



Code of Student Conduct

INTRODUCTION	2
SECTION 1: Jurisdiction and Authority.....	2
SECTION 2: Definitions.....	3
SECTION 3: Student and Student Organization Rights	5
SECTION 4: Prohibited Conduct.....	6
SECTION 5: Procedures for Student Conduct Hearings	10
SECTION 6: Sanctions.....	13
SECTION 7: Appeals.....	14
SECTION 8: Interim Actions.....	14
SECTION 9: Voluntary and Involuntary Withdrawal	15
SECTION 10: Student Organization Registered with the University.....	15
SECTION 11: All-University Hearing Board.....	16
SECTION 12: Alternative Conflict Resolution	16
SECTION 13: Upstanding Bystanders.....	16
SECTION 14: Discrimination, Gender/Sexual Harassment, Sexual Misconduct, Stalking and Intimate Partner Violence.....	16
SECTION 15: Academic Cheating and Plagiarism.....	17
SECTION 16: Ohio Campus Disruption Act	17
SECTION 17: Family Educational Rights and Privacy Act (FERPA).....	18
SECTION 18: Student Disciplinary Records	18
SECTION 19: Expunction	18
SECTION 20: Code Revisions and Applicability.....	18
SECTION 21: Contact Information and Index of Links.....	19
STUDENT CONDUCT INCIDENT FLOWCHART	23

Kent State University
Office of Student Conduct
119 Twin Towers
P.O. Box 5190
Kent, OH 44242-0001
Phone: 330-672-4054
Fax: 330-672-2753
E-mail: studentconduct@kent.edu
Web: www.kent.edu/emsa/studentconduct

INTRODUCTION

Kent State University is a student-centered institution offering a broad array of academic programs to engage students in diverse learning environments that educate them to think critically and to expand their intellectual horizons while attaining the knowledge and skills necessary for responsible citizenship and productive careers. To maintain high standards, the University must furnish an atmosphere conducive to study and educational growth, as well as one that enables and assists students in developing in a positive manner. University rules and regulations form parameters for individual behavior on and off campus, and follow the normative standards of behavior adhered to by the City of Kent and Kent State University communities. By virtue of a student's enrollment at Kent State University, he/she consents to follow the policies and procedures of the University, including those outlined in this [Code of Student Conduct](#). It is the individual student's responsibility to be familiar with all applicable conduct-related policies.

A student may access the full *University Policy Register*, which contains the complete text of all the University's current policies online at: www.kent.edu/policyreg. Other rules and regulations may be found in the [Residence Hall Contract](#) and the [Hallways Handbook](#), as well as in publications such as the [University Catalog](#).

The Office of Student Conduct is responsible for the adjudication of cases involving students and student organizations accused of violating campus rules, regulations, or policies; federal or state laws; and/or municipality ordinances. The University's student conduct-related goals are: to provide students with due process; to make students aware of and able to reasonably navigate through the conduct process; to have students accept responsibility for their actions when it is warranted; to be intentionally educational; to assist students in making responsible decisions; and to apply sanctions designed to assist students in their pursuit of excellence in both the classroom and the community.

The Student Conduct process is not a legal process and is separate from federal, state, and local court proceedings. Instead, the standard of responsibility is based on a preponderance of the evidence. The student conduct process is expected to:

- Determine consequences for behaviors that violate university rules, policies, and federal, state, and local laws or ordinances
- Offer outcomes to assist students in learning about the impact of their actions on themselves and others within their respective communities
- Protect the integrity of students, faculty, staff, the institution, and the University community

SECTION 1: Jurisdiction and Authority

- A. Jurisdiction. The code of student conduct shall apply to conduct of students and student organizations occurring on university premises, at university-sponsored activities, and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives in accordance with *University policy regarding administration of student conduct (4-02.D)*. Behavioral conduct is the responsibility of each student from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The code of student conduct shall apply to a student's (or student organization's) conduct even if the student withdraws (or the student organization ceases functioning/loses University-recognized status) from the University while a disciplinary matter is pending. The vice president for enrollment management and student affairs (or designee) maintains discretion to decide, on a case by case basis, whether the code of student conduct shall be applied to conduct occurring off campus.
- B. In accordance with *University policy regarding administration of student conduct (4-02.C)*, the president shall have the responsibility and authority for the discipline of all Kent State University students and

student organizations. The authority to impose formal sanctions may be delegated to university officials or hearing panels by the president. Disciplinary action may be taken against a person who has applied for admission as a student to the university, whether or not the individual is registered for classes. The University president (or designee) may review any case which comes within the purview of *University policy regarding administration of student conduct* (4-02.C). Final authority for student and student organization conduct rests with the president and any interpretations of policy will be in consultation with university general counsel, the vice president for enrollment management and student affairs, and the director of student conduct. Any question(s) of interpretation or application of the [Code of Student Conduct](#) shall be referred to the director of student conduct.

- C. The vice president for enrollment management and student affairs shall establish such administrative procedures as necessary to fulfill the intent of said policy. The vice president has delegated the responsibility to direct the student conduct process to the director of student conduct in the division of enrollment management and student affairs. It is the responsibility of that official to provide hearing panels and officers with technical advice, training, and clerical support; establish procedures to ensure an ongoing evaluation of student conduct rules; collect and maintain all records of formal disciplinary action; establish means to inform all members of the university community of student conduct policies and issues; and serve as a consultant to students and staff in the administration of the student conduct process.
- D. The vice president for enrollment management and student affairs (or designee) shall develop policies and procedures for the administration of the student conduct process, and may uphold, alter or reverse any student conduct decision.
- E. The vice president for enrollment management and student affairs (or designee) may, in circumstances involving potential disciplinary suspension or dismissal, require a student or student organization to be adjudicated by a hearing panel even if the student or student organization intends to accept responsibility for alleged action(s)/behavior(s). Such circumstances include but are not limited to: distribution of controlled substances, hazing, physical violence, sexual misconduct, and weapons possession/usage.
- F. The Office of Student Conduct is responsible for a review of information contained in an incident report, and reserves the right to adjust or remove accusations prior to issuing a notice of hearing (which includes an incident report and pending accusations) to a student or a student organization.
- G. A university-assigned email account shall be an official university means of communication between all students at Kent State University and the Office of Student Conduct. Students are responsible for all information sent to them via their university-assigned email account. Students are expected to stay current and check their university-assigned email account on a frequent and consistent basis recognizing that some communications may be time-critical. See *University administrative policy regarding electronic communication for students* (9-01.2) for further information.

SECTION 2: Definitions

University – Kent State University as established in Chapter [3341](#) of the Ohio Revised Code

Student – any person who has applied to or enrolled at the university in any of its courses, programs, campuses, or offerings, including, but not limited to, cooperative programs or offerings with other institutions for whom a record is made at the university by the registrar or which is submitted to the university for admission or transfer credit

Student Conduct Process – inclusive of all processes for students and student organizations from the time an incident report is referred to student conduct for adjudication through the conclusion of the appeal process in accordance with University policy and this *Code of Student Conduct*

Accusation – formal allegation of specific conduct violation(s)

Adjudication – the process by which the university conducts disciplinary meetings, hearings, or other actions, bringing matters to resolution

Appeal – the method by which due process or a decision can be challenged; all appeals must be submitted in writing to the Office of Student Conduct, and may only be considered if it is in accordance with the [Code of Student Conduct](#) procedures

Complaint – written or electronic statement or report provided from any person to the Office of Student Conduct; not all complaints result in incident reports or adjudication through the student conduct process

Complainant – person providing information in an incident report alleging that a student or student organization violated university rules, regulations, or policies

Code of Student Conduct – document that contains and explains university rules, regulations, policies, and procedures for addressing student and student organization behavior

Conduct Advisor – any person who advises a student or student organization regarding university policies or procedures; a conduct advisor is not permitted to represent the student at any time (examples of conduct advisors include but are not limited to: Judicial Advocates, parents, attorneys, etc.)

