

DEAN OF STUDENTS: COMMUNITY STANDARDS

COMMUNITY STANDARDS & STUDENT RIGHTS

The Community Standards & Student Rights document (the Code) was submitted to the NKU Board of Regents on Wednesday, June 15 2022 and was approved by the NKU Board of Regents on Wednesday, June 15 2022. All content for the approved Code is updated below.

The University maintains the repository of current University Policies at: [policy.nku.edu \(/policy.html\)](http://policy.nku.edu (/policy.html)).

I: Preamble



This Community Standards & Student Rights document (the Code) is designed to ensure that Northern Kentucky University (the University) students shall enjoy intellectual freedom, fair and legal treatment, the freedom of speech both on and off campus, freedom of press, the right of peaceable assembly, the right to petition for redress of grievances, the right to a fair hearing of charges made against one, and the right to

responsible participation in the university community. Rights imply responsibilities; therefore, members of the University community must show both initiative and restraint. The Code is designed neither to be exhaustive nor to encompass all possible relationships between students and the institution. This document is endorsed and approved by the Northern Kentucky University Board of Regents. The Code is not rigid nor unchangeable. As the relationship between students and the University continues to grow, it may be necessary to modify the Code.

It is incumbent upon students to be aware of University regulations. Ignorance of these regulations does not excuse students from adherence to them. University Officials should endeavor to inform students of University rules, regulations, and policies, whenever the circumstance is applicable. It is incumbent upon students to be aware of University regulations. Ignorance of these regulations does not excuse students from adherence to them. University Officials should endeavor to inform students of University rules, regulations, and policies, whenever the circumstance is applicable.

II: Freedom from Discrimination



Northern Kentucky University (NKU) does not discriminate based on national origin, race, color, age, gender, gender identity, gender expression, sexual orientation, religion, political affiliation, physical or mental disability, genetic information, pregnancy, and Uniform Services or veteran status in its educational programs and activities, employment, daily operations and admissions policies, in accordance with all applicable federal, state local laws and university policies. No retaliation shall be initiated against any person who makes a good faith report of a violation.

III: University Conduct Action



The Board of Regents of Northern Kentucky University has adopted the following procedures for implementing the Code. The Board of Regents affirm both the Code and these student conduct procedures, which emphasize the maintenance of the University as an institution dedicated to

the education of its students. Furthermore, the Board of Regents affirm their grant of authority for student conduct to the President and to others designated as indicated in this Code to implement these procedures. Furthermore, the University reserves the right to amend these regulations or make rules as deemed necessary for the protection of property and/or the general welfare of the University community.

A. University Authority and Civil Power

The institution may impose student conduct sanctions for behavior on or off-campus where the University's interests as an academic community are seriously and distinctly threatened. Infringements of local, state, and federal law are also infringements of University policies. Where it is necessary for members of the NKU University Police, in their capacity as police officers to investigate the conduct of students, detain, or arrest Students, all of the legal safeguards of personal rights guaranteed to citizens will be observed in accordance with the law.

B. Administrative Search and Seizures

The overriding standard by which the law tests searches of students is one of "reasonableness" under the circumstances, and University officials must use their good judgment to determine what is reasonable. University property remains the property of the University even when used by students. Apartments, suites, residence halls, lockers, etc. are subject to administrative search only in the interest of school safety, sanitation, enforcement of the Code and other University regulations. Search by law enforcement officials may be upon presentation of a proper warrant or pressing circumstances. A student's person and possessions (including vehicle) may be searched by a University official provided the official has reasonable grounds to suspect that the search will turn up evidence that the student has violated or is violating either the law, the Code, or the rules and regulations of the University. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the infraction.

C. Violations of Law and this Code

Students may be accountable to both civil and criminal authorities and to the University for acts that constitute violation of law and of

this Code. Those charged with violations are subject to University student conduct proceedings even if criminal proceedings are pending and may not challenge University proceedings on the grounds that criminal charges for the same incident have been dismissed, reduced, or are not yet adjudicated.

Students and recognized student organizations are cautioned that any material posted on the Internet, including social networking sites and Internet blogs, is not private or protected information. Students may be held accountable for content posted in this manner and information obtained from this source may be considered in cases of misconduct.

