECTION I.1 | This organization shall be known as the Student Government Association of Xavier University of Louisiana. |
| SECTION I.2 | Every enrolled student who pays the student activity fee, as defined by the regulations of this university, shall be a member of the Student Government Association and shall have a voice and vote therein. |

ARTICLE II. STRUCTURE AND COMPOSITION

- | | |
|--------------|--|
| SECTION II.1 | The Student Government Association (SGA) of Xavier University of Louisiana shall provide for its own self-government by means of three primary branches: the Legislative Branch, the Judicial Branch, and the Executive Branch. |
| SECTION II.2 | SGA is also composed of several departments, committees, class councils, and auxiliaries. |
| SECTION II.3 | The Student Government Association maintains separation of powers within its structure. No student shall simultaneously hold office in more than one branch of government or other auxiliaries, and there shall be no overlap of responsibilities in the other branches. |
| Section II.4 | The term for all executive and class officers will be for one year, commencing once the oath of office is taken during the Gold Ball and ending the following year on the day of the Gold Ball. |

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

ARTICLE III. POWERS AND JURISDICTION

SECTION III.1 The SGA shall have the power to make and implement policy in areas of concern to students and to otherwise promote the welfare of the student body and the Xavier community. In the exercise of such powers and privileges, the student body acts through itself, its officers, and department and councils and boards established in the Constitution and Bylaws, and other entities as may be established under the guidance of the Vice President for Student Affairs or his/her designee, in compliance with university, municipal, state and federal laws.

SECTION III.2 The SGA may adopt rules and procedures for its further self-government through an executive order (executive branch), bill (legislative branch), or memo/code (judicial branch). The parliamentary authority is the current edition of Robert's Rule of Order, unless superseded by the Bylaws.

ARTICLE IV. EXECUTIVE BRANCH

SECTION IV.1 Composition of the Executive Branch

CLAUSE 1: The executive powers shall be vested in the SGA President. The Executive Branch shall be a separate branch responsible for the administration of the Student Government Association, the development of policy, and the implementation of legislation. The Executive Branch shall be composed of the Executive Board, Presidential Cabinet, and any departments, teams, and committees created by the President.

SECTION IV.2 The SGA President shall:

Clause 1: Serve as the official representative of the student body of Xavier University of Louisiana.

Clause 2: Serve as a liaison between the students and the university administration, and as a student representative to the Board of Trustees, and execute the provision of the SGA Constitution.

Clause 3: Serve as a member of the Louisiana Association of Independent Colleges & Universities Student Advisory Council (LSAC) and fulfill the requirements of that position.

Clause 4: Oversee the operations of the Student Government Association and represent students at dedications, receptions, and other university events.

Clause 5: Recommend for consideration by the SGA Student Senate such measures as he or she shall judge necessary and expedient in the performance of his or her executive duty.

Clause 6: Approve bills and resolutions passed by the SGA Student Senate while reserving the right to veto entire bills and resolutions and also line-item vetoes, provided that he or she exercises such power within seven (7) calendar days. If the SGA President does not act on a measure within this period, the measure shall be considered adopted

Clause 7: Be responsible for the implementation of all legislation passed by the SGA Student Senate.

Clause 8: Call emergency meetings of the SGA Student Senate.

STUDENT GOVERNMENT ASSOCIATION

CONSTITUTION

Clause 9: Make all appointments provided for by this Constitution and have the authority to remove students under presidential appointment.

Clause 10: Serve on all university councils and committees where stated or assigned, and appoint student representatives to serve on such university committees.

Clause 11: Preside over all student body, executive, and IOC meetings.

Clause 12: Review records and documents kept by the Secretary and Treasurer.

Clause 13: Perform all additional executive functions proper to the office and consistent with the Bylaws or assigned by the Vice President for Student Affairs or designee.

Section IV.3 The SGA Vice President shall:

Clause 1: Serve as the presiding officer of the Student Senate and approve the agenda for Senate meetings.

Clause 2: Assist the SGA President in the execution of duties and assume the office of the SGA President in the event of the absence of the President, including chairing Executive Board meetings.

Clause 3: Uphold the SGA Constitution and serve as Chief Parliamentarian in the Executive Branch to resolve constitutional inquiries.

Clause 4: Appoint a Senate President Pro-Tempore to assist with the duties of the Student Senate. This position is the only position in the legislative branch outside of presidential appointment.

Clause 5: Establish and oversee committees in the Student Senate to consider all questions of student welfare and general student interests.

Clause 6: Monitor that procedures are carried out to enforce and enact a bill or resolution passed by the Student Senate.

Clause 7: Serve on all university councils and committees as appointed by the SGA

Clause 8: Perform all additional executive functions proper to the office and consistent with the Bylaws or assigned by the Vice President for Student Affairs or designee.

Section IV.4 The SGA Treasurer shall:

Clause 1: Serve as the Chief Financial Officer of the Student Government Association.

Clause 2: Account for the funds as passed by the Student Senate.

Clause 3: Keep an accurate record of all SGA financial transactions, including collecting and maintaining records of monies collected at SGA events.

Clause 4: Provide an end-of-semester financial report to the Executive Board and Student Senate, and upon request by the SGA President or Student Senate.

Clause 5: Establish and maintain an audit system for the SGA.

STUDENT GOVERNMENT ASSOCIATION

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Clause 6: Perform all additional executive functions proper to the office and consistent with the Bylaws or assigned by the Vice President for Student Affairs or designee.

Section IV.5 The SGA Secretary shall:

- Clause 1: Serve as the recording Secretary and Chief Communications Officer of the Student Government Association.
- Clause 2: Be responsible for the recording, processing, and maintenance of the official business of the Student Government Association.
- Clause 3: Document attendance and record minutes of all official Executive Board meetings, emergency meetings, IOC meetings, and all other general meetings of the SGA.
- Clause 4: Prepare, present, and distribute all the minutes of the above meetings to appropriate SGA staff, board, and advisors.
- Clause 5: Inform all Executive Board members of all meetings.
- Clause 6: Lead the Department of Communications and develop an internal and external communications strategy.
- Clause 7: Serve both as recording and corresponding Secretary of the Inter-Organizational Council.
- Clause 8: Keep and make available to the Student Senate a permanent record of the Constitution of the Student Government Association and all actions of the Inter-Organizational Council.
- Clause 9: Publish all pertinent acts and decisions of the SGA, IOC, and Student Senate to the student body, following the approval of the SGA advisor.
- Clause 10: Perform such duties as the SGA President may assign to them.

Section IV.6 The SGA Chief of Staff shall:

- Clause 1: Be appointed by the SGA President and serve as the chief aide to the SGA President.
- Clause 2: Be responsible for overseeing special projects within the Office of the SGA President and lead the Presidential Cabinet.
- Clause 3: Serve as manager of the SGA office.
- Clause 4: Create the hours of operation of the SGA office and work schedules for all office hours student staff.
- Clause 5: Recommend to the SGA President candidates to fill open positions within the SGA.
- Clause 6: Perform such duties as assigned by the SGA President.

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

Section IV.7 Miss. Xavier shall:

- Clause 1: Serve as a university ambassador.
- Clause 2: Oversee the Royal Court and coordinate at least one awareness/cultural/social event per semester with Mister Xavier geared towards empowering the student body.
- Clause 3: Preside over all Homecoming and Springfest activities with Mister Xavier.
- Clause 4: Serve as a member of the SGA Executive Board.
- Clause 5: Serve on any other university council or committee as appointed by SGA President.
- Clause 6: Aid the university in recruitment efforts as requested.
- Clause 7: Perform such duties as the SGA President may assign to her.

Section IV.8 Mister Xavier shall:

- Clause 1: Serve as a university ambassador.
- Clause 2: Oversee the Royal Court and coordinate at least one awareness/cultural/social event per semester with Miss. Xavier geared towards empowering the student body.
- Clause 3: Preside over all Homecoming and Springfest activities with Miss. Xavier.
- Clause 4: Serve as a member of the SGA Executive Board.
- Clause 5: Serve on any other university council or committee as appointed by SGA President.
- Clause 6: Aid the university in recruitment efforts as requested.
- Clause 7: Perform such duties as the SGA President may assign to him.

Section IV.9 Vacancies

- Clause 1: The presidential line of succession is as follows:
 - a. SGA Vice President
 - b. Senate President Pro-Tempore
 - c. SGA Treasurer
 - d. SGA Secretary
 - e. SGA Chief of Staff
- Clause 2: In the event the office of the SGA President becomes vacant, the Vice President shall ascend to the office of SGA President. The Senate President Pro-Tempore shall then ascend to the office of Vice President and appoint a current senator-at-large to the position of Senate President Pro-Tempore. The President will appoint a new senator-at-large.

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

Clause 3: In the event the office of the SGA President and the office of the SGA Vice President become simultaneously vacant, the Senate President Pro-Tempore shall ascend to the office of SGA President and appoint a senator to serve as Vice President, who will in turn appoint a senator to serve as Senate President Pro-Tempore. The President will then appoint individuals to fill the vacancies in the Student Senate.

Clause 4: In the event of any other vacancies, the SGA President shall make appointments as set forth in Bylaws Article III.

Section IV.10 Executive Departments and Committees

Clause 1: The President shall have the authority to create executive departments and committees to assist the executive officers in the administration of the executive branch.

Clause 2: Executive departments and committees shall consist of Directors, Assistant Directors, and Coordinators.

Section IV.11 Class Councils

Clause 1: Every undergraduate class shall have a Class Council that represents them in the Executive Branch and creates spirit-building traditions centered around improving the Xavier community and unifying the members of each class.

Clause 2: Each Class Council consists of the following positions:

- a. Class President
- b. Class Vice President
- c. Class Treasurer
- d. Class Secretary
- e. Class King (Mister)
- f. Class Queen (Miss.)

Clause 3: The duties of the class president are as follows:

- a. Attend all student body meetings as the class representative.
- b. Chair all class and Class Council meetings.
- c. Attend the SGA Leadership Summit.
- d. Develop a class budget and oversee its appropriation.
- e. Attend all Inter-Organizational Council meetings.
- f. Develop an action plan in coordination with the Council and be responsible for the activities and finances of the class.
- g. Appoint a cabinet and create committees to assist in the administration of class affairs.

Clause 4: The duties of the class vice president are as follows:

- a. Attend all student body meetings.
- b. Attend all class and Class Council meetings.
- c. Be responsible for specific class operations as designated by the class president.
- d. Assume the responsibilities of class president in the president's absence.
- e. Attend all Inter-Organizational Council meetings.
- f. Attend the SGA Leadership Summit.

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

The duties of the class treasurer are as follows:

- a. Attend all student body meetings.
- b. Attend all class and Class Council meetings.
- c. Attend the SGA Leadership Summit.
- Clause 5: d. Maintain an accurate record of the class budget and be responsible for class finances.
- e. Complete purchase requests in a timely manner.
- f. Submit end-of-semester financial reports to the Class Council, advisors, and the SGA Treasurer.

The duties of the class secretary are as follows:

- a. Attend all student body meetings.
- b. Attend all class and Class Council meetings.
- c. Attend the SGA Leadership Summit.
- Clause 6: d. Keep and post accurate minutes of all meetings.
- e. Manage the communications efforts of the class council, including but not limited to social media management, graphics, and basic photography.
- f. Handle correspondence for the Class Council.

The duties of the class king and queen are as follows:

- a. Attend all student body meetings.
- b. Attend all class and Class Council meetings.
- c. Attend the SGA Leadership Summit.
- d. Maintain class spirit.
- Clause 7: e. Simultaneously serve on the Royal Court, led by Mister and Miss. Xavier University of Louisiana.
- f. Spearhead the class week.
- g. Serve as a class ambassador.
- h. Assist Mister and Miss. Xavier with Homecoming, as requested.

ARTICLE V. LEGISLATIVE BRANCH

Section V.1 Composition of the Legislative Branch

Clause 1: The legislative powers of the Student Government Association shall be vested in Student Senate, hereinafter referred to as "the Senate."

The Senate shall be composed of the following members:

- a. SGA Vice President
- Clause 2: b. Eight (8) Senators from the College of Arts & Sciences, with two coming from each class
- c. Two (2) Senators representing the College of Pharmacy
- d. Four (4) At-Large Senators representing the general student body

Section V.2 The Senators-at-Large shall:

Clause 1: Serve as members of the Student Senate, representing all members of the SGA.

Clause 2: One Senator-at-large shall be appointed Senate President Pro-tempore to assist in the duties of the Senate and preside over the Senate in the absence of the Vice President.

STUDENT GOVERNMENT ASSOCIATION

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Section V.3 The Senate Clerk shall:

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| Clause 1: | Keep the official records of the Student Senate. |
| Clause 2: | Record all bills and resolutions passed at Senate meetings. |
| Clause 3: | Distribute senate minutes to the SGA Executive Officers, Senators, and advisors. |
| Clause 4: | Inform all Senators of all Senate meetings. |
| Clause 5: | Keep the SGA Secretary abreast of all bills and resolutions passed by the Senate. |
| Clause 6: | Perform such duties as the SGA Vice President may assign to them |

Section V.4 Legislative Duties

The Student Senate shall, within the area of student authority, legislate on matters concerning students and student affairs, including university policy and community affairs.

a. Make recommendations by a two-thirds (2/3) vote of those present at a duly constituted meeting, for an appropriation of SGA funds.

b. By a two-thirds (2/3) vote of those present at a duly- constituted meeting of the Student Senate override, when necessary, the Presidential veto.

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| Clause 1: | c. Pass on any appointment made by the SGA President. |
| | d. Remove, for cause, any person appointed by the SGA President; a twothirds (2/3) vote of those present at a duly constituted meeting of the Student Senate is required except where otherwise provided for in this constitution. |
| | e. By majority vote, elect a successor to any vacant office, except where otherwise provided for in the constitution. |
| | f. Adopt such rules and procedures (not inconsistent with the constitution) as are necessary for the efficient and orderly conduct of the Student Senate affairs. |

Section V.5 Meetings

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| Clause 1: | There shall be bi-monthly meetings of the Student Senate during the regular school year. |
| Clause 2: | The Senate will keep minutes of its meetings current and make them available to the public. |

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Clause 3: Members of the student body are entitled to attend all meetings of the SGA Student Senate, unless excluded by the Senate for a specific matter as stipulated by the Bylaws. Non-Senate members of the student body have full privileges of the floor but may not vote.

Section V.6 Quorum

Clause 1: A quorum shall be declared at any meeting of the Student Senate when a roll call shows 60 percent of the duly elected and duly appointed voting members of the Student Senate or official proxies present.

Section V.7 The term for all senators will be for one year, commencing once the oath of office is taken during the Gold Ball and ending the following year on the day of the Gold Ball.

Section V.8 Senate Removal

A member of the Student Senate shall be removed from said body for the following reasons:

Clause 1: g. Because they have accumulated a total of more than two (2) absences and three (3) proxies per semester from the regular Student Senate meetings during a congressional year. An absence shall be defined as a voting member or proxy not being present at any time in the duration of a regular meeting. A member removed for excessive absences cannot be reappointed during the academic year.

h. Because they resign, are impeached, or are recalled from office by virtue of which they hold a position on the Student Senate.

i. Because they cease to be an official member of the group they represent except where otherwise provided for in this Constitution.

ARTICLE VI. JUDICIAL BRANCH

Section VI.1 Composition of the Judicial Branch

Clause 1: The Judicial Branch shall be composed of the Judicial Council and the Election Board.

Clause 2: The Judicial Council shall be composed of the following members who shall be appointed by the SGA President and confirmed by the Student Senate, subject to presidential veto:

- a. Senior Class Associate Justice
- b. Junior Class Associate Justice
- c. Sophomore Class Associate Justice
- d. Freshman Class Associate Justice
- e. College of Pharmacy Associate Justice
- f. Judicial Clerk

Clause 3: The Chief Justice shall be chosen from the Associate Justices by the SGA President with the concurrence of the Student Senate.

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Clause 4: The Chief Justice shall oversee all operations of the Judicial Branch.

The Election Board shall be composed of the following members who shall be appointed by the SGA President and confirmed by the Student Senate, subject to presidential veto:

- Clause 5:
- a. Director of Elections
 - b. At least one senior class representative
 - c. At least one junior class representative
 - d. At least one sophomore class representative
 - e. At least one freshman class representative
 - f. At least one Pharmacy Student Association representative

Section VI.2 Powers and Jurisdiction of the Judicial Council

Clause 1: The Judicial powers of the Student Government Association shall be solely vested in the Judicial Council.

Clause 2: The Judicial powers of the SGA shall extend over all cases involving a violation of this Constitution, the Bylaws of the SGA, and the policies and regulations of the university as they pertain to student organizations.

Clause 3: The Judicial Council shall have supreme jurisdiction in all cases of impeachment. It shall serve on all disciplinary hearing committees as appointed by the SGA President. It shall hear cases of a minor nature as referred by the Vice President for Student Affairs.

Clause 4: The Judicial Council shall oversee the Election Board and have supreme jurisdiction in all election matters.

Clause 5: They shall render decisions regarding all questions concerning campaigns, balloting, elections, nominations, qualifications, removal and succession of candidates or officeholders.

Clause 6: Upon the filing of a complaint, they shall render decisions upon any election dispute or irregularity within seventy-two (72) hours after the filing of such complaint.

Clause 7: Upon finding behavior within the Election Board inconsistent with the Election Code and the Constitution and Bylaws, they shall take decisive action and advise the SGA President on further action, as deemed necessary.

Clause 8: They shall verify all election returns, such verifications being final unless contested within seventy-two hours (72) after the election.

Clause 9: They shall verify the validity of a recall election.

Section VI.3 Term of Office

Clause 1: College of Arts & Sciences and College of Pharmacy Justices are eligible to be appointed until their time of graduation.

Section VI.4 Judicial Council Removal

Clause 1: Any member of the Judicial Council may be removed for cause by four-fifths (4/5) of the voting members of that body.

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Section VI.5 Meetings	
Section VII.1	SGA auxiliaries are autonomous from the SGA branches but are under the SGA and are regulated by the Constitution and Bylaws
Section VII.2	The Xavier Activities Board (XAB) shall be known as the premier programming arm of the SGA. XAB has the authority to manage the allocation of the programming fees in accordance with the XAB Bylaws. XAB currently has the following executive offices: President, Vice President, Treasurer, and Secretary. The XAB President shall have the authority to restructure lower-level positions as deemed necessary.
Section VII.3	Mobilization at Xavier (M.A.X.) shall be known as the premier community service organization under the SGA. M.A.X. currently has the following offices: President, Vice President, Treasurer, and Secretary. The M.A.X. President shall have the authority to restructure lower-level positions as deemed necessary.
Section VII.4	The Pharmacy Student Association (PSA) shall be known as the official representative of the pharmacy student body for the Student Government Association. PSA currently has the following offices: President, Vice President, Treasurer, Secretary, two (2) Senators, and Justice. The PSA President shall have the authority to create more positions and appoint a cabinet as deemed necessary.
Section VII.5	Within the Royal Court's duties, which is under the SGA, is the oversight of planning for Homecoming and Springfest. There shall be two committees: the Homecoming Planning Committee and the Springfest Planning Committee.
Clause 1:	Within the Homecoming Planning Committee, Mister and Miss. Xavier shall appoint a Director of Homecoming. They shall also appoint Assistant Directors and Event Coordinators in the fall to handle the logistics for the week of events that promote spirit and unity.
Clause 2:	Within the Springfest Planning Committee, Mister and Miss. Xavier shall appoint a Director of Springfest. They shall also appoint Assistant Directors and Event Coordinators to handle the logistics for this long-standing campus tradition.

Article VIII. SGA Leadership Councils

Section VIII.1	The Inter-Organizational Council (IOC) is a leadership council within the Office of the SGA President that functions to provide effective student leadership and self-government; to provide a communication link among the various organizations; and to provide a broader scope of student activities. The president of each university-approved and active organization and class is a member of the IOC.
Section VIII.2	The Big Five Council shall be an advisory council within the Office of the SGA President consisting of the presidents of the Xavier Activities Board, Mobilization at Xavier, and the Pharmacy Student Association under the SGA, the director of the Peer Dean Association, and the president of the Student Government Association, who shall lead the Big Five Council. The Big Five Council shall communicate frequently to ensure collaboration on programming throughout the academic year and shall support each organization's event.

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Section VIII.3	The President's Council shall be advisory council within the Office of the SGA President consisting of the class presidents and the SGA President, who shall lead the President's Council. During meetings called by the SGA President, class presidents will deliver a report of their class council's operations and share concerns from their respective classes directly with the SGA President.
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ARTICLE IX. ELECTION CODE

Section IX.1	The University, through the Office of the Vice President for Student Affairs, establishes the qualifying GPA and eligibility for student leadership positions.
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Section IX.2 Executive Officer Qualifications

Clause 1:	The minimum qualifying GPA is a 2.75 cumulative but is subject to change at the discretion of the Vice President for Student Affairs.
Clause 2:	Candidates for SGA President, Vice President, Secretary, Treasurer, and Chief of Staff must have completed at least 42 credit hours by the end of the Spring semester/at the time of Senate confirmation.
Clause 3:	Candidates for Miss. and Mister Xavier must have completed at least 95 hours by the end of the Spring semester/at the time of Senate confirmation.
Clause 4:	All students qualifying for SGA executive officer positions are required to have completed the Emergent and Advanced track of XU Leadership Education and Development Skills (L.E.A.D.S.) or enroll at time of appointment or service.
Clause 5:	Candidates must pass a written examination on the SGA Constitution, which is to be conducted by the Election Board.
Clause 6:	Candidates shall not be on conduct, scholastic, or attendance probation at the time of their appointment or service.
Clause 7:	Candidates shall have earned twelve (12) semester hours at Xavier University of Louisiana the semester prior to the election.
Clause 8:	The SGA President and Vice President shall have served at least two (2) semesters in the SGA (class, organizations, councils, or boards) as an appointed or elected officer prior to running for an office.
Clause 9:	The SGA Treasurer, Secretary and Mister and Miss. Xavier shall have served for at least one (1) semester in SGA (class, organizations, councils, or boards) as an appointed or elected officer prior to running for an office.

Section IX.3 Class Officer Qualifications

Clause 1:	The minimum qualifying GPA is a 2.75 cumulative but is subject to change at the discretion of the Vice President for Student Affairs.
Clause 2:	Candidates shall have earned at least 30 credit hours (except for positions representing the freshman class) by the end of the Spring semester/at the time of Senate confirmation.
Clause 3:	All students qualifying for class officer positions are required to have completed the Emergent track of XU Leadership Education and Development Skills (L.E.A.D.S.) or enroll at time of appointment or service.
Clause 4:	Candidates must pass a written examination on the SGA Constitution, such examination to be conducted by the Election Board.

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Clause 5: Candidates shall not be on conduct, scholastic, or attendance probation at the time of their appointment or service.

Section IX.4 Administrative Personnel Qualifications

Administrative personnel shall be defined as the following:

- Clause 1:
- a. Members of the Presidential Cabinet
 - b. Directors, assistant directors, coordinators, and general members of the executive departments and committees
 - c. Legislative and judicial clerks
 - d. Executive assistants and personnel within the Office of the SGA President

Clause 2: The minimum qualifying GPA is a 2.75 cumulative but is subject to change at the discretion of the Vice President for Student Affairs.

Clause 3: Candidates for the judicial and legislative clerk positions shall have earned at least 30 credit hours by the end of the Spring semester/at the time of Senate confirmation.

Clause 4: All students qualifying for director, assistant director, and legislative and judicial clerk positions in the SGA branches are not required to take a written examination but are required to have completed the Emergent track of XU Leadership Education and Development Skills (L.E.A.D.S.) or enroll at time of appointment or service.

Clause 5: All students qualifying for coordinator, executive assistant, and general member positions are not required to take a written examination or be enrolled in XU Leadership Education and Development Skills (L.E.A.D.S.) at time of appointment or service.

Clause 6: Candidates shall not be on conduct, scholastic, or attendance probation at the time of their appointment or service.

Section IX.5 Senate and Judicial Council Qualifications

Clause 1: The current minimum qualifying GPA, currently 2.75 semester/cumulative is inserted into the SGA Constitution, but is subject to change. An alternate GPA of 2.5 semester/3.0 cumulative may also be considered.

Clause 2: Candidates shall have earned at least 30 credit hours (except for positions representing the freshman class) at the time of the nomination.

Clause 3: All students qualifying for the senator and justice positions are required to have completed the Emergent track of XU Leadership Education and Development Skills (L.E.A.D.S.) or enroll at time of appointment or service.

Clause 4: Candidates must pass a written examination on the SGA Constitution, which is to be conducted by the Election Board.

Clause 5: Candidates shall not be on conduct, scholastic, or attendance probation at the time of their appointment or service.

Section IX.6 Nominations shall be made by the following actions:

Clause 1: Candidates shall file their intentions to run and the choice of office during the filing period established by the Election Board.

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

Clause 2: The Judicial Council shall confirm the candidates' eligibility. A seven-day period of filing shall be opened twenty-one (21) days before the date of the election.

Section IX.7 General Elections

Clause 1: A general campus election shall be conducted by the Election Board beginning no later than April 1 and concluded by April 15 of each year. The SGA executive officers, class officers, and class senators shall be elected at this time. All elections shall be held campus-wide for at least two (2) consecutive days.

Section IX.8 Special Elections

Clause 1: A special election shall be conducted by the Election Board within four weeks of the commencement of the fall semester to fill the positions representing the freshman class, to pass on any referendum or constitutional changes, or any other items which may require a vote of the student body.

Section IX.9 Runoff Elections

Clause 1: All officers elected under this constitution ± including members of the Royal Court ± must receive an over 50-percent majority of the votes cast in the election. If no candidate receives at least over 50 percent of the votes cast, the two candidates receiving the highest number of votes in the primary shall be given the opportunity to qualify for the runoff election.

Section IX.10 The term of office which has been established by the articles of this constitution for all SGA officers shall be terminated by the following procedures and steps outlined therein:

Clause 1: Upon resignation from office.

Clause 2: If the officer ceases to be a member of the group that they represent.

Impeachment

a. By the filing of formal impeachment charges of an elected officer by one-fifth (1/5) of the members of the Student Senate at a regular meeting of the Senate.

Clause 3: b. By a formal hearing at the next regularly scheduled Senate meeting, to be presided over by the Chief Justice of the Judicial Council (or by the SGA President in case the Chief Justice is the officer charged with impeachment).

c. By a three-fourths (3/4) affirmative vote for conviction of the accused officer from those present at the Student Senate meeting, voting by secret ballot.

ARTICLE X. FINANCE

Section X.1 The SGA President shall be responsible for appropriating funds to the Student Government Association and all branches, councils, and organizations therein.

Section X.2 The Student Government Association shall disburse monies according to funds collected from the Student Activity Fee.

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

Section X.3	Requisitions for the expenditure of SGA funds shall be signed by the President, Vice President, and the duly appointed university advisor to the SGA. Class and student organization requisitions shall be signed by the President, Treasurer, and the duly appointed university advisor. The income provided by the Student Activity Fee shall be determined and made available by the university by the fourth week of each semester.
Section X.4	The SGA funds shall be calculated at the beginning of each semester. The funds shall be determined by the Office of Student Affairs in coordination with the Office of Fiscal Services and the Student Government Association.
Section X.5	The SGA funds shall be itemized as follows:
Clause 1:	The SGA funds shall be from the Student Activity Fee. Full-time undergraduate and pharmacy students shall pay \$125 per semester and part-time students shall pay \$65 per semester.
Clause 2:	The SGA President's discretionary fund and any incoming revenues and shall be under the control of the SGA President, not to be allotted by Senate.
Section X.6	The Student Senate shall receive a proposed budget from the SGA President to deliberate and decide on.
Section X.7	The finalized budget adopted by the Student Senate shall be a balanced budget.
Section X.8	Compensation
Clause 1:	SGA stipends shall not exceed 10% of the actual total SGA funds.
Clause 2:	The following positions within the Student Government Association may receive a stipend amount determined by the SGA President and subject to Senate approval: a. SGA President b. SGA Vice President c. SGA Treasurer d. SGA Secretary e. SGA Chief of Staff f. Miss. Xavier g. Mister Xavier h. SGA Chief Justice i. SGA Senate Clerk j. XAB President
Clause 3:	The SGA President shall receive free room and board and parking privileges (a gold parking pass) to aid with the duties of the office.
Clause 4:	The Office of Student Affairs may determine compensatory aid for any executive officer positions as deemed necessary.
Clause 5:	The SGA President may grant stipends to current positions and create stipend level positions where deemed necessary for the expediency of the Student Government Association.

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ARTICLE XI. AMENDMENTS

Section XI.1	Amendments may be proposed to this constitution by two-thirds (2/3) vote of the Student Senate.
Clause 1:	After voting on proposed amendment, the Judicial Council must receive a copy of the amendment to rule on its constitutionality.
Section XI.2	At least seven (7) days must elapse between the date of passage of proposed amendments by the Student Senate and their submission for ratification to the student body.
Section XI.3	Proposed amendments shall become a part of this constitution after they are ratified by an over 50-percent majority vote of the student body at an election designated for that purpose.
Section XI.4	The right of initiative is hereby given to the student body to propose changes to the constitution. If a petition is signed by 15 percent (15%) of the student body, the party petitioning a change must present the results to the SGA President. The SGA President will then consult with the Judicial Council to verify the results. After such, an election for the consideration of a constitutional amendment must be held between 14 and 21 days following the presentation of the petition to the SGA President.
Section XI.5	All proposed amendments must be certified as consistent with university policies by the appropriate university officials prior to their submission to the student body.
Section XI.6	If a proposal to correct cosmetic changes, such as numbering and spelling, is approved by a simple majority vote of the Senate, the Constitution shall be amended.

ARTICLE XII. LEGISLATION AND BYLAWS

Section XII.1	The Constitution shall be interpreted in conjunction with the Bylaws of the Student Government Association.
Clause 1:	The Constitution supersedes the Bylaws in cases of conflict.
Section XII.2	Any legislation consistent with this Constitution which has more than a temporary effect shall be considered a bylaw.
Section XII.3	The Bylaws shall include the processes and procedures established in each branch.
Section XII.4	The Election Code shall be in the Bylaws.
Section XII.5	Any proposed bylaw must be presented in writing during a duly constituted meeting of the Student Senate. In the event that corrections are necessary during a reading on the Senate floor, the vote on the bylaw may not be taken until the next duly constituted meeting of the Student Senate.
Section XII.6	A two-thirds (2/3) vote of the Student Senate membership at a duly constituted meeting is required to pass a bylaw.
Section XII.7	The Student Senate shall have the authority to vote and pass legislation with a majority vote of the Senate.

STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

ARTICLE XIII. OATH OF OFFICE

General Oath (for use when swearing in multiple student-leaders and the nonexecutive officers of the Student Government Association)

Section XIII.1 I, _____, hereby solemnly affirm to faithfully execute the duties of my office to the best of my ability, in accordance with the Constitution of the Student Government Association and the regulations of Xavier University of Louisiana.

Executive Oath (for use when swearing in the executive officers of the Student Government Association)

Section XIII.2 I, _____, hereby solemnly affirm to faithfully execute the Office of _____ of the Student Government Association of Xavier University of Louisiana to the best of my ability, in accordance with the Constitution of the Student Government Association and the regulations of Xavier University of Louisiana.

BY-LAWS

ARTICLE I. THE INTER-ORGANIZATIONAL COUNCIL

Section One – Upon assuming his/her office, the president of the SGA shall assemble the Inter-Organizational Council (IOC).

Section Two – The Inter-Organizational Council shall:

- a. Insure that all recognized organizations of this university are structured and maintained according to the principles established in this constitution and its by-laws, as well as the policies of this university;
- b. Communicate with and provide for the annual registration of all organizations;
- c. Establish procedures for the recognition and functioning of newly formed organizations;
- d. Recommend to the Office of Student Involvement the suspension of any organization that acts contrary to its approved constitution, or the policies of the university; and
- e. Sponsor such activities which require a joint effort of all member organizations.
- f. The president of each University-approved and active organization and class is a member of the IOC. Each representative of a University- recognized organization shall be empowered to cast one vote within the council.
- g. In every clause where organization is mentioned, organization shall automatically include all organizations, honor societies, and classes recognized by IOC.

Section Three – All organizations which have been recommended for suspension shall have the right to appeal to the Judiciary Committee of the SGA.

Section Four – The composition of IOC shall be:

- a. One (1) representative of each organization and class recognized by the IOC
- b. The President of the SGA, whom shall have voice but no vote
- c. The Vice-Chairperson of IOC
- d. IOC Secretary of who shall have voice but no vote
- e. The Vice President of Student Affairs or his/her representative, currently the Director of Student Involvement, of whom shall have voice but no vote.

BY-LAWS

Section Five –

- a. The president of the SGA shall chair all IOC meetings
- b. If both the president of the SGA and the Vice Chairperson of IOC are unable to chair a meeting, the SGA president may appoint a representative to chair the meeting of IOC.
- c. The Vice Chairperson shall be appointed by the President of the SGA subject to the approval of the Executive Board of SGA.
- d. The SGA Secretary shall keep the minutes of all IOC meetings.

ARTICLE II. VERIFICATION OF ELECTIONS

Section One – Two (2) members of the Judiciary Council shall be present for the tabulating of ballots for all elections conducted by the SGA. They shall affix their signature to the official tabulation as a verification of the election returns. This section in no way shall void appeals by candidates concerning matters set forth in Article V of this constitution.

Section Two – All organizations recognized by the Inter-Organizational Council should select their officers (for the coming year) by a democratic process no later than two weeks after the SGA elections are held.

ARTICLE III. APPOINTMENTS AND HEARINGS

Section One – All appointments to be made by the President of the SGA shall be accompanied by a brief biographical statement which shall be delivered to members of the Student Senate two weeks in advance of the proposed vote on the nominations.

Section Two – The president of the SGA or his/her representative and the candidate(s) shall appear before the Student Senate in order to answer any questions pertinent to the nomination(s).

Section Three – Nominations shall be published for members of the SGA in an appropriate form of communication.

Section Four – Interested parties may appear before the Student Senate in support or opposition to nominations.

Section Five – A simple majority vote of the Student Senate shall be sufficient for appointment.

Section Six – All individuals appointed to normally elected positions must meet all requirements of that position as stated in this constitution and its by-laws.

BY-LAWS

ARTICLE IV. BUDGET PROCEDURES

Section One – Budget hearings shall be publicized in the university publications and other appropriate forms of communication.

Section Two – Members of the Budget Hearing Committee shall include three (3) members of the Student Senate, the president of the SGA, and the Vice President of Student Affairs, or his/her representative.

Section Three – The income provided by the university (Student Activities Fees) shall be determined by the fourth week of each semester.

Section Four – All requests for expenditures shall be made in writing at the budget hearings.

Section Five – All awards of funds shall be strictly accounted for, with a financial statement and evaluation form completed within two weeks following the sanctioned activity. These forms shall be provided by the SGA.

Section Six – The Student Senate shall receive from the president of the SGA a prepared budget including receipts and expenditures by September 15th of the Fall Semester and January 31st of the Spring Semester.

Section Seven – The Student Senate shall pass on its finalized budget by September 30th of the Fall Semester and February 15th of the Spring Semester.

Section Eight – The budget adopted by the Student Senate shall be a balanced budget.

