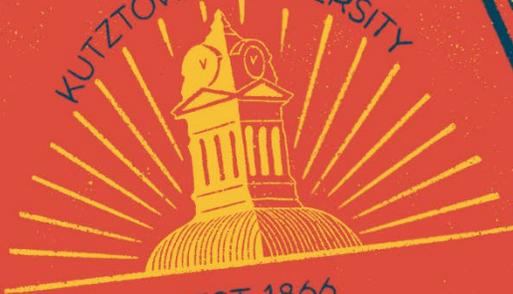


KUTZTOWN UNIVERSITY



EST. 1866

The Key

2024-2025
STUDENT HANDBOOK

Mission Statement

The mission of Kutztown University is to provide affordable high-quality undergraduate, graduate, and lifelong learning opportunities that empower students of all ages for their intellectual, social, civic, and career endeavors.

Vision Statement

Kutztown University aspires to be a regional center of excellence, providing opportunities for advanced academic, cultural, and public service experiences, within a caring community, designed to promote success in global society.

Non-Discrimination Statement

Kutztown University does not discriminate in employment or educational opportunities on the basis of sex, race, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity, or veteran status. To discuss a complaint of discrimination, please contact the Office of Social Equity, Old Main A-Wing, Room 02, by phone at 610-683-4700 or by e-mail at pena@kutztown.edu. Pursuant to Title IX of the Education Amendments of 1972, Kutztown University does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, including admissions and employment.

Any inquiries regarding the application of Title IX at Kutztown University may be made to Bradley Davis, the University's Title IX Coordinator, located in Old Main A-Wing, Room 02A, by phone at 610-683-4782 or by email at titleix@kutztown.edu, or the Office for Civil Rights located in the Lyndon Baines Johnson Department of Education Bldg., 400 Maryland Avenue, SW, Washington, DC 20202-1100, by phone at 800-421-3481 (TDD: 800-877-8339), by fax at 202-453-6012, or by e-mail at OCR@ed.gov. Kutztown University's Sexual Misconduct, Anti-Discrimination, and Anti-Harassment policies can be found in The Key student handbook or online at <https://www.kutztown.edu/about-ku/administrative-offices/social-equity.html>.

Student Handbook Notes

The regulations, provisions, and policies set forth in this handbook are not intended to create any substantive rights beyond those created by the laws and constitutions of the United States and the Commonwealth of Pennsylvania, and are not intended, in and of themselves to create any cause of action against the State System of Higher Education, the Board of Governors, the Chancellor, an individual president or university, including Kutztown University, or any other officer, agency, agent, or employer of the State System of Higher Education.

This document is found online at <http://www.kutztown.edu/thekey>. Anyone needing this document in alternative medium should contact the Dean of Students at 610-683-1396.

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Welcome & General Information

Kenneth S. Hawkinson, Ph.D. **University President**



Welcome to Kutztown University. You have just begun an experience that will change your life and that of those around you. By choosing to pursue a college education you have joined a community of scholars that offers many opportunities and responsibilities. Kutztown University offers strong academic programs supported by an excellent faculty, staff and administration. In addition, there are numerous activities and services designed to support and guide you along the way and to help you make responsible and productive decisions. Between the covers of this handbook, you will find the rules and regulations that govern university life. These are established as a clear road map of policies and procedures, which serve to maintain the integrity and quality of a Kutztown University education and campus life. My best wishes to you as you embark on this important and exciting journey.

Stephen St. Onge, Ph. D. **VP for Enrollment Management & Student Affairs**



Thank you for choosing to be part of the Kutztown University community! As a Golden Bear, your possibilities are endless, and success is within reach. The Division of Enrollment Management & Student Affairs desires to help every student on their educational journey reach their highest potential. We strive to provide intentional programs, activities, and experiences that are engaging, rewarding, and create lasting memories. Please take a moment to review this important document, The Key. In these pages are tons of helpful pieces of information about our offices, programs, services, and policies. If you should not find an answer to your question, contact my office, the Office of the Dean of Students, or one of the many offices across our campus. May you have a successful academic year and may nothing stop you from reaching your goals.

Kyra Richards, Student Government Board **Vice President & Acting President**



Welcome to the 2024-25 academic year and to the campus community. Kutztown has always been a diverse campus that fosters personal and professional growth. As you work towards your goals, we hope you take advantage of all the resources and opportunities KU has to offer. Getting involved with the University is a great way to meet new people, adapt to your new surroundings, and acquire and expand skills. With more than 180 student organizations, KU serves a wide range of student interests and offers many opportunities for involvement, learning skills and gaining experience that cannot be taught in the classroom.

The Student Government Board (SGB) is here to represent you and we welcome your input and involvement. This year, we will continue our work on campus safety from last year with additional focus on campus accessibility and better campus communications. If you are interested in being involved in the SGB as an elected representative or on any of our committees, please contact us in the McFarland Student Union (MSU) room 196.

Student Consumer Information

Accessing important Kutztown University student consumer related information is provided through this web portal. This information is provided in accordance with the *Higher Education Act of 1965* as amended by the *Higher Education Opportunity Act of 2008*.

Students will find information on:

1. General University information related to matriculation, student records, facilities, services, and activities
2. Student Financial Assistance Health and Safety
3. Student Outcomes
4. Voter Registration

Kutztown University will also disseminate information, as appropriate and in accordance with applicable federal and state statutes. The distribution methods will consist of direct mail, bulk mail, hand distribution, public posting, insertion into already existing materials, or electronically. <https://www.kutztown.edu/student-consumer-information.htm>

Non-Discrimination Statement

Kutztown University does not discriminate in employment or educational opportunities on the basis of sex, race, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity, or veteran status. To discuss a complaint of discrimination, please contact the Office of Social Equity, Old Main A-Wing, Room 02, by phone at 610-683-4700 or by e-mail at pena@kutztown.edu. Pursuant to Title IX of the Education Amendments of 1972, Kutztown University does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, including admissions and employment. Any inquiries regarding the application of Title IX at Kutztown University may be made to Bradley Davis, the University's Title IX Coordinator, located in Old Main A-Wing, Room 02A, by phone at 610-683-4782 or by email at titleix@kutztown.edu, or the Office for Civil Rights located in the Lyndon Baines Johnson Department of Education Bldg., 400 Maryland Avenue, SW, Washington, DC 20202-1100, by phone at 800-421-3481 (TDD: 800-877-8339), by fax at 202-453-6012, or by e-mail at OCR@ed.gov. Kutztown University's Sexual Misconduct, Anti-Discrimination, and Anti-Harassment policies can be found in *The Key* student handbook or online at <https://www.kutztown.edu/about-ku/administrative-offices/social-equity.html>.

Policy Register

The KU Policy Register is a compilation of the official University, administrative, and operational policies, and procedures of Kutztown University of Pennsylvania. The purpose of this on-line record is to serve the KU community as a source of reliable information and as a foundation on which decisions can be made.

<https://www.kutztown.edu/about-ku/administration/governance/policy-register.html>.

Regulations Subject to Change

The educational process necessitates change and, therefore, this document must be considered as information representing policy at the time of publication. Each step in the educational process, from admission through commencement, requires continuing review and appropriate approval by University officials. **The University, therefore, reserves the right to change the policies and regulations contained in this document.**

Partisan Political Activity

Consistent with PASSHE procedure/standard 2011-07, the use of public funds to pay for a political contribution or sponsorship of any kind is prohibited. Nothing in this document shall prohibit the payment of speakers' fees to political figures.

Accreditation

Kutztown University has both institutional and specialized accreditation. Kutztown University is accredited by the Middle States Commission on Higher Education (MSCHE). The University is also accredited by the:

- American Chemical Society (ACS) (approval)
- Association to Advance Collegiate Schools of Business (AACSB)
- Commission on Sport Management Accreditation (COSMA)
- Computing Accreditation Commission of ABET
- Council for Accreditation of Counseling and Related Educational Programs (CACREP)
- Council for the Accreditation of Educator Preparation (CAEP)
- Council on Social Work Education (CSWE)
- National Association of Schools of Art and Design (NASAD)
- National Association of Schools of Music (NASM)
- National Council for Accreditation of Coaching Education (NCACE)

Student Complaints, Grievances, and Concerns

Kutztown University of Pennsylvania is committed to providing an educational climate conducive to each student's personal and academic development. KU desires to resolve student grievances, complaints and concerns in an expeditious, fair, and amicable manner in accordance with university policies and as outlined in *The Key*, the Kutztown University Student Handbook.

Kutztown University suggests that before a student files a formal complaint, the procedure described below be followed.

Where do I begin to seek a solution to my problem?

If an issue arises for you, the first step in the process is that the student should first contact the faculty, administrator, or staff to try and resolve the issue in an appropriate, equitable, and respectful manner. Based on the successful conclusion of the matter on the part of both parties, no further action is warranted, and the matter is considered closed by both the student and the unit, program, department, individual or office of the university involved.

If the issue is not resolved satisfactorily, the meeting may be followed up with the faculty, administrator, or staff's direct supervisor. If the issue is still not resolved in a mutually agreeable manner, then the university offers a resolution process where the student should contact the appropriate director or dean, see (link) below. Important exceptions to this set of steps are in specific instances of discrimination or sexual assault/harassment. The prescribed solution as outlined in the sections on Discrimination or Sexual Assault/Harassment, (at the link) below, should be followed.

To assist you in knowing what to do, the following information is provided for your use (please refer to):

<https://www.kutztown.edu/contact/student-complaint-procedures.html>.

Chapter One



Document on Student
Rights and Welfare

Document on Student Rights & Welfare

Introduction

The academic community at Kutztown University of Pennsylvania, its faculty, students, and administration, must commonly work to secure that environment in which the acquisition of knowledge and wisdom is best fostered within the context of the University's unique objectives and programs. The University should attempt to provide each student with maximum freedom for self-development. Similarly, each student is obligated to conduct his/her affairs in a responsible manner without infringement upon the rights of other members of the University community.

Channels for constructive recommendations by students regarding academic instruction, course offerings, student-administration relations, co-curricular activities, and other matters will be established and maintained. The University as a community will strive to follow the spirit of statutory and judicial changes that affect student rights. It will also, through the Commonwealth of Pennsylvania, provide for the student body those privileges, opportunities, and protections, which enhance learning processes. Students here, as elsewhere, have the right to learn and the responsibility to respect the rights of others.

1. Freedom of Association, Expression, and Inquiry

- A. Students should be free to organize and join associations to promote their common interest. Affiliation of a University group with an organization outside the campus does not of itself disqualify a student organization from institutional recognition. In order for a student organization to be recognized and approved it must meet criteria that are established by the *Student Government Board* and the University. Each approved student organization shall be free to choose its own faculty or staff advisor. Institutional recognition should not be withdrawn during the time the student organization is seeking an advisor. The time allotted for this should not exceed one academic semester. All student organizations should be open to all students.
- B. Students and student organizations should be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They should be free to support causes in an orderly manner that does not disrupt the operations of the University or violate the rights of others. An opinion of a student or student organization is not necessarily that of the University. The University encourages the airing of all facets of issues and topics.
- C. Student organizations should be allowed to invite and to hear any person of their choosing providing the program is in accordance with state and federal Law. The University shall not use its control over facilities as a device of censorship.
- D. Students shall have an opportunity to participate in the formulation and application of University policy through the *Student Government Association*. The authority for the establishing of University policy and for the governance of the University is the responsibility of the *President* and the *Council of Trustees*.

2. The Academic Rights & Responsibilities of Students

The relationship between Kutztown University students and their instructors should be established on mutual respect and understanding. Both the student and instructor should attempt to resolve differences in informal and direct discussion.

- A. The student shall have the right to orderly expression in the classroom without penalty.
- B. The student has a right to a course grade based on the instructor's judgment of demonstrated performance in the course. A student's appeal may be based on the belief that the grade was not fairly determined.
- C. Students have a right to protection against unprofessional disclosure by an instructor concerning their grades, beliefs, political association, health, or character.
- D. Course and program selection is the responsibility of the student. He or she has a right to accurate and clearly stated information:
 - 1. on calendar dates for achieving specific academic standing;
 - 2. on his/her own academic standing in the University; and
 - 3. on graduation requirements for his/her particular curriculum and major.
- E. Any student who wishes to report a concern, grievance, or complaint regarding an academic or non-academic concern should consult the following website for guidance:

<https://www.kutztown.edu/contact/student-complaint-procedures.html>
- F. The faculty shall have final authority and responsibility for course content, classroom procedure and grade determination. No power to change any grade given to a student is vested in any student conduct authority established under this document.

3. Student Records

Kutztown University collects and retains information about students for designated periods of time in order to facilitate the students' educational development. The University, recognizing each student's interest in exercising control over disclosure of such information, must at the same time balance that interest against the institution's own need for information relevant to the fulfillment of its educational mission. Accordingly, the Kutztown University adheres to the Family Educational Rights and Privacy Act (FERPA) regarding the collection, maintenance, and release of student records. Additional information about FERPA and the University's procedures regarding educational records can be found through the Office of the Registrar at:

<https://www.kutztown.edu/about-ku/administrative-offices/registrar/ferpa.html>.

4. Due Process

A. Introduction

Educational institutions through the regulation of the use of their facilities and the setting of standards of conduct and scholarship of students have an inherent responsibility in carrying out the educational purposes of their charter. The principles of civility, example, and due process will be followed. Proper safeguards will be provided to protect individual or group rights of students from the imposition of unjust penalties. Any student or student organization charged with violating a University regulation shall have the right to be heard by the appropriate hearing authority. All such bodies shall follow the basic procedures of due process defined and set forth in the *Student Code of Conduct* and related policies published in the student handbook, *The Key* at www.kutztown.edu/thekey.

B. Rights

1. University students have the same constitutional freedom of speech, peaceful assembly, and right of petition as other citizens enjoy and are subject to the same civil laws and due process as other citizens.
2. Illegal activity by students, whether on or off-campus, subjects the individual to prosecution by civil authorities. The principle of Dual Jurisdiction may apply in some disciplinary matters where a student is charged (1) by law enforcement agencies of violating a civil or criminal law, and (2) by University officials for violation of a University regulation on-campus or off-campus when behavior represents a substantial university interest and/or poses a threat to the health, safety, or well-being of the university or its members.

C. Ethical Standards of Hearing Authorities

As a part of the larger community, Kutztown University acknowledges the laws of the land and expects its members to adhere to them. While affording aid to its members in difficulties with the law, the University provides no immunity from the consequences of illegal acts. As an academic community the University has a special interest in the prevention of certain conducts, which are detrimental to its efforts to facilitate responsible inquiry and educational growth. Conduct regulations are listed in the student handbook, *The Key*. Hearing authorities, conduct boards, appeal boards and their members exist to serve the university community. To function effectively they are responsible for adhering to standards detailed in the *Student Code of Conduct*.

5. Student Media

- A. Student Communication Media are a valuable aid in the dissemination of information as well as establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world-at-large.
- B. It shall be the responsibility of the *Student Communication Media Advisory Board* to provide assistance to all campus communication organizations and to encourage the freedom of expression, integrity and aesthetic values in campus communications.

- C. As safeguards for the editorial freedom and responsibility of student communications the following provisions are necessary:
1. The student communication media shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage. The editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. In the delegation of editorial responsibility to students, the institution must provide sufficient editorial freedom and financial autonomy for the student communications media to maintain their integrity and free expression in the academic community.
 2. Editors and managers of student communication media shall be protected from arbitrary suspension and removal because of student, faculty, administrative or public disapproval of editorial policy or content. Only for proper and stated causes, violations of the canons of responsible journalism as cited in 6.C., shall editors and managers be subject to removal, and then by orderly and prescribed procedures.
 3. All student communication media shall explicitly state that opinions expressed are not necessarily those of the University or student body.

Chapter Two



Student Conduct
& Regulations

Student Code of Conduct

Preamble

Kutztown University is centered upon a culture of learning, the pursuit of academic excellence, and the holistic development of its students. As such, the Kutztown University Student Code of Conduct is established to uphold the standards of the community to embrace and care for the living-learning environment of the university. In doing so, the Student Code of Conduct espouses the standards of the institution to cultivate an environment that maintains student accountability and supports an atmosphere conducive to learning.

Freedom of inquiry, speech, action, and expression is indispensable in the attainment of these goals. Students, as members of the university community, are encouraged to engage in a sustained, critical, and independent search for knowledge. The student conduct program supports this endeavor through policies that balance the freedom of the individual student with the interests of the university community as a whole, and procedures that apply these policies in an equitable and consistent manner.

As members of the university community, all students are expected to uphold and abide by the standards set forth in the Student Code of Conduct. These standards are reflective of the University's core values of respect, responsibility, and integrity. The student conduct process attempts to teach civic principles within the context of the academic mission. The process views students as adults, and as such, expects them to be aware of applicable local, state, and federal laws, as well as all published University policies, procedures, and rules

Article 1: Definitions

1. The term "university" means Kutztown University.
2. The term "student" includes the following:
 - a. All persons enrolled in courses at Kutztown University either full-time or part-time, pursuing undergraduate, graduate, or professional studies;
 - b. All persons who are not officially enrolled for a particular term but have not officially withdrawn from the university and maintain eligibility to enroll; and
 - c. All persons defined under item 2a or 2b who withdraw after allegedly violating the *Student Code of Conduct*.
3. The term "complainant" refers to the person referring charges of a violation of a university regulation.
4. The term "respondent" refers to the student charged with violating a university regulation.
5. The term "university official" includes executives, representatives and employees of the University performing assigned administrative or professional duties on behalf of the University
6. The term "member of the university community" includes any person who is a student, employee, or University official of the University. If in question, a person's status in a particular situation shall be determined by the Dean of Students.

Student Conduct & Regulations

7. The term "university premises" includes all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the University including adjacent streets and sidewalks.
8. The term "university housing" refers to any residential facility owned, leased, and/or operated by Kutztown University.
9. The term "student organization" means an entity that has complied with the formal requirements for university recognition as set forth by Office of Student Involvement.
10. The term "hearing authority" means any person or body selected to serve in accordance with University's processes to determine whether a student has violated the *Student Code of Conduct* and/or issue sanctions for violations. These individuals include case officers, hearing officers, conduct boards, appeals officers, and appeals boards.
11. The term "good standing" refers to students enrolled at the University who are not currently under disciplinary probation, deferred suspension, suspension, or a dismissal, and who do not have any overdue or incomplete student conduct sanctions.
12. The term "quorum" is the established minimum number of represented members required to conduct business.
13. The term "simple majority" is the majority of those voting members present, provided there is a quorum.
14. The term "policy" means all of the written regulations of the university that are found in one or more of the following resources: *Student Code of Conduct*, *The Key Student Handbook*, *Acceptable Use Policy*, *Sexual Misconduct Policy*, *Hazing Policy*, *Kutztown University Policy Register*, and the Kutztown University web page: <http://www.kutztown.edu>.
15. The term "case officer" refers to the university official assigned to process a student conduct case including the facilitation of preliminary briefings.
16. The term "formal hearing" refers to the formal resolution method facilitated a University Conduct Board involving parties, witnesses, and evidence.
17. The term "administrative hearing" refers to the informal resolution method facilitated by a Hearing Officer involving parties, witnesses, and evidence for matters not involving possible sanctions of university suspension or dismissal.
18. The term "informal resolution" refers to an optional resolution method through a waiver of hearing and facilitated by an assigned case officer.

Article 2: Student Code of Conduct Authority

Student Conduct & Regulations

1. Specific regulations concerning student conduct on campus and their administration shall be the responsibility of the University President through the *Division of Enrollment Management and Student Affairs* and such members of the administration, faculty, and student body as appropriate.
2. The *Dean of Students* or their designee shall develop policies for the administration of the *Student Code of Conduct* and procedural rules for the conduct of hearings that are consistent with the provisions of the *Student Code of Conduct*.
3. The Kutztown University email system is recognized as an official communication and is the primary medium for receiving correspondence relating to student conduct. Students are expected to actively monitor their email accounts. Official student conduct notices, once emailed, mailed and/or received in-person, will be considered presumptively delivered.

Article 3: Jurisdiction

The Kutztown University *Student Code of Conduct* shall apply to conduct that occurs on University premises, at University related activities on or off-campus, to conduct occurring online (including online courses, social media and other forms of digital communication) if the conduct in question would be subject to discipline if committed offline, and to off-campus conduct that represents a substantial University interest which adversely affects the University community and/or the pursuit of its objectives. Students shall be responsible for their conduct from the time of confirmation of acceptance for admission through the actual awarding of 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 (and even if their conduct is not discovered until after their degree is awarded).

Off-Campus Rights & Responsibilities

Reasonable guidelines are essential to facilitate the development of high standards of mutual respect and integrity within each and every student. Sensitivity to our environment as well as community involvement that extends beyond the physical campus boundaries are integral components to the appropriate development of responsible citizenship. Kutztown University is genuinely committed to the student developing civic skills and public service experiences for living in a public world. To that end, Kutztown University will encourage the personal and intellectual development of students as they exercise rights of citizenship both on and off-campus in the local community. Kutztown University will make every effort to foster positive relations among students and permanent residents as well as provide experiential learning opportunities for students to become actively involved in off-campus civic, community, social service organizations and causes.

While the University has a primary duty to regulate behavior on its premises, there are circumstances when the off-campus behavior of students affects a substantial University interest and warrants disciplinary action. The University expects students to conduct themselves in accordance with the law. Student misconduct occurring off the premises of the campus that may have violated any local, state, or federal law is subject to review by the University and may result in student conduct charges being filed against a student by the Dean of Students Office. When students are found responsible for off-campus conduct that both meets the definition of affecting a substantial university interest, and violates the *Student Code of Conduct*, sanctions will be applied.

Student Conduct & Regulations

When the University has been made aware of off-campus misconduct, the *Student Code of Conduct* may be applied by the University simultaneous to any criminal action taken by civil authorities. However, in some instances final action may be deferred at the discretion of the University until all external processes have been completed or until such time when the on-campus procedure may proceed without encumbrance.

Student conduct committed off the campus which affects a substantial university interest is student conduct that includes one or more of the following:

- a. Constitutes a violation of local, state, or federal law. Included are (but not limited to) violations of any local, state, or federal law committed in the immediate or adjacent municipalities where the university is located.
- b. Indicates that the student may present a clear and present danger or threat to the health or safety of others.
- c. Significantly infringes upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder.
- d. Is detrimental to the educational interests of the University.

Off-campus student behavior that affects a substantial University interest, as previously defined, violates the *Student Code of Conduct* and is subject to disciplinary action following standard University procedures. The Dean of Students Office may also consider whether or not the referred off-campus misconduct affects a substantial university interest and whether the behavior should be subject to disciplinary action.