Deliberation – private meeting to determine a finding of responsibility and/or sanction if applicable

Disciplinary Probation – sanction stipulating a specific period of time during which a student or student organization who has been found responsible for any violation is subject to immediate disciplinary suspension and/or dismissal in the event of a subsequent violation

Disciplinary Suspension – sanction stipulating involuntary separation of a student or student organization from the university for a specific period of time (the student may be required to leave the land and/or premises of the university effective the date of suspension)

Disciplinary Dismissal – sanction stipulating involuntary separation of a student or student organization from the university indefinitely (the student may be required to leave the land and/or premises of the university effective the date of dismissal)

Disciplinary Record – the record of a student conduct process and its findings; all disciplinary records are considered educational records based on the Family Educational Rights and Privacy Act ([FERPA](#))

Expunge – elimination of a student disciplinary file, or redaction of a person's name from a disciplinary file

Hearing Officer – any Kent State University faculty, staff, or student who has been appointed to a student conduct decision-making role by the vice president for enrollment management and student affairs and has been trained through the Office of Student Conduct

Hearing Panel – a student conduct process involving at least one Kent State University student hearing officer and at least one Kent State University faculty or staff hearing officer, an accused student(s), a student organization(s), a complainant(s), a student conduct convener, and others as permitted for the purpose of rendering a determination of responsibility and sanctioning (if applicable); see *Section 4(L)* of this document for further explanation

Incident Report – a complaint that is reviewed by the Office of Student Conduct and may be adjudicated through the student conduct process

Interim Action – an immediate action determined by the vice president for enrollment management and student affairs (or designee) that may limit a student's or student organization's specific privileges, including but not limited to no contact order(s), restriction from specific facilities or locations, cease and desist mandates, participation in student organization business or activities, suspension of student status, or loss of University-recognized student organization status, etc.

Law Enforcement/Investigator – University Police, other law enforcement agency representative, or non-law enforcement investigator who may provide information resulting from an investigation

No Contact Order – stipulation that a person or student organization may have no direct or indirect contact with another person or student organization member (including by another person on behalf of the person to whom the order was issued); prohibited contact includes but is not limited to: making a contact by way of personal, physical, phone, and/or electronic means including social media

Persona Non Grata – a person or student organization who has been deemed detrimental to the University community and thus no longer permitted to frequent or be present in any or specified university locations

Preponderance of the Evidence – the standard in determining if a student or student organization is responsible for a violation; the complainant must be able to show that it is “more likely than not” that the alleged behavior occurred and was in violation of university rules, regulations, or policies

Recognized Student Organization – a group of students who go through the process outlined in University administrative policy [4-01.201](#) and is registered with the Center for Student Involvement; referred to in this [Code of Student Conduct](#) as “student organization.”

Report of Findings – written decision that explains the outcome of a student conduct hearing, or other action

Sanction – requirements set forth upon a finding or personal or organizational acceptance of responsibility for a violation of university rules, regulations or policies through the student conduct process

Respondent – a student or student organization that has been accused, informally or through an incident report, of violating university rules, regulations, or policies

Sanction Hearing – a student conduct process involving an accused student(s) and a hearing officer (and student conduct convener), where the accused student(s) has, prior to this hearing, accepted responsibility for accusations, and the hearing officer renders a sanctioning decision; see *Section 4(K)* of this document for further explanation

Student Conduct Convener – director of student conduct (or designee) responsible for logistics and procedures associated with the student conduct process; the student conduct convener may simultaneously serve as a hearing officer

Warning – sanction stipulating that inappropriate behavior, if repeated, may lead to a more severe sanction

Witness – any person who has direct information regarding an alleged incident

SECTION 3: Student and Student Organization Rights

- A. Kent State University is committed to providing all persons equal access to its programs, facilities, and employment without regard to race, color, religion, gender, sexual orientation, national origin, ancestry, disability, genetic information, age, military status, or identity as a disabled veteran or veteran of the Vietnam era, recently separated veteran, or other protected veteran. See *University policy regarding unlawful discrimination and harassment (5-16)* for further details.
- B. The University shall provide respondents and complainants (either of whom may be a student or members of a student organization) the following rights:
 1. For the respondent to be sent a written notice of accusations including the identity of the complainant(s).
 2. To be notified of the scheduled hearing in writing at least 72 hours in advance of the hearing.
 3. To have a person or persons of their choice (not to exceed a total of two) accompany them throughout the disciplinary process (individually referred to as a “conduct advisor”). A person serving in an advisory capacity may not participate directly in the hearing or address a hearing officer or panel on behalf of a student or student organization. *Judicial advocates, students appointed by the Undergraduate Student Government, may be available to assist students and student organizations in the conduct advisor role. To obtain additional information regarding judicial advocates, call 330-672-3207 or visit the Undergraduate Student Government website: www.usg.kent.edu*
 4. To participate in person or, upon request, have a logistical accommodation to participate outside of the hearing room (when necessary and/or requested in advance), during the entire proceeding. Note that behavior deemed inappropriate by the student conduct hearing officer or student conduct convener may result in the discontinuance of participation as per University policy [4-02.1\(D.11.b\)](#) and Section 5(L)(2) of the [Code of Student Conduct](#).
 5. To be given an opportunity to present evidence, including witnesses on the student’s or student organization’s behalf.
 6. To question the respondent/complainant and witnesses.
 7. To be informed of the outcome of the hearing in writing.

8. To appeal, as defined in University policy [4-02.1\(F\)](#) and Section 7 of the [Code of Student Conduct](#).
- C. In addition to Section 3.B 2,3,4,5,6,7, and 8 of the [Code of Student Conduct](#), alleged victims of gender/sexual harassment maintain the following rights:
 1. Indirect questioning may be conducted at the discretion of the hearing panel or officer, verbally or in writing, supplying questions to the hearing panel, hearing officer, or student conduct convener.
 2. To present or submit a "victim impact statement" and to suggest an appropriate sanction for consideration by the hearing panel if the accused is found in violation of the [Code of Student Conduct](#).
 3. To be informed of the outcome of the hearing in writing.
 4. To appeal, as defined in University policy [4-02.1\(F\)](#) and Section 7 of the [Code of Student Conduct](#).
- D. No counter-accusations regarding the same incident shall be permitted to be filed until the hearing has been completed.

