



KENTUCKY STATE UNIVERSITY
STUDENT CODE OF CONDUCT

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I. Zero Tolerance Policy

A. Kentucky State University does not permit acts of violence, possession of weapons, or the unlawful possession, use, or abuse of drugs or controlled substances on University property or at University sponsored events. Any student in violation of the following may be subject to suspension and/or expulsion from campus housing and/or the University:

1. Involvement in any act of violence;
2. Possession of a weapon;
3. Unlawful possession of drugs or controlled substances;
4. Unlawful use of drugs or controlled substances; or
5. Abuse of drugs or controlled substances.

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II. Dress Code

- A.** The Dress Code enhances socially acceptable manners and the selection of appropriate attire for specific occasions and activities. The total educational process includes consideration for appropriate attire. Understanding and employing these behaviors improves the quality of one's life, uplifts personal morale, embellishes the overall campus image, and instills a sense of integrity and an appreciation for values and ethics.
- B.** The continuous demonstration of appropriate manners and attire ensures that Kentucky State University students meet standards of quality in the social, physical, moral, and educational aspects of their lives. These standards are necessary to propel students toward successful career development.
- C.** Students may be denied admission to various functions if their attire is inappropriate. Kentucky State University are expected to dress neatly and appropriately at all times.
- D.** Examples of Appropriate Attire for Various Occasions
 - 1. Business casual attire for females – trousers (dress or khaki pants), knee length skirt or dress, blouse, and shirt with collar. No tennis shoes or flip flops.
 - 2. Business casual attire for males – trousers (dress or khaki pants) and shirt with collar. No tennis shoes or white socks.
 - 3. Business (professional) attire for females – business suit jacket with blouse, knee length skirt, dress, or dress slacks. Dress slacks with blouse or suit jacket. Business knee length dress with or without suit jacket. Dress shoes.
 - 4. Business (professional) attire for males – business suit with dress shirt and necktie or bowtie or sport coat and dress slacks. Dress shoes and dark socks. No white socks.
 - 5. Formal attire for females – cocktail dress or evening gown.
 - 6. Formal attire for males – tuxedo.
 - 7. Classroom, Cafeteria, Student Center, and University offices - neat, modest, casual, or dressy attire.
 - 8. Formal programs in Bradford Hall Auditorium - business or dressy attire.
 - 9. Interviews – business attire.

10. Social/recreational activities, residence hall lounges (during visitation hours) - modest, casual, or dressy attire.
11. Balls, Galas, and Cabarets - formal, semi-formal, and dressy, respectively.

E. Examples of Inappropriate Attire and/or Appearance

1. Do-rags, stocking caps, skullcaps, and bandanas except in the privacy of the student's residence hall room.
2. Head coverings, hats, and hoods for men in any building.
3. Baseball caps and hoods for women in any building. This policy does not apply to headgear considered part of religious or cultural dress.
4. Bare feet.
5. Shorts that reveal upper thighs and buttocks.
6. Shorts and all types of jeans at programs dictating professional, business, or formal attire, such as performing arts programs, Convocations, and Commencement.
7. Clothing with derogatory, offensive, and/or lewd messages either in words or pictures.
8. Men's tank undershirts of any color worn outside of the student's residence hall room.
9. Sports jerseys without a conventional tee-shirt underneath.
10. Men and women's pants that show underwear.
11. Women's clothing that reveals undergarments.
12. Pajamas except in the privacy of the student's residence hall room.
13. Removable orthodontic appliances, such as grills.

F. Procedure for Cultural or Religious Head Coverings

1. Students seeking approval to wear headgear as an expression of religious or cultural dress may make a written request for a review through the Office of Student Affairs.
2. The Vice President for Student Affairs or Designee will review for final approval.
3. Students that are approved will then have their new ID card picture taken with the headgear being worn.

- G.** All University faculty and staff will monitor student behavior applicable to this dress code and report any such disregard or violations to the attention of the Vice President for Student Affairs or Designee.

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III. Classroom Conduct

- A. Kentucky State University's classrooms provide a nurturing and stimulating environment free from disruptions and distractions, while educating undergraduate and graduate students to become educated and professional citizens. The primary responsibility for managing the classroom environment rests with the faculty. In the absence of faculty, graduate assistants are responsible for managing the classroom environment. Students must refrain from unacceptable and disruptive classroom behavior. Unacceptable and disruptive classroom behavior includes, but is not limited to:
1. Behavior that changes the classroom atmosphere to an uncomfortable setting for students and/or staff
 2. Behavior that prevents or limits learning and/or open communication
 3. Refusing to comply with any University official
 4. Inappropriate behavior and failing to abide by policies when enrolled in apprenticeships, clinical training, practicum, co-op work experiences, internships, field experiences, directed practice, and workforce training programs
 5. Leading or inciting others to disrupt scheduled and/or normal activities within any classroom setting
 6. Persistently speaking without being recognized or interrupting other speakers
 7. Harassing behavior or personal insults
 8. Use of electronic devices (e.g. cell phones, tablets, laptops, etc.) to talk, text, play games, or perform other activities not related to coursework
 9. If not permitted by the professor, talking and other disruptive behaviors while class is in session
 10. Refusing to abide by a faculty's no eating and drinking classroom policy
 11. Refusing to clean-up and dispose of any trash in the classroom
 12. Eating food or drinking a beverage that is distracting to others
 13. Chewing gum in a distracting way (e.g., popping or smacking)
 14. Phones not on silent mode (vibrate is not permitted)
 15. Sleeping in class

16. Profanity in the classroom
17. Males wearing caps in the classroom are prohibited
18. Parents/guardian bringing a disruptive child to the classroom is prohibited