University Officials shall have the right to investigate or seek out information about conduct of suspected persons in any case involving an alleged violation of the law or University regulations. However, students are required to comply with the directives of University officials in the performance of their duties. Failure to do so may result in student conduct action. If a student does not participate in a meeting or hearing, the adjudication process will continue without their participation.

Pending action on charges, the status of students should not be altered, nor their rights to be present on campus and to attend classes suspended, except for reasons relating to their physical or emotional safety, interim actions, and/or the well-being of the University community or University property. Student status in NKU academic programs should not be altered for non-academic reasons without providing the student the right to appropriate due process.

D. Academic Integrity Violations

The behavioral expectations and procedures described below are used to address alleged violations of the Code, except for alleged academic integrity violations, which are resolved through the conduct process outlined in the Graduate and Undergraduate Honor Codes (appendices E and F) and any other applicable campus policies and procedures, such as those enforced by the Division of Research and Graduate Studies. Nothing in this Code shall be construed to violate the Kentucky Due Process Act.

IV: Definitions



Administrative Hearing – an adjudication meeting by a Hearing Body that can decide/sanction Conduct Violations. Typically, an Administrative Hearing will include a Hearing Body made up of a trained University Official or a Student.

Advisor – unless otherwise explicitly permitted by the Code, a Student-identified individual that acts a support person at any NKU student conduct process meeting or hearing. An Advisor may only consult and interact privately with their Student and will not be allowed to address University Officials, the opposing Student (Complainant, Complaining Witness, or Respondent), the University Conduct Board, Hearing Officer, Hearing Body, nor any witnesses during the meeting or hearing.

Code – term used when making reference to the on-line version of the Northern Kentucky University Community Standards & Student Rights document.

Complainant – means a student who has formally filed a complaint alleging that the student is the victim of a violation of the Code adopted by the Board of Regents of Northern Kentucky University. For purposes of the Code, Complainant also means the University when an alleged victim does not wish to proceed with filing a complaint or in the processes outlined in the Code or where an alleged victim cannot be identified.

Complaining Witness – whether or not they are affiliated with the University in some capacity, a person, group, or organization who reports information which leads to a formal charge that someone has done something that is in violation of the Code, if a University Official is the Complainant.

Coercion – any unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get Consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive.

Conduct Violation – a violation of this Code for which the possible sanctions are other than suspension or expulsion from the University or termination of residence in campus housing.

Consent – Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Verbal consent is not a requirement; however, consent may be given by words as long as those words create mutually understandable clear permission regarding willingness to engage in sexual activity. Consent to any one form of sexual activity cannot alone imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. An individual who is unable to give Consent as defined by Kentucky state law (KRS §510.020) cannot give Consent.

Day – every Monday-Friday on the calendar, unless the University is closed for a holiday.

Hearing Body – any person(s) designated and/or appointed by the Vice President for Student Affairs or designee to determine whether a Student, Student Group, or Registered Student Organization is responsible for a Conduct Violation and assign and/or recommend sanctions. A Hearing Body may include NKU Students, faculty members, and/or staff.

Hearing Officer – any person designated and/or appointed by the Vice President for Student Affairs or designee to conduct a disciplinary hearing and decide evidentiary issues in cases involving allegations of a serious misconduct violation(s). A Hearing Officer may be an NKU employee or legal counsel not affiliated with or employed by NKU. A hearing officer may not make findings of responsibility or recommend sanctions.

Incapacitation – a state in which a person cannot make rational or reasonable decisions because they lack the capacity to give knowing Consent (e.g., to understand the "who, what, when, where, why or how" of their interaction). Incapacitation can be due to the use of alcohol and/or other drugs, when a person is asleep or unconscious, or because of an Intellectual (or other) Disability that prevents an individual from having the capacity to give Consent.

Intellectual Disability – this means a person with significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period (KRS §510.010).

Interim Action – the temporary application of any sanction consistent with the Code. An Interim Action may be imposed by the Vice President for Student Affairs or designee when there is substantial evidence that the student(s) poses a risk to the physical safety of a member of the campus community. An Interim Action may be imposed at any time prior to the final resolution of either student conduct proceedings under the Code or any criminal, civil or administrative proceeding. During the Interim Action, Students may be denied access to the University Premises (“trespassed”), including but not limited to classrooms, University Housing residence halls, other non-academic areas, as well as any and all University programs and/or activities.

