# *THE KENNESAW STATE UNIVERSITY STUDENT CODES OFCONDUCT*

## TABLE OF CONTENTS

Preface

Section 1: Philosophy Statement

Section 2: Jurisdiction

Section 3: Violations of the Law

Section 4: Student Conduct and Academic Integrity (SCAI) Authority

Section 5: The Codes of Conduct (the Rules):

A. Student Code of Conduct

B. Residential Code of Conduct

C. Code of Academic Integrity

Section 6: Possible Sanctions

Section 7: Interim Actions

*The Kennesaw State University Code of Student Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.*

***www.ncherm.org***

## PREFACE

Core Values of Student Conduct at Kennesaw State University

- ***Integrity***: Kennesaw State University students exemplify honesty, honor and a respect for the truth in all of their dealings.

- ***Community***: Kennesaw State University students build and enhance their community.

- ***Social Justice***: Kennesaw State University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.

- ***Respect***: Kennesaw State University students show positive regard for each other, for property and for the community.

- ***Responsibility***: Kennesaw State University students are given and accept a high level of responsibility to self, to others and to the community.

All students are responsible for knowing the information, policies and procedures outlined in this document. Kennesaw State University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online http://scai.kennesaw.edu/codes.php for the updated versions of all policies.

## SECTION 1: PHILOSOPHY STATEMENT

The Kennesaw State University community is committed to fostering a university environment that is conducive to academic inquiry, a productive university life and thoughtful study and discourse. A unit of the Dean of Students Office, the Department of Student Conduct and Academic Integrity (SCAI) is committed to an educational and developmental conduct process that balances the interests of individual students with the interests of the University community.

A community exists on the basis of shared values and principles. At Kennesaw State University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Codes of Student Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the University community bears responsibility for his or her own conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violation of the rules detailed in Section 5, campus conduct proceedings are used to assert and uphold the Codes of Student Conduct.

The student conduct process at Kennesaw State University is not intended to punish students; rather, it exists to educate those whose behavior is not in accordance with university policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with community expectations. When a student is unable to control his or her own behavior such that it does not conform to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. University disciplinary proceedings may be instituted against a student charged with a violation of a law which is also a violation of these Student Codes of Conduct without regard to the existence of related civil litigation in court or criminal arrest and prosecution. Proceedings under these Student Codes of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. Procedures and rights in student conduct procedures are intended to be conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures notice and an opportunity to be heard. A student who is accused of a Code of Conduct violation has an opportunity to be heard before a decision is made about his or her responsibility for a violation. Nevertheless, when a student fails to appear for a conduct meeting after notice of the meeting has been sent to that student's KSU email address, the hearing officer or panel may make a decision without that student's input or explanation. No student will be found in violation of University policy without information and evidence showing that it is more likely than not that a policy violation occurred and any assigned sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

## SECTION 2: JURISDICTION

The Codes of Student Conduct and associated process and procedures apply to the conduct of individual students and all University-affiliated student organizations. Student includes, but is not limited to, those enrolled in undergraduate and graduate courses, education abroad experiences, and other programs and classes hosted or sponsored by KSU. For the purposes of student conduct, the University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the University, or an individual lives in any housing community on any KSU campus regardless of whether s/he is accepted as or is enrolled in Kennesaw State University class(es). In addition, any Georgia Highlands College (GHC) student attending GHC classes at any KSU campus (regardless of whether s/he lives on campus or not) is bound by the KSU Student Code of Conduct (the disciplinary rules) and adjudication process for behavior that occurs on a KSU campus but outside the actual classroom.

The Codes of Student Conduct apply to behaviors that take place on any KSU campus, at University-sponsored events and may also apply off-campus when the Dean of Students or designee determines that the off-campus conduct affects a substantial University interest.[1] A substantial University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University;

The Codes of Student Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, group chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is established. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. Most online speech by students not involving University networks or technology may be protected as free expression and not subject to these Codes.

The Codes of Student Conduct apply to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of the University may seek resolution of violations of the Codes of Student Conduct committed against them by members of the University community.

[1] Adapted, with gratitude, from Penn State University.

The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to, and during (see substantial university interest above), the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll, and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct, committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree.

There is no time limit on reporting violations of the Codes of Student Conduct; however, the longer someone waits to report an offense, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Department of Student Conduct and Academic Integrity and/or to University Police.

If a responding student, facing an alleged violation of the Codes of Student Conduct, withdraws from a class or the University, this will not prevent a code of conduct investigation and hearing from taking place and all such allegations will be resolved. Once the disciplinary process is complete, if the student is sanctioned, the student must complete the sanctions before becoming eligible to re-enroll, if at all.