B. Resolving Disruptive Classroom Conduct and Sanctions

1. The following process and sanctions will apply to students displaying unacceptable or disruptive classroom conduct. The faculty member will immediately report any and all classroom conduct issues via the Kentucky State University Incident Form at www.kysu.edu/administration-governance/student-affairs/kentucky-state-university-incident-form.
 - a. If the student's behavior is not particularly disruptive, the faculty member will privately speak with the student after class.
 - b. If necessary to deal with a student's behavior during class, the faculty member will inform the student the behavior is disruptive and ask that it be stopped.
 - c. If the disruptive behavior continues during either the present or a future class, the faculty member will warn the student (perhaps in private) that such behavior may result in a referral to the Office of Student Affairs for disciplinary action.
 - d. If the student continues to refuse to leave the classroom, the faculty member may choose to adjourn class for the day or call security and have the student removed.
 - e. A student may be immediately removed from the classroom if the faculty member determines that the behavior is sufficiently egregious in nature. Once a faculty member makes this determination, the student will be referred to Office of Student Affairs for disciplinary action.

C. Sanctions

1. Behavioral contract, which is a corrective action plan.
2. Reflection essays.
3. Removal from class – the student is barred from attending a particular class or may be reassigned to a different section of the same class. Details will be coordinated between the Dean or designee and appropriate faculty member.
4. Suspension.
5. Expulsion.

IV. Academic Conduct

A. Academic Honesty

The University expects students to conduct themselves with honesty and integrity giving, or presenting of any information or material with the intent of aiding oneself or another on any academic work which is considered in any way in the determination of a course grade.

B. Academic Offenses

1. **Cheating.** Cheating is defined as the fraudulent or deceptive taking, giving, or presenting of any information or material with the intent of aiding oneself or another on any academic work which is considered in any way in the determination of a course grade.
2. **Plagiarism.** Plagiarism is the intentional or unintentional act of submitting the work of another as one's own. It includes the submission of the complete or partial work, or of the words, ideas, or format of another, published or unpublished, without appropriate reference and source credit. It includes employing or permitting another person to produce, alter, or revise material which the student submits as his or her own. If the student has any uncertainty regarding plagiarism in the submission of any material to his or her instructor, he or she should discuss the matter with the instructor prior to submission of the material.
3. **Forgery.** Forgery is falsely recording the signature of an advisor, instructor, or any university official on any official University academic document.

C. Sanctions for Academic Offenses

1. One or more of the following sanctions may be applied to a student guilty of commission of an academic offense:
 - a) Assignment of any grade on a paper, examination, or other material related to the offense.
 - b) Assignment of any grade for the course in which the offense occurred.
 - c) Forced withdrawal from the class in which the offense occurred.
 - d) Suspension from the University for a specified period of time. Suspension includes exclusion from all classes and termination of student status and all related privileges and activities. A student who violates any of the terms of suspension shall be subject to further discipline in the form of permanent dismissal.
 - e) Dismissal from the University is a final sanction and susceptible to reconsideration only after review by the University President.

D. Appeal Rights

1. The student shall have the right to appeal the allegation of his or her guilt to each higher level of authority up to and including the Academic Standards Committee. However, the assignment of a grade by the instructor on a paper or examination involved in the offense shall not be subject to appeal. Other sanctions may be appealed to the next higher level of authority up to and including the Academic Standards Committee. Such appeal must be filed in writing within 15 days of notification of the sanction. The student shall have the right to attend and participate in a class until a decision is made on his/her appeal.

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V. Hazing Policy

- A.** In accordance with KRS 164.375, Kentucky State University prohibits any action or situation which recklessly or intentionally endangers the mental or physical health of a student for the purpose of initiation into or affiliation with any organization. This policy governs University students, faculty, staff, visitors, and other licensees and invitees and is deemed to be part of the bylaws of all University organizations.
- B.** Hazing Definition
1. Hazing is any action taken or situation created that involves or results in abusive physical contact or mental harassment of a prospective or current organization member. Any such action is considered hazing whether it occurs on or off the University's premises. There shall be no hazing, brutal, hazardous, or inhumane treatment of any kind by Kentucky State University Greek or non-Greek organizations. Hazing is prohibited before, during, and after any membership intake process. Prospective new members are hereby advised they are not required to subject themselves to such treatment and to not allow others to subject them to such treatment.
 2. Hazing is also described as any action that results in excessive mental or physical discomfort, embarrassment, or harassment. Such activities include but are not limited to:
 - a) Paddling
 - b) Creation of excessive fatigue
 - c) Physical, mental, or psychological shock and/or abuse
 - d) Morally degrading or humiliating activities (games, public stunts, etc.) inconsistent with the regulations and policies of the University and federal, state, or local law
 - e) Cutting, branding, labeling, or shaving body parts
 - f) Required greeting of members in a specific manner when seen
 - g) Required walking in groups
 - h) Required carrying of certain items

- i) Required dress code, including costuming or alteration of appearance
- j) Loss of voice due to required yelling
- k) Line-ups and berating
- l) Servitude and performing special tasks for current members or others (cleaning a living/meeting area, running errands, serving as a driver or personal assistant, etc.)
- m) Required attendance at late night sessions
- n) Not coming home for days at a time
- o) Not being able to sit down or move about freely
- p) Required or forced physical activity such as running or calisthenics
- q) Physical exhaustion from required or forced physical activity
- r) Appearance of mental exhaustion or withdrawal from normal lifestyle; change in personality
- s) Forced appearance of sadness or expressions of inferiority
- t) Withdrawal from normal activities or friends
- u) Required or forced to consume any legal or illegal substances (food, alcohol, drugs, etc.)
- v) Forced exposure to the weather
- w) Sleep or food deprivation as a result of any activities
- x) Kidnapping, forced road trips, and/or abandonment
- y) Being dropped off at an unknown location and made to find the way back to a location
- z) Coerced lewd or sexual conduct
- aa) Interference with academic pursuits
- bb) Interference with athletic or other University activities (missed practices, prohibited attendance or participation, etc.)