Intimidation – implied, or actual, threats or actions that cause an unreasonable fear of harm in another.

Intoxication – a condition resulting from the use of alcohol, other drugs, and/or misuse of consumer products where a person exhibits behaviors including, but not limited to: slurred speech, slowed reflexes, loss of balance, inability to concentrate or track conversations, vomiting, memory loss, and/or disorientation. Signs may also include unusual behavior, or when specific concerns are expressed by others about the individual.

Kentucky Revised Statutes (KRS) – the name given to the duly adopted body of laws which govern the Commonwealth of Kentucky.

Mental Illness – a diagnostic term that covers many clinical categories, typically including behavioral or psychological symptoms, or both, along with impairment of personal and social function, and specifically defined and clinically interpreted through reference to criteria contained in the Diagnostic and Statistical Manual of Mental Disorders (Third Edition) and any subsequent revision thereto, of the American Psychiatric Association (KRS §510.10).

Mutual Resolution – an agreement on finding(s) of responsibility and sanction(s) between a Respondent and an appropriately trained University Official that is not subject to further appeal under this Code. Students have

72 hours (without regard to University closures) to submit a written request for modification of the Mutual Resolution to which they've agreed.

Participant – means a Respondent or Complainant.

Preponderance – a standard of information in which a reasonable person has sufficient information to show that it is more likely than not that a Respondent has violated the Code.

Reasonable Suspicion – a standard of information in which facts, taken together with rational inferences from those facts, cause a reasonable person to suspect a possible violation of the Code has occurred.

Recognized Student Organization (RSO) – a collection of persons who have complied with the requirements for formal University recognition.

Record of the Hearing – includes the letter containing formal charges, the audio recording of the hearing, any written transcript of the hearing, and all documents offered as information at the hearing; the written opinion of the Hearing Body; and any documentation related to any appeal.

Retaliation – intimidating, threatening, coercing or in any way discriminating against an individual because that person has opposed any behavior prohibited under this policy or because that person has made a complaint or participated in an inquiry or investigation.

Respondent – means a student who has been formally accused of a violation of the Code adopted by the Board of Regents of Northern Kentucky University.

Serious Misconduct Violation – a violation of this Code for which the possible sanctions include suspension or expulsion from the University or termination of residence in campus housing.

Student – means an individual currently enrolled in at least one (1) credit hour at NKU or a student organization registered pursuant to the policies of NKU.

Student Conduct Hold – an administrative action to limit activity on a Student's University records and prevents the Student from completing University processes such as pre-registration, registration, drop/add, withdrawal, graduation, receiving official transcripts, etc. These holds may

be applied to a Student's account to facilitate completion of sanctions; when Interim Action has been taken; and/or when a Student is suspended/expelled; etc.

Student Group – a number of Students associated with each other for a common purpose and who are not classified as a RSO by the University.

Title IX – means Title IX of the Education Amendments of 1972, 20 U.S.C. sec. 1681 et seq., applicable federal regulations, and binding federal judicial precedent.

University Conduct Board (UCB) – a UCB is a Hearing Body comprised of one faculty member, one staff member and one student that decides findings and recommends sanctions in accordance with appropriate Kentucky law. Individuals who serve on the UCB may be appointed by the Student Government Association, Faculty Senate, Staff Congress, or by the Director of Community Standards and Care (or designee). The Office of Community Standards and Care will appoint an ex-officio presiding/recording officer who will be a non-voting member. Temporary board members may also be appointed with the approval of the Vice President for Student Affairs or designee.

University Premises – all buildings, facilities or grounds owned, leased, operated, controlled or supervised by NKU, including adjacent streets and sidewalks.

University Official – any person employed by the University and authorized to perform administrative or professional duties, including but are not limited to: faculty members, staff members, University Police, Student employees, or other University officer(s).

V: Investigation and Standards of Information



The focus of inquiry in Code proceedings shall be to determine whether the Respondent is or is not responsible for violating the Code. Respondents are afforded a presumption that the Respondent is innocent until NKU has established every element of the alleged violation. A presumption also exists that neither Complainant nor any witness has presented false testimony or evidence. Any Student charged with a violation of the Code is entitled to a hearing before an appointed University Official, Hearing Body

or University Conduct Board as specified in this Code. With the exception of cases involving Serious Misconduct Violation allegations, the Respondent and the University may agree to mutually resolve the charge(s) without an Administrative or UCB hearing.