SECTION 4: Prohibited Conduct

- A. Prohibited Conduct. The University attempts to provide for all students a university environment that is conducive to scholarship, social growth and individual self-discipline. See *University administrative policy regarding regulations for student behavior (4-02.1)* for further details. Students and student organizations are expected to abide by federal, state, and laws and ordinances, as well as to adhere to all university rules and regulations contained in the [University Policy Register](#). Any student or student organization found to have committed or to have attempted to commit the below-specified forms of misconduct is subject to sanctioning outlined in Administrative policy and procedures regarding administration of student conduct ([4-02.1](#)) and the [Code of Student Conduct](#). Prohibited conduct accusations are assigned by a complainant(s). Adjustments to assigned prohibited conduct may be made prior to a hearing by the director of student conduct (or designee), with notice to the accused student or student organization (if necessary).

Violations include but are not limited to:

1. ALCOHOL

- A. Use or possession of alcoholic beverages except as expressly permitted by law, University rules, regulations, or policies; and/or public intoxication.
- B. Distribution of alcoholic beverages except as expressly permitted by law and/or University rules, regulations, or policies.
- C. Violation of Residence Hall policies pertaining to empty alcohol containers.

- ##### **2. ANIMALS**
- Possession or accompaniment of animals in any University building at any time. Exceptions include authorized laboratory animals, animals trained to assist persons with disabilities, allowable pets within specific Residence Services guidelines, and any other applicable University rules, regulations, and policies. See *University administrative policy regarding animal care and use (3-03.3)* for further information.

- ##### **3. COMPLICITY**
- Presence during any violation of University rules, regulations, or policies in such a way as to condone, support, or encourage that (attempted or carried out) violation.

- ##### **4. COMPUTER MISUSE**
- including but not limited to electronic materials, equipment, technological resources, email, social media, etc.

- A. Unauthorized access of a file including but not limited to using, reading, transferring, or changing the contents.
- B. Use of another individual's identity, identification, and/or password.
- C. Use of computing facilities and/or email to interfere with the work of another student, faculty member or University official.

- D. Use of computing facilities and/or email to send obscene, threatening, or abusive messages or images.
 - E. Use of computing facilities and/or email to send unsolicited or unauthorized messages with the intention of reaching a mass of recipients.
 - F. Violation of the [Digital Millennium Copyright Act of 1998](#). See Kent State University [Information Services](#) for further details.
- 5. CONTROLLED SUBSTANCES** - Use, possession, sale, or distribution of narcotics, controlled substances, and/or related paraphernalia except as expressly permitted by law.
- 6. DESTRUCTION/MISUSE OF PROPERTY**
- A. Destroying, defacing, tampering with, materially altering or otherwise damaging property not one's own. This includes but is not limited to: doors, windows, elevators, swipe card mechanisms, restroom equipment, vending machines, University vehicles, computer equipment, classroom equipment, etc.
 - B. Creating a condition that endangers or threatens property not one's own.
- 7. DISCRIMINATION** – Intentional or unintentional act that treats an individual or group in an adverse manner based on a protected category. Protected categories include, but are not limited to: race, color, religion, gender, sexual orientation, national origin, ancestry, disability, genetic information, age, military status, or identity as a disabled veteran or veteran of the Vietnam era, recently separated veteran, or other protected veteran. See *University policy regarding unlawful discrimination and harassment (5-16)*, *Administrative policy and procedures regarding complaints of unlawful discrimination and harassment, with the exception of gender-based (5-16.1)*, and Section 10 below for further details.
- A. Gender Identity. Regardless of an individual's actual or perceived sexual orientation, discrimination and harassment based on a person's gender identity, or non-conformity to stereotypes associated with a particular gender is prohibited. This includes discrimination based on an individual's transgender identity.
 - B. Harassment. Includes intimidation, ridicule or insults that are sufficiently severe, pervasive or persistent as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities or privileges provided by the University; creates an intimidating, hostile or offensive working and/or learning environment; or otherwise adversely affects an individual's work or learning opportunities, and is based on an individual's race, color, religion, national origin, ancestry, disability, genetic information, age, military status, identity as a disabled veteran or veteran of the Vietnam era, recently separated veteran, or other protected veteran. See *University policy regarding unlawful discrimination and harassment (5-16)* for further details.
- 8. DISORDERLY CONDUCT** – Actions that are disorderly, lewd, or indecent; and/or breach of peace; and/or aiding, abetting, or procuring another person to breach the peace or obstruct teaching, research, administration or University activities or functions.
- A. Creating a risk of bodily harm to self/others.
- 9. FIRE SAFETY**
- A. Tampering with, or misuse of, fire alarms and/or firefighting equipment, including but not limited to: fire extinguishers, fire hoses, heat and smoke detectors, sprinkler systems, or other safety devices.
 - B. Possession of flammable items, including but not limited to: candles, incense, or other items which maintain a purpose of being used in a flammable way.
 - C. Arson. Causing a fire or explosion, or unauthorized use of any potential incendiary device / equipment.
- 10. GAMBLING** – Gaming or betting for money or other possessions on University property or in any University-operated or managed facility in violation of University rules, regulations, and policies.

11. GENDER/SEXUAL HARASSMENT –*See University policy regarding unlawful discrimination and harassment (5-16) and Administrative policy regarding complaints of unlawful gender discrimination, gender/sexual harassment, sexual misconduct, stalking, and intimate partner violence (5-16.2) and Section 14 of this Code for further information.* Gender/sexual harassment includes but is not limited to:

A. Sexual Harassment – Sexual harassment is a form of unlawful gender discrimination and is defined as unfavorable or unwelcome treatment, made without consent and based on a person’s gender or sex, that is severe or pervasive and has the purpose or effect of unreasonably interfering with an individual’s employment or academic performance or creates an intimidating, hostile or offensive working, academic or university environment.

Sexual harassment includes but is not limited to:

- i. Verbal and/or physical behavior including, but not limited to sexually explicit jokes, insults, and taunts; obscene gestures; offensive pictorial, written, or electronic communications; and unwelcome touching.
- ii. Sexual Misconduct
 - a. Any intentional sexual touching, however slight, with any body part or object, by a person upon a person, that is without consent.
 - b. Sexual Exploitation – Taking non-consensual or abusive sexual advantage of another for one’s own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, if that behavior does not otherwise constitute another sexual misconduct offense. Such actions would include, but not be limited to videotaping or recording of a sex act; allowing an observer to a sex act, unknown to one party; or exposing one’s genitals in non-consensual circumstances.
 - c. Knowingly transmitting a sexually transmitted infection or disease through sexual contact without consent.

B. Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety, fear for the safety of others, or suffer substantial emotional distress.

- i. Two or more acts, including, but not limited to, acts in which the stalker directly indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, threatens, or communicates to or about, a person, or interferes with a person’s property.