- cc) Coerced or forced violation of any University policy
- dd) Any other activities or restrictions required of current or prospective members the University deems inappropriate

3. A person commits an offense if the person:

- a) Engages in hazing;
- b) Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
- c) Intentionally, knowingly, or recklessly permits hazing to occur; or
- d) Has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report said knowledge in writing to the Vice President of Student Affairs or Designee or other appropriate officials of the institution.

4. An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

C. Consent to participate in hazing does not excuse hazing.

D. Immunity

1. Individuals with information about hazing incidents may hesitate to come forward out of fear that their own violations of University policy would be revealed. Students are advised that the University does not condone infractions of policy, but considers reporting incidents of hazing to be of paramount importance. Therefore, the University may extend immunity for hazing violations to victims and potential witnesses in order to facilitate reporting and resolution of hazing complaints.

2. Immunity may be granted to an individual:

- a) Who voluntarily reports a hazing incident before being contacted by a University Official
- b) Whose medical practitioner reports on the student's behalf

- c) Who cooperates in good faith throughout the hazing incident investigation
3. Immunity will not be granted if the individual reports an incident of hazing in bad faith or with malice. Immunity will not be granted to individuals who are liable for violation of civil and criminal laws.

E. Reporting Hazing

1. Hazing activities and violations of the hazing policy must be immediately reported. Reporting options include:
 - a) Informing the organization's University advisor(s);
 - b) Filing an online incident report at kysu.edu/administration-governance/student-affairs/kentucky-state-university-incident-form
 - c) Contacting the Associate Dean for Student Conduct; and
 - d) Calling the Kentucky State University Police Department at (502) 597-6878.

F. Hazing Sanctions

1. Any member of the University community, organization, and/or guest found in violation of the hazing policy will be subject to the following sanctions:
 - a) Probation or suspension of the organization for a specified amount of time.
 - b) Revocation of student organization registration. The Vice President for Student Affairs or a designee shall notify any national or regional governing bodies associated with the organization or that sponsors social, academic, or sports events for the organization.
 - c) Loss or withdrawal of all student general fee dollars or other University funding for the remainder of the academic year.
 - d) Monetary fine.
 - e) Members prohibited from wearing paraphernalia, strolling/stepping on campus or at University sponsored events, representing the organization on campus or at University sponsored events, or being recognized as a member of the organization at any University event and/or function in any capacity while suspended.

- f) Withdrawal of the organization's charter from the University and loss of all privileges to operate at the University.
 - g) Faculty or staff will be terminated from employment.
 - h) Visitors or guests will be banned from University property, facilities, and sponsored events.
 - i) Local, state, or federal criminal prosecution.
2. The above sanctions imposed by the University shall not be deemed exclusive and the University may pursue any additional penalties, grievances, claims, or actions to which it may be entitled. This policy shall be deemed to be part of all University organization bylaws.

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VII. Cyberbullying Policy

- A.** Kentucky State University prohibits all bullying and harassment, whether physical, verbal, or via cyberspace.
- B.** Cyberbullying is repeated, unwanted, or aggressive behavior directed toward another through an electronic device or social media platform. Examples of cyberbullying include, but are not limited to, the following actions directed toward another:
 - 1. Texting or emailing insults or rumors
 - 2. Posting derogatory comments on Facebook, Twitter, or other social media sites
 - 3. Threats made via email or other technology
 - 4. Coercing or misleading another to share embarrassing information
 - 5. Forwarding private text messages or emails with the intent to hurt or embarrass
 - 6. Posting, texting, or emailing embarrassing photos or videos
 - 7. Posing as an imposter online to embarrass or cause harm
 - 8. Creating a website or social media page to ridicule
- C.** If you are cyberbullied, you have the right to make a complaint to the Office of Student Affairs. All cyberbullying complaints shall be investigated and handled by the Vice President for Student Affairs or his/her designee.
- D.** If you are the victim of cyberbullying, or witness cyberbullying, you should save any evidence of cyberbullying, including printouts of the offending communications, and report the incident to:
 - 1. The Office of Student Affairs at (502) 597-6671;
 - 2. The Kentucky State University Police Department at (502) 597-6878;
 - 3. File an online incident report at kysu.edu/administration-governance/student-affairs/kentucky-state-university-incident-form
- E.** Cyberbullying is also a violation of Kentucky law and may be prosecuted by lawful authorities as harassment or harassing communications. *See* KRS 525.070, 525.080.

VII. Firearms, Explosives, and Other Weapons

- A.** Kentucky State University has a Zero Tolerance Policy for the use or possession of weapons, weapon imitations or replicas, and other forms of dangerous weapons including, but not limited to:
1. Firearms
 2. Other weapons
 3. BB and pellet guns
 4. Air rifles
 5. Explosives
 6. Any type of ammunition
 7. Any type of stun gun
 8. Any type of Taser
 9. Baton, billy club, or similar device
 10. Cattle prods
 11. Spring blade knives
 12. Knives with a blade longer than four inches
 13. Any knife which opens or is ejected open by an outward, downward thrust or movement
 14. Swords
 15. Brass knuckles
 16. Other devices designed to seriously injury another person
 17. Imitations and replicas of any of the above listed items
- B.** In addition, the use or possession of any other device, object, or substance (or imitations and replicas thereof), designed to cause injury, or the use of any object capable of being used as a weapon is also a violation of the Zero Tolerance Policy. The use or possession of imitation or replica firearms, which may include water guns, paintball guns, etc., is also prohibited.