Section Nine – No loans will be granted by the SGA Student Senate to any organizations and/or individuals. No IOC monies shall be allocated to individuals.

Section Ten – In order to provide compensation for the time, energy and effort spent working for the SGA, the following officers, President, Vice President, Treasurer, Secretary, Clerk of Senate, and Miss/Mr. Xavier will be proposed a stipend subject to senate approval. Stipends shall not exceed 10% of the total SGA funds.

Section Eleven – The availability of SGA funds to a student organization shall be based upon (1) active attendance at IOC and Student Body meetings – attending at least three-fourths (3/4) of both IOC and Student Body meetings called, and (2) active participation in community service – a minimum of three community service projects per semester with prior notification to and registration with the XU Volunteer Center. At least two service projects must be off-campus per semester.

Section Twelve – The For Spring Budget Hearings, active attendance and active participation shall be a prerequisite for eligibility.

BY-LAWS

ARTICLE V. MEETING PROCEDURES

Section One – Class meetings are to be held once per month on a date and at a time set forth by the University calendar and communicated in appropriate form to constituents.

Section Two – Student body meetings are to be held once per month on a date and time set forth by the University calendar and communicated in appropriate form to constituents.

Section Three – Treasury reports and congressional reports are to be given during the above mentioned meetings. General activity planning shall be discussed and decisions for the academic year shall be made.



STUDENT ORGANIZATIONS GUIDELINES

The University recognizes the roles in which organized activities serve in enhancing the educational, professional, and social experiences of the Xavier community. Intellectual and personal growth takes place in student organizations which have effective leaders and cooperative members. Organizations and groups may be established for any legal purposes, provided these groups do not discriminate with regard to race, creed, color, religion, or disabling condition. Students are encouraged to participate in the programs provided by these organizations. The Center for Student Involvement maintains records of all student organizations.

Operating License

Only officially registered and University-approved organizations shall operate on campus. Existing organizations must maintain Inter-Organization Council (I.O.C.) standards in order to retain University recognition and shall meet all prerequisites before obtaining complete accreditation and charters are issued. Membership in recognized student organizations must be open to ALL registered students at the University. Student Organizations that are granted exemption to have members of only one gender under Title IX of the Educational Amendment of 1972 are granted the same exemption by the University.

In order for an organization to be approved, it must be sanctioned by the Inter-Organizational Council. All registering student organizations will agree, at the time of registration with the University, to the policies and procedures promulgated herein relating to activities on campus. While members of the faculty and staff serve as advisors to assist student organizations in their programs, the Director of Student Involvement supervises all campus clubs and organizations. Detailed guidelines governing all university organizations are further outlined in the Student Organization Guide Book.

RIGHTS AND BENEFITS OF CAMPUS ORGANIZATIONS

Upon receipt of its charter, an organization will attain all rights and privileges and immunities conferred by such a charter:

1. The use of the University's name and visual identity in association with the name of the organization. Note: use of University seal and logo requires prior approval
2. Use of University facilities in accordance with policies governing them.
3. Listing of the organization in the official publications of the University.
4. Solicitation of members on campus.
5. Use of campus mail box.
6. Use of University calendar and reservations system, to schedule and publicize events.
7. Right to request student activity funding from the appropriate source.
8. Ability to establish membership dues and raise funds

Rights and Benefits of Campus Organizations

(continued)

9. Use of the Student Organization Resource Room, equipment and supplies to promote programs, events and activities.
10. Use of campus copy center
11. Use of cashbox and storage/security
12. Use of Student Government van (when available).

Responsibilities of Campus Organizations

Xavier University Student Organization:

1. Shall not discriminate against membership of individuals based upon race, creed, age, ability, national origin, gender or sexual orientation.
2. Must adhere to national, state local and college policies, procedures and laws.
3. Must be responsible for all activities and/or damage at any event sponsored by or involving the organization.
4. President and officers must attend leadership programs throughout the academic year. For example, the SGA Leadership Retreat, spring Regional Leadership conference, Organizational Workshop series, Emergent and Advanced Leadership programs.
5. President must attend IOC and student body meetings.
6. Shall be responsible for all information included in the Student Organization Guide
7. Must renew registration each spring for the next academic year and update information whenever new officers are elected or appointed and must submit semester packets to the Office of Student Involvement
8. Shall maintain a copy of the organization's charter on file in the Office Center for Student Involvement
9. May not use Xavier University insignia, seal, logo or any other form of visual identity without prior approval from the Vice President of Student Affairs, or designee

Inter-Organizational Council

PURPOSE

The purpose of the Inter-Organizational Council is to work under the supervision of the Student Government Association in cooperation with the Office of Student Involvement in furthering the goals and objectives of the University by insuring that all University Organizations are properly structured, maintained, and functioning in such a way as to provide effective student leadership and self-government; to provide a communication link among the various organizations; and to provide a broader scope of student activities.

IMPLEMENTATION

The I.O.C. shall carry out its aims by consistently and objectively

Inter-Organizational Council

(continued)

reviewing all University-recognized organizations relative to their constitutional purpose and governing procedures, in keeping with University standards and requirements for recognition.

MEMBERSHIP

The President of each chartered student organization is a member of the I.O.C. Each representative of a University-recognized organization shall be empowered to cast one vote within the council. The I.O.C. shall be chaired by the President of the Student Government.

ADVISOR

The Coordinator of Traditions and Special Events to the I.O.C. and is available to assist students in planning events that help build community on campus.

Petitioning for Recognition on Campus

GENERAL REQUIREMENTS FOR RECOGNITION

Registration of student organizations shall be with the Vice President of Student Affairs, or designee, currently the Director of Student Involvement. Upon initial contact the feasibility and mechanics for starting and organization shall be discussed with the Director of Student Involvement. Any organization which limits their membership on the basis of race, religion, color, disabling condition or national origin will not be granted recognition. An organization must have a minimum of ten (10) students of Xavier University interested in the goals of the organization.

All newly recognized organizations shall be granted temporary charters for one academic semester. Until chartered, all such groups will be designated as Interest groups and may utilize University facilities for meetings, but they cannot be authorized to hold fund raisers or dances, sponsor speakers or any other type of program, nor utilize the University's name.

Any organization who has met the above requirements must make a formal application following procedures to obtain a charter.

1. Submit a copy of each of Petition to Organize, Proposed Constitution, Member Roster and Letters of Support (if applicable).
2. The proposed constitution shall define its types of membership and designate that each member be enrolled in the University for twelve (12) hours or more and have an overall GPA of 2.000 or better.
3. An academic organization must submit evidence, certified by the Department Chairman and Dean of College, of approval of the constitution.
4. A Religious organization must submit evidence certified by the Office of Campus Ministry of approval of the constitution.

Procedures & Requirements for Local Chartering

Procedures & Requirements for National Affiliation

A chartered local organization or a group of students interested in having national affiliation shall meet the same requirements as for local chartering. The organization must also meet the following additional requirements.

1. Submit three brochures or other publications of the national organization.
2. Submit at least one copy of the national constitution and by-laws.
3. Group must secure and submit a letter of approval from the regional or national office before it can be recognized on campus. To merit continued existence, an organization must:
 - a. substantially fulfills the purpose for which it was chartered;
 - b. be an active member of the Pan Hellenic Council;
 - c. maintain at least ten (10) active members unless otherwise approved by the Office of Student Affairs
 - d. maintain a semester and cumulative gpa of 2.00 membership; 2.80 leadership/officer;
 - e. complete the annual charter renewal form and any other information requested by the Vice President of Students, Campus Activities Director and the Student Government Association.

Failure to maintain the academic requirements for two consecutive semesters may result in the suspension of the organization and possible revocation of its University charter.

Membership Intake

The University requires a resident and cumulative minimum GPA of 2.80 the semester of intake and the semester immediately following to maintain active membership. The immediate past summer GPA is not considered in the calculation. **Note: some organization national affiliates may have additional requirements.**

Acceptance

After all requirements have been met and procedures properly followed, the Office of Student Affairs and the Inter-Organizational Council of the Student Government Association will review the organization's petition for recognition and their constitution. If approved the above bodies, the organization is recognized as an Interest Group for one probationary semester. Upon approval the Office of Student Affairs must be notified and supplied with a copy of the constitution, the name of the proposed faculty advisor(s), and the names and addresses of elected offices.

Denial of Recognition

If disapproved by the Student Government Association, the Vice-President must inform the organization in writing of the reasons of the objection. The organization may resubmit its documents at the next meeting with a representative present. If it is denied a second time and the organization can show prejudicial treatment, it may appeal to the Director of Student Involvement.

Evaluation/ Review/ Appeal

At the end of approximately one year the organization will be evaluated by the Inter-Organizational Council. A written evaluation will be submitted to the Office of Student Involvement and the Student Government Association. The evaluation will either recommend or deny final recognition listing its reasons or objection(s). If recommended and accepted by both the Director of Student Involvement and the Student Government Association, the organization may continue to function with all the rights and privileges so granted. If denied final recognition, a public hearing may be called with presentations made by the Student Government Association and the organization's President and Advisor. At the conclusion of the hearing, the committee appointed by the Director of Student Involvement or the President of the Student Government Association will discuss, debate, and vote on the organization. The action of the committee is expressed as a recommendation to the Student Government Association and the Director of Student Involvement.

Registration of Members

After elections each spring semester an organization must submit to the Office of Student Involvement an Organization Roster. This roster should include Active, Inactive, Association, and Honorary members. The form can be obtained online or in the Office of Student Involvement and submitted no later than April 15 or within the last two weeks of the spring semester. An organization with national affiliation must submit proof of membership from the national office in order to be considered a campus affiliate member. An organization failing to submit its roster on time will have its charter revoked for a minimum of one semester. Once the membership roster has been submitted, any change in this membership should be reported immediately. An organization having less than ten (10) active members will have the charter suspended for a period no less than one semester or until the total active members are at least ten.

Registration & Requirements for Officers

Each organization must register its officers with the Office of Student Affairs within 72 hours of their election or by May 1st. Any student seeking or holding office in any chartered organization on Xavier's campus must meet the following requirements:

1. Full time enrollment status.
2. Resident GPA of 2.80* or better.
3. No University sanctions – academic or disciplinary.

The officers are responsible for assuring that the organization adheres to all governing regulations. Eligibility requirements for the Student Government Association, Classes, and other organizations, only where the GPA is higher and/or other requirements are necessary, will supersede or be added to the minimum listed above.

Suspension & Revocation of Organization Charter

An organization which fails to meet the necessary requirements as outlined in this manual or violates any university guidelines or regulations, will have its charter revoked for a period of no less than one semester. Organizations should refer to specific University guidelines governing Greek Letter organizations, Inter-Organizational Council and Professional Societies/Fraternities.

Copies of each set of guidelines are available to relevant organizations in the Center for Student Involvement.

Use of University Facilities

ACTIVITY CLEARANCE

EMS, Event Management Services, is the online Event Information and Master Calendar system for the university. It operates under the Office of the Vice President for Student Affairs, coordinated by the Dean of Students. University Scheduling assists all XU faculty, staff and students needing to reserve university facilities. Student organizations should have Advisors submit activity requests at <http://ems.xula.edu/EmsWebApp/>.

Event Scheduling is operated daily by the University Scheduler (UC 305B) who serves as central processing and manages the general distribution of information related to the use of university facilities. University facilities are assigned a Location Manager whose office should be contacted directly for questions about room set-ups, capacity and specific building resources or requirements. For additional questions or comments, please email events@xula.edu or visit the University Center 305B.

RESERVATION REQUESTS

All requests for use of university facilities other than courses scheduled through the Registrar's office are considered events. Events can be requested and viewed online from the university website <http://ems.xula.edu/EmsWebApp/>. Event requests should be submitted at least two weeks prior to the desired date to allow time for processing and event promotion. You must be an officially recognized student organization or group to have use of university facilities.

To Request an Event:

1. Meet with Campus Activities to discuss programs/annual budgets for the semester/year if necessary.
2. Advisor submits event request online.
3. Submit event set-up form to University Event Center office (UC Room 316).
4. The room requested will be assigned if available. The University reserves the right, however, to assign another room or facility to meet overall space requests.
5. Decisions are made based on information supplied in your request. Please be accurate and complete in your event request and set-up. Material alterations in either may result in cancellation, room change or fees assessed.
6. Confirmation is sent electronically to Organization Advisor usually within three business days.
7. Meeting rooms are available 30 minutes prior to scheduled meeting time. Misuse of facilities may result in refusal of permission for future requests.

NO ACTIVITY SHALL BE PUBLICIZED PRIOR TO FINAL CLEARANCE!

All contracts for campus entertainment, vendors, etc. must be reviewed and approved in the Office of Student Affairs. No student may agree to verbal or written contracts on behalf of any student organization or the University.

Contracts

Alcoholic Beverages

The serving of alcoholic beverages at any student function is strictly prohibited.

Public Safety

All organizations must provide University Police at activities that are open to the public and/or charge a fee. Arrangements must be made with the Student Affairs Office.

Student Clubs & Organizations

A number of chartered student organizations are available to students, offering something for everyone. The organizations give students ample opportunity to become involved in planning activities, making new friends, developing leadership qualities, and receiving recognition for a job well done. Included are governmental, academic, professional, service, religious, social, and special interest groups. The following is a list of the many diverse clubs and organizations that are registered with the University. A detailed description of these and other organizations is listed in the Student Organization Directory.

*Note: Because the University requires clubs and organizations to register each fall semester, this listing may not be current. ***Inactive 2014-2015 **New Organization Interest group 2014-2015***

ACADEMIC/DEPARTMENTAL CLUBS

Closely associated with respective academic departments, these clubs focus on study and research; exposure to career options; and foster fellowship among majors and other interested students.

- Academy of Students of Pharmacy ACS/Chemistry Club
- American Marketing Association Biology Club
- Care Academic Resiliency Engagement (CARE)
- English Majors Club*
- Foreign Language Club History Club
- Political Science Club
- Pre-Physical Therapy Club
- XU Division of Education Network (XUDOE)

HONOR SOCIETIES

These groups encourage and recognize outstanding academic achievement as their primary purpose.

- | | |
|--|-------------------------------------|
| • Alpha Epsilon Delta (Pre-med) | • Phi Alpha Theta (History) |
| • Alpha Kappa Mu (University) | • Phi Alpha Delta (Law) |
| • Phi Alpha Delta (Law) | • Phi Sigma Iota (Foreign Language) |
| • Alpha Lambda Delta (Freshmen) | • Psi Chi (Psychology) |
| • Beta Beta Beta (Biology) | • Rho Chi (Pharmacy) |
| • Kappa Delta Pi (Education) | • Omicron Delta Kappa (Leadership) |
| • National Society of Leadership & Success | |
| • Sigma Tau Delta (English) | |

PROFESSIONAL GREEK ORGANIZATIONS

These organizations provide pre-professional association and contacts while focusing on scholarship, professional development, and ethical leadership.

- | | |
|----------------------------|-------------------------------|
| • Kappa Epsilon (Pharmacy) | • Phi Beta Lambda (Business) |
| • Kappa Psi (Pharmacy) | • Phi Lambda Sigma (Pharmacy) |

Student Clubs & Organizations

(continued)

SOCIAL GREEK ORGANIZATIONS

Founded on the principle of Brotherhood and Sisterhood, these nationally-affiliated organizations stress scholarship, leadership, and service through well-balanced social programming.

Sororities

- Alpha Kappa Alpha
- Delta Sigma Theta
- Sigma Gamma Rho
- Zeta Phi Beta

Fraternities

- Alpha Phi Alpha
- Kappa Alpha Psi
- Omega Psi Phi
- Phi Beta Sigma

SPECIAL INTEREST ORGANIZATIONS

These groups provide interaction and various activities based upon mutual interests who cooperate with and contribute to the general welfare and programs of the University.

- | | |
|--|--|
| • African Students Union | • NOBBCCChE (National Organization of Black Chemists and Chemical Engineers) |
| • ASCP (American Society of Consultant Pharmacists) | • NSBE (National Society of Black Engineers) |
| • Catholic Relief Services | • National Student Speech, Language, Hearing Association (NSLHA) |
| • Caribbean Students Association | • Nubian Xpressions |
| • Chi Alpha Christian Fellowship | • Ordinary People |
| • Chinese Mahjong Club | • Pre-Alumni Association |
| • Christian Pharmacists Fellowship International | • Pre-Dental Club |
| • College Democrats | • Pre-Pharmacy Student Association |
| • CPNP (College of Psychiatric and Neurologic Pharmacists) | • Pre-Optometry Club |
| • ENACTUS | • Pre-Veterinary Club |
| • Fashion Society | • Public Policy Club* |
| • Gold Star Dance Team | • Public Relations Student Society of America |
| • Golden Girls Pom Squad | • Red Cross Club |
| • Habitat for Humanity | • Soccer Club |
| • Louisiana Assn of Health Systems Pharmacists | • SPECTREAUX |
| • MAPS (Minority Assn Pre-Health Students) | • Student Media |
| • M.A.X. (Mobilization At. Xavier) | • Student National Pharmacy Assn |
| • Muslim Students Association | • Women's Caucus |
| • NABA (National Association of Black Accountants) | • Xavier Debate Team |
| • NAACP | • Xavier Horticulture Club |
| • National Association of Black Journalists (NABJ) | • XU Vietnamese Association |

REGIONAL CLUBS

These groups provide various student activities based upon geographic location.

- | | |
|------------------------------|------------------------------|
| • California Club | • Virginia) |
| • Chicago Club | • Michigan Club |
| • DMV Club (D.C., Maryland & | • Philadelphia Student Union |

Student Clubs & Organizations

(continued)

OTHER STUDENT GROUPS

There are other student groups which do not operate on the basis of self-government, but are under the umbrella of University departments. A partial list of these groups appears below.

Intercollegiate Athletics

Gold Rush Men's Basketball
Gold Rush Men's Tennis
Gold Rush Men's Cross Country
Gold Rush Men's Track & Field
Gold Rush Men's Baseball
Gold Rush Men's Soccer

Gold Nuggets Women's Basketball
Gold Nuggets Women's Tennis
Gold Nuggets Women's Cross Country
Gold Nuggets Women's Track & Field
Gold Nuggets Women's Volleyball
Gold Nuggets Women's Softball
Gold Nuggets Women's Soccer

Co-ed Competitive Cheer

Performing Groups

Instrumental**
Symphonic Band
Jazz Ensemble
Vocal**
University Chorus

Concert Choir
Opera Workshop
Campus Ministry Gospel Choir

Music majors to participate

**Students are not required to be



POLICY STATEMENTS

Xavier University of Louisiana approves, issues, and maintains university wide policies to provide continuity, ease of access, understanding and guidance to the university community.

BEHAVIORAL HEALTH EMERGENCY

If the situation evolves into a medical emergency, the Medical Director (or designee) of Student Health services will prepare an evaluation.

A student who experiences a behavioral emergency, including attempts to harm himself/herself, may be required to leave campus and must submit a behavioral health assessment by a qualified professional or agency. If the emergency involves a community disturbance, disrupts the orderly functioning of the university, or requires more supervision to maintain than the university can reasonably provide, or jeopardizes in any way the safety of the student or others, the student may be required to remain off campus. The Director of Counseling Services (or designee) will prepare an evaluation of the student's capacity for remaining enrolled at the university. The Director of Counseling Services will make a recommendation to the Vice President of Student Affairs and/or Dean of Students regarding the student's ability to return to the university. If the situation evolves into a medical emergency, the director of Student Health services will prepare an evaluation. The student's parent(s) or guardian may also be notified. Parent(s) or guardian of dependent students must/will be notified.

If the student is allowed to remain enrolled, he/she will be required to sign an Agreement to Return to Campus, which documents conditions for remaining enrolled. This agreement may include outpatient treatment, and the student, the Vice President of Student Affairs and the Director of Counseling Services will evaluate it each semester, including the summer term. At any of these times, the agreement may be terminated. Parents may be required to assist the student. In the event of an extreme emergency such as a suicide attempt or any extreme situation where the student's judgment is significantly impaired, until parents or guardians can be contacted the on-call counseling staff will assist with initial treatment recommendations. The student or his/her family will be responsible for all off-campus costs including transportation to the hospital, the initial evaluation and any hospitalization costs or outpatient treatment.

CYBER-HARASSMENT, THREATS AND BULLYING

Recent events have placed the issue of cyber bullying, cyber stalking and cyber harassment at the forefront of campus conduct concerns. Xavier University of Louisiana is committed to each student's success and establishes a caring, responsive, and safe learning environment that is free of discrimination, violence, and bullying. The Office of Student Affairs establishes student's rights and responsibilities and responds to such behaviors through our Code of Conduct. The following is an amendment to the 2012-2014 Student Handbook effective January 1, 2014, under Specific Regulations (Prohibited Behavior).

Harassment, Threats, and Bullying: Persistent, severe, or pervasive verbal abuse, threats, intimidation, harassment, coercion, bullying, or other conduct which threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm. This includes conduct whether physical, verbal or electronic, written or video—

(1) which is beyond the bounds of protected free speech, directed at a specific individual(s), and likely to cause an immediate breach of the peace, and

(2) including, but not limited to hazing, drug or alcohol abuse, bullying and other forms of destructive behavior.

Cyber Bullying: Cyber bullying is the willful and repeated bullying that takes place with the use of different kinds of technology and social media. It can be used on various sorts of devices such as computers, cell phones, tablets and other electronic communication devices. It often occurs through the use of social media sites such as Facebook or Twitter. However, it also happens through texting,

online chatting, instant messaging, emails and other various forms of communication. Messages and images inflict emotional pain and degrade another person or persons and can quickly spread to a vast audience.

Examples of Bullying - Examples of specific behavior that constitutes bullying include:

- Wearing gang paraphernalia and other clothing meant to intimidate or exclude another;
- Spreading rumors or posting degrading, harmful, or explicit pictures, messages, or information using social media or other forms of electronic communication (also known as “cyber-bullying”).
- Taunting or making sexual slurs about a person’s gender orientation or sexual status;
- Name-calling, joking, or making offensive remarks about a person’s religion, gender, ethnicity, or socioeconomic status; and
- Physical acts of bullying, such as punching, slapping, or tripping someone.

Examples of Cyber Bullying

- Sending mean or inappropriate text messages and emails
- Posting embarrassing pictures of someone else online for others to see
- Starting or perpetuating degrading rumors about another person
- Creating a fake profile of someone that contains inaccurate information
- Impersonating the victim online by sending derogatory, degrading, or controversial messages which causes others to respond negatively to the victim
- Harassing the victim during a live chat.
- Encouraging others to send the victim threatening e-mails or to overwhelm the victim with offensive e-mail messages
- Sending anonymous messages to inflict the above

DRUG FREE CAMPUS

Xavier University of Louisiana, in its concern for the physical and emotional health, development and well-being of its students and employees, and to be in compliance with regulations of the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, Section 22, provides a program of prevention and early intervention for alcohol abuse and other drug use, misuse, and dependency.

REGULATIONS: Section 1213 “Drug And Alcohol Abuse Prevention” Section 1213 Subpart B (a) (1) requires annual distribution to each student and employee of: “standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;” Policies regarding the drug free campus will be disseminated to faculty and staff at the required fall and/or spring Institutes and to students at the time of registration. These policies are as follows: Xavier University of LA neither permits nor condones the illegal possession, use, manufacture, dispensing, distribution, and/or sale of drugs, narcotics, or alcohol. Students and employees (individually and as members of groups or organizations) are subject to criminal prosecution for violations of local, state and federal laws concerning the unlawful possession, use, manufacture, dispensing, distribution and/or sale of drugs and alcohol both on and off campus. The responsibility for knowing and abiding by the provisions of the University’s alcohol and drug policies rest with each individual. Precise regulations and standards of conduct may be found in the handbook appropriate to each individual’s status on campus.

Section 1213 Subpart B (a) (2) requires: “a description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;” State and local laws prohibit the sale of alcoholic beverages to persons under the age of 21. Persons 18 years or older and under 21 shall not purchase or have public possession of an alcoholic beverage. [Summary of State Act 33, RS 14.91.2, Sections .1 and .5]. State law provides that anyone who is found

guilty of manufacturing or distributing illicit drugs could be sentenced to a term of imprisonment at hard labor for a period not to exceed 30 years and may in addition be sentenced to pay a fine of not more than \$15,000. A person over the age of 25 who is found guilty of distributing illicit drugs to a person under the age of 18 is automatically sentenced to life imprisonment at hard labor. Any person convicted of an offense as a second or subsequent offense shall be sentenced to a term for twice the amount authorized by the original statute. Any property used in the distribution or manufacture of controlled substances is subject to forfeiture under Louisiana law.

Section 1213 Subpart B (a) (3) requires: “a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;” Illicit drugs and alcohol abuse are a threat to the physical and mental well being of individuals and clearly are an impediment to the learning process and environment. The use of illicit drugs and the abuse of alcohol may contribute to birth defects in children, health hazards and other debilitating conditions.

Section 1213 Subpart B (a) (4) requires: “a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students;” Individuals who seek assistance with substance abuse problems are provided health and counseling referral for evaluation, treatment, rehabilitation, or re-entry programs. These referral services are available through the Counseling Center or Student Health Service Center. Off campus referrals may be made to one of several agencies based on an individual’s personal situation. Participation in assistance programs will be viewed positively by the University, but will not prevent disciplinary action for acts which have occurred, nor will it relieve the employee of the responsibility to perform assigned duties in a safe and effective manner. Failure to successfully complete an assistance or rehabilitation program will constitute grounds for dismissal.

Section 1213 Subpart B (a) (5) requires: “a clear statement that the institution will impose sanctions on students and employees (consistent with local, State and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (a) (1).”

The University will cooperate in criminal investigations of violations of the law and will administer upon students and employees disciplinary sanctions of suspension, dismissal, expulsion, termination of employment and/or referral for prosecution. Sanctions may also include treatment assistance and/or rehabilitation programs. Employees and students must notify the University within five days of any arrest or conviction under a criminal drug statute. Any individual with the presence of drugs in his or her body for non-medical reasons or a blood alcohol level in excess of .05% is prohibited from University premises.

EMERGENCY PREPAREDNESS

Xavier University of Louisiana (XULA) is located in New Orleans, Louisiana. As such, the University is susceptible to violent tropical weather systems. The Atlantic Ocean and Gulf of Mexico hurricane season extends from June 1 to November 30 each year. The University maintains an up-to-date Emergency Preparedness Plan. This Plan is specifically focused on the potential threat of an extended outage related to future hurricanes. However, this plan will be implemented in the event of any emergency, including fires, chemical hazards, pandemic illnesses, and tornadoes. The current Hurricane Emergency Plan is available on the University’s website at <https://www.xula.edu/campusafetyandsecurity/weather-preparedness-guide.html>

EMOTIONAL SUPPORT / SERVICE ANIMAL

Xavier University of Louisiana strives to create supportive and comfortable living communities inclusive of the needs of all students. Xavier University of Louisiana complies with the **Americans**

with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973 (Section 504), and the Fair Housing Act (FHA) which all prohibit discrimination based on disability and impose various obligations upon the University to accommodate the use of Service animals and Emotional Support animals that are approved as an accommodation for students with disabilities. Requests that fail to comply with all required documentation and evidence of the necessity of the Service or Emotional Support Animal set forth in this policy will be denied.

Xavier University of Louisiana reserves the right to enforce all relevant rules for the use of Service or Emotional Support Animals through the student conduct code and applicable laws. The University also reserves the right to revoke permission granted for the campus presence of any Service or Emotional Support Animal whose student (owner) fails to follow the requirements set forth in this policy. Additionally, the University reserves the right to update and/or revise this policy as necessary.

Animals Not Governed by this Policy (This policy does not apply to the following animals)

- Animals involved in authorized research
- K-9 animal (police dog)
- Fish contained in aquariums
- Animals used for performance on premises or involved in a University sponsored activity, such as mascots.
- Pets owned by Faculty and/or Staff who reside in university owned Residence.

UNIVERSITY COMPLIANCE

Xavier University of Louisiana under the oversight of the VP of Student Affairs is responsible for implementing this university policy.

DEFINITIONS

Approved animal: a service or emotional support animal that works, provides assistance or emotional support that alleviates one of more symptoms of a person's disability.

Service Animal: a service animal as per Title III of the ADA is defined as: "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Although dogs are the only species specifically delineated by law as service animals, ADA guidelines were revised in 2010 to include miniature horses with the definition of "service animals" where the use of a miniature horse instead of a dog is reasonable. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. A service animal performs functions and tasks that the individual with a disability cannot perform for themselves. Service animals are individually trained to do work or perform tasks for the benefit of an individual with a disability. These tasks include, but are not limited to: guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Emotional Support Animal: An animal whose sole responsibility is to provide calming influence, affection, stability, or security. An emotional support animal should demonstrate a good temperament and reliable, predictable behavior. Unlike a service animal, an emotional support animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. An emotional support animal, however, may be incorporated in a treatment process to assist in alleviating the symptoms of that individual's disability. This treatment occurs within the person's residence. **Emotional Support animals are not service animals and will not necessarily qualify as a reasonable accommodation under ADA.** Similar to the ADA, **Louisiana law** does not include protections for **emotional support animals**, and owners of public accommodations are not required to allow **emotional support animals** on their premises. If they meet the qualifications as a reasonable accommodation, then such animals can only be permitted in housing and not in public indoor areas on campus.

Disability: Defined under the FHA, 504, or the ADA, as a physical or mental condition or impairment that is medically recognizable, and diagnosable, and that substantially limits one or more of a person's major life activities. These limitations may include: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is substantially limited in major life activities if the individual is unable to perform the activity, or is significantly restricted as to the manner in which he or she can perform that activity when compared to the average person. Acceptable documentation of disability can be from either a medical or mental health provider. It should verify the disability as well as the need for an approved animal.

Approved Animal: An "approved animal" is a service or emotional support animal that has been granted as a reasonable accommodation under this policy.

Student (owner): The "student (owner)" is the student who has requested the accommodation and has received approval to bring the "approved animal" on campus.

Trainer: Trainers are responsible for teaching dogs to perform behaviors that assist disabled individuals with daily tasks.

Zoonotic Disease: a disease caused by viruses, bacteria, parasites and fungi and spread between animals and people.

Americans with Disability Act (ADA): The Americans with Disabilities Act (ADA) became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

Rehabilitation Act: Section 504 of the 1973 Rehabilitation Act was the first disability civil rights law to be enacted in the United States. It prohibits discrimination against people with disabilities in programs that receive federal financial support and set the stage for enactment of the Americans with Disabilities Act.

Fair Housing Act: Prohibits discrimination on the basis of disability in all types of housing transactions. The Act defines persons with a disability to mean those individuals with mental or physical impairments that **substantially limit one or more major life activities**. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. The term major life activity may include seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. The Fair Housing Act also protects persons who have a record of such an impairment, or are regarded as having such an impairment.

APPLYING FOR A SERVICE OR EMOTIONAL SUPPORT ANIMAL ACCOMMODATION

For a student to qualify to have a Service or Emotional Support animal on Xavier University of Louisiana campus the student must have a disability as defined by the ADA and/or current medical documentation that supports the need for an animal. **Medical Providers must be certified/accredited** in one of the following categories: **MD, Ph.D., Psy.D., and LCSW**. Students may apply for a Service or Emotional Support animal accommodation through the Office of Disability Services. (See process below)

Student's accommodation request must be submitted 60 days prior to the start of the academic semester they are applying to attend.

Fall and Spring Exceptions: Only students with a significant change in health status request will

be considered after the posted deadline.

Process

1. Contact the Office of Disability Services (ODS) for required forms:

Service Animal Only

- Complete Animal Registration Form
- Release of Information Form

Emotional Support Animal Only

- ODS Disability Certificate
- Release of Information Form
- Upon Approval, complete Animal Registration Form

2. Documentation Requirements

a) All request and completed forms must be submitted to the Office of Disability Services prior to the semester the student plans to attend.

b) All required documentation must be received by the Office of Disability Services before any accommodations are granted.

APPROVED ACCOMMODATION NOTIFICATION

Once all required documentation is received by the Office of Disability Services the student will be required to submit the following information (**see below**) on the approved animal to the Office of Disability prior to bringing the approved animal on campus:

- Current veterinary vaccination records
- Signed documentation of a clean bill of health

Once the above documentation is received, the student (owner) and the following entities (**listed below**) will receive an approved accommodation notification from the Office of Disability Services:

- Dean of Academic Affairs (**service animals only**)
- Director of Residence Education (**If living on-campus only**)
- Office of Student Affairs
- University Police

SERVICE ANIMALS

A service animal, which is covered by the ADA and Section 504, is different from an emotional support animal. Only dogs under titles II and III of the ADA are recognized as service animals, unless under the revised guidelines of 2010 the use of a miniature horse instead of a dog is considered reasonable and as applied to Section 504 are allowed in buildings other than residence halls when required to assist the student in the University's educational program or activity. "Reasonable accommodations" will be made by the University to permit the use of a service animal by any student enrolled at the university in both academic and nonacademic settings.

Federal regulations do not require the individual with a disability to provide documented proof of training of the dog, nor do they have to provide documentation of their disability. In situations where it is not obvious that the dog is a service animal, students may be asked the following two questions:

1. Is the dog a service animal required because of a disability?

2. What work or task has the dog been trained to perform?

Service animals may travel freely with their student (owner) throughout University facilities and will be given access to ADA-appropriate buildings/rooms. This includes the library, general offices,

financial aid, registrar, public dining halls and general public events, etc.

Individuals with disabilities who use service animals cannot be isolated from other individuals, treated less favorably than other individuals without a disability, or charged fees that are not charged to others without animals.

The University may prohibit the use of approved service animals in certain locations when their presence would fundamentally alter the nature of the service, program or activity; or where the animal poses a direct threat to the health or safety of others. (e.g., where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals. A human assistant will be provided to the individual in this case. Exceptions to restricted areas may be granted on a case-by-case basis by contacting the appropriate department representative; the person directing the restricted area has the final decision.

If you have additional questions concerning the ADA and service animals, please call the Department's ADA Information Line at (800) 514-0301.

SPECIFIC RESPONSIBILITIES

Service Animal Student (owner)

- The student must have a disability as defined by the ADA.
- The service animal must be trained to do specific tasks for the qualified individual directly related to the individual's disability.
- The student should register with the Office of Disability Services; by registering students will have the ability through ODS to inform their professors in advance that they will have a service animal in the class, lab, etc.
- Service animals should wear some type of identification symbol, identifying the animal as a working animal, but not disclosing disability.
- All service animals must wear a harness, leash, or other tether, at all times outside of the handler's private quarters, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. When a leash or tether is not in use, the service animal must be otherwise under the handler's control (*e.g. voice control, signals, or other effective means*).
- A service animal in training must be accompanied by the trainer who is training the service animal and the animal must wear a leash, harness, or cape that identifies the animal as a service animal in training. If the trainer is a student, they must provide information about the overseeing training agency.
- Service animals in training and their trainers are expected to adhere to the responsibilities and requirements of trained service animals and their student (owner).
- Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.

EMOTIONAL SUPPORT ANIMAL (ESA)

Emotional support animals, as defined under the FHA are only allowed by the University in residence halls and are not allowed in academic settings (e.g. classrooms) or in other areas or buildings on campus.