Kennesaw State University student email is the University's primary means of communication with students. Students are responsible for reading all communications delivered to their University email address, and must submit any official correspondence with the University from their KSU email account/address.

Students at Kennesaw State University are provided a copy of the Codes of Student Conduct in the form of a link on the University website. http://scai.kennesaw.edu/codes.php Information about student conduct is also provided to each student in the Student Handbook. Students are responsible for reading and abiding by the provisions of the Codes of Student Conduct.

## SECTION 3: VIOLATIONS OF THE LAW

Alleged violations of federal, state and local laws may be investigated and addressed under the Codes of Student Conduct. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

Alternatively, the University reserves the right to exercise its authority of interim suspension upon notification that a student has been charged with, or indicted for, a felony or a crime involving moral turpitude in accordance with the guidelines of the Board of Regents of the University System of Georgia Policy Manual section 4.6.2 (additional grounds for interim suspension are outlined later in this document).

## SECTION 4: STUDENT CONDUCT AND ACADEMIC INTEGRITY (SCAI) AUTHORITY

### A. Authority

The Dean of Students is vested with the authority over student conduct by the President of the University and Vice President of Student Affairs. The Dean of Students appoints a Director of Student Conduct and Academic Integrity (SCAI) to oversee and implement the student conduct process. The Dean of Students (as designee for the Vice President of Student Affairs) also serves as the appeals officer when applicable.

The Director of Student Conduct (or designee) is responsible for assuring that there is a proper investigation and resolution of any allegation of misconduct (academic and non-academic). In certain circumstances, a hearing panel, rather than a hearing officer, may make recommendations on the issue of responsibility for codes of conduct violation(s) and the panel may make recommendations for sanctions if the student is found responsible. See the SCAI processes and procedures for more information. http://scai.kennesaw.edu/procedures/scai-misconduct.php

### B. Gatekeeping

An incident report will be forwarded to the appropriate SCAI or Housing and Residence Life staff member for review if there is reasonable cause to believe a university policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. An incident report wholly unsupported by any credible information will not result in disciplinary proceedings.

### C. Conflict Resolution Options

The Director of Student Conduct and Academic Integrity acting as a designee for the Office of the Vice President of Student Affairs has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal or informal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of Student Conduct and Academic Integrity may also suggest that complaints that do not involve a violation of the Codes of Student Conduct be referred for mediation or other appropriate conflict resolution.

### D. Composition of the Hearing Panel

When appropriate, the Director of Student Conduct will be responsible for assembling the hearing panel according to guidelines found in the SCAI processes and procedures.
http://scai.kennesaw.edu/procedures/scai-misconduct.php

## SECTION 5: THE CODES OF CONDUCT (THE RULES)

### A. Student Code of Conduct

Core Values and Behavioral Expectations

The University considers the behavior described in the following sub-sections as inappropriate for the University community and in opposition to the core values set forth in this document. These expectations and rules apply to all students, whether undergraduate or graduate. The University encourages community members to report to University officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in the section below entitled Possible Sanctions.

Integrity: University students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:

**1)** Falsification. Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments;

**2)** Academic Dishonesty. Acts of academic dishonesty as outlined in the Code of Academic Integrity (printed in its entirety later herein);

**3)** Unauthorized Access. Unauthorized access to any University building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any university building or failing to timely report a lost University identification card or key;

**4)** Collusion. Action or inaction with another or others to violate the Codes of Student Conduct;

**5)** Trust. Violations of positions of trust within the community;

**6)** Election Tampering. Tampering with the election of any University-recognized student organization (minor election code violations may be addressed by the SGA or other appropriate student organizations);

**7)** Taking of Property. Intentional and unauthorized taking of University property or the personal property of another, including goods, services and other valuables;

**8)** Stolen Property. Knowingly taking or maintaining possession of stolen property;

Community: University students build and enhance their community. Behavior that violates this value includes, but is not limited to:

**9)** Disruptive Behavior. Substantial disruption of University operations including obstruction of teaching, learning, research, administration, other University activities, and/or other authorized non- University activities which occur on campus;

**10)** Rioting. Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;

**11)** Unauthorized Entry. Misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a University building;

**12)** Trademark. Unauthorized use (including misuse) of University or organizational names and images;

**13)** Damage and Destruction. Intentional, reckless and/or unauthorized damage to or destruction of University property or the personal property of another;

**14)** IT and Acceptable Use. Violating the University Information Technology Acceptable Use and Computing Policies. Further information associated with these university policies can be found at https://policy.kennesaw.edu/

**15)** Gambling. Gambling as prohibited by the laws of the State of Georgia.

**16)** Weapons. Possession, use, or distribution of weapons not specifically allowed by state law. For the purpose of the KSU Codes of Conduct weapons are defined as: explosives (including fireworks and ammunition), any pistol, revolver, or any weapon designed or intended to propel a missile of any kind (including air, BB, paintball, facsimile weapons and pellet guns), or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser not used in the defense of self or others. This ban includes the storage of any item that falls within the category of a weapon in a vehicle parked on University property except as allowed in limited circumstances by Georgia law. Additionally, items that can be easily confused as weapons are prohibited and, in certain unclear circumstances, the context in which an item is used will determine if it is a weapon.