- C.** If found in possession or use of an above mentioned item, an emergency administrative action will be taken to immediately suspend or expel the student from the University until further notice. The University reserves the right to notify local, state, and federal authorities.
- D.** Sports weapons, University course affiliated devices, and devices required for military service that are capable of being used as a weapon must be kept in the custody of the Kentucky State University Police Department.

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VI. Tobacco Free Policy

- A.** The use of all tobacco products is prohibited on Kentucky State University property. Tobacco is defined as any lit or unlit cigarette, cigar, pipe, bidi, clove cigarette, or other smoking product. E-cigarettes, hookah pipes, smokeless or spit tobacco, including but not limited to, dip, chew, snuff, and snus are also prohibited. The use, distribution, or sale of tobacco on campus property, including private vehicles on University property, is prohibited. Violations will be handled by the Office of Student Affairs in accordance with applicable conduct policies and sanctions.

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VII. Gambling

- A.** Gambling is prohibited in or around University owned or operated facilities and at University sponsored activities on or off campus.
- B.** Gambling means staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device which is based upon an element of chance, in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome. A contest or game in which eligibility to participate is determined by chance and the ultimate winner is determined by skill shall not be considered to be gambling. *See* KRS 528.010(3)(a).
- C.** Violation of this policy will result in conduct action, counseling, and/or possible referral to state and federal authorities.

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VIII. Off-Campus Conduct

- A.** Students when away from the campus are subject to the same civil authorities as any other citizen. A student found guilty by courts of law for offenses committed off campus is required soon after the court verdict to have a counseling session with staff of the Office of Student Affairs. The University reserves the right to determine the effect of the off-campus offense on the general welfare of the University. Appropriate action shall be taken against the student.

- B.** University Police shall have the authority to take appropriate actions, when summoned, in offenses committed off campus by Kentucky State University students when those actions are in violation of University policies regulations and guidelines and when officials determine that those actions are within the University's jurisdiction.

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IX. Student Conduct

- A.** The Office of Student Affairs holds students accountable for their behavior in a fair, yet developmental manner. The conduct process protects the rights of both individual students and the University community by ensuring claims of student misconduct are equitably and uniformly addressed. The Office of Student Affairs promotes concepts of civility, fairness, respect, and conflict resolution by enforcing community standards.

- B.** The Office of Student Affairs shall have jurisdiction over all disciplinary matters involving students and student organizations when the Student Code of Conduct is implicated.
 - 1. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of persons, property, and the campus community. Such action may include taking disciplinary action against students whose behavior on or off-campus indicates they pose a substantial danger to others.

 - 2. University Police shall have the authority to take appropriate actions, when summoned, in offenses committed off-campus by Kentucky State University students when those actions are in violation of University policies, regulations, and guidelines and when officials determine those actions are within the University's jurisdiction.

 - 3. Generally, the Student Court will have jurisdiction over all minor residence hall violations such as, but not limited to, visitation, cohabitation, roommate conflict, noise violation, quiet hours. However, the student can chose to have his/her case informally resolved with the Office of student Affairs or formally heard by the Student Court.

 - 4. The All-University Court will have jurisdiction over cases where the presumptive sanction is suspension or expulsion. This does not apply to housing revocations.

 - 5. Students and student organizations and its members while acting in their capacity as members of, or while attending or participating in any activity of the organization, shall be subject to all rules and policies of the University.

- C.** Offenses Against the University Community

Offenses against the University Community include making false statements to University officials, forgery, disruption of University activities, failure to comply

with directions of University officials, and violations of other published University policies. Examples include but are not limited to, the following:

1. Furnishing false information to the University or any University official.
2. Forgery, alteration, or misuse of any University document, record, or instrument of identification. Including the intentional giving of false information and/or withholding of necessary information, in connection with a student's admission, enrollment, or status in the institution.
3. Disruption or obstruction of teaching, research, administration, conduct proceedings, or other University activities (on or off-campus), and other activities which occur on University premises.
4. Failure to comply with directions of University officials, including law enforcement officers, acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
5. Violations of other published University policies, regulations, and guidelines. Such policies, regulations, and guidelines shall include, but not be limited to, the Student Handbook, Information Technology Policies, University Catalogue, University Bulletin, and other policies, regulations, and guidelines.

D. Offenses Against Persons

Offenses against persons include any contact or communication that threatens, harasses, or injures a person. Examples include, but are not limited to, the following:

1. Physical abuse
2. Excessive physical discomfort
3. Sexual harassment
4. Sexual contact without permission
5. Sexual exploitation
6. Sexual assault
7. Stalking
8. Verbal abuse or harassment

9. Threats
10. Intimidation
11. Coercion
12. Embarrassment

E. Offenses Against Property

Offenses against property includes incidents involving the property of the University, students, and members of the University community. Personal property is defined as property owned by or in the custody of a member of the Kentucky State University community. University property is defined as property owned by, leased by, or in the custody of Kentucky State University. Examples include, but are not limited to, the following:

1. Attempted or actual theft of and/or damage to personal or University property.
2. Possession of stolen personal or University property.
3. Unauthorized possession of personal or University property.
4. Unauthorized possession, duplication, or use of a University key, access card, or identification card for unauthorized entry, access, or use.
5. Abuse, misuse, or theft of University computer data, systems, Internet, network, equipment, or programs.
6. Violation of Information Technology policies, procedures, and guidelines.
7. Littering on University premises.
8. Vandalism, which is willfully destroying or damaging property or disarranging it with malicious intent (e.g., spray painting, graffiti, destruction, or defacement of property).