C. Intimate Partner Violence

- i. Domestic Violence – Acts of violence or intimidation committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim, or by any other person against an adult or youth victim who is protected from that person's acts by law.
- ii. Dating Violence – Violence or intimidation committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

D. Other Non-Consensual Sexual Acts include, but are not limited to:

- i. Physically restraining or detaining a person while another performs sexual contact or intercourse on themselves or with others.
- ii. Participating in or facilitating prostitution

12. **GENERAL SAFETY** – Failure to conform to University safety regulations, including but not limited to: residence hall policies outlined in the [Hallways Handbook](#) and campus laboratory guidelines.
13. **HARASSMENT** – Attempted or completed act(s) that include, but are not limited to:
 - A. Threatening or intimidating a person thereby creating a rational fear within that person.
 - B. Engaging in a course of conduct or repeatedly committing acts directed at another person that would seriously annoy a rational person.
 - C. Creating a condition that endangers or threatens the health, safety or welfare of another person.
 - D. Physically restraining or detaining another person, or removing any person from any place where the individual is authorized to remain.
14. **HAZING** - Any action, intended or carried out, that causes or creates a substantial risk including, but not limited to: mental or physical discomfort, embarrassment, personal degradation, or ridicule, whether or not the act is voluntarily agreed upon. Actions may be in conjunction with recruitment, initiation, or continued membership in any group or recognized student organization. See *Operational procedure regarding hazing* ([4-07.101](#)) for further details.
15. **IMPAIRED DRIVING** - Operating a motor vehicle while under the influence of drugs and/or alcohol.
16. **MISREPRESENTATION** - Knowingly distorting or altering the truth for personal (or student organization) gain or favor, including but not limited to: falsification of an admission application, possessing false identification, or falsification of documents provided to University faculty or staff.
17. **PHYSICAL VIOLENCE** – Punching, slapping, kicking, or otherwise striking any person(s); and/or other conduct which threatens or endangers the health, safety, and/or welfare of any person.
18. **REASONABLE REQUEST** - Failure to comply with a reasonable request of a University official(s) carrying out assigned duties and responsibilities, including but not limited to a person instructing a class, a librarian or designee in a library, a law enforcement officer, or a residence services' staff member.
19. **RECORDING PRIVACY** - Using electronic or other means to make an audio, video, or photographic record of any person in a location where there is a reasonable expectation of privacy, without the person's prior knowledge and written consent. The storing, sharing, and/or distributing of such unauthorized records by any means are prohibited. This includes but is not limited to taking video or photographic images in showers/locker rooms, residence hall rooms, and restrooms.
20. **RESIDENCE HALL POLICIES** - Failure to comply with residence hall policies outlined in the [Hallways Handbook](#), including but not limited to escort, room capacity, restroom, quiet/courtesy hours, improper room change, illegal appliances, and visitation.
21. **SMOKING** – Failure to comply with smoking prohibition in all University buildings and vehicles, and where posting prohibits.
22. **STUDENT CONDUCT PROCESS** – Non-compliance with or misuse of the student conduct process, including but not limited to:
 - A. Falsification, distortion, or misrepresentation of information before a student conduct hearing officer, hearing panel, or convener.
 - B. Disruption or interference with the orderly procedures of a student conduct hearing.
 - C. Attempting to discourage an individual's or student organization's proper participation in, or use of, the student conduct process.
 - D. Attempting to influence the impartiality of, or to intimidate, participants in the student conduct process prior to, and/or during the course of, a student conduct proceeding.
 - E. Retaliation against any individual who participates in a complaint of a violation described in this policy.

- F. Failure to comply with the sanction(s) imposed under the [Code of Student Conduct](#).
- 23. THEFT** - Using, taking, and/or possessing property or services that are knowingly not one's own (or owned by a student organization) and/or without permission of the owner.
- 24. TRESPASSING/UNAUTHORIZED ENTRY** - Knowingly entering or remaining in a building, office, residence hall room or any other properties at any time without appropriate permission or authorization.
- 25. UNIVERSITY GROUNDS**
 - A. Use of University space and grounds by an organization or person without reservation of the space or proper authorization.
 - B. Operation or use of bicycles, skateboards, rollerblades, or other recreational items:
 - i. In any University building or facility.
 - ii. On any artificial or specially prepared surface including but not limited to: tennis courts, running tracks and basketball courts.
 - iii. On a sidewalk, walkway, steps, or a stairway that duly interferes with pedestrian traffic and/or demonstrates a lack of necessary caution regarding pedestrian right-of-way.
 - iv. In a reckless or unsafe manner on University grounds.
- 26. UNIVERSITY RULES** - Violation of University rules, regulations, or policies.
- 27. WEAPONS** - Unauthorized possession, storage, or use of firearms, explosives, other weapons, or dangerous chemicals.

SECTION 5: Procedures for Student Conduct Hearings

- A. Student Conduct hearings are administrative procedures and do not follow the specific steps, methods, or standards of proof or evidence used in civil or criminal courts.
- B. Any member of the University community may file an incident report accusing a student or student organization ("respondent") of violating the [Code of Student Conduct](#). Incident reports may be submitted to the director of student conduct in writing. The director of student conduct will determine if the allegations are within the parameters of University policy regarding the administration of student conduct (see *University policy regarding administration of student conduct [4-02]* for further details) and may assign appropriate accusations based on the information provided (if not already provided by the complainant).
- C. Action. Formal disciplinary action shall be instituted against a respondent only after the director of student conduct has determined that such action, rather than medical or counseling services, or alternative conflict resolution / mediation referral, is appropriate.
- D. Type of hearing. The director of student conduct shall determine the type of conduct hearing that applies to an accused student or student organization based on information in the incident report.
 - 1. Hearing panel. A hearing panel may be assigned when accusations include but are not limited to acts of violence, gender/sexual harassment, theft, hazing, and/or repeat offenders. All student organization accusations will be assigned to a hearing panel.
 - 2. Sanction hearing. A sanction hearing may be assigned for violations that, even with a finding of responsibility, may not lead to suspension or dismissal from the University. The Office of Student Conduct sends written notification to the respondent(s) as per *University policy for operational procedures regarding the administration of student conduct (4-02.1.D.5)* (section 4.E of this code). The respondent(s) may choose to accept or deny responsibility. When a respondent(s) denies responsibility, the Office of Student Conduct facilitates a hearing panel. When the respondent(s) accepts responsibility, the Office of Student Conduct facilitates a sanction hearing. Sanction hearings are facilitated by a student conduct convener and conducted by one hearing officer (who may be the same person).