NKU investigates all complaints filed with the Office of Community

Standards and Care. An investigation begins when a complaint is received by the Office of Community Standards and Care. The purpose of an investigation is to determine if there is merit to charge a Student, Student Group, or RSO with a violation of the Code. If a preliminary investigation indicates that Reasonable Suspicion of a violation exists, notice of any charge(s) will be provided to the Respondent as outlined in section XI of the Code (with appropriate differences for Conduct Violations or Serious Misconduct Violations). Those charged shall still be afforded a presumption of innocence until NKU has established every element of the alleged violation.

NKU reserves the right to investigate/adjudicate reports without an identified Complainant, and such action shall not necessarily invalidate a decision or proceeding, unless significant prejudice to the Respondent or the University may result. During investigative and hearing phases of a proceeding involving allegation of a Conduct Violation, formal rules of evidence shall not be applicable. Similarly, deviation from prescribed procedures shall not necessarily invalidate a decision or proceeding, unless significant prejudice to the Respondent or the University may result.

When decisions about a Student's responsibility for any violation of the Code are made, the University Official, Hearing Body, or UCB will use the Preponderance standard to evaluate the relevant information.

VI: Community Standards for Students



Student(s) engaging in the following behaviors may be out of alignment with NKU's Core Values. If a Student, faculty member, or staff member has knowledge about a possible violation of these Community Standards, they should submit knowledge of this allegation in writing by completing an incident report form, which is available online at

[http://inside.nku.edu/dean-of-students \(/studentaffairs/departments/dean-of-students.html\)](http://inside.nku.edu/dean-of-students (/studentaffairs/departments/dean-of-students.html)) or by visiting the Office of Community Standards and Care (NKU Student Union, room 301).

Note: Students who act in concert to violate University regulations share the responsibility for any resulting policy violation. Additionally, Students are responsible for the conduct of their guests on University property or at any University function including those sponsored or organized by Student Groups or RSOs.

NKU's Core Values guide this document's approach to community and student development. As such, behavior that may violate these Community Standards are organized in a way that reflects the most closely associated NKU Core Value:

EXCELLENCE

- **Violations of Law** – violations of federal, state, or local law on or off-campus by Students, Student Groups, or RSOs may result in Code action. Action may be taken if a Student, Student Group, or RSO acted in a manner that substantially interferes with or endangers the University community, or behavior with significant potential to disrupt the educational environment.

INTEGRITY

- **Act(s) of Dishonesty**, including but not limited to:
 - Intentionally initiating or causing any false report, warning, or threat of fire, explosion, or other emergency on University Premises or at University sponsored activities.
 - Forgery, alteration, or misuse of any University document or instrument of identification.
 - Knowingly passing a worthless check, money order or fraudulent use of credit card against the University or a member of the University community.
 - Misrepresenting information or furnishing false information to any University Official(s).
 - Unauthorized access to and/or use of information contained in University records and/or computer files. For more information, review

the Acceptable Use Policy on the NKU website.

- **Complicity** – being present and actively engaged in; being responsible for hosting or encouraging a violation; or assisting with a violation with the Code, but not being responsible for the violation.
- **Fire Safety Equipment** – damaging or misusing, whether intentionally or recklessly, fire safety equipment.
- **Possession of Stolen Property** – possessing stolen property or using stolen services on University Premises, at University sponsored activities, from University organizations and/or groups, or from other members of the University community.
- **Theft** – taking or misusing property/services on University Premises, at University sponsored activities, from University organizations and/or groups, or from other members of the University community.
- **Unauthorized Use/Entry** – unauthorized presence on University Premises or unauthorized use of University property. This includes, but is not limited to, violation of a restriction of access or criminal trespass order.