F. Offenses Disrupting Order or Disregarding Health and Safety

Offenses disrupting order or involving total disregard for the University community's health and safety include, but are not limited to, the following:

1. Illegal or unauthorized possession of weapons and replicas or dangerous chemicals.

2. Participation in a campus demonstration which disrupts the normal operations of the University or infringes on the rights of other members of the University community.
3. Leading or inciting others to disrupt scheduled or normal activities within any campus building or area.
4. Intentional obstruction of the free flow of pedestrian or vehicular traffic on University property or at University sponsored functions.
5. Engaging in violent, abusive, indecent, profane, or boisterous behavior or being unreasonably loud.
6. Intoxication, due to consumption of alcohol and/or drugs, resulting in conduct causing or provoking a disturbance or disruption of University operations.
7. Initiating false fire alarms or bomb threats or tampering with fire extinguishers, alarms, smoke detectors, or other safety equipment.
8. Gambling.
9. Violation of federal, state, or local law on University property or at University sponsored activities.
10. Violation of federal, state, or local law off University property and not related to University sponsored activities when the violation adversely affects the University community.
11. Any act or omission that constitutes a violation of federal, state, or local law or University policy, procedures, and guidelines not otherwise covered in this Student Code of Conduct.

G. Interfering with the Conduct Process

This section is intended to encompass any behavior that may interfere with the conduct process. Behaviors include, but are not limited to, the following:

1. Failure to appear at a conduct meeting or hearing as directed.
2. Falsifying, distorting, or misrepresenting information at a conduct meeting or hearing.
3. Knowingly initiating a false complaint.

4. Discouraging, harassing, or interfering with a person's participation in or use of the conduct process.
5. Harassment or intimidation of a University official or member of the Student Court or All-University Court.
6. Failure to comply with imposed sanction(s).

H. Shared Responsibility for Violations

This section is intended to highlight groups' and organizations' shared responsibilities in the conduct process. The list below is not exhaustive.

1. Students who act together to violate University policies, regulations, and guidelines may be assigned joint responsibility for such violation(s).
2. Students and organizations may be held responsible for the conduct of their guests while on University premises, at University sponsored activities, and at functions sponsored by any registered student organization.

I. Organizational Responsibility

University organizations are subject to all policies, procedures, and guidelines in the Student Code of Conduct.

1. An organization and its members may be held collectively and individually responsible for violations of University rules, regulations, and guidelines by those associated with the organization (including guests and alumni of the organization).
2. When a complaint is filed naming an organization as the responsible party, the presiding officer and/or students affiliated with the group shall be required to participate in meetings and hearings as representatives of the group.

J. Description of Penalties/Sanctions

Individual or organizational misconduct subject to disciplinary action shall include, but is not limited to, the following examples of penalties and sanctions:

1. Verbal Warning: Oral warning that is undocumented in hopes to dissuade minor conduct behavior.
2. Apology: The opportunity, under certain circumstances, to apologize to an affected party, verbally or in writing, as an alternative or in addition to

the imposition of other disciplinary sanctions for behavior related to a disciplinary offense.

3. Reprimand: Official written warning specifying the violation for which the student is held responsible. This is a documented educational discussion with the student rather than a conduct sanction. It is notated in the student's conduct file.
4. Probation: Loss of good standing with the University. Probation is for a designated period of time and includes the probability of more severe disciplinary action if the student violates any University policy during the probationary period. A student on probation cannot occupy a campus leadership position, nor can he/she join a registered student organization, fraternity, or sorority. Probationary status is notated in the student's conduct file.
5. Restrictions and Loss of Privileges: Denial or restriction of certain privileges for a designated time period. It is notated in the student's conduct file.
6. Fines and Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement. It is notated in the student's conduct file.
7. Discretionary Sanctions: Students may be assigned activities that improve the campus community including work with Facilities Management or other campus offices, referral to counseling services, or other related discretionary assignments as designed and assigned by the Office of Student Affairs.
8. Residence Hall Probation: Continued residence in campus or student housing may be conditioned upon adherence to this policy as well as institutional housing policies. Any resident placed on housing probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon the activities of the resident, including any other appropriate special condition(s).
9. Residence Hall Suspension: A resident suspended from housing may not reside, visit, or make any use whatsoever of a housing facility or participate in any housing activity for which the sanction is in effect. A suspended resident will be required to forfeit housing fees (including any unused portion of the Housing Deposit). A suspended resident must vacate the housing unit. Housing suspension shall remain a part of the student resident's disciplinary record. A resident is given 48-72 hours to move

(pending circumstances) or immediately depending on the egregiousness of the violation.

10. **Residence Hall Expulsion:** Permanent separation of a student from the residence halls. An expelled resident will be required to forfeit housing fees (including any unused portion of the Housing Deposit). An expelled resident must vacate the housing unit. Housing expulsion shall remain a part of the student resident's disciplinary record. A person is given 48-72 hours to move (pending circumstances) or immediately depending on the egregiousness of the violation.
11. **Athletic Removal or Suspension:** Removal or suspension from an athletic team.
12. **Suspension:** Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Suspension shall be for a specified period of time. A suspended student may not participate in any campus activities and will be banned from the campus during the term of suspension. A suspended student must contact the Office of the Registrar about readmission requirements.
13. **Expulsion:** Permanent separation of a student or organization from the University. The imposition of this sanction is a permanent bar to the student's readmission to the institution or student organization. Kentucky State University requires that any student or organization receiving a penalty of expulsion will be restricted from the campus unless conducting official business with the University and verified in writing by the Associate Dean for Student Affairs/Student Conduct. A student expelled can ultimately appeal to the University President.
14. Any alternate sanction deemed necessary and appropriate to address the conduct at issue.