**17)** Smoking and all other use of tobacco and all use of e-cigarettes, personal vaporizers (PV), and/or electronic nicotine delivery systems (ENDS) on property owned, leased, rented or in the possession or control of the University System of Georgia.

**18)** Fire Safety. Violation of local, state, federal or campus fire policies including, but not limited to:

a) Intentionally or recklessly causing a fire which damages University or personal property or which causes injury.
b) Failure to evacuate a University -controlled building during a fire alarm;
c) Improper use of University fire safety equipment; or
d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property. Such action may result in a local fine in addition to University sanctions;

**19)** Ineligible Pledging or Association. Pledging or associating with a student organization without having met eligibility requirements established by the University.

**20)** Animals. Animals within University buildings, with the exception of those whose presence the University is required by law to allow.

**21)** Recreational Wheeled Devices. Skateboards, roller blades, roller skates, bicycles and similar wheeled devices may not be used inside University buildings, residence halls, parking decks, or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be liable for damage to University property caused by these activities.

Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing university community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

**22)** Discrimination. Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University's educational program or activities.

**23)** Harassment. Any unwelcome conduct based on actual or perceived status including: (sex, gender, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status). Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the victim and community. Hostile Environment-sanctions can and will be imposed for the creation of a hostile environment only when [unwelcome] harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the University's educational or employment program or activities[2].

**24)** Retaliatory Discrimination or Harassment. Any intentional, adverse action taken by an responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in a civil rights grievance proceeding or other protected activity [under this Code].

**25)** Abuse of Conduct Process. Abuse or interference with, or failure to comply in, University processes including, but not limited to, conduct and academic integrity hearings.

a) Falsification, distortion, or misrepresentation of information;
b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
c) Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
d) Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
e) Failure to comply with the sanction(s) imposed by the campus conduct system;
f) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

[2] This policy attempts to balance the need of the community to create a civil climate while also embracing the 1st Amendment protection that attaches to most harassing speech that is simply offensive.

Respect: University students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

**26)** Harm to Persons. Intentionally or recklessly causing physical harm or endangering the health or safety of any person.

**27)** Threatening Behaviors:

a) Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
b) Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

**28)** Bullying and Cyberbullying. Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

**29)** Hazing. Defined as any intentional, negligent or reckless action, activity or situation, occurring on or off campus, that endangers or is likely to endanger the physical health of an individual or causes an individual pain, embarrassment, ridicule or harassment, as a condition or precondition of gaining acceptance, membership, office, or other status in a student group, whether or not such group is formally recognized by the University and regardless of the individual's express or implied willingness to participate. Further information associated with this university policy can be found at https://policy.kennesaw.edu/

**30)** Intimate Partner/Relationship Violence. Alleged violations of this section will be addressed in accordance with the KSU Sexual Misconduct Policy. Further information associated with this university policy can be found at https://policy.kennesaw.edu/

**31)** Stalking. Alleged violations of this section will be addressed in accordance with the KSU Sexual Misconduct Policy. Further information associated with this university policy can be found at https://policy.kennesaw.edu/

**32)** Sexual Misconduct. Alleged violations of this section will be addressed in accordance with the KSU Sexual Misconduct Policy. Further information associated with this university policy can be found at https://policy.kennesaw.edu/

**33)** Public Exposure. Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility: University students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:

**34)** Alcohol. The use, possession, manufacture, sale or distribution of alcoholic beverages on campus by any individual or campus constituency. Student activity funds or institutional funds may not be used for the purchase of alcoholic beverages. Kennesaw State University is committed to recognizing, upholding and enforcing the laws of the State of Georgia. Violation of those state laws shall not be condoned on the campus or at any activity held off campus by any constituency. Exceptions to the policy of no alcohol on campus may from time to time be permitted at the discretion of the president, and there are other limited exceptions to this policy within the residence halls by those aged 21 or older. (see the residential code of conduct below)

a) Underage alcohol use and/or possession.
b) Distributing or providing alcohol to underage persons.
c) Manufacture and/or sale of alcohol.
d) All other alcohol violations.