BELONGING

- **Bullying** – any pattern of written, electronic, or verbal communication, behavior, gesture, or any physical act(s) that is threatening or intimidating which places a person in actual and/or reasonable fear of harm and/or damage to their property, and/or creates a hostile living and/or learning environment by interfering with or impairing a Student's educational performance, opportunities or benefits, or a University Student employee's ability to perform the essential functions of their job.
- **Disruptive Conduct** -- An act that deliberately interferes with the freedom of speech of any member or guest of the University community on University Premises or at University sponsored activities.
- **Harassment** – unwelcome conduct based upon another's actual or perceived sex, gender, race, color, age, creed, national or ethnic origin, religion, disability, sexual orientation, gender identity or expression, veteran status, pregnancy status, or other protected status that creates a hostile living and/or learning environment by interfering with or

impairing a Student's educational performance, opportunities or benefits, or a University Student employee's ability to perform the essential functions of their job.

- **Hazing** – acting in a manner or creating a situation, whether physical, mental, emotional or psychological, which subjects another, voluntarily or involuntarily, to behavior(s) which may, as a component of becoming a member of and/or continuing membership in a Student Group or RSO, (a) abuse, mistreat, degrade, humiliate, harm, threaten, and/or intimidate, (b) endanger the mental or physical health or safety of another; (c) induce or coerce another to endanger his or her mental or physical health or safety; (d) impede the academic success of a Student; and/or (e) violate the Code, University policies, and/or local, state, and/or federal laws. The expressed or implied Consent of involved parties will not be a defense. (See Appendix D for more information)
- **Sexual Misconduct** – engaging in sexual harassment, as defined and outlined in the Sexual Harassment Policy (<https://inside.nku.edu/policy/policies.html> (<https://inside.nku.edu/policy/policies.html>)).

COLLEGIALTY

- **Assaultive Conduct** – Behavior, in certain circumstances, that incites retaliatory conduct or causes harm without the time or opportunity for dialogue or response.
- **Harm to Person** – Intentionally or recklessly causing physical harm or endangering the health or safety of any person (including self).
- **Threatening Behavior** – behavior(s) including:
 - Threat(s): written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
 - Intimidation: implied threats or acts that cause a reasonable fear of harm in another.
- **Failure to Comply** – non-compliance with the directions of University Officials acting in the performance of their duties.

- **NKU Policy Violation** – any violation of published University regulations or policies as approved and compiled by University (See the NKU website for more information). Such regulations or policies shall include, but are not limited to: University Housing Contract/Guidelines, Tobacco Free policy, Student Organization Manual, Campus Recreation rules/regulations, University Tailgate Guidelines, Student Union/University Center Policies, as well as those regulations relating to entry onto and use of the University Premises, traffic regulations and parking, and misuse of Student identification cards.
- **Damage to Property** – damaging or destroying, whether intentionally or recklessly, University property or the property of others on University premises or at University-sponsored activities. This includes, but is not limited to, creating a fire or other disturbance that creates damage to University property.
- **Abusing, delaying, or interfering with the orderly operation of Code process(es), including but not limited to:**
 - Failure to Appear – when a Student does not appear before a member of the Community Standards and Care staff and/or a Hearing Body when directed to do so.
 - Misinformation – falsifying information related to Code process(es).
 - Undue Influence – influencing others to abuse Code process(es) and/or provide misinformation to University Officials.
 - Sanction Noncompliance – failure to comply with Code sanction(s) or violating the terms of any Code sanction(s).
- **Alcohol** – the use, possession, or distribution of alcoholic beverages on University Premises, except as modified by University policy.
- **Controlled Substances/Other Drugs** – unauthorized distribution, possession, or use of any controlled substance, illegal drug, or paraphernalia on University Premises or at University-sponsored activities. Controlled substances are defined by the Kentucky Revised Statutes, chapter 218A.
- **Misuse of Consumer Products** – Misuse of consumer products, prescriptions, or other substances (e.g., medications, spices, bath salts,

synthetics) intended to simulate the effects of a controlled substance or other drugs.

