

2024 Regular Session

HOUSE BILL NO. 174

BY REPRESENTATIVE MCMAKIN

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. 17:3394(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

1 evidence. The standard of establishing guilt through clear and convincing evidence  
2 shall not alter the burden of proof in hearings held pursuant to Title IX of the  
3 Education Amendments of 1972 or R.S. 17:3399.11 et seq.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_