**35)** Drugs. The use, possession, manufacture, sale, or distribution of illegal drugs (controlled substances) or drug paraphernalia. In addition, smoking, ingesting, or otherwise using a substance not already prohibited by the preceding sentence in a manner not consistent with the manufacturer's recommended use is prohibited. This includes, but is not limited to, all forms of synthetic marijuana, regardless of brand name.;

a) The use, possession, manufacture, sale, or distribution of illegal drugs.
b) All other drug violations.

**36)** Prescription Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;

**37)** Failure to Comply. Failure to comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;

**38)** Financial Responsibilities. Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.

**39)** Other Policies. Violating other published University policies or rules, including all Residence Hall policies (see the Residential Code of Conduct, below);

**40)** Health and Safety. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)

**41)** Violations of Law. Evidence of violation of local, state or federal laws.

## B. Residential Code of Conduct

As a resident at KSU, you assume an obligation to conduct yourself in a manner compatible with the university's function as an educational institution. This residential code of conduct defines the institution's expectations of all residents. Any violations of these codes of conduct will be reported to residence life or student conduct personnel. Jurisdiction of these violations shall be held by the Department of Student Conduct and Academic Integrity (SCAI) and the Vice President for Student Affairs or his/her designated representative, and handled in the manner stipulated for non-academic grievances. The residential code of conduct is a subset of the KSU codes of conduct and applies to all students as well as non-students. All Kennesaw State University students and other students who reside in on-campus housing shall abide by the following rules and regulations.

**1)** Alcohol

Kennesaw State University abides by Georgia State Law concerning sale, possession, manufacture, distribution and use of alcohol. Students who are of legal drinking age (21) may possess and consume alcoholic beverages in designated communities, but only as a private activity in private living areas (i.e., room and/or apartment). Alcohol is not permitted in building common areas (lobbies, lounges, study rooms and hallways). Residents of legal age may have alcohol on their balcony or patio, as long as it is in a non-glass container. Students are legally responsible for their actions in all mental and physical conditions including those induced by alcoholic beverages.

Kennesaw State University also prohibits:

a) The use or possession of alcohol by anyone under the legal drinking age of 21;
b) Providing alcohol to a person under age 21;
c) The transport and/or consumption of alcohol in open containers in any public area including any property that surrounds an apartment and is considered housing property;
d) The manufacture or selling of alcohol;
e) Failure to abide by the institution's policy on student organization use of alcohol;
f) Public intoxication;
g) Common containers of alcohol (kegs, party balls, trash cans, funnels, beer hats, etc.) are not permitted. Beverages must be used in individual containers;
h) Any game or activity (especially those competitive in nature) contributing to the overindulgence of alcohol is prohibited regardless of the age of the participants;
i) Guests and/or visitors consuming or possessing alcohol in the room/apt/surrounding area of a host (resident) under the age of 21;
j) Alcohol not being clearly consumed by those 21-years of age or older in a room shared by students over and under 21 years of age;
k) The use or possession of alcohol by any resident or guest, regardless of age, in a substance-free community, substance-free communities are designated each academic year. For more information on which communities are substance-free, please consult the housing and residence life website;
l) Being present where an alcohol violation is occurring, regardless of whether the resident/guest is using or possessing alcohol;

m) Alcohol paraphernalia is prohibited in substance free communities and residential units of underage residents. For health and safety reasons, empty alcohol containers are not permitted to be used for decorative purposes within the residential facilities.

**2)** Drugs

Kennesaw State University prohibits:

a) Selling, possessing, distributing, manufacturing or using any substance currently classified as a dangerous drug by the Georgia Controlled Substance Act or classified as illegal by state or federal law;

b) Possession of drugs that may be used to incapacitate other Individuals;
c) Possession and/or use of drug paraphernalia, including but not limited to any form of bong or smoking device, such as a hookah, even if not used or used for tobacco products;
d) Being present where a drug-related violation is occurring, regardless of whether the resident/guest is using or possessing drugs;
e) Having guests who possess or who use illegal drugs in your apartment;
f) Disrupting or disturbing others in the residential communities related to drug use on or off campus including the odor of marijuana.
g) Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.

**3)** Weapons

Possession, use, or distribution of weapons not specifically allowed by state law is prohibited. For the definition of a weapon under the KSU Student Codes of Conduct see section A.16 of this document. In addition to the prohibitions on weapons contained in section A.16, there are further restrictions in the on-campus housing areas: items that can be easily confused as weapons are prohibited and, in certain unclear circumstances, the context in which an item is used will determine if it is a weapon.