K. Student Organization Sanctions

The following sanctions may be imposed on any organization found in violation of the policies, regulations, and guidelines of Kentucky State University:

1. **Probation,** which may be for a specified amount of time. An organization placed on probation may continue to hold meetings but may not sponsor any activities or programs.

2. Suspension of the organization from the University for a specified amount of time.
3. Loss of registration as a registered student organization. The Vice President for Student Affairs or designee shall notify any national and/or regional governing body associated with the organization or which sponsors social, academic, or sports events.
4. Loss or withdrawal of all student general fee dollars or other University funding for the remainder of the academic year.
5. Monetary fine.
6. Revocation of University Charter.
7. Cease and desist requiring the organization to immediately discontinue operating as an organization including holding meetings, sponsoring activities, wearing paraphernalia, and representing the organization in any way until further notice is received from a designated individual.

More than one of the above listed sanctions may be imposed for any single violation.

Conduct cases involving an organization are not heard by the All-University Court. In the event an organization is placed on probation, ordered to cease and desist, suspended, or has their registration revoked, the organization shall be afforded the opportunity for a hearing before the appropriate institutional representative, which will be determined by the Associate Dean for Student Affairs/Student Conduct.

L. Enhanced Sanctions

Violations involving persons or organizations intentionally targeted because of their race, color, religion, gender, sexual orientation, age, national origin, ethnicity, citizen status, disability, military service status, marital status, or any other status protected by law may result in enhanced sanctions.

M. Conduct Procedures

1. Students are disciplined at Kentucky State University through two principle means: administrative hearings in the Office of Student Affairs and two levels of court, the Student Court (residence life violations that would not result in suspension or expulsion and are nonviolent) and the All-University Court (violations with a presumptive suspension or expulsion sanction). Students will have the option of an administrative

hearing or an All-University Court hearing only in cases with a presumptive sanction of suspension or expulsion. The Vice President for Student Affairs or designee reserves the right to refer any complaint to a University official or committee.

2. The Office of Student Affairs shall keep and review students' conduct records and shall have the authority to summon and discipline students, including students who are multiple offenders. Multiple offenders are students who have been found guilty in three (3) or more administrative hearings, the Student Court, and/or the All-University Court.
3. With respect to student conduct, nothing in this document shall be construed to limit the authority of the Kentucky State University President or Kentucky State University Board of Regents.

N. Grievance Process

1. Any person may file an incident report regarding a student or organization suspected of violating the University's policies, regulations and guidelines. The incident report form can be accessed online at: kysu.edu/administration-governance/student-affairs/Kentucky-state-university-incident-form.
2. An individual who files an incident report is normally expected to participate in the conduct meeting or hearing and to present relevant information.
3. Incident reports should be submitted as soon as possible after the event takes place, preferably during the semester in which the event took place.
4. The Associate Dean for Student Affairs/Student Conduct or designee may conduct an investigation to determine if the complaint has merit and/or if it can be resolved by mutual consent of the persons involved on a basis acceptable to the Associate Dean for Student Affairs/Student Conduct or designee.
 - a. Decisions shall be final and there shall be no subsequent proceedings.
 - b. If the complaint has merit and cannot be resolved by mutual consent, the Associate Dean for Student Affairs/Student Conduct or designee may participate in any subsequent conduct meeting or hearing to resolve the complaint.

c. The Associate Dean for Student Affairs/Student Conduct or designee reserves the right to reject a complaint where it is not feasible for the University to pursue it.

5. The Associate Dean for Student Affairs/Student Conduct or designee will conduct preliminary review of the complaint to determine whether a violation of the Student Code of Conduct has occurred.

a. The Associate Dean for Student Affairs/Student Conduct or designee will also determine whether the accused student disputes the facts that form the basis of the complaint.

b. At the conclusion of the investigation, the Associate Dean for Student Affairs/Student Conduct shall conduct a preliminary conference and shall advise the student of the charge(s) and proposed sanction(s), if any.

c. The student may admit the violation(s) and accept sanction(s) or may elect to contest the charge. Admission of the violation(s) and sanction(s) shall constitute a waiver of hearing, and shall be in writing when possible.

d. Such admission shall be binding and may not be subsequently revoked without concurrence of the Associate Dean for Student Affairs/Student Conduct or designee.

e. A student has three (3) working days from the date of the preliminary conference to make an election.

f. If the student fails to appear for the preliminary conference, the student shall be deemed to have waived his/her right to contest the charge(s) and sanction(s) and said sanction(s) shall become final.

g. At the conclusion of the preliminary conference, the Associate Dean for Student Affairs/Student Conduct shall execute the "Preliminary Conference Form".

O. Types of Hearings

1. Administrative Hearing:

a. Students who wish to waive their right to an All-University Court hearing may choose to have their cases resolved through a conduct meeting with the Associate Dean or designee. Students meeting with the Associate Dean or designee will receive:

- i. Email notification to schedule and confirm a hearing meeting.
- ii. The University alleged charge(s) against the student.
- iii. Access to all information that will determine a conduct decision (e.g. the incident report, video footage, etc.).
- iv. An opportunity to respond to the accuser and present relevant and necessary witnesses.
- v. Written, and/or email notice of the conduct decision, including any sanction(s).
- vi. Student appeal rights.