Sanctions for Off-Campus Violations of Law

As with on-campus infractions, the sanctions for off-campus misconduct range from disciplinary reprimand to dismissal as defined in Article 9 of this document. The following categorization is a guide to off-campus violations of law in the categories of *minor*, *moderate* and *major*. This listing does not take into consideration a student's prior student conduct record. Therefore, those students with a history of prior misconduct may receive more stringent sanctions than those listed below for any particular act of misconduct.

- a. *Major: Student Code of Conduct* violations committed off the campus that typically would fall into the major category and yield a sanction range of suspension, including interim suspension to dismissal are: felonies to misdemeanors.
- b. *Moderate: Student Code of Conduct* violations committed off the campus that typically would fall into the moderate category and yield a sanction range of disciplinary probation to dismissal are: misdemeanors to non-traffic violations of criminal statutes.
- c. *Minor: Student Code of Conduct* violations committed off the campus that typically would fall into the minor category and yield a sanction range of disciplinary reprimand to disciplinary probation are: non-traffic summary offense of criminal statutes to violations of local code and ordinances.

Article 4: Conduct Standards & Regulations:

1. **Sexual Misconduct:** Refer to the *Sexual Misconduct Policy* ([DIV-007](#); *The Key*, Chapter 2).
2. **Academic Dishonesty:** Refer to the *Academic Honesty Policy* ([ACA-027](#)) and *Academic Honesty Policy – Graduate Students* ([ACA-087](#)).
3. **Hazing:** Refer to the *Hazing Policy* (*The Key*, Chapter 2).

4. Computer/Technology Misuse

- a. Violation of the *Acceptable Use Policy* ([ACA-069](#)).
- b. Violation of ResNet regulations and policies for responsible use.

5. Harm to Others

- a. Physical violence including but not limited to physical abuse, assault and/or battery; threats of violence; striking, shoving or subjecting another person to unwanted physical contact.
- b. Intentionally or recklessly endangering, threatening, or causing physical harm to any person and/or their property.
- c. Harassment, defined as a pattern of behavior that involves verbal abuse or harassment, threats, intimidation, bullying, coercion, stalking, and/or other conduct which threatens or endangers the health and safety of another person(s) or another person's property.
- d. Stalking, defined as the repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and safety of another person, resulting in the intimidation of that person.
- e. Bullying, defined as the repeated and intentional harassment resulting in the intimidation of another person.
- f. Retaliation, defined as any adverse action, threat of adverse action and/or the harassment of an individual who makes a good faith report of misconduct, is the subject of a report of misconduct, and/or who is reasonably participating in the student conduct process resulting in the intimidation of another person.
- g. Threat, defined as written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- h. Intimidation, defined as implied threats or acts that cause a reasonable fear of harm in another.
- i. Use of the Internet (including social media, email, text messaging, etc.) interactive, and/or digital technologies to harass, bully, retaliate and/or stalk another person, resulting in the intimidation of that person.

6. Property

- a. Attempted or actual theft including the unauthorized removal of property without the express consent of the owner.
- b. Intentional, reckless and/or unauthorized damage, destruction, or defacement of property of the university or property of a member of the university community.
- c. Attempted or actual theft of university services.
- d. Attempted or actual possession and/or receipt of stolen property.
- e. Tampering, discharging, setting-off, or causing to be inoperable any firefighting/lifesaving apparatus, alarm devices, fire safety devices, and emergency equipment for no legitimate purpose.
- f. Initiating bomb threats or false alarms to any university official, facility, program, or event on university premises.
- g. Failure to evacuate a facility or designated area in a timely manner or to comply with the directions of a university official during a fire drill or other health and safety emergency.
- h. Setting or attempting to set a fire, creating/causing a fire on campus and/or participating in the unauthorized use of fireworks on campus.

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- i. Trespassing in areas that are posted, off-limits and/or restricted including but not limited to water towers, the quarry area, electrical substations, areas under construction or repair, areas cordoned off by university officials, roof tops, and buildings that are closed.
- j. The willful obstruction of a passageway, entrance, exit, or any portion of a university building or premises which restricts the freedom to utilize the facility for its stated and intended purpose.
- k. Misappropriation of a university resource including the act or the attempt to remove a university resource designated for general student or university usage or consumption from a designated area.
- l. Actions that cause disruption to university networks and/or telecommunications systems, equipment and/or resources.
- m. Use of university resources, facilities or services to commit a violation of university policy or the law.
- n. Unauthorized use (including misuse) of University or organizational trademarks including names and images.

Students found responsible for violations of this conduct standard for health, fire/safety, theft and property damage provisions are subject to sanctions including, but not limited to, loss of university housing.

7. Expectations of Cooperation

- a. Failure to comply with directions of university officials or law enforcement officers acting in the reasonable performance of their duties.
- b. Failure to comply with the directions of civil authorities acting in the reasonable performance of their duties enforcing lawful regulations, orders, or statutes.
- c. Failure to adhere to official health and safety directives, policies or procedures issued by the university.
- d. Student organizations who fail to comply or adhere to official membership requirements; allowing a student to pledge or associate with a student organization without having met eligibility requirements established by the University.

8. Unauthorized Access

- a. Unauthorized possession, duplication or use of keys, key access cards, computer system or network passwords, access systems or codes to any premises or unauthorized entry to or use of university premises.

9. Alcohol

- a. Use, possession, manufacturing, or distribution of alcoholic beverages or alcoholic products on university premises except as expressly permitted by official university policy.
- b. Constructive possession of alcoholic beverages or products whereby possession is defined as the presence of alcoholic beverages or products in an area under one's control such as a residence hall room in which the student is assigned or a vehicle that is owned, operated or controlled by the student.
- c. Public intoxication.
- d. Underage use or possession of alcohol including the purchase or attempt to purchase alcohol by a minor.
- e. Excessive use of alcohol. Excessive use may include use resulting in a need for medical attention, inability to function without assistance, unconsciousness, incoherent or disoriented behavior, loss of control of bodily functions, and/or having a blood alcohol level of .16 or above.
- f. Distributing, selling or furnishing (including the attempt to distribute, sell or furnish) alcoholic beverages or products without a license or to underage individuals.
- g. Hosting or organizing a party where a party is defined as involving eight (8) or more people in residence halls; or twelve (12) or more in suite style residence halls; or twenty (20) or more in apartments or on nearby

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grounds at which alcoholic beverages or products and/or drugs are present. *Students found responsible for violation of this specific provision are subject but not limited to loss of university housing.*

- h. Driving under the influence of alcohol. This includes driving or operating a vehicle includes driving intoxicated and/or with blood alcohol content of .08 or greater for persons who are 21 years of age or older or .02 or greater for persons under the age of 21.

10. Drugs

- a. Use, possession, purchasing (including the attempt to purchase), manufacturing, or distribution of marijuana/cannabis, heroin, narcotics, or other controlled substances.
- b. Constructive possession of marijuana/cannabis, heroin, narcotics or other controlled substances whereby possession is defined as the presence of contraband in an area under one's control such as a residence hall room in which the student is assigned or a vehicle.
- c. Being under the influence of illegal drugs or other controlled substances on university premises or at official university student activities/functions on or off-campus.
- d. Selling (including the attempt to sell), delivering, transporting or furnishing any illegal drugs or controlled substances.
- e. Hosting or organizing a party (as defined in 4.9.g) where marijuana/cannabis, heroin, narcotics or other controlled substances are present. ***Students found responsible for violation of this specific provision are subject to loss of university housing.***
- f. Possession of drug paraphernalia including but not limited to pipes, bong, grinders and other devices.
- g. Use of legal substances or synthetic substances, legal or illegal, in a fashion designed to alter one's mental or physical state.
- h. Impaired driving as a result of the use of drugs or illegal substances.
- i. Drugging another person's food or drink, or by any other means, without their knowledge or consent.
- j. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications

NOTE:

- *Due to federal regulations, the definition of marijuana/cannabis in the above standard includes and prohibits medical marijuana in all forms at all university owned and operated locations.*

11. Weapons

- a. Unauthorized possession, carrying or use of firearms, explosives, other weapons, or dangerous chemicals including propane, lighter fluid or other fuels, in university buildings, facilities and/or at university events is prohibited. Unauthorized items include but are not limited to: firearms of any kind including pellet, BB devices, Tasers, stun guns, ammunition, and/or air powered projectile devices; knives with blades longer than four (4) inches, switchblades and spring assisted knives of any kind, chemicals, fireworks, bow, nunchaku, brass knuckles, and/or any instrument or implement that can be used as a weapon and is capable of inflicting serious bodily injury.
- b. The illegal use and/or possession of a weapon.
- c. Violation of Kutztown University Policy A&F-030: *Possession of Deadly or Offensive Weapons on Kutztown University Campus.*

12. Disorderly Conduct

- a. Conduct that is disruptive and/or serves no legitimate purpose.

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- b. Breach of peace and/or rioting or aiding, abetting, or procuring another person to breach the peace on university premises or at functions sponsored by, or participated in by, the university or members of the university community.
- c. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, pedestrian or vehicular traffic, other university activities or of other authorized non-university activities when the conduct occurs on university premises.
- d. Unauthorized use of electronic or other devices including drones to make an audio, video or photographic record or image of any person without their expressed consent when such a recording is likely to cause injury, distress, or breach a reasonable expectation for privacy. This includes, but is not limited to, surreptitiously taking pictures or videos of another person in a gym, locker room or restroom.
- e. The misuse or illegal and/or unauthorized use of drones or unmanned aircraft systems on campus property or at university events and programs.
- f. The misuse or illegal and/or unauthorized use of lasers, laser pointers and/or other similar laser devices on campus or at university events and programs.

13. Bias/Intimidation

- a. Any violation of a university conduct standard based on the actual or perceived age, ancestry, color, religion, disability, gender, national origin, race or sexual orientation of an individual or group of individuals

14. Abuse of the Student Conduct Process

- a. Failure to obey a notice from a hearing authority or university official to appear for a meeting as part of the student conduct process; failure to appear as a witness at an official student conduct hearing.
- b. Falsification, distortion, or misrepresentation of information on a student conduct report or before an appropriate hearing authority, at a preliminary briefing, or other student conduct meeting, interview or hearing.
- c. Disruption or interference with the orderly conduct of a hearing, preliminary briefing, or other student conduct meeting or hearing.
- d. Falsifying a student conduct incident report.
- e. Attempting to discourage or interfere with an individual's participation in, or use of, the student conduct system.
- f. Attempting to influence the impartiality of a member of a hearing board prior to, and/or during the course of the student conduct process.
- g. Harassment and/or intimidation of any party, witness or hearing board member involved in a student conduct case with the intent of influencing outcomes or for the purposes of retaliation prior to, during and/or after a student conduct proceeding.
- h. Failure to comply with the sanction(s) imposed as a result of a *Student Code of Conduct* violation.
- i. Falsifying data, committing plagiarism, receiving unauthorized assistance, and/or the misrepresentation of service in attempt to fulfill the requirements of an assigned student conduct sanction; completing part or all of an assigned sanction for another student.

15. Persistent Infractions

- a. Persistent infractions of university policies and/or regulations including but not limited to repeated violations of the same conduct standard and/or university policy.

16. Complicity

- a. Conspiring with other individuals or knowingly aiding, assisting or encouraging another person in the commission of a *Student Code of Conduct* violation, violations of law and/or other official policies of the university.

17. Responsibility for Actions of Guests

- a. Allowing and/or failing to prevent violations of law or university policy by a non-student guest.

Students are responsible for the behavior of their non-student guests at all times and in all places. The student host is responsible to make guests aware of rules and regulations of the residence halls and the campus in general.

18. Falsification/Forgery

- a. Falsifying, altering, omitting or forging university, federal or state forms, documents, applications, reports, timecards, attendance records, identification, parking permits, meal cards, and/or the attempt to misrepresent oneself as another person or university official including but not limited to acts of identity theft.
- b. Falsifying a report to police or university officials.
- c. Providing false information or forged documentation to a university department or official who is acting in the reasonable performance of their duties.

19. Student Identification

- a. Failure to submit a Kutztown University Student Identification Card (ID) card or other official identification to a university official who is acting in the reasonable performance of their duties for the purposes of identification.
- b. Intentionally transferring or intentionally using another person's student ID card, government ID, or university related personal identification number (pin) codes, entry codes, or passcodes to any other person for any purpose whatsoever.

20. Violation of Law

- a. Violation of any local, state or federal law on or off-campus.

A student's participation in an accelerated rehabilitative disposition (ARD) program, or any similar alternative diversionary program applied by the courts may be used as evidence of a student conduct violation.

21. University Policies

- a. Violation of any university policy, rule, or regulation published in hard copy or electronically available on the university website.

Article 5: Procedures

1. Members of the University community may make a report of an alleged *Student Code of Conduct* violation by submitting a written incident report to the Dean of Students Office. The Associate Dean of Students (or

designee) will review reports to determine if sufficient information is alleged to indicate the student has engaged in behavior constituting a violation of *Student Code of Conduct*.

NOTE: All Title IX and non-Title IX cases of sexual misconduct are governed by Kutztown University's *Sexual Misconduct Policy*. **The *Sexual Misconduct Policy* and its procedures are followed in all such cases, therefore, the procedures outlined in the *Student Code of Conduct* do not apply.** If other non-sexual misconduct violations are reported from the same set of facts and circumstances, the *Sexual Misconduct Policy* procedures will be utilized to adjudicate all charges including and in addition to, any alleged sexual misconduct. Please refer to [Sexual Misconduct Policy](#) for more information.

To file a Student Conduct report, go to:

- <https://www.kutztown.edu/studentconduct> or,
- https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=0

Such reports shall be filed with the *Dean of Students Office* and shall contain the following:

- a. a clear reference to the specific University regulation, which was allegedly violated,
 - b. a reasonably detailed description of precise acts or omissions, (dates, times, places, victims, and co-actors, if any, shall be specified); and
 - c. identification of the individual referring charges and all witnesses who are expected to give testimony, the substance of that testimony, and a description of other types of evidence which may be used.
2. If student conduct charges are warranted, the student respondent will be sent a ***notice of charges*** from the *Dean of Students Office* indicating the student is being charged with a violation of university regulations and is instructed to make an appointment for a ***preliminary briefing*** with their assigned case officer by the deadline indicated in the notice of charges, typically two (2) to ten (10) business days from the date of notice. This notice will include the specific conduct charge(s) being brought against the student as well as the date, time, and location of the alleged incident. Once emailed, mailed, and/or received in-person, such notice will be considered presumptively delivered.
 3. A student may waive their right to participate in the student conduct process, including a hearing, through a written statement.
 4. If a respondent fails to appear or schedule a preliminary briefing within the specified timeframe as informed in the notice of charges, it will result in the scheduling of a second meeting. Any respondent who fails to appear at their second scheduled student conduct meeting, consents to the resolution of the case in their absence. Cases that may result in the suspension or dismissal of student as result of a responsible finding, will be scheduled as a formal hearing; all other cases will be heard informally. Respondents will be notified of the date and time of the hearing and their attendance requested. ***If the respondent does not appear for this hearing after being provided advanced notice, a decision of responsibility will be made at this meeting based on the presented evidence.***
 5. At the preliminary briefing, the respondent:
 - a. is informed of the charges against them.
 - b. is advised of the witnesses who may be presented at a hearing.
 - c. is advised of their right to an advisor consistent with *Article 8*.
 - d. is advised of the possible sanctions which may be imposed.

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- e. is advised of their right to appeal and informed of the procedure.
 - f. upon being advised of the above, is asked to respond to the alleged violation by choosing one (1) of the following responses:
 - 1) **accept responsibility** for the violation(s) and waive the right to a *hearing* and have the case officer or hearing authority determine sanction. With this option, respondent students also have the option of waiving their right to appeal their sanction when accepting responsibility, or retaining their right to appeal only their sanction, consistent with appeal procedures defined in Article 10. The respondent will be notified of their sanction(s), in writing, within five (5) to ten (10) business days from the date of outcome, unless extenuating circumstances exist to warrant an extension.
 - 2) **deny responsibility** for the violation(s) and request a *hearing* before the appropriate hearing authority. In matters where sanctions may include suspension or dismissal, or in those matters where the Associate Dean of Students or designee determines not to schedule the matter as an administrative hearing, the matter will be scheduled as formal hearing before a University Conduct Board. All other cases will be heard informally as an administrative hearing.
 - 3) **deny responsibility** for the violation(s), waive their right to participate in a hearing as defined in *Article 5.3*, and have their case decided via *informal resolution* by a case officer. This option is not available for cases that may result in a sanction of suspension or dismissal. Appeals of informal resolutions are limited to the imposed sanctions as defined in Article 10.3.d (Appeals).
6. Following the respondent's preliminary briefing, the complainant may also be contacted for a briefing regarding the status of the case and pending hearing, if applicable.
 7. In instances requiring a formal hearing where violations are reported or take place over break periods or at the end of an academic period or where the coordination of a University Conduct Board panel is not logistically feasible due to the availability of faculty and student representatives, a student respondent will have a formal hearing with a single administrator serving as the University Conduct Board.
 8. Notice of the time and place of the hearing before the appropriate hearing authority will be given to the respondent, complainant, and witnesses at least three (3) business days prior to the hearing. Once emailed, mailed and/or received in-person, such notice will be considered presumptively delivered.
 9. Unless an *Interim Suspension* is imposed a student shall continue matriculation until their case is heard through university procedure.

Article 6: Interim Actions & Measures

1. **Interim University Suspension:** An *Interim Suspension* may be issued only when, in the judgment of the University President or their designee, a student's continuing presence on campus presents a clear and present danger to other persons and/or property. Under this status and unless otherwise stipulated, the student may not return to campus or participate in any university programs or activities, including classes, during the interim suspension period prior to the resolution of their case. If a hearing on the interim suspension decision is necessary, it shall commence within ten (10) business days of issuance unless extenuating circumstances exist to warrant an extension. A student respondent on interim suspension who appeals an adverse outcome shall remain on interim suspension until their appeal is fully heard.

2. **Interim Facilities Suspension:** An *Interim Facilities Suspension* (e.g., residence halls) may only be issued when, in the judgment of the University President or his/her designee, a student's continued presence in a specific campus facility or facilities presents a danger or harmful effects to other persons and/or property. Under this status, unless otherwise stipulated, the student may not return to the specified facilities during the interim suspension period prior to the resolution of their case. –If a hearing on the interim suspension decision is necessary, it shall commence within ten (10) business days of issuance unless extenuating circumstances exist to warrant an extension. A student respondent on interim suspension who appeals an adverse outcome shall remain on interim suspension until his/her appeal is fully heard.
3. A student may challenge the issuance of an *Interim Suspension* or *Interim Facilities Suspension* to show cause as to why their presence on university premises and/or events does not constitute a danger or threat.
 - a. To request a review of an interim suspension, a student must fully complete and submit the [Interim Suspension Appeal Form](#) within three (3) days of issuance found at https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=8.
 - b. An appeal to an interim suspension will be conducted by the Vice President for Enrollment Management & Student Affairs within ten (10) business days of receiving the appeal unless extenuating circumstances exist to warrant an extension and may be conducted in-person or remotely via video conference. **This review is strictly related to whether an interim suspension will remain in place and/or be modified pending the outcome of the student conduct process related to the underlying conduct charges.**
 - c. If an Interim Suspension is upheld, the respondent will remain under this status until resolution of student conduct process including investigation and hearing, is completed.
 - d. If an Interim Suspension is changed, the respondent will be eligible to return to campus. The reversal of an interim decision shall not be construed as finding that the student is not responsible of alleged violations of the *Student Code of Conduct*.
4. A temporary *No Contact Directive* may be issued to a student in response to an adverse health and safety situation to limit contact with a particular person(s). In most instances, no contact directives will be issued reciprocally when all parties concerned are students. A no contact directive will prohibit a student or by others on behalf of the student, from directly contacting a specified person(s), by any means, including in-person, written, telephone, and/or electronic communication such as texting and use of social media. A temporary *Facility Restriction* may also be issued in addition to or separate from, a *No Contact Directive* that may prohibit or limit access to university facilities including but not limited to, academic buildings or university owned or operated residence halls. Students who fail to comply with the terms of their *No Contact Directive* or *Facility Restriction* are subject to immediate disciplinary action.
 - a. Proximity of the involved parties in public areas on campus or in university facilities such as dining areas, student life facilities, academic buildings, or sporting events at the same time does not constitute a violation of a *No Contact Directive* in and of itself unless intentional, direct contact or intimidation occurs.
 - b. When the parties involved are enrolled in the same course, every effort will be made to make alternate academic arrangements with the instructor to allow both parties with the opportunity to complete course requirements. However, in some instances an alternative class or arrangement may not be available. In such situations, no contact requirements remain in effect but attendance at a shared class will not be considered a violation of the *No Contact Directive*.

5. When the proximity or address of a student or students within an assigned residence hall, suite, or apartment may result in an adverse health and/or safety situation, the Dean of Students Office may request or recommend to the Office of Housing, Dining and Residence Life, an *Administrative Move* of a student within the residence hall system.

Article 7: Hearings

Any student accused of violating a University regulation shall have the right to due process and to have their case considered. Any matter not involving possible sanctions of suspension or dismissal may be scheduled and heard informally by an administrative hearing officer. Procedures before administrative hearing officers are less formal; however, as set forth below, the following provisions apply to both informal hearings before an administrative hearing officer and formal hearings before the University Conduct Board.

1. Hearing Authorities: The role of the hearing authority is to determine responsibility and recommend sanctions to the Dean of Students Office.
 - a. University Conduct Board: A group of trained individuals representing the University community that hear the facts of a student conduct matter from all parties. A typical board consists of three (3) representatives but with a minimum of at least two (2) representatives as decision-makers, and an ex-officio hearing chairperson.
 - b. University Conduct Board - Single Administrator: A trained single decision-maker who represents the University community and hears the facts of a student conduct matter from all parties. A single hearing officer selected from a pool of hearing officers, Associate Director of Student Conduct or Associate Dean of Students.
 - c. Administrative Hearing Officer: A trained, single decision-maker given the authority to review and issue a determination in a student conduct case other than in a matter with a possible sanction of suspension or dismissal.
2. All hearings shall be conducted as closed proceedings to the general public and university community and may be conducted in person or online at the discretion of the Dean of Students Office.
3. In the event the respondent, without just cause or prior arrangement, does not attend the scheduled hearing the case should, nevertheless, be heard.
4. The burden of proof refers to who has the responsibility of showing a violation has occurred. In all cases, it is the responsibility of the University to satisfy the burden of proof.
5. A respondent is considered not responsible until proven responsible.
6. The standard of proof used in all student conduct proceedings is a preponderance of the evidence; therefore, a decision of responsibility will be based upon presented evidence sufficient to make a reasonable person believe that it was more likely than not a student is in violation of university policy.
7. Formal rules of process, procedure and/or technical rules of evidence such as are applied in criminal or civil court do not apply and are not used in student conduct hearings.