**4)** Pets/Animals

The University does not permit students to have pets/animals in or around the residential communities. If a resident is found to have an unauthorized pet in their apartment for any reason at any time, they are subject to a pet fine that is charged daily. This includes pets belonging to outside guests; pets/animals may not "visit" at any time. The only exceptions are:
a) Fish in a properly maintained aquarium not to exceed 10 gallons; and

b) Animals, whether Service Animal or Emotional Support Animal, determined to be necessary for persons with disabilities. Student Disability Support Services and the Department of Residence Life must approve all residential students seeking the use of such animals.

**5)** Smoking/Tobacco Use

Smoking, all other use of tobacco, and all use of e-cigarettes, personal vaporizers (PV), and/or electronic nicotine delivery systems (ENDS) is prohibited on property owned, leased, rented or in the possession or control of the University System of Georgia. This includes all on-campus housing and grounds as well as all other areas on campus.

**6)** Cooperation and Compliance

Residents and guests are expected to cooperate with all reasonable requests made by members of the community, both on-campus and in the surrounding neighborhood. Likewise, residents must comply with all reasonable requests of any person acting in an official capacity as a representative of the university, including, but not limited to, Residence Life staff (including RAs), campus police, faculty, and housing staff. Cooperation includes, but is not limited to, participating in required residential activities (i.e., mandatory meetings, judicial hearings, learning communities, rules, payment of rent/fees, etc.). Cooperation also includes compliance with all rules and regulations established by KSU Residence Life and/or KSU Housing not included within this code of conduct but distributed through other printed and electronic means (housing contract, newsletters, etc.).

Knowingly acting as an accessory or being present while any violation of the university policy is occurring is in violation of the residential code of conduct. A resident is expected to remove him or herself from a situation where university policies are being violated, failure to do so may result in disciplinary action.

**7)** General Safety and Well-Being

Residents are expected to take responsibility for the overall general safety and wellbeing of themselves individually and the residential community as a collective. Engaging in any behavior that impedes the general safety and/or well-being of self and/or others is prohibited. This may include, but is not limited to; causing physical or psychological harm to oneself and/or others; creating an unsafe environment by leaving doors unsecured, particularly common use doors; failing to notify the appropriate authorities when knowledge exists of a situation that may impede the general safety and/or well-being of individuals and/or the community.

General safety also includes maintaining your living environment and your own person in accordance with reasonable health, cleanliness, and safety expectations.

**8)** Fire Safety

Tampering with, vandalizing or misusing fire safety equipment is prohibited and constitutes reasons for eviction from the apartments and possible suspension or expulsion from the University. Fire safety equipment includes, but is not limited to, alarms, extinguishers, smoke detectors, door closures, alarmed doors, and sprinklers. Failure to evacuate during a safety drill will result in disciplinary action, as they are required by Georgia law. Items that are flammable such as fuel, etc., may not be stored in a resident's room or apartment. Items that require an open flame to operate or which produce heat (i.e., Bunsen burners, lit candles, alcohol burners, grills, fireworks) are not allowed in resident's rooms. Residents must further agree to abide by the safety regulations as stipulated in the Housing Safety Regulations.

**9)** Noise

All students are expected to respect the rights of others by refraining from making loud noises or causing other disturbances that interfere with study or sleep.
a) All residents are expected to respect 24-hour courtesy hours. If a student makes a reasonable request of another student to be less noisy, that student should comply. No noise should be heard outside of a student room;
b) Quiet Hours will apply to noise regulation in the public areas of the residential communities. Quiet Hour adjustments may be voted on by the Community Councils. Until this occurs, residence-wide quiet hours will be in effect. Quiet Hours are 10pm until 10am Sunday through Thursday and 12am to 10am Friday and Saturday;
c) During exam periods, quiet hours will be extended to 24 hours. This regulation also applies to areas surrounding the residential communities, and public areas; and
d) In the event that a group makes a disturbance (e.g., game playing, watching TV, or yelling loudly), staff may request violators to leave immediately.