- **Disorderly Intoxication** – interfering, whether intentionally or recklessly, with University functions on University Premises or University-sponsored activities while Intoxicated including, but not limited to: studying, teaching, research, University Housing community expectations, University administration, or fire, police, or emergency services.
- **Disruptive Intoxication** – appearing in a public place on University Premises or at University sponsored activities manifestly under the influence of a controlled or other intoxicating substance to the degree that there is danger to self, others, or property, or there is reasonable apprehension of such danger to persons in the vicinity.
- **Disorderly Conduct** – interfering, whether intentionally or recklessly, with University functions or University-sponsored activities including, but not limited to, studying, teaching, research, University Housing community expectations, University administration, or fire, police, or emergency services.
- **Lewd Conduct** – behavior that a reasonable person would consider lewd, indecent, or obscene that occurs on University Premises or at University or sponsored functions. This responsibility also applies to events sponsored and supervised by Student Groups or RSOs.
- **Hazardous Materials** – unauthorized use or possession of fireworks or incendiary, dangerous, or noxious devices or materials on University Premises or at University-sponsored activities.
- **Obstructive Conduct** – obstruction or disruption that interferes with the freedom of movement, either pedestrian or vehicular, on University Premises or at University sponsored activities.
- **Weapons** – unauthorized use, possession, or storage of any weapon on University Premises or at University-sponsored activities. (See NKU Policy on weapons for more information)

The following applies to Student Groups and RSOs:

- Student Groups and RSOs may be charged with violations of this Code without regard to whether members of such groups or organizations

are individually charged with violations arising from the same occurrences.

- A Student Group or RSO and its officers, leaders, or any identifiable spokespersons may be held collectively or individually responsible when violations of this Code by those associated with the Student Group or RSO have received the tacit or overt consent or encouragement of the Student Group or RSO or of the Student Group's or RSO's leaders, officers, or identifiable spokespersons.
- Student Groups and RSOs may be held accountable collectively if any of these situations apply: An alleged violation was committed by one or more members of a Student Group or RSO; an alleged violation was committed by one or more members of a Student Group or RSO or an RSO's funds were used to finance the activity; an alleged violation occurred as a result of a Student Group or RSO sponsored function.
- When a Student Group or RSO is the Respondent, the president or equivalent officer of the Student Group or RSO shall represent the Student Group or RSO unless the president or equivalent officer petitions and receives written approval from the Director of Community Standards and Care (or designee) to substitute another Student officer to represent the Student Group or RSO.

VII: Complaints and Reporting



VIII: Interim Action



IX: Participation



X. University Administrative File



XI. Mutual Resolution



XII. Notification of Possible Violation(s) or Hearing(s)

XIII: Hearing Processes and Procedures

XIV. Sanction Guidelines

XV. Appeals

XVI. Student Record Privacy and Parental Notification Procedures

XVIII: Revision and Communication

Appendices

A. Sexual Harassment

Northern Kentucky University is committed to fostering a safe and inclusive educational and work environment free from sexual harassment, including sexual assault, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, dating and intimate partner violence, relationship and domestic violence, stalking and gender-based bullying. All students are expected to comply with NKU's Sexual Harassment Policy (<https://inside.nku.edu/titleix/policy/sexual-harassment-policy.html> (</titleix/policy/sexual-harassment-policy.html>)).

NKU has procedures in place in order to be sensitive to victims who report sexual assault, domestic violence, dating violence and stalking--including informing individuals about their right to file criminal charges as well as the availability of counseling,

health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus; as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The university will make such accommodations if the victim requests them and, if they are reasonably available, regardless of whether the victim chooses to report the crime to the University Police or local law enforcement.

The Offices of Title IX and Student Conduct, Rights & Advocacy work to appropriately respond to all reports of sexual harassment involving NKU students. Investigation and adjudication may be conducted by either of these offices, in accordance with relevant university policy and guidance. For more information, or to file a complaint, please visit: <https://inside.nku.edu/titleix.html> ([/titleix.html](https://inside.nku.edu/titleix.html)).

B. Medical Amnesty



C. Alcohol and Other Drugs



D. Prohibition on Hazing



E. Undergraduate Student Honor Code



1. Preamble

This Student Honor Code [the "Honor Code"] is a commitment by students of Northern Kentucky University, through their matriculation or continued enrollment at the University, to adhere to the highest degree of ethical integrity in academic conduct. It is a commitment individually and collectively that the students of Northern

Kentucky University will not lie, cheat, or plagiarize to gain an academic advantage over fellow students or avoid academic requirements.

The purpose of the Honor Code is to establish standards of academic conduct for students at Northern Kentucky University and to provide a procedure that offers basic assurances of fundamental fairness to any person accused of violations of these rules. Each Northern Kentucky University student is bound by the provisions of the Honor Code and is presumed to be familiar with all of its provisions. Students also should aspire to conduct themselves in a manner that is consistent with the highest degree of ethical integrity in all matters, whether covered in the Honor Code or not. The success of this commitment begins in the diligence with which students uphold the letter and the spirit of the Honor Code.