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8. The designated hearing authority shall have the authority to rule on the admissibility of evidence.
9. The complainant and respondent shall have the right to call witnesses, question all witnesses and inspect written statements which relate to the charges.
10. Failure to appear as a student witness is a violation of the *Student Code of Conduct*.
11. Respondents or witnesses shall not be compelled to testify against themselves, however, the deliberate falsification of testimony shall be considered cause for disciplinary action.
12. Disorderly conduct by participants may result in disciplinary action.
13. An outcome notice will be made in writing within five (5) to ten (10) business days, unless extenuating circumstances exist to warrant an extension.
14. All formal hearings shall be recorded. Informal administrative hearings are not recorded.
15. In the event the respondent is found responsible for a violation, the hearing authority will refer the case back to the Dean of Students Office for implementation of sanctions. Student conduct history, recommendations from the hearing authority, and impact statements may be included in the consideration of sanctions.
16. Kutztown University may withhold transcripts, diplomas or other official records pending the disposition of cases if deemed reasonably necessary by the Dean of Students Office.

Article 8: Role of Advisors

Parties are permitted to have an advisor accompany them to any hearing or meeting that the party is required to attend. Each party is responsible for coordinating and scheduling with their choice of advisor. In all conduct matters except those addressed through the *Sexual Misconduct Policy*, the advisor may not speak or participate directly in any aspect of student conduct hearings, but rather can only consult and interact privately with their student in accordance with the procedures below.

1. A student complainant or student respondent has a right to an advisor by:
 - a. A member of the University community who may be a student, staff member or faculty member.
 - b. A private attorney whose expenses will be borne by the student.

If necessary, you may meet with your advisor of choice on campus. Should you need a meeting space, please call Conference and Event Services at 610-683-1359, to reserve your meeting space.

2. The advisor may not be a party, witness, or potential witness in the matter.
3. Any student having an advisor is required to notify the Dean of Students Office or their case officer with the name and contact information of their advisor.
4. All meeting/hearing dates and times as well as information, including the description of charges, names of witnesses, substance of testimony and other types of evidence, which may be used, will be supplied to the student throughout the student conduct process. Advisors will have access to this information through the

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student. While the University will consider information regarding advisor schedules and availability, the scheduling of meetings and hearings throughout the student conduct process is at the discretion of the University.

5. During the preliminary briefing or other student conduct meetings, excluding hearings, the advisor may interact with the case officer or designated university official during the meeting.
6. During hearings, neither party's advisor will have a formal or interactive role with the hearing authority or witnesses. The student will be granted reasonable opportunities during the hearing to privately confer with their advisor.
7. If the advisor is not a student, the student will be considered as host while the advisor is on campus. Any disruptive or disorderly behavior on the part of the advisor may result in charges being filed against the student under the following conduct standards: *Abuse of the Student Conduct Process* and/or *Responsibility for Actions of Guests*.
8. The Dean of Students Office reserves the right to assign a university official to attend any student conduct hearing, proceeding, or meeting for the purposes including but not limited to advising hearing boards or university officials on procedures and/or for the purposes of evaluation or assessment.

Article 9: Sanctions

1. Sanctions are utilized to help students develop more productive patterns of behavior, to support the integrity of the academic mission, and to protect members of the University community. If a student has accepted responsibility or has been found responsible for violating a University standard, one or more of the following sanctions may be imposed:
 - a. *Disciplinary Reprimand*: A formal letter issued when a student's conduct is deemed to be unsatisfactory to the degree that the University makes a record of the incident and warns the student against repetition of similar behavior.
 - b. *Educational Activities*: The required participation in a specified activity, service project, community service, educational program, event, assignment or other educational and/or restorative assignment.
 - c. *University Restrictions*: Restricted attendance, access or participation with specific co-curricular events, programs, or student organizations/groups; change of residence hall assignment; no contact restrictions with specific individuals for a defined period of time; and/or restricted access or visitation privileges to specific campus facilities.
 - d. *Restitution*: Payment for replacement or repair for damages to university property. Restitution may be applied only once if civil or criminal action is also being applied. In these cases, legal judgments shall take precedence. Restitution imposed by a campus hearing authority will be held in abeyance until civil and criminal charges can be finalized.
 - e. *Disciplinary Probation*: Official notification of a specified period of review and monitoring not to exceed one year. Further violations of the *Student Code of Conduct* may result in more severe disciplinary action, including an examination of continued status as a student. Students on Disciplinary Probation are not in good disciplinary standing.
 - f. *Deferred Housing Suspension*: The student is informed that although the violation of university regulations may warrant removal and suspension of residence hall privileges, a suspension is being deferred and the student is required to adhere to specific requirements and conditions imposed by the

designated hearing authority. Failure to abide by the imposed conditions may result in the rescission of the deferment and loss of university housing privileges. The student is also advised that any subsequent violations may result in an immediate residence hall suspension.

- g. *Housing Suspension*: A student may be excluded from campus housing for a specified period of time if held responsible through the student conduct process for a major violation of the Student Code of Conduct, for repeated infractions or a serious breach of residence hall regulations.
- h. *Deferred Suspension*: Deferred Suspension is imposed only in serious cases or in response to progressive discipline stipulating that a student, in lieu of University suspension, is being allowed to remain at the University provided that the student adheres to certain conditions. A student on Deferred Suspension is denied the privilege to represent the University in any organized capacity including intercollegiate varsity, non-varsity, or club events or to hold office in any Student Organization. Any subsequent violations will likely result in the immediate suspension or dismissal of the student from the university. Students on Deferred Suspension are not in good disciplinary standing.
- i. *Suspension*: A recommendation approved by the Dean of Students for the exclusion of a student from the University for a specific period of time **not to exceed four (4) years**. During the period of suspension, the student: is ineligible to enroll or participate in any academic courses or university programs and activities; must adhere to all other terms and conditions of their official sanctions; must not be involved in further student conduct violations during their period of suspension and is required to meet with the Dean of Students or designee and complete the [Post Suspension Reentry Form](#) PRIOR to reenrolling at Kutztown University. In addition, the University may restrict or place limitations on a suspended student's access to campus facilities during this period of time as specified as part of their official sanction. Suspended students are not in good disciplinary standing. Unless a student officially withdraws from the university, the student's relationship with the university is maintained therefore any alleged disciplinary infraction that occurs while a student is serving a suspension will be adjudicated in accordance with university policy. Violating conditions of suspension subjects the student to additional sanctions including, but not limited to, an extension of suspension and/or dismissal from the university.
- j. *Dismissal*: A recommendation approved by the Dean of Students for the **permanent** separation of the student from the University. Under this status, the relationship between the student and the University is terminated and the individual is no longer considered a student. A dismissed student is excluded from University property for a minimum period of four (4) years. Students on Dismissal are not in good disciplinary standing.

2. Application and Maintenance

- a. All sanctions imposed upon a student will be kept on file in the Dean of Students Office as an indication of one's conduct and to determine future sanctions, if necessary. These files may not be examined by hearing authorities before responsibility has been determined in an active proceeding.
- b. Sanctions may include any combination of the above (9.1.a-j).

3. Jurisdiction for the Issuance of Sanctions

- a. Designated hearing authorities may impose all sanctions, including recommendation for suspension or dismissal from the University.

Article 10: Appeals

1. Filing an Appeal

To file an appeal request, an appellant must complete and submit a *Student Conduct Request for Appeal Form* along with a **required written statement**, found online at:

- www.kutztown.edu/studentconduct/appeals;or
 - https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=5
- a. All student respondents and complainants after having their case heard and decided by the appropriate board or university official, may appeal the decision to the Appeals Board. Within five (5) business days, after being officially informed in writing of the decision, an appeal form from the complainant or the respondent must be submitted online using the [Student Conduct Request for Appeal Form](#) to the Dean of Students. All supplemental documentation and the required student statement must be submitted as one submission using the online form. Incomplete appeal request submissions will not be considered.
 - b. The submitted appeal must contain specific citation that shows the reason for the appeal consistent with the *Reasons for Appeal* section (10.3).
 - c. Substantial credible evidence citing the specific **error** claimed in the initial hearing must be presented.
 - d. There is one appeal proceeding per case. Case officers, hearing officers and the opposing respondent or complainant all have the right to review the appellant's appeal submission and the opportunity to provide a supplemental statement and/or documentation as part of the appeal process. Any supplemental information from the opposing respondent or complainant and/or other non-appellant parties must be submitted within three (3) business days of receiving notification of the appeal request.
 - e. The imposition of sanctions will be stayed while the appeal process is pending except in cases of interim suspension. However, the Dean of Students may, under extenuating circumstances, continue the sanctions imposed while an appeal is in process. The Appeals Board will have the right to modify the original sanction start or end dates based on the length of the appeal process and in accordance with the original sanction imposed.

2. Appeal Process

- a. The Appeals Board will consist of 2-3 representatives from the University Conduct Board who were not involved in the original hearing, with the Dean of Students acting as the ex-officio Appeals Officer. The Appeals Board will review the request for appeal to determine the merits of the stated basis for appeal.
- b. If the request for appeal is accepted, the case will be reviewed by the Appeals Board for consideration on the stated reasons of appeal. If the request for appeal does not establish the existence of at least one of the reasons for appeal that is stated in the *Reasons for Appeal* section (J.3), the appeal will be denied, and the original outcome shall stand.
- c. If the appeal is accepted for further review, the Appeals Board shall consider the appeal based solely on the record, request for appeal, and supplemental statement and/or documentation provided by the opposing party, case officer or hearing authority involved in the case.
- d. The appellant must cite the reason(s) for appeal and provide supporting rationale to that specific reason(s). At that time, only the cited reasons for the appeal will be reviewed.
- e. The Appeals Board will then reach a decision and inform the appellant.
- f. During the summer months and/or break periods (e.g., May through August), if a request for appeal is submitted, the Dean of Students shall serve as the appeal authority. When possible and based on

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availability, the Dean of Students will involve the Appeals Board to review appeals occurring during break periods.

- g. In instances when the Dean of Students is involved in a student conduct decision or a conflict of interest exists, the Vice President for Enrollment Management and Student Affairs or designee, will act in place of the Dean of Students as part of the appeals process.

3. Reasons for Appeal

- a. A procedural irregularity under the University policy or procedures that affected the hearing outcome.
- b. New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing that could affect the outcome of the matter.
- c. The hearing authority member(s)/hearing officer had a conflict of interest or bias for or against an individual party that affected the outcome of the matter.
- d. The disciplinary sanction imposed was grossly disproportionate based on the charged violation and past conduct record. Students who accept the imposed sanctions at their preliminary briefing and/or waive their right to appeal are not eligible to appeal an imposed sanction.

4. Decisions of Appeal

After reviewing all evidence presented in the appeal, the appeal authority shall decide to do one of the following and inform the appellant, in writing, within five (5) business days:

- a. Uphold the previous decision.
- b. Overrule the previous decision and modify the outcome or dismiss the case.
- c. Overrule the previous decision and remand the case back to the board or hearing officer of original jurisdiction for rehearing to correct a procedural or factual defect.
- d. Affirm or modify the imposed sanction.

5. All appeal decisions may be appealed to the President or their designee. The original appellant may seek a review, in writing, by the *University President* or his/her designee, within two (2) University business days of receipt of official notification. This request for review must contain relevant specific evidence consistent with the *Reasons for Appeal* section. Should the President or his/her designee accept the appeal for review, the decision of the President or his/her designee shall be final. Should the President or their designee not accept the appeal for review, the decision of the Appeals Board shall be final.

Article 11: Records

1. Student Conduct records are maintained by the *Dean of Students Office*; these records may include indications of disciplinary actions. Student conduct records:
 - a. are held confidential.
 - b. are available for examination by the student upon request.
 - c. will be maintained as follows:
 - 1) Student conduct records will be maintained for seven (7) years; records may be maintained for a longer period if the record holder is a currently enrolled student.
 - 2) Student conduct records for dismissed students will be maintained permanently.
 - 3) When necessitated by extenuating circumstances (such as pending legal issues) the university reserves the right to keep student conduct records for longer periods as deemed necessary.

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- 4) For the purpose of determining when a record will be expunged, the last day of the last semester of the student's attendance at Kutztown University will be the first day of the time period.
- d. are not to be used in an academic transcript or in placement records.
- e. are not to be disclosed to outside parties except as permitted or required by law, valid subpoena or permission of the student, unless provided for elsewhere in this document or University policy.

Article 12: Boards & Hearing Authorities

1. Hearing Officers

- a. In addition to professional staff in the Dean of Students Office, Student Conduct *Hearing Officers* are professional staff appointed by the *Dean of Students* and/or *Vice President for Enrollment Management and Student Affairs* to assist with the implementation and coordination of student conduct hearings.
- b. Hearing Officers:
 - 1) serve as ex-officio Hearing Facilitators formal hearings with the *University Conduct Board*.
 - 2) serve as the decision-maker Hearing Officer for formal, single administrator hearings.
 - 3) serve as Administrative Hearing Officers for informal hearings.
 - 4) participate in on-going training and professional development regarding student conduct policies, procedures, current issues, and best practices.

2. University Conduct Board

- a. Composition: The *University Conduct Board* will consist of 18 – 20 members of the University community. Cases brought before the board will be heard by a two (2) to three (3) member University Conduct Board panel (UCB) with a *Hearing Officer* presiding.
 - 1) Five (5) students shall be selected by Dean of Students Office. All student representatives must be in good academic and disciplinary standing. Student representative appointments may be renewed on an annual basis.
 - 2) Five (5) faculty members are selected from the willingness-to-serve process as conducted by the *Committee on Committees*. Faculty shall serve three (3) year staggered terms.
 - 3) Five (5) Professional/Administrative staff are selected from willingness-to-serve ballots as conducted by the *Committee on Committees*. Professional/Administrative staff shall serve three (3) year staggered terms.
 - 4) Three (3) to Five (5) *Hearing Officers*.
- b. University Conduct Board Procedure
 - 1) All members of the *University Conduct Board* will participate in content and procedural training relating to the workings of the student conduct system.
 - 2) When a case is referred to the *University Conduct Board*, it will be assigned to a *Hearing Officer*.
 - 3) When an appeal is referred to the *University Conduct Board*, the Dean of Students will serve as the *Appeals Officer*.
 - 4) One (1) representative from each constituency listed in 5.B.1. will be assigned to a case. In the event of a lack of available representatives then more than one (1) representative from the other group(s) may serve at a hearing.
 - 5) For formal hearings, the *University Conduct Board* is responsible for finding fact and determining responsibility. The Board may recommend sanctions, if appropriate, to the Dean of Students Office in the case assigned.

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- 6) The *Hearing Officer* will preside over the formal hearing and will not participate in the decision of responsibility but will facilitate the deliberative process and communicate sanction recommendations, as applicable, to the Dean of Students Office.
 - 7) For appeals, the *Appeals Board* of the *University Conduct Board* is responsible for reviewing all requests consistent with the appeals process defined in this policy.
- c. Jurisdiction
- 1) Violation of the University's *Student Code of Conduct* excluding cases falling under the *Sexual Misconduct Policy* and *Academic Honesty Policies*.
 - 2) Appeals of hearing and/or sanction decisions excluding cases falling under the *Sexual Misconduct Policy* and *Academic Honesty Policies*.

3. Standards

- a. All matters coming before an appropriate hearing authority are to be treated in a confidential manner. It is the right of every student to have information concerning student conduct matters confined to those directly involved. Members of the various boards or hearing authorities are obliged to refrain from discussing cases with anyone other than fellow members. The confidential nature of hearings pertains not only to the testimony presented but also to internal discussions held and decisions rendered. Under no circumstances, is it acceptable to divulge information obtained in a hearing; breaches of confidentiality are strictly prohibited.
- b. The members of the various boards are appointed to ensure that the welfare of the students and the academic community are preserved. The members of boards are charged, specifically, with determining if violations of college regulations have occurred through examination of presented evidence. Implicit in this charge is an acceptance of existing rules, which are established to protect the total community.
- c. At no time should a board member be involved in the decision-making process when they have a vested interest in the outcome of the case. Any prior knowledge about the case or personal involvement with the complainant, witnesses, or respondent that would give cause for the board member to be biased or prejudiced in the decision-making process is sufficient justification for removing oneself from the deliberations.
- d. It is the responsibility of the hearing authority and every board member to possess as many relevant facts as possible to reach a fair and just decision.
- e. Hearing authorities and board members should never make accusations or statements regarding their personal beliefs, positions or opinions during the hearing process. Questioning should be conducted to produce information and should not be undertaken to badger an individual. Questioning should take place without prying into personal matters that bear no relevance to the issues being adjudicated. Hearing participants must refrain from asking questions in a manner that is hostile.
- f. An inherent part of the student conduct procedure is the effort to understand both the students and the situations in which they become involved. Every hearing must be executed in a proper environment and decorum.
- g. Decisions are made by the board as a whole. All decisions are reached by simple majority vote and must be upheld by all members of the board.

Article 13: Supporting Policy

1. Parental Notification Statement

Parents or legal guardians of students under the age of 21 found responsible for violations of conduct standards on alcohol and/or drugs may be informed, in writing, following a second infraction and finding of responsibility. At the time of a first incident, students will be strongly advised to consult parents or guardians regarding their behavior and to seek advice on any criminal or disciplinary processes which may transpire as well as any intervention strategies related to use or abuse of substances.

2. Statement on Copyright Infringement Policies & Sanctions

Consistent with the University's acceptable use policies, the illegal distribution of copyright material including unauthorized file sharing on University owned, operated or maintained networks may subject students to civil and criminal penalties under federal law. A link to the specific legal penalties as defined by law may be found at Kutztown University's *Student Consumer Information* portal at the following website: <https://www.kutztown.edu/student-consumer-information.html>.

Students who violate university policy with respect to copyright infringement and illegal downloading will be held accountable through the university student conduct process. Minor first-time offenses subject students to a disciplinary warning or disciplinary reprimand and participation in an educational program about the illegal use and distribution of copyrighted materials. If an infraction occurs on the residence hall network a student may be required to bring their computer or computing device to the *ResNet* Office for inspection and cleaning prior to having their network access restored. Repeat offenders may have their network privileges temporarily or permanently revoked; prolific or chronic offenders may face removal from the residence halls, suspension from the institution and/or permanent loss of computer privileges. As noted above, a student may face criminal or civil action in addition to any administrative response from the university.

3. Attempted Violations

In most circumstances, the university will treat attempts to commit any of the violations listed in the *Student Code of Conduct* as if the attempted offense had been completed.

4. University as Complainant

As necessary, the university reserves the right to initiate a complaint, to serve as the complainant, and to initiate student conduct proceedings without a formal complaint by the victim of misconduct.

5. Disclosure to Victims of Crimes of Violence

The University will, upon written request, disclose to an alleged victim (or next of kin if the victim is deceased) of a crime of violence or nonforcible sexual offense the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense.

6. Amnesty for Victims

The university encourages the reporting of *Student Code of Conduct* violations and crimes by victims therefore the university will follow a policy of offering victims of serious crimes or offenses amnesty from secondary student conduct infractions related to the incident question.

- a. *The Good Samaritan Policy for Alcohol & Other Drug Incidents (STU-032)* provides conditions for amnesty related to the reporting of alcohol and drug related medical emergencies.

- b. The *Sexual Misconduct Policy* provides conditions for amnesty from secondary offenses (e.g., alcohol violations) related to the reporting of sexual violence, dating violence, domestic violence and stalking incidents.

7. Reporting Time

Members of the university community are urged to report incidents immediately after it occurs. To receive full consideration reports must be submitted in a reasonable period of time from date of infraction. For major violations, there is no specific statute of limitation on reporting a violation but university response to reports received after a significant period of time has elapsed may be limited given the availability of witnesses, evidence or involved parties.

8. Availability of Rules & Regulations

This document includes rules and regulations which apply to all students as defined in Article I.2. Those which apply to small, specific groups of students (e.g., residence students, non-resident students) may be available in documents published for those specific populations.

9. Interpretation and Revision of Regulations

Any question of interpretation or application of the *Student Code of Conduct* shall be referred to the Dean of Students or his/her designee for a final determination. The *Student Code of Conduct* will be reviewed on a periodic basis under the direction of the Dean of Students or his/her designee.

10. Confiscation Statement

All prohibited items or personal items used to transport, or store prohibited items are subject to confiscation by University officials. Prohibited items, particularly those of an illegal nature will not be returned and will be destroyed. Personal items used in the commission of a *Student Code of Conduct* violation or University policy become the property of Kutztown University. These items may be returned at the University's discretion.

11. Calculation of Time

Periods of probation, separation, or other restrictions are computed to include the first and last day of such periods of time.

12. Related Policies

Additional University policies related to the procedures and standards defined in the *Student Code of Conduct* that are published in the student handbook, website and/or Kutztown University Policy Register include but are not limited to the following:

- *Acceptable Use Policy* ([ACA-069](#))
- *Good Samaritan Policy for Alcohol & Other Drug Emergencies* ([STU-032](#))
- *Hazing Policy* ([The Key](#))
- *Sexual Misconduct Policy* ([DIV-007](#))
- *Student Organization Conduct Review Policy* ([The Key](#))
- *Possession of Deadly or Offensive Weapons on Kutztown University Campus* ([A&F-030](#))

Student Organization Conduct Review Process

Duly registered student clubs and organizations that are accused of violating conduct standards or university regulations, on or off campus, will have the opportunity to respond to any allegation of misconduct through a review process for student organizations. **Groups of students who are not registered with the Office of Student Involvement and are accused of organizational misconduct are not afforded the process outlined in this policy.** Conduct standards and jurisdictional parameters defined in the *Student Code of Conduct* shall be used in determining if a violation by a registered student organization has occurred. Individual students who violate standards of conduct or the law may also be subject to a separate disciplinary process under the *Student Code of Conduct*.

For purposes of this policy, a student organization is defined as follows: Any student organization who is currently registered or is actively in the process of registering with the Office of Student Involvement (OSI) as a student organization under *registered, maroon or gold* status.