**10)** Guests and Visitation

Residents may allow guests (those of the same or opposite sex) to visit their room/apartments with agreement from the other residents in their room/ apartment. Guests are defined as any person not assigned to live in that specific space (even if the person is a resident of another on-campus space). Community Councils, residential communities and roommates may develop rules that are supplementary to but not in conflict with the established guidelines. In order to facilitate safety and privacy, the following are prohibited:
a) Use of the bedroom or bathroom of another resident without his or her priorconsent;
b) Guests (including other KSU students) staying in a resident's room more than three nights within any seven night period, staying in a resident's room on a frequent basis, or cohabitating in any room/apartment;
c) Overnight guests are defined as anyone who is in the room after 3AM.
d) Residents must escort their guests at all times within the residential community;
e) Students are expected to accompany their guests at all times and accept responsibility for their behavior. At no time should any resident provide entrance to their room to someone who is not their guest, or provide access to a guest who is unaccompanied by the resident (e.g., lending/copying a key or access card).
f) While hosts are held responsible for the actions of their guests, legal action will also be taken against a guest for violating campus policies, including but not limited to, criminal trespass, or prosecution. Guest must park in designated visitor spaces only, and hosts may lose parking privileges if guests park illegally.
g) Minors who are not enrolled KSU students must be escorted by a parent/guardian in addition to the host resident at all times. These minors may not visit overnight without advance permission from the Director of Residence Life ordesignee.
h) General occupancy, as recommended by management and the fire marshal, is two persons per bedroom (i.e., a four person apartment equals a total occupancy of eight people at any

given time). Residents are expected to comply with occupancy guidelines. Visitation privileges may be revoked for individuals or groups who violate the visitation policies.

**11)** Collective Liability/Damage and Vandalism

Residents are responsible for the condition of their rooms and any shared spaces. While the University and KSU Housing will strive to attribute damage and vandalism charges to the individuals responsible, when it cannot do so, all members of an apartment or building may be charged equally for any damages. Collective liability damages are defined as damages caused to lounges, study rooms, recreation rooms, hallways, stairwells, bathrooms or any space not accepted or identified as belonging to a specific individual. Affected residents should provide information to housing staff to assign these charges to the individual(s) responsible. Damage, vandalism, theft, inappropriate use of facilities, and/or use of facilities/furnishings in a manner other than that for which they were intended, are prohibited.

**12)** Enforcement and Grievances

Any complaints or grievances should be directed to the respective residence hall staff member. Residents have the right to file charges directly against another student through the appropriate Residence Life staff member. If the staff member cannot rectify the situation, then the matter shall be referred through the appropriate channels, and ultimately submitted for action or consultations to the SCAI Department. SCAI shall handle all matters arising from this code as any non-academic violation. Grievances against Residence Life staff members shall be submitted in writing to the Director of Residence Life.

**13)** Modifications and Revisions

Any modifications or revisions to these residential code of conduct shall be submitted to the Kennesaw State University Residence Hall Association (RHA). After discussion, the RHA shall forward its recommendations to the Director of Residence Life. Upon his/ her approval, the Director of Residence Life shall forward the approved recommendations to the Director of SCAI, and Vice President for Student Affairs or designee.

**14)** Warnings and Documented Incidents

As circumstances warrant, authorized Residence Life and/or SCAI staff may issue warnings to students for behaviors of concern, and violations of housing rules and regulations, even if such behaviors do not constitute a violation of this code.

These warnings and/or documented incidents will be recorded within the student's conduct file.

**15)** Solicitation, Posting, and Use of Residential Space

For the residents' protection against fraudulent sales and annoyance, solicitation is prohibited on university property. Periodically special programs are offered where residents can learn about products and services. Residents are prohibited from engaging in business activities on campus and in housing. All activities, research, and postings within the residential areas must be approved in advance by the Director of Residence Life or designee, even if the activities/postings are sponsored by recognized university departments or organizations. Items are not permitted to be posted on the exterior of the buildings, siding, stairwells, hallways, lounge areas, and any other area not permitted by the Department of Residence Life.

**16)** Additional Rules

There can be residential areas that have additional rules and regulations as defined as necessary by the Department of Residence Life. These rules and regulations can be found on the Housing and Residence Life website. For a complete list of all housing and residence life rules that are not included in the residential student code of conduct, please consult the housing and residence life website.

## C. Code of Academic Integrity

Core Values and Honor Code Pledge

Kennesaw State University students accept the pledge below by virtue of their acceptance into the institution and enrollment in courses. The declaration of principles and obligations within this pledge form the core mission statement of the Code of Academic Integrity. All subsequent prohibitions and rules of the Kennesaw State University Code of Academic Integrity concretely apply the precepts of this pledge by delineating behaviors that constitute academic misconduct. Should the investigation and/or resolution of alleged academic misconduct reveal that the actual misconduct which occurred is different than the initial allegations (e.g. alleged plagiarism which turns out to have been cheating), the final charge(s) will be modified accordingly. Ultimately, all possible forms of academic misconduct are simply variations upon the common problem of breaching university academic integrity standards. Assignments submitted toward completion of a course are subject to academic misconduct policies, even if the assignments in question do not receive individual grades (like early drafts of papers) or are not required (such as work submitted for extra credit).