2. Student Court:

- a. Students who reside in University residence halls and are accused of residential lower-level violations, such as visitation, co-habitation, roommate conflict, noise, or quiet hours, will have their cases resolved by the Student Court. Students meeting with the Student Court will receive:
 - i. Email notification to schedule and confirm a hearing meeting.
 - ii. The University alleged charge(s) against the student.
 - iii. Access to all information that will determine a conduct decision (e.g. the incident report, video footage, etc.).
 - iv. An opportunity to respond to the accuser and present relevant and necessary witnesses.
 - v. Written, and/or email notice of the conduct decision, including any sanction(s).
 - vi. Student appeal rights.

3. All-University Court:

- a. The All-University Court will only hear cases where the presumptive sanction is suspension, expulsion, or housing revocation. Students meeting with the All-University Court will receive:

- i. An email notification to schedule and confirm a hearing meeting.
- ii. The University alleged charge(s) against the student.
- iii. Access to all information that will determine a conduct decision (e.g. the incident report, video footage, etc.).
- iv. An opportunity to respond to the accuser and to present relevant and necessary witnesses.
- v. Written and/or email notice of the conduct decision, including any sanction(s).
- vi. Student appeal rights.

P. Student Conduct Review Process

- 1. The Office of Student Affairs shall have original jurisdiction over the review of students' conduct records and shall determine the penalties for multiple offenders found through this review.
- 2. The Office of Student Affairs shall have the authority to investigate, summon, refer, review, appeal, and otherwise act in any or all cases involving students' violation of the Student Code of Conduct and/or University policies, regulations, and guidelines.
- 3. Cases received two weeks prior to the end of a semester will be resolved in an administrative hearing through the Office of Student Affairs regardless of jurisdiction of the Student Court or All-University Court.

Q. Hearing Logistics

- 1. In a Student Conduct administrative hearing, the hearing will occur within five (5) business days of the date the student has been notified by the Office for Student Affairs that he/she has been accused of an offense. The Student Court and All-University Court will hear the case within five (5) business days from the receipt of the incident report from the Office of Student Affairs. Exceptions to the given time frame for hearings may be adjusted for good cause.
- 2. All hearing bodies will reach their decisions within seventy-two (72) hours of the conclusion of a hearing.
- 3. An accused student will be notified via email and/or in writing by the Chairperson and/or Administrative Hearing Officer of the hearing of the

decision of the hearing body and of the penalty(s), if any, which have been imposed. This notification will be made within seventy-two (72) hours of the conclusion of the hearing at the last place of residence known to the University or at the permanent address listed on the student's registration form for that semester. The Chairperson must first deliver the decision to Office of Student Affairs to ensure that the decision is appropriate.

4. Irrespective of any decision of the Student Conduct Administrative Hearing, the Student Court, or the All-University Court, the University President and/or Vice President for Student Affairs or designee retains the right to independently review the case and determine appropriate sanctions.
5. In cases involving sexual assault and/or sexual harassment, the composition of the All-University Court will be limited to only faculty and staff.

R. Hearing Procedures

1. At the beginning of any hearing before a campus hearing body, the Chairperson will announce the rules and regulations governing the conduct of the hearing and inform the accused student of his/her right to appeal.
2. If a member of the hearing body has a relationship with the accused student that may form a bias, then the member will need to recuse him/herself from hearing the case.
3. All hearings before all student conduct officials will be closed to the University community and public. The hearing body shall have the right to control the conduct of the hearing procedures to ensure order. The complainant and accused student will only be allowed advisers to be present in the hearing. Members of the hearing body hearing the case shall treat the matters heard as confidential. The hearing body shall deliberate the case with other members of the hearing body in private.
4. An accused student is obligated to appear in person before any hearing body. Should he/she not appear, the hearing may be held in his/her absence and a decision rendered.
5. In a meeting forty-eight (48) hours prior to the scheduled hearing an accused student will receive a copy of related documents, view video

footage and listen to any audio which are to be used to make a final conduct decision.

6. The standard of proof required for a finding of violation of the Student Code of Conduct shall be the preponderance of the evidence. This means that based on the information and evidence presented to the hearing body, it is more likely than not that the student has violated the Student Code of Conduct.
7. Records will be kept for all proceedings of all hearing bodies. In cases involving possible suspension or expulsion from the University, the hearing will be recorded (audio and/or video). The Office for Student Affairs will be the custodian of these recordings.
8. All hearings are private.

S. Interim Suspension

1. In times of an emergency, as defined by the Associate Dean for Student Affairs/Student Conduct or his/her designee, a student or student organization may be placed on interim suspension. Interim suspension may be imposed upon a finding by the Associate Dean for Student Affairs/Student Conduct or designee that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well-being of the complainant, accused or any other member of the University community or its guests. It can also result from destruction of property or substantial disruption of classroom or other campus activities. In any case of interim suspension, the student or student organization shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension.
2. If a student or student organization chooses to challenge the imposition of an interim suspension, a preliminary review will be conducted by the Vice President for Student Affairs or designee in consultation with University officials.
3. The hearing will be scheduled within five (5) business days of the student's or students organization's request for a hearing.
4. The purpose of the preliminary review is to determine whether the Associate Dean for Student Affairs/Student Conduct or his/her designee's interim suspension decision was arbitrary and capricious or constituted an abuse of discretion.

5. During the preliminary hearing, the student or organization will be given notice of the allegations against him/her and provided a summary of the evidence supporting the interim suspension.
6. The student or student organization will be afforded an opportunity to respond to the allegations. The preliminary hearing body may, at its sole discretion, call witnesses or permit the Associate Dean for Student Affairs/Student Conduct or designee and the student to call witnesses in support of their respective presentations.
7. If the reviewer upholds the Associate Dean for Student Affairs/Student Conduct or designee's interim suspension decision, a formal hearing under the disciplinary procedures set forth in this policy shall be held as soon as practical, if applicable.