For purposes of this policy, student organizations may be held responsible for violations when behaviors include but are not limited to:

- The conduct is endorsed by the student organization or any of its officers including, but not limited to, active or passive consent or support, and/or having prior knowledge that the conduct was likely to occur and not taking any substantive action to prevent it (e.g., canceling the event, notifying university or local police, etc.), or helping to plan, advertise or promote the conduct.
- The conduct is committed during an activity paid for by the student organization or paid for as a result of one or more members of the student organization contributing personal funds in lieu of organizational funds to support the activity or conduct in question.
- The conduct occurred on property owned, controlled, rented, leased, or used (on or off campus) by the student organization or any of its members for an organizational event.
- The purpose of the activity was related to initiation or admission into, affiliation with, or as a condition for continued membership in the student organization.
- Non-members of the student organization learned of the activity through members, advertisements, or communications associated with the student organization or otherwise formed a reasonable belief that the conduct or activity was affiliated with or endorsed by the student organization.
- Members of the student organization attempted to conceal the activity of other members who were involved.

A. Report of Student Organization Misconduct

Reports of alleged student organization misconduct must be filed online via the Student Conduct website (www.kutztown.edu/studentconduct) by submitting the following online form:

- https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=0

Upon receiving an allegation of student organization misconduct submitted to the Dean of Students Office, a review of the report will be completed to determine what action should be taken including additional reporting to other university offices and/or a referral to police, if warranted. If sufficient evidence exists, student conduct charges may be issued. If after the initial review of the incident it is determined that additional information is required, an investigation into the alleged misconduct will occur.

B. Interim Measures

In some instances, a student organization will be issued a cease & desist notice that places the organization on *Interim Suspension* temporarily restricting the group until further notice. An *Interim Suspension* of a registered student organization may include a conditional restriction in which the organization is limited in a specific capacity (e.g., prohibited from holding social functions, participating in specific activities, etc.) or it may include a temporary, comprehensive revocation of recognition as an active student organization. Under this status, the group is prohibited from conducting any activities, events, meetings, or social functions. *Interim Suspension* notices are issued by the Dean of Students or designee, Director of Student Involvement or designee, or Assistant Vice President for Recreational Services and Athletic Resources until the *Student Organization Conduct Review Process* has been completed.

In addition, other interim measures may be issued including a *No Contact Directive*, to members of a student organization towards other members of the university community in response to an adverse health and safety situation. This type of measure is enacted to help ensure a student affiliated with a student organization does not contact a particular person(s) in order to avoid any possible harassment, retaliation, or tampering with an active investigation. Failure to abide by a *No Contact Directive* may result in individual conduct charges filed against a student for retaliation, harassment and/or failure to comply.

C. Investigation

In cases requiring an investigation, an appropriate university official will conduct a prompt, impartial, good faith investigation concerning the allegations. Upon completion of the investigation, a written incident report or summary will be submitted detailing the alleged misconduct, supporting information and recommended charges, if applicable. If **insufficient evidence** exists to charge the student organization, the group will be notified and any interim measures issued may be modified, reduced, or lifted, as appropriate. If **sufficient evidence** supports conduct charges, the organization will be sent a *Notice of Charges* referring the group to the *Student Organization Conduct Review Process* defined below (D).

Members of student organizations are expected to cooperate in any fact-finding investigation. While students are not obligated to answer questions in an investigation, students are required to appear for any scheduled meeting, hearing, or interview. Failure to participate, obstruct, intentionally mislead, or interfere with an investigation will result in the organization being issued an *Interim Suspension* and individual *Student Code of Conduct* charges may also be issued as result of a student's failure to comply.

D. Student Organization Conduct Review Process

Upon completion of an investigation, if sufficient evidence was presented, the case will move through the *Student Organization Conduct Review Process*. The organization's president or senior officer and university advisor will be sent a *Notice of Charges*, in writing (via email), of the alleged *Student Code of Conduct* violation(s) and with a specific date and time for an initial meeting with an assigned case officer. During this process the following procedure will be followed:

1. An initial meeting involving the president of the organization and case officer to review the charges and investigation report is scheduled. At this meeting representatives of the student organization may choose to **accept** or **deny** responsibility for the violation(s) in question. If additional time is needed, student organization representatives may be given three (3) to five (5) business days to enter a response.

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- a. If accepting responsibility, the student organization will be provided the opportunity to make a statement about the incident for consideration by the case officer prior to issuance of sanction.
- b. If denying responsibility, a Student Organization Conduct Review hearing will be scheduled.
2. Student Organization Conduct Review hearings are conducted by a reviewing authority comprised of approximately 1-3 university representatives which may include the following: Associate Dean of Students or designee, Associate Director of Student Conduct, University Conduct Board Hearing Officer(s), Senior Director of Student Union & Student Involvement and/or Assistant Vice President for Recreational Services and Athletic Resources.
3. A Student Organization Conduct Review hearing may be attended only by the following:
 - a. The designated case officer(s) or university complainant.
 - b. The investigator if other than the case officer or university complainant.
 - c. Two (2) representatives of the student organization one of whom must be an officer of the registered student organization such as the President or Vice President. Other members of the student organization, unless specifically called to the review as a witness, may not attend the proceeding. Student organizations that do not have representatives appear for their review will have their case heard without the benefit of their participation and a decision made based on the presented evidence.
 - d. The official university advisor of the registered student group. It is the student organization's responsibility to request the presence of their advisor and to notify the advisor of the date and time of the review. Advisors are not direct participants in the review meeting but can advise their organization, in private, as reasonably necessary.
4. The case officer, university complainant, or investigator will review the investigation report.
5. The student organization's representatives are invited to present a response to the investigation report and/or present any new evidence or information regarding the allegations contained in the report or introduced at the review meeting.
6. The reviewing authority may ask questions to the parties in attendance regarding the incident, investigation report or new information presented during the review.
7. After the review process is completed, the reviewing authority may: rule on the decision immediately, further deliberate on the case, or decide additional investigation is warranted.
8. Upon examination of the available evidence including any follow up or supplemental investigation, the reviewing authority will make one of the following decisions, for each charge:
 - a. The student organization is found not responsible.
 - b. The student organization is found responsible and a sanction is imposed.
 - c. The case is dismissed.
9. Any sanction levied against a student organization, if necessary, is done so organizationally. Individual student behavior and sanctions may be referred to the student conduct system separately consistent with the *Student Code of Conduct*.
10. The standard of proof used in all student conduct proceedings is a preponderance of the evidence; therefore, a decision of responsibility will be based upon presented evidence sufficient to make a reasonable person believe that it was more likely than not a student is in violation of university policy.
11. A report of the decision will be made, in writing, within a reasonable period of time, approximately 5 to 10 business days, by the hearing authority to the President or designee of the student organization. A copy may be sent to university officials who have a legitimate educational interest to know the outcome of the hearing or sanction imposed including the Office of Student Involvement and/or Office of Recreational Services as the designated oversight authority of registered student organizations.

E. **Sanctioning**

1. Sanctions

The appropriate reviewing authority, upon determining a duly recognized student organization, club or group has, in fact, been found to be responsible for violating a University conduct standard, shall impose one or more of the following sanctions. These sanctions are not progressive in nature and may be applied as warranted.

- a. **Disciplinary Reprimand:** Issued when a student organization has violated university policy and its conduct is deemed to be unsatisfactory to the degree that the university makes a record of the incident and warns the student organization against repetition of similar behavior.
- b. **Educational Activities:** The required participation in a specified activity, service project, community service, educational/training program, event, assignment or other educational and/or restorative assignment or activity.
- c. **Restitution:** The student organization is required to make payment for replacement or repair for damages to public or private property.
- d. **Disciplinary Probation:** A serious form of reprimand issued for a specified period of time not to exceed two (2) years which indicates to a student organization that future violations of university regulations will result in deferred suspension, suspension, or loss of recognition. Under this sanction the hearing authority may further limit the student organization as deemed appropriate including but not limited to the restricting of their ability to recruit, initiate, or accept new members into the organization while on probation.
- e. **Deferred Suspension:** The most serious level of disciplinary sanction short of loss of recognition for a student organization issued for a specified period of time not to exceed two (2) years. The student organization's continued status on campus depends upon the successful maintenance of satisfactory behavior and completion of other required sanctions as applicable. Deferred suspension may include denial of campus privileges as specified by the reviewing authority.
- f. **Suspension of Recognition:** University recognition of a student organization is suspended for a specified length of time not exceeding four (4) years. During this period of time, the organization will cease to function at the university and is denied all benefits of university recognition including but not limited to new member recruitment, use of campus facilities, participation in university events, sponsorship of activities or events (on or off campus) and funding. Student organizations returning from a Suspension of Recognition will return under Disciplinary Probation status for 6 months from the time the organization returns to recognized status with the Office of Student Involvement.
- g. **Revocation of Recognition:** University recognition status of the student organization is indefinitely revoked. During this period of time, the organization will cease to function at the university and is denied all benefits of university recognition including but not limited to new member recruitment, use of campus facilities, participation in university events, sponsorship of activities or events (on or off campus) and funding. The student organization may petition the university through the Dean of Students or designee for reinstatement after seven (7) years from the date recognition was lost. If a student organization returns from a Revocation of Recognition it will be placed on Disciplinary probation status for a minimum of 1 year from the time the organization returns to recognized status with Office of Student Involvement.
- h. **Return Agreement:** All student organizations that have their recognition suspended or revoked are required to complete a Return Agreement defining *remediation* and periodic *review plans* as set forth by the Office of Student Involvement. Organizations that do not comply with their Return Agreement

will have their recognition temporarily revoked until in compliance and may face additional disciplinary action for failure to comply.

2. Application and Maintenance of Sanctions

All sanctions imposed upon a student organization will be kept on file in the Dean of Students Office as an indication of an organization's conduct and to determine future sanctions, if necessary. Records related to previous incidents will not be considered by reviewing authorities before a finding of responsibility has been determined in the current proceeding unless the past behavior is directly related to current case in question. Sanctions are not progressive in nature and may be applied as warranted.

3. Jurisdiction

- a. All authorized hearing authorities may impose all sanctions defined within this policy.

F. Appeals

1. All registered student organizations, after having their case reviewed and decided by the appropriate hearing authority, may appeal the decision to the Dean of Students. In cases where the Dean of Students adjudicates or is directly involved with case in question, an alternate appeal authority will be assigned.

a. Appeal Guidelines

- i. Within five (5) business days, after being officially informed in writing of the decision, a written appeal from the student organization officer shall be submitted to the Dean of Students Office using a [Request for Appeal Form](#) found here:

https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=5

- ii. The submitted appeal must contain specific citation that shows the basis for the appeal consistent with one for more of following reasons for appeal:
 - a) A procedural irregularity under the University policy or procedures that affected the hearing outcome.
 - b) New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing that could affect the outcome of the matter.
 - c) The hearing authority member(s)/hearing officer had a conflict of interest or bias for or against an individual party that affected the outcome of the matter.
 - d) The disciplinary sanction imposed was grossly disproportionate based on the charged violation and past conduct record.
- iii. Substantial credible evidence citing new evidence or the specific procedural or substantive error claimed in the initial process must be presented.

b. Appeal Process

- i. The Dean of Students will review the appeal to determine the merits of the stated basis for appeal.
- ii. If the stated reasons are insufficient to warrant further review, the appeal will not be accepted.
- iii. If the appeal is accepted, the Dean of Students will review the appeal. If necessary, representatives from the student group may be called to meet with the Dean of Students about the appeal.
- iv. A student organization will remain under sanction until their appeal is fully heard.

c. Decisions of Appeal

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After hearing and reviewing all evidence presented in the appeal, the reviewing authority shall decide to do one or more of the following and inform the appellant, in writing, within five (5) university business days:

- i. Uphold the previous decision.
 - ii. Overrule the previous decision and modify the outcome or dismiss the case.
 - iii. Overrule the previous decision and send the case back to the board or hearing officer of original jurisdiction for rehearing.
 - iv. Affirm or modify the imposed sanction.
- d. Final Determination

All decisions regarding student organization appeals of the Dean of Students or designee are final and may not be further appealed.

G. Records

1. Student organization conduct records are retained on a permanent basis. Records of individual students contained with such records will be maintained consistent with the university's policy on the disclosure of educational records.

Kutztown University Sexual Misconduct Policy ([DIV-007](#))

INTRODUCTION

1. Purpose of Policy

Title IX of the Education Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972¹ that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence) that are reflected in the definitions of Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking included as Regulatory Prohibited Conduct under this Policy,
- Addresses how the University **must** respond to reports of misconduct falling within the definitions of Regulatory Prohibited Conduct under this Policy, and
- Mandates a grievance (or resolution) process the University **must** follow before issuing disciplinary sanctions against a person accused of Regulatory Prohibited Conduct under this Policy.

Throughout this Policy, violations are generally termed as "Regulatory" consistent with the Department of Education's Final Rule under Title IX of the Education Amendments of 1972, when the behavior occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the Formal Complaint. For quid pro quo sexual harassment allegations, the designation of "Regulatory" is dependent on the employment of the Respondent. For hostile environment sexual harassment allegations, the designation of "Regulatory" is dependent on the impact of the unwelcome conduct on the individual targeted.

In addition to federal legislative requirements, Act 16 of 2019² of the General Assembly of Pennsylvania requires all postsecondary institutions in the Commonwealth of Pennsylvania to adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under federal and state law, including the crime victims bill of rights.

2. Prohibited Behaviors

The University prohibits all Sexual Misconduct Violations, as defined in this Policy. This prohibited conduct can affect all genders, gender identities and sexual orientations. Some of these prohibited forms of conduct may also be crimes

¹ The full text of the Final Rule and its extensive Preamble is available here: <http://bit.ly/TitleIXReg>

² The text of Act 16 of 2019 is available here: <https://bit.ly/3f7DAr6>

under Pennsylvania or federal law.

The University will promptly and equitably respond to all reports of sexual misconduct in order to eliminate the misconduct, prevent its recurrence, and redress its effects on any individual or the community.

3. Title IX, VAWA and Nondiscrimination

The University prohibits any form of discrimination or harassment on the basis of sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital or family status, medical condition, genetic information, veteran status, or disability in any decision regarding admissions, employment, or participation in a University program or activity in accordance with the letter and spirit of federal, state, and local non-discrimination and equal opportunity laws, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act, the Americans with Disabilities Act and ADA Amendments Act, the Equal Pay Act, [any applicable local nondiscrimination ordinance] and the Pennsylvania Human Relations Act.

The University also complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, as amended by the Violence Against Women Act (VAWA). Title IX prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled. The University has designated the Title IX Coordinator, with the assistance of the Deputy Title IX Coordinator, to coordinate the University's compliance with Title IX and VAWA and to respond to reports of violations. The University has directed Mr. Jesus Peña, Vice President for Equity, Compliance and Liaison for Legal Affairs, to coordinate the University's compliance with the VAWA-related Clery reporting requirements.

4. Statement on Privacy and Confidentiality

The University is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. Every effort will be made to protect the privacy interests of all individuals involved. Privacy, confidentiality and privilege have distinct meanings under this Policy.

Privacy generally means that information related to a report of sexual misconduct will only be shared with a limited circle of individuals, including individuals who "need to know" in order to assist in the review, investigation, or resolution of the report or to deliver resources or support services. While not bound by confidentiality or privilege, these individuals will be discreet and respect the privacy of all individuals involved in the process. All participants in an investigation of sexual misconduct under this Policy, including Advisors and Witnesses, will be informed that privacy helps enhance the integrity of the investigation and protect the privacy interests of the parties, however, nothing in this Policy is intended to impose restraints on a party's ability to discuss the allegations under investigation or to gather and present evidence as part of the resolution process.

Certain individuals are designated as having confidentiality. For reports made to employees designated with having confidentiality, the University will respect the reporting party's expectations of privacy to the extent permissible by law while still ensuring compliance with other reporting obligations, such as mandatory reporting obligations

concerning abuse, including sexual misconduct, involving minors. See **Mandated Reporting Obligations of University Officials, Volunteers and Employees** under the **University Reporting Obligations** section for more information.

Individuals designated as having confidentiality are required to report the nature, date, time and general location of an incident to the Title IX coordinator. Confidential resources will not share other information with the Title IX Coordinator or any other employee of the University without the express permission of the disclosing party. Confidential resources can provide information about the University and off-campus resources, support services and other options. As noted above, because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential resource does not constitute a report or Formal Complaint to the University and will not result in a response or intervention by the University. A person consulting with a confidential resource may decide to make a report to the University and/or law enforcement. The following individuals have been designated as confidential resources pursuant to the University's Title IX Exemptions Policy (DIV-010):

- Director, Assistant Director, Nurses, Medical Records and Clerical Staff at the Health and Wellness Center.
- Director, Clerk Typist 3, and Graduate Assistant(s) in the Women's and LGBTQ+ Resource Centers.

Communication with certain individuals may be privileged by operation of law and reports made to these individuals will not be shared with the University Title IX Coordinator or law enforcement except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law. Only individuals employed by the University as licensed campus professional counselors, acting in their capacity as such, are afforded this statutory privilege.

All University proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX of the Education Amendments of 1972 ("Title IX"), Violence Against Women Act (VAWA), state and local law, and University policy. No information will be released from such proceedings, except as required or permitted by law and University policy.

The University may share non-identifying information about reports received in aggregate form, including data about outcomes and Disciplinary Sanctions.

5. **Disability Accommodations**

This Policy does not alter any obligations of the University under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities at any point before or during the resolution process that do not fundamentally alter the process. Requests for accommodations may be made to the Title IX Coordinator and may be referred to another appropriate party or office on campus. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other University programs and activities.

6. **Free Expression and Academic Freedom**

The University is firmly committed to free expression and academic freedom and to creating and maintaining a safe, healthy, and harassment-free environment for all members of its community. Sexual misconduct, including retaliation, against members of the University is not protected expression nor the proper exercise of academic freedom. The University will consider principles of free expression and academic freedom in the investigation of reports of sexual misconduct or retaliation that involve an individual's statements or speech.

7. **Alcohol and Drug Use Amnesty for Students**

The health and safety of every student at the University is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time sexual misconduct occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report incidents of sexual misconduct. A witness to or individual who experiences sexual misconduct, acting in good faith, who discloses any incident of sexual misconduct to University officials or law enforcement will not be sanctioned under the University's Student Code of Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident(s) of sexual misconduct. The University may request the individual attend an approved alcohol or drug education program and without assessing any charges for such program. This amnesty provision also applies to student groups making a report of sexual misconduct. Amnesty does not preclude or prevent action by police or other legal authorities pursuant to relevant state or federal criminal statutes.

8. **Scope of Policy**

This Policy applies to all on campus and off-campus conduct that is likely to have a substantial adverse effect on any member of the University community. There is no time limit for reporting allegations of sexual misconduct, however, the University strongly encourages the prompt reporting of sexual misconduct to allow the University to respond promptly and effectively. If the reported Respondent is not a member of the University community or is no longer associated with the University at the time of the report or at the time a resolution process is initiated, the University may be unable to investigate or take disciplinary action and may be required to dismiss the Formal Complaint for a lack of jurisdiction. See the **Jurisdiction and Dismissals** section.

Please see the **Reporting Sexual Misconduct** section below for more information on how and where to report misconduct, discrimination and/or harassment, or to file a Formal Complaint.

9. **Burden of Proof**

The burden of proof refers to who has the responsibility of showing a violation has occurred. It is always the responsibility of the University to satisfy the burden of proof. The Respondent does not have the burden to prove that a violation did not occur. Respondents may decide not to share their side of the story or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the University and does not indicate responsibility. Additionally, Decision-Maker(s) shall not make an adverse inference against a Respondent for the Respondent's refusal to participate in an investigation or hearing, nor will Respondent's refusal to participate result in increased sanctions if the Respondent is found responsible for the violation(s).

10. **Standard of Proof**

Consistent with requirements set forth in the Pennsylvania Code pertaining to student disciplinary due process requirements, the University will use the preponderance of the evidence standard in investigations of formal complaints alleging sexual misconduct violations under this Policy. This means that the individual(s) charged with making a finding must determine whether it is more likely than not that a violation of the Policy occurred.

11. **Effective Date**

Based on the Final Rule, this Policy will be effective August 14, 2020.

12. **Impact on Other Policies or Processes**

As used in this Policy, sexual misconduct may also encompass criminal conduct under Pennsylvania and/or federal law. Additionally, sexual misconduct under this Policy may result in civil and/or administrative or legal consequences.

13. **Revocation by Operations of Law**

Applicability of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), is subject to future legislative or court actions. Should any portion of the Title IX Final Rule be set aside, stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require any of the elements of this Policy, this Policy, or the invalidated elements of this Policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication.

SEXUAL MISCONDUCT DEFINITIONS

1. **Dating Violence** – (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act) includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Dating Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Dating Violence will be categorized as Non-Regulatory.

2. **Domestic Violence** – (as defined in the VAWA amendments to the Clery Act), includes any violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant

shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under Pennsylvania's domestic or family violence laws or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Pennsylvania.

Domestic Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Domestic Violence will be categorized as Non-Regulatory.

3. **Retaliation** – Any action, directly or through others, which is aimed to deter a reasonable person from reporting sexual misconduct or participating in an investigation or hearing or action that is done in response to such activities. This includes but is not limited to intimidation, threats, coercion, or discrimination against any individual (A) for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations; or (B) because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Policy. A finding of retaliation under this Policy is not dependent on a finding that the underlying sexual misconduct occurred.
4. **Sexual Assault** – (As defined in the Clery Act) – This includes any sexual act directed against another person, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent. Sexual Assault may be one of the following categories:
 - A. **Sexual Penetration Without Consent** - Any penetration of the mouth, sex organs, or anus of another person, however slight by an object or any part of the body, when Consent is not present. This includes performing oral sex on another person when Consent is not present.
 - B. **Sexual Contact Without Consent** - Knowingly touching or fondling a person's genitals, breasts, buttocks, or anus, or knowingly touching a person with one's own genitals or breasts, when Consent is not present. This includes contact done directly or indirectly through clothing, bodily fluids, or with an object. It also includes causing or inducing a person, when Consent is not present, to similarly touch or fondle oneself or someone else.
 - C. **Statutory Sexual Assault** – The age of consent for sexual activity in Pennsylvania is 16. Minors under the age of 13 cannot consent to sexual activity. Minors aged 13-15 years old cannot consent to sexual activity with anyone who is 4 or more years older than they are at the time of the activity. Minors aged 16 years of age or older can legally consent to sexual activity, as long as the other person does not have authority over them as defined in Pennsylvania's institutional sexual assault statute³.

Sexual Assault is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Sexual Assault will be categorized as Non-Regulatory.