- a. If a respondent, any time prior to deliberation, informs the hearing officer and/or student conduct convener that responsibility for one or more accusations is not accepted, the sanction hearing is nullified and a hearing panel may be scheduled. The sanction hearing process will immediately cease and the hearing panel process will follow *University policy for operational procedures regarding the administration of student conduct 4-02.1.D* (section 4.L of this code).
- E. Notice. A respondent shall be sent a notice of accusation(s) in writing in addition to a copy of the corresponding incident report containing the identity of the complainant(s). A date and location for a hearing shall be set and sent in writing to the respondent(s) that will be no less than three (3) calendar days (unless authorized by the respondent(s)) and no more than thirty (30) calendar days after the notice of accusation(s) has been sent. Time limits may be extended at the discretion of the director of student conduct (or designee). The notice of accusations shall contain links to access information about the student conduct process, the [Code of Student Conduct](#), and securing the assistance of a conduct advisor.
- F. Separate hearings. In proceedings involving more than one respondent, a separate hearing may be requested by a respondent or complainant, and granted at the discretion of the director of student conduct (or designee). Also, upon reasonable request submitted in writing, a delay in the hearing may be granted by the director of student conduct (or designee). In all cases, the proceedings may be delayed no more than two times.
- G. Conduct advisor. A respondent and complainant may be accompanied by no more than two conduct advisors during any phase of the student conduct process. A person serving in an advisory capacity may not participate directly in the hearing or address a hearing officer or panel on behalf of a student or student organization. In a situation where English is a second language for a respondent or complainant, a translator may attend a hearing and is not considered a conduct advisor.
- H. Impartial hearing. Prior to the start of a hearing, a respondent and complainant may question a member of the hearing panel or hearing officer regarding that person's ability to participate fairly in the hearing. Questions should be directed to the director of student conduct (or designee), who will decide whether or not to remove a hearing officer or hearing panel member. In the event that the director of student conduct (or designee) rules that no changes are warranted and there is not access to other hearing officer(s), the hearing will begin at the scheduled time; if changes are deemed to be warranted, a hearing may be delayed or rescheduled.
- I. Standard of review. A hearing officer or panel shall evaluate the points of view presented by the respondent(s) and complainant(s) and shall determine by a preponderance of the evidence (more likely than not) if the respondent(s) engaged in behavior that is a violation of university rules. The consideration of information presented will be conducted in a closed session(s).
- J. Closed hearings. All hearings are closed to the public. Attendees may include: respondent(s), complainant(s), law enforcement/investigator(s), hearing officer(s), student conduct staff, and conduct advisor(s). Witnesses will be allowed in the hearing room only for introductions and when the student conduct convener and/or hearing officer authorizes entry.
 1. In situations where it is known that the student conduct process is running in addition to a legal process, Kent State University General Counsel may attend the student conduct hearing.
 2. For sanction hearings, where the respondent has already accepted responsibility for the accusations, complainant may not be asked to participate in the hearing process.
- K. If a respondent(s) fails to appear for a student conduct hearing, the hearing will continue in the respondent's absence, in accordance with student conduct procedures.
- L. Hearing Panels.
 1. Composition. Hearing panels are composed of at least one current Kent State University student hearing officer and one Kent State University faculty or staff hearing officer.
 2. Decorum. The hearing officer(s) and/or the student conduct convener are responsible for overall decorum of the hearing panel process, and may reasonably:

- a. Remove any person in attendance at a hearing panel if they believe the person to be disruptive, distracting, or inhibiting the process in any way.
 - b. Limit the time of any person presenting to the hearing panel.
 - c. Limit the number of witnesses if it is determined that the information they intend to share is similar in nature to other persons who have presented to the hearing panel.
 - d. End statements or questions if he or she determines that no new evidence is being offered.
3. Hearing Panel proceedings:
- a. Student conduct convener requests that all persons participating introduce themselves, state the reason for their participation, and the accusation(s) against the respondent(s).
 - i. Witnesses are excused from the hearing.
 - b. The respondent(s) is provided an opportunity to share a description of the event(s) that brought about the alleged misconduct.
 - i. Witnesses for the respondent are permitted at the hearing to share information, and then are excused from the hearing.
 - c. The complainant(s) is provided an opportunity to share a description of the event(s) that brought about the alleged misconduct.
 - i. Witnesses for the complainant are permitted at the hearing to share information, and then are excused from the hearing.
 - d. Law enforcement/investigator(s) is provided an opportunity to share investigative reports and a description of the event(s) that brought about the alleged misconduct, including any witness information.
 - i. Witnesses for law enforcement/investigator(s) are permitted at the hearing to share information, and then are excused from the hearing.
 - e. Questioning
 - i. Hearing officers may ask questions of any of the participants at the hearing.
 - ii. Respondent(s) may ask questions of the complainant(s), witness(es), or law enforcement/investigator(s) (to clarify content of investigative reports).
 - iii. Complainant(s) may ask questions of the respondent(s) witness(es), or law enforcement/investigator(s) (to clarify content of investigative reports).
 - iv. In cases involving alleged acts of violence and/or gender/sexual harassment, the hearing officer or hearing panel may permit indirect questions, but because of the nature of the complaint, direct questions may not be permitted.
 - a. Indirect questioning may be conducted at the discretion of the hearing panel or officer with either party, verbally or in writing, supplying questions to the hearing panel, hearing officer, or student conduct convener.
 - f. Hearing officers may allow for background information to be provided by the complainant(s), law enforcement/investigator(s), and/or respondent(s).
 - g. Complainant(s) and respondent(s) may be asked to supply an impact statement and sanction recommendation(s) for the hearing panel to consider (only if there is a finding of responsibility).
 - h. Hearing panel deliberates privately and comes to a decision by a simple majority.
 - i. The hearing panel will use a preponderance of the evidence standard in making its determination (i.e., it is more likely than not that the offense occurred, based on the evidence presented).
 - ii. If respondent(s) is found to be not responsible, the case is closed, pending the appeal process.
 - iii. If respondent(s) is found to be responsible for at least one of the alleged accusations, the hearing panel assigns a sanction(s).

- i. Hearing officer informs the respondent(s) of the decision and, if responsible, the sanction(s). Hearing officer and/or student conduct convener informs the respondent(s) of the right to appeal the decision(s) of the hearing panel.
- j. Student organization hearings.
 - i. Due to the coordination of multiple persons' schedules, hearing panels for student organizations may take place in more than one sitting.
 - ii. If, during the hearing panel process for a student organization, information suggests that an individual member(s) may have violated the Code of Student Conduct, a separate hearing may be facilitated for the individual member(s) in accordance with the student conduct process.
- M. Sanction Hearing proceedings. When the respondent accepts responsibility, the hearing officer shall assign a sanction(s). If the accused student does not accept responsibility for one or more charges, he/she will be scheduled for a hearing panel to complete the student conduct process.
 - 1. The sanction hearing process is consistent with Administrative policy [4-02.1](#) and Section 4.L.2 and 4.L.3 of the [Code of Student Conduct](#).
- N. All student conduct hearing decisions are final, pending the appeal process.
- O. Report of findings. A copy of the findings/decisions of the hearing including the procedures for appeal, shall be provided in writing to the respondent(s) (and complainant(s) where appropriate). Members of the University community who are affected by/involved in the sanction may be notified of the final decision, including but not limited to: vice president for enrollment management and student affairs, associate vice president for student affairs and dean of students, academic dean(s), academic advisor(s), university registrar, bursar, and representatives from residence services, psychological services, university health services, center for student involvement, and university police.
 - 1. If the respondent is not present, the findings may be supplied to the respondent's official Kent State University email address. If the respondent is a student organization and is not present, the findings may be supplied to a campus mailbox (if one exists) and/or to the official Kent State University email addresses of minimally the president and vice president of the accused student organization.
 - 2. If the respondent is a student organization and is not present, the findings may be supplied to a campus mailbox (if one exists) and/or to the official Kent State University email address of the officers of the accused student organization.
- P. Retaliation based on participation in, or outcome of, a student conduct hearing, whether by an individual, a group of individuals, or other organization, is expressly prohibited and may be referred for additional student conduct accusations and/or criminal charges.

SECTION 6: Sanctions

Sanctions are designed to be educational, restorative, and preventative. Sanctions may include but are not limited to:

- Alcohol / Substance education course
- Community service
- Counseling referral
- Disciplinary dismissal
- Disciplinary probation
- Disciplinary suspension
- Educational workshop
- Letter of apology / reflection paper
- Monetary fine (maximum \$200)
- No contact order
- Persona Non Grata (PNG) status (campus access restriction)
- Residence Hall restriction or room/hall changes
- Revocation of Student Organization Recognition
- Restitution for damages
- Warning
- Other as deemed appropriate

SECTION 7: Appeals.