Request for an emotional support animal may be approved but not the specific animal (*i.e. Pitbull, Doberman*) you request to bring on campus. **Most reptiles, rodents and monkeys** may be rejected because of health and safety concerns, as they can carry zoonotic diseases which pose a threat to the general welfare of residents in the communal living environment. Before an emotional support animal can be allowed on campus, the student must receive an **approved accommodation**

notification from the Office of Disability Services.

SPECIFIC RESPONSIBILITIES

Emotional Support Animal (ESA) Student (owner)

- Emotional support animals must be contained within the approved student's privately assigned residential area (room, suite, and apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness to leave the campus or use the restroom. Always carry equipment sufficient to clean up the animal's feces whenever the animal is brought outside to use restroom.
- Any emotional support animal left in a residential facility while the student (owner) is temporarily away attending classes for any length of time, must be housed in a crate. The student (owner) of the animal retains responsibility for the animal at all times.
- Emotional support animals must not be left overnight in Residential Halls to be cared for by another student. Animals must leave campus if the student (owner) leaves campus for a prolonged period, including overnight.

GENERAL RESPONSIBILITIES

(STUDENT (OWNER) / UNIVERSITY COMMUNITY / OFFICE OF DISABILITY SERVICES)

Student (owner) Responsibilities:

- Assuring that the approved animal does not unduly interfere with the routine activities of the University or cause difficulties for other members of the University community. The student (owner) and approved animal are both responsible for abiding by all applicable residential policies, including room inspections.
- Student (owner) must provide for the care necessary for the animal's well-being. This includes bathing, grooming, and other care procedures, including regular flea and tick treatments as needed.
- The student (owner) should ensure that the animal does not display any behaviors or noises that are disruptive to others, unless it's part of the service being provided to the student (owner).
- All animals must be housebroken, puppy pads will not be permitted.
- Official animal signage must be displayed on all external doors of the residence where a service or emotional support animal reside.
- Every academic year the student (owner) must renew their Service or Emotional Support Animal accommodation request.
- The student (owner) is responsible for the approved animal during a fire alarm, fire drill, or other building emergencies and /or natural disasters.
- In the case of an emergency, the University is not responsible for evacuating the animal. The student (owner) must have on file the name and contact information of an individual who could come to campus to remove the animal if needed within a reasonable amount of time. This person must be identified during the approval process.
- The student (owner) is financially responsible for the actions of the approved animal including bodily injury or property damage. The student (owner)'s responsibility covers, but is not limited to, replacement of furniture, carpet, windows, wall covering, etc. The student (owner) is expected to cover these cost at the time of repair and/or move-out. The University shall reserve the right

to bill the student (owner)'s account for unmet obligations. Final restitution costs will vary depending upon the original condition of the residence and other factors.

- All roommates or suite mates of the student (owner) must sign a Roommate/Suite mate Acknowledgment Form allowing the approved animal to be in the residence with them. In the event that one or more roommates or suite mates do not approve, either the student (owner) and animal or the non-approving roommates or suite mates, as determined by the Office of Residence Education policy, may be moved to a different location.
- The student (owner) must notify the Office of Disability Services in writing if the approved animal is no longer needed or is no longer in residence. To replace an approved animal, the student (owner) must file a new accommodation request.
- The student (owner) is responsible for independently removing the approved animal's waste. Waste must be disposed in a sealed bag in designated areas. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside designated areas. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces. Outdoor solid animal waste must be picked up immediately and disposed of in a sealed plastic bag.
- The student (owner) is responsible for complying with local and state licensing laws for animal rights and student (owner) responsibilities. Approved animals must be current with vaccinations against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a vaccination tag.
- All approved animals must have an annual vaccination certificate and a statement regarding a clean bill of health from a licensed veterinarian on file with the Office of Disability Services.
- The student (owner) agrees to continue to abide by all other University policies. Any violation of the rules may result in immediate removal of the animal from the University and may be reviewed through the Student Conduct Process and the student (owner) will be afforded all rights of due process and appeal as outlined in that process. Should the approved animal be removed from the University premises for any reason, the student (owner) is expected to fulfill housing obligations for the remainder of the housing contract.
- Xavier University of LA reserves the right to request documentation showing that the animal has been licensed if applicable. All applicants should contact the Louisiana SPCA Animal Control Office @ (504) 368-5191 to ensure compliance with local ordinances.

University Community Responsibilities:

Members of the University community are required to abide by the rules outlined in this policy:

- Must allow Service Animals to accompany its student (owner) at all times and in all general public places on campus, except where animals are specifically prohibited.
- University community and general public should not:
 - Pet the service animal, it may distract them from the task at hand
 - Feed the service animal
 - Deliberately startle the service animal
 - Attempt to separate an student (owner) from their service animal
- Should contact Office of Disability Services if any questions or concerns arise relating to service animals on campus.
- Should report any service animals who misbehave, or any student (owner) who mistreat their

service animals to the Office of Disability Services@ (504)520-7607 and/or University Police @ (504)520-7490, or Louisiana SPCA @ 504.368.5191 ext. 100.

Office of Disability Services Responsibilities:

- Assist the University community when questions or concerns arise relating to service animals on campus, and seeks legal advice when necessary.
- Develops necessary policies and guidelines according to the American Disability Act (ADA) on behalf of the University regarding service and /or emotional support animals on campus.

CONFLICTING HEALTH CONDITIONS

The University acknowledges that the presence of service and emotional support animals may present health, safety, security, and programmatic issues for other members of the community; however, according to ADA guidelines allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.

The American Disability Act states when a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. The individual impacted by the presence of the animal must register with the Office of Disability Services and provide verifiable medical documentation to support the claim.

The Office of Disability Services will consider the needs of all students in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible.

Abandon Animals

Any abandon animals will be turned over to the SPCA; any charges incurred will be the responsibility of the student (owner) of the animal. The university reserves the right to apply any charges incurred to the student's (owner) account.

Complaints/Appeals

Complaints /Appeals regarding Service or Emotional Support animals on campus can be directed to the Office of Disability Services @ (504)520-7607

References

Americans with Disabilities Act of 1990 (ADA)

Fair Housing Act (FHA)

U.S. Department of Justice: Service Animal Guidance

REMOVAL OF A SERVICE ANIMAL OR EMOTIONAL SUPPORT ANIMAL

Removal can occur if:

1. The animal is found by the University to be out of control or disruptive and animal's owner does not take immediate and/or effective action to control it.
2. The animal is not housebroken or kept in a cage where waste can be managed effectively.
3. The animal is found to be neglected or mistreated and prompt corrective action is not taken.
4. The animal is physically ill.
5. The animal is unreasonably dirty.
6. The animal attempts to enter a place on campus where the presence of a service animal causes danger to the safety of the owner or other students/members of campus.
7. The service animal attempts to enter a place on campus where a service animal's safety is compromised.

Process of Removal or Resolution of Violations:

1. Student will receive a written warning if a complaint(s) is received regarding the animal.
2. The student will have an opportunity to rectify the situation and correct the behavior.
3. If a second complaint is received, Disability Services will conduct further assessment of the situation and the extent of impact to the community.
4. The student with the animal may be asked to switch rooms if there is availability on campus.
5. If a third complaint is made or incident occurs, the animal will be removed from campus. Students must identify a person who could come to campus to remove the animal if needed within a reasonable amount of time. This person **MUST** be identified during the approval process.
6. The individualized assessment of each incident may lead to escalation of this process, up to and including removal of an animal from campus after a first complaint, depending on the severity of any incident involving any service or support animal.

GUIDELINES FOR STUDENT PUBLICATIONS

Publications

1. All articles should be signed. The editor assumes the responsibility for all articles which do not bear a signature.
2. On each edition of a printing a definitive statement should be made indicating that the views and ideas expressed are those of the writer and/or the editor, and do not necessarily reflect the views of the University – its students, faculty, or administrators.
3. Each issue should indicate the name of its editor, the publishing address, the mailing address or any contact address of the publishers.
4. Editors are expected to subscribe to the canons of responsible journalism, namely: responsibility, independence, sincerity, truthfulness, accuracy, impartiality, fair play, decency and freedom of the press.
5. At the same time it is expected that editors will be protected from arbitrary suspension and removal. Only for proper and stated causes will editors be subject to removal and then by orderly and prescribed procedures. (Proper cause for action against an editor will be determined by a Publications Board which would consider the canons of responsible journalism as these relate to the avoidance of libel, slander, obscenity, vulgarity, etc.)

Publications Board

1. The Board shall consist of nine members: four (4) students, two (2) faculty, two (2) administrators and a chairman named by the Vice President of Student Affairs.
2. For this time only, the members will be appointed by the Vice President of Student Affairs upon recommendations from the students and faculty.
3. The board will serve the University in the responsibility of judging whether or not an article is considered in bad taste or in violation of the canons of responsible journalism, as these relate to the University community. It is understood that the Publications Board will take into consideration the fundamental rights and responsibilities that the student possesses as a member of the society at large.
4. Any ruling against an editor or writer by the board may form the basis for disciplinary proceedings. The University reserves the right to refer such cases for further appropriate action. Nothing contained in these procedures preempt any individual group or agency, which may claim to be aggrieved from pursuing outside legal redress.

Outside Publications

1. All outside publications of any kind must be cleared by the Office of Student Affairs before distribution or posting.
2. Failure to receive clearance may be appealed to the Publication Board.
3. The same basic standards applicable to campus publications will be required of outside publications.

The Office of Student Affairs is charged with the responsibility of supervising the overall mechanics of these guidelines, and the power to act on and then refer cases involving violations. It is understood that the Publications Board, the Office of Student Affairs, as well as all other board and offices of the University are subject to the final review of the Vice President of Student Affairs.

For Independently Published Newspapers/Newsletters

In order to emphasize that a student newspaper/newsletter does not speak officially for the institution, it should carry neither the institutional seal, official motto, nor the name of the University. All University published and financed student publications should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the college, university or student body.

HEALTH PROCEDURES FOR UNIVERSITY REGISTRATION

New Entrants:

- Each accepted applicant will receive information in their admissions packet directing them to Student Health Services web page (<https://www.xula.edu/center-of-health-wellness/office-of-student-wellness/student-wellness-coronavirus/immunization-requirements.html>)
- Parental consent (page 2 of required Immunization form) must be completed for students 17 years or younger for medical/emergency treatment.
- Xavier University of Louisiana is committed to providing our students a safe environment for learning. To establish this environment the university follows the guidelines of the Louisiana Law (R.S. 17:170 - Schools of Higher Learning), Centers for Disease Control (CDC), and the American College Health Association immunization requirements/recommendations for students entering institutions of higher learning. In attaining this goal, students' will be required to submit Louisiana State required immunizations. In attaining this goal, students will be required to submit Louisiana State required immunizations.

State of Louisiana required Immunizations / Tuberculosis Questionnaire / COVID-19 Vaccine:

1. Measles, Mumps, Rubella (MMR) requirement: Two (2) doses of live vaccine required at least 28 days apart, 1st MMR dose must be given on or after the first birthday. If born prior to 1957, vaccine not required. Documentation of immunity by serologic test is also acceptable.
2. Tetanus-Diphtheria-Pertussis (Td, T-dap) One (1) dose of vaccine given within the past ten (10) years
3. Meningococcal Meningitis (Quadrivalent vaccine A, C, Y, W-135): One (1) dose required at 16 years of age or older. Not required for those 55yrs.or older.
4. COVID-19 vaccine, two (2) doses of the Moderna vaccine required at least 28 days apart or Two (2) doses of Pfizer vaccine at least 21 days apart or One (1) dose of Johnson & Johnson Janssen 65 vaccine. Second doses administered within a grace period of 4 days earlier than recommended date is valid and second doses administered up to 6 weeks after the first dose is valid. **Exception: Students enrolled in Online Programs are not required to meet immunizations requirements.**
5. Tuberculosis Questionnaire: All students entering the university must complete the tuberculosis questionnaire.
6. All students are required to use Med+Proctor to submit medical/immunization records. Students will be required to create an account @ <https://www.medproctor.com/> and upload their immunizations.

Re-Admitted Students:

1. Xavier University and Louisiana State law require all returning students to update those immunizations that are outdated. Please contact Student Health Services (504-520-7396) to confirm which immunizations you will need to update.
2. You must also complete the Immunization Compliance form. You must also complete the Immunization Compliance form prior to registration. All students are required to use Med+Proctor to submit medical/immunization records. Students will be required to create an account @

<https://www.medproctor.com/> and upload their immunizations.

All Resident Students:

1. Resident students must comply with State and University immunization requirements. No Exceptions!
2. All documentation must be submitted to the Office of Student Health Services prior to registration to obtain Health and Residential Clearance.
3. STUDENTS CHECKING INTO HOUSING MUST BE HEALTH CLEARED and RESIDENTIAL CLEARED – NO EXCEPTIONS!

ALL FULL TIME STUDENTS AND RESIDENT STUDENTS ARE REQUIRED TO SHOW HEALTH INSURANCE EVIDENCE WHICH PROVIDES COMPREHENSIVE COVERAGE IN THE NEW ORLEANS METROPOLITAN AREA. OTHERWISE, THE STUDENT WILL BE REQUIRED TO ENROLL IN THE UNIVERSITY'S HEALTH INSURANCE PLAN.

MEDICAL EMERGENCY ADVISEMENT

IF THE SITUATION IS LIFE-THREATENING – (During or After Hours)

- Call 911
- Notify University Police @ 520-7490 (this office is open 24 hours a day)
- Notify Student Health Services @ 520-7396 (a nurse will also go to the site if available)
- An accident or acute life-threatening illness occurring during office hours **MUST** be reported to Student Health Services.

FAMILY NOTIFICATION

- Every effort will be made to notify the student's family of the emergency situation.
- If the student is a hall resident the Resident Hall Director will also be notified.
- The Office of Student Health Services (during hours of operation) and the V.P. of Student Affairs **MUST** be notified of any serious injury or illness involving a Xavier student.

NON-EMERGENCY/ ILLNESSES

- Students should report to Student Health Services during the hours of operation, if unable to report to Student Health a nurse will be called to evaluate and determine if care should be rendered by Student Health, off campus physician's office or emergency room.
- If after hours, students should report to the Resident Director/Hall Advisor and go to the nearest Urgent Care or Emergency Department.

AFTER HOURS EMERGENCY SERVICE/ILLNESS (Resident Students)

Any serious illness or injury must be reported to the Housing staff on duty and the Hall Director. An injury of a criminal nature must be reported to University Police @ 520-7490. A minor illness or injury must be reported to the Resident Director / Hall Advisor.

SERIOUS ILLNESS/INJURY

In cases of more serious illness or injury, especially those that would require prolonged bed rest or hospitalization of three days or more, Student Health Services (with the student's permission) will notify the student's academic dean of the student's illness so that the professors can be formally informed of the situation.

REPORTING OF ACCIDENTS / ILLNESSES

A written report must be sent to the Office of Student Health Services, immediately following the emergency situation.

EMERGENCY TRANSPORTATION SERVICES

If EMS (ambulance) personnel evaluate the student and determine that ambulance transport is not warranted, then ride sharing or taxicab service can be called for transportation to a local Emergency Department. (Payment of the transportation is the student's responsibility.)

ON CAMPUS TRANSPORTATION

A student who becomes ill or injured on campus and is unable to ambulate to Student Health Services should call the clinic @ 520-7396 and/or Campus Police @ 520-7490. Campus Police will transport a nurse to the site and transport the nurse and student to Student Health Services. This service is reserved only for situations where the student is too ill or injured to ambulate or drive themselves to Student Health Services.

ILLNESS MEAL SERVICES

A resident student with a serious illness, or who is on bed rest, needing meal assistance will be provided a take-out meal letter from Health Services to be given to the Resident Hall Director/ Hall Advisor. With this take-out meal letter along with the ill student meal card a sick tray can be obtained from the cafeteria. Resident Hall Director/ Hall Advisor will assist the sick student with obtaining meals and returning trays/dishes to the cafeteria.

RETURN TO SCHOOL

ABSENCE FROM CLASS (Resident or Commuter Students)

Student Health Services does not provide excuses for everyday illnesses (such as colds) that may lead to missed classes or incomplete assignments. In cases of more serious illness or injury, especially those that would require prolonged bed rest or hospitalization of three days or more, Student Health Services (with the student's permission) will notify the student's academic dean of the student's illness so that the professors can be formally informed of the situation.

PRESCRIPTION DRUG USE

Students are advised to use only those drugs prescribed by their medical provider. Prescription medication **SHOULD NOT BE SHARED BETWEEN STUDENTS!!!**

FIRE AND EMERGENCY PROCEDURES

The ringing of the fire alarm buzzer shall be the signal for an immediate, quiet and orderly evacuation of the building by all occupants. No one is to wait to collect any items. For your convenience, evacuation directions are posted on the room doors. The elevators are **NOT** to be used in the event of a fire/fire drill. Use designated stairways only.

INCLEMENT WEATHER

The university remains open during times of storms or other types of inclement weather in order to serve resident students as well as commuters who live close to campus. The most accurate and up-to-date information about the status of classes and campus services can be found on the university website (www.xula.edu). Please Note that in the event of an actual emergency, especially one that causes the campus to be closed the XULA emergency web site and/or the toll-free telephone number are the only official sources for information regarding Xavier University of Louisiana.

INTELLECTUAL PROPERTY POLICY AND PROCEDURE

This policy and procedure is to encourage Xavier faculty, employees, students and any others covered by this policy to disclose and protect intellectual and other property resulting from their research so that the benefits of that research may reach society at the earliest opportunity.

This policy applies to all University Employees, students, and other individuals as described in the *Intellectual Property Policy and Procedure*. This policy and procedure shall become a part of the conditions of (a) the employment of every Employee and (b) the enrollment of every student, whether such Employee or student was employed or enrolled before or after its adoption. Moreover, as a condition of their impending or continuing employment with, work at, enrollment at, or

support by the University, all Applicable Individuals are required upon request to execute all lawful and appropriate patent applications, assignments and other documents as may be reasonably requested by the University so that it may implement, secure and protect the Intellectual Property to which it is entitled pursuant to this policy and procedure.

Any dispute arising under this policy, involving the University and/or any Applicable Individual shall be resolved using the procedure as outlined in the *Intellectual Property Policy and Procedure*.

The complete policy can be found on the Office of Resource Development website, <https://www.xula.edu/assets/intellectualpropertyoliciesprocedure.pdf>

LIABILITY

The university shall assume no responsibility, and the student or other party to the housing agreement shall indemnify and hold harmless Xavier University and its agents and employees, for any and all claims arising from personal injury or for the loss, damage or theft of personal property belonging to or in the custody of the student(s) for any cause whatsoever, whether such losses occur in student rooms, public areas or elsewhere in or around the residence halls. The student is encouraged to carry insurance for protection against such losses.

LOSS OF PERSONAL PROPERTY

The University is not responsible for loss of or damage to personal property in the residence hall including equipment and appliances, due to fire, theft, interruption of water, heat, flooding, utilities, power surges, or other causes. Students residing in residence halls are required to provide a power surge protector with a *minimum* joule rating of at least 600 to assist in protecting computing equipment, audio/video equipment and appliances.

MISSING STUDENT PROTOCOL

(Updated: July 2025; Originally Drafted: August 2009)

Purpose

This protocol outlines Xavier University of Louisiana's procedures for responding to reports of missing students. It is intended to promote the safety and well-being of all students and ensure timely, coordinated action in compliance with the Higher Education Opportunity Act (2008), state and federal regulations, and urban university best practices.

Goals

- Ensure the safety and welfare of students.
- Provide a coordinated and timely institutional response to reports of missing students.
- Facilitate early identification of concerns through faculty, staff, peers, and families.
- Ensure appropriate communication with law enforcement, families, and campus offices while preserving student privacy and adhering to FERPA guidelines.

Confidential Contact Information

All students residing in on-campus housing are required to provide a confidential emergency contact during housing registration. This contact will be used if the student is determined to be missing for more than 24 hours.

- If the student is under 18 years of age and not emancipated, the University is required to notify the parent or legal guardian.
- If the student is over 18, the University will notify the designated confidential contact.

Reporting a Missing Student

Anyone who believes a student may be missing—especially for more than 24 hours—should immediately report this to the Office of the Vice President for Student Affairs (VPSA), University Police, or the Office of Residence Education.

Faculty and staff are encouraged to report if:

- A student has missed three or more consecutive classes without explanation.
- A student's behavior, communication, or emails are cause for concern.
- A student discloses personal, medical, or behavioral health concerns.

University Response Procedure

Upon receiving a report of a potentially missing student, the VPSA will coordinate the following actions:

Immediate Outreach

- Attempt to contact the student via phone, email, and other available methods.
- Notify University Police and, if applicable, request a welfare check from local law enforcement for off-campus students.

Campus Coordination

- Notify Residence Education and consult with RAs or RHDs to determine the student's last known presence in housing.
- Contact roommates or suitemates for relevant information.
- Review meal plan activity for recent usage in Dining Services.
- Review building access logs (e.g., ID card swipes) if available.
- Contact faculty to confirm recent class attendance and any behavioral concerns.
- If the student is a student-athlete, consult with the Athletics Department.
- Contact Health and Counseling Services to determine if the student had recent appointments.
- Consult Disability Services to determine recent engagement or accommodations..

External Contact

- If the student cannot be located within 24 hours, notify the student's confidential contact or parent/guardian (per FERPA regulations and student status).
- Share only appropriate and necessary information, maintaining compliance with privacy laws.

When the Student is Located

Initial Meeting

- Meet promptly with the student to assess their safety and clarify the reason for the absence.
- Determine if the situation involved a medical, behavioral, or personal crisis.

Follow-Up Based on Concern

Medical or Behavioral Health Concerns:

- Refer to University Counseling or Health Services.
- Schedule a follow-up meeting.
- Coordinate with faculty regarding coursework and assess the need for extended absence or withdrawal.

Non-Medical/Behavioral Health Concern (e.g., personal, academic, family-related):

- Develop an action plan with the student to support reintegration.
- Refer to relevant campus support offices (Counseling, Academic Support, Student Conduct, etc.).
- Determine academic implications and assist with communication to instructors.

Documentation

All steps taken in response to the missing student report will be thoroughly documented by the Office of the Vice President for Student Affairs. This includes communication attempts, findings, referrals, and resolutions. Documentation will be retained in accordance with University policy and may inform decisions regarding enrollment status, academic standing, or future concerns.

NETWORK - RESPONSIBLE USE

The Network Responsible Use Policy is available on the University's website at <https://www.xula.edu/itc>. The Information Technology Department publishes and enforces this policy which governs the use of computing facilities and network resources at Xavier University of Louisiana. You agree to abide by these policies when you access the related resources. Anyone suspected to be in violation of the policy, may have technology access blocked until resolved.

RIGHTS, PRIVILEGES, AND RESPONSIBILITIES

Academic and intellectual freedoms are cherished rights, as is freedom of expression; these rights apply to the use of University network resources. Access to these resources is a privilege that carries certain responsibilities and duties. These duties and responsibilities derive from the fact that all computers, hardware, software, and institutionally generated operational information stored on computers and any network resources are and remain the property of Xavier University of Louisiana. Ethical and legal uses of these resources are a responsibility for every user.

A. Access to Resources

All employees, faculty, staff and students of Xavier University of Louisiana as well as authorized groups and individuals shall be granted access to the University's network resources so long as such access and use is in accord with this policy.

B. Privacy & Confidentiality

Xavier University of Louisiana respects the privacy of its users and the confidentiality of their work, but there are important exceptions to this general principle. Xavier University of Louisiana makes no guarantee of privacy or confidentiality against the world at large. It is the responsibility of the user to take appropriate steps to insure his or her privacy.

C. Censorship

Free expression of ideas is central to the academic process. While Xavier University of Louisiana does not ordinarily engage in censorship of the expressions of an individual, the University reserves the right to censor the expressions of any users of any network or computer facilities of the University to the extent that the University believes that such expression violates any laws or policies of the University.

D. Innovation & Creativity

Members of the University community are encouraged to make innovative and creative use of information technologies in support of education, research and community service.

E. Security & Passwords

Users shall not disclose information (such as a password) or engage in activity that compromises the security of the network. Users are responsible for choosing a secure password for their accounts on the network.

F. Legal Use

Users of University information technology resources must comply with federal and state laws. Examples of illegal use include, but are not limited to: A user engaged in harassment of individuals or groups. A user violating copyright through the download or distribution of copyrighted materials

such as music, video, and other works, including unauthorized peer-to-peer (P2P) file sharing.

Penalties for violation of federal copyright laws:

Upon identifying illegal file sharing activity, the rights-holder or agent will often file an infringement complaint with the service provider. Xavier University of Louisiana is the service provider for its students, faculty and staff. Unless these complaints are addressed promptly, the University may also be held liable for infringement. Therefore if you use the University network to make illegal copies or fail to protect legally obtained media on your computer, you put yourself and the University at risk. If the rights-holder elects to file suit against you, the law permits a claim of up to \$150,000 per infringed title. In some extreme cases, criminal penalty could apply.

It is also possible that ITC may discover copyright infringement activity while tracing the cause of network performance problems which sometimes result from high consumption of bandwidth over a prolonged period by a single user. In such cases we will take immediate action to prevent this continued activity by the violator. Any kind of illegal use of the university's technology resources will result in actions as outlined under Sanctions in Section J of this document. See below:

Violations of this policy will be dealt with seriously. Violators will be subject to the normal disciplinary codes and procedures of the University, i.e., students will be subject to applicable student discipline, faculty will be subject to applicable faculty discipline, and staff will be subject to applicable staff discipline. Any such discipline may include in the case of students expulsion from the university or in the case of faculty and staff termination of employment. Any users, including students, faculty, and staff, provided University network access who violate this policy face loss of the privilege of access to the network resources at Xavier University of Louisiana. Appeals to any disciplinary action shall be in accord with the disciplinary policies as outlined in the student, faculty, or staff handbook as appropriate. Neither student, faculty, nor staff shall be allowed legal counsel at such appeals.

G. Ethical Use

Information technology resources must be used in accordance with the high ethical standards of Xavier University of Louisiana. Faculty members are to refer to the Faculty Handbook. Students are to refer to the Student Handbook, in particular, the section entitled "Code of Conduct." The staff members are to refer to the Staff Handbook.

H. Commercial Use

Users are not to use University resources to sell or solicit sales for any goods, services, or products except by written permission of the President of the University or the President's designee.

I. Personal Use

In the interest of making the use of information technology a natural part of the day-to-day learning and work of all members of the University community, incidental personal use is permitted.

J. Sanctions

Violations of this policy will be dealt with seriously. Violators will be subject to the normal disciplinary codes and procedures of the University, i.e., students will be subject to applicable student discipline, faculty will be subject to applicable faculty discipline, and staff will be subject to applicable staff discipline. Any such discipline may include in the case of students expulsion from the university or in the case of faculty and staff termination of employment. Any users, including students, faculty, and staff, provided University network access who violate this policy face loss of the privilege of access to the network resources at Xavier University of Louisiana. Appeals to any disciplinary action shall be in accord with the disciplinary policies as outlined in the student, faculty, or staff handbook as appropriate. Neither student, faculty, nor staff shall be allowed legal counsel at such appeals.

WEB POLICIES

A. Browsing the World Wide Web

There is no specific University rule that prevents users from viewing any page anywhere on the World Wide Web. However, users browsing the Web are still subject to all the constraints of legal and ethical uses.

B. Publishing on the University's Web Servers

All faculty, students and staff at Xavier University of Louisiana are entitled to publish unofficial pages on the University's website. There are two varieties of unofficial pages, Personal page and Instructional pages. Personal pages are authored by an individual and pertain to matters of personal interest. Instructional pages are designed by an individual to support teaching, learning, or research activities. Both varieties of unofficial pages are the intellectual property of the individual who created them.

C. Disclaimer

The content included in an unofficial Web page is the responsibility of the user. As such, the use of the University seal, logos or other official emblems on unofficial pages is forbidden. So that it is clear to those viewing the unofficial pages that the University does not sponsor the content, such pages must contain a link to the standard disclaimer located at <https://www.xula.edu/centerforequityjustice/network-use-policy.html>.

D. Advertisement

Paid advertisements are not allowed on unofficial pages except by permission of the President of the University or the President's designee.

E. Server Space

Disk space quotas for unofficial pages are 15 megabytes for students and 50 megabytes for faculty and staff. Users who require more disk space can submit an email request for additional disk space to the appropriate Vice President.

F. CGI Access

Users are permitted to run common gateway interface applications from their account.

EMAIL POLICIES

Electronic mail is an important resource for academic and administrative communications. Its use is encouraged. However, users take full legal responsibility for all email that they send.

A. Server Space

The disk space quota for email accounts is 50 megabytes for all users. For the good of the University, certain users will not be constrained by this disk space quota. Users who require more disk space can submit an email request for additional disk space to the appropriate Vice President.

B. Bulk E-mail

In general, email to all University accounts should be done sparingly and for serious reason. Examples include, but are not limited to, notification of an impending network service outage or the notification of an event that would cause the University to temporarily suspend operations.

Approved October 23, 2003 by the Governance Committee for Information Technology, (rev. 12/09). The University reserves the right to edit or amend these policies. The official copy of this document supersedes any public display of the document that is not consistent with the official copy.

NON-DISCRIMINATION STATEMENT

Xavier University of Louisiana is a private Catholic institution whose programs and activities are open to all qualified persons regardless of race, color, national and ethnic origin, sex, handicapping condition or religion.

NOTICES / ANNOUNCEMENTS / PUBLICITY

All signs or posters which are to be placed on the campus must be approved in the appropriate office. Please bring the sign or poster to be approved before it has been duplicated. Student Affairs (UC 305B) manages the posting/publicity policy and is responsible for approving posters and flyers on campus in for confirmed and scheduled events. Requests for banners and oversized posters must be submitted to the Campus Activities office. Requests for outdoor banners and signs must be submitted to Building Services. Failure to receive authorization will result in the removal of the signs or posters, restitution for any damage and may result in loss of posting or reservation privileges.

RELEASE OF INFORMATION / PRIVACY OF EDUCATION RECORDS

The Family Educational Rights and Privacy Act (FERPA) also known as the Buckley Amendment, is a set of federal regulations established in 1974 that makes four specific guarantees to college students regarding the privacy of their education records. They are:

1. the right to inspect and review education records
2. the right to seek to amend education records
3. the right to have some control over the disclosure of information from those education records
4. the right to file a complaint against any institution for the alleged violation of these FERPA rights

These guarantees are made directly to currently and formerly enrolled students, regardless of their age or status in regard to parental dependency, acknowledging that young people who are already 18 years of age are considered responsible adults. Parents, guardians and others do not have a right to access student records of adult children without their signed, written consent to do so.

Student and Parent Rights Relating to Educational Records

Students have a right to know about the purposes, content and location of information kept as part of their educational records. Students have a right to gain access to and challenge the content of their educational records. Students have a right to expect that information in their educational records will be kept confidential, disclosed only with their permission or under provisions of the law. Students have a right to permit or prevent disclosure of certain information in their educational records. Parents have the right to expect confidentiality of certain information about them in student records.

Students and Parents can locate the notification of the policy regarding privacy and protection of student records and parent information in the policy section of this Student Handbook in its entirety online at <http://www.xula.edu/student-handbook> and at <https://www.xula.edu/itc-privacy-statement>

Students can complete a FERPA waiver to allow parent/guardian access to information at <https://www.xula.edu/registrars-office-completing-a-ferpa-waiver>

FERPA is administered by the Family Policy Compliance Office (FPCO), part of the US Department of Education in Washington, DC. It is the FPCO which interprets and resolves complaints regarding FERPA and the FERPA rights of students. The Department of Education provides more information for students and parents on its website – www.ed.gov.

RESIDENTIAL EDUCATION

The Residential Education Staff

The Residential Education Staff assumes responsibility in the overall functioning of the Residential Facilities. The staff has a responsibility to:

1. establish a pleasant and growth-promoting living environment;
2. assist individual students in their needs and problems;
3. advise student organizations, committees, or other groups;
4. enforce rules and regulations; and
5. perform administrative duties required in the functioning of the residence facilities.

Residence Hall Council

Each student is a member of the Residence Life Community. Fees for diverse programming and resources are collected as part of semester tuition and fees. The extent and effectiveness of the Council depends mainly on individual student efforts in self-governance and their interest in residential life affairs.

There will be mandatory **Hall Meetings** held in the residence hall to inform students of important information regarding resident living, emergency situations and other concerns of the University. These meetings will be scheduled by the residence life staff. Residents will be notified and held responsible for the information distributed. The meetings may be held for the entire hall or on each floor. Failure to attend or submit a request for an official excuse prior to the meeting will result in a Student Code of Conduct violation.

RESIDENCE HALL GUEST CURFEW

Visitation hours extend from noon to midnight. All guests (students that do not live in that respective hall) must vacate the building no later than midnight.

CURFEW PENALTIES

Frequent violations of guest curfew will be considered serious acts of insubordination and subject the student, loss of guest privileges from the residence halls.

UNIVERSITY DINING HALL

The University Dining Hall is open seven days a week, serving both resident and commuting students. The housing contract includes dining hall services. These may not be separated unless you reside in an authorized off main campus location. The dining hall offers a 15 and a 19-meal plan which offers three meals Monday through Friday and brunch plus dinner on Saturday and Sunday. Food cannot be carried out of the dining hall without approval. Meal hours and menus are posted in the dining hall and online. When it becomes necessary to alter meal hours for any special purpose, notices will be posted at least 24 hours in advance. If a student's class schedule does not permit them to eat during the scheduled meal hours they should take their schedule to the Dining Services manager and make other arrangements. If the conflict cannot be resolved by the manager you should contact the Residential Education and/or Office of Student Affairs.

On holidays or days when the University does not have classes scheduled, the dining hall will serve 2 meals (brunch and dinner). All meals begin with lunch on the first day of hall check-in and will end with breakfast on the last day of hall check-out for the fall and spring semesters (except for graduating seniors) and the first day of finals for the summer sessions.

MEAL CARD

The Campus mobile credential XCard serves as the multi-purpose ID/meal card. The card must be presented for verification to the cashier at each meal, or the student must pay cash. If a student has physical XCARD that gets lost, you must log into your online XCARD Transact portal to freeze your

card to ensure it doesn't get used and report it to the Campus Card Office.

RESIDENCE HALL POLICIES

The Office of Residential Education and Xavier University has developed policies and procedures to ensure that all contractual relationships, as well as fire, safety, and maintenance standards, are upheld in the residence halls. In most instances, policies relate directly to the health and safety of residents and the condition of facilities. Since the ultimate responsibility for fulfilling these standards lies with the individual residents, all residents must read and abide by the Residential Living Agreement. A copy of the agreement will be handed to you upon check in. If there is anything you need clarified, feel free to contact the Office of Residential Education. A signed Residential Living Agreement is a binding obligation between the student and Xavier University. The student is responsible for satisfying the full financial obligation of the contract in a timely manner consistent with published University payment schedules. Failure to meet the financial obligations to the University may result in the student's required vacancy of their residential space. The student is obligated to reside in the facility stipulated in the contract and abide by the rules of conduct established for the residence hall system. Failure to do so will result in a fine and/or University sanction. In addition to these regulations, all students are required to abide by University policies and principles as set forth in the Code of Community Standards. Sanctions for breaking any of these rules range from a fine, warning, or probation to suspension from the residence halls or from the University. These policies are strictly enforced because of our commitment to ensure the health and safety of all members of our community. If you are banned from housing, you cannot enter a residence hall for any reason without permission from the Office of Community Standards; if you are the roommate/suitemate of the banned student and allow the banned student into the room/suite, you can be held responsible through the student conduct process and/or be charged for the entire room bill for having hosted the banned student. Anyone violating these policies may be subject to automatic disciplinary action under the Code of Community Standards.