³ The text of Chapter 31 of the Pennsylvania Crimes Code is available here <https://bit.ly/305G9pu>

5. **Sexual Exploitation** – Engaging in sexual behaviors directed toward or involving another person when Consent is not present. This includes, but is not limited to, the following actions, including when they are done via electronic means, methods or devices:
 - A. Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person’s Consent;
 - B. Indecent exposure or inducing others to expose private or intimate parts of the body when Consent is not present;
 - C. Recording or distributing information, images or recordings of any person engaged in sexual or intimate activity in a private space without that person’s Consent;
 - D. Prostituting another individual;
 - E. Knowingly exposing another individual to a sexually transmitted disease or virus without that individual’s knowledge; or
 - F. Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

6. **Regulatory Prohibited Conduct** – For purposes of this Policy, the term includes the defined violations of Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking.

7. **Regulatory Quid Pro Quo Sexual Harassment** – An Employee conditioning the provision of aid, benefit or service of the University on an individual’s participation in unwelcome sexual conduct.

8. **Non-Regulatory Quid Pro Quo Sexual Harassment** – An Official, Volunteer or Student conditioning the provision of aid, benefit or service of the University on the individual’s participation in unwelcome sexual conduct.

9. **Regulatory Hostile Environment Sexual Harassment** – Unwelcome conduct, on the basis of sex, that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s Education Program or Activity.;

10. **Non-Regulatory Hostile Environment Sexual Harassment** – Unwelcome conduct, on the basis of sex, that a reasonable person would determine is sufficiently severe, pervasive, and objectively offensive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from any educational, employment, social or residential program in offered connection with the University.

11. **Stalking** – (as defined in the VAWA amendments to the Clery Act) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - A. fear for their safety or the safety of others; or
 - B. suffer substantial emotional distress.

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way, or interferes with a person’s property.

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Stalking includes the concept of cyberstalking, in which electronic media such as the Internet, social networks, blogs, cell phones, texts, email or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Stalking is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Stalking will be categorized as Non-Regulatory.

OTHER DEFINITIONS

1. **Advisor** – An individual who may be present to provide support to a Party throughout an investigation and/or hearing.
 - A. Advisors may accompany a Party to any meeting or hearing they are required or eligible to attend, but may not speak for the Party, except for the purposes of cross-examination.
 - B. Each party is responsible for coordinating and scheduling with their choice of Advisor.
 - C. The Advisor of choice may be an attorney or a union representative (when applicable) or other individual selected by the Party.
 - D. If a party does not have an Advisor of choice present for a hearing, the University will appoint an Advisor for the limited purposes of asking questions or conducting cross-examination.
 - E. If a Party does not attend the hearing, the Party's Advisor may appear and ask questions or conduct cross-examination on the Party's behalf.
 - F. The Advisor is not prohibited from having a conflict of interest or bias in favor of or against a Party, nor is the Advisor prohibited from being a Witness in the Sexual Misconduct Resolution Process.
2. **Appeals Officer** – The individual or individuals with the authority under law or otherwise appointed by the University to decide appeals. The Appeals Officer will be free of conflict of interest and bias, and will not serve as the Investigator, Title IX Coordinator, Advisor to any Party or a Decision Maker in the same matter.
3. **Complainant** – An individual who has reported being or is alleged to be subjected to conduct that could constitute covered sexual misconduct as defined under this Policy.
4. **Consent** – A knowing and voluntary agreement to engage in specific sexual activity at the time of the activity communicated through clear actions and/or words that are mutually understood.

In order to be valid, Consent must be active, present and ongoing.

Consent is not present when it is the result of coercion, intimidation, force, or threat of harm. Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide Consent due to intellectual or other disability or other condition. Consent can be withdrawn at any time and consent to one form of sexual activity is not necessarily consent to other forms of sexual activity.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence of or impaired by the use of the drug. Alcohol

and other drugs impact each individual differently. Determining whether an individual is incapacitated requires an individualized determination. When determining whether a person has the capacity to provide Consent, the University will consider whether a sober, reasonable person in the same position knew or should have known that the other party could or could not consent to the sexual activity.

When determining whether Consent has been provided, all the circumstances of the relationship between the parties will be considered.

5. **Decision Maker(s)** – The individual or individuals appointed by the University to render a decision on a Formal Complaint that goes to a hearing. The Decision Maker(s) will be free of conflict of interest and bias, and will not serve as the Investigator, Title IX Coordinator, an Advisor to any Party or Appeals Officer in the same matter.
6. **Disciplinary Sanction** – The penalty imposed on an individual for violating this Policy. For Students, Disciplinary Sanctions are subject to applicable University/System policies, up to and including expulsion from the University. For Employees, Disciplinary Sanctions are subject to applicable collective bargaining agreement or University/System policies, up to and including separation from employment. For Officials or Volunteers, this may include the removal or the request for removal of the Official or Volunteer from their respective position.
7. **Education Program or Activity** – For purposes of this Policy, the term “Education Program or Activity” includes any activity that occurs in, on or within:
 - A. Any on-campus premises.
 - B. Any off-campus premises the University has substantial control over. This includes buildings or property owned or controlled by a recognized student organization or a recognized affiliated entity.
 - C. Computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the University’s programs and activities over which the University has substantial control.
8. **Employee** – An individual who is employed by the State System (either at a State System University or in the Office of the Chancellor) including, but not limited to, faculty members, coaches, staff, managers and student employees.
9. **Final Rule** – The Final Rule issued on May 19, 2020 by the U.S. Department of Education under Title IX of the Education Amendments of 1972.
10. **Formal Complaint** – A document, including an electronic submission, filed by a Complainant with a signature or other indication that the Complainant is the person filing the Formal Complaint, or signed by the Title IX Coordinator, alleging sexual misconduct against a Respondent and requesting initiation of the process set forth in this Policy to investigate the allegation of sexual misconduct.
11. **Hearing Authority** – Any person or body selected to serve in accordance with University’s processes to determine whether a student has violated the Student Code of Conduct and to recommend sanctions that may be imposed when a student conduct violation has been committed.
12. **Investigator** – The Title IX Coordinator or the individual designated by the Title IX Coordinator to perform an

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investigation under this Policy. The Investigator may not have a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general. The Investigator may not serve as a Decision Maker, Appeals Officer or Advisor to any Party in the same matter.

13. **Notice of Allegations** – The written notice the Title IX Coordinator or his/her designee is required to provide to the Parties following receipt of a Formal Complaint. See **Notice of Allegations** section below.
14. **Notice of Hearing** – The written notice the Title IX Coordinator or his/her designee is required to provide the Parties prior to the hearing. See **Notice of Hearing** section below.
15. **Official** - A member of a Council of Trustees or of the Board of Governors or their respective designees.
16. **Parties or Party** – A term that refers to the Complainant and the Respondent collectively or the Complainant or Respondent individually.
17. **Respondent** – Any individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct as defined under this Policy.
18. **Student** – Any individual enrolled in one or more regularly scheduled undergraduate or graduate courses or noncredit-bearing instruction or certification programs at any State System University. The term “Student” shall include Employees, Volunteers and Officials where the Employee, Volunteer or Official otherwise meets the enrollment criteria set forth in this definition.
19. **Supportive Measures** – Non-disciplinary and non-punitive individualized services designed to restore or preserve access to the University’s Education Programs or Activities without unduly burdening the other Party. Supportive Measures will be offered, as appropriate, to the Complainant or the Respondent, regardless of whether a Formal Complaint is filed.

Supportive Measures may include, but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties (no contact orders), changes in work or housing locations, leaves of absence, and increased security and monitoring of certain areas of the campus.
20. **Title IX Coordinator** – The individual designated by the University, with assistance of the Deputy Title IX Coordinator, to coordinate the University’s compliance with Title IX and VAWA and to respond to reports of violations. The Title IX Coordinator may not have a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general. The Title IX Coordinator may serve as the Investigator of a Formal Complaint for Formal Complaints against Respondents who are Employees. The Title IX Coordinator may not serve as a Decision Maker, Appeals Officer or as an Advisor to any Party.
21. **Volunteer** – A recognized volunteer or any individual who represents or acts on behalf of the university or whose actions may bind the university, regardless of whether the individual receives monetary or other compensation. For purposes of this Policy, employees and officials of recognized affiliated entities, ROTC instructors, visiting professors and unpaid camps and conference personnel will be considered volunteers.

22. **Witness** – A person who has knowledge related to specific aspects of a case and may have reported such aspects to the institution.

REPORTING SEXUAL MISCONDUCT

Any individual, including a third party, may make a report concerning sexual misconduct. Complainants and third-parties are encouraged to report sexual misconduct as soon as possible to allow the University to respond promptly and effectively.

The Title IX Coordinator or his/her designee, in addition to the University President, Provost and Vice President for Academic Affairs, Vice President for Enrollment Management and Student Affairs, Dean of Students, Associate Dean of Students, Associate Director of Student Conduct, Chief of Police, Deputy Chief of Police and all Police Officers have authority to institute corrective measures for reports of allegations of violations of this Policy. Mandated reports to the Title IX Coordinator by Officials, Volunteers and Employees shall not automatically result in corrective measures being instituted. Individuals are encouraged to report sexual misconduct directly to the Title IX Coordinator, through the University's electronic and anonymous reporting systems or by the filing of a Formal Complaint.

1. Reports the Title IX Coordinator

Any person may report sex discrimination, including sexual misconduct (whether or not the person reporting is the person alleged to be the person subjected to conduct that could constitute sex discrimination or sexual misconduct), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:

Mr. Bradley A. Davis, Esq.
Director of Equity and Compliance
Title IX Coordinator
Office of Social Equity, Old Main A Wing
TitleIX@kutztown.edu
(610) 683-4700

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

The University's Title IX Coordinator is trained to work with individuals who report sexual misconduct and have knowledge about resources and services, both on and off campus, including the availability of Supportive Measures.

If a report of misconduct discloses a serious or immediate threat to the campus community, the University will issue a timely warning to the community to protect the health or safety of the community. The timely warning will not include any identifying information about the Complainant.

Please Note: Title IX Coordinators are not a confidential source of support. While they will address matters reported with sensitivity and will keep your information as private as possible, confidentiality cannot be guaranteed. For confidential resources, please contact Counseling and Psychological Services (<https://www.kutztown.edu/about-ku/administrative-offices/counseling-and-psychological-services.html>).

Please Also Note: Making a report is different from filing a Formal Complaint (see the section titled **Filing a Formal Complaint**). A report is defined as notification of an incident of sexual misconduct to the Title IX Coordinator or his/her designee by any person. A report may be accompanied by a request for (1) Supportive Measures; (2) no further action; (3) filing a Formal Complaint; and/or (4) a request to initiate an informal resolution process after filing a Formal Complaint. Filing a Formal Complaint initiates the University's formal investigation process. (See **Sexual Misconduct Resolution Process**).

2. Electronic and Anonymous Reporting

You may also file a report about sexual misconduct using the appropriate links below. While anonymous reports are accepted, the University's ability to address misconduct reported anonymously is significantly limited.

Individuals may use this link to electronically file a report of sexual misconduct with the University: https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=1. An immediate auto-response email with information about resources and options will be sent in response to reports filed electronically.

Individuals may also file a report by sending an email to: titleix@kutztown.edu.

3. Filing a Formal Complaint

The timeframe for the Sexual Misconduct Resolution Process under this Policy begins with the filing of a Formal Complaint and will be concluded within a reasonably prompt manner, and usually no longer than **90 days** after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, as set forth more fully in the **Continuances and Granting Extensions** section. Appeals may extend the timeframe for resolution.

To file a Formal Complaint, a Complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged.

If a Complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Kutztown University will inform the Complainant of this decision in writing, and the Complainant need not participate in the process further, but will receive all notices issued under this Sexual Misconduct Resolution Process. **Please note:** The Title IX Coordinator does not lose impartiality solely due to signing a Formal Complaint.

A Complainant who files a Formal Complaint may elect, at any time, to address the matter through the Informal Resolution Process. See **Informal Resolution** section below.

4. Criminal Reporting Options

A Complainant may also seek to initiate a criminal complaint, independent of or parallel with any report made to the University, with the appropriate authority listed below:

Kutztown University Department of Public Safety and Police Services <https://www.kutztown.edu/about-ku/administrative-offices/public-safety-and-police-services.html>

Kutztown Borough Police Department <https://www.co.berks.pa.us/Police/KutztownBoroPolice/Pages/Default.aspx>

Pennsylvania State Police
<https://www.psp.pa.gov/Pages/default.aspx>

Please note: The University's policy, definitions, and burden of proof may differ from Pennsylvania criminal law. Neither law enforcement's decision whether to prosecute, nor the outcome of any criminal prosecution, is determinative of whether sexual misconduct has occurred under this Policy. In cases where there is a simultaneous law enforcement investigation, there may be circumstances when the University may need to temporarily delay its investigation while law enforcement gathers evidence. However, the University will generally proceed with Formal Complaint even during the time of a pending law enforcement investigation.

The University may not be informed of reports made with law enforcement agencies.

5. External Reporting Options

A person may also file a complaint with the U.S. Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by calling 1-800-421-3481 or 1-877-521-2172 TTY or emailing OCR.Philadelphia@ed.gov or by visiting <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

A person may also file a complaint with the Pennsylvania Human Relations Commission by calling 717-787-9780 for the Harrisburg Regional Office; 412-565- 5395 for the Pittsburgh Regional Office; or 215-560-2496 for the Philadelphia Regional Office; or by visiting <https://www.phrc.pa.gov/Pages/default.aspx>.

Employees may also file a charge with the Equal Employment Opportunity Commission regarding an alleged violation of Title VII by calling 1-800-669-4000 or by visiting <https://www.eeoc.gov/employees/howtofile.cfm>.

The University may not be informed of reports made to external agencies.

6. Truthfulness

All participants in the reporting and resolution processes have the responsibility to be truthful with the information they share at all stages of the process. A report of a violation under this Policy is not considered a bad faith report

merely because the evidence does not ultimately support the allegation. Individuals are prohibited from knowingly making a false report, filing a false Formal Complaint or making misrepresentations. If an investigation results in a finding that a person has willfully filed a bad faith report, filed a false Formal Complaint or made misrepresentations as part of the reporting or resolution process, the person may be subject to appropriate Disciplinary Sanctions under the Code of Conduct in the case of Students or other relevant University policy and collective bargaining agreements in the case of Officials, Employees or Volunteers.

7. Multiple Party Complaints

The Title IX Coordinator may consolidate Formal Complaints involving multiple parties where the allegations of sexual misconduct arise from the same facts or circumstances; in such consolidated matters, the Sexual Misconduct Resolution Process applies to more than one Complainant and/or more than one Respondent, but each party is still an “individual” and not a group or organization. The decision of the Title IX Coordinator to consolidate Formal Complaints is not subject to appeal.

UNIVERSITY REPORTING OBLIGATIONS

1. Mandated Reporting Obligations of University Officials, Volunteers and Employees

All University Officials, Volunteers and Employees (including student employees acting in the course and scope of their employment) are obligated to report incidents of sexual misconduct of which they become aware to the Title IX Coordinator or his/her designee, unless: 1) they serve in a role that makes such reports privileged or are recognized as providing a confidential resource (see **Statement on Privacy and Confidentiality**); or 2) they are a faculty member and learn of the report from a student during a classroom discussion, in a writing assignment for a class, or as part of a University-approved research project.

PLEASE NOTE: These reporting exceptions do not apply to reports of sexual misconduct involving an individual who was, or is, a child (a person under 18 years of age) when the abuse allegedly occurred. When a report involves suspected abuse of a child (an individual under the age of 18 at the time of the incident(s) as reported), all the University Employees, Officials and Volunteers are required to notify the University police and the ChildLine run by the Pennsylvania Department of Human Services (1-800-932-0313). All other members of the University community are strongly encouraged to report suspected child abuse to law enforcement or ChildLine.

University Employees designated as Campus Security Authorities (CSAs) under the Clery Act are required to report certain crimes for federal statistical reporting purposes.

2. University Obligations Regarding Timely Warnings

Parties reporting Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking should be aware that under the Clery Act, the University must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community. If a report of sexual misconduct discloses a serious or immediate threat to the campus community, the University will issue a timely notification to the community to protect the health or safety of the community. The timely notification will not include any identifying

information about the Complainant.

JURISDICTION AND DISMISSALS

In certain circumstances where violations defined under the Final Rule as Regulatory Prohibited Conduct (Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking) do not meet jurisdictional requirements, the University must dismiss those allegations contained in the Formal Complaint.

In certain circumstances the Title IX Coordinator may dismiss a Formal Complaint, or any specific allegations raised in the Formal Complaint, at any time during the investigation or hearing.

Any Party may appeal a dismissal determination. See the **Determining Jurisdiction and Mandatory Dismissal for Certain Allegations** under the **Sexual Misconduct Resolution Process Section** for more information.

EMERGENCY REMOVAL FOR STUDENTS

1. The University retains the authority to remove a Respondent from its Education Programs or Activities on an emergency basis. This action is also referred to as emergency removal.
2. Before imposing the emergency removal of a student Respondent, the Associate Dean of Students will:
 - A. undertake an individualized safety and risk analysis; and
 - B. determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual misconduct justifies a removal.
3. If the University imposes the emergency removal of a student Respondent, the University will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal.
 - A. The University will provide written notice of the emergency removal and applicable charges.
 - B. The University will provide an opportunity for the Respondent to appeal that decision to the University President within **10 days** of the imposition of the emergency removal.
 - C. The University President will hear the evidence and determine whether there is sufficient evidence to support the conclusion that the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual misconduct and that, based on that threat, removal is the appropriate course of action.
4. If the University learns of evidence that demonstrates that the emergency removal is no longer justified, the University will take prompt action to rescind the emergency removal of the student Respondent.
5. All emergency removals will also comply with requirements under Chapter 505 of Title 22 of the Pennsylvania Code concerning Student Personnel.

ADMINISTRATIVE LEAVE FOR EMPLOYEES

The University retains the authority to place Employees on administrative leave consistent with applicable requirements of relevant University policies and collective bargaining agreements.

INFORMAL RESOLUTION PROCESS

Informal means of resolution, such as mediation, may be used as an alternative to the formal investigation and hearing procedures. Informal resolution is a voluntary process and may be used only where a Formal Complaint has been filed. Upon written agreement of all parties, informal resolution may be initiated at any time prior to finding of responsibility in a hearing, and may be terminated at any time prior to final resolution. If the informal process is terminated, the Sexual Misconduct Resolution Process, which includes an investigation and hearing, will proceed. Once a final resolution has been reached and documented and signed by all parties, the resolution cannot be appealed.

Informal resolution may not be utilized when a Student files a Formal Complaint against a University Employee, Volunteer or Official under this Policy.

SEXUAL MISCONDUCT RESOLUTION PROCESS

1. Formal Complaint

The Sexual Misconduct Resolution Process is initiated by a Complainant providing the Title IX Coordinator a written, signed Formal Complaint describing the facts alleged. See the section titled **Filing a Formal Complaint** above.

2. Notice of Allegations

The Title IX Coordinator will draft and provide a written Notice of Allegations to any Party alleged to have violated this Policy. Such notice will occur as soon as practicable, but no more than **10 days**, after the University receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The Notice of Allegations will include the following:

- A. Notice of the University's Sexual Misconduct Resolution Process including any Informal Resolution process and a hyperlink to a copy of the process.
- B. Notice of the allegations potentially constituting violation(s) of any University policy, and sufficient details known at the time the Notice of Allegations is issued, such as the identities of the parties involved in the incident, if known, including the Complainant; the conduct allegedly constituting a policy violation; and the date and location of the alleged incident, if known.
- C. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the hearing.
- D. A statement that the Parties may have an Advisor of their choice.

- E. A statement that before the conclusion of the investigation, the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a Party or other source.
- F. Individuals are prohibited from knowingly filing a false report or making misrepresentations. If, following an investigation and hearing as appropriate under applicable policy, a person is found to have willfully filed a bad faith report or made misrepresentations as part of a resolution process, the party may be subject to appropriate Disciplinary Sanctions under the Code of Conduct in the case of Students or other relevant University policy in the case of Officials, Employees or Volunteers.

The Parties will be notified by their University email accounts if they are a Student or Employee, and by other reasonable means if they are neither. It is the responsibility of the Party to update the Title IX Coordinator of any email address or other changes to the means of contact.

The University will provide sufficient time for the Parties to review the Notice of Allegations and prepare a response before any initial interview.

3. **Determining Jurisdiction and Mandatory Dismissal for Certain Allegations**

For alleged violations of Regulatory Prohibited Conduct (Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking) the following elements will be determined in the reasonable determination of the Title IX Coordinator:

- A. The conduct is alleged to have occurred in the United States;
- B. The conduct is alleged to have occurred in the University's Education Program or Activity; and
- C. The alleged conduct, if true, would constitute covered Regulatory Prohibited Conduct, as defined in this Policy.

If all of the elements are met, the University will investigate the allegations under the processes set forth in this Policy. If any one of these elements is not met, the Title IX Coordinator will notify the parties the specific allegation contained in the Formal Complaint does not meet the required jurisdictional requirements under the Final Rule and is being dismissed. Any Party may appeal a dismissal using the process set forth in the **Appeals** section below. Dismissal of any violations constituting Regulatory Prohibited Conduct will not affect the University's ability to proceed with an investigation of allegations categorized as Non-Regulatory or other allegations under this Policy or any other University Policy.

4. **Discretionary Dismissals for All Allegations**

The Title IX Coordinator may dismiss a Formal Complaint brought under this Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A. A Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- B. The Respondent is no longer enrolled in, associated with or employed by the University; or

- C. If specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any Party may appeal a dismissal using the process set forth in the **Appeals** section below.

5. **Allegations Potentially Falling Under Two Policies**

If a Formal Complaint against a Respondent who is a **Student** contains allegations of a violation of any of the listed Sexual Misconduct Violations in this Policy, as well as any other violation in the Student Code of Conduct, the Sexual Misconduct Resolution Process set forth in this Policy will be applied in the investigation and adjudication of all of the allegations. If all of the alleged Sexual Misconduct Violations of this Policy are dismissed, and the remaining underlying allegations, if true, would violate another University policy or the University's Student Code of Conduct, the matter may be referred for further action by the University's Office of Student Conduct, as appropriate.

If a Formal Complaint against a Respondent who is an **Employee** contains allegations of violations of Regulatory Prohibited Conduct (Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking), the Sexual Misconduct Resolution Process set forth in this Policy will be applied in the investigation and adjudication of those allegations. For all other allegations, the University will follow applicable requirements in University policies and relevant collective bargaining agreements for resolution of the other allegations contained in the Formal Complaint.

If a Formal Complaint against a Respondent who is an **Official or Volunteer** contains any allegations under this Policy, the University or System will follow applicable requirements in University or System policies or procedures and standards for resolution of the allegations contained in the Formal Complaint.