Because academic misconduct directly opposes the central academic mission of Kennesaw State University, all such offenses are considered extremely serious. Sanctions for being found responsible for academic misconduct can include up to suspension, expulsion, and revocation of degree. If it is likely that a student will be suspended, expelled, or have a degree revoked from KSU if found responsible for academic misconduct, the student will be afforded the opportunity to choose to have the case adjudicated before a SCAI hearing panel or a SCAI hearing officer. SCAI staff will determine the likeliness of these sanctions. Potential sanctioning factors include, but are not limited to, prior findings of academic misconduct, the egregiousness of the alleged offense, and the intent to deceive. If the incident constitutes the student's first academic misconduct offense and the student takes responsibility for the misconduct, the professor and student may agree to an informal resolution and academic sanction(s) in lieu of a formal hearing. However, even in such cases, the professor may still forgo an informal resolution and pursue a formal adjudication instead, in consultation and with agreement from SCAI, if he or she deems the alleged violation particularly egregious in nature.

*As a member of the Kennesaw State University community of scholars, I understand that my actions are not only a reflection on myself, but also a reflection on the University and the larger body of scholars of which it is a part. Acting unethically, no matter how minor the offense, will be detrimental to my academic progress and self-image. It will also adversely affect all students, faculty, staff, the reputation of this University, and the value of the degrees it awards. Whether on campus or online, I understand that it is not only my personal responsibility, but also a duty to the entire KSU community that I act in a manner consistent with the highest level of academic integrity. Therefore, I promise that as a member of the Kennesaw State University community, I will not participate in any form of academic misconduct.*

Types of Academic Misconduct:

**1)** Cheating. Receiving, attempting to receive, knowingly giving or attempting to give unauthorized assistance in the preparation of any course work (including, but not limited to, examinations, laboratory reports, essays, themes, term papers) is considered cheating, as is engaging in any behavior that a professor prohibits as academic misconduct in the syllabus or class discussion. Unless specifically authorized, using and/or having access to electronic devices during an examination, quiz, test or other assessment is automatically considered cheating, regardless of the student's reason for using/accessing the device. Additionally, unauthorized collaboration and sharing of materials in an electronic group chat is cheating, and said participation shall be determined by an evaluation of all facts available regarding participation.

**2)** Plagiarism. Including direct quotations from other sources into work required to be submitted for credit without indicating them as such by quotation marks, block quotes or other appropriate formatting. Incorporating the work of someone (e.g. ideas, theories, data, figures, graphs, programs, electronic based information, illustrations, etc.) into a paper or project without due acknowledgement;

**3)** Self-Plagiarism. Submitting any work for credit which was not authored specifically and originally for the assignment in question without the prior permission of the professor receiving that assignment. Most commonly, this means submitting the same, or substantially the same, paper or other assignment for credit in more than one class;

**4)** Misrepresentation and/or Falsification. Knowingly providing false information in completing University forms or applications (including admissions forms, scholarship applications, time sheets, false or counterfeit transcripts, etc.) or in any work related to a course at KSU. This includes providing fabricated/altered documents to substantiate an excused absence (such as to meet attendance requirements or have the chance to make up a missed exam). Signing in for another student or having another individual sign in on a student's behalf on an attendance sheet also constitutes a violation of this code section.

**5)** Unauthorized Access to University Materials. Taking, attempting to take, stealing or in any unauthorized manner otherwise procuring, gaining access to, altering or destroying any material pertaining to the conduct of a class (including tests, examinations, grade change forms, grade rolls, roll books, laboratory equipment, University grade records in written or computerized form, etc.).

**6)** Malicious/Intentional Misuse of Computer Facilities/Services. Maliciously or intentionally misusing university-controlled computer facilities and services. This includes violations of state and federal laws (e.g. copyright violations, unauthorized access to systems, alteration/damage/destruction, or attempted alteration/damage/destruction, use for profit, etc.) or a department's rules for computer usage (e.g. account violations, damage, or destruction of the system and/or its performance, unauthorized copying of electronic information, use of threatening or obscene language, etc.).

7) Malicious Removal, Retention or Destruction of University Resource Materials. Misplacing, taking, destroying any item or part of an item belonging to or in the protection of the University (or the attempt thereof) with the intention of bringing about an undue disadvantage in the academic pursuits of other Kennesaw State Universitystudents.