CONDUCT CODES

The Student Conduct code and following additional regulations will govern student conduct in the residence facilities. The willful violation of any of these regulations will subject the offender to possible suspension or dismissal from the facility and/or the University.

HALL DECORUM

General Areas

We expect each resident to be considerate of the staff as well as their fellow residents by maintaining the cleanliness of the general areas of the residence hall including bathrooms, utility rooms, corridors, laundry rooms, etc. Each resident is responsible for the condition of the lounge. Furnishings may not be removed or interchanged from the lounge or any other areas. Removal of any such item is a conduct violation.

Noise

Students are expected to respect the rights of others 24 hours per day. Shouting, screaming, cursing and other types of boisterous behavior are strictly forbidden at all times. Any resident has the right to tactfully and courteously approach another resident regarding noise. Excessive noise which indicates disrespect for the rights of others will not be tolerated.

Noise is any sound that can be heard outside of the confines of a room. Radios and stereo sets are to be modulated in such a way that they entertain only the occupants of the room in which they are located. The use of earphones is encouraged. The playing of stereos and radios or any equipment at a level which falls into the scope of the definition of noise may result in the confiscation of the set and/or the loss of the privilege to play the set.

Study Hours

All class periods are considered periods of study. The evening study period begins at 7:00 p.m. and lasts for the entire evening Sunday through Friday. During this time, the study atmosphere must be maintained.

Lounges / Reception Area

The main lounge is the reception area of the residence. The following Lounge regulations are in effect:

1. Dress: Pajamas and robes are not permitted until the residence hall closes.
2. Eating and dancing are permitted only on approved occasions.
3. Furniture Removal: Removal of Furniture from the lounge for use elsewhere or on the patio is not permitted.
4. Braiding, Combing, Styling hair is permitted in the hall lounges, porches or patios as long as the space is cleaned afterwards.

Exterior Hall Decorum

Since eating is not permitted on the porches, students are encouraged to use the patio and courtyard areas in the rear of the residence halls for outdoor lounging. The noise level should be kept at a minimum so as not to disturb the other residents. Climbing, repelling or related activity is prohibited on campus buildings and structures.

DECORATIONS

The occupants of each room will be held accountable for any damage incurred during their tenure. Students causing damage through the use of these items will be assessed for damages, and will be fined the cost of repairs. Only notices and signs approved by Student Affairs and Residence Hall Director may be posted inside or outside the residence hall.

USE OF ELECTRICAL APPLIANCES/COOKING

Electric hot plates, hot pots, ovens and electric heaters constitute a fire and health safety hazard. Use of these and any other cooking devices within a resident's room is expressly prohibited. Individual microwaves are prohibited as well.

Furniture and Equipment

Furniture and Equipment provided in each resident's room and all other areas of the building are the property of the University and are provided for the convenience of the occupant. Under no circumstances is any resident entitled to remove from the premises, or move to or from other parts of the building, any equipment of this nature unless granted permission by the Residence Life Director.

Furnishings and Room Inventory

You are responsible for all of the furnishings and items in your care. Each room is provided with suitable furnishings which the occupants are expected to maintain. Damages done to rooms or furniture will be charged to the occupants. Plastic liners purchased by the room occupants are to be placed in the trash cans. At registration time each resident will be provided with a "Room Condition Form" which should be filled out and returned to the hall office the first day of occupancy.

Whenever a resident moves from an assigned room or checks out of the hall, a staff member shall recheck the assigned room for damages. Damage to the room or furniture which is not noted on the "Room Condition Form" will be charged to the resident. **FIRE DOORS & LOUNGE DOORS ARE TO BE KEPT CLOSED AT ALL TIMES.**

University property is not to be removed and transported elsewhere without the approval of the Residence Hall Director. Students with non-approved property found in their possession will face disciplinary sanctions and fines.

Roommate Conflict Policy

When you move onto campus, it is imperative to introduce yourself to your new roommates and open the lines of communication from the very beginning. After you have had some time to unpack and get to know your roommates, all freshman residents will take part in an interactive and educational event called #Communication. You will attend this event with your roommates and other residents living in your facility. At #Communication, you will learn many tips and tricks to effectively communicate with your roommates. This event will help you start to think about what is important to you while living with your roommates and how you will communicate with your roommates.

Roommate Agreement

A comprehensive document designed to help roommates get to know each other and to start opening the lines of communication on topics that are important for successful roommate relationships. This is a written document that will be filled out by roommates with the help of an RA. For first year residents, the document will be delivered and explained to residents three weeks into the semester and has to be completed, with the help of their RA, by the sixth week of the fall semester. Second year residents and beyond will receive a roommate agreement during the first few weeks of school in the fall semester. RAs are available to facilitate Roommate Agreement conversations, however second year residents and beyond can complete them without the help of an RA if they so choose. Roommate Agreements for second year residents and beyond will be required if there are conflicts in the unit that cannot be solved without the help of an RA.

Roommate Resolution Process

The Process: Any conflict will take time and effort to resolve. All conflicts will be required to go through the following process.

Step 1: Talk With Your Roommates When a conflict occurs, it is best to attempt to work it out amongst yourselves. Be open and honest about the issues. Refer to your Roommate Agreement and the communication tips guide for help navigating this conversation. Work together to create solutions that abide by the Roommate Bill of Rights and give everyone time to enact those solutions

Step 2: Talk To Your RA If you have talked with your roommate(s) and the conflict is ongoing, contact your RA. Your RA will meet with all parties involved and bring everyone together to mediate the conflict. The RA will use the roommate agreement and help you make changes to the Roommate Agreement that address the conflict.

Step 3: Talk To Your GA If you are still experiencing issues, talk with your RA about setting up a meeting with your GA. It is best to include your RA in this step as they have probably already shared the conflict with their GA and will be a helpful resource to you. The GA will work with you and all parties involved to mediate the conflict. The GA will refer back to the Roommate Agreement and create new solutions.

Step 4: Relocation If all else fails, you can work with your GA to find a new place to live. The GA will offer possible new locations for you to live. The GA will expect that you meet with the residents of your new room before officially moving. It is imperative that you find a new room assignment that will be a good fit for you because you will not be able to move again. This process could take time, especially if we are at capacity. We do not release students from their contracts based on roommate conflicts, so the GA will work to find the best possible location for you. The student that files the complaint will be the one that moves.

Step 5: If a roommate conflict results in a physical altercation, all students that reside in the room will be relocated and face disciplinary action.

Special Notes: The GA supervises and manages the Roommate Conflict Process. The GA has

discretion to skip certain steps of this process if issues of safety, security, or mental health are at risk. Roommate conflicts will be processed through Xavier's conduct system.

Room and Board Charges

Students contracting to live in University residence facilities automatically agree to the combined room and board charges as outlined in the fee schedule. A health condition might be cause for an exception. A written statement by the attending physician, enumerating the diagnosis, medication and food items necessary for the prescribed diet, must be submitted each semester that conditions of exception exist. This information will be furnished to the cafeteria management for their cooperation in having available a variety of choices for the students. A request for exception to this policy should be directed to the Student Health Center. The request must be made within two weeks of the date of regular registration so that if conditions are not acceptable to parties concerned, the student will have time to seek off-campus accommodations.

Prohibited Items in the Residence Halls:

The list provided below is not an exhaustive list of prohibited items, actions, and behaviors, and is subject to change as per residence life policy, Orleans Parish and Louisiana state fire code. If a resident is assessed a monetary fine for a health and safety violation, the cost will be \$100 per violation. This amount is deducted from the resident's housing deposit at the end of the academic year, or when the resident checks out of the residence halls

1. No cooking appliances of any kind, including but not limited to air fryers, broilers, hot plates, hot pots, popcorn poppers, microwaves, George Foreman grills, immersion coils, and coffee makers. Refrigerator/freezer/microwave units rented from the University are allowed under established guidelines. Personal microwaves are only allowed in the Living Learning Center and St. Martin de Porres. Residents may bring their own refrigerator for their residence hall room, but it may not exceed 5 cubic feet in size. Additionally, the number of refrigerators is limited to one per room or two per suite if no refrigerator is provided. If both students residing in St. Martin de Porres have their own personal refrigerator, the students must submit a work order to have the University provided micro-fridge removed.
2. No firearms, explosives, or any type of fireworks or weapons, including air pistols and BB guns.
3. No gambling
4. No candles, incense, or anything that burns, and no open flames of any kind.
5. No electric heaters, multi plugs, or extension cords.
6. No soliciting
7. No littering or damaging of any area or equipment of the residence halls.
8. No removal of lounge furniture to rooms.
9. No tampering with fire extinguishers, equipment, alarms, or signs
10. No motorcycles or any gas engine vehicles, and no gasoline storage of any kind. No hover boards or similar devices and their chargers
11. No throwing of anything from windows or balconies
12. No waterbeds or lofts
13. No life-support equipment of any form, including but not limited to containerized oxygen units and/or electrical generators.
14. No playing of sports that may cause damage to University property or harm to others
15. No creating of any type of hazardous condition
16. No construction, including lofts, bars, cinder blocks, or materials to loft beds
17. No unauthorized wiring; this includes but is not limited to outside TV antennas, satellite dishes, room-to-room wiring, and extension cords.
18. No storage of bicycles in hallways or stairwells
19. No halogen lamps, lava lamps, rock salt lamps, multi-plug lamps, or lamps with outlet
20. No duplicating of University keys (i.e., room/suite keys)
21. No curtains, valances, or drapes; no tapestries or fabric shall be placed on the ceilings or

walls.

22. No 3D printers. ac. Improper disposal of medical waste (i.e., sharps containers) can result in disciplinary action and/or fine.

Other actions/behaviors/prohibited items* that MAY result in a fine.

- Blocked smoke detector/sprinkler/outlet
- Wall space covering more than 50%
- Unclean living conditions
- Usage of extension cord. Only surge protectors are allowed.
- Illegal/double occupancy
- Refrigerator(s), appliances, and devices not plugged directly into a wall outlet. • Items on wardrobe, items over egress (over windows or doors).
- Items cannot be suspended from the ceiling or within 24 inches of the ceiling (including ceiling in closets).
- Fabric on walls/ceilings (including tapestries, flags, curtains, drapes, and valances).
- Plugging strands of lights into one another (daisy chaining).
- Unauthorized Xavier University property in room or suite.
- Unauthorized personal furniture in room or suite.
- Humidifiers/Dehumidifiers
- Failure to comply with residence hall procedures.

* Any item not in compliance with Louisiana State fire codes and those of the Orleans Parish Fire Marshall's office is prohibited in Xavier's residence halls

Payment of Room Damages

Residents will be billed for room damages incurred during their occupancy. This will include cost for replacement (to be determined by Building Services) and \$50.00 negligence fee. Payments for damages must be made in full before the resident is permitted to register for the next semester. All payments are to be made at the Fiscal Office.

The criteria to assess a resident for damages are as follows:

1. Damages caused by the resident accidentally and immediately reported to the Office – cost of materials only.
2. Damages caused by a resident accidentally but not reported to the Residence Hall Office – cost of materials and labor.
3. When unidentified persons cause damages in public areas, the cost will be prorated to the general resident body.

Guests

Each resident is responsible for the conduct of their guest(s). Residents may not entertain guest(s) in their rooms overnight. You must refer to the Residence Hall Welcome Packet for visiting hours. Extension of visiting hours for reasons of study, etc., will usually be granted at the discretion of the Residential Education staff. Because of security considerations, all visitors to the residence hall are required to register at the main desk and leave identification until the visit is concluded. **HOSTS WILL BE FINED FOR ANY UNAUTHORIZED GUEST, AND WILL BE SUBJECT TO DISCIPLINARY ACTION WHICH MAY RESULT IN DISMISSAL FROM THE HALL.**

Guests are not allowed during University Holidays or semester breaks.

Visitation

Residence hall visitation is 12:00 noon – 12:00 midnight each day in all Residence Halls. Acceptance of campus residency is construed as an endorsement of the policy. Violation of the coed visitation rule will result in the imposition of disciplinary sanctions up to and including dismissal from the residence hall.

Keys

Each resident is issued a key to their room and a key to the Security doors and is cautioned to lock the door upon leaving. Staff members are not obligated to open a room door for a resident who is without their key. A 10.00 fee will incur each time a staff member needs to unlock a student's room. Staff will not open any room for anyone, except for the occupants of that room and by authorization of the Director of Residential Education (see section on privacy). The University is not responsible for any theft; consequently, any key lost should be reported to the Graduate Hall Director. The costs for first room key replacements are \$50 for room key replacement and \$150 for suite key replacement..

The University is not responsible for keys left in mailboxes, at the mailboxes, or at the office desk. ***UNAUTHORIZED DUPLICATION OF A ROOM KEY BY A STUDENT OR ALLOWING SOMEONE ELSE TO USE YOUR KEYS TO GAIN ENTRANCE WILL RESULT IN AUTOMATIC DISMISSAL FROM THE HALL.*** A defective key may be returned for replacement. No fee will be charged if the key is defective through normal wear and tear.

Meetings

Residents are expected to attend all official residence hall meetings and are held accountable for all official information disseminated at these meetings. Continuous absences will be considered an offense and will follow the Student Conduct Process.

Room Changes

A room change can be requested when the request process begins after the first 2 weeks of classes. Room change requests are not guaranteed and are granted based upon availability. Residents who change rooms or specific hall assignments without the approval of the Residential Education staff will be assessed a fee of \$100.00 and will face disciplinary action. The University reserves the right to make room changes without the prior consent of the student resident.

Room Cleanliness and Order

All students will be individually and jointly responsible for the care of their rooms. They are expected to keep it clean, orderly and aesthetic in appearance. The University reserves the right to hold periodic health and safety room inspections. All illegal or unauthorized items found in the room will be confiscated by the Hall Staff and/or University Police. The student must correct within twenty-four (24) hours all discrepancies noted in the inspection. Cooking in individual rooms is forbidden. To discourage rodents and other pests, food is to be placed in closed containers. Students who maintain unsanitary living conditions will be dismissed from the hall, and denied future housing.

Room Entry/Invasion of Privacy

The general rule is that no one may enter a student's room or general area without explicit permission from the occupants of that room. Doors should be kept locked when the occupants of that room are absent. However, when a member of the Residential Education team or building services must enter a room for good reason he/she is expected to knock and announce themselves upon entry. See Specific Policies below:

ENTRY INTO RESIDENCE HALL ROOM

Entry by a student into another student's room without their permission is prohibited. As a private institution, Xavier University has the right to enter any residential room to address maintenance concerns, conduct routine health and safety checks and initiate room searches if warranted. Entrance into any residential room/apartment /suite will follow the protocol established by the Office for Residential Education and University Police. Entrance into student living spaces is categorized into three levels: General Entry, Investigative Entry (Reasonable Cause), and Imminent Entry (Critical). See Guide to Residence Living for a full description of Room Search Protocol.

I. General Entry:

1. Non-emergency maintenance repairs: By requesting a maintenance repair, a student has granted permission for a member of the facilities staff to come into the room/suite/apartment

and make the necessary repair. In addition, facilities staff may enter student living spaces to verify damages or to perform other maintenance services during normal business hours (M-F, 9:00 am - 5:00 pm).

2. Periodic health and safety inspections: Several times during the year, Residential Education staff will conduct routine inspections of all student living spaces.
3. Fire alarm inspections/issues: Rooms, suites, lounges and bathrooms may be entered when an alarm sounds to make sure all students have vacated those areas. Rooms may also be entered when the alarm system indicates a smoke detector has been activated.
4. Custodial Services: Cleaning staff may enter rooms for the purpose of cleaning, in cases of emergency or cases when a new occupant is moving into a vacated space.
5. General Courtesy Issues: Rooms may be entered to turn off alarms and other items which are causing a disturbance for other members of the college community when there has been no response by the occupants.
6. Residential Education Staff and Maintenance Staff are permitted to enter a student's room without the student being present.

II. Investigative Entry (Reasonable Cause)

Violations of Student Conduct Code or Local, State or Federal Laws: If staff members from the Office for Residential Education or University Police have reason to believe a law or university policy is going to be, is in the process of being, or has been broken, a decision to conduct a room search may be obtained (see "[Protocol for Room Search Procedure](#)" in the Student Handbook). Such possible violation of the laws and policies include but are not limited to: all policies pertaining to alcohol and other drugs, weapons/fireworks, fire safety, theft, pets, smoking, unregistered person, guests, violation of the NRUP (Network Responsible Use Policy), and noise.

III. Imminent Entry (Critical)

1. Life-threatening situation: A University Police Officer and/or Student Affairs administrator or Residential Education staff member may use a passkey to enter a room/suite/apartment if it is believed an emergency situation exists. Such situations may include but are not limited to: endangerment of person(s) relating to mental/physical illness, sexual assault, physical assault, alcohol or drugs.
2. Emergency maintenance repairs: Facilities staff may enter a room at any time to handle concerns that include but are not limited to: loss of power, heat, AC, plumbing issues, etc.

Solicitation (also see Personal Business Enterprises)

The University will not allow salesmen from outside businesses, including insurance salesmen, to confront residents within the halls. Should there be any violation of the latter provision, your cooperation is asked in bringing it to the attention of the Residential Education staff or the Office of Student Affairs.

Smoking

Xavier University is a Tobacco-free campus. **SMOKING OF ANY SUBSTANCE, INCLUDING VAPING, IS NOT ALLOWED IN RESIDENCE HALLS.** As well, state and safety regulations prohibit burning of candles or incense in the Residence Halls. No flammable liquids may be stored or kept in a resident's room.

RESIDENCE HALL SERVICES

Bulletin Boards

Residence bulletin boards are the most important single means of communication on campus. Residents are responsible for knowledge of all notices posted on official bulletin boards. Campaign posters, commercial posters, etc are not to be placed in these areas of posting.

Laundry

Laundry rooms are equipped with washers and dryers. The hanging of clothing in hall windows or

from window sills is prohibited. Since all machines are set to operate for timed minutes, students should time the laundry and remove their clothes when dry. Out of consideration for others, clothing should not be left soaking for long periods in the sinks. **THE UNIVERSITY IS NOT RESPONSIBLE FOR DAMAGES TO OR LOSS OF CLOTHING RESULTING FROM THE USE OF THE LAUNDRY FACILITIES PROVIDED IN THE RESIDENCE HALL.** Be certain that all electrical appliances are off, lights off and the general area is in order before you leave it. If you are in doubt as to the operation of laundry appliances, please ask a Residential Education staff member for assistance. Machines that are out of order should be reported to the front desk of each residence hall immediately, and a sign placed over the machine.

Mail

Students will receive an email notification upon the arrival of packages or letters addressed to them. A valid photo ID is necessary to collect any mail items.

Maintenance and Repairs

All reports of needed maintenance, e.g., locks, electrical fixtures, door closures, etc., are to be reported immediately to the Graduate Hall Director or by placing a work order through WEBTMA.

Pest Control

All rooms will be sprayed for insects on a regular monthly schedule. Each resident is required to have his/her room sprayed whether or not he/she is present.

Storage

Personal property will not be stored in the living quarters over the summer when the University is not in session and/or the student-owner is not residing in the residence facility.

Supplies

Each residence hall is equipped with limited cleaning supplies (vacuum, broom, mop, etc.) which, after usage, should be returned promptly to hall information desk in clean condition. All items may be obtained using your XCard (ID).

Vending Machine

In all residence halls, vending machines are provided for the convenience of the residents. These machines are controlled and regulated by the companies that own and service them. Any abuse or damage to these machines will result in their removal by the vending companies. Loss of money in a vending machine should be reported to the unit office. Refunds will be made by the vending company.

RESIDENCE HALL SECURITY AND SAFETY PROCEDURES

University Police

The University Police are responsible for protecting all University property as well as the safety of the students, faculty, staff, and visitors on the Campus. Students returning late to campus may be stopped for identification purposes. You are expected to cooperate by showing your I.D. Card and furnishing any other information requested of you. Should the policeman request the surrender of your I.D. Card, you are expected to comply. For your protection certain campus areas may be declared off limits. Please cooperate.

Fire and Emergency Procedures

The ringing of the fire alarm buzzer shall be the signal for an immediate, quiet, and orderly evacuation of the building by all occupants. No one is to wait to collect any items. For your convenience, evacuation directions are posted on the room doors. The elevators are not to be used in the event of a fire/fire drill. Use designated stairways only. Failure to evacuate during a fire alarm can result in a community standards violation.

Fire Alarms and Equipment

Tampering with the fire equipment or fire alarm is strictly prohibited. Violators of this regulation may also be prosecuted under civil laws of Louisiana. The cost for resetting of the fire alarm is \$100.00. The use of Fire Doors except in emergencies is prohibited. Persons violating this regulation are subject to immediate dismissal or a fine to reset.

OTHER IMPORTANT INFORMATION

Check-In Procedures

The residence halls will open for upperclassmen for the Fall and Spring sessions at noon of the day prior to the first day of their scheduled registration. Upperclassmen arriving for accommodations prior to this date may be refused admittance or if granted permission to enter by the Hall Director will be charged daily. Students must check into reserved room in the residence hall by the last day of regular registration for the term or forfeit the space.

Check-Out Procedures

THE UNIVERSITY IS NOT RESPONSIBLE FOR ANY PERSONAL PROPERTY LEFT ON THE PREMISES.

Holiday Check-Out

Resident students leaving to spend a holiday (Thanksgiving, Mardi Gras, Easter, etc.) period off-campus with friends or relatives must officially sign-out and indicate the intended destination and date of return on the Holiday Log.

Semester Check-Out

A log will be provided at the end of the semester for Check-Out purposes. Detailed check out procedures will be sent to individual students and posted in the residence halls. It is the student's responsibility to review and adhere to the cancellation policy.

General Check-Out

- All unwanted paper, notes, posters, etc., must be placed in the Janitor's receptacle. All personal property must be packed and ready for departure. ***Note: Any personal property left in rooms by occupants will be confiscated.***
- Rooms are to be left completely cleaned, floors are to be cleaned. Waste baskets are to be emptied and washed out; desk drawers and closet shelves emptied and cleaned.
- Furniture is to be left in an orderly arrangement; the covers should be removed from the mattress and left on the center of the bed; windows should be closed and locked; and blinds should be fully lowered and closed.

Housing Agreement

Any student requesting campus housing accommodations will be required to sign a housing agreement. Students, who have not met fiscal responsibilities and whose contracts and room reservation fees have not been received by the established deadline, forfeit any prior claim to residence hall space and will be treated as new applicants. Students making their initial application for campus housing or those returning to campus housing after a period of absence will be required to submit the signed housing agreement and the room reservation fee within 10 days of notification of acceptance into campus housing. The room reservation fee will be held in escrow by the University.

Refunds

The percentage of refund of the Room Reservation Fee will be determined by the date on which you check out of the hall and submission of the cancellation form. A cancellation form must be on file in the Office of Residential Education. The refund policy, indicating deadlines, is a part of the Housing Agreement, on the housing website, and will be posted in both the residence Halls and the Office of Residential Education. This policy also appears in the University Catalog as part of the general refund policy.

STUDENT INFORMATION AND PRIVACY OF RECORDS

The Family Educational Rights and Privacy Act of 1974 (FERPA) as Amended was enacted by Congress effective November 19, 1974. In brief, this Act grants to students, and to parents of students under the age of 18, the right to inspect and/or challenge their school or college files.

IN COMPLIANCE WITH THE REQUIREMENTS OF THIS ACT, XAVIER UNIVERSITY HAS ADOPTED THE FOLLOWING POLICY PROVISIONS:

1. Xavier University will inform students annually of the rights accorded them by the Privacy Act. This will be done through publication in the Student Handbook and in the Fall/Spring online registration.
2. Xavier University recognizes the right of students to review their records.
 - a. Request must be made in writing.
 - b. Review of records will be made in the presence of a University Official.
 - c. Upon request, copy of record(s) will be made at a nominal cost.

Transcripts may not be copied if:

- a. Financial obligations to the University are not cleared;
- b. Deficit appears on Federal Loan repayments.

Copies will not be made of transcripts from other universities.

3. Xavier University recognizes the right of students to challenge their records for inaccuracy, being misleading or incomplete, violating their right to privacy.
4. Xavier University recognizes the right of students to seek amendment/correction of their education records.
 - a. Requests must be made in writing.
 - b. Students have the right to a hearing if records are not corrected or amended.
 - c. Students dissatisfied with results or the hearing may place a statement in the education record commenting on the information therein, and/or setting forth any reason for disagreement with Xavier's decision not to correct or amend the record.
5. Xavier University will provide an all-inclusive list of types and locations of education records. The list is available in the Office of the Registrar as well as in the Office of Student Affairs.
6. Xavier University will not disclose personally identifiable information from education records with prior written consent of the students except when this written consent is not required by the Act.

RECORDS WILL BE RELEASED WITHOUT STUDENT'S PRIOR WRITTEN CONSENT TO:

(Records released will be determined by individual's "need to know.")

a. Authorized Federal and State Authorities who require information in connection with the audit and evaluation of Federal and State supported education programs, or in connection with the enforcement of or compliance with the legal requirements which relate to these programs:

1. Representatives of the Comptroller General
2. Secretary of Health & Human Services
3. Secretary of Department of Education
4. Director of National Institute of Education
5. State educational authorities
6. Federal Inspector Generals;

- b. State or local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to State statute adopted prior to November 19, 1974;
- c. Representatives of the Veterans Administration;
- d. Accrediting organizations in order to carry out accrediting functions;
- e. Persons/organizations providing financial aid or determining financial aid eligibility;
- f. University Officials with "legitimate educational interest;"
 - Persons having "legitimate educational interest" are those who perform tasks related to the education of students or work with students' records in performing tasks related to their job descriptions.
 - Faculty and administrative officers who have a legitimate interest in the material and demonstrate a need to know for purposes related to the performance of their official duties will be permitted to look over students' records.
- g. Persons in compliance with conduct order/lawfully issued subpoena (provided Xavier makes reasonable attempt to notify student in advance of the compliance);
- h. Parents of undergraduate students who have established students' status as dependent according to Internal Revenue Code of 1954, Section 152;
 - 1. All undergraduate students are considered as "dependent" unless they inform Xavier before the fifteenth day of classes each semester that they consider themselves to be "independent."
 - 2. If the student declares to be "independent" and the parent submits a certified copy of the most recent Federal Income Tax Form, information will be released to the parent.

Xavier University maintains records of requests for disclosure of personally identifiable information and permits students to view those records.

TYPES AND LOCATIONS OF EDUCATION RECORDS AT XAVIER UNIVERSITY

1. Office of the Registrar (University Registrar - Xavier South 630)
 - a. Admissions data
 - b. Courses attempted/completed
 - c. Grades earned
 - d. Enrollment/withdrawal/graduation dates
 - e. Schools attended
 - f. Changes made in student's name/social security #/address/grades/major
 - g. Requests for disclosure of personally identifiable information
 - h. Academic actions
2. Academic Departments - Advising Records (Chairpersons of Departments - Departmental offices)
3. Office of Financial Aid - Financial Aid Data (Consultant Financial Aid - Xavier South)

SEX DISCRIMINATION AND SEXUAL HARASSMENT POLICY

(Updated July 2023)

POLICY INTRODUCTION

The University is committed to providing a learning and working environment that affirms the dignity and inherent worth of every member of the University community regardless of a person's assigned sex at birth, biological sex and genetic makeup, sexual orientation, gender, gender identity, and gender expression. Members of Xavier University (the "University") community including students, faculty, or any other person employed by, contracted with, or invited to the University, guests and visitors have the right to be free from sexual harassment, violence, and discrimination. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The University Sex Discrimination and Sexual Harassment Policy has been developed to reaffirm this expectation and to provide recourse for those individuals whose rights have been violated.

The term Sexual Misconduct includes conduct often described as sexual harassment, sex/gender discrimination, sexual assault, sexual violence, rape, stalking, and relationship violence (including domestic and dating violence). This also includes harassment that targets a person based on gender identity, transgender identity, or gender transition. Sexual Misconduct can occur between any persons regardless of sex and gender identity. The University will take steps to respond to reports of sexual misconduct and will impose sanctions on anyone who has been found to have violated this policy following an investigation and adjudication process. Resolution by the University is intended to help bring an end to harassing or discriminatory conduct, prevent recurrence, and address the effects on the Complainant and the community. This policy serves (1) as a measure to evaluate if behaviors trespassed on community values and (2) as a guide for students, employees and third parties about the University's expectations for responsible and respectful sexual communication and interaction.

Note: Information contained within this policy is subject to change by the University at any time. Although notice is not required for any change to take effect, the University will make reasonable attempts to timely notify the community of any changes through Web site or email postings, or other methods deemed appropriate by University administration. Any changes shall take effect upon publication on the University's website.

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law prohibiting all forms of sex discrimination, which include sexual harassment, sexual assault, and sexual violence.

Since the University is a recipient of federal financial assistance, all University students, employees, affiliates, and visitors are covered by Title IX requirements and protections. The University has appointed a Title IX Coordinator to ensure all University community members are protected in compliance with the Title IX requirements. In addition to receiving grievances, questions, concerns and requests for consultations, the Title IX Coordinator oversees and manages the University's response and resolution process of reports of sexual misconduct and ensures a fair and neutral process for the resolution of such complaints.

I. SCOPE OF THE POLICY

The University is committed to creating an environment that encourages individuals to come forward if they have experienced any form of sexual misconduct. The University will process all reports of sexual misconduct, regardless of when and where the conduct occurred, to determine whether the conduct occurred in the context of an educational program or activity or had continuing effects on campus or in a University education program or activity. Determinations will include what remedies are available and what procedures may apply.

Amnesty

The health and safety of every student at Xavier University is of utmost importance. Xavier University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Xavier University strongly encourages students to report domestic violence, dating violence, stalking or sexual assault to campus officials. A bystander acting in good faith, or a victim/survivor who discloses an incident of domestic violence, dating violence, stalking, or sexual assault to Xavier officials or law enforcement will not be subject to the University's student conduct process for violations of alcohol and/or drug use policies occurring at or near the time of the domestic violence, dating violence, stalking, or sexual assault.

Discrimination Based on Sex

Sexual harassment is discrimination on the basis of sex and is prohibited under this policy. Sex discrimination shall be referred to the appropriate office for handling under other appropriate policies as may be applicable.

Free Speech and Academic Freedom

This Policy is intended to protect members of the University community from sexual misconduct, not to regulate protected speech or impinge on the right to freedom of speech and expression.

Further, the University supports and encourages free inquiry and the search for and dissemination of knowledge and thus recognizes the principles of academic freedom. Although this Policy is not intended to interfere with or impinge upon freedom of speech or academic freedom, neither freedom of speech nor academic freedom are limitless and do not protect speech or expressive conduct that violates this Policy, or federal or state anti-discrimination laws.

Xavier University Non-Discrimination Policy

Xavier University of Louisiana admits students of any race, color, national and ethnic origin, gender, sexual orientation, handicap, or religion to all rights, privileges, programs, and activities generally accorded or made available to students at the University. It does not discriminate on the basis of race, color, national and ethnic origin, gender, sexual orientation, or religion in administration of its employment and educational policies, admissions policies, scholarship and loan programs, and other University-administered programs.

II. APPLICABLE PROCEDURES

The Sex Discrimination and Sexual Harassment Policy incorporates both procedures that comply with the Title IX Federal regulations effective August 14, 2020 (Appendix A) and also

procedures that address sexual misconduct not covered by the Title IX Federal regulations effective August 14, 2020. The procedures to be used shall be determined by the Title IX Coordinator based on a number of factors, including the status of the parties involved, the conduct alleged to have occurred, the location of the alleged conduct, and the date on which the alleged conduct occurred. When Appendix A is not applicable, the University will evaluate complaints using the procedures outlined in Sections V - VIII below, as well as other applicable policies including the Student Handbook, Human Resources policies, the Faculty and Governance Handbook, and Staff Handbook.

Consolidation of Cases

In the event that the allegations under this Policy also involve allegations of a violation of a separate policy, the Title IX Coordinator shall have sole discretion to determine whether to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this Policy.

III. PROHIBITED CONDUCT

The following conduct is prohibited under this policy.

Sexual Harassment

(Please Note that consistent with Title IX Federal Regulations of 2020, Appendix A includes a different definition of Sexual Harassment that is applicable when the Title IX Coordinator determines that a complaint falls under Appendix A and will be handled using Appendix A).

Sexual Harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person.

Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, gender, or related stereotyping, even if these acts do not involve conduct of a sexual nature.

Examples of conduct, which if unwelcome, may constitute sexual harassment may include but are not limited to:

- direct proposition of a sexual nature and/or subtle pressure for sexual activity that is unwanted and unreasonably interferes with a person's work, academic or educational environment.
- • unwelcome sexual advances, whether or not they involve physical touching or not.
- sexual epithets or jokes; written or verbal references to sexual conduct; gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, experiences, deficiencies, or prowess.
- displaying sexually suggestive objects, pictures, cartoons, etc.
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments, threats, or innuendos of a sexual nature.
- unwanted physical contact such as touching, hugging, brushing against a person's body, impeding, or blocking movements.

- gender harassment, including sexist statements and behavior that convey insulting, degrading, or sexist attitudes.
- repeated and unwanted requests for dates; unwelcome and inappropriate letters, telephone calls, email, texts, graphics, and other communications or gifts.
- direct or implied threats that indicate that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation.
- sexually explicit statements, questions, jokes, or anecdotes regardless of the means of communication (verbal, written, email, text messages, etc.); and
- the display of inappropriate sexually oriented materials in a location where others can view them.

Sexual Assault

Sexual assault is the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or stranger. Such contact is unwanted when it occurs without the consent (as defined below) of one or all individuals, including when any of the individuals are incapacitated or incapable of giving consent (as defined below), or occurs with the use of force (as defined below). The following acts are considered sexual assault, and are prohibited:

(a) Nonconsensual Sexual Contact (or attempts to commit the same)

Any intentional sexual touching, however slight, with any body part(s) or inanimate object(s), by person(s) upon another person(s), without consent and/or by physical force, coercion, or threat.

Examples of nonconsensual sexual contact include but are not limited to: touching of a non-consenting person's intimate parts (such as groin, genitals, breast, buttocks, mouth, and/or clothing covering these parts); touching a non-consenting person with one's own intimate parts; making a non-consenting person touch you or another on an intimate body part; or any intentional bodily contact in a sexual manner, even if it does not involve the genitals, mouth, breast, buttocks, groin, or other orifice. Such actions can be considered nonconsensual sexual contact whether or not physical force, coercion or threat is involved.

Sexual contact or activity with a person who is incapacitated (by use of drugs, alcohol, or any other means) or otherwise unable to consent (i.e., asleep, intellectually impaired, etc.) is considered non-consensual. See the definitions of consent and incapacity below for more information.

(b) Nonconsensual Sexual Intercourse (or attempts to commit the same)

Any sexual intercourse (anal, oral, or vaginal penetration), however slight, with any body part(s) or inanimate object(s), by person(s) upon another person(s), without consent and/or by physical force, coercion, or threat.

