

# 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)).

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<b>I: Preamble</b>	<b>+</b>
<b>II: Freedom from Discrimination</b>	<b>+</b>
<b>III: University Conduct Action</b>	<b>+</b>
<b>IV: Definitions</b>	<b>+</b>
<b>V: Investigation and Standards of Information</b>	<b>+</b>
<b>VI: Community Standards for Students</b>	<b>-</b>

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.
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- **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.

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<b>VII: Complaints and Reporting</b>	<b>+</b>
<b>VIII: Interim Action</b>	<b>+</b>
<b>IX: Participation</b>	<b>+</b>
<b>X. University Administrative File</b>	<b>+</b>
<b>XI. Mutual Resolution</b>	<b>+</b>
<b>XII. Notification of Possible Violation(s) or Hearing(s)</b>	<b>+</b>
<b>XIII: Hearing Processes and Procedures</b>	<b>+</b>
<b>XIV. Sanction Guidelines</b>	<b>+</b>
<b>XV. Appeals</b>	<b>+</b>
<b>XVI. Student Record Privacy and Parental Notification Procedures</b>	<b>+</b>

## XVIII: Revision and Communication

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### Appendices