2. Standards of Academic Conduct and Integrity and Consequences for Their Violation

1. A student at Northern Kentucky University shall not:

- a. Engage in any conduct involving academic deceit, dishonesty, or misrepresentation.
- b. Give, receive, or use unauthorized or prohibited information, resources, or assistance on an examination, assignment, or graduation requirement.
- c. Commit plagiarism (e.g., representing another's work, in whole or in part, as one's own) on any examination, assignment or graduation requirement (including those involving use of the web, internet or other electronic resources).
- d. Write, take, research, develop, prepare, or create an examination, assignment, or graduation requirement for another student, in whole or in part.

- e. Submit an examination, assignment, or graduation requirement written, taken, researched, developed, prepared, or created by another person, in whole or in part.
- f. Submit an examination, assignment, or graduation requirement that the student has or will submit for credit in another course, without express approval from the instructors' in each of the courses.
- g. Prevent or interfere with the use by other students of any library, laboratory, studio, field, or other course-related resource; or
- h. Damage or impair any library, laboratory, studio, field, or other course-related resources or another student's completed assignments.

NOTE: These prohibitions shall not preclude an instructor or department from assigning team projects, cooperative efforts, and other similar activities in a course or for a graduation requirement and are subject to modification in order to adhere to the NKU Policy on Accommodations for Students With Disabilities.

2. A student who violates one of the above provisions will be identified to the Department Chair, Program Director, Academic Dean, and Director of Student Conduct, Rights & Advocacy. The student may also be subject to one or more of the following consequences:

- a. For the first violation, any one or a combination of the following:
 - i. Faculty imposed sanction(s) as outlined in the course syllabus;
 - ii. An oral admonition or reprimand;
 - iii. A written admonition or reprimand;

- iv. A reduction in the grade or a grade of "F" in the course, examination, or assignment;
- v. Expulsion from the course.

b. For multiple violations of the above provisions, where suspension or expulsion from the University may be warranted, the case will be referred to the Office of Student Conduct, Rights and Advocacy.

3. Academic Departmental Procedure

A. A course instructor who has sufficient information to believe that a student has violated the Honor Code shall notify the student within five (5) Days from the date of discovery of the alleged violation unless extenuating circumstances apply. If grades must be turned in during the meantime, the instructor shall give the student a grade of incomplete.

B. The instructor may take action as described in H.2.2. and shall report the incident and sanctions in writing within five (5) Days to the student, the Department Chair or Program Director, the Academic Dean or Vice Provost and Director of Student Conduct, Rights & Advocacy. An instructor is not required to report the incident or take any action if, in his/her professional judgment, the student's conduct should be dealt with outside the Honor Code as an academic or administrative matter, and the conduct is so dealt with promptly.

C. If the student disagrees with the instructor's decision, the student may appeal in writing to the Department Chair or if no Departmental Chair exists, to the Program Director within five (5) Days of receipt of the decision of the instructor. If the appeal is not requested in the time allotted, the instructor's action shall be final and binding. If the student's written appeal is received by the Department Chair or

Program Director within five (5) Days of receipt of the instructor's decision, the Department Chair or Program Director will meet with the student within five (5) Days of receipt of the appeal. The Department Chair or Program Director will notify the student of his/her decision in writing within five (5) Days of the meeting. The Department Chair or Program Director will forward a copy of the written decision to the instructor, the Academic Dean (or his/her designee), the Office of Student Conduct, Rights and Advocacy and will retain a copy in the department files.

D. If the student is dissatisfied with the decision of the Department Chair or Program Director, the student may appeal to the Academic Dean, or if no Academic Dean exists to the Vice Provost for Academic Affairs or his/her designee by submitting a written request of appeal within five (5) Days after receipt of the Department Chair's or Program Director's decision. The Academic Dean or Vice Provost or his/her designee will notify the student of his/her decision in writing within five (5) Days of receipt of the appeal. The Academic Dean or Vice Provost or his/her designee will forward a copy of the decision to the Department Chair or Program Director, the Director of Student Conduct, Rights & Advocacy and the instructor.