- A. Appeal of a decision from a student conduct hearing must be submitted by the respondent(s) or complainant(s) in writing to the Office of Student Conduct within seven (7) calendar days from the conclusion of the hearing (or the next available business day after seven calendar days – for example holidays or recesses). An appeal must be submitted using the appeal form available at the Office of Student Conduct, and/or the following link: <http://www.kent.edu/emsa/studentconduct/process.cfm>
The Office of Student Conduct compiles the written appeal and documentation from the respondent(s), complainant(s), law enforcement/investigator(s), the student's or student organization's disciplinary file(s), the digital recording of the hearing, and any additional information provided by the hearing officer(s) and submits these materials to an appeal panel for a recommendation to the vice president for enrollment management and student affairs (or associate vice president for student affairs and dean of students).
- B. Appeals may be made on the basis that:
 1. The decision(s) was not in accordance with the evidence presented, and/or
 2. The decision(s) was reached through a procedure not in accordance with the *Code of Student Conduct*, and/or
 3. New information is available which may suggest a modification of the decision(s), and/or
 4. Sanction(s) imposed were not appropriate for the conduct violation for which the respondent(s) was found responsible.
- C. If the Office of Student Conduct receives an appeal that does not meet any of the criteria listed above, it may reject the appeal.
- D. The director of student conduct (or designee) has the discretion to extend the date to appeal for extenuating circumstances.
- E. An appeal panel is composed of at least two Kent State University faculty, staff, and/or student hearing officers appointed by the vice president for enrollment management and student affairs who are trained by the director of student conduct (or designee). An appeal panel will provide a recommendation in writing to the vice president for enrollment management and student affairs within fifteen (15) days of receipt of the appeal. The vice president for enrollment management and student affairs shall provide a written decision within seven (7) days of receipt from an appeal panel. The decision will be provided to the respondent(s) and complainant(s) via communication from the office of student conduct. The vice president for enrollment management and student affairs may:
 1. Accept or deny an appeal depending on the basis of the appeal, and/or
 2. Alter an assigned accusation, and/or
 3. Alter or reverse a finding of responsibility, and/or
 4. Alter or reverse any sanction decision, and/or
 5. Remand the case to another hearing. A case may not be remanded more than once.
- F. Appeal decisions made by the vice president for enrollment management and student affairs (or associate vice president for student affairs and dean of students) are final.

SECTION 8: Interim Actions

When the vice president for enrollment management and student affairs (or designee) has reasonable cause to believe that a student(s) or student organization(s) may pose a risk to the safety or well-being of those involved or others in the University community, the student(s) or student organization(s) may be issued an interim action. Interim actions may include but are not limited to: issuing a no contact order(s); restriction from specific facilities or locations; requirement to secure a psychological evaluation; cease and desist mandates; restriction from facilitating or participating in student organization business or activities; suspension of student status or student organization recognition; etc. An interim action shall remain in effect until removed or altered by the vice president for enrollment management and student affairs (or designee) or as the result of the student conduct process. A student or student organization may challenge an interim action in writing to the vice

president for enrollment management and student affairs (or associate vice president for student affairs and dean of students). Failure to comply with an interim action may result in a referral to the Office of Student Conduct and/or the Kent State University Police Department.

- A. Interim Suspension. When the vice president for enrollment management and student affairs (or the associate vice president for student affairs and dean of students) has reasonable cause to believe that a student's or student organization's presence on university premises or at university-related or registered student organization activities poses a significant risk of substantial harm to the health or safety of oneself or others, or to the damage of property, a student's or student organization's access may be immediately suspended from all or any portion of University premises, University-related activities and/or registered student organization activities. An interim suspension will be confirmed by a written notice and shall remain in effect until the conclusion of an administrative hearing, student conduct hearing, or decision by the vice president for enrollment management and student affairs (or the associate vice president for student affairs and dean of students). Such action may occur in conjunction with, or in lieu of, Ohio Campus Disruption Act (House Bill 1219) proceedings, at the discretion of the vice president for enrollment management and student affairs (or associate vice president of student affairs and dean of students). A student(s) or student organization(s) may challenge an interim suspension in writing to the vice president for enrollment management and student affairs (or associate vice president for student affairs and dean of students). Failure to comply with an interim suspension may result in a referral to the Office of Student Conduct and/or the Kent State University Police Department.

SECTION 9: Voluntary and Involuntary Withdrawal

Students claiming an inability to participate in the student conduct process for psychological or emotional reasons may be allowed to voluntarily withdraw from the University. See *administrative policy regarding deregistration of students for reasons of mental health (4-02.5)* for further details. The University may require documentation from a mental health provider for verification. Voluntary and involuntary withdrawal does not preclude the student conduct process from occurring. In these specific instances, at the discretion of the vice president for enrollment management and student affairs (or designee), the student conduct process may be delayed or held in abeyance and the student will be placed on ineligible hold, thus prohibiting future class registration. If/when the student attempts to re-enter the University, the pending student conduct proceedings may be reinstated.

SECTION 10: Student Organizations Registered with the University

The university is committed to the belief that students have a right to organize and participate in groups whose purposes center on the interests and goals of the individuals involved. For information on student organizations, see *University policy regarding formation of student organizations (4-01)* and *operational procedures and regulation of student organizations (4-01.201)*. Resolution of a student organization issue pertaining to an alleged violation of University policy will be addressed through the student conduct process.

- A. A student organization and its officers and membership may be held collectively and individually responsible when violations of the *Code of Student Conduct* by the organization, or its members take place. The associate dean of students may forward a student organization and/or individual members of a student organization alleged to have violated University rules, regulations, or policies to the office of student conduct for adjudication. If a student organization is forwarded to the office of student conduct for adjudication, minimally the president and vice president (or equivalent executive positions) are considered representatives of the student organization, and will be provided notice for participation in the student conduct process.
- B. Disciplinary hearings for student groups or organizations follow *Administrative policy and procedures regarding administration of student conduct (4-02.1.D)* and Section 5 of this Code.

SECTION 11: All-University Hearing Board

As stated in the University undergraduate student senate charter ([2-08](#)), the all university hearing board is established to recommend sanctions regarding the violation of university rules and regulations. In addition, the all university hearing board is vested with the judicial authority for the Undergraduate Student Government (USG).

- A. Jurisdiction. With regard to Undergraduate Student Government, the all university hearing board shall have jurisdiction to hear and decide all cases concerning:
 - 1. Interpretations of the charter of the USG of Kent State University.
 - 2. The legality, with respect to this charter, of all USG resolutions and bills.
 - 3. Charges of fraud, malfeasance, or illegal procedure taking place within any general student election.
 - 4. Disputes between student organizations or between a student or students and any organization or organizations.

SECTION 12: Alternative Conflict Resolution

- A. Alternative conflict resolution (ACR) is an informal option for seeking redress with an issue(s). This may be available for issues pertaining to students or student organizations. If all persons or student organizations personally and directly affected by the conflict agree to attempt resolution through an alternative process (such as mediation, facilitated dialogue, etc.) AND the director of student conduct (or designee) has not already assigned the formal student conduct process, than an ACR process may be available. The nature of some conflicts, especially those involving violence, are not be appropriate or permitted to be reviewed through ACR options.
- B. Participation in an ACR process must be voluntary and may or may not result in an agreement or resolution. When a mutually satisfactory resolution is reached, the situation is considered resolved with no disciplinary record being maintained. Resolutions reached through ACR may not be appealed. If a resolution is not achieved through an attempt at ACR and the matter involves a potential violation of university policy, a complainant may initiate the formal disciplinary process from the University policy regarding administration of student conduct ([4-02](#)) and Section 4 of this Code.