Examples of nonconsensual sexual intercourse include but are not limited to non-consensual penetration (oral, anal, or vaginal) with any object or body part, including but not limited to fingers, tongue, penis, or any foreign object. This includes, but is not limited to, penetration of a bodily opening or cavity without consent or subjecting an unwilling person to perform or engage in intercourse and/or penetration. Such actions

can be considered nonconsensual sexual intercourse whether or not physical force, coercion or threat is involved.

Sexual contact/activity with a person who is incapacitated (by use of drugs, alcohol, or any other means) or otherwise unable to consent (i.e., asleep, intellectually impaired, etc.) is considered non-consensual. See the definitions of consent and incapacity below for more information.

Sexual Exploitation

Sexual Exploitation is taking nonconsensual, unjust, or abusive sexual advantage of another for one's own advantage or benefit, or to benefit a person other than the one being exploited that does not otherwise constitute nonconsensual sexual contact or intercourse. Examples of sexual exploitation include, but are not limited to:

- Prostituting of another individual.
- Photographing or video/audio recording of someone involved in sexual activity, sexual intercourse/penetration, or in a state of undress without their knowledge and consent.
- The dissemination of photographs or audio/video of someone involved in sexual activity, intercourse/penetration, or in a state of undress, without their knowledge and consent.
- Exceeding the boundaries of explicit consent, such as allowing a third party to hide in a closet to be witness to one's consensual sexual activity or disseminating sexually explicit images without the consent of all parties.
- Engaging in voyeurism, which is the act of observing someone involved in sexual contact/activity, sexual intercourse/penetration or in a state of undress, without their knowledge and consent.
- Offering drugs, alcohol, or other substances to a person, with or without their knowledge, with the intent to impair their ability to withhold consent or their ability to knowingly consent to sexual activity or intercourse/penetration, regardless of whether sexual activity actually takes place; and/or
- Knowingly transmitting a sexually transmitted disease/infection or HIV to a person.

Relationship Violence (including domestic, dating, and intimate partner violence)

Relationship violence (including domestic, dating, and intimate partner violence) is intentionally violent or controlling behavior by a person who is currently or was previously in a social relationship of a romantic or intimate nature with the survivor. Relationship violence includes actual or threatened physical injury, sexual assault, psychological abuse, economic control, and/or progressive social isolation.

Relationship violence occurs in all types of relationships. Relationship violence can include but is not limited to threats of physical harm; physical or emotional abuse; destroying property; controlling/possessive behavior; threatening self-harm if the other partner leaves the relationship; or monitoring a partner's calls and emails in order to manipulate or isolate.

Stalking

Stalking on the basis of sex is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress. For the purposes of this definition:

- **Course of conduct** means two or more acts, including, but not limited to, acts in

which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- **Reasonable person** means a reasonable person under the same or similar circumstances and with the same or similar identities to the Complainant.

Examples of stalking include but are not limited to one person persistently, unwantedly, and repeatedly following another; appearing at a person's home, class or workplace without permission or invitation; making frequent phone calls, emails, text messages, or social media messages; leaving written messages or objects; and/or vandalizing a person's property.

Retaliation

Retaliation exists when an individual harasses, intimidates, or takes other materially adverse action(s) against a person for raising concerns about prohibited conduct or for their support of someone involved in raising such concerns. An individual may be found in violation by requesting or encouraging another person to retaliate on one's behalf. Retaliatory actions may include, but are not limited to, threats or actual violence against the person or their property, adverse educational or employment consequences, intimidation, bullying, or excluding from programs or activities. It is unlawful and it is a violation of University policy to retaliate against an individual for filing a complaint of sexual misconduct or for cooperating in a sexual misconduct investigation. Retaliating against anyone who reports an incident of sexual misconduct, brings forward a complaint, or who in any way participates in an inquiry or investigation of sexual harassment, is strictly prohibited. Retaliation is also prohibited against anyone who in good faith opposes, in a reasonable manner, any act or policy believed to constitute a violation of the Sex Discrimination and Sexual Harassment Policy.

IV. GENERAL DEFINITIONS OF THE POLICY

Advisor: A Party may be accompanied by an advisor of their choice to any investigation, adjudication, or administrative proceeding under this Policy. At the direction of the Party, an Advisor may be copied on communications with the Party and have access to documents and materials made available to the Party. Other than in procedures outlined in Appendix A, an Advisor may not represent, speak, or act on behalf of a Party. Additionally, an Advisor may not act to impede, obstruct, delay, or undermine any steps taken under this policy.

Complainant: The person who experienced the incident(s) of Sexual Misconduct.

Consent: Consent is an informed, knowing, voluntary, and mutual decision to engage in sexual activity and can be withdrawn at any time. Consent is active, not passive. Consent can be given by words or actions as long as those words or actions create mutually unmistakable permission regarding the conditions of sexual activity. Consent must be obtained by the person initiating sexual activity at every stage of sexual interaction.

The use of alcohol, drugs, or any other intoxicating substance will never be accepted as an excuse or reason for failing to obtain consent: A person who has consumed alcohol and/or drugs still has a responsibility to obtain consent for any sexual activity with another person.

Under this definition:

- Silence, by itself, cannot constitute consent.
- The absence of resistance does not imply consent.
- Consent to one sexual act does not constitute or imply consent to a different sexual act.
- Past consent does not imply consent to future sexual acts.
- Consent is required regardless of the parties' relationship status or past sexual history.
- A verbal "no" or its equivalent meaning, even if it may sound tentative, indecisive, or insincere, indicates a lack of consent.
- The use of force to cause someone to engage in sexual activity cannot constitute consent.

Consent can never be given by:

- ***Someone who is incapacitated.*** A person can be incapacitated through the use of drugs, alcohol, or any other intoxicating substance, or when they are unconscious or asleep. It is a violation of this Policy to engage in sexual activity with someone you know or should know is incapacitated. See the definition of incapacity below for more information.
- ***Someone who is intellectually disabled.*** Certain intellectual disabilities can cause a person to be unable to knowingly consent to sexual activity. It is a violation of this Policy to engage in sexual activity with a person whose intellectual disability renders them incapable of giving consent and the disability is known or should have been known to the non-disabled sexual partner. Under these circumstances, the conduct is non-consensual regardless of whether the person appeared to be a willing participant.
- ***Someone who is under the legal age of consent.*** In Louisiana, the legal age of consent is seventeen (17). It is a violation of this policy to engage in sexual activity with a person who is under the age of consent, regardless of whether the person willingly participated in the conduct, unless otherwise provided by law. The University will take into consideration Louisiana laws that are applicable related to the age of consent. Note: Louisiana state law may have some exceptions that are applicable here and those will be applied to this policy when appropriate, including any mandatory reporting law that Xavier University may be obligated to report to the local District Attorney.

Days: Unless otherwise specified, any reference to "days" refers to University business days and do not include University holidays, closures, and weekends.

Director of Human Resources: The person designated by the Vice President for Finance and Administration to be the highest level of Human Resources personnel responsible for the administration of personnel policies and procedures.

Student Conduct Officer: The person designated by the Vice President for Student Affairs to be responsible for the administration of the Student Code of Conduct; sometimes also referred to as the "Student Conduct Advisor."

Employee: Any person hired by the University to perform work for hire, including faculty members and all other staff.

Faculty Member: Any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty or instructional staff. This includes, but is not limited to, teaching faculty, research faculty, on and off-campus clinical supervisors, and faculty or supervisors working at cooperating institutions or programs.

Force: The term “force” includes the use of any of the following:

- Physical force, violence, the presence or use of a weapon
- Threats or harassment
- Intimidation, abuse of real or perceived power or authority, implied threats
- Coercion or duress; this includes pressuring another person to perform or engage in sexual activity.

Incapacitation: Incapacitation is the lack of physical or intellectual capability to consent. Being incapacitated differs from being intoxicated or drunk. A person who is incapacitated cannot understand the fact, nature, or extent of sexual activity. Incapacitation may be a result of consuming alcohol, drugs, or other intoxicating substances, being unconscious or asleep, and/or other factors that could alter one’s faculties. It is a violation of this Policy to engage in sexual activity with a person who is incapacitated, regardless of whether the person appeared to be a willing participant.

Interim and Supportive Measures: The University may offer non-disciplinary, non-punitive individualized services, to the Complainant or Respondent before, during or after a report is made under this Policy. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other Party.

Such measures may include, but are not limited to:

- mutual restrictions on contact between the Parties
- changes in work or housing locations
- modifications of class or work schedules
- withdrawal from a course
- academic support
- safety escorts
- counseling
- leaves of absence

May: The term “may” is used in the permissive sense.

Member of the University Community: Includes any person who is a student, faculty member, University official or any other person employed by, contracted with, or invited to the University.

Policy: The term “policy,” when not otherwise specifically defined, means the written regulations of the University as found in, but not limited to, the Student Code of Conduct, Residence Hall Handbook and contracts, the Appropriate Use Policy for Information Technology, and Graduate/Professional and Undergraduate Catalogs, any other writings deemed appropriate by the University, and any Human Resources policies, including the Faculty and Governance handbook and Staff Handbook.

Responsible Employee: Any employee of Xavier University including Resident Assistants, and the following student employees when acting in the course of their employment duties: Teaching Assistants, Work study Students, and Student Workers. A Responsible Employee has the obligation to report to the Title IX Coordinator any information learned about an act of sexual misconduct involving a student. Supervisors are also required to report to the Title IX Coordinator any information about an act of sexual misconduct involving an employee.

Relevant Evidence: Relevant evidence is evidence pertaining to an allegation that is likely to prove or disprove an allegation or fact.

Sanction: A sanction is any action or decision resulting from a violation of a University policy or the proscribed conduct outlined in the Student Code of Conduct.

Appellate: Any person or persons authorized by the Title IX Coordinator to review Title IX appeals under this Policy.

Shall: The term “shall” is used in the imperative sense.

Student: The term “student” includes all persons taking courses at the University, either full-time or part-time, and whether non-degree seeking or pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission may be considered “students” for the purposes of this Policy. A person’s status as a student in any particular situation shall be determined by the Vice President for Enrollment Management and Student Affairs, or designee.

Student Group: The term “student group” means any number of students who have complied with formal University requirements for University recognition as a student group.

Support Person: A Party may be accompanied by a Support Person of their choice to any meeting, investigation, adjudication, or administrative proceeding under this Policy. A support person is one who provides emotional support and assistance in a proceeding under this Policy. A Support Person may not also act as an Advisor to the same Party. A Support Person may not represent, speak, or act on behalf of a Party. Additionally, a Support Person may not act to impede, obstruct, delay, or undermine any steps taken under this policy. A support person may be a confidential advocate.

V. REPORTING

The University encourages members of the University community who have experienced sexual misconduct to report the conduct so that the conduct may be addressed, and resources and support may be provided. There is no timeframe for making a report, but the University encourages reports as close in time to the alleged incident as possible. The University provides confidential, non-confidential and anonymous reporting options (Appendix B, Resources).

A report of sexual misconduct to any employee of the University including Resident Assistants, and the following student employees when acting in the course of their

employment duties: Teaching Assistants, Student Workers, will be shared with the Title IX Coordinator who will then determine the appropriate response. Employees receiving reports of sexual misconduct involving a student must notify the Title IX Coordinator of the report including all information they receive about a report of sexual misconduct including the names of the Complainant, Respondent, and any witnesses, as well as any information known about what may have taken place including the date, time, and specific location of the alleged incident.

To the extent possible, information reported to a non-confidential campus resource will be shared only with individuals at the University who have a role in responding to a report of sexual misconduct. A report of sexual misconduct made to the Title IX Coordinator will not be shared with law enforcement without the Complainant's consent unless the report contains information regarding a threat to the physical safety of one or more member of the University community.

A report of sexual misconduct may be made to the Title IX Coordinator or any University employee. Reports may also be made using the University's Bias and Hate Reporting System.

Title IX Coordinator: titleix@xula.edu

Reporting to Confidential Campus Resources

Confidential Campus Resources assist the Complainant in receiving necessary protection and support, such as Complainant advocacy, and health or mental health services. A report of sexual misconduct made to a confidential campus resource will not be shared with the Title IX Coordinator or any other member of the University community, unless the report contains information regarding a threat of harm to oneself or others.

The University may be limited in its response to a report made to a Confidential Resource, as the University cannot conduct an investigation or pursue disciplinary action in response to a report that is made only to a Confidential Resource.

A Complainant who makes a report to a Confidential Resource may also decide to file a complaint with the University or report the incident to local law enforcement, and thus have the incident fully investigated.

While maintaining a Complainant's confidentiality, confidential resources should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report—which does not include information that would directly or indirectly identify the Complainant—helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

Anonymous Reporting

A report of sexual misconduct may be made online by submitting a concern using the online tool Ethics Point. An anonymous report may limit the University's ability to investigate and address sexual misconduct, as disciplinary action may not be taken against any individual when based solely upon an anonymous report.

Clery Act Obligations

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act requires all universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. The Clery Act, signed in 1990, was originally known as the Crime Awareness and Campus Security Act.

In accordance with the Clery Act, the University will track all non-identifying information regarding reports of sexual misconduct made to Non-Confidential Resources and those submitted through the Bias and Hate Reporting System. At any time, if the University determines that there is a serious and immediate threat to the University community, the Director of Campus Public Safety, the Title IX Coordinator, and the Dean of Students may issue a timely warning to the community. Timely warnings do not include any information that identifies a Complainant.

Amnesty

Individuals who make a report of sexual misconduct will not be disciplined for University policy violations that occur around the time of the alleged sexual misconduct, unless the conduct risks the health or safety of another or involves plagiarism, cheating or other forms of academic dishonesty.

Protection from Retaliation

Any member of the University community has the right to raise good faith concerns about or file a good faith complaint of sexual misconduct without fear of retaliation. It is unlawful and a violation of this Policy to retaliate against an individual for filing a complaint of sexual misconduct, for cooperating in a sexual misconduct investigation, or for supporting someone involved in raising such concerns of misconduct. Any person who retaliates is subject to disciplinary action up to and including expulsion and/or termination by the University.

VI. RESPONDING TO A REPORT

Initial Outreach

Upon receipt of a report of sexual misconduct under this Policy, the Title IX Coordinator shall contact the Complainant to provide information and an invitation to meet with the Title IX Coordinator or designee to discuss options for reporting and resolving the alleged misconduct, including: (a) information regarding available campus resources, assistance and support; (b) the right to make a report of the alleged misconduct to both the University and to law enforcement and to make no report at all; and (c) information regarding University options and procedures for addressing and resolving the alleged misconduct.

Initial Assessment of the Report and Preliminary Inquiry

Following receipt of a report of misconduct and/or a conversation with the Complainant, the Title IX Coordinator or designee will conduct an initial assessment of the report to determine: (a) whether interim or supportive measures are needed; (b) whether there is an immediate threat to the health and safety of an individual or the University community and if so, take appropriate steps to address such threat; and, (c) the appropriate resolution method(s) based on the information known at that time regarding the alleged misconduct.

Prior to deciding the appropriate method for resolution, the Title IX Coordinator may conduct a preliminary inquiry in order to better understand the nature of the allegations and confirm the appropriate resolution method. This may include conversations with other University employees or students. These conversations are not interviews connected to or

part of an investigation, rather these conversations are conducted simply to gather sufficient information needed for the Title IX Coordinator to determine the most appropriate method to use to resolve the report.

Where the Title IX Coordinator determines that the alleged misconduct must be handled using the process, definitions, and procedures in compliance with Title IX Federal Regulations of 2020, then procedures outlined in Appendix A, will apply. All other allegations of misconduct will be handled using the procedures outlined below.

Where the Title IX Coordinator determines that the alleged misconduct, even if proven, would not constitute a violation of this Policy, the Title IX Coordinator may take steps to prevent potential future violations of this policy and respond to the report as follows:

- Refer the report the appropriate University official for their review, response and handling in accordance with other applicable University policies and procedures;
- Work with Complainant and/or other University officials to address the alleged conduct through non-punitive means including educational conversations, facilitated conversations, training, and written communications.

Academic Freedom

When an allegation implicates academic freedom, the Title IX Coordinator will consult with the appropriate academic official to obtain relevant academic judgement regarding those aspects of the allegation connected to the tenets of academic freedom prior to the initiation of any resolution method.

Emergency Removal of a Student or Employee

If at any time the University determines that the conduct, as alleged, poses a risk of physical harm to one or more members of the University community or to the University's educational, research, scholarly, or work environment, the University may instruct that: (a) a student Respondent be suspended, on an interim basis, from specific programs or activities; or, (b) an employee may be placed on administrative leave pending the outcome of an investigation and hearing. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. The decision to enact an interim suspension, removal or leave will be provided to Respondent in writing with a rationale for the decision, and an explanation of the process for challenging the emergency removal decision.

The decision to place any Respondent on an interim suspension, removal or leave shall not be considered as evidence that any determination has been made regarding potential responsibility for violating this, Policy. .

Opportunity to Challenge Decision to Suspend or Remove

A student Respondent shall have an opportunity to challenge the decision of suspension or removal by contacting the Dean of Students within five (5) business days of the interim suspension, who will schedule a meeting during which the student may present their challenge to the decision. An employee Respondent shall have an opportunity to challenge the decision of removal or leave by contacting the Director of Human Resources within five (5) business days of the removal or leave, who will set up a meeting for the employee to present their challenge to the decision.

VII. METHODS OF RESOLUTION

There are three different methods that may be used to address a report: a support-based resolution, agreement-based resolution, or an investigation. When appropriate, the Title IX Coordinator will incorporate the wishes of the Complainant into the decision of which resolution method to use. There may be times when the Title IX Coordinator must move forward with a particular resolution method against the wishes of a Complainant such as when the alleged misconduct threatens the physical health or safety of an individual or the University community.

In such circumstances, the Title IX Coordinator will consider:

- whether there have been other sexual violence complaints about the same individual.
- whether the accused has a record indicating a history of violence.
- whether the accused threatened further sexual violence or other violence against the Complainant or others.
- whether the sexual violence was committed by multiple respondents.
- whether the sexual violence was committed with a weapon.
- whether the Complainant is a minor.
- whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence).
- whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

A. Support-Based Resolutions

A support-based resolution may be used to provide support to a Complainant who does not wish to take any further steps to address their concern, and when the Title IX Coordinator determines that another form of resolution is not required, based upon what has been alleged. When what is alleged may be a violation of law, or the physical health or safety of an individual or the school community is at risk, a support-based resolution may not be sufficient.

Examples of Support-Based Resolution include adjustments to class or work schedules, adjusted deadlines for projects or assignments, or counseling. A Support-Based Resolution does not preclude later use of another form of resolution, for example if new information becomes available and the Title IX Coordinator determines there is need for additional steps to be taken, or the Complainant later decides to pursue an Agreement-Based Resolution or Investigation.

In all cases, the steps associated with the Support-Based Resolution shall be documented and retained by the Title IX Coordinator.

B. Agreement-Based Resolution

An Agreement-Based Resolution is a process approved by the Title IX Coordinator where the Complainant and Respondent each voluntarily agree to resolve the concern in a way that does not include an Investigation. Because an Agreement-Based Resolution does not involve an Investigation, there is not any determination made as to whether the Respondent violated this, Policy.

When appropriate, the Title IX Coordinator will take the Complainant's suggestions for resolution into consideration. If both the Complainant and the Coordinator agree to using an Agreement-Based Resolution, the Coordinator will inform the Responding Party of the

general nature of the reported concerns, and the proposed resolution. Both the Complainant and Respondent may propose steps or actions to be included in the Agreement-Based Resolution. At any time prior to the conclusion of an Agreement-Based Resolution process, the Complainant, Respondent or Title IX Coordinator may decide that the reported conduct will instead be addressed by Investigation.

The Title IX Coordinator will approve all Agreement-Based Resolution terms, conditions, or agreements. All Agreement-Based Resolutions will result in a written document approved by the Title IX Coordinator. Any violations of the Agreement-Based Resolution may result in sanction or disciplinary action.

Examples include but are not limited to:

- work, academic, or program reassignment
- an agreement that the Complainant and Respondent will engage with one another only in limited circumstances
- an agreement that the Complainant and Respondent will not contact one another
- completion of an educational project by the Respondent
- completion of a community service project by the Respondent
- an agreement to engage in a restorative justice process
- a written apology by the Respondent
- sanction or discipline agreed upon by both the Complainant and Respondent
- any other method agreed upon by the Complainant, Respondent and the Title IX Coordinator that is designed to address the reported conduct.

In all cases the Agreement-Based Resolution process, shall be documented and retained by the Title IX Coordinator.

C. Investigation

An investigation is the method the University uses to establish whether evidence supports that a violation of this Sex Discrimination and Sexual Harassment Policy has occurred as well as the applicable sanctions, if any. The Title IX Coordinator is responsible for overseeing the investigation process and assigning a trained investigator to conduct a fair, neutral investigation. Throughout the investigation process, both the Complainant and Respondent will be treated with respect and without prejudgment regarding the allegations and their involvement in the investigation process.

Evidentiary Standard

The standard used in investigation and adjudication of alleged violations of this policy is Preponderance of Evidence, meaning, when the evidence shows that it is “more likely than not” that the alleged conduct occurred. A Respondent is presumed not to have violated this Policy until the investigation and adjudication has concluded and a preponderance of the evidence establishes it is more likely than not that a Policy violation has occurred.

Communicating the Initiation and Outcome of an Investigation

The Title IX Coordinator will communicate in writing to the Complainant and Respondent both the initiation of an investigation and the conclusion of an investigation.

Prior to the start of any investigation, the Complainant and the Respondent will both be provided with written notification of the decision to initiate an investigation. Such notification will include: the name of the Complainant(s); the name of the Respondent(s);

the allegations under investigation including if known the date and location of the alleged conduct; the applicable Policy including sections of the policy; a description of the investigation process; information regarding the right to appeal the investigator's determinations; and information regarding retaliation. Should additional allegations come under the same investigation, the Title IX Coordinator will communicate in writing to the Complainant and Respondent any additional allegations under investigation.

Following the conclusion of the investigation, the Title IX Coordinator will send written notification to the Complainant and Respondent communicating the results of the investigation. This notice will include a summary of the investigation process, findings from the investigation, an explanation of next steps that may be taken by the University to address the findings including sanctions or discipline as appropriate, and instructions for filing an appeal.

Investigation Process and Timeline

The Title IX Coordinator will assign a trained investigator (who may be an external investigator), who will gather relevant information, including interviews of the Complainant, Respondent and any relevant witnesses, and any relevant documents, materials, or information. Information about an individual's character is not considered relevant evidence and will not be gathered or considered by the investigator. It may be necessary to interview the Complainant, Respondent, or witnesses more than once during the course of the investigation as new information is learned and gathered.

During the investigation process, both the Complainant and Respondent may be accompanied by an Advisor and a Support Person of their choosing and will be offered an opportunity to meet with the investigator, provide information and evidence pertaining to the allegations, suggest witness to be included in the investigation, and suggest questions to be posed of witnesses and the other Party. Once all of the evidence has been gathered and the interviews have been conducted, the investigator will share relevant evidence with the Complainant and Respondent. At the direction of the Complainant and Respondent, relevant evidence may also be shared with their respective Advisor. The Complainant and Respondent may respond to the evidence if they choose to do so by providing written comments or additional relevant evidence to the investigator. Neither the Complainant and Respondent nor their Advisors shall be permitted to copy, disseminate, or alter the evidence gathered by the investigator. After receiving any responses from the Complainant or Respondent, the investigator may gather more information or ask additional questions of the Complainant, Respondent and witnesses as needed and again share new information with the Complainant and Respondent for their review.

All individuals are expected to participate truthfully in the investigation process, whether as a Complainant, Respondent, or a witness. All employees who are Respondents or witnesses in an investigation are required to participate. A determination that there is not enough evidence to support a finding shall not be sufficient to conclude that a party or witness made a knowingly false material statement.

Investigation Report

Once relevant information has been shared with the Complainant and Respondent, the investigator will write a report that includes the allegations under investigation, a list of individuals interviewed, a list of all relevant evidence (documents, emails, screen shots, texts, etc.) gathered, a summary of the relevant information from each interview, an analysis of the relevant information gathered, a determination regarding whether the conduct as

alleged occurred, and a determination as to whether this Policy has been violated including the rationale for the determination. Following the conclusion of the investigation, the investigator shall provide the investigation report to the Title IX Coordinator who will determine the sufficiency of the investigation including whether the information contained in the report supports the investigator's findings.

Investigation Timeline

The Title IX Coordinator and the investigator endeavor to complete the investigation process within 60 – 90 business days from the date of the initiation of the investigation. Should the investigation timeline need to be extended, the Title IX Coordinator will notify the Complainant and Respondent in writing of the extension including the reason for the extension and the new timeline for completion of the investigation.

There may be times when the University investigates a complaint of Sexual Misconduct at the same time that a law enforcement agency is investigating the same matter. The University will comply with law enforcement requests for cooperation. At times, that cooperation may require the University to temporarily suspend its fact-finding Investigation while law enforcement gathers evidence. The University will promptly resume its fact-finding Investigation as soon as it is notified that doing so would not impede any law enforcement activities.

Sexual History of a Complainant

Questions regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be considered, unless such questions and evidence about the Complainant's prior sexual behavior are offered for one of two reasons: (a) to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (b) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Medical and Counseling Records

Medical and counseling records are privileged and confidential documents that students will not be required to disclose in this process. Medical and counseling documents being privileged means that they cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Prior to producing medical records, Parties are encouraged to ask the investigator or the Title IX Coordinator about the possible consequences of releasing this information.

Ensuring the Integrity of the Investigation Process

The Title IX Coordinator may exercise appropriate action to ensure the integrity of the investigation and the opportunity for the Complainant, Respondent, and witnesses to participate in the investigation in a manner free of harassment, intimidation, bullying, and retaliation from Parties, Advisors, Support Persons and any other individual whose actions disrupt or interfere with the University's investigation process.

Non-University Investigations

In the event a Party or their Advisor or another third-party to an investigation conducts a separate inquiry into the allegations under investigation by the University, the Party, Advisor or third-party will make such inquiry known to the Title IX Coordinator so that the Title IX Coordinator may notify participants in the University investigation of the additional inquiry, and so that steps can be taken to prevent disruption to the University investigation

process, and ensure participation in the University investigation is free of harassment, intimidation, bullying, retaliation or interference.

D. Appeal

Both Complainant and Respondent have the right to appeal the outcome of an investigation. At the conclusion of the investigation, the Title IX Coordinator will appoint a trained Appeals Officer. Appeals must be made in writing to the Appeals Officer within 5 business days following notification of the outcome of an investigation.

An appeal may be filed for one or more of the following reasons:

- A procedural error occurred that materially affected the outcome of the investigation;
- New evidence becomes available that was not reasonably available during the investigation that would materially affect the outcome of the investigation;
- An actual conflict of interest or demonstrated bias on the part of the Title IX Coordinator or investigator.

Notification of Receipt of Appeal

The Appeal Officer will acknowledge receipt of the appeal and make the non-appealing party aware an appeal has been filed and provide the non-appealing party 5 business days to provide a written response to the appeal to the Appeal Officer. A response to the appeal is not required and a lack of response to the appeal does not indicate agreement with the appeal.

Review and Determination of the Appeal

The Appeal Officer will review the written appeal and any response to the appeal, along with any documents pertaining to the investigation and any additional supporting documents pertaining to the appeal.

The Appeal Officer will issue a written determination regarding the appeal to Complainant, Respondent, and the Title IX Coordinator within 15 business days following the deadline to submit appeal materials.

The determination of the Appeal Officer may:

- Affirm the findings/outcome of the investigator
- Return the matter to the investigator or Title IX Coordinator to review and consider any new evidence not previously available during the investigation
- Return the matter to the investigator or Title IX Coordinator to correct any procedural error that may have materially affected the outcome of the investigation and determination by the investigator

The determination of the Appeal Officer is final.

E. Discipline and Sanction

Following a determination of a violation of this Policy, the Title IX Coordinator will forward the notice of outcome of the investigation, and a copy of the investigation report to the appropriate University official for determination and implementation of sanctions designed to prevent the recurrence of the conduct. The appropriate University official is determined by the status of the Respondent as follows:

If the Respondent is a student:

Student Conduct

If the Respondent is a staff member:	Human Resources
If the Respondent is a faculty member:	Provost

When determining an appropriate sanction, consideration will be given to the Complainant's ability to freely access the benefits of their education or employment and participate in the University community.

A range of sanctions, from warning to expulsion, revocation of admission and/or degree, withholding of degree, permanent implementation of changes to work assignments or class schedules, suspension, expulsion, termination, or referral to an employee discipline process may be imposed upon any student or employee found to be responsible for sexual misconduct.

The following will be considered as aggravating factors when determining discipline or sanction:

- Type of misconduct
- Frequency of the misconduct
- Severity of the misconduct
- Previous conduct history of the Respondent
- Non-adherence to interim measures (e.g., no contact directives)
- Pre-meditated use of drugs or alcohol to facilitate the violation
- Use of force or weapon in committing the violation
- Multiple actors committing the violation
- Ongoing threat to the Complainant or University community

Students found responsible for Nonconsensual Sexual Intercourse face a recommended sanction of University suspension or University expulsion. Employees found responsible for Nonconsensual Sexual Intercourse face a recommended sanction of dismissal or referral to an employee-dismissal process. Individuals who are not students or employees found responsible for Nonconsensual Sexual Intercourse face a recommended sanction of permanent removal from campus. Deviations from these recommended sanctions are rare and made where there are compelling mitigating circumstances.

The appropriate University official will consult with the Title IX Coordinator prior to the decision and implementation of the discipline or sanction.

F. Remedy

Remedies may be provided to the Complainant upon a finding that the Respondent is responsible for sexual misconduct. Remedies shall be determined by the Title IX Coordinator. Remedies are designed to restore or preserve equal access to the recipient's education program or activity. The range of remedies include:

- Education to the individual and/or the campus community
- Permanent alteration of living arrangements
- Permanent alteration of work schedules or assignments for employees
- Permanent alteration of course schedules
- Long-term contact limitations between the Parties
- Adjustments to academic deadlines
- Policy modifications or modifications of training

G. Final Written Decision

The University will issue a Final Written Decision including its determination of responsibility, any sanctions or corrective action taken, and will provide to the Complainant any remedies designed to restore or preserve equal access to the University's education program or activity.

VIII. OTHER NON-UNIVERSITY REPORTING OPTIONS

Individuals experiencing sexual misconduct or discrimination may also file a formal grievance with government authorities. Deadlines may apply.

The OCR office for Louisiana is located at:

Dallas Office
Office for Civil Rights
U.S. Department of Education
Renaissance Tower
1201 Elm Street, Suite 1000
Dallas, Texas 75270

Telephone: 214-661-9600
FAX: 214-661-9587; TDD: 800-877-8339
Email: OCR.Dallas@ed.gov

The OCR National Headquarters is located at:

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100

Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

APPENDIX A

Title IX Sexual Misconduct Process

The 2020 Federal Title IX Regulations require that certain allegations of sexual misconduct that occurred on or after August 14, 2020 be reviewed under specific definitions and resolved using specific procedures. The definitions of Prohibited Conduct in this Appendix are in accordance with the Department of Education's Title IX Regulations, published May 19, 2020.

The procedures outlined in this Appendix will apply to alleged conduct that:

- a) at the time of filing a Formal Complaint the Complainant is participating in or attempting to participate in an education program or activity of the University;
- b) the alleged misconduct occurred on campus or in any building owned or controlled by a student organization that is officially recognized by the University, or as part of an event or circumstances over which the University exercised substantial control over both the Respondent and the context in which the sexual harassment occurs;
- c) the alleged misconduct occurred in the United States; and
- d) the alleged conduct occurred on or after August 14, 2020.

Complaints of misconduct not covered by this Appendix shall be reviewed according to Prohibited Conduct and handled in accordance with the procedures contained in the main portion of this Policy, or referred to other appropriate University offices for handling under other applicable University policies or codes.

Consolidation of Cases: In the event that the allegations under this Appendix also involve allegations of a violation of a separate section of this Policy, the Title IX Coordinator shall have sole discretion to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this Appendix.

I. PROHIBITED CONDUCT

Prohibited Conduct as used throughout this Appendix is defined to include any of the following acts when they occur on or after August 14, 2020, in the United States and, either on campus or in a building controlled by an officially recognized University organization, and/or in a University program or activity and for which the University exercises substantial control over the Respondent and the context in which the sexual misconduct occurs.

Sexual Harassment: Conduct on the basis of sex committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved which is one of the following:

A University employee conditions the provision of an educational, research, scholarly or work benefit or service on an individual's participation in unwelcome sexual conduct (*quid pro quo*); and/or

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive, that it effectively denies a person equal access to an educational, research, scholarly or work program or activity of the University. Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns.

Sexual Assault

Sexual Assault includes forcible and non-forcible offenses.

Sexual Offenses, Forcible: Any sexual act directed against another person without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent:

- Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensual), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

- The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- The touching of the private body parts of another person (buttocks, groin, breasts), for the purpose of sexual gratification, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sex Offenses, Non-Forcible

The following acts are considered non-forcible offenses:

Incest: Non-forcible sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by Oregon law.

Statutory Rape: Non-forcible sexual intercourse, with a person who is under the statutory age of consent of 18 years of age.

Sex-Based Stalking

Engaging in a course of conduct on the basis of sex directed at a specific person, that would cause a reasonable person to fear for the person's safety, or the safety of others, or suffer substantial emotional distress.

For the purposes of this definition, "course of conduct" means two or more acts, including, but not limited to:

- Acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Dating Violence

Violence committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence

Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under

the domestic or family violence laws of Oregon, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Oregon. Allegations of child abuse under Oregon law shall also be referred to Children's Protective Services or local law enforcement.

II. ADDITIONAL DEFINITIONS UNDER APPENDIX A

All definitions contained in the main portion of this Policy also apply to Appendix A. The following additional definitions also apply to Appendix A.

Actual Knowledge: The University has Actual Knowledge of a report of Prohibited Conduct when a report or Formal Complaint of Prohibited Conduct allegations is made to the University's Title IX Coordinator or Director of Human Resources or any official with authority to institute corrective measures on behalf of the University. Any administrator, staff, or faculty who receives a report of a potential violation of this Policy will promptly forward to the Title IX Coordinator any report or information received. The mere ability or obligation to report Prohibited Conduct or to inform about how to report Prohibited Conduct, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. This standard is not met when the only University official with actual knowledge is the Respondent.

Adjudicator: Any person or persons authorized by the University to conduct a live hearing in order to determine whether, by a preponderance of evidence, a Respondent has engaged in Sexual Harassment or Sexual Misconduct as defined in Appendix A. When serving as an Adjudicator in a particular matter, a person will not also serve as Investigator, Title IX Coordinator, or any person who facilitates an informal resolution process, and will not hear and decide appeals.

Formal Complaint: A Formal Complaint is a written document or electronic submission by the Complainant, and not by a third party on the Complainant's behalf that contains all of the following:

- Where the incident(s) occurred
- What incident(s) occurred
- When the incident(s) occurred
- Identity of Respondent, if known
- A request for an investigation, and
- Complainant's digital or physical signature or some other direct indication that it is the Complainant who is filing the Formal Complaint.