E. If the student is dissatisfied with the decision of the Academic Dean or Vice Provost, the student may appeal to the Academic Appeals Panel by submitting a written request of appeal in care of the Academic Dean or Vice Provost within five (5) Days after receipt of the Academic Dean's or Vice Provost's decision. Within five (5) days of receipt of the student's written appeal, the Academic Dean or Vice Provost will convene an Appeals Panel to consider the appeal.

The Appeals Panel will consist of:

a. Two faculty members chosen by the Academic Dean or Vice Provost at the beginning of the academic year. These choices will be made from a group comprised of one representative from, and chosen by, each department responsible to the Academic Dean or Vice Provost.

b. One faculty member chosen by the Academic Dean from the college or Vice Provost from the program in which the appeal was initiated. Should this department or program already be represented on the panel, the Academic Dean or Vice Provost will select the third faculty panel member from the original group of department or program representatives referenced above. The faculty member whose decision is in question may not sit on the panel. Other panel members will be excused when a conflict of interest exists.

c. Two students. These panel members plus an alternate will be chosen from the academic college by the Academic Dean or Vice Provost from the department or program at the beginning of the academic year. If these students are unavailable, the Academic Dean or Vice Provost will select two student panel members and an alternate student to serve on the committee. The student initiating the appeal may not sit on the panel. Student panel members will be excused when a conflict of interest exists.

The Academic Dean or Vice Provost will convey to the Academic Appeals Panel the entire file of the case. If the Academic Appeals Panel determines that the case meets any of the grounds for appeal, the panel will proceed to a full hearing of the appeal within a reasonable time period (not to exceed 20 Days). A full hearing may include collection of evidence by the Appeals Panel

through research and interview. Insofar as possible, all persons directly involved in the appeal will cooperate by honoring the panel's requests for information. Both the faculty member and the student have the right to engage the Appeals Panel. All information relevant to an appeal will be held in strict confidence during the appeal process and upon its conclusion. The Appeals Panel will provide a written report of its decision to the Academic Dean or Vice Provost within five (5) Days of the formal hearing. The Academic Dean or Vice Provost will send notification of the Appeals Panel's decision to the student, the instructor, the Department Chair or Program Director and the Director of Student Conduct, Rights & Advocacy.

F. Except in cases of suspension or expulsion, the Academic Appeals Panel's decision shall be final and binding. There shall be no further appeal. In cases of suspension or expulsion, the student may decide to accept responsibility for the violation(s) but wish to appeal the sanction of suspension or expulsion. In such cases, the student may avoid meeting with the Academic Appeals Panel and file an appeal to the Vice President for Academic Affairs/Provost limited to the question of suspension or expulsion.

G. An appeal to the Vice President for Academic Affairs/Provost limited to the question of suspension or expulsion must be in writing and must be submitted within five (5) Days of the student's receipt of the decision of the Appeals Panel. The Academic Dean or Vice Provost will forward the entire file to the Provost's office at the time the appeal is made. The Provost will review the appeal within five (5) Days of receipt of the file, and determine whether to uphold the recommended sanction or to recommend a lesser

sanction. The Provost will notify the student, Academic Dean or Vice Provost and Director of Student Conduct, Rights & Advocacy of his/her decision in writing.

H. If the student disagrees with the decision of the Vice President for Academic Affairs/Provost, he/she may appeal to the Board of Regents by submitting a written statement of appeal to the Academic Dean office within five (5) Days after receipt of the Vice President for Academic Affairs/Provost's decision. The Board will review the file and determine whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed. The decision of the Board of Regents will be final and the sanction(s) imposed will stand. The Board will inform the Academic Dean or Vice Provost of their decision in writing, and provide these findings and sanctions to the student in writing within five (5) Days following the Board of Regents Meeting. The Academic Dean or Vice Provost shall implement the decision of the Board.

4. Grounds for appeals

An appeal must meet one or more of the following grounds to be considered:

1. A significant procedural error was made during the disciplinary process, including but not limited to failure to hold an administrative meeting, notice of the alleged violation, and/or no opportunity to present evidence.
2. A sanction was not appropriate to the violation, and/or the sanctions were grossly disproportionate.
3. A finding was not supported by evidence, and/or significant information is presented on appeal that was not available at the time of the hearing or could not have been obtained despite the student's exercise of reasonable diligence which materially affects the finding sanctions.