SECTION 13: Upstanding Bystanders

A bystander is a person present at an event but not participating in it. Kent State University encourages proactive action such as seeking medical assistance when a student's health or safety may be in jeopardy including when danger arises due to use of alcohol, other drugs, acts of violence including gender/sexual harassment, vandalism, and behaviors that are intended to harm or demean people and the community. Being aware of an incident occurring, interpreting the incident as an emergency, taking responsibility to act, attempting to help are all characteristics of being an upstanding bystander. See the Office of Student Conduct website at <http://www.kent.edu/emsa/studentconduct/index.cfm> for tips to be an upstanding bystander.

SECTION 14: Discrimination, Gender/Sexual Harassment, Sexual Misconduct, Stalking, and Intimate Partner Violence

Kent State University is committed to establishing and maintaining an environment free from discrimination, gender/sexual harassment, sexual misconduct, stalking and intimate partner violence. This is a university-wide effort with collaboration from numerous offices, including but not limited to: the office of the president, the office of the provost, the division of diversity, equity, and inclusion, the office of sexual and relationship violence support services, the student multicultural center, the LGBTQ student center, the women's center, the dean of students, the center for student involvement, the Kent student center, psychological services, Title IX deputy and coordinators, the athletic department, student governments, and more. Kent State University's goals are to provide prevention efforts to increase awareness and knowledge, support services for accusers and accused students (that may or may lead to criminal or campus adjudication), and appropriate due process.

NOTE: following are highlighted excerpts frequently pertaining to student conduct.

- A. Consent. Consent is defined as the voluntary, unambiguous agreement to participate in an act, the nature of which is known to and understood by the consentor. Consent may be given verbally or nonverbally and may be withdrawn at any time before completion of the act. See: *Administrative policy regarding unlawful complaints of gender discrimination, gender/sexual harassment, sexual misconduct, and intimate partner violence* ([5-16.2](#)).

 - 1. A person may be incapable of giving consent due to physical incapacitation, physical or mental disability, threat, coercion, the influence of alcohol or drugs, or age.

- B. Amnesty. All students are expected to report violations described in this policy. If a student who reports or who serves as a witness for such an incident is also in violation of another policy (such as a drug or alcohol offense) in conjunction with the incident, amnesty will be considered by the staff in the office of student conduct, and granted at their discretion, depending on the nature of the offense and the circumstances surrounding the incident.
- C. Retaliation. Kent state university prohibits retaliation against any individual who makes a complaint of unlawful harassment. Similarly, any person who participates or cooperates in any manner in an investigation or any other aspect of the process described herein shall not be subject to retaliation. See *University policy regarding unlawful discrimination and harassment* ([5-16](#)).
- D. Discrimination, gender/sexual harassment, sexual misconduct, stalking and intimate partner violence are detailed in: *University policy regarding unlawful discrimination and harassment* ([5-16](#)), *Administrative policy and procedures regarding complaints of unlawful discrimination and harassment, with the exception of gender-based* ([5-16.1](#)), and *Administrative policy regarding unlawful complaints of gender discrimination, gender/sexual harassment, sexual misconduct, and intimate partner violence* ([5-16.2](#)).

SECTION 15: Academic Cheating and Plagiarism

Plagiarism, cheating, and other forms of academic misconduct are subject to processes outlined in *Administrative policy regarding student cheating and plagiarism* ([3-01.8](#)). The university provost (or designee) holds the authority to resolve academic misconduct, and the Office of Student Conduct may assist with logistical, administrative and/or facilitative actions as necessary.

SECTION 16: Ohio Campus Disruption Act

The Ohio Campus Disruption Act, passed by the 108th Ohio General Assembly (House Bill 1219), directly affects the operation of state universities in Ohio. The Act has specific ramifications for University students, faculty, and staff. In essence, *any individual who commits an act of violence and is arrested for that violation is subject to immediate suspension from the university*. The Act reads in part that a student, faculty or staff member, or employee of a college or university which receives any state funds in support thereof who is arrested for any of the so-called “trigger” offenses listed within [2901.01.8.a](#) of the Ohio Revised Code shall be afforded a hearing, as provided in this Act, to determine whether the accused person shall be immediately suspended from that college or university. Such hearings shall be held within not more than five (5) days after an arrest of the accused person, subject to reasonable continuances for good cause shown. Continuances shall not exceed a total of ten (10) days. If at the hearing the referee finds by a preponderance of the evidence that the person whose suspension is being considered committed any of the specified trigger offenses, the referee shall order the person suspended. Except for cases in which the good order and discipline of a college or university will be prejudiced or compromised thereby, the referee may permit the person to return to the college or university on terms of strict disciplinary probation. Subsequent violation of the terms of the probation automatically causes the provisions of the Ohio Campus Disruption Act to go into effect. Based on [3345.23](#) of the Ohio Revised Code, the conviction of a student, faculty or staff member, or employee is cause for dismissal or suspension pursuant to section [3345.22](#) of the Ohio Revised Code.

SECTION 17: Family Educational Rights and Privacy Act (FERPA)

Kent State University complies with the Family Educational Rights and Privacy Act of 1974 in its maintenance of student educational records. This Act was established to protect the privacy of educational records, to establish the right of students to inspect and review their educational records, and to provide guidelines for the correction or deletion of inaccurate or misleading data through informal and formal hearings. Disciplinary records fit within the purview of FERPA. For further information about FERPA, see <http://www2.ed.gov/policy/gen/guid/fpco/index.html> and Operational procedures and regulations regarding collection, retention and dissemination of information about students ([5-08.101](#))

A. Parental Notification

The Office of Student Conduct may send written notice to the parents and/or legal guardians of a student under twenty-one (21) years of age who is found to be responsible for violating any state or local laws pertaining to possession or consumption of any alcoholic beverages or controlled substances.

SECTION 18: Student Disciplinary Records

- A. All hearings are digitally recorded. Recordings may be listened to or viewed by students wishing to appeal a decision. Recordings will be provided to the student only at the student's expense.
- B. Notification of the outcome of the decision will be conveyed to both the accused student and to the complaining party and/or appropriate University officials.
- C. All student disciplinary records are maintained by the Office of Student Conduct in accordance with the [Family Educational Rights and Privacy Act](#), all state of Ohio laws, and the Kent State University records retention policy. See *University administrative policy regarding public records* ([5-15.1](#)) for further details.
- D. Notation of a disciplinary record in any case shall not appear on a student's official transcript.

SECTION 19: Expunction

A student (current or former) may request expunction in writing to the Office of Student Conduct regarding a student disciplinary record upon proof of graduation or official notice discontinuing student status. Decisions regarding expunction made by the vice president for enrollment management and student affairs (or designee) are final and not subject to appeal, and may be based on behavior subsequent to the original violation, the nature of the original violation, and/or other relevant information or factors.