A Formal Complaint may be made to the University Title IX Coordinator by US mail or email, using the contact information listed below.

Hearing Advisor: During a hearing, a Complainant and Respondent shall have a Hearing Advisor. The role of a Hearing Advisor is limited to asking questions of the other party, and witnesses during the course of a hearing. The Hearing Advisor may not otherwise participate directly in, represent a party, impede or interfere with the hearing proceedings. The Hearing Advisor may be the same person who served as the Advisor for a Party throughout the investigation. This person may be of the Complainant's or Respondent's own choosing. However, if a Complainant or Respondent does not have a Hearing Advisor who can be present for the hearing, one will be provided by the University.

III. PROCEDURES

A. FILING AN APPENDIX A FORMAL COMPLAINT

In order to proceed to a Resolution Process under Appendix A, a Formal Complaint must be filed and signed by either Complainant or the Title IX Coordinator. A Formal Complaint differs from solely making a report to the Title IX Coordinator. A Formal Complaint results in notification to the Respondent that a report has been made. Anyone who wishes to discuss their options for resolving a complaint prior to filing a Formal Complaint is encouraged to contact the Title IX Coordinator.

At the time of filing a Formal Complaint, the Complainant must be participating in or attempting to participate in a University program or activity or be an applicant to, or employee of, the University.

A Formal Complaint is a written document or electronic submission by the Complainant, and not by a third party on the Complainant's behalf that contains all of the following:

- Where the incident(s) occurred
- What incident(s) occurred
- When the incident(s) occurred
- Identity of Respondent, if known
- A request for an investigation, and
- Complainant's digital or physical signature or some other direct indication that it is the Complainant who is filing the Formal Complaint.

A Formal Complaint may be made to the University Title IX Office by US mail or email, using the contact information listed below.

Title IX Coordinator, Sierra Blanchard

- titleix@xula.edu
- 504-520-6712
- UC Suite 208

Deputy Title IX Officer, Joshua Jones

- titleix@xula.edu
- 504-520-6712

B. RESPONDING TO AN APPENDIX A FORMAL COMPLAINT

Following receipt of an Appendix A Formal Complaint, the Title IX Coordinator shall review the complaint to ensure that the complaint satisfies all of the requirements of a Formal Complaint:

- A written document submitted by Complainant
- Where the incident(s) occurred
- What incident(s) occurred
- When the incident(s) occurred
- Identity of Respondent, if known
- A request for an investigation, and
- Complainant's digital or physical signature or some other direct indication that it is the Complainant who is filing the Formal Complaint.

If the Formal Complaint meets all the above requirements, the Title IX Coordinator will provide written notification to the Respondent that a Formal Complaint has been filed and

the commencement of the Resolution Process, unless the Title IX Coordinator determines that the Formal Complaint should be dismissed as set forth below. In the event the University dismisses a Formal Complaint, both parties will be notified in writing of the decision and the rationale for the decision, and of the opportunity for both parties to appeal the decision.

Mandatory Dismissal

At any time following the submission of a Formal Complaint and prior to the commencement of a hearing, any case proceeding under this Policy will be dismissed if it is determined by the Title IX Coordinator that the conduct at issue does not meet the definitional or jurisdictional requirements of this Policy. This includes the obligation to dismiss a Formal Complaint at any time in the process if it is determined that the conduct as alleged, even if true, would not constitute a violation of this Appendix A.

Discretionary Dismissal

The University may, at any time during an investigation or hearing dismiss a complaint when: a) Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations within the Formal Complaint; b) the Respondent is no longer enrolled or employed at the University; or c) circumstances prevent the University from gathering evidence sufficient to reach a determination.

The University may transfer a case dismissed under this Appendix for further handling under the Main Policy or other appropriate University policy or code. If the investigation has already commenced at the time of dismissal, the University may use evidence already gathered during the Title IX process for the further handling of the complaint.

Emergency Removal of a Student or Employee

If at any time the University determines that the conduct, as alleged, poses a risk of physical harm to one or more members of the University community or to the University's educational, research, scholarly, or work environment, the University may instruct that: (a) a student Respondent be suspended, on an interim basis, from specific programs or activities; or, (b) an employee may be placed on administrative leave pending the outcome of an investigation and hearing. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. The decision to enact an interim suspension, removal or leave will be provided to Respondent in writing with a rationale for the decision, and an explanation of the process for challenging the emergency removal decision.

The decision to place any Respondent on an interim suspension, removal or leave shall not be considered as evidence that any determination has been made regarding potential responsibility for violating this Policy.

Opportunity to Challenge Decision to Suspend or Remove: A student Respondent shall have an opportunity to challenge the decision of suspension or removal by contacting the Dean of Students within five (5) business days of the interim suspension, who will schedule a meeting during which the student may present their challenge to the decision. An employee Respondent shall have an opportunity to challenge the decision of removal or leave by contacting the Director of Human Resources within five (5) business days of the removal or leave, who will set up a meeting for the employee to present their challenge to the decision.

C. RESOLUTION METHODS

There are two resolution methods available under this Appendix: (1) Alternative Resolution or (2) Investigation and Hearing.

1. Alternative Resolution

At any time prior to a hearing, if one or both parties wish to not use the investigation and hearing process to resolve the complaint, one or both parties may request an Alternative Resolution to resolve the complaint.

An Alternative Resolution is a voluntary process whereby both Complainant and Respondent arrive at mutually agreeable terms to address the alleged conduct. Both parties and the Title IX Coordinator must agree to the use of Alternative Resolution to resolve a complaint. A Formal Complaint alleging that an employee has engaged in Prohibited Conduct toward a student under this Appendix is not permitted to be handled through the Alternative Resolution process.

If an Alternative Resolution option is preferred, the Title IX Coordinator will assess whether the complaint is suitable for Alternative Resolution and will then take steps to determine if the Respondent is also willing to engage in Alternative Resolution. Both parties must agree, in writing, to an Alternative Resolution.

When the Complainant and Respondent agree to the use of an Alternative Resolution, the Title IX Coordinator will provide the Complainant and Respondent written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The requirements of the Alternative Resolution process including the circumstances under which use of the process precludes the parties from resuming a Formal Complaint arising from the same allegations;
- Any consequences resulting from participating in the Alternative Resolution process, including the records that will be maintained or could be shared;
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the Respondent is presumed not responsible for violating this policy as a result of participating in the Alternative Resolution process, unless Respondent admits to violations of this policy;
- An explanation that each party may be accompanied by an Advisor of their choice, who may be a parent, friend, or attorney;
- The date and time of the initial meeting with the Title IX Coordinator, with a minimum of two (2) business days notice;
- Information regarding Supportive Measures, which are available equally to the Respondent and to the Complainant.

If either party does not voluntarily agree in writing to pursue an Alternative Resolution, or if the Complainant, Respondent, or Title IX Coordinator, at any time, determines that Alternative Resolution is no longer appropriate, the Title IX Coordinator will promptly inform the Complainant and Respondent in writing that the complaint will proceed through the Investigation and Hearing Process.

Once the final terms of an Alternative Resolution have been agreed upon by both parties, in writing, the matter shall be considered closed, and no further action shall be taken.

The Alternative Resolution process is generally expected to be completed within thirty (30) business days and may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension and the reason for the extension.

Records of any Alternative Resolution will be maintained and can be shared with other offices as appropriate.

2. Investigation

The Title IX Coordinator is responsible for overseeing the investigation process and assigning a trained investigator to conduct a fair, neutral investigation. Throughout the investigation process, both the Complainant and Respondent will be treated with respect and without prejudgment regarding the allegations and their involvement in the investigation process.

All individuals are expected to participate truthfully in any investigation process, whether as a Complainant, Respondent, or a witness. All employees who are Respondents or witnesses in an investigation are required to participate. A determination that there is not enough evidence to support a finding shall not be sufficient to conclude that a party or witness made a knowingly false material statement.

The Title IX Coordinator and the investigator shall endeavor to complete the investigation process within 60 – 90 business days from the date of the initiation of the investigation. Should the investigation timeline need to be extended, the Title IX Coordinator will notify the Complainant and Respondent in writing of the extension including the reason for the extension and the new timeline for completion of the investigation.

The Title IX Coordinator may exercise appropriate action to ensure the integrity of the investigation and the opportunity for the Complainant, Respondent, and witnesses to participate in the investigation in a manner free of harassment, intimidation, bullying, and retaliation from Parties, Advisors, Support Persons and any other individual whose actions disrupt or interfere with the University's investigation process.

Sharing information with Law Enforcement

There may be times when the University investigates a complaint of Sexual Misconduct at the same time that a law enforcement agency is investigating the same matter. The University will comply with law enforcement requests for cooperation. At times, that cooperation may require the University to temporarily suspend its Fact-Finding Investigation while law enforcement gathers evidence. The University will promptly resume its Fact-Finding Investigation as soon as it is notified that doing so would not impede any law enforcement activities.

Sexual History of a Complainant

Questions regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be considered, unless such questions and evidence about the

Complainant's prior sexual behavior are offered for one of two reasons: (a) to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (b) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Medical and Counseling Records

Medical and counseling records are privileged and confidential documents that students will not be required to disclose in this process. Medical and counseling documents being privileged means that they cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Prior to producing medical records, Parties are encouraged to ask the investigator or the Title IX Coordinator about the possible consequences of releasing this information.

Ensuring the Integrity of the Investigation Process

The Title IX Coordinator may exercise appropriate action to ensure the integrity of the investigation and the opportunity for the Complainant, Respondent and witnesses to participate in the investigation in a manner free of harassment, intimidation, bullying, and retaliation from Parties, Advisors, Support Persons and any other individual whose actions disrupt or interfere with the University's investigation process.

Non-University Investigations

In the event a Party or their Advisor or another third-party to an investigation conducts a separate inquiry into the allegations under investigation by the University, the Party, Advisor or third-party will make such inquiry known to the Title IX Coordinator so that the Title IX Coordinator may notify participants in the University investigation of the additional inquiry, and so that steps can be taken to prevent disruption to the University investigation process, and ensure participation in the University investigation is free of harassment, intimidation, bullying, retaliation or interference. Any party, witness, or third-party conducting such an investigation is required to inform anyone interviewed that their inquiry is not an official University inquiry, and must identify the individual for whom the investigation is being conducted.

Communicating the Start of the Investigation

Prior to the start of any investigation, the Complainant and the Respondent will both be provided with written notification of the decision to initiate an investigation. Such notification will include:

- The name of the Complainant(s)
- The name of the Respondent(s)
- The allegations under investigation including if known the date and location of the alleged conduct
- The applicable Policy including sections of the policy
- A description of the investigation process including: the identity of the investigator, the right of Complainant and Respondent to meet with the investigator with a minimum of five (5) business days notice; have an Advisor and Support Person of their choice, present throughout the investigation process including all meetings with the investigator; provide information and evidence pertaining to the allegations; suggest witnesses to be included in the investigation; suggest questions to be posed of witnesses and the other Party; review and respond to all of the evidence gathered that is directly related to the allegations, prior to the drafting of the investigation

- report; receive a right to a copy of the investigation report redacted to protect privacy
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the Respondent is presumed not responsible, unless and until, at the conclusion of the resolution process, there is a determination of responsibility;
- Information regarding retaliation

Should additional allegations be brought forward, a revised Notice of Investigation shall be provided to both parties, in writing.

Conflict of Interest or Bias

After a Notice of Investigation is issued to Complainant and Respondent, each party may object to the participation of the Title IX Coordinator or designated investigator on the grounds of a demonstrated bias or actual conflict of interest. Both parties will have three (3) business days from the date of the Notice of Investigation to object to the selection of the investigator or the Title IX Coordinator. Objections to the Title IX Coordinator shall be made, in writing, to the Director of Management Operations. Objections to the appointment of the investigator shall be made, in writing, to the Title IX Coordinator. If the objection is substantiated as to either the Title IX Coordinator or the Investigator, that individual shall be replaced.

Gathering Information

The Title IX Coordinator will assign a trained investigator (who may be an external investigator), who will gather information, including interviews of the Complainant, Respondent and any witnesses, and any documents, materials or information considered to be directly related to the allegations. Information about an individual's character is not considered evidence and will not be gathered or considered by the investigator. It may be necessary to interview the Complainant, Respondent, or witnesses more than once during the course of the investigation as new information is learned and gathered.

Interviews may be conducted in person, or via video conference. The investigator shall make the interview notes available to the person interviewed for review. The interviewee will have three (3) business days to correct or comment on any statements in the interview notes. The deadline may be extended for good cause, upon request to the investigator. If the interviewee has corrections or comments to the notes, the interviewee may submit a written response within three (3) business days reflecting any additions or changes which the interviewee believes are necessary to ensure the accuracy of the interviewee's statement. If no response is received from the interviewee by the deadline, their interview notes be presumed to be accurate.

Information or evidence that is not provided to the investigator during the investigation process will not be allowed during the hearing, unless it can be clearly demonstrated that such information was not reasonably known to exist, nor available, at the time of the investigation.

Once all of the evidence has been gathered and the interviews have been conducted, the investigator will share all directly related inculpatory and exculpatory evidence with the Complainant and Respondent. At the direction of the Complainant and Respondent, directly related evidence may also be shared with their respective Advisor. The Complainant and Respondent will be provided at least 10 business days to respond to the evidence if they

choose to do so by providing written comments or additional evidence or witnesses or additional questions to pose to the other party or witnesses to the investigator. Neither the Complainant nor the Respondent (nor their Advisors) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided or forward, post, or otherwise make available the information to any individual, group, organization, or agency. Any student or employee who fails to abide by this Policy may be subject to discipline. Any Advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process.

After receiving any responses from the Complainant or Respondent, the investigator may gather more relevant information or ask additional relevant questions of the Complainant, Respondent and witnesses as needed.

If new relevant evidence is provided by either party, or gathered by the investigator, the newly gathered evidence (including answers to clarifying questions) will be made available for review by each party. Each party shall have ten (10) business days in which to respond to the new evidence. Each may provide a response in writing to the investigator.

Information that is not provided to the investigator during the investigation and evidence review process will not be allowed during the hearing itself, nor considered by the Adjudicator unless it can be clearly demonstrated that such information was not reasonably known to, nor available to, the parties at the time of the investigation. Should new evidence be presented at the hearing, the Adjudicator shall have the authority to either exclude the evidence, or to send the matter back to the investigator for further, limited investigation.

Investigation Report

Once the information gathered has been shared with the Complainant and Respondent, the investigator will write a report summarizing all of the relevant evidence gathered and all steps taken during the investigation process including the allegations under investigation, a list of individuals interviewed, a list of all relevant information (documents, emails, screen shots, texts, etc.) gathered, a summary of the relevant information from each interview. Following the conclusion of the investigation, the investigator shall provide the investigation report to the Title IX Coordinator who will determine the sufficiency of the investigation including whether the information contained in the report meets the requirements for resolution under this Appendix.

Outcome of Investigation and Notice of Hearing

Following conclusion of the investigation, the Title IX Coordinator will send written notification to the Complainant and Respondent, and if requested to their respective Advisor, the conclusion of the investigation process and a notice of hearing along with a copy of the investigation report.

The Notice of Hearing will include:

- The date of the hearing (scheduled no less than 10 business days from the date of the Notice of Hearing)
- Identity of the Adjudicator
- Opportunity to provide to the Title IX Coordinator written object to the Adjudicator on the basis of a demonstrated bias or actual conflict of interest within three (3) business days of receipt of the Notice of hearing
- Each party has five (5) business days in advance of the hearing to submit to the

Adjudicator the names of witnesses

- Each party has three (3) business days prior to the hearing to submit to the Adjudicator a preliminary list of questions they wish to pose to the other party or a witness
- Names of witnesses
- Questions to be reviewed by the Adjudicator to ensure relevance to the allegations
- Notice of opportunity to resolve the complaint via Alternative Resolution prior to the commencement of the Hearing

Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator shall remove the Adjudicator and appoint another.

Hearing Procedures

The purpose of the hearing is to determine whether the conduct alleged occurred, and whether such conduct violates the Policy. The University expects that all individuals who participate in the hearing process do so truthfully and that all who have a responsibility for carrying out one or more aspects of the hearing process do so fairly and without prejudice or bias.

The Hearing will be presided over by a trained hearing officer/adjudicator ("Adjudicator"), who will make evidentiary rulings and enforce the rules of decorum. The Adjudicator shall have the authority to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. Any limitations imposed will be communicated to the parties in advance of the hearing.

The University does not compel any individual to participate in a hearing. However, the Adjudicator shall have the discretion as to whether or not to take into consideration in either the hearing or in their final determination the statements made during the investigation of any individual who does not participate in the hearing and submit to questioning and, should the Adjudicator consider such statements, the Adjudicator shall further have the discretion to determine the reliability of such statements, as well as what weight, if any, to give them. Additionally, the Title IX Coordinator may choose to continue with the hearing in the absence of the Complainant, Respondent, or any witness.

Hearings may be conducted in person or via videoconferencing. If by videoconference, prior to the hearing, the Adjudicator shall have received instruction regarding the operation of any audio-visual equipment that will be used for the hearing. The Adjudicator shall also provide the participants instructions regarding how to participate in the hearing and any rules or guidelines for hearing participation.

Each hearing shall be recorded by the Adjudicator and this recording will be considered the only official recording of the hearing. No other individual is permitted to record while the hearing is taking place. The recording is the property of the University but shall be available for listening until the conclusion of the appeals process to Complainant, Respondent, their respective Advisors, Adjudicator and Appeal Officer by contacting the Title IX Coordinator.

The Complainant, Respondent, and the Adjudicator all have the right to call witnesses. Witnesses must have information relevant to the allegations. No party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the University's investigation. Each party shall submit to the Adjudicator the names of witnesses

they would like to call no less than five (5) business days in advance of the hearing.

Hearing Advisor

Each party is entitled to one Advisor at the hearing which shall be referred to as the Hearing Advisor. The role of the Hearing Advisor is to ask questions of the other party and of witnesses, but not to advocate for, or respond for or otherwise speak on behalf of, the Complainant or Respondent during the hearing. No party shall be permitted to ask questions of the other party, or of a witness. In the event that a party does not appear for the Hearing, the Advisor for that party shall appear and may question the other party, and witnesses.

Student that has a support person and an advisor for the hearings should note that only the Advisor may ask questions on their behalf. Additionally, support persons are likewise not to advocate for, or are permitted to speak on behalf of the Complainant or Respondent, during the hearing.

A Hearing Advisor of the University's choosing shall be provided for any party who does not have a Hearing Advisor. If both parties do not have a Hearing Advisor, the University will provide one Hearing Advisor to serve as the Hearing Advisor for both parties.

Hearing Participation Guidelines

The Adjudicator shall have the authority to maintain order and decorum at the hearing. The Adjudicator also has the authority to determine whether any questions are not relevant, abusive, intimidating, or disrespectful, and will not permit such questions. Any party or witness who is disruptive may, at the discretion of the Adjudicator, be directed to continue their participation via video conferencing. Any Hearing Advisor who is disruptive may, at the discretion of the Adjudicator, be directed to continue their participation via video conferencing or removed from the hearing entirely. In the event the Adjudicator removes a Hearing Advisor, the Adjudicator will appoint another Hearing Advisor for the remainder of the hearing.

Any person disruptive to a hearing or who fails to follow these guidelines during the hearing, may be excluded from the process by the Hearing Coordinator or designee, and/or by the Adjudicator. If this person is a student or employee, he or she may be subject to disciplinary sanctions appropriate to the disruption.

The following will apply during a hearing:

- Hearings will be convened in a private room and will not be open to the public. A record of the hearing (digital audio and/or written) will be maintained by the University. No other recordings shall be made at the hearing.
- At the request of either Party, the Hearing will proceed with the Parties located in separate rooms with technology enabling the decision-maker(s) and Parties to simultaneously see and hear the Party or the witness answering questions.
- All Parties have a right to a fair and impartial hearing. However, a Party's failure to attend a scheduled hearing after receiving appropriate, timely notice, or a Party's failure to participate appropriately in the proceeding, are not sufficient reasons to halt the Adjudicator from rendering a decision.
- The Respondent is presumed not responsible for the alleged Sexual Misconduct unless and until the Adjudicator determines after the hearing that Respondent is responsible by a preponderance of the evidence.
- In a Hearing involving more than one Respondent or more than one Complainant,

the Title IX Coordinator, or designee, in their discretion, may permit the hearings concerning each Respondent or Complainant to be conducted either separately or jointly.

- Neither the Respondent nor Complainant may question one another directly. Each Party's Advisor may ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such questioning at the Hearing must be conducted directly, orally, and in real time by the Party's Advisor and never by a Party personally. Before a Complainant or Respondent answers a question, the Chair of the Adjudicator will first determine whether the question is relevant or otherwise not permissible, and explain any decision to exclude a question as not relevant.

After the conclusion of the hearing, the Adjudicator will adjourn the hearing. The Adjudicator will discuss privately and will decide by majority vote if the Respondent is responsible for one or more policy violations. Decisions are made based on a "preponderance of evidence," meaning the incident was more likely than not to have happened. Lack of voluntary consent constitutes the violation. Only if the Respondent is in violation of a policy would the process move to the sanctioning step, which is explained in more detail below in "Imposition of Sanctions."

Following the hearing, the Adjudicator will then prepare a written report. To the extent credibility determinations need to be made, such determinations shall not be based on a person's status as Complainant, Respondent, or witness.

The Adjudicator's report will include:

- The allegations;
- Description of all procedural steps taken to date;
- Findings of fact;
- Conclusion of application of facts to the Policy; and
- Rationale for each allegation.

If the Adjudicator determines that there is no finding of responsibility, the Adjudicator's report shall be provided to the Title IX Coordinator, who shall communicate the findings, along with a copy of the Adjudicator's report, to the parties, together with procedures for appeal. The notification to parties shall occur simultaneously, in real time.

If the Respondent is found responsible for violating University policy, the Adjudicator, in consultation with either the Director of Student Conduct or the Director of Human Resources, will deliberate and decide upon which sanction(s) shall be applied. The Title IX Coordinator shall be notified of the determination of sanction. A sanction is any change in status or requirement resulting from being found in violation of a University policy including being found responsible for conduct in violation of the Policy. The Adjudicator's report, together with the determination of the appropriate sanctions, shall be provided to the Title IX Coordinator, who shall communicate the findings and the sanction, along with a copy of the Adjudicator's report, to the parties, together with procedures for appeal. The Complainant shall also be provided with information on remedies, as determined by the Title IX Coordinator.

Determining Sanctions

The Adjudicator and Director of Student Conduct, or designee, or the Director of Human

Resources, or designee, will consider the following as aggravating factors in determining sanction(s):

- Type of misconduct
- Frequency of the misconduct
- Severity of the misconduct
- Previous conduct history of the Respondent
- Non-adherence to interim measures (i.e. no contact agreements, etc.)
- Pre-meditated use of drugs or alcohol to facilitate the violation
- Use of force or weapon in committing the violation
- Multiple actors committed the violation

When determining an appropriate sanction, consideration will be given to the Complainant's ability to freely access the benefits of their education or employment and participate in the University community.

Students found responsible for Nonconsensual Sexual Intercourse face a recommended sanction of University suspension or University expulsion. Employees found responsible for Nonconsensual Sexual Intercourse face a recommended sanction of dismissal or referral to an employee-dismissal process. Individuals who are not students or employees found responsible for Nonconsensual Sexual Intercourse face a recommended sanction of permanent removal from campus. Deviations from these recommended sanctions are rare and made where there are compelling mitigating circumstances.

Recommended Sanctions

Students found responsible for violating the Nonconsensual Sexual Intercourse part of the Sex Discrimination and Sexual Harassment Policy, as well as Dating Violence, or Domestic Violence, face a recommended sanction of University suspension or University expulsion. Employees found responsible for violating the Nonconsensual Sexual Intercourse part of the Sex Discrimination and Sexual Harassment Policy, as well as Dating Violence or Domestic Violence, face a recommended sanction of dismissal or referral to an employee-dismissal process. Individuals who are not students or employees found responsible for violating a University Policy face a recommended sanction of permanent removal from campus.

III. APPEALS

A Party may appeal a dismissal of a Formal Complaint, or the Final Written Decision, on the following grounds:

- A procedural error occurred that materially affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Appeals must be filed within 7 business days of the dismissal of a Formal Complaint or the date of the Final Written Decision

Notification of Receipt of Appeal

The Appeal Officer will acknowledge receipt of the appeal and make the non-appealing party aware an appeal has been filed and provide the non-appealing party 7 business days

to provide a written response to the appeal to the Appeal Officer. A response to the appeal is not required and a lack of response to the appeal does not indicate agreement with the appeal.

Review and Determination of the Appeal

The Appeal Officer will review the written appeal and any response to the appeal, along with any documents pertaining to the investigation and any additional supporting documents pertaining to the appeal.

The Appeal Officer will issue a written determination regarding the appeal to Complainant, Respondent and the Title IX Coordinator within 14 business days following the deadline to submit appeal materials.

The determination of the Appeal Officer may:

- Affirm the findings/outcome of the investigator
- Return the matter to the investigator or Title IX Coordinator to review and consider any new evidence not previously available during the investigation
- Return the matter to the investigator or Title IX Coordinator to correct any procedural error that may have materially affected the outcome of the investigation and determination by the investigator

The determination of the Appeal Officer is final.

IV. RECORD RETENTION

The Title IX Office will maintain all records relating to complaints and resolutions under Appendix A for a period of seven (7) years.

APPENDIX B RESOURCES

Resources

If you have had an unwanted, confusing, coerced, or forced sexual experience, or have concerns about your relationship, there are confidential supportive resources available. Each survivor responds uniquely and may experience a wide range of emotions and reactions. It is important to realize that these reactions and feelings are normal reactions of people who have been sexually assaulted or subjected to nonconsensual sexual contact. Below is an explanation of some of the options and resources that are available to you. The resources below work as a collaborative team to provide the best support possible. They are available to you in an immediate and ongoing capacity as needed.

Please remember that no matter what you do, there is no one correct way to handle a situation. Whatever you choose to do, it is important to pay attention to what makes you feel safe.

Confidential Campus Resources

Disclosures made to Violence Prevention Education and Advocacy, Counseling and Wellness Center, Student Health Clinic and Campus Ministry staff listed below will be held in strict confidence and will not serve as notice to the university requiring initiation of a review of the disclosed conduct.

Violence Prevention Education and Advocacy

- (504) 520-7503
- 209 Administration Building

Counseling and Wellness Center

- (504) 504-520-7315
- 202 St. Joseph Academic and Health Resource Center
- Open Monday-Thursday 9 am-8 pm and Friday 9 am - 5 pm (Fall and Spring)
- Open Monday-Friday 9 am - 5 pm (summer)
- www.xula.edu/counselingservices

Student Health Services

- (504) 520-7396
- 217 St. Joseph Academic and Health Resource Center
- Clinic Hours: Open 8:30 am - 4:30 pm Monday-Friday
- www.xula.edu/studenthealthcenter

Office of Campus Ministry

- 101A Administration Building
- (504) 520-7593
- <http://www.xula.edu/faithandleadership>

Non-Confidential Campus Resources

Title IX Coordinator

- 504-520-6712
- titleix@xula.edu

Deputy Title IX Coordinator

- 504-520-5415
- deputytitleix@xula.edu

Office of Housing and Residence Life

- 504-520-7321
- 316R University Center
- www.xula.edu/residentialhalls

Campus Police

- (504) 520-7490
- 3801 South Carrolton Ave.
- www.xula.edu/campussafetyandsecurity

Human Resources (Faculty and Staff Reports)

- (504) 520-5281
- 410 Xavier South
- www.xula.edu/humanresources

Student Services

- 504-520-7357

- 305 University Center
- www.xula.edu/studentlife

Off-Campus Support and Resources

- University Medical Center, Emergency Department: (504) 702-2138
 - The Forensic Program is located at University Medical Center New Orleans in the Emergency Department. To access service, please go to the 2nd Floor of the Emergency Department and request a forensic consult.
 - <http://www.umcno.org/Forensic>
- New Orleans Police Department
 - Non-Emergency Calls/To File Report: (504) 821-2222
 - Emergency Calls: 911

Local Crisis Hotlines:

- New Orleans Family Justice Center
 - 504-866-9554
- Sexual Trauma Awareness and Response
 - 855-435-7827
- Louisiana Foundation Against Sexual Assault
 - 225-372-8995
- Louisiana Domestic Violence Hotline
 - 1-888-411-1333
- Project Save (emergency legal representation for domestic violence)
 - 504-310-6872
- Tulane Law School Domestic Violence Clinic
 - 504-865-5153
- New Orleans Children's Advocacy Center (if you are under the age of 17)
 - 504-896-9237

National Crisis Hotlines

- National Sexual Assault Hotline
 - 1-800-656-4673
 - <https://www.rainn.org/> for chat message assistance
- National Domestic Violence Hotline
 - 1-800-799-7233
- National Crime Victim Hotline
 - 1-800-394-2255
- National Suicide Prevention Lifeline
 - 1-800-273-8255
- 1 in 6 Online Helpline: lin6.org/helpline
 - A helpline for male survivors of childhood sexual abuse and adult sexual assault (24/7, free and anonymous)
- 1 in 6 Online Support Groups: <https://supportgroup.lin6.org/#/terms-of-service>,
 - Support groups for male survivors of childhood sexual abuse and adult sexual assault (free and anonymous)
- The Trevor Project: Crisis and Suicide Prevention Lifeline for LGBTQIQA Youth
 - 1-866-488-7386
- LGBT National Help Center 1-888-843-4564, peer support chat:
 - <https://www.glbthotline.org/peer-chat.html>

4. Office of Student Accounts -
(Vice President, Fiscal Services - Xavier South 300)
(Office Manager, Student Accounts - Xavier South 300)
 - a. Charges
 - b. Payments
 - c. Disciplinary actions
5. Office of Student Affairs (Vice President of Student Affairs – University Center 305b)
 - a. Disciplinary actions
 - b. Housing records
 - c. Disability Accommodation records
6. Student Health Services - Health Records (Associate Director, Student Health Services- St. Joseph 217)
7. Work Study Program – Employment records of work study students
(Coordinator, Student Work Program - Xavier South, room 360)
8. During Fall and Spring registration periods, Xavier University will notify students of Directory Information it intends to make available to the general public. Student must inform the UNIVERSITY within fifteen days of notification if any or all of the Directory Information should be released.
9. Directory Information - Xavier University will release Directory Information of students not currently enrolled without the students' prior written consent. "Directory Information" for both current and former students is defined as:
 - a. Student's name
 - b. Address
 - c. Telephone number
 - d. Date and place of birth
 - e. Major field(s) of study
 - f. Dates of attendance
 - g. Enrollment status
 - h. Classification
 - i. Degree(s)
 - j. Awards/honors received (includes Dean's list)
 - k. Most recent previous educational agency or institution attended by student
 - l. Past and present participation in officially recognized sports and activities
 - m. Height and weight of members of athletic teams.
 - n. Email address
10. Documents submitted by or for the student in support of his/her application for admission or for transfer credit will not be returned to the student, nor sent elsewhere at his/her request. For example, a transcript from another college, or a high school record will not be sent to a third institution. In exceptional cases; however, where another transcript is unobtainable or can be secured only with the greatest difficulty, copies may be prepared and released to prevent hardship to the student. The student must present a signed request. Usually, the copy, marked as a certified copy will not be released.

TOBACCO / SMOKE-FREE CAMPUS POLICY AND PROCEDURES

PURPOSE

The purpose of this policy is to provide guidelines for the implementation of a policy on the prohibition of smoking and tobacco use on the campus of Xavier University of Louisiana.

Awareness/Education: October, 2012

Policy Effective: October 21, 2013

BACKGROUND AND RATIONALE

The U. S. Surgeon General's 1964 report clearly established a direct link between cigarette smoking and its harmful effects on human life. Twenty-nine subsequent Surgeon General reports have confirmed and strengthened the original Surgeon General's conclusion.

Xavier University is committed to promoting a healthy learning, working and living environment for students, staff, faculty and campus visitors; follows city and state ordinances concerning "Clean Indoor Air Act" that regulates smoking in and around buildings; and has a long history of developing partnerships on and off-campus to promote several health and wellness initiatives to encourage positive health behaviors and address health disparities.

POLICY

The use of tobacco is prohibited on the campus of Xavier University of Louisiana. This includes all buildings, facilities or property owned, leased or operated by Xavier University (including residence halls and university owned residential properties), parking structures, campus walkways, university owned vehicles, and privately owned vehicles parked on university property. This policy applies to all students, faculty, staff, contractors, vendors, and visitors to all university properties, all events held on university properties, all officially sanctioned, university sponsored, or affiliated events that are held off-campus.

DEFINITION

Prohibited tobacco products include, but are not limited to, cigarettes (clove, bidis, kreteks), cigars, cigarillos, pipes, hookah-smoked products, oral tobacco (spit and spitless also known as smokeless, dip, snus, chew, snuff, orbs, etc.) and including electronic smoking devices (cigarettes) or any type of product containing, made or derived from tobacco. This policy excludes any product that has been approved by the Food and Drug Administration for sale as a tobacco cessation product, or for other medical purposes.

IMPLEMENTATION

Through the university's existing health plans, Employee Assistance Program and community sponsors, Xavier University of Louisiana will consult with appropriate health organizations to provide students and employees with information to access support systems, programs and services to encourage abstinence from the use of tobacco products.

The Tobacco Free Living/Fresh Campus (TFL/Fresh Campus) Action Committee will develop a campaign for general education and awareness and to communicate the policy to students, faculty, staff and visitors; provide a statement of the policy for inclusion in the faculty, staff and student handbooks; create announcements for institutionally-sponsored or related events, and appropriate signage in buildings around campus.

1. Each faculty member and class advisor shall be encouraged to explain the University's tobacco-free, smoke-free policy at the beginning of each class term during the first year of implementation. Thereafter, the policy will be introduced at all new student and employee orientation programs.
2. The university will provide appropriate signage and other physical indicators of our policy as well as notification in both print and electronic formats.
3. Signs will be posted in a manner and location to adequately notify students, staff, faculty, visitors, vendors and contractors of the policy.
4. Signs will state that smoking and the use of tobacco products are prohibited, and will include the universal "No Smoking and Use of Tobacco Products Prohibited" symbol.
5. A tobacco policy awareness statement will be signed by all current and new employees.

TOBACCO USE CESSATION PROGRAM

The university is committed to support all students and employees who wish to stop using tobacco products. Assistance to students, staff and faculty may be provided through Human Resources and Student Health Services. Please contact either of these departments for information regarding cessation programs and services. Students may also contact Health Services for information regarding medications associated with cessation. Xavier employee health and student health insurance do not cover such medications as the state of Louisiana does not mandate cessation coverage for private insurance plans; however, for cessation assistance, contact:

- <http://smokefree.gov/>;<http://quitwithusla.org/>;<http://www.ffsonline.org/>;
- <https://www.cdc.gov/tobacco/campaign/tips/quit-smoking/index.html>

COMPLIANCE

This policy is in effect for all persons on the Xavier University campus. The university expects consideration and cooperation of tobacco users and non-users to ensure success. All students, staff and faculty have collective responsibility to promote the safety and health of the campus community and, therefore, share in the responsibility of compliance and enforcement. The Offices of Human Resources, Environmental Health and Safety, University Police and Residence Life are authorized to issue citations for violations of the policy.

