

2024 Regular Session

HOUSE BILL NO. 174

BY REPRESENTATIVE MCMAKIN

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

1 AN ACT

2 To amend and reenact R.S. 17:3394(E)(1), relative to disciplinary proceedings at public
3 postsecondary education institutions; to revise the conditions under which a student
4 or student organization may be deemed guilty of a violation; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3994(E)(1) is hereby amended and reenacted to read as follows:

8 §3394. Disciplinary proceedings

9 * * *

10 E. When a violation is punishable by suspension of ten or more days or
11 expulsion, or when a violation by a student organization is punishable by suspension
12 or removal of the organization from the institution, the disciplinary procedures
13 contained in the code of student conduct shall include but need not be limited to the
14 following:

15 (1) Afford the accused student or organization the express presumption of
16 innocence and set forth that he or the organization may not be deemed guilty of the
17 violation until he or the organization formally acknowledges responsibility or the
18 conclusion of a hearing where the institution has ~~established~~ proven every element
19 of the ~~alleged~~ violation necessary to constitute guilt by clear and convincing
20 evidence. The standard of establishing guilt through clear and convincing evidence