T. Appeals

1. Students may appeal a sanction imposed by the Associate Dean for Student Affairs/Student Conduct or designee (administrative hearing) or decision rendered by the Student Court or All-University Court, if applicable.
2. Appeal of Administrative Hearing Decision
 - a. Appeals shall be made to the Assistant Vice President for Student Affairs within two (2) business days of receipt of the sanction issued by the Associate Dean for Student Affairs/Student Conduct designee.
 - b. The appeal must be in writing, stating the ground(s) for Appeal. Appeals will only be considered on the following grounds:
 - i. Error in procedure that significantly impacts the outcome.
 - ii. Emergence of new evidence that would have substantially altered the original decision.
 - iii. Sanction(s) are perceived to be disproportionate to the alleged offense.
3. Appeal of Student Court Decision
 - a. A student may appeal a decision of the Student Court to the Associate Dean for Student Affairs/Student Conduct. The student may only file an appeal if the sanction imposed by the Student Court is a housing suspension or housing expulsion. Otherwise, the decision of the Student Court is final.

- b. The appeal must be submitted in writing to the Associate Dean within three (3) business days of the date of the decision and must specify in detail the grounds for relief sought.
 - c. Appeals will only be considered on the following grounds:
 - i. Error in procedure that significantly impacts the outcome.
 - ii. Emergence of new evidence that would have substantially altered the original decision.
 - iii. Sanction(s) are perceived to be disproportionate to the alleged offense.
4. Appeal of All-University Court Decision
- a. Appeals shall be made to the Assistant Vice President for Student Affairs or designee within three (3) business days of receipt of the decision of the hearing body.
 - b. The appeal shall be in writing, stating the ground(s) for appeal. Appeals will only be considered on the following grounds:
 - i. Error in procedure that significantly impacts the outcome.
 - ii. Emergence of new evidence that would have substantially altered the original decision.
 - iii. Sanction(s) are perceived to be disproportionate to the alleged offense.
 - c. Upon receipt of an appeal by the student, the Assistant Vice President for Student Affairs or designee shall review the decision of the hearing body and/or the sanction imposed. The Assistant Vice President shall render a decision on the student's appeal based on the contents of the student's appeal filing, the hearing record, the written decision and decision of the Court, and any other information the Assistant Vice President deems relevant. The Assistant Vice President shall issue a written decision within five (5) working days after the filing of the appeal.
 - d. Appeals may be made to the Vice President for Student Affairs within two (2) business days of the receipt of the decision of the Assistant Vice President for Student Affairs. The appeal shall be in writing, stating the ground(s) for appeal.

5. Pursuant to KRS 164.370, a student who is suspended or expelled may appeal to the Board of Regents. The Board shall proscribe the manner and mode of the procedure. The decision of the Board of Regents shall be final.

U. Implementation of Sanction(s)

Sanctions shall not begin until either the time for appeal has expired or the appeal process is exhausted.

V. Student Obligation to Comply with the Law

1. Students are expected to comply with all provisions of federal, state, and local laws and ordinances. Members of the University community share the obligation of all citizens to cooperate with law enforcement officials when they have knowledge of a violation of law.
2. A number of offenses listed in this document are violations of law as well as University conduct regulations. Violations of University's rules and regulations may also constitute violations of law and subject violators to outside legal sanctions.
3. While the offenses enumerated in this document are typically addressed through the University conduct system, nothing in this document shall be construed in such a manner as to prevent members of the University community from cooperating with legal proceedings and criminal prosecution.
4. When a criminal prosecution is pending, the University conduct system will continue to take action with respect to alleged University violations.

Rev. 3/28/2017

X. Student Leader Conduct Policy:

- A.** Kentucky State University promotes the growth and holistic development of student leaders, while protecting the interests of the campus community. Kentucky State University's student leaders are expected to adhere to all federal, state, and local laws and University policies, procedures, and guidelines. Student leaders include, but are not limited to, elected and appointed Student Government Association officers and other student organization officers.
- B.** On and off-campus, student leaders are expected to serve as role models, exhibit positive behavior, and maintain high moral standards.
- C.** Students are not eligible to apply or run for student leadership positions if the student:
1. Does not have the required grade point average of the prospective organization;
 2. Is on academic probation;
 3. Does not have a clear conduct record;
 4. Is in violation of federal, state, or local laws; or
 5. Has a drug and/or felony conviction.
- D.** In addition, students cannot hold a leadership position if he/she:
1. Does not have the required grade point average of the prospective organization;
 2. Is on academic probation;
 3. Does not have a clear conduct record;
 4. Is in violation of federal, state, or local laws; or
 5. Has a drug and/or felony conviction.
- E.** All students who run for a student leadership office or hold an office must have a clear academic record and must have been enrolled as a full-time student the previous academic year. Freshmen positions are exempt from the requirement to be enrolled as a full-time student the previous academic year.
- F.** Violations of the above requirements should be reported to the Office of Student Affairs. The Vice President for Student Affairs, or designee, shall promptly investigate alleged violations and take appropriate action, if necessary. The Office of Student Affairs may also take action to remove a student leader if it discovers a student leader is in violation.
- G.** If a student has been removed from a student leadership position, the student may only return to the position if he/she has provided adequate evidence to the Office

of Student Affairs to show the violation(s) resulting in the removal has been satisfactorily addressed. In addition, the student must be in compliance with all rules and policies of the organization in which he/she holds a leadership position.

- H.** The Vice President for Student Affairs has the final authority to determine whether or not a student qualifies to run or hold a leadership position.

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