The Office of Residence Life will enforce the policy within the residential community of buildings and proximate exteriors. Any student found in violation of the policy will be submitted to the university student conduct process. Parents/guardians of minors will be notified of all violations and actions taken by the institution. Suspension will only be used after a student has three or more prior violations or refused to participate in other outlined measures

The Office of University Police will also enforce and implement the policy throughout the campus community and will support the actions of Residence Life.

Contractors, vendors, and other visitors in violation of the policy will be reminded in a professional and courteous manner of the university policy. University law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the individual refuses to leave the university property.

ENFORCEMENT

1. The twelve month "year" regarding citations begins on August 1 and ends on July 31 of each calendar year.
2. All paid citations will be purged from the system on August 1 of each year.
3. The university citation fees are as follows:
 - **1st citation** - \$0 fee and will receive information about cessation resources;
 - **2nd citation** - \$75 fee and referral to Employee Assistance Program (staff, faculty) and to the Student Health Services or Counseling and Wellness Center (students). It is expected that vendors and employees of contractors will work with their respective employers to provide cessation resources. Vendors and contractors may be asked to show evidence that an employee has been counseled.
 - **3rd citation** - \$75 fee and Notice of Counseling placed in the employee file. The letter will be issued by the Director of Human Resources and a copy sent to the Vice President of the employee's area or in the case of faculty, the letter will be copied to the Dean's office. Students are referred and processed under the Student Conduct system; thereafter, the University will treat repeated violations beyond the third offense in accordance with the Drug Free Campus Policy. Visitors to campus may be banned if they are found to be in repeated violation of the policy.
4. Fines must be paid within 30 days of receipt of the citation or conclusion of unsuccessful appeal at the Cashier's window.
5. Citation fees will progress through the fee schedule and include all other citations on file

with University Police.

6. After the second citation has been issued and remains unpaid, a block will be placed on a student's record. A Xavier University faculty and staff member's supervisor/department chair/dean will be notified of issued and unpaid citations.
7. Appeals of University citations shall be in accordance with provisions of the Xavier University Policies in the respective handbook (faculty, staff and student). To appeal a University citation:
 - a. Obtain a Notice of Appeal from the University Police department;
 - b. Complete the form and state the reasons for such appeal; and
 - c. Within ten (10) days after the date of the violation, submit the form to the Vice President for Student Affairs. The VPSA will refer the appeal to the appropriate area for consideration (i.e., Human Resources, Environmental Health and Safety).

STUDENT COMPLAINT POLICIES AND PROCEDURES

PURPOSE

The University's mission is to provide a mutually respectful environment conducive to student learning and development. In doing so, the University acknowledges that students can offer valuable information about the performance of the university in meeting goals and providing services as part of our mission. Consistent with this aim, the University invites feedback and is committed to addressing student dissatisfaction. When a problem or issue arises, students are advised to seek information and assistance through the various processes and procedures, including student governance organizations, instituted to receive and respond to student complaints regarding faculty/staff, another student, programs or services.

When registering concerns or complaints, students must follow the appropriate procedures. If a student has any question about the applicable procedure to follow for a particular complaint, the student should contact the Office of Student Affairs, Senior Conduct Officer at (504) 520-7357 or studentservices@xula.edu.

APPLICATION

This policy applies to all students currently enrolled at Xavier University of Louisiana who choose to make a formal written complaint.

EXEMPTIONS

A. **Academic Integrity Policy (College of Arts and Sciences / College of Pharmacy).** Any student who wants to dispute a decision made regarding academic misconduct or academic dishonesty

B. **Student Code of Conduct (Non-Academic).** Any student misconduct that violates University Policy, Procedures or Standards.

C. **Policy Against Discrimination and Harassment.** Any student who has experienced treatment or consideration based upon ethnicity, gender, age, religion, sexual orientation or disability or any form of sexual misconduct, including sexual harassment and sexual assault. (contact Title IX Coordinator, Human Resources, or Deputy Title IX Coordinator, Assistant Vice President of Student Affairs)

D. **Scope and Authority.** Complaints regarding individuals who are not full or part-time members of faculty/staff or enrolled at the University or that are outside the scope of University operations do not fall within this policy.

E. **EthicsPoint Hotline.** Complaints made through the EthicsPoint Hotline do not fall within this policy.

POLICY PROVISIONS

Procedures for Filing a Written Complaint

A student who has a complaint that a policy or procedure has been incorrectly or unfairly applied in his/her particular case, or a complaint about the behavior of a University faculty/staff member that does not fall within any of the categories listed above, or dissatisfaction with a specific college experience, the complaint will be handled as follows:

1. Informal Resolution – Student Concern or Dissatisfaction Communicated

Students are encouraged to speak directly with the individual (faculty/staff member) or office (financial aid, residential education, academic department/division, etc.) involved with or responsible for the situation that is the cause of the complaint. The Senior Conduct Officer, or designee, may serve as an advocate and/or third party mediator.

If this communication does not lead to a satisfactory resolution, the student may file a formal written complaint.

2. Formal Resolution - Filing a Formal Written Complaint/Grievance

a. After an attempt for informal resolution of the matter is unresolved and there are irreconcilable differences, or informal resolution was deemed not appropriate, a formal complaint may be filed.

b. The formal complaint must be in written form and sent to studentservices@xula.edu. Students have the option to use the Student Complaint Form. All formal written student complaints should contain the following information:

- Name and contact information;
- A clear description of the concern or complaint;
- Appropriate supporting documentation that is directly related to the complaint;
- Actions taken for an informal resolution of the complaint; and
- A description of the desired outcome.

The complaint will be forwarded to the dean of the relevant College or the head of the appropriate office from which the complaint arises. Formal complaints must be filed within sixty (60) days of the event that triggered the complaint, and state the nature of the grievance and the remedy being sought. Any previous attempts to resolve the issue should also be described.

NOTE: All formal Student Complaints must be submitted in writing. Only written complaints will be submitted for review.

Complaint Review and Resolution Process

Receipt of the complaint will be acknowledged within seven (7) days. The appropriate University administrator will then acknowledge the receipt of the complaint within 14 days. The complaint will be reviewed, and a final written determination, including any proposed resolution, will be sent to the student within sixty (60) days of the receipt of the complaint or other reasonable period depending on the complexity of the complaint and those involved.

If there is new evidence/statements that could have impacted the original decision, the complainant may appeal the decision to the next highest administrative level within seven (7) days. If that officer does not find a substantial basis for appeal, the case is closed. If the appeal is granted, the Administrative officer or College Dean will provide a final resolution to uphold or overturn the decision. The office of the appropriate Vice President is the highest level to which appeals may be made. If a complaint is against a Vice President, the Director of Human Resources will have oversight.

Complaint Tracking

Record Retention: A record of formal written complaints will be retained using a database system

in the Office of Student Affairs up to five (5) years after final disposition. This record contains the following information:

- Date of complaint,
- Student identified with the complaint,
- Nature of the complaint,
- University official who addressed the complaint and steps taken to resolve,
- Final resolution or disposition, and
- Any external actions taken by the complainant.

Each office of the College Dean and the Senior Conduct Officer conducts an annual review of complaints to identify any persistent patterns and if such emerge, establishes a process to address them.

Withdrawing a Complaint

Students have the right to withdraw a complaint at any time during the process; in this case, the complaint shall be registered as concluded and noted as withdrawn. The withdrawal of a complaint must be in writing and sent to studentservices@xula.edu. All parties will be informed in writing of the withdrawal. Staff may still decide to initiate appropriate corrective action as a result of the complaint.

If the complaint was against another person or group of people, they have the right to make a written statement following the withdrawal. This should be addressed to the member of staff handling the complaint, who will then circulate the response to all those involved in handling the complaint to date. The complaint will then be concluded and no further correspondence will be required.

Students who choose to withdraw complaints must include their reasons for withdrawal.

Complaints to External Entities

If there is evidence that appears to support significant non-compliance with a university requirement or standard, the student may file a complaint with the appropriate accrediting or compliance agency. This includes the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). In addition, complaints that are discipline-specific may be filed to the specific discipline's [accrediting body](#), when applicable. Complaints concerning federal laws prohibiting discrimination and harassment should be filed with the Office of Civil Rights of the U.S. Department of Education.

Definitions

Student: A currently enrolled individual, or individual enrolled when the circumstances of the complaint first occurred, and who has not been suspended or dismissed, or otherwise separated from the university.

Informal Complaint: An expression of a problem, concern or dissatisfaction by a student to any staff, office or department. Complaints may be expressed and discussed with the most immediate office before any grievance is filed. If the complaint cannot be resolved, a formal complaint may be filed.

Formal Complaint/Grievance: A formal statement of complaint that specifies a misinterpretation, misapplication, or unreasonable application of an official University policy, procedure, rule, or regulation or behavior.

Complainant: The person expressing the concern or complaint.

Respondent: The individual responding to, or involved in addressing, the concern or complaint.

Amendments or Termination of Policy

The University reserves the right to modify, amend or terminate this policy at any time.

SUMMARY OF STUDENT RESPONSIBILITIES AND RIGHTS

As a Catholic institution, Xavier University seeks to foster an environment where student rights are valued and recognized, balanced with student responsibility in accordance with the policies, procedures and guidelines of the university. The act of voluntary registration at Xavier University by each student, for courses and/or housing, indicates his acceptance of the high traditions and principles of the institution and its requirements for conduct in harmony with Christian, moral and ethical standards. Students are expected and required to abide by local, state and federal laws. Xavier expects all students to conduct themselves as mature and responsible members of the academic community, as well as the local community, presenting their individual work, respecting themselves in decorum and dress, respecting the rights of others, and refraining from any conduct which obstructs the work of the university or may be injurious to the welfare of the University or any of its members on campus, at university-sponsored activities and off-campus. Students have right to a free will to learn, to exercise inquiry, to privacy and confidentiality of records under FERPA, HIPPA and ADA, and to voice protest or grievance. While this expression is viewed as essential to student development, it is required that students display responsible actions and maintain an orderly educational environment demonstrating respect for self and others.

It is imperative that students become thoroughly familiar with the Student Handbook in order to avoid jeopardizing their relationship with the University and local community and to fully understand their rights and responsibilities as citizens and members of the University community. A student who violates these general standards of conduct shall be subject to administrative action and disciplinary sanctions in accordance with Student Conduct Guidelines.

Release of Information/Privacy of Education Records

The Family Educational Rights and Privacy Act (FERPA) also known as the Buckley Amendment, is a set of federal regulations established in 1974 that makes four specific guarantees to college students regarding the privacy of their education records. They are:

1. the right to inspect and review education records
2. the right to seek to amend education records
3. the right to have some control over the disclosure of information from those education records
4. the right to file a complaint against any institution for the alleged violation of these FERPA rights

These guarantees are made directly to currently and formerly enrolled students, regardless of their age or status in regard to parental dependency, acknowledging that young people who are already 18 years of age are considered responsible adults. Parents, guardians and others do not have a right to access student records of adult children without their signed, written consent to do so.

STUDENT AND PARENT RIGHTS RELATING TO EDUCATIONAL RECORDS

Students have a right to know about the purposes, content and location of information kept as part of their educational records. Students have a right to gain access to and challenge the content of their educational records. Students have a right to expect that information in their educational records will be kept confidential, disclosed only with their permission or under provisions of the law. Students have a right to permit or prevent disclosure of certain information in their educational records. Parents have the right to expect confidentiality of certain information about them in student records.

Students and Parents can locate the notification of the policy regarding privacy and protection of student records and parent information in the policy section of this Student Handbook in its entirety online at <http://www.xula.edu/student-handbook> and at <http://www.xula.edu/student->

Students can complete a FERPA waiver to allow parent/guardian access to information at <http://www.xula.edu/registrar/ferpa>

FERPA is administered by the Family Policy Compliance Office (FPCO), part of the US Department of Education in Washington, DC. It is the FPCO which interprets and resolves complaints regarding FERPA and the FERPA rights of students. The Department of Education provides more information for students and parents on its website – www.ed.gov.

COMPLAINTS/GRIEVANCES

Students with general complaints are urged to resolve the concern informally by discussing with the party identified as causing or contributing to the grievance (student, faculty member, administrator, staff, other) or their supervisor. If the student is unable to resolve the matter at the informal level, a written complaint may be filed by completing the online **Student Complaint Form** and submit to the Vice President of Student Affairs, 305 University Center providing the following information: Name and contact information; A description of the concern or complaint and supporting documentation; A description previous attempts to resolve by the student or the university; and A description of the desired outcome. The form will be forwarded to the dean of the relevant College or the head of the appropriate office from which the complaint arises. Formal complaints must be filed within sixty (60) days of the event that triggered the complaint. , and state the nature of the grievance and the remedy being sought. The current policy for non-academic complaints is available online at **Student Complaint Policy**.

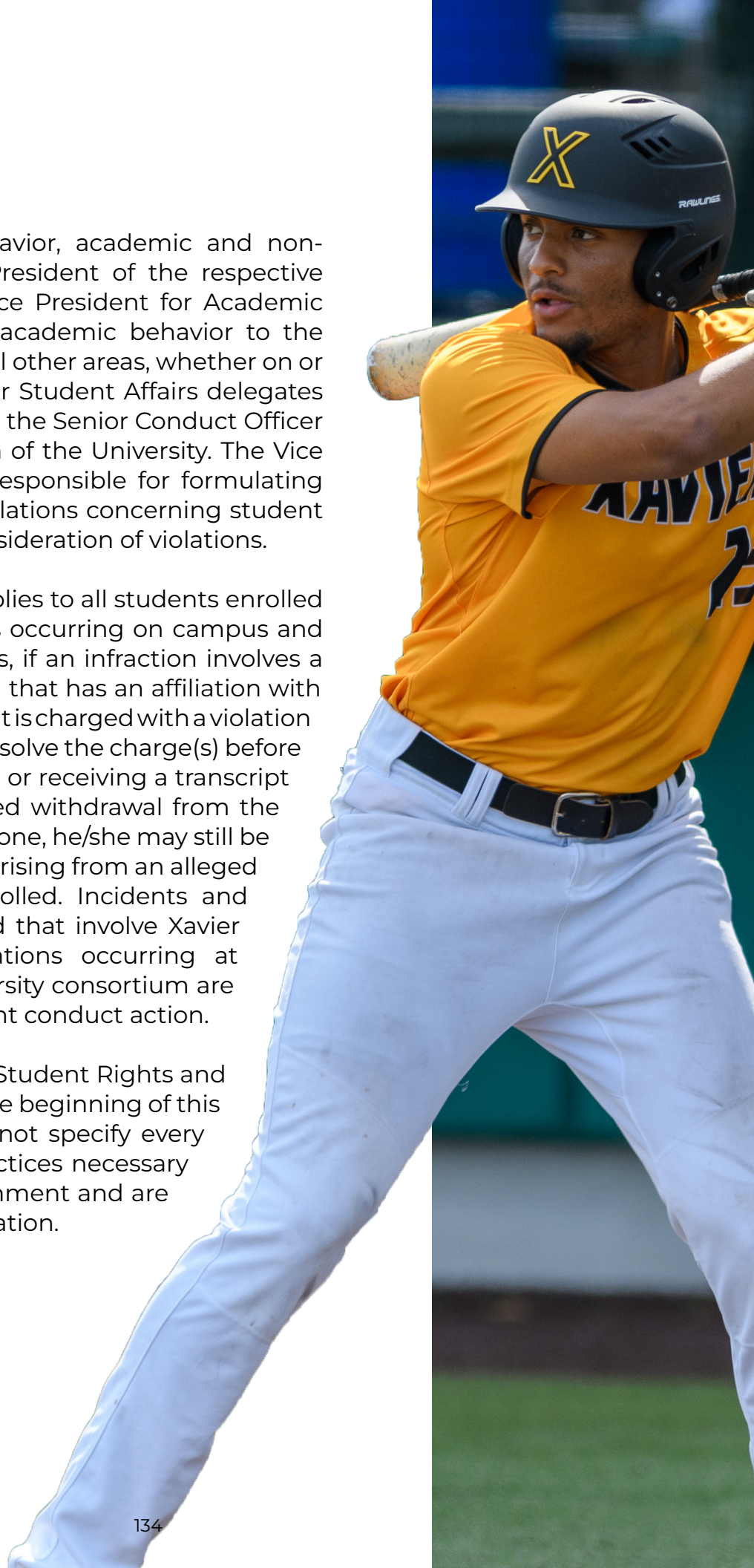
NOTE: All formal Student Complaints must be submitted in writing on the Student Complaint form. A complaint reported by telephone or email will not be considered as submitted for review

CODE OF CONDUCT

The authority over student behavior, academic and non-academic, rests with the Vice President of the respective division of the University. The Vice President for Academic Affairs delegates authority over academic behavior to the Dean of the college or school. In all other areas, whether on or off campus, the Vice President for Student Affairs delegates authority in matters of conduct to the Senior Conduct Officer and the Student Conduct system of the University. The Vice President for Student Affairs is responsible for formulating appropriate procedures and regulations concerning student behavior and for the conduct consideration of violations.

The Student Code of Conduct applies to all students enrolled at Xavier University and incidents occurring on campus and in most situations off the campus, if an infraction involves a student or a student organization that has an affiliation with the University. If an enrolled student is charged with a violation of the Code, he/she may have to resolve the charge(s) before registering for a subsequent term or receiving a transcript or diploma. If a student is granted withdrawal from the University, including a retroactive one, he/she may still be required to resolve the charge(s) arising from an alleged violation of the Code while enrolled. Incidents and events that violate this Code and that involve Xavier University students or organizations occurring at institutions part of a Xavier University consortium are subject to Xavier University student conduct action.

Please refer to the Statement on Student Rights and Responsibilities that appears in the beginning of this Handbook. These guidelines cannot specify every circumstance, but define the practices necessary for an orderly educational environment and are subject to change without notification.



HONOR STATEMENT

Honor and integrity have been an integral part of Xavier University's history. Our Honor System, though not officially stated until recently, is an institution that has always carried with it the underlying tenets of honor and trust. It is our belief that honor and trust are moral ideals that true "**Xavierites**" have and should display at all times during their matriculation at Xavier and beyond. Within the Xavier Honor System is a moral ideal by which students live and guide their lives. This ideal is absolute honesty to oneself, others, Xavier and in all aspects of life. We believe this principle is fundamental in ethical life, both during and after college.

The Honor System at Xavier is a **tradition**, an **inheritance**, and an **opportunity** all in one. It is a **tradition**, because it is and has been a valued, intangible possession of Xavier students since the University was founded. It is an **inheritance** because each entering class will receive it from the previous class as a gift to be proud of and respected. Above all, it is an **opportunity** because it allows the fullest possible expression of individual life in harmony with community life.

The objective of the Honor System is to develop the student spiritually, morally, and intellectually. This is promoted and encouraged by the freedom and responsibility the student gains by virtue of living within the Honor System. Students are personally responsible for their work, their actions, and their word. To ensure that individual liberty is protected and enforced, students must encourage adherence to the Honor Code by reporting any violations of which they are aware. In order to preserve an atmosphere of honor and trust at Xavier, it is necessary that all cases of dishonesty which is associated with academic or campus life be fully and immediately investigated, with proper disciplinary action taken. All members of the Xavier community must fulfill their obligation to the Honor System because it is vital to the spiritual, moral, and intellectual development of Xavier University of Louisiana.

SPECIFIC REGULATIONS

The University has policies in place for illegal drugs, alcohol abuse and weapons on campus. Violation of university policy with respect to the possession, use, misuse, distribution or aiding and abetting of any of the above is a serious breach of expected conduct and students who violate this policy will be subject to a full range of disciplinary consequences and may face immediate dismissal from the University.

The following are examples of misconduct; they are not intended to exclusively define misconduct and should be interpreted in the broadest terms. The following actions or any actions that violate the principles and standards stated or implied herein violate University standards of conduct, as do attempts to commit any of the following actions. Jurisdiction over violations of the Code of Conduct includes actions on University premises, at University-sponsored events, or elsewhere when a substantial, identifiable interest of the University is concerned.

ACADEMIC INTEGRITY

Students may not engage in plagiarism, receive or give assistance during examinations, term papers, assignments, seminars, etc., or obtain without authorization an examination or parts of an examination before taking the examination. Students must adhere to university, college or specific course guidelines regarding the use and documentation of sources of information, specifically information accessed on the internet. Refer to College or Graduate School for Academic Integrity policies

ALCOHOLIC BEVERAGES, ILLEGAL USE / ABUSE OF DRUGS

Substance abuse affects the individual and the community. The University expects all students

to abide by Louisiana state laws and university policies regarding the unlawful use of alcoholic beverages and controlled substances. The University does not permit or condone the unlawful possession, use, manufacture, distribution, or sale of a controlled substance; or abuse of alcohol, or aiding and abetting underage drinking. Violation of this prohibition will result in disciplinary action, including separation from the University. Those in violation may also be required to participate in a substance abuse program off-campus.

Alcohol

Federal, state and local laws prohibit the sale of alcoholic beverages to persons under the age of 21. Persons under 21 shall not purchase or have public possession of an alcoholic beverage. [Summary of Act 33, RS 14.91.2, Sections .1 and .5] The presence or consumption of alcoholic beverages on campus and off-campus at university-sponsored or related activities is prohibited. Any student in the presence of alcohol on campus (regardless of who actually owns it or who brought it to campus) will be considered in violation of this policy.

Alcoholic beverages will not be served at University-sponsored events for students. (All exceptions must be approved by the VPSA.) The possession or consumption of alcoholic beverages and other drugs on campus or in buildings is strictly prohibited. Any infraction will result in disciplinary sanctions up to, and including, expulsion.

Drugs

In association with the Drug-Free Schools and Communities Act, Xavier University has implemented policies that are intended to prevent the unlawful possession, use, manufacture or distribution of unlawful drugs and the abuse of controlled substances by students and employees. University policy prohibits the use or presence of all controlled substances and any related paraphernalia. Students and employees are also prohibited from exceeding the dosage of physician prescribed medications.

The University will cooperate in criminal investigations pertaining to violations of laws concerning alcohol abuse and the use, aiding and abetting, possession and/or distribution of illegal substances or misuse of prescribed medications on- or off-campus. In all instances the university reserves the right to refer violations of law for appropriate disciplinary action on campus.

COVID-19 RECOMMENDATIONS

It is strongly recommended that all individuals be vaccinated against COVID-19 with the original Pfizer/Moderna or J&J vaccines and maintain current booster(s) against COVID-19 as they become available. Proof of COVID-19 vaccines and boosters may be submitted with required immunization form. Xavier University of Louisiana maintains the right to resume mandatory testing and vaccinations to mitigate the spread of COVID-19 outbreak.

ANTI-HAZING

Xavier University of LA established this Anti-Hazing statement and related information as a means to deter aspirants (those seeking organization membership) from being induced, threatened, coerced into participating in activities or allowing treatment or behavior that is strictly prohibited and in violation of State Law, National Organizations or University's guidelines.

Xavier University of LA prohibits any of the following actions taken or situations created, regardless of location, intent, or consent of the participants which:

1. Endangers the physical and/or psychological health or safety of an individual
2. Creates a risk of injury
3. Causes discomfort, embarrassment, harassment, or ridicule

4. Willfully destroys or removes public or private property for the purpose of initiation or admission into, or affiliation with, or as a condition for, continued membership and affiliation in an organization.

Xavier University of LA prohibits actions or situations that:

1. Are mentally, physically, or morally degrading
2. Interfere with scholastic activities or responsibilities of a student
3. Require a person to perform a menial task of any kind
4. Are inconsistent with Greek-letter organization ritual, founding principles, or national affiliate principles.

Xavier University of LA prohibits any other activities that are in violation of the policies and rules of recognized student organizations, Xavier University of LA city, parish, state, or federal law, and/or national governing bodies/associations, conferences, or affiliates.

Xavier University of LA cannot and will not tolerate hazing activities and will pursue severe action against any student or organization found in violation of this policy, up to and including indefinite revocation of the charter for the organization and suspension or dismissal for students involved.

Louisiana State Law states: "Hazing means any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another 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.
- (ii) The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.

Any person who commits an act of hazing shall be either fined up to one thousand dollars, imprisoned for up to six months, or both. (b) If the hazing results in the serious bodily injury or death of the victim, or the hazing involves forced or coerced alcohol consumption that results in the victim having a blood alcohol concentration of at least .30 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, any person who commits an act of hazing shall be fined up to ten thousand dollars and imprisoned, with or without hard labor, for up to five years." LA R.S. 14:40.8 (2018) Xavier University of LA abides by Louisiana State Law in its definition and handling of hazing.

Consent is not a defense.

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, 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 or 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.

For purposes of this Policy, hazing shall not include a physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the postsecondary education institution.

Organization is a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group whose members are primarily students at, or former students of, a postsecondary education institution, including the national or parent organization of which any of the underlying entities provided for in this definition is a sanctioned or recognized member at the time of the hazing.

Pledging is any action or activity related to becoming a member of an organization, including recruitment and rushing.

Appropriate authority includes:

- (i) Any state or local law enforcement agency.
- (ii) A 911 Public Safety Answering Point as defined in Title 33 of the Louisiana Revised Statutes of 1950.
- (iii) Emergency medical personnel.

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.

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.

Xavier University of LA defines hazing as any act, whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass, or intimidate an individual, or which may in any fashion compromise an individual's inherent dignity as a person for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, an organization whether occurring on or off campus.

In addition, any requirements by a group, member, or prospective member that compels another group, member, or prospective member to participate in any activity that is against University policy or state or federal law for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in an organization whether occurring on or off campus shall be defined as hazing.

Such action is considered hazing, whether it occurs on or off campus. Actions and activities that are explicitly prohibited include, but are not limited to, the following:

1. Forcing, requiring, or encouraging an individual to drink alcohol or any other substance.
2. Calisthenics such as push-ups, sit-ups, and runs.
3. Throwing anything at an individual.
4. Forcing, requiring, encouraging, or participating in theft of any property under any circumstances
5. Assigning or endorsing "pranks", such as harassing another organization, panty raids, or setting off fireworks or other incendiary devices.
6. Defacing trees, grounds or buildings on or off University property.
7. Awakening or disturbing individuals during normal sleeping hours.
8. Engaging in an activity that compels an individual or group to remain at a certain place or transporting anyone anywhere without their knowledgeable consent (road trips, kidnaps,

etc.).

9. Conducting hunts or quests.
10. Expecting participation in an activity in which the full membership is not willing to participate.
11. Required eating of anything an individual would otherwise refuse to eat.
12. Requesting, requiring, or having a person feel obligated to be branded or tattooed.
13. Causing excessive fatigue through physical and/or psychological abuse.
14. Paddling or caning of any nature.
15. Physical abuse of any kind.
16. Interrogations conducted in a psychologically damaging manner.
17. Forcing, requiring, or encouraging someone to wear, in public, apparel that is conspicuous and not within the norm of what is considered to be in good taste.
18. Calling an individual demeaning names.
19. Any form of audible harassment.
20. Not permitting a person to talk for an extended period of time.
21. Engaging in public stunts and buffoonery.
22. Nudity at any time or forced reading or viewing of pornographic material.
23. Acts of servitude.
24. Walking the line.

There are no exceptions to these requirements.

It is the right of every student on this campus to be free from the humiliation and danger of hazing. Hazing by any individual or organization shall be viewed as incongruent with the mission and values of the university. Each student and organization is responsible for the designing of programs that recognize the moral, spiritual, and intellectual qualities of every individual in pursuit of a more just and humane society.

CREATING A SAFETY HAZARD

Any behavior that threatens the health, safety, and welfare of our community, threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action, or behavior that runs counterproductive to creating an environment that is conducive to learning; or

Common examples of violations include the following:

1. arson, starting a fire or providing the conditions where a fire is likely to occur or continue;
2. open burning, including bonfires or ceremonial fires (without appropriate permits);
3. pulling a fire alarm, phoning a false report to 911, tampering with fire safety equipment or intentional activation of any safety alarm. Intentionally initiating or causing to be initiated any false report, warning or threat of fire or other emergency;
4. failing to cooperate with staff during a fire alarm, drill, including emergency (weather or other) or scheduled evacuation from a residence hall or other University building;
5. possession or use of dangerous chemicals or any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others;
6. action(s) that endanger one's own health or safety, or the safety of others;
7. creating a safety hazard, including throwing objects in, at, or out of university buildings;
8. illegal and unauthorized access to building roofs or ledges on residence halls and other university buildings;
9. posting or hanging signs, notices, banners, etc., on trees, light fixtures, fire safety equipment, fire doors, door windows, rooftops, balconies, windows or other elevated areas; and
10. accessing rooftops, balconies, window ledges or any other elevated areas.
11. Physical abuse including, but not limited to, physical assault/fighting; threats of violence; or other conduct that threatens the health or safety of any person. Any fight that involves an individual student or multiple students, on or off campus, will be considered a violation of the

Code of Conduct and may be subject to the Hearing process. Before official determination of responsibility is made, residents must be moved if the parties are roommates/suitemates to ensure the safety of parties involved in the incident.

Xavier University has restricted the use of **skateboards** on the campus. Skateboards must not be used inside of any building, sidewalks or areas designated as outside study areas. Skateboards are used by many students as a mode of transportation. However, they can be very dangerous if used improperly or in areas not designed for such use.

The use and or storage of **hover boards** is banned on campus and in all of the University facilities or buildings.

DRESS AND DECORUM

The Student Code of Conduct is fully outlined in the Student Handbook. It is our belief that each student's actions and appearance should reflect a positive image of the university and contribute to a distraction-free learning environment. Appropriate behavior, dress and grooming are central to the orderly operation of the campus environment. Any behavior or style that detracts from the learning environment is unacceptable. Student Affairs administrators, with input and support from faculty and staff, have the final decision in determining and enforcing student conduct, dress and grooming standards on campus and at all university-related activities.

Students will be denied admission to various functions if their manner of dress is inappropriate. On this premise, students at Xavier University of Louisiana are expected to dress neatly at all times. The following are examples of appropriate dress for various occasions:

- Classroom, cafeteria, Student Center and University offices – neat, modest, or casual.
- Formal programs such as Founders Day, Black History Month Convocation, or events in the Saint Katharine Drexel Chapel – business casual.
- Social/Recreational activities, Residence Hall lounges (during visitation hours) – modest, casual.
- Balls, Galas, etc. – formal, semi-formal and dressy respectively.

Examples of Inappropriate Dress and/or Appearance Include:

- Do-rags, stocking caps, skullcaps, bonnets, scarves and bandanas (prohibited at all times on the campus of Xavier University of Louisiana except in the privacy of the student's living quarters);
- Baseball caps, head coverings, and hoods in any building. This policy item does not apply to headgear considered as a part of religious or cultural dress;
- Bare feet;
- Shorts that reveal buttocks;
- Clothing with derogatory, offensive and/or lewd messages either in words or pictures;
- Undershirts and sleepwear of any color worn outside of the private living quarters of the residence halls;
- Clothing that shows personal undergarments.

DISORDERLY CONDUCT

Disorderly conduct includes any student behavior, actions, and/or activities that interfere with teaching, studying, research, administration or other University activities. Common examples include, but are not limited to: Disruptive and Disorderly, Riotous or Unlawful Behavior, such as excessive noise, unauthorized use of loud speakers, use of profanity, creating a disturbance, inciting action or engaging in fights, assaults, riots, unlawful assemblies, actual or threatened damage/destruction of property, menacing/ abusive/harassing or intimidating behavior; inappropriate behavior such as profanity or harassment on social media networks, e-mail, and other electronic communications; lewd or obscene conduct; inappropriate communication with faculty or staff; disrespecting faculty or staff; misrepresenting a faculty member or staff; causing physical harm or reasonable apprehension of harm; misuse of university resources (i.e., unauthorized access or use

of computer equipment, networks, software, data, or copiers, etc.), or the violation of FERPA, HIPPA, ADA or any civil, municipal, state, or federal law on or off campus, or failure to identify upon request or comply with directives of University Police or any University official while performing their duties or hindering, impeding or obstructing a university official, university police or emergency personnel in the performance of their duties is prohibited.

Endangering Health or Safety

1. Endangering behavior - Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action. Relationship violence or abuse may constitute endangering behavior.
2. Stalking - Engaging in a pattern of unwanted conduct, directly or indirectly, towards a specific person that threatens or endangers the safety, physical or mental health, or life or property of that person, or creates a reasonable fear of such a threat or action (follows, monitors, observes, surveils, or communicates about a person or interferes with his/her property)
3. Intentional conduct that inflicts, or attempts to inflict harm upon any person (bullying, failing to follow established community health protocols and/or social distance guidelines, ect.)
4. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or other authorized non-University activities, when the act occurs on University premises
5. Failure to Comply – students shall not ignore, disobey, disregard or otherwise violate any provision of the Code of Conduct, procedures put in place for the health and safety of the University community or any applicable rule of law. Failing to comply with the directive of any University Official.

FALSIFICATION OF RECORDS

The falsification of records (academic, health, etc.) through alteration, counterfeit, forgery or the misrepresentation of person or identity: the misuse of Identification, including transferring, lending, borrowing, altering, or otherwise misusing a student ID or meal card; and furnishing false information to the University is prohibited.

FIREARMS AND WEAPONS

Use, possession, or storage of any weapon, device or substance, including but not limited to firearms, ammunition, explosives or fireworks, knives, mace, pepper spray, tasers or any other lethal weapon, and/or use of an item in such a manner that poses a potential hazard to the safety and health of others is prohibited, even if otherwise permitted by law.

FIRE EQUIPMENT

Tampering with/damage of fire-safety equipment and false fire alarms are prohibited and are subject to prosecution under the civil laws of Louisiana. The use of fire doors except in emergencies is also prohibited.

GAMBLING

The playing of cards or any other games of skill or chance for money or other items of value is prohibited. Fund-raising activities must be cleared by the Office of Student Affairs.

KEY DUPLICATION AND POSSESSION - UNIVERSITY ISSUED

The unauthorized possession or duplication of any University key is prohibited.

NAME CHANGE

Any official name change with appropriate documents must be on file in the Registrar's Office.

PERSONAL BUSINESS ENTERPRISE

Use of the University's name for personal business enterprise or activity without authorization is prohibited.

POSTING

All posting of flyers, banners, posters, and stickers on University property must be approved by the Office of Student Affairs.

RECORDING OF IMAGES WITHOUT KNOWLEDGE

Using electronic or other means to make a video or photographic record of any person in a location where there is a reasonable expectation of privacy without the person's prior knowledge, when such a recording is likely to cause injury, distress, or damage to reputation is prohibited. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, residence hall rooms, and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.

RETALIATION

Taking adverse action against any individual on the basis of a good faith report made by such individual, or on the basis of such individual's participation in an investigation, hearing, or inquiry by the University or an appropriate authority, or the individual's participation in a court proceeding relating to suspected wrongful conduct is prohibited.

ROOM SEARCH PROTOCOL

As a private institution, Xavier University has the right to enter any residential room to address maintenance concerns, conduct routine health and safety checks and initiate room searches if warranted. Please see "Entry into Residence Hall Areas" for information on reasons the college may choose to enter a student's living space (room, suite, apartment, alternative house).