SECTION 20: Code Revisions and Applicability

A. Revisions

Throughout any given year, changes to the [Code of Student Conduct](#) may be approved. As members of the University community, students are encouraged to be alert for any public announcements concerning changes to the rules and regulations governing student behavior.

1. Updates and other changes to the [Code of Student Conduct](#) shall be submitted by the student rights and standards committee and/or the director of student conduct to the vice president for enrollment management and student affairs.

B. Applicability

1. The [Code of Student Conduct](#) reflects language found in various University policies and procedures located in the [Kent State University Policy Register](#). Revisions, changes or updates to the [Policy Register](#) are considered the authority in situations where conflicting information exists.
2. Although the general provisions in this document are applicable to students on all Kent State University campuses, the specific procedures are applicable to the Kent Campus. Specific procedures for implementing the student conduct process on the Regional Campuses are published by those campuses.

SECTION 21: Contact information and Index of links

Enrollment Management and Student Affairs

250 Kent Student Center
 Phone: 330-672-4054
 Email: emsa@kent.edu
 Web: www.kent.edu/emsa

Office of Student Conduct

119 Twin Towers
 Phone: 330-672-4054
 Email: studentconduct@kent.edu
 Web: www.kent.edu/emsa/studentconduct

Title IX Coordinator: Loretta Shields

Equal Opportunity and Affirmative Action
 Terrace Hall Annex
 Phone: 330-672-8314
 Email: aa_eo@kent.edu / lshields@kent.edu
 Web: www.kent.edu/hr/aa/titleix

Office of Sexual and Relationship Violence Support Services

Phone: 330-672-8016
 Web: www.kent.edu/srvss

Administrative

<u>Title</u>	<u>Web Location</u>
Code of Student Conduct	www.kent.edu/emsa/studentconduct/index.cfm
Digital Millennium Copyright Act of 1998 Informational Services - DMCA	www.copyright.gov/legislation/dmca.pdf http://www.kent.edu/is/security/copyright/raq.cfm
Enrollment Management and Student Affairs	www.kent.edu/emsa
Family Educational Rights and Privacy Act (FERPA)	www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html
Hallways Handbook	www.kent.edu/housing/hallways.cfm
Judicial Advocates	www.usg.kent.edu/?page_id=48
Cheating and Plagiarism information	www.kent.edu/academics/resources/plagiarism/index.cfm
Residence Hall Contract	www.kent.edu/housing/prospectiveresidents/housingcontract.cfm
Sexual and Relationship Violence Support Services (SRVSS)	http://www.kent.edu/srvss/index.cfm
Undergraduate Student Government	www.uss.kent.edu
Graduate Student Senate	www.kent.edu/graduatestudies/gss
University Catalog	www.kent.edu/catalog

Policy Register

<u>Chapter</u>	<u>Title</u>	<u>Web Location</u>
ALL	University Policy Register	www.kent.edu/policyreg/index.cfm
2-08	Undergraduate student senate charter	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037685
3-01.8	Administrative policy regarding student cheating and plagiarism	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037779

3-03.3	Administrative policy regarding animal care and use	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037834
4-01	University policy regarding formation of student organizations	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037881
4-01.1	Administrative policy regarding discrimination by organizations based on race, color, religion, gender, sexual orientation, national origin, disability, or identity as a disabled veteran or veteran of the Vietnam era	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037886
4-01.2	Administrative policy regarding registration of student organizations	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037891
4-01.3	Administrative policy regarding participation in student activities	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037901
4-01.5	Administrative policy regarding solicitation by registered student organizations or university departments	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037909
4-01.6	Administrative policy regarding social events sponsored by registered student organizations	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037913
4-01.601	Operational policy regarding scheduling of fireworks and bonfires	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037916
4-02	University policy regarding administration of student conduct	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037935
4-02.1	Administrative policy and procedures regarding administration of student conduct	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038144
4-02.2	Administrative code regarding class disruption	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037957
4-02.5	Administrative code regarding deregistration of students for reasons of mental health	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037966
4-03	University policy regarding demonstrations, marches and speakers	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037972
4-03.1	Administrative policy regarding demonstrations, marches and speakers	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037975
4-03.101	Operational procedures and regulations regarding demonstrations, marches and speakers sponsored by student organizations	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037978
4-04	University policy regarding alcoholic beverages	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037994
4-04.1	Administrative policy regarding use and possession of alcoholic beverages by students	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2037998
4-04.101	Operational procedures and regulations regarding use and possession of alcoholic beverages by students	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038012

4-05	University policy regarding student housing	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038016
4-05.1	Administrative policy and procedures regarding room entry and search in campus residence halls	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038019
4-06	University policy regarding solicitation and sales	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038025
4-06.1	Administrative policy regarding sales	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038028
4-06.101	Operational procedures and regulations regarding sales	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038031
4-07	University policy regarding hazing	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038038
4-07.101	Operational procedure regarding hazing	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038041
4-10.102	Operational procedures and regulations regarding solicitation and sales in the Kent student center and Risman plaza	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038064
4-10.104	Operational procedures and regulations regarding access to the Kent student center student organizations office area beyond normal building hours	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038076
4-10.107	Operational procedures and regulations regarding wild and domestic animals in the Kent student center	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038085
4-10.108	Operational procedures and regulations regarding Kent student center lobbies	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038088
4-10.109	Operational procedures and regulations regarding the university center plaza	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038091
4-10.2	Administrative policy regarding promotional materials on the outside of the Kent student center	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038094
4-10.4	Operational procedures and regulations regarding access to the Kent student center student organizations office area beyond normal building hours	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038076
5-08	University policy regarding collection, retention and dissemination of information about students	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038154
5-08.101	Operational procedures and regulations regarding collection, retention and dissemination of information about students	https://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038159
5-12.4	Administrative policy regarding use of university facilities	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038208

5-12.401	Operational procedures and regulations regarding use of university facilities	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038211
5-12.7	Administrative policy regarding persona non grata for nonstudent visitors	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038235
5-15	University policy regarding records retention	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038265 AND www.kent.edu/generalcounsel/records/index.cfm
5-15.1	Administrative policy regarding public records	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038609
5-16	University policy regarding unlawful discrimination and harassment	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=3105914
5-16.1	Administrative policy and procedures regarding complaints of unlawful discrimination and harassment, with the exception of gender-based	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=3105938
5-16.2	Administrative policy regarding unlawful complaints of gender discrimination, gender/sexual harassment, sexual misconduct, and intimate partner violence	http://www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=3105947
9-01.2	Administrative policy regarding electronic communication	www.kent.edu/policyreg/policydetails.cfm?customel_datapageid_1976529=2038376

Ohio Revised Code

<u>Chapter</u>	<u>Title</u>	<u>Web Location</u>
111.15	Adoption and filing of agency administrative code rules	Codes/ohio.gov/orc/111.15
2901.01	General Provisions definitions	Codes/ohio.gov/orc/2901
3341	Kent State University	Codes/ohio.gov/orc/3341
3345	State Universities – General Powers	Codes/ohio.gov/orc/3345
3345.22	Hearing for suspension of arrested student, faculty or staff member, or employee – responsibilities of referee	Codes/ohio.gov/orc/3345.22
3345.23	Dismissal of convicted student, faculty or staff member, or employee – reinstatement	Codes/ohio.gov/orc/3345.23

Effective / Updated August 1, 2014

Student Conduct Flowchart

