

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

I. JURISDICTION

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

II. ORGANIZATION

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

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

III. INITIATION OF PROCEEDINGS

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

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

IV. HEARING

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

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

V. SANCTIONS

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

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

VI. APPEAL

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

VII. MISCELLANEOUS PROVISIONS

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

VIII. EXCLUSIONS

8.1 Nothing contained herein shall preclude:

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

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