Individuals involved in the search:

1. All searches are conducted by members of the Residential Education Staff, Resident Assistant and/or Hall Advisors, under the leadership of the Graduate Assistant. University Police should be notified of the research and may be present as well, Security Officer.
2. All searches must be conducted with at least one Graduate Assistant present.

Responsibilities of those conducting the search:

1. University Police officers and/or Residential Education staff must announce their presence before entering the room to be searched and identify themselves for the students present.
2. If the residents of the room are present at the time of the search, they are permitted to remain and given notice of the reasons for the search. Non-residents present at the time of the search may be asked to leave the area.
3. All personal items and furniture will be returned to their original location following a search. Any violation of the college policies will be documented, including health and safety violations.
4. After the search has been conducted a "Notice of Entry" form will be completed and left

with the resident(s) or in a conspicuous place in the room, suite or apartment.

Evidence Collection:

1. All areas of the room as well as personal belongings are subject to search. An opportunity will be given for the residents of the room to turn over any items that may be in violation of the student conduct code or that may be illegal.
2. A search may also be conducted of a person.
3. Any illegal items or items in violation of the student conduct code will be confiscated, labeled and bagged for University Police as evidence of the search.
4. Photographs may be taken during the search and after the items have been confiscated.
5. All confiscated items will be placed in the designated vault in the University Police office
6. The confiscated items will be reviewed after 30 days by the Chief of University Police and the Senior Conduct Officer and may be destroyed.

SOCIAL MEDIA

(Misuse of)

Posting misleading or derogatory information about the University, students, faculty, staff or administrators that is considered to be illegal, abusive, unethical, or defamatory in nature will be considered in violation of the Student Code of Conduct and will be grounds for disciplinary action, up to and including, dismissal from the university. Additionally, students posting personal content exhibiting attitudes and/or behaviors that are not consistent with the high expectations (sexually explicit, substance use/abuse, unethical, dishonest, etc.) are also at risk of disciplinary action. This also extends to taunting or making sexual slurs about a person's gender orientation or sexual status; name-calling, joking, or making offensive remarks about a person's religion, gender, ethnicity, or socioeconomic status.

How to Represent Yourself on Social Media Sites

- Represent yourself professionally – would you want a future employer to see what's out there
- Be aware of not only what you have posted but what others have as well – make sure there are not any embarrassing or inappropriate pictures of you, etc.
- Remember that once it's out there, it is out there for good – think to yourself if you would be happy about reading a post or seeing a picture ten years from now
- Use your privacy settings – check them regularly to make sure the only people who are seeing your pages are those you approve of
- Note that the internet is not a private place – make sure you are represented in a way that you are proud of and do not have to regret later

SOLICITATION

Any unauthorized solicitation on campus is prohibited. Should there be any violation of this rule, each student's co-operation is requested in bringing it to the attention of the Residence Hall staff, Student Affairs staff or the Vice President of Student Affairs.

STUDENT DISCIPLINE

The University reserves the right to request withdrawal of any student whose personal conduct indicates an inability to achieve minimum standards of progress for personal development in the University community. All decisions in these situations shall be made with regard for reasonable due process in each case. The Vice President of Student Affairs, or designee, shall have ultimate administrative responsibility.

THEFT OR UNAUTHORIZED USE OF PROPERTY

Theft and/or unauthorized use of University property, resources or services, or property, resources or services belonging to another member of the community, or the knowing possession or sale of stolen property are strictly prohibited.

USE OF UNIVERSITY FACILITIES

The property and facilities of Xavier University are available to students for educational, cultural, and social, etc. activities by organizations formally approved and recognized by the University. Activity Clearance and room reservation is through the Office of Student Affairs. Violation of University principles, policies, or rules concerning entry and use of university facilities, and vehicles is prohibited.

VIOLATION OF UNIVERSITY RULES OR FEDERAL, STATE, AND LOCAL LAWS

Violation of other published university regulations, guidelines, policies, or rules, or violations of federal, state, or local law. These university regulations, guidelines, policies, or rules include, but are not limited to, those which prohibit the misuse of computing resources, sexual harassment, rules for student groups or organizations, and residence hall rules and regulations. When it is established that a student has violated federal, state, or local law and the violation of law affects a Substantial University Interest, the student may be charged within the Code of Conduct for Violation

CONDUCT PROCESS

This section outlines the Student Conduct Process:

- Incident Report
- Notice of Alleged Violations
- Disciplinary Conference
- Resolution Options
- Advisor
- Individual's Rights
- Witnesses
- Outcomes
- Hearing Decision
- Appeal Process

Incident Report – a document received which details the occurrence of a Student Conduct Violation to include the names, date, time and location. The information can be submitted by email, a formal incident report form or verbally to the Senior Conduct Officer, Student Affairs Office.

Notice of Alleged Violation – a letter to students, student organizations or student groups indicating there has been a report submitted regarding a Student Code of Conduct violation. This letter will include instructions to schedule an informational meeting.

Disciplinary Conference – the informational session is an informal meeting. The details of the incident report submitted will be discussed, the student will be informed of their rights and hearing options will be discussed. The student will be required to submit a written statement as well.

RESOLUTION OPTIONS:

Administrative Hearing – If a student accepts responsibility, he/she can waive their right to a hearing before the Hearing Board and agree to accept the jurisdiction as well as sanctions imposed. The Senior Conduct Officer and Vice President will review all documents and notify the parties' involved. The student cannot appeal the decision.

Student Conduct Board — review cases involving general infractions of University rules and regulations with the following exception: those offenses which merit suspension or dismissal. This Board has jurisdiction in reviewing minor offenses involving violation of residence hall rules and regulations.

University Hearing – The University will establish a University Hearing Board to conduct hearings concerning alleged violations of the Student Code of Conduct. The University Hearing Board is an eight-member joint hearing board consisting of 3 students, 3 faculty, and 2 administrators.

Advisor – The accused student(s), respondents(s) and any complainant(s) may have an advisor present upon the discretion of the Senior Conduct Officer. The advisor, including legal counsel may not speak on the student's behalf, but may only advise the student.

Individual's Rights –

- Discuss the incident with Student Conduct Staff member or designee
- Be informed in writing of all charges at least two (2) business days before the hearing
- Not make a statement or answer questions
- Present witnesses of fact
- A hearing closed to the public
- Not appear at a hearing unless directed to do so; however, the hearing will process without prejudice
- Appeal a University Hearing Board decision based on appropriate reasons listed in the Student Handbook.
- Written notification of the findings and sanctions.

Witness – persons with knowledge of the incident and not a character witness. Witnesses in formal hearings must be submitted prior to the hearing.

Outcomes – Based on the facts and circumstances of each case, the following outcome or combination of outcomes (with or without modifications) may be imposed upon any student found to have violated the Student Code of Conduct.

- | | |
|---------------------------------------|------------------------------|
| • Verbal or Written Warning | • Letter of Apology |
| • Campus Service Hours | • Loss of University Housing |
| • Disciplinary Censure | • Loss of Financial Aid |
| • Disciplinary Probation | • No Contact Order |
| • Disciplinary Suspension | • Preliminary Suspension |
| • Dismissal (Expulsion) | • Referral for Counseling |
| • Educational/Developmental Sanctions | • Residence Hall Probation |
| • Emergency or Interim Suspension | • Restitution |
| • Fines | |

Hearing Decision – At the conclusion of the Hearing, the Hearing Board will determine if the person(s) are responsible or not responsible. All parties will receive an official letter of notification indicating the decision. The letter will detail the responsible or not responsible decision and the sanctions imposed with a deadline of completion. If the deadline is not met, additional sanctions maybe imposed which may incur a financial cost.

Appeal Process – An appeal may be requested on the decision of the Hearing Board. On appeal the burden of proof rests with the individual requesting an appeal to show the appeal has merit. The appeal must provide one or more of the reasons listed in the student handbook, Student Conduct Guidelines, Article VII. Appeal Procedures.

DISCIPLINARY SANCTIONS AND NOTIFICATION OF PARENTS

When a student is placed on disciplinary probation, preliminary suspension, disciplinary suspension,

permanent separation or loss of housing privileges, the student's parents or legal guardian(s) will be notified concerning the disciplinary action unless the student can prove independent status. The notification will specify when the violations involve the alcohol or drug policy. Students who do not complete sanctions by the assigned due date will not be returned to "good standing" status until the sanctions are completed.

UNIVERSITY SANCTIONS

Sanctions should be commensurate with the violations found to have occurred. In determining the sanction(s) to be imposed, the hearing officer or board should take into account any mitigating circumstances and any aggravating factors including, but not limited to, any provocation by the subject of the conduct that constituted the violation, any past misconduct by the student, any failure of the student to comply fully with previous sanctions, the actual and potential harm caused by the violation, the degree of intent and motivation of the student in committing the violation, and the severity and pervasiveness of the conduct that constituted the violation. Misconduct, other than constitutionally protected expression, motivated by bias based on age, color, disability, gender identity or expression, national origin, race, religion, sex, sexual orientation, or veteran status may be considered an aggravating factor for sanctioning. Impairment resulting from voluntary use of alcohol or drugs (i.e., other than medically necessary) will also be considered an aggravating, and not a mitigating, factor.

One or more of the following courses of action may be taken when a student has been found to have violated the code of student conduct. These sanctions or other sanctions appropriate to the circumstances of a given case may be imposed, independently, or in combination, for violations of standards of conduct. The present demeanor and disciplinary record of the offender, the nature of the offense, and the extent of harm bear on the severity of the sanction.

Alcohol Education Class

Students found in violation of the Xavier University Alcohol Policy may be required to attend the alcohol education class, or other approved program, at a cost.

Banned Notice

Not permitted on campus for violations of Student Code of Conduct. Campus Police will be notified if found on the premises.

Campus Service Hours

Campus restitution hours are intended to benefit the individual and the campus. Any student who plans to enter a responsible plea is encouraged to propose a constructive or educational task to be considered by the student conduct body hearing the case. It may include, but will not require, uncompensated university service. Those not wishing to perform campus restitution hours may request and will be given a sanctioning option. If the student does not complete the assigned campus restitution hours by the required date, the student's records will be withheld until verification of completion of the hours is provided to the Senior Conduct Officer.

Disciplinary Censure

An incident may be considered to be minor and spontaneous in nature (no planning or pre-meditation) by the student. The reprimand is notification to the student that s/he has been found responsible for a violation and that any other violations of university regulations for which the student is found responsible will result in more serious sanctions. A censure remains in effect for one calendar year. If there are no additional violations during that time, the censure is not considered in subsequent violations.

Disciplinary Probation

A probationary status, imposed for a specific time period, during which a student is expected to show a positive change in behavior. The student must make every effort to modify his/her behavior

in order to remain in good standing at Xavier University. In addition, if the student does not meet all special stipulations associated with the sanction, further student conduct action will be taken, which may include suspension or expulsion from the University. A letter will be sent home to the parent(s) or legal guardians of a student placed on disciplinary probation with notification of probationary status. Alcohol and/or drug violations will be specified in this letter to the parents.

Disciplinary Suspension

The removal of a student from the university, which permits the student to apply for readmission at the end of the sanction imposed. Suspension may be for a term, not to exceed one year or conditional, indicating that readmission is contingent on the fulfillment of certain conditions by the student. While a student is suspended, s/he is not to return to the campus, programs, facilities and activities of the university without written permission from the Dean of Students. If the student returns to the campus without written permission during the time period for which s/he has been suspended, his/her eligibility to return to Xavier in the future may be jeopardized. While a student is suspended for Academic Honor Code violations, s/he may not enroll in classes either on or off campus. It is expected that s/he will make every effort to rectify any previous misconduct by displaying irreproachable behavior in the future. If a student is suspended from the university, a letter will be sent to his/her parent(s) or legal guardians with notification of the suspension.

Dismissal (Expulsion)

The student is permanently separated from the university without opportunity to re-enroll in the future. A permanent notation will be made on the official transcript and a letter will be sent to his/her parent(s) or legal guardian(s) notifying them of the separation. Alcohol and/or drug violations will be specified in this letter. The student is also barred from University activities, services, facilities and grounds.

Conditions of Suspension or Dismissal

A student who has been dismissed or suspended from the university shall be denied all privileges afforded a student and shall be required to vacate campus at a time determined by the hearing officer or board. In addition, after vacating campus property, a suspended or dismissed student may not enter upon campus and/or other university property at any time, for any purpose, in the absence of expressed written permission from the vice president for Student Affairs or designee. To seek such permission, a suspended or dismissed student must file a written petition to the vice president for Student Affairs for entrance to the campus for a limited, specified purpose or to have the terms of this condition modified or reduced.

The Vice President of Student Affairs reviews all recommendations for suspension or dismissal. Separation may be approved, altered, deferred, or withheld at the discretion of the Vice President of Student Affairs.

Educational/Developmental Sanctions

The administrative hearing officer or hearing board may choose to assign an educational project or task to be completed. The assigned task or project may be imposed to educate or raise the student's level of awareness regarding a specific issue. Some examples of these sanctions include papers, presentations, book reports, and program development and implementation.

Emergency or Interim Suspension

This suspension shall be invoked when university officials are faced with an immediate situation where the facts of which indicate that a student's continued presence on campus constitutes a clear and convincing danger to the normal functions of the university, to property, to others, or to the student.

Fines

Students may be required to pay a reasonable sum of money as a sanction for conduct violations and behavior that results in damage, destruction, or loss of property belonging to the University and others or in increased maintenance or repair costs for the University or others. Proof of payment shall be required to clear the student's disciplinary record.

Letter of Apology

A letter apologizing for actions that may be considered to be mild in nature but one that could have negative influence on someone.

Loss of University Housing

Administrative hearing officers or Student Conduct Hearing Boards of the university may mandate that a student be removed from residing in university-owned or leased housing as part of an imposed sanction. If a student loses housing privileges, a letter will be sent to his/her parent(s) or legal guardian(s) with notification of his/her housing status. Room rent for the remainder of the student's housing contract period will not be refunded.

Loss of Financial Aid

The Higher Education Amendments of 1998 state that any student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified by law.

No Contact Order

A "No Contact Order" between the complainant and the accused. This would prohibit contact between the parties through any means of communication. This would also prohibit others contacting the complainant on behalf of the accused. Interim changes in room, courses, transportation and work environments may be made.

Official Warning

An incident may be considered to be mild in nature and outcome but one that could have negatively influenced/affected the community. The incident may have been a spontaneous action or a planned event. The official warning is notification to the student(s) that s/he has been found responsible for a violation and that any other violations will result in more serious sanctions. Official warning is a statement to the student(s) that s/he needs to reevaluate his/her behavior before serious action is taken.

Preliminary Suspension

A unique probationary status, in which the student is expected to immediately exhibit a marked improvement in behavior or face suspension from the university. The sanction of disciplinary suspension was considered for the student but was not deemed necessary. If the student does not meet all special stipulations associated with the preliminary suspension or if s/he is found responsible of violating any other rule, regulation, policy or law, s/he may be sanctioned with disciplinary suspension from the university. If the student does not complete any stipulation of the preliminary suspension by the assigned date, his/her grades may not be released until the sanctions are complete. If a student is placed on preliminary suspension, a letter is sent home to parent(s) or guardian(s) with notification of preliminary suspension status. Alcohol and/or drug violations will be specified in this letter.

Referral for Counseling

If, in the opinion of the hearing officer or hearing/honor board, a student involved in a disciplinary situation will best be served by counseling, the student may be required to attend counseling sessions with a member of the Xavier University Counseling Staff or another professional off campus. The student will be responsible for all fees incurred by contracting the services of an independent

professional.

Residence Hall Probation

An individual student, or group of students, may be issued a written notice that further violations would constitute grounds for loss of the privilege of residing in University housing. Appropriate residence life officials will be notified. A letter is sent home to his/her parent(s) or legal guardian(s) with notification of probationary status.

Residence Hall Relocation

This is a recommendation to the Senior Conduct Officer from Residence Education that the student or group of students be required to move to another room, residence hall, or residence area because of his/her lack of willingness to live within the rules of his/her present residence hall, or uphold university policies. For individuals, this sanction will be recommended in situations where the hearing board or hearing officer feels the student would benefit from a change of environment in order to conform to acceptable group living standards. It will also be recommended if deemed necessary for the safety of the resident or others and as an interim measure for accusers of sexual misconduct/harassment/violence.

Restitution

Reimbursement for damage or loss to person(s) or property or misappropriation of property, either through appropriate repairs or monetary compensation, may be imposed as a sanction.

SUSPENSION OF SOCIAL PRIVILEGES

An individual student, residence hall floor or suite, or student organization may lose social privileges that are specified with a particular sanction. The student or organization may not participate in extracurricular events or represent the university on or off the campus, except for activities that are required to meet class assignments. Level of participation in varsity sports will be determined on a case-by-case basis. The administrative officer or student conduct board may impose other sanctions deemed appropriate.

Other sanctions

Other appropriate sanctions may be imposed by a hearing officer or board singularly or in combination with any of the above-listed sanctions. Examples include, but are not limited to, making restitution for property damage or misappropriation of university property or services, or the property of any person, residence hall contract termination or reassignment to another room, restriction of access to specified campus facilities and/or property, research assignments, community service projects, special workshop participation, and/or referral to medical resources or counseling personnel.

The Senior Conduct Officer may issue a Statement of Concern to a student or organization for a minor violation occurring in class or otherwise observed and referred by a member of the campus community. Such statement shall be placed in the student/organization's official file and may be a basis for further disciplinary action. All sanctions are subject to review by the Vice President for Student Affairs.

PREAMBLE

Self-discipline is the aim of the University in its policies on student conduct. Xavier expects of all students responsible and mature conduct that shall reflect credit upon them and upon the University; it requires behavior that is consistent with laws of decency and with the generally accepted morals and manners of an advanced society. In order that Xavier maintain its educational purposes for the entire academic community, the responsibility to preserve the balance between the individual student or group rights and the general welfare is ultimately the University's. Hence in cooperation with faculty and students, the University will be the final judge of the excesses, the appropriateness, or the undesirability of student conduct on campus. Concurrently, obligation to establish and promulgate the reasonable norms to be applied in the adjudication of charges of student misconduct is also reserved to the University. All student conduct boards and/or committees



STUDENT CONDUCT **GUIDELINES**

who serve the University will be guided in their determination and recommendations by these norms.

Description, Function, Operation and Procedures of the University Student Conduct System for Students

ARTICLE I. AUTHORITY

Students committing violations of the Student Code of Conduct at off-campus sites may be subject to University student conduct action. Student conduct action against any student committing a misdemeanor will be considered on a case-by-case basis upon filing by a complaint of an Incident Report. The filing of a report must occur within 10 working days of the offense. Student conduct action will be taken against any student committing a felony. All persons who are not members of the Xavier University community who violate the Code are subject to being barred from all University-owned and operated property and all university-sponsored events.

The University cooperates fully with law enforcement authorities. Violations of the Code that are also violations of law may be referred to the appropriate agencies. In such situations, cases may proceed concurrently at the University and in the criminal justice system. University Police (UP) officers have full powers of arrest, search and seizure on all University-owned and operated property, and are usually the first respondents to calls for police services on campus. However, complainants may request the NOPD respond to any reported offense or incident. UP investigators also cooperate fully with specialized units of the NOPD in coordinating efforts to solve crimes of mutual concern.

Section One – University reserves the right to impose sanctions on any student whose personal conduct indicates an inability to achieve minimum standards of progress for personal development in the University community. All decisions in these situations will be made with regard for reasonable due process of each case. The Vice President for Student Affairs, or his designee, will have ultimate administrative responsibility.

Section Two – The University may delegate authority to various administrators, faculty-student groups, and committees to assist in enforcing regulations governing student life. To this end, the following components of the University Student Conduct System have been established and charged by the President of the University with the responsibility of hearing, adjudication, and/or reviewing cases of students charged with the violation of University regulations.

- a. The Student Conduct Board
- b. The University Hearing Board
- c. The University Appeal Board

ARTICLE II. COMPOSITION

Section One – The University Hearing Board is an eight-member joint hearing board consisting of 3 students, 3 faculty, and 2 administrators. Recommendations for appointment of these members shall be as follows: Faculty members by the University Academic Assembly; Administrators by the Vice President of Student Affairs; and student representatives by the President of the Student Government Association. The Senior Conduct Officer will assign the chair for the University Hearing Board. The Chair votes only in the event of a tie. A quorum shall consist of five members (2 faculty, 2 students, and 1 administrator).

Section Two – The SGA Judicial Council serves as the Student Judicial Board. All are voting members. (See Article IV, Section 5, SGA Constitution, Judicial Branch) Appointments are for one year.

Section Three – The University Appeal Board is a five member committee consisting of the Vice President of Student Affairs, who serves as the permanent chair, Student Government Association President, Faculty member, Staff member and an Administrator. The latter three members will be selected based upon the procedures under Section I. New members must attend an orientation

session on the standards of conduct, sanctions, and the Student Conduct system. All decisions of Student Hearing Boards are recommendations to the chief Student Conduct officer or designated representative. Sanctions may be approved, altered, or withheld at the discretion of the chief Student Conduct officer or designee.

ARTICLE III. JURISDICTION

Section One – Any case of student violation of University policy is subject to possible review and a hearing that may result in disciplinary or corrective action by the appropriate Student Conduct Board.

Section Two – The University Hearing Board has original jurisdiction in cases in which a student is charged with a serious breach of University policy and his/her continued presence and participation in the academic and social life of the institution is not in the best interest and welfare of the University community.

Section Three – The Student Conduct Board is delegated original jurisdiction and power to appeal and review cases involving general infractions of University rules and regulations with the following exception: those offenses which merit suspension or dismissal. This Board has jurisdiction in reviewing minor offenses involving violation of residence hall rules and regulations.

Section Four – The Appeals Board has appellate jurisdiction in cases where:

- a. An individual requests that the Appeals Board review the judgment of a Student Conduct Board.
- b. The action of a Student Conduct Board is considered to be procedurally or substantively faulty.

ARTICLE IV. CHANNELING OF CASES:

Section One – Incidents of misconduct may be reported to Student Affairs or to other University officials by students, Residential, faculty members or administrators. The report must specify the person(s) implicated, the alleged violation, and the facts of the situation.

Section Two – The Senior Conduct Officer will employ one of the following options in processing cases:

- The Senior Conduct Officer or designee may assume original jurisdiction in a case. In this instance the student will be given the option of having the case referred to the appropriate Student Conduct body or of accepting the jurisdiction of the Senior Conduct Officer. If the student selects the latter option, they will be required to sign a statement waiving their right to a hearing and required to abide by the decision rendered by the Senior Conduct Officer (or designee).
- The Senior Conduct Officer may refer minor cases to the Student Conduct Board.
- In the event that the case involves a violation of the moral codes of behavior or constitutes a grave violation of University policy, the Senior Conduct Officer will institute a thorough investigation of the matter and assume jurisdiction in the matter, or may refer the case directly to the University Hearing Board. The Senior Conduct Officer will assume original jurisdiction in those cases in which strict confidentiality is required to prevent undue harm to the name and reputation of the student or when the safety of the campus community is endangered.

Section Three – The Vice President of Student Affairs reserves the right to refer back to a Conduct board any decision in which the penalty imposed is excessive or in which there is evidence that the

hearing was procedurally faulty.

ARTICLE V.

Section One – *Procedural Review*

A student who is charged with a violation of the Code of Conduct is required to attend a procedural review with the chief Conduct officer or designated representative and provide a response to the charges.

The Senior Conduct Officer or designated representative reviews the case and determines whether it should be referred to a Hearing Board. If the violation is less serious, the Senior Conduct officer or designee will give the student a choice between having the case heard by a Student Hearing Board or an Administrative Hearing, particularly if the student had admitted Responsibility to the violation. A student charged with a violation of residence hall policies which has not been referred to a Joint Hearing Board, will be asked to meet with a staff member of the Residential Education staff. The charged student will then be given a choice between having the case heard by the Residential Education conduct process or an Administrative Hearing.

Section Two – *Student Rights and Responsibilities*

Rights of Respondents, Reporting Parties and Witnesses — All Respondents, Reporting Parties, and Witnesses in the conduct process have the following right:

- To receive written notices as indicated in the Code of Conduct
- To have an Advisor, as defined in the Code of Conduct, present during any conduct proceeding.
- To be informed of resources available to assist throughout the conduct process and an explanation of the available reporting and/or resolution options.
- To waive notice and proceed with an Administrative Hearing after receiving charges.
- To be free of harassment, intimidation, and retaliation concerning the conduct process.
- To refuse to appear, provide a statement and/or answer questions; however the Administrative or University Hearing will proceed.
- To challenge the Board members by showing proof of bias on the part of the members prior to the time of the hearing; the other Board members must vote on the relevance of the challenge.
- To present witnesses and evidence that addresses the complaint of formal charge.
- To be notified of decisions reached.
- To appeal a decision of the Board based upon the reasons listed in Article VII, Section Three

Responsibilities of Respondents, Reporting Parties and Witness — All Respondents, Reporting Parties, and Witnesses in the conduct process have the following responsibility:

- To be honest and forthright in providing information during the conduct process. Presenting false and/or misleading information during the process is a violation of the Code of Conduct.
- To read all communications, ask questions regarding conduct proceedings and procedures, and to identify what assistance they may need.
- To represent themselves in all conduct proceedings and communications.
- To attend all scheduled meetings, unless alternate arrangements are made in advance.
- To maintain the integrity of the conduct process and to refrain from interfering with the process
- To provide information related to the incident(s) under review.
- To identify any Witnesses who have information about the incident(s).

Note: Reporting Parties do not have the right to be notified of decisions reached or appeal except in sexual misconduct cases.

Section Two – *Procedural Rights and Freedoms for a Sexual Misconduct Proceeding**

Students involved in a Sexual Misconduct violation are afforded additional rights according to Title IX and Campus SaVE Act.

- Proceedings shall provide a prompt, fair, and impartial investigation and resolution and are conducted by officials receiving training on domestic violence, sexual assault, and stalking.
- Both parties may have an advocate present during an institutional disciplinary proceeding and any related meeting, including an advisor of their choice, but the advocate may not actively participate in the hearing process.
- Parties have a right to have a decision reached based upon the preponderance of evidence gathered during the informal and formal procedures (What most likely occurred? What seems reasonable?)
- Both parties will receive written outcomes of all disciplinary proceedings at the same time
- Both parties has right of appeal of the outcome of the disciplinary proceeding.

Additional Complainant Rights - *Sexual Misconduct Hearing*

- To protect confidentiality and the option to decline making a formal report
- To be notified of available resources for medical, mental health, legal assistance and other advocacy resources.
- To have an Administrative Directive sent immediately to the accused that forbids him/her from contacting the accuser by any method, including through friends or acquaintances.
- If an Administrative Directive is violated the accused may receive an Interim Suspension.
- To alter academic, living, transportation or work environment(s) if a threat is present or, in some cases, to have the accused's environment(s) changed
- To be protected from retaliation.
- To choose to appear or present a statement in person or by other media

ARTICLE VI. STUDENT CONDUCT PROCEDURE

Section One – All voting members are necessary for hearings. Hearings are held in closed session and all proceedings of the board are confidential.

Section Two – The accused is responsible for presenting their own case, and advisors*/ lawyers are not permitted to speak or to participate in any hearing before a student conduct body.

Section Three – The general order of the hearing shall be as follows:

1. The hearing is called to order by the chairperson.
2. The Board Chair reads the charges and if necessary witnesses are called.
3. Each party presents his/her case, which may include calling of witnesses and the use of evidence.
4. The Board deliberates on the facts of the case and renders a decision. All decisions of the Board shall be made in closed session and shall be determined by majority vote.
5. The Summary of the Hearing is forwarded to the Vice President of Student Affairs for review and implementation of the Board's decision.
6. The Senior Conduct Officer officially notifies the accused students of the Board's decision and when necessary imposes the restrictions embodied in the Board's decision.

ARTICLE VII. APPEAL PROCEDURES

Section One – In the interest of fairness, only the recipient of disciplinary action has the right to appeal, except where noted in sexual misconduct violations. Requests for an appeal must be in

writing and submitted through the same channels of authority and jurisdiction as outlined in Article IV within 48 hours of official notification of the Board's decision.

Section Two – Appeals concerning decisions of the University Hearing Board or the Student Conduct Board should be addressed to the Vice President of Student Affairs. Appeals for sexual misconduct cases should be addressed to the Title IX Administrator.

Section Three – The appeal must specify grounds that would justify consideration. General dissatisfaction with the outcome of the decision shall not be accorded as a basis for consideration of an appeal. The only basis for considering an appeal is the presentation of facts that include:

1. an error in procedural due process by the original body,
2. the emergence of compelling evidence that could not have been previously discovered,
3. the appropriateness of sanction(s), condition(s), and/or restriction(s) to the violation.

Section Four

1. Appeals will be limited to a review of the record of the hearing, written statement submitted by parties, and any new evidence. Appeals based upon new evidence shall be treated as grounds for a new proceeding by the original body.
2. The Vice President for Student Affairs serves as the appellate officer in all cases except those under Title IX jurisdiction. The appellate officer shall make an initial determination as to whether or not sufficient grounds for appeal, based upon the standard enunciated above, have been alleged. Appeals that do not allege sufficient grounds shall be denied consideration and shall be dismissed. Appeals that do allege sufficient grounds shall be accepted for consideration.
3. If the appeal is allowed, its presiding officer represents the Student Conduct body that rendered the decision under appeal so those questions of procedure or sanction may be clarified. The appellate officer shall not conduct a de novo hearing (a rehearing) but will consider only the record made by the adjudicating body. The appellate officer may, at his/her own discretion, permit written or oral statements from the concerned parties at the time the appeal is considered; but the appeals officer will review only that portion of the original hearing that is addressed by the appeal.
4. The decision shall be communicated in writing to all parties concerned within seven class days. The alternatives available to the appellate body are:
 - a. to sustain the recommended penalty;
 - b. to reverse the verdict; or
 - c. return it to the original Student Conduct body (to consider new evidence or reconsider the penalty, not finding of responsibility).

ARTICLE VIII. CONFIDENTIALITY STANDARDS AND RECORDS – POLICY/PROCEDURES

All proceedings under the Code are confidential. All proceedings and all documents generated by the process form a part of the charged student's records and are, therefore, confidential under the federal Family Educational Rights and Privacy Act (FERPA). Participants in the process, including the charged, the complainant, witnesses, hearing board members, and staff members are advised to preserve the confidentiality of all proceedings and all documents under this Code. Any breach of the confidentiality may subject the responsible party to charges under this Code.

ARTICLE IX. INTERPRETATION AND REVISION

Section One – The Vice President of Student Affairs or his/her designated representative resolves



STUDENT AFFAIRS
DIRECTORY

STUDENT AFFAIRS DIRECTORY

Student Affairs		University Center • 305B • 520-7357	
Vice President for Student Affairs		Curtis Wright	
VPSA Office		Bobbie Gordon	
Assistant Dean, Community Standards and Director of Parent Programs		Judy Bracy	
Assistant Dean for Business Affairs		Paula Singleton	
Director of Violence Prevention, Education and Advocacy		Jennifer Bodnar	
Student Affairs Office of Operations			
Associate Dean of Students, Student Affairs Operations, Residential Education & Conference Services		Anitra Calvin	
Manager, Sodexo Magic (Dining)		TJ Talibi	
Postal Center Manager		Robert Williams	
Athletics		Convocation Annex • 520-7329	
Executive Director of Athletics and Recreation		Pat Kendrick	
Associate Athletic Director		Ian Sott, Ed.D	
Associate Athletic Director for Strategic Communications		Edward Cassiere	
Assistant Athletic Director, Business Operations		Carlette Reeves	
Assistant Athletic Director, Student Development		Patrick Gary	
Head Baseball Coach		David Yamane	
Assistant Baseball Coach		TBD	
Head Basketball Coach – Men		Alfred Williams	
Head Basketball Coach – Women		Robert Browder	
Associate Head Basketball Coach – Men		Tyron Mitchell	
Associate Head Basketball Coach – Women		Whitney Kelley	
Head Softball Coach		Kailey Anderson	
Assistant Softball Coach		Ambria Dorsey	
Tennis Coach		Alan Green	
Head Soccer Coach – Men		Gonzalo Carranza	
Head Soccer Coach – Women's		Ashley Cordeiro	
Cross Country/Track & Field Coach - Men & Women		Yhann Plummer	
Assistant Cross Country/Track & Field Coach - Men & Women		Andrew Kidd	

STUDENT AFFAIRS DIRECTORY

Athletics (cont.)		Convocation Annex • 520-7329	
Associate Head Volleyball Coach		Ryan Bowerman	
Assistant Volleyball Coach		Vivica Price-Spraggins	
Head Competitive Cheerleading Coach		Glenn Caston	
Athletic Trainer		Spencer Perreault	
Athletic Trainer		Azinee Rios	
Athletic Trainer		DeAndre Walker	
Head Strength and Condition Coach		Matt Andry	
Assistant Head Strength and Condition Coach		Sofia Lopez	
Campus Ministry			
Director of Campus Ministry		Lisa McClain	
Chaplain		Fr. Victor Laroche	
Interfaith Chaplain		Rev. Mitch Stevens, EdD, DMin	
Office of Counseling & Wellness		St. Joseph A&H	
Director of Counseling and Wellness		Chantel Gant, Ph.D., LPC-S, LAC, NCC	
Care Coordinator/Office Manager		Sheila L. August, M.A.	
Mental Health Counselor		Unitra Long, M.A., LPC-S, NCC	
Mental Health Counselor		Grace Mamou, M.S., LPC-S, BCCC	
Mental Health Counselor		Chimela Soublet, M.A., LPC-S, NCC	
Office of Disability Services		Convocation Center • 215B • 520-7607	
Director of Disability Services		Carlene Campbell, M.Sp.ED, ED DIAG	
Disability Services Assistant		Esperanda Johnson, RSW	
Inclusion and Social Justice		University Center • 208 • 520-7229	
Deputy Chief Inclusion Officer		Glenn A. Caston	
Deputy Chief Engagement Officer		Zachary Williams	
Coordinator for Black Male Engagement		Desmond Collins	
Administrative Coordinator		Danette Lewis	
Coordinator for Gender Equity		Viannie Bell	
Residential Education		University Center • 305 • 520-7321	
Associate Dean of Students		Anitra Calvin	
Area Coordinator		Aniya Wooden	
Area Coordinator		Jeffrey Dixon	
Graduate Assistant Hall Director: Living Learning Center		Amare Landry	
Graduate Assistant Hall Director: St. Martin de Porres		Dominique Banks	

STUDENT AFFAIRS DIRECTORY

Residential Education (cont.)		University Center • 305 • 520-7321	
Graduate Assistant Hall Director: St. Michael's		Cassius Harper	
Graduate Assistant Hall Director: St. Katharine Drexel		Aiyana Jenkins	
Center for Student Involvement		University Center • 316 • 520-5133	
Director, Center for Student Involvement		Sharrone Godfrey	
Director, Leadership Development and Greek Life		Sierra Blanchard	
Assistant Director Recreation and Club Sports		Melissa Brown	
Associate Director Student Life		Kendall Smith	
Associate Director of Events and Programs, Center for Student Involvement		Kendra Warren	
University Center		University Center • 316 • 520-7506	
Building Supervisor		James Williams	
Building Supervisor		Steven Elloie Jr.	



XAVIER UNIVERSITY OF LOUISIANA