Rights and Expectations of Accused Students

Students of Kennesaw State University are guaranteed all of the due process rights and privileges associated with their matriculation in a higher education institution in the university system of Georgia. Additionally, students accused of a Code of Academic Integrity violation will have an opportunity to be heard before a decision is made about their responsibility for a violation. Nevertheless, when a student fails to appear for a hearing/disciplinary meeting after notice of the hearing has been sent to that student's KSU email address, the hearing officer or panel may make a decision without that student's input or explanation. The hearing officer or panel will base its decision on all other information and evidence presented, and may find the student responsible if a preponderance of the evidence indicates responsibility for the violation(s). Students found responsible for violating academic integrity regulations will be subject to sanctions that can include academic penalties, suspension or permanent dismissal from the institution, or revocation of course credits/degrees.

## SECTION 6: Possible Sanctions

A student or student organization found in violation of the KSU Student Code of Conduct, Residential Code of Conduct, or Code of Academic Honesty may be sanctioned as outlined by this section. Sanctions for KSU Student Code of Conduct violations may be combined.

The severity of sanctions or corrective actions will depend on the frequency, severity, and/or nature of the offense, history of past conduct, previous institutional response to similar conduct, and the institution's interests.

### 1) Types of Sanctions, in General

a) Expulsion: Permanent severance of student's relationship with the University.
b) Probated Expulsion: Further violations of major offenses, as specified by the hearing panel or hearing officer, shall result in expulsion if the accused student admits the violation or is found responsible after investigation and a hearing.
c) Suspension: Temporary severance of a student's relationship with the University.
d) Probated Suspension: Notice that further violations of major offenses, as specified by the University hearing panel or hearing officer, shall result in suspension if the accused student admits the violation or is found responsible after investigation and a hearing.
e) Removal from on-campus housing.
f) Probated removal from on-campus housing. Notice that further violations of offenses, as specified by the University hearing panel or hearing officer, shall result in removal from on-campus housing if the accused student admits the violation or is found responsible after investigation and a hearing.

g) Restrictions: Temporary or permanent separation of a student from another person (*e.g.*, change in classes, reassignment of residence, no contact orders, limiting geography of where a student can go on campus) with additional sanctions for violating orders.
h) Reprimand: Oral or written disapproval issued to the student.
i) Disciplinary Probation: Notice to the student that any further major disciplinary violations may result in suspension if the accused student admits the violation or is found responsible after investigation and a hearing; this action would also include, but not be limited to, the following: the setting of restrictions on social activities, the issuing of a reprimand, and restitution.
j) Social Restrictions: Exclusion from enjoying or participating in social activities, or from holding office in University clubs or organizations.
k) Restitution or fines: Reimbursement for damage or misappropriation of property; this may take the form of appropriate service or other compensation or fines.
l) Community Service: Assignment to work a specific number of hours at or through a community service agency.
m) Educational or Developmental workshops or classes.
n) Other Educational or Developmental Remedies: Imposed by the recommendation of a University hearing panel or any hearing officer and related to the violation or conduct.
o) Retraction of University degree or course credit previously awarded: The university may retract a degree or course credit previously awarded if the University hearing panel or hearing officer recommends this sanction and both the Provost/VPAA and Registrar accept the recommendation.

### 2) Academic Misconduct – Grade Penalty

It is the responsibility of the reporting faculty member to determine the appropriate grade to be assigned to a student as an informal resolution or once a SCAI hearing officer or panel finds the student responsible for academic misconduct. This grade penalty is assigned independently from the SCAI conduct process and is not eligible for appeal through the SCAI appeal procedures, though other appeal or administrative review options may exist through other university protocols.

### 3) Student Organizations

In addition to the above referenced sanctions, student organizations found in violation of the Student Code of Conduct may be subject to the following disciplinary action:

a) Restriction of social or other activities sponsored by the organization.

b) Suspension of the organization's registration with the University.

c) Probation, which is notice that further violations of major offenses shall result in suspension and/or revocation of the organizations registration with the University if the organization admits the violation or is found responsible after investigation and a hearing.

d) Revocation of the organization's registration with the University.

## SECTION 7: Interim Actions

Interim suspensions – that is, suspensions from the university while the investigation and adjudication process are proceeding – should only occur where necessary to maintain safety, and should be limited to those situations where the alleged offender poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the campus community, the nature, duration, and severity of the risk, the probability of potential injury, and whether reasonable modifications of policies, practices, or procedures will significantly mitigate the risk.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard on whether his or her presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension shall take effect immediately. When requested by the respondent, a hearing to determine whether the intermediate suspension should continue will be held within three (3) business days of the request.

Interim suspension measures may be employed against a student by the Vice President for Student Affairs, or his or her designated representative.

### Possible Interim Actions by the University

Interim actions may include, but are not limited to, any or all of the following:

1) restriction from participation in any academic course, program, or activity
2) restriction from participation in any student activity on or off campus
3) restriction from use of any or all University facilities
4) restriction from entering the campus or any designated portion thereof.