6. **Notice of Dismissal**

Upon reaching a decision that any specific allegation contained in the Formal Complaint will be dismissed, the University will promptly send written notice of the dismissal and the reason for the dismissal, simultaneously to the Parties through their institutional or other provided email account. It is the responsibility of Parties to maintain and regularly check their email accounts and update the Title IX Coordinator of any email address or other changes to the means of contact.

7. **Investigation**

A. **General Rules of Investigations**

The Title IX Coordinator and/or his/her designee will perform an investigation of the conduct alleged under a reasonably prompt timeframe, following issuance of the Notice of Allegations.

Kutztown University and not the Parties, has the burden of proof and the burden of gathering evidence, i.e., the responsibility of showing a violation of this Policy has occurred. Either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Kutztown University and does not indicate responsibility.

Kutztown University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e., evidence that tends to prove and disprove the allegations). See **Inspection and Review of Evidence** section below.

Medical records of a party (or parent, if applicable) will not be considered as part of the investigation unless the party to whom the medical records belong provides the records to the Investigator. Any relevant medical records shared with the Investigator will be attached to the Investigative Report and shared with the other party and Decision Maker(s).

B. Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to issuance of the Investigative Report.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

- 1) Evidence that is relevant, even if that evidence does not end up being relied upon by the Decision Maker(s) in making a determination regarding responsibility;
- 2) Inculpatory or exculpatory evidence (i.e., evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a Party or other source.

The University will make the evidence available to each Party and each Party's Advisor, if any, for inspection and review through an electronic format or a hard copy. The University will also provide a draft of the Investigative Report for review. The University is not under an obligation to use any specific process or technology to provide the evidence or report and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The Parties will have **10 days** to inspect and review the evidence and review the draft Investigation Report and submit a written response by email to the Investigator that includes any new or additional evidence the Party would like the Investigator to consider. The University will provide copies of the Parties' written responses, and any new or additional evidence provided, to the other Party and their Advisor. The other Party will have **5 days** to inspect, review, and respond to the new or additional evidence through a written response to the Investigator. The University will provide copies of the Party's supplemental written response to the other Party and their Advisor.

The parties and their Advisors are encouraged not to disseminate, photograph, copy or otherwise use the draft Investigative Report or any of the evidence subject to inspection and review for any purpose unrelated to the Sexual Misconduct Resolution Process.

Any evidence subject to inspection and review will be available at any hearing held, including for purposes of cross-examination.

The Investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension of the time to submit a written response, which may be denied in the sole discretion of the Investigator, in consultation with the Title IX Coordinator.

The Investigator has **10 days** to generate a report or after the responses to additional evidence are due; the Investigator may provide the Parties and their Advisors with written notice extending the investigation and explaining the reason for the extension.

C. Investigative Report

The Investigator will create an Investigative Report that fairly summarizes relevant evidence.

The Investigative Report is not intended to catalog all evidence obtained by the Investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory relevant evidence – i.e., tending to prove and disprove the allegations, respectively) will be referenced in the Investigative Report.

Evidence obtained in the investigation that is determined in the reasoned judgment of the Investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the Investigative Report. The Investigator may redact irrelevant information from the Investigative Report when that information is contained in otherwise relevant documents or evidence.

The Investigative Report will be shared with the Parties and their Advisors at least 10 days prior to any hearing for their review and written response. Any written response received will be shared with the Decision-Makers(s) and the other Party and their Advisor prior to the hearing.

D. Ongoing Notice

If, in the course of an investigation, the University decides to investigate allegations about either Party that are not included in the Notice of Allegations and are otherwise covered Sexual Misconduct Violations falling within this Policy or other violations of the University's Student Code of Conduct, the University will notify the Parties of the additional allegations by their University email accounts or other reasonable means. It is the responsibility of the Party to update the Title IX Coordinator of any email address or other changes to the means of contact.

The Parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional allegations.

8. General Rules of Hearings

A. Notice of Hearing

No less than **10 days** prior to the hearing, the Office of Student Conduct/University will send written notice of the hearing to the Parties. The Parties will be notified by their University email accounts or by other reasonable means. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

Student Conduct & Regulations

The Notice of Hearing will contain:

- 1) A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential Disciplinary Sanctions actions that could result.
- 2) The time, date, and location of the hearing.
- 3) Information about the option for the hearing to occur with the parties located in separate rooms using technology that enables the Decision Maker(s) and Parties to see and hear a Party or Witness answering questions. Parties should inform the Office of Student Conduct/University of any desire to have the hearing occur in separate rooms at least **3 days** prior to the hearing to ensure appropriate technology is in place.
- 4) Information on how the hearing will be recorded and on access to the recording for the Parties after the hearing.
- 5) A copy of the rules of decorum for all hearing participants.
- 6) A list of the Decision Maker(s) who will attend the hearing, including the Hearing Chair, along with an invitation to object to any actual or perceived conflicts of interest or bias of these individuals prior to the hearing. The President of the University shall serve as the Decision Maker for all cases involving a Respondent who is a Faculty Member. In all cases involving a Respondent who is an Employee, the President may designate a Decision-Maker.
- 7) A statement that if any Party or Witness does not appear at the scheduled hearing, the hearing may be held in their absence and the admissibility of and weight to be given to any testimony or statements provided by that Party or Witness prior to the hearing will be determined by the Decision Maker(s).
- 8) Notification that the parties may have the assistance of an Advisor of their choice at the hearing and will be required to have one present for any questions they may desire to ask of the other Party or Witnesses. The Party should notify the Student Conduct Office/University in advance of the hearing if they do not have an Advisor, and the University will appoint one. Each party must have an Advisor present.
- 9) A copy of all the materials provided to the Decision Maker(s) about the matter and the opportunity to provide a written response in advance of the hearing.
- 10) Information regarding who to contact to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing.
- 11) For compelling reasons, the Student Conduct Office/University may reschedule the hearing.

B. Hearing

The University will not issue a Disciplinary Sanction arising from an allegation of a violation of this Policy without holding a hearing, unless otherwise resolved through an informal resolution process or an alternate process permitted under this Policy. If the University determines a hearing is necessary, the Parties cannot waive the right to a hearing.

The University may still proceed with the hearing in the absence of a Party, and may reach a determination of responsibility in their absence. The University will not threaten, coerce, intimidate, or discriminate against the Party in an attempt to secure the Party's participation.

Student Conduct & Regulations

The Decision Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the hearing or refusal to answer cross examination or other questions.

The hearing may be conducted with all Parties physically present in the same geographic location, or, at the University's discretion, any or all Parties, Witnesses, and other participants may appear at the hearing virtually through video conferencing technology. This technology will enable participants simultaneously to see and hear each other. At its discretion, the University may delay or adjourn a hearing based on technological errors.

All proceedings will be recorded through audio recording. That recording or a transcript, if one is available, will be made available to the Parties for inspection and review upon request.

All hearings for student Respondents will comply with requirements under Chapter 505 of Title 22 of the Pennsylvania Code concerning Student Personnel. All hearings for employee Respondents will comply with applicable collective bargaining requirements and University and Board of Governors Policy and Procedure/Standard requirements.

C. **Continuances or Granting Extensions**

The University may determine that multiple sessions or a continuance (i.e., a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

D. **Participants in the Hearing**

Hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

- 1) The Decision Maker(s), including the Hearing Chair;
- 2) The Investigator;
- 3) IT personnel;
- 4) The Parties;
- 5) The Advisor of choice or Advisor provided by the University for each Party;
- 6) Witnesses; and
- 7) Any individuals necessary to provide interpretation or other support services associated with reasonable accommodations to facilitate participation in the hearing.

The Decision Maker(s), including the Hearing Chair, will not have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the Parties to the particular case. The Parties will have an opportunity to raise any objections regarding a Decision Maker's actual or perceived conflicts of interest or bias at the beginning of the hearing, if not raised previously.

Parties and Witnesses cannot be compelled to participate in the hearing, and have the right not to participate in the hearing free from retaliation.

E. **Hearing Procedures**

For all hearings conducted under this Policy, the procedure will be as follows:

- 1) The Hearing Chair will open and establish rules and expectations for the hearing.
- 2) The Parties will each be given the opportunity to provide opening statements.
- 3) The Investigator will present a summary of the final Investigative Report, including items that are and are not contested. The Investigator will be subject to questioning by the Decision Maker(s) and the Parties (through their Advisors). The Investigator should not be asked their opinion on credibility, recommended findings or determinations. If such information is introduced, the Hearing Chair will direct that it be disregarded.
- 4) The Hearing Chair and other Decision Maker(s) will ask questions of the Parties and Witnesses.
- 5) Parties will be given the opportunity for cross-examination after the Decision Maker(s) conduct(s) the initial round of questioning. See **Cross-Examination Procedure** below.
- 6) During the Parties' cross-examination, the Hearing Chair will have the authority to pause cross-examination at any time for the purposes of asking follow up questions; and any time necessary in order to enforce order for the hearing or the established rules of decorum. If an Advisor does not comply with the established rules of decorum, that Party may be provided with a different Advisor to conduct cross-examination on behalf of that Party.
- 7) Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Decision Maker(s). A Party's waiver of cross-examination does not eliminate the ability of the Decision Maker(s) to use statements made by the Party.

F. Relevant Evidence and Questions

"Relevant" evidence and questions are those questions and evidence that tends to make an allegation of sexual misconduct more or less likely to be true. "Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of any process initiated under this Policy:

- 1) Evidence and questions about the Complainant's sexual predisposition or prior sexual behavior unless:
 - a) They are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
 - b) They concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.
- 2) Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege including attorney-client privilege; or
- 3) Any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

G. Cross-Examination

- 1) Each Party's Advisor may conduct cross-examination of the other Party or Parties and Witnesses and ask follow-up questions, including those challenging credibility directly, orally, and in real time.
- 2) Parties will not be permitted to personally cross-examine each other.
- 3) If a Party does not participate in a hearing, the Party's Advisor may attend and conduct cross-examination on behalf of the Party.
- 4) If neither a Party nor their Advisor appear at the hearing, the University will provide an Advisor to appear on behalf of the non-appearing Party and ask cross-examination questions.
- 5) Before any cross-examination question is answered, the Decision Maker(s) will determine if the

question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Decision Maker(s) may be deemed irrelevant if they have been asked and answered.

- 6) The Decision Maker(s) must explain to the Party proposing the question any decision to exclude a question as not relevant.
- 7) The Decision Maker(s) may not draw an inference about a determination of regarding responsibility based solely on a Party's or Witness's absence from the hearing or refusal to answer cross-examination or other questions.
- 8) Failure to answer questions at the hearing may impact the information the Decision Maker(s) will consider. In accordance with due process requirements applicable to Pennsylvania universities, hearings must include the opportunity to cross-examine individuals when credibility determinations are at issue. As such, if any Witness or Party is not available for cross-examination, the Decision Maker(s) must determine the admissibility of and weight to be given to that Party's or Witness's prior statements.

9. Decisions

A. General Considerations for Evaluating Testimony and Evidence

- 1) While the opportunity for cross-examination is required in all hearings under this Policy, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision Maker(s).
- 2) Hearsay evidence may not be used to establish a fact necessary to establish responsibility consistent with the requirements under Chapter 505 of Title 22 of the Pennsylvania Code concerning Student Personnel.
- 3) Decision Maker(s) shall not draw inferences regarding a Party or Witness' credibility based on the Party or Witness' status as a Complainant, Respondent, or Witness, nor shall it base its judgments in stereotypes about how a Party or Witness would or should act under the circumstances.
- 4) Generally, credibility judgments should rest on the demeanor of the Party or Witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.
- 5) Credibility judgments should not rest on whether a Party or Witness' testimony is non-linear or incomplete, or if the Party or Witness is displaying stress or anxiety.
- 6) Where a Party or Witness' conduct or statements demonstrate that the Party or Witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision Maker(s) may draw an adverse inference as to that Party or Witness' credibility.
- 7) Decision Maker(s) will afford the highest weight relative to other testimony to first-hand testimony by Parties and Witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e., tending to prove and disprove the allegations) evidence will be weighed in equal fashion.
- 8) The Final Rule requires the University to admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the Decision Maker(s) will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.
- 9) The Final Rule requires the University allow parties to call character witnesses to testify. The

University does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the Decision Maker(s) will be instructed to afford very low weight to any non-factual character testimony of any Witness.

- 10) The Decision Maker(s) will decide responsibility and make a recommendation as to sanction to the Dean of Students

B. **Timeline for Decision**

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University within **10 days** of the completion of the hearing.

C. **Finality**

The determination regarding responsibility becomes final either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested as set forth in the **Appeals** section below.

10. **Disciplinary Sanctions Against Students**

A. **Possible Disciplinary Sanctions**

The Dean of Students, who will be present at the hearing and after receiving a recommendation from the Decision Maker(s), may impose the following Disciplinary Sanctions upon Students, singly or in combination:

- a. *Disciplinary Reprimand*: A formal letter issued when a student's conduct is deemed to be unsatisfactory to the degree that the University makes a record of the incident and warns the student against repetition of similar behavior.
- b. *Educational Activities*: The required participation in a specified activity, service project, community service, educational program, event, assignment or other educational and/or restorative assignment.
- c. *University Restrictions*: Restricted attendance, access or participation with specific co-curricular events, programs, or student organizations/groups; change of residence hall assignment; no contact restrictions with specific individuals for a defined period of time; and/or restricted access or visitation privileges to specific campus facilities.
- d. *Restitution*: Payment for replacement or repair for damages to university property. Restitution may be applied only once if civil or criminal action is also being applied. In these cases, legal judgments shall take precedence. Restitution imposed by a campus hearing authority will be held in abeyance until civil and criminal charges can be finalized.
- e. *Disciplinary Probation*: Official notification of a specified period of review and monitoring not to exceed one year. Further violations of the Student Code of Conduct may result in more severe disciplinary action, including an examination of continued status as a student. Students on Disciplinary Probation are not in good disciplinary standing.
- f. *Deferred Housing Suspension*: The student is informed that although the violation of university regulations may warrant removal and suspension of residence hall privileges, a suspension is being deferred and the student is required to adhere to specific requirements and conditions imposed by the designated hearing authority. Failure to abide by the imposed conditions may result in the rescission of the deferment and loss of university housing privileges. The student is also advised that any subsequent violations may result in an immediate residence hall suspension.

Student Conduct & Regulations

- g. *Housing Suspension*: A student may be excluded from campus housing for a specified period of time if held responsible through the student conduct process for a major violation of the Student Code of Conduct, for repeated infractions or a serious breach of residence hall regulations.
- h. *Deferred Suspension*: Deferred Suspension is imposed only in serious cases or in response to progressive discipline stipulating that a student, in lieu of University suspension, is being allowed to remain at the University provided that the student adheres to certain conditions. A student on Deferred Suspension is denied the privilege to represent the University in any organized capacity including intercollegiate varsity, non-varsity, or club events or to hold office in any Student Organization. Any subsequent violations will likely result in the immediate suspension or dismissal of the student from the university. Students on Deferred Suspension are not in good disciplinary standing.
- i. *Suspension*: A recommendation approved by the Dean of Students for the exclusion of a student from the University for a specific period of time **not to exceed four (4) years**. During the period of suspension, the student: is ineligible to enroll or participate in any academic courses or university programs and activities; must adhere to all other terms and conditions of their official sanctions; must not be involved in further student conduct violations during their period of suspension and is required to meet with the Dean of Students or designee and complete the [Post Suspension Reentry Form](#) PRIOR to reenrolling at Kutztown University. In addition, the University may restrict or place limitations on a suspended student's access to campus facilities during this period of time as specified as part of their official sanction. Suspended students are not in good disciplinary standing. Unless a student officially withdraws from the university, the student's relationship with the university is maintained therefore any alleged disciplinary infraction that occurs while a student is serving a suspension will be adjudicated in accordance with university policy. Violating conditions of suspension subjects the student to additional sanctions including, but not limited to, an extension of suspension and/or dismissal from the university.
- j. *Dismissal*: A recommendation approved by the Dean of Students for the **permanent** separation of the student from the University. Under this status, the relationship between the student and the University is terminated and the individual is no longer considered a student. A dismissed student is excluded from University property for a minimum period of four (4) years. Students on Dismissal are not in good disciplinary standing.

B. Previous Disciplinary Sanctions

Previous Disciplinary Sanctions of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process.

C. Timing

The Disciplinary Sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

11. Disciplinary Sanctions Against Employees, Officials and Volunteers

A. Possible Disciplinary Sanctions

Disciplinary Sanctions imposed by the University President on an Employee for violating this Policy, subject to an applicable collective bargaining agreement or University/System policies, may include a penalty up to and including separation from employment.

Disciplinary Sanctions imposed by the University President on an Official or Volunteer may include a penalty up to removal or the request for removal of the Official or Volunteer from their respective position.

B. Timing

The Disciplinary Sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

12. Appeals Where the Respondent is a Student

- A. Each Party may appeal the dismissal of a Formal Complaint or any included allegations or a determination of responsibility on the following grounds:
 - 1) New information that could more likely than not affect the outcome of the matter that was not reasonably available through the exercise of due diligence at the time of the hearing or dismissal of the Formal Complaint.
 - 2) A deviation from the University policy or procedures that more likely than not affected the hearing outcome.
 - 3) The Title IX Coordinator, Investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that more likely than not affected the outcome of the matter.
 - 4) Appropriateness of the sanction.
- B. Appeals must be filed in writing within **5 days** of being notified of the decision and must indicate the grounds for the appeal.
- C. The submission of an appeal stays any Disciplinary Sanctions for the pendency of an appeal. Supportive Measures and remote learning opportunities remain available during the pendency of the appeal.
- D. If a party appeals, the University will notify the other party in writing of the appeal as soon as practicable, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal. If an appeal is filed, the other Party will be given 5 days to respond to the appeal after being notified of the appeal.
- E. Appeals will be decided by the Vice President for Enrollment Management and Student Affairs who will be free of conflict of interest and bias, and will not serve as an Investigator, Title IX Coordinator, Advisor or Decision Maker in the same matter.
- F. The role of the Vice President for Enrollment Management and Student Affairs is not to reweigh the evidence. The Vice President for Enrollment Management and Student Affairs will confine their review to the basis of appeal alleged and may modify the Disciplinary Sanction if an appeal on the basis of the

appropriateness of the Disciplinary Sanction imposed is granted. In the event a Disciplinary Sanction is modified, the other party will be notified of the modified Disciplinary Sanction.

- G. The outcome of appeal will be provided in writing simultaneously to both Parties, and include rationale for the decision.

13. Appeals Where the Respondent is an Employee

- A. Each Party may appeal the dismissal of a Formal Complaint or any included allegations or a determination of responsibility on the following grounds:
 - 1) New information that could more likely than not affect the outcome of the matter and was not reasonably available through the exercise of due diligence at the time of the hearing or dismissal of the Formal Complaint.
 - 2) A deviation from the University policy or procedures that more likely than not affected the hearing outcome.
 - 3) The Title IX Coordinator, Investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that more likely than not affected the outcome of the matter.
- B. Appeals must be filed with the Chancellor in writing within **5 days** of being notified of the decision and must indicate the grounds for the appeal.
- C. The submission of an appeal stays any Disciplinary Sanctions for the pendency of an appeal. Supportive Measures remain available during the pendency of the appeal.
- D. If a Party appeals, the University will notify the other Party in writing of the appeal as soon as practicable, however the time for appeal shall be offered equitably to all Parties and shall not be extended for any Party solely because the other Party filed an appeal.
- E. Appeals will be decided by an individual free of conflict of interest and bias, and will not serve as an Investigator, Title IX Coordinator, Advisor or Decision Maker in the same matter. In cases of appeal of a finding of responsibility filed by an Employee who is a faculty member, the Chancellor or their designee will serve as the Appeal Officer. In all other cases of an appeal of either a dismissal or finding of responsibility, filed by an Employee, the President or their designee will serve as the Appeal Officer.
- F. The appealing party must meet its burden to demonstrate the outcome was affected by a preponderance of the evidence. The role of the Appeal Officer is not to reweigh the evidence. The Appeal Officer will confine their review to the basis of appeal alleged.
- G. The outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.
- H. All local or step 3 grievance rights under a collective bargaining agreement will be stayed pending the disposition of the appeal.

RIGHTS/RESPONSIBILITIES

- A. Reports and Formal Complaints have different meanings. An individual has a right to make a report of sexual misconduct to the University, which may be accompanied by a request for Supportive Measures. An individual also has a right to make a Formal Complaint of sexual misconduct, which is a request to initiate the University's informal resolution process or a formal disciplinary process, which includes an investigation and may proceed to a hearing.
- B. Prior to the conclusion of a sexual misconduct investigation, the Complainant may request to withdraw the Formal Complaint by contacting the Title IX Coordinator/designee in writing. The Title IX Coordinator/designee will determine whether to close the case or conclude the investigation without the Complainant's continued participation.
- C. An individual also has the right to report sexual misconduct to law enforcement, separate and apart from any report or Formal Complaint made to the University.
- D. Victims and witnesses of sexual misconduct have the right to be assisted by the University in notifying law enforcement authorities of sexual misconduct or they can decline to notify such authorities.
- E. Witnesses and Parties cannot be compelled to participate in the hearing, and have the right not to participate in the hearing free from retaliation.
- F. Each Party who is charged with a violation of this Policy where jurisdiction is appropriate has a right to a hearing and for an Advisor to cross-examine Parties and Witnesses.
- G. At the time a report is made, the reporting party does not have to decide whether to file a Formal Complaint or make a report of sexual misconduct to law enforcement.
- H. An affected party has the right to request Supportive Measures from the University, which may include interim contact restrictions.
- I. The reporting party has the right to seek medical treatment to address physical and mental health and to preserve evidence.
- J. Parties may also have options to file civil actions in court or with administrative agencies.
- K. To file a Formal Complaint, please contact the Title IX Coordinator or his/her designee.

Hazing Policy

Introduction

Kutztown University of Pennsylvania prohibits hazing and takes any allegation of hazing very seriously. Consistent with university policy and state law, Kutztown University will respond to all reports of hazing to the fullest extent possible and encourages all members of the community to promptly report allegations of any conduct that constitutes hazing.

A copy of the Kutztown University *Hazing Policy* is published in the online student handbook, *The Key*, posted on the university's website, and is distributed to all active/registered student-based organizations on an annual basis. For additional information on hazing, policies, statistics, reporting information and hazing prevention resources please refer to <https://www.kutztown.edu/studentconduct>.

Terms

Student: The *Student Code of Conduct* (Article 1) defines a student as: (2a) any person enrolled in courses at Kutztown University either full-time or part-time, pursuing undergraduate, graduate, or professional studies; (2b) all persons who are not officially enrolled for a particular term but have not officially withdrawn from the university and maintain eligibility to enroll; (3) all persons defined under item 2a or 2b who withdraw after allegedly violating the Student Code of Conduct.

