

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 174****2024 Regular Session****McMakin**

HIGHER EDUCATION: Provides relative to disciplinary proceedings for students and student organizations at public postsecondary education institutions

Synopsis of Senate Amendments

1. Make technical change.

Digest of Bill as Finally Passed by Senate

Present law requires each postsecondary education management board to adopt a policy relative to disciplinary proceedings, right to counsel for students and student organizations, and appeals. Requires that disciplinary procedures:

- (1) Afford the student or organization the express presumption of innocence. Proposed law retains present law.
- (2) Provide that neither a student nor organization may be deemed guilty of a violation until either of the following occurs:
 - (a) The student or organization formally acknowledges responsibility. Proposed law retains present law.
 - (b) A hearing concludes where the institution has established every element of the alleged violation. Proposed law revises this condition to provide for the conclusion of a hearing where the institution has proven every element of the violation necessary to constitute guilt by clear and convincing evidence and provides that this standard does not alter the burden of proof for hearings held pursuant to Title IX or present law relative to power-based violence on college campuses.

(Amends R.S. 17:3394(E)(1))