Organization: Organizations are defined as groups including but not limited to: a fraternity, sorority, association, corporation, order, society, corps, club, club sport, athletic team, or service, social or similar group, whose members are primarily, students and or alumni of the organization, or Kutztown University.

What is Hazing?

The University defines hazing as intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating an individual into or with an organization, or for the purpose of continuing or enhancing an individual's membership or status in an organization, causes, coerces or forces an individual to do any of the following:

1. Violate federal or state criminal law;
2. Consume any food, drink, alcoholic liquid, drug or other substance that subjects the minor or student to a risk of emotional or physical harm;
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements;
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment;
5. Endure brutality of a sexual nature;
6. Endure any other activity that creates a reasonable likelihood of bodily injury; and/or
7. Result in the willful destruction or removal of public or private property.

The definition of hazing does not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

Student Conduct & Regulations

Kutztown University and its organizations are subject to criminal penalties for intentionally, knowingly and recklessly promoting or facilitating hazing or aggravated hazing.

Consent is not a defense to a criminal charge of hazing or a charge under Kutztown University's *Student Code of Conduct*, *Student Organization Conduct Review Process* or this policy. The sanctioning or approval of the conduct by a university employee/volunteer is not a defense to a criminal charge of hazing or a charge under the university's *Student Code of Conduct*.

Penalty & Enforcement

Any organization found to have engaged in hazing is subject to discipline under but not limited to, the *Student Organization Conduct Review Process* and the sanctions noted below. Any individual student who participates in hazing is subject to discipline under the *Student Code of Conduct*. As noted above, hazing is also subject to criminal penalties. Individuals and members of organizations who participate in hazing may be arrested and prosecuted in accordance with state law. Allegations of hazing by employees or university volunteers may be reported to the Office of Human Resources and/or University police; allegations against other individuals may also be reported to University police.

Individual students accused of hazing as part of a student group which does not fall under the official student organization recognition process of the Office of Student Involvement (e.g., intercollegiate athletic teams, academic groups, music groups/bands, etc.) are subject to the standard student conduct process for their actions. Reported incidents of hazing involving such student groups will also be reported to the appropriate University authority(ies) for group-wide follow-up and action (as needed).

Sanctions

Students violating this policy may face sanctions including but not limited to fines, the withholding of a diploma or transcript pending compliance with rules or pending compliance with rules or payment of fines, probation, suspension, or dismissal.

Organizations violating this policy may face sanctions including but not limited to fines, rescission of permission to operate on campus or other school property and rescission of permission to operate under the sanction or recognition of Kutztown University.

Scope of Policy

Consistent with the *Student Code of Conduct's* Jurisdiction policy (Article 3), this policy prohibits hazing on or off campus including on privately-owned property.

Reporting & Enforcement

For **EMERGENCY** situations please call 911 or Public Safety at 610-683-4001.

Any person experiencing or witnessing behavior suspected to be hazing is encouraged to report the behavior to Public Safety & Police Services, Office of Student Involvement and/or the Dean of Students Office by submitting the following online *Hazing Report Form* or by contacting one of the offices listed below:

Student Conduct & Regulations

<https://www.kutztown.edu/studentconduct> or,
https://cm.maxient.com/reportingform.php?KutztownUniv&layout_id=2

Public Safety & Police Services

Old Main, I Wing

Emergencies: 610-683-4001

Non-Emergencies: 610-683-4002

Web: <http://www.kutztown.edu/publicsafety>

Student Involvement Office

153 McFarland Student Union

Phone: 610-683-1383

Web: <http://www.kutztown.edu/involvement>

Dean of Students Office

119 Stratton Administration Center

Phone: 610-683-1396

Web: <http://www.kutztown.edu/deanofstudents>

Student Conduct

119 Stratton Administration Center

Phone: 610-683-1320

Web: <http://www.kutztown.edu/studentconduct>

Upon submission of the online *Hazing Report Form*, a copy of the report will automatically be forwarded to Public Safety & Police Services, Student Involvement, Dean of Students and Student Conduct offices for appropriate follow-up and investigation. **If an emergency exists, please do not rely on this reporting form alone and contact Public Safety & Police Services at 610-683-4001 or call 911 immediately.**

Amnesty Policies

Consistent with university policy, the university encourages the reporting of *Student Code of Conduct* violations and crimes, including hazing, therefore the university will follow a policy of offering victims of serious crimes or offenses amnesty from secondary student conduct infractions related to the incident question.

The *Good Samaritan Policy for Alcohol & Other Drug Incidents* ([STU-032](#)) provides conditions for amnesty related to the reporting of alcohol and drug related medical emergencies.

The *Sexual Misconduct Policy* ([DIV-007](#)) provides conditions for amnesty from alcohol and drug violations related to the reporting of sexual violence, dating violence, domestic violence and stalking incidents.

Good Samaritan Policy for Alcohol & Other Drug Incidents ([STU-032](#))

A. Philosophy

1. The health and safety of members of the Kutztown University community is a primary concern.
2. Students need to seek immediate medical attention for themselves or others when someone's health and/or safety are at risk.
3. Students may be reluctant to seek assistance for themselves or others for fear of facing student conduct action from the University.
4. Kutztown University seeks to remove barriers that prevent students from seeking the medical attention they need.

B. Scope

This policy applies to all Kutztown University students.

C. Policy

The intent of this policy is to provide a general immunity from violations of the Kutztown University *Student Code of Conduct* if a student acts in an effort to seek assistance for themselves or another person during a medical emergency brought on as a result of alcohol or drug use. It does not and cannot grant immunity for criminal, civil, or legal consequences for violations of Federal, State, or Local law.

1. Students who seek emergency medical attention for themselves related to the consumption/use of drugs or alcohol will not be charged with violations of the Kutztown University *Student Code of Conduct* related to that violation, if that student subsequently completes an alcohol and other drug education program and/or an alcohol and other drug assessment, if deemed appropriate by the Dean of Students Office. Failure to complete this component of the program may result in student conduct charges being filed.
2. Students who seek emergency medical attention for someone else related to the consumption/use of drugs or alcohol will not be charged with violations of the Kutztown University *Student Code of Conduct* related to that violation if the reporting student subsequently completes an alcohol and other drug education program and/or an alcohol and other drug assessment, if deemed appropriate by the Dean of Students Office. Failure to complete this component of the program may result in student conduct charges being filed.
3. Student organizations are required to seek immediate medical assistance for their members or guests when any potential health risk is observed, including medical emergencies related to the use of alcohol and/or drugs. A student organization that seeks immediate assistance from appropriate sources will not be charged with violations of the Kutztown University *Student Code of Conduct* related to alcohol and/or drugs, if that organization completes any educational programming required by the Dean of Students Office and/or the Office of Student Involvement. However, the organization can and will be held accountable for any other violations of the *Student Code of Conduct* related to the incident. Student organizations that fail to seek immediate medical assistance for members or guests in need of attention will likely be charged with violations of the *Student Code of Conduct* and face revocation or suspension of recognition as the outcome of such charges. It is imperative that student organizations seek medical assistance for their members or guests in such an emergency situation.
4. This policy applies only to those students or student organizations that seek emergency medical assistance in connection with an alcohol or drug-related medical emergency and does not apply to individuals experiencing an alcohol or drug-related medical emergency who are found by University officials (i.e., Public

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Safety & Police Services, faculty, administrative staff, residence hall staff including student Community Assistants and Desk Assistants, etc.).

5. This policy is not intended to shield or protect those students or organizations that repeatedly violate the *Student Code of Conduct*. In cases where repeated violations of the Kutztown University *Student Code of Conduct* occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of the manner in which the incident was reported.
6. The University reserves the right to adjudicate any incident based on its review of the incident in question. The Dean of Students Office also reserves the right to contact any student to discuss an incident whether or not this policy is in effect.

Academic Honesty – Undergraduate Students ([ACA-027](#))

A. Purpose

The purpose of this policy is to define the procedures and penalties for academic dishonesty for undergraduate students.

Kutztown University is committed to the personal and intellectual growth of its students. The principal context in which this growth occurs is the University's courses, and the educational process depends upon an open and honest atmosphere of positive cooperation between faculty and students. In order to maintain this atmosphere, instructors must evaluate the academic performance of students fairly and students must demonstrate their mastery of subject matter honorably. Any acts of academic dishonesty by students, such as plagiarism on written papers or cheating on exams, threaten to undermine the educational and ethical goals of the University for its students. Such violations are of the utmost seriousness. The goal of the following policy and procedures is to promote a climate of academic honesty at the University.

B. Scope

This policy applies to all undergraduate students.

C. Key words and phrases:

GPA – stands for grade point average.

CGPA – stands for cumulative grade point average.

D. Policy & Procedure(s)

Definitions of Academic Dishonesty

Academic dishonesty is any action that constitutes a violation of the *Academic Honesty Policy* and includes, but is not limited to, the following:

1. Providing or receiving unauthorized assistance in coursework, examinations, or lab work.
2. Using unauthorized notes, materials, and devices during examinations or quizzes.
3. Plagiarizing or representing someone else's words, either spoken or written, ideas, formulas, solutions, or data as one's own work.

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4. Presenting material to fulfill course requirements that was researched or prepared by others (such as commercial services) without the knowledge of the instructor.
5. Fabricating or falsifying information, including, but not limited to research findings, data, or statistical analyses; forging signatures; or altering dates.
6. Engaging in academic misconduct such as tampering with grades or participating in the distribution and/or receipt of any part of a test before its administration.
7. Possessing or arranging for someone else to possess course examination or quiz materials at any time without the consent of the instructor.
8. Altering or adding or expanding upon answers on exercises, examinations, or quizzes after the work has been graded.
9. Making fraudulent statements, excuses, or claims to gain academic credit or influence testing or grading.
10. Taking examinations or quizzes under the identity of another person or arranging to have another person take examinations or quizzes in place of the person registered for the course.
11. Intentionally evading Kutztown University academic policies and procedures; for example, improperly processing course withdrawals, grade changes, or other academic procedures.
12. Buying, selling, stealing, or engaging in the unauthorized exchange of, or improperly acquiring and/or using, any assignments, papers, or projects.
13. Misrepresenting a mastery of subject matter in an academic project or attempt to gain an advantage by the use of illegitimate or unauthorized means, such as misrepresentation of one's credentials.
14. Gaining unauthorized access to the computer system and/or electronic devices of Kutztown University or another person. Violations include tampering with or copying programs or data or access codes associated with coursework.

Responsibilities of the University

It is the responsibility of University officials to make undergraduate students aware of this policy. The Academic Honesty Policy – Undergraduate Students will be included in freshmen orientation, printed in the Faculty Handbook, available on the Policy Register, and printed in *The Key*, the student handbook. University officials will take advantage of other opportunities to publicize the University's commitment to academic honesty.

Responsibilities of Students

1. It is the responsibility of students to be aware of this policy and abide by it at all times. Lack of familiarity with this policy does not excuse students from their responsibilities under this policy.
2. Students accused of academic dishonesty must meet the time deadlines specified in the procedures set forth below or they will forfeit their rights to a formal hearing and to appeal a sanction.
3. Students who observe or have knowledge of acts of academic dishonesty are encouraged to bring the information to the attention of their instructors or to officials of the University. Students should be willing to testify concerning these matters if subsequent formal hearings result.
4. Students have the right to participate, as complainants or as co-complainants with the instructor, in bringing charges of academic dishonesty against other students.
5. Students should review instructors' course syllabi for sections dealing with academic dishonesty for information on what style sheets or standards manuals to use, etc. Students should always seek clarification of the instructor's expectations for the course. Instructors should set clear guidelines at the beginning of their courses for what constitutes dishonesty; ultimately, however, it is the student's responsibility to ask for clarification.

Responsibilities of Faculty Members and Administrators

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1. It is the responsibility of faculty members who become aware of acts of academic dishonesty to investigate, gather evidence, bring charges, participate in the resolution of cases that they initiate, and administer appropriate sanctions according to the policy and procedures set forth below.
2. As a preventive measure against such acts, instructors are strongly encouraged to inform students at the beginning of each course that they intend to uphold this policy.
3. In addition, whenever there is a potential for ambiguity as to how the policy applies to specific course activities and assignments, instructors should explain clearly to students what procedures, activities, and resources are allowed.
4. Administrators who become aware of breaches of the Academic Honesty Policy – Undergraduate Students may bring charges or participate, as co-complainants, in bringing charges of academic dishonesty.
5. Administrators and faculty members must ensure that students accused of academic dishonesty who intend to request a formal hearing in order to contest the allegations may continue to attend class in a course in progress pending resolution of the case.
6. If the course in question ends before the case is resolved, the faculty member will submit a grade of “NG” (no grade), that will be replaced with the appropriate grade upon resolution of the case.
7. When in the opinion of the instructor the act of academic dishonesty cannot be resolved within the framework of the course, the instructor should pursue the procedures outlined below.

Sanctions

One or more of the following sanctions may be imposed upon a student who commits a single act or multiple acts of academic dishonesty. The determination of the sanctions to be imposed depends on the severity of the offense or offenses. In the event that a student agrees to accept the charges made by the course instructor using the informal process or loses an appeal through the formal resolution process, the course instructor will administer either the first or second sanction below. In the event that the current offense represents a second or multiple offense or the current single offense is of such severity, the Undergraduate Academic Honesty Committee may recommend (after a formal hearing) suspension or dismissal from the University. Such a dismissal or suspension may mean the loss of all academic credits earned during the semester in which the most recent offense occurred in accordance with University policy. No course grade where a penalty for academic honesty has been assessed can be appealed under the University’s Grade Appeal Policy.

1. The student may be given a grade-reduction penalty within the course in which the act occurred and/or be required to fulfill additional academic requirements within the course at the discretion of the instructor. The grade reduction may encompass one portion of a course (such as a particular assignment or exam) or apply to the entire course (such as dropping the student one letter grade).
2. The student may be given a failing grade of “F” for the course. Instructors have the right to assign such a grade for any instance of academic dishonesty, and the student may not withdraw from the course in order to avoid this penalty.
3. The student may be temporarily suspended from enrollment at the University.
4. The student may be permanently dismissed from enrollment at the University.

Procedures

No sanction for academic dishonesty may be imposed upon a student without following the procedures established in this policy.

Students accused of academic dishonesty in the context of a course in progress who intend to request a formal hearing in order to contest the allegations may continue to attend the class in question until the case is resolved. If

the course in question ends before the case is resolved, the instructor shall submit a grade of “NG” (no grade), that will be replaced with the appropriate grade upon resolution of the case.

The term “class days” as used in this policy refers to days when classes are officially scheduled at the University during the Fall and Spring semesters and during the Summer and Winter sessions. Thus, final exam days, holidays, recesses, and breaks are excluded. The term “week” refers to any period of time spanning five class days. Formal hearings are only held during the Fall and Spring semesters. If a case is not resolved by the end of the course in which the alleged violation occurred, then the matter is continued to the following Fall or Spring semester.

If a violation is discovered after the instructor of the course is no longer employed by the University or if the time deadlines for a case extend beyond the period of employment of the instructor, then the chair of the department in question or the chair’s designee may substitute for the instructor in the procedures associated with this policy.

The Informal Resolution Process

The informal resolution process applies to situations when the instructor believes that an alleged act of academic dishonesty can be resolved within the course by enforcing either the first or second sanction, that is, where the maximum penalty sought by the instructor is no greater than failure in the course with a grade of “F.” Instructors are urged to confer with or at least inform the chair of the department in question about any charges of academic dishonesty.

- 1. Arranging the initial meeting between the instructor and the student.**

Within two (2) weeks of when the instructor first becomes aware of an instance of academic dishonesty in the course, the instructor shall inform the student that the student must meet with the instructor to discuss the incident.

- 2. The initial meeting and filling out the *Academic Dishonesty Report Form – Undergraduate Students*.**

The meeting between the instructor and the student shall occur within one (1) week after the instructor calls for it and shall be confirmed by email. Before or during the meeting, the instructor shall fill out the appropriate sections of the *Academic Dishonesty Report Form – Undergraduate Students* (including the proposed sanction) and give it to the student during the meeting. The instructor should retain a copy of the completed form. While the instructor and the student may wish to discuss the case and its resolution at this meeting, no lengthy discussion is required. Even if the case eventually results in a formal hearing, the instructor shall not impose a sanction any stronger than the proposed sanction on this form.

If the student does not appear for the scheduled meeting, the instructor dates and files the completed form with the Registrar, noting that the student failed to show up for the meeting. If the meeting is not rescheduled by the student within three (3) days of the original specified meeting day, then the student forfeits the student’s right to a formal hearing or appeal, the process is over, and the instructor is permitted to enforce the proposed sanction.*

*In the event that a face-to-face meeting is not possible (e.g., unavailability of instructor, online course), correspondence by email would serve in place of completion of the form. An email, using a KU email account, copying the student, Registrar, dean of the college, and department chair is sent by the instructor and will count as a signature.

3. The student's completion and signing of the *Academic Dishonesty Report Form – Undergraduate Students*.

The student must sign, date, and return the *Academic Dishonesty Report Form – Undergraduate Students* to the instructor within three (3) class days of the initial meeting. Failure to do so means that the student forfeits the student's right to a formal hearing or appeal, the process is over, and the instructor is permitted to enforce the proposed sanction.

There are two (2) options for the student when signing. By signing under Option #1, the student admits the violation and waives the student's right to a formal hearing or appeal on the matter. In that event, the process is over, and the instructor is permitted to enforce the proposed sanction.

By signing under Option #2, the student indicates that the student has been informed of the accusations and intended sanction, but has not admitted to committing a violation or disagrees with the proposed sanction. Signing under Option #2 reserves the student's right to request a formal hearing by hand-delivering a letter to the Registrar within one (1) week of the student's date on the *Academic Dishonesty Report Form – Undergraduate Students*. Failure to do so means that the student forfeits the student's right to a formal hearing or appeal, the process is over, and the instructor is permitted to enforce the proposed sanction.

4. Reports and record keeping.

When the instructor receives the signed *Academic Dishonesty Report Form – Undergraduate Students* from the student, the instructor shall make three copies: one for the instructor, one for the student, and one for the dean of the college in which the course is being taught. The original form, along with any relevant documentation, shall be hand-delivered to the Registrar within one (1) week of receiving the form from the student.

If the student does not return the form within the three (3) day limit, then the instructor will note the failure to meet that deadline on the copy of the *Academic Dishonesty Report Form – Undergraduate Students* that the instructor retained from the initial meeting. The instructor then re-signs and dates that notation on the form. The instructor then makes three (3) copies: one for the instructor, one for the student, and one for the dean of the college in which the course is being taught. The original copy of the form, along with any relevant documentation, shall be hand-delivered to the Registrar within one (1) week of the date when the student returns the form to the instructor. As stated above, the process is over and the instructor is permitted to enforce the proposed sanction.

The original copies of these *Academic Dishonesty Report Forms – Undergraduate Students* where students admitted to a violation by signing under Option #1, failed to meet with the instructor, or failed to meet the three-day deadline to return the signed form to the instructor shall be kept by the Registrar. These records are to be kept by the Registrar as evidence to be used in the event of future academic dishonesty violations by the same student. These records also may be used to tabulate anonymous statistical information.

If the student in question is eventually suspended or dismissed from the University, these records shall be kept permanently (sanction #4). If a student is suspended from the University, these records are expunged

after a six-year period (sanction #3). Otherwise, student records and all copies (sanctions #1 and #2) are destroyed two (2) years after the student graduates or leaves the University.

5. The student has ten (10) calendar days from the date the student was notified of the alleged academic dishonesty to request a formal hearing if the student misses the deadline to appear for a scheduled meeting, does not reschedule the meeting within three (3) days, or fails to return the *Academic Dishonesty Form – Undergraduate Students* within three (3) days.

The Formal Resolution Process

1. Initiation of the Formal Resolution Process.

The Formal Resolution Process may be initiated by instructors, complaining students, or the Registrar.

- a. An instructor may initiate the Formal Resolution Process when the instructor, preferably in consultation with their department chair, seeks a sanction greater than failure in the course with a grade of “F” or the student involved was not enrolled in the course in question. In such cases, the instructor shall initiate the charges by submitting an *Academic Dishonesty Form – Undergraduate Students* along with supporting evidence to the Registrar within two (2) weeks of becoming aware of the violation.
- b. A responding student, who signed the *Academic Dishonesty Report Form – Undergraduate Students* under Option #2, may initiate the Formal Resolution Process when the student wishes to dispute the accusation(s) or sanction(s) described by the instructor on the form. In order to do this, the student must submit a written request for a formal hearing to the Registrar within one (1) week of the date given next to the student’s name on the *Academic Dishonesty Report Form – Undergraduate Students*. The request must explain the nature of the student’s disagreement with the charges or sanctions. Copies of the student’s request shall be sent to the instructor and the dean of the college by the Registrar as soon as the request for a formal hearing is received.

2. Preliminary briefing of the principals by the Registrar.

The principal participants, or principals for short, in a case are defined to be students accused of academic dishonesty and those who have accused them either by signing an *Academic Dishonesty Report Form – Undergraduate Students*. If the student has requested a formal hearing, a letter with copies of the request will also be sent to the instructor and the dean. The letter will invite the student to meet with the Registrar for a preliminary briefing on the case. The responding student has one (1) week to schedule a time for such a briefing that will explain the process at the University and the student’s rights. During this same period of time, the Registrar shall also invite the instructor and any other complainants to a meeting to explain the process and the instructor’s rights and those of any other complainants.

A formal hearing of the Undergraduate Academic Honesty Committee* will be scheduled within three (3) weeks of the date of the certified letter to the student. The Registrar shall make every effort to schedule the formal hearing at a time when all principals interested in attending can be there. Those who attend will be able to speak at appropriate times during the hearing.

*The Undergraduate Academic Honesty Committee is a six-member Senate committee, five voting members and one non-voting member. Four undergraduate faculty, one from each college, and an at-large

undergraduate faculty representative will be voting members of the committee. A representative from the Registrar's Office will be a non-voting member of the committee.

3. The Formal Hearing by the Undergraduate Academic Honesty Committee.

The Undergraduate Academic Honesty Committee shall adjudicate cases of academic dishonesty that have not been resolved by the Informal Resolution Process. The formal hearing will be conducted according to due process procedures and guidelines. The Undergraduate Academic Honesty Committee shall hear any testimony and/or review evidence relevant to the allegations. After doing so, the Undergraduate Academic Honesty Committee shall make a finding as to whether or not the student violated this policy by committing an act of academic dishonesty. All principal parties are entitled to appear at the hearing with an advisor, who may be an attorney.

The Undergraduate Academic Honesty Committee shall make a finding based on the testimony and evidence presented. The standard of evidence used in such proceedings is preponderance, therefore, a decision of responsibility will be based upon presented evidence sufficient to make a reasonable person believe that it was more likely than not a student is in violation of University policy.

Within one (1) week of the formal hearing, the Undergraduate Academic Honesty Committee shall render its decision in a written report, including recommended sanctions in the event of a responsible finding that shall be sent to the respondent, the complainant(s), the dean of the college, Registrar, and the chair of the department.

4. Appeals.

a. The First Appeal.

Any principal participant in a case may appeal the findings of the Undergraduate Academic Honesty Committee to the Provost and Vice President for Academic Affairs. The appeal must be in writing and must describe in detail the grounds for the appeal and what alternate decision is desired instead. These grounds for appeal may include such claims as denial of due process, new evidence, an erroneous finding, and an inappropriate recommended sanction of suspension or dismissal.

This appeal must be made within one (1) week of the ruling made by the Undergraduate Academic Honesty Committee. If not, the ruling of the Undergraduate Academic Honesty Committee shall be enforced. The Provost and Vice President for Academic Affairs shall deny or uphold the appeal and shall have the power to modify the recommended sanction of temporary suspension or permanent dismissal accordingly.

b. The Second and Final Appeal.

The ruling of the Provost and Vice President for Academic Affairs may be appealed in writing under the same rules as given above to the University President, or the President's designee (who shall not be the Provost and Vice President for Academic Affairs). This appeal must be made within one (1) week of the ruling made by the Provost and Vice President for Academic Affairs. If not, the ruling of the Provost and Vice President for Academic Affairs shall be enforced. The University President, or the President's designee (who shall not be the Provost and Vice President for Academic Affairs), may deny or uphold the appeal and has the power to modify the recommended sanction of temporary suspension or permanent dismissal accordingly. The ruling of the President, or the President's designee, shall be final.

5. When the student is found not responsible.

Assuming the student is found not responsible, the student has the right to complete the course in question without penalty due to this unproved accusation. The student's grade in the course should be based upon the student's academic performance during the course and be consistent with grading procedures used for other students in the same course as if no complaint of academic dishonesty had ever been made. A student who is found not responsible of violating the Academic Honesty Policy, but who nevertheless feels penalized for it, can appeal the grade separately under the University's Grade Appeal Policy (if the student received an "F" in the course).

6. When the student is found responsible.

If the student is found to be responsible for a violation of the Academic Honesty Policy, then the instructor of the course is permitted to assess the first or second sanctions listed in this policy, provided the sanction does not exceed the proposed sanction on the *Academic Dishonesty Report Form – Undergraduate Students* that the instructor may have filled out to begin the Informal Resolution Process.

When a student is found to be responsible (either by the Undergraduate Academic Honesty Committee or during the appeal process), the Registrar shall check the student's records for earlier violations of the policy (and this policy only). If such violations exist, then the Undergraduate Academic Honesty Committee or the Provost and Vice President for Academic Affairs or the University President, depending on who made the finding for responsibility, may examine the records of the previous violation(s) and take them into account when considering the sanctions of temporary suspension and permanent dismissal from the University.

7. Filing of reports and record keeping.

As with the records of academic dishonesty in cases that are resolved by the Informal Resolution Process, the records of students found responsible through the Formal Resolution Process should be kept by the Registrar for future reference as described in Part 4 of the Informal Resolution Process above.

Academic Honesty – Graduate Students ([ACA-087](#))

Please refer to the KU Policy Register for *Academic Honesty – Graduate Students Policy* (ACA-087) applicable to all graduate students found at <http://app.kutztown.edu/policyregister/Policy/ACA-087>.

Chapter Three



Policy Information

Academic Policies

Withdrawal from a Course ([ACA-011](#))

When a student registers for classes, the student is responsible for those classes. To be relieved of this responsibility, the student must officially withdraw from those classes through the Registrar's Office. Failure to withdraw from a class for which a student registered, but is not attending, will result in a grade of "F" for that course.

Students will be permitted to withdraw from a course and receive a grade of "W" up to the end of the twelfth week of the semester. The "W" has no effect on the GPA. After the twelfth week of the semester and through the last day of classes, a student who officially withdraws will receive a grade determined by the instructor. Latest date for withdrawal from individual courses in a Summer Session will be published prior to the beginning of the specific session. (See also: Withdrawal from the university.)

Withdrawal from the University ([ACA-012](#))

Any student leaving the University prior to the end of any academic term must officially withdraw. The student should go to the Registrar's Office (Stratton Administration Center) to initiate the formal withdrawal process. After the withdrawal form is completed, the student submits it to the Registrar's Office. The date the Office receives this withdrawal form with the student's original signature is the student's official date of withdrawal from the University. Please note that failure to complete the withdrawal process may result in failing grades in all courses being taken at the time of withdrawal. If the student completes the withdrawal process with the Registrar's Office prior to two weeks before the beginning of final examinations, the student will receive "W" grades for all courses. For extenuating circumstances as verified by the Counseling Center or the Health Center, and with the approval of the Undergraduate Exceptions Committee, a student can receive a "W" for all courses when withdrawing from the University. (See also: Withdrawal from a Course and Leave of Absence Policy.)

Leave of Absence Policy ([ACA-026](#))

Students in good academic standing may be granted a leave of absence for medical reasons, study abroad, and other reasons by the Office of the Registrar. A leave may be granted for one semester, with the possibility of renewal for a consecutive semester. At the conclusion of the leave a student may register to continue studies without repeating the admissions process. Students must request a leave of absence within the first six weeks of a semester.

Class Attendance ([ACA-016](#))

The individual instructor has both the authority and responsibility for managing student attendance. The instructor's policy regarding attendance for each course, including its potential effect on the final grade, should be written in the course syllabus on first day handout and communicated to students during the first week of the semester. While, as stated above, classes are conducted on the premise that regular attendance is expected, the university recognizes certain activities and events as legitimate reasons for absence from class.

Class Absence ([ACA-016](#))

Legitimate reasons for absence include, but are not limited to, death in the immediate family, documented illnesses, childbirth and pregnancy (for as long as medically necessary); religious observance, academic field trips; participation in an approved performance or athletic event; military duties; direct participation in university disciplinary hearings or jury duty. Nevertheless, the student bears the responsibility for fulfilling all course expectations in a timely and responsible manner. Instructors will, if requested without prejudice, provide students returning to class after a

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legitimate absence, with appropriate assistance and counsel about completing missed assignments and class material, depending on the nature of the work missed.

Changes of Curriculum ([ACA-029](#))

Any student may request a change of major. The student should check the college and departmental requirements carefully. Students who wish to change into the “undeclared” category may do so by requesting such a change of major with the Department of Academic Enrichment. All changes of major, minor, or academic advisor will become effective on the date that the request is received in the Registrar’s Office. A student who changes into a new major/minor, adds an additional major/minor, or re-enters a previous major/minor program must comply with all course and degree requirements, which are in force as of the effective date of the change, addition, or reentry. A student who wishes to change his/her major, minor, or academic advisor should go to the following offices to initiate the process for formal change:

- A. To add a major in the College of Business—go to the specific departmental chairperson.
- B. To add a major in the College of Education—go to the specific departmental chairperson.
- C. To add a major/minor in the College of Liberal Arts & Sciences—go to the specific departmental chairperson.
- D. To add a major/minor in the College of Visual & Performing Arts—go to the specific departmental chairperson.

Students should review their college’s handbook for advisement for further information about academic and/or advisement policies.

Change of Grade ([ACA-047](#))

Occasionally there have been instances when an error in recording a grade has occurred and, when attention has been called to it, the professor has changed the grade originally reported. This is accomplished on a special form for this purpose. Students should know, however, that any grade change must have the approval of the chair of the department and no grade change will be honored without his/her signature. Changes from “I” (Incomplete) to a letter grade do not require the department chairperson’s signature. No grade changes will be accepted after the deadline, which is ten weeks into the next regular semester. Please be aware that “I” grades do not calculate as a “F” in the GPA.

Repeating Courses ([ACA-008](#))

A single course can be taken a maximum of three times. The most recent grade (regardless of whether it is higher or lower) will be the grade used for the GPA calculation. Courses completed at KU with a grade of “D” or better may not be repeated at another institution.

PASS/FAIL Policy ([ACA-013](#))

The Pass/Fail option is available to students for the Summer Sessions as well as for the regular Fall and Spring semesters. Students will have until the end of the Drop/Add period of any term to submit the completed Pass/ Fail form to the Registrar’s Office. (It is suggested that students consult with their advisors when selecting the courses for Pass/ Fail, but the advisor’s approval is not required.) Please note that the Pass/Fail option continues to be available to students who have completed at least 30 semester hours (s.h.) with at least a 2.75 cumulative GPA.

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These students are eligible to take one course by Pass/Fail each semester up to a maximum of 18 s.h. in the undergraduate program (exclusive of Physical Education). Students may only select courses permitted under “Electives” in Categories II-V of General Education and those courses permitted under “Free Electives” or “Arts & Sciences Electives” if the students’ major programs include these areas. Students should be careful in selecting this procedure because courses that are prescribed in the major program including the specified electives under the major, minor, concentration, or concomitant courses cannot be taken pass/fail.

Undergraduate Exceptions Committee

The Undergraduate Exceptions Committee is a committee of faculty members which considers petitions of individual students wishing to have a specific regulation waived for just cause. Please contact the Registrar’s Office for forms and assistance with the procedure or you may download the form from the Registrar’s website at the following link: <https://www.kutztown.edu/about-ku/administrative-offices/registrar.htm>.

Transfer Credit Evaluation (ACA-023)

The evaluation of course work that has been completed at another institution of higher learning is done by the Transfer Coordinator in the Office of the Registrar. All college-level credits from postsecondary institutions with CHEA-recognized accreditation which are determined equivalent in content and level to course work offered at Kutztown University may be considered for transfer credit provided the student has earned a grade of “D” or higher.

Grades earned in courses taken at another institution will not be included in determining a student’s GPA as only grades earned at KU affect this average. Students will receive a copy of the transfer credit evaluation that is completed by the Transfer Coordinator. All students are urged to contact the Transfer Coordinator with all questions regarding the evaluation of their previous academic course work.

- A. All first-time baccalaureate degree students are required to take at least 30 of the last 60 credits at Kutztown.
- B. Students transferring from any institution of higher education to Kutztown University will be required to complete at least 50% of their major degree requirements at Kutztown University. The courses to be taken to fulfill this requirement must be at the upper level. In some cases, in order to comply with this regulation, a student may be required to complete additional semester hours for a degree.

Returning After Ten Years (10-YEAR RULE) (ACA-022)

The University welcomes the return to higher education of students who for various reasons did not complete their degrees. Such students should be aware that courses taken in their major discipline ten years or more prior to the resumption of study may not be counted toward graduation. Such courses may no longer be considered to be current or be required for the degree. The Registrar determines the acceptability of these credits. However, students may request the re-evaluation of the Registrar’s decision by submitting a petition to the Undergraduate Exceptions Committee.

Double Major – Available on the Following Basis (ACA-021):

- A. A student must successfully complete all the required work under each major.
- B. A student must successfully complete all courses in one of the two concomitant areas.

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- C. All course prerequisites must be fulfilled.
- D. Clearance for graduation must be approved by both departments or areas.
- E. A quality point average of at least 2.0 is required in each major.
- F. A student must successfully complete a comprehensive examination in each major.

Major-Minor Based on the Following Criteria ([ACA-021](#)):

- The minor area requires between 18-20 semester hours.
- Each department indicates the specific sequence(s) of study which constitutes the minor(s).
- At least three (3) courses of study in the minor must be in upper division.
- A quality point average of at least 2.0 is required in the minor.

CLEP (College Level Examination Program) ([ACA-035](#)):

CLEP enables students to earn college credit by examination. Credits are awarded for each CLEP examination when students earn an acceptable score as recognized by the University. Students may earn up to 21 credits from the battery of CLEP General Examinations. Please see the online Undergraduate catalog for more information.

Credits by Examination

Students who by experience or training acquired academic background or comprehension comparable to that required of students who complete a given course can, with the written approval of the department chairperson and professor concerned, submit a request for the privilege of taking an examination in the course for the purpose of establishing credit for it. Forms for both CLEP and Credit by Examination can be obtained in the Academic Services Office.

400 LEVEL COURSES ([ACA-017](#))

The enrollment of an undergraduate student to a 400-level course requires the attainment of Junior-Senior class standing and either a 2.90 grade point average or permission of the instructor.

FINAL EXAMINATIONS ([ACA-025](#))

Final examinations can constitute no more than 1/3 of the final grade.

Extended Leave of Absences Guidelines

What to do when you need to miss school, or leave the University

According to Policy [ACA-016 Class Attendance](#), regular attendance in class is expected of all students at Kutztown University. Legitimate reasons for absence include, but are not limited to, death in the immediate family, documented illnesses, childbirth, and pregnancy (for as long as medically necessary); religious observance; academic field trips; participation in an approved performance or athletic event; military duties; direct participation in University disciplinary hearing; or jury duty.

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- **Communicate:** If your instructor(s) does not indicate on their syllabus (or first day handout) a process or steps for notifying them in the event of a class absence, it is still your responsibility to contact your instructor(s) directly via email in advance of an absence whenever possible or immediately following your absence from class; it is recommended that you use the carbon copy (CC) function in your email to inform your academic advisor of your absence as well.
- **Have Proof:** When possible, and as appropriate, be prepared to obtain official documentation to support your absence from class/academic activities. This documentation may be requested as proof of your absence.
- **Medical/Hospitalization:** In the event of a medical emergency and/or hospitalization that prevents you from attending class or being on campus for five (5) days or more, you should immediately contact your instructor(s) as you are able, to inform them you will be missing class (refer to individual course syllabi absence policy). Upon return to campus you should again contact your instructor(s) regarding missed classwork, exams, and projects. (Students should contact Health & Wellness/Clinical Services at 610-683-4082 or health@kutztown.edu [Beck Hall]) to update any health records or medications. Students who were hospitalized should also contact Student Assistance (studentassistance@kutztown.edu) or 610-683-1936 to meet with the Assistant Dean of Students for Student Assistance or a Student Assistance Coordinator.
- **Leaving School:** To request a Leave of Absence or Withdrawal from the University during the semester, contact the Registrar's Office at 610-683-4485 or regoffice@kutztown.edu (115 Stratton Administration) or visit their webpage (www.kutztown.edu/registrar) for Leave of Absence/Withdrawal form.

It is recommended that you consult with your academic advisor(s) and the Financial Aid Office at 610-683-4077 or financialaid@kutztown.edu (209 Stratton Administration) prior to submitting a Leave of Absence/Withdrawal form to understand how this will affect your financial aid and your future enrollment in courses at KU.

- **Military Leave:** For extended military leave of absence, notify your professors at least two weeks in advance or as far in advance as possible and provide a copy of your military orders or active duty memorandum. Contact Military and Veterans Services at 610-683-4228 or veterans@kutztown.edu (262 McFarland Student Union) for additional assistance.
- **Questions:** Questions about how to proceed should be directed to the Office of the Dean of Students at 610-683-1396 or studentassistance@kutztown.edu (119 Stratton Administration). ***Please note, the University does not provide notes for missing class. Any documentation should be provided directly to your instructor(s) based on the course syllabus and absence policy for that instructor.***

Policy for Student Sponsored High Profile & Late-Night Events

Registered organizations in good standing that have attended high profile social event training with their advisor are eligible to hold two late night events for profit and four nonprofit events per semester. High profile social event training is offered each academic year in September and October.

Policy Information

*The following procedures are intended to increase the safety and security for student-sponsored **high profile** (defined below) social events on the campus of Kutztown University.*

- A. High profile student sponsored events may include: Indoor or outdoor venues with the capacity of 100 or more students and their guests.

- B. A request for space and a meeting with the Director of Student Involvement, representative(s) from Public Safety & Police Services, and the event coordinator must be initiated four (4) weeks prior to the scheduled date of any event on campus. A determination regarding security and staffing needs based on the event venue and projected attendance will be made at this joint meeting.
 1. A request for space must be initiated four (4) weeks prior to the scheduled date of any event on campus. Requests for events with less than four weeks' notice will require the approval of the high-profile social events advisory committee. All necessary paperwork including, but not limited to: purchase request, contracts, work orders etc. must be submitted three weeks prior to the event.
 2. Each event coordinator and organization advisor (a member of KU's faculty or staff) will be required to be physically present, one hour prior to public admission and for the duration of the event. They must also be accompanied by at least two additional KU faculty or staff as determined during the review process. The names of professional faculty/staff that will be present at the event must be listed on the request form before the activity is approved. Substitutions can be made prior to the start of the event; however, substitutions must have completed the High Profile Late Night training and those names must be communicated to the manager/supervisor of the Facility, as well as Public Safety & Police Services by the event coordinator.
 3. The event will not open for participation if the organization advisor or event coordinator is not present before the opening of the event.
 4. The event coordinator, organization advisor and the assisted staff will meet prior to each high profile or late-night social event and discuss a structured plan for event logistics. Specific responsibilities include, but are not limited to the following items: check in process (verifying proper ID – school or government/state issued photo ID), handling of funds, monitoring exits, intermingling with students, assisting with event closing, clean up, etc.
 5. The event coordinator, organization advisor or designee will open the event by welcoming the group, notifying that doors will close at midnight; designate the appropriate emergency exits, and encouraging appropriate behavior, through use of a microphone or public announcement system. This brief announcement will be made at intermittent times during the course of the event as a means of reinforcement and to inform those students who arrived after the initial start. The event coordinator or organization advisor will close the event by reiterating exiting and loitering policies.
 6. Organization advisors, event coordinators, and their assistants (including student event hosts) and all professional and student security personnel shall wear visible badges (or other appropriate attire such as shirts or sweaters) identifying them as university officials. These ID's, which shall be approved by Student Involvement (MSU 153), will be beneficial when working with visitors on campus.
 7. Visibly intoxicated persons will not be permitted to participate in the event. Participants may not bring refreshments into the facility for a late-night event. A uniformed police officer will be available to ensure that this regulation and the University's alcohol and drug policies are enforced.
 8. To minimize problems inherent with visitors (non-KU students) coming to any high profile and late-night social event, Public Safety & Police Services will deploy a plan of action involving a visible presence in the

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facility during the event. This may also encompass nearby lobbies or public areas adjacent to the event location. Uniformed police presence inside the event location is necessary. Public Safety & Police Services will inform the organization advisor and event coordinator about the details of the security plan. Any additional security personnel hired to work the event will be paid for by the sponsoring organization.

9. All events that feature paid artists and performers must use KUSSI contracts when booking event dates. Contracts can be obtained in the Office for Student Involvement. Completed contracts must be submitted to KUSSI three (3) weeks prior to the event.
10. All events that include the collection of funds or wristband sales must use the SGA accounting system and follow SGA policies for collection, reconciliation, and deposits. Events that collect funds must be approved by the Director of Student Involvement. All funds from events will be deposited in a location designated by the Director of Student Involvement at the conclusion of the event until the next business day. Cash collected on site will not be used to pay artist fees or any other expenses. This is to ensure appropriate tracking and safe handling of all ticket sales. Cash and wristbands if applicable will be reconciled with a representative of KUSSI. Funds will be deposited into the appropriate account, the first business day following the activity.
11. All room capacity and fire code regulations must be followed. The Environmental Health and Safety Specialist will provide information on all room capacity regulations.
12. Groups will use the campus ticketing system for the presale of ticket and registration of KU students and anticipated guests. After all event registration has been completed and approved the Director of Student Involvement or designee will have tickets available for sale at the MSU Information Desk until the event is sold out or until one hour prior to the event. When purchasing a ticket for the event, students will be asked to present a valid KU student ID and to complete a registration card. A registration card must be completed for all guests. Tickets will be required to enter the event along with proper ID (KU or state-issued ID). Tickets are non-transferable and all sales are final. All money collected will be deposited daily into the organization's appropriate KUSSI account.
13. Groups will use the campus wristband system to reduce risks associated with the management of larger events. Wristbands will be distributed at the event by the event sponsoring organization. Wristband availability for events will be limited to official room capacity. Wristbands are non-transferable.
14. Participants entering a high-profile event will be required to consent to a search of their person which may include but is not limited to: use of metal detection devices, search of bags, coats, personal belongings, use of Breathalyzer tests, etc. Anyone failing to participate in these and other safety measures deemed appropriate to the event will be refused admission.

*If the sponsored event is a **late-night event**, defined as ending after 11 p.m. and no later than 1 a.m., the following guidelines will also apply:*

- A. No one shall be allowed to enter or re-enter the event sixty minutes prior to its scheduled closing. The sponsoring organization shall obtain appropriate information signs from Public Safety & Police Services stating these conditions and be responsible for posting them in visible locations both inside and outside of the event prior to and during the event.
- B. Each enrolled KU student is permitted one guest, with who they must attend the event. Other group attendance (i.e., other college groups, high school groups, etc.) may be arranged in advance by the sponsoring organization with the approval of the organization advisor. Appropriate ID (KU or state issued ID) will be required of all event

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attendees. The KU student sponsoring a guest is accountable for that guest's behavior as defined within the University's *Student Code of Conduct*.

- C. No one under the age of 18 will be admitted to a dance or party event without a valid KU ID.
- D. The sponsoring group is responsible for event cleanup and must remain until all attendees are ushered from the facility (within fifteen minutes after the advertised end of the event) and the DJ, band or contracted event facilitator has left the facility.

Failure to adhere to any or all of the procedures may result in the cancellation of an event. Infractions of University or SGA policy during the event will be investigated and individuals or groups found responsible will be subject to appropriate University or SGA sanctions. Tenets of this policy will be reviewed annually to assure that it meets the current needs of the University community.

Posting & Chalking Policy ([STU-018](#))

Purpose

Kutztown University facilities are for the primary use by its students, faculty, and staff in their efforts to advance the educational mission of the University. The primary purpose of this policy is to ensure the appropriate use of space available and to maintain an aesthetically pleasing campus environment, thereby balancing the need for and rights to effective and orderly advertising and the maintenance of facilities and grounds. No information will be posted that is inconsistent with or in violation of Commonwealth of Pennsylvania or federal laws or regulations, or any municipal ordinances. The policy is not intended to infringe upon the First Amendment rights guaranteed by the United States and Commonwealth of Pennsylvania Constitutions. The responsible Officer for overseeing this policy shall be the Dean of Students or his/her designee.

Scope

The policies and procedures provided herein apply, but are not limited to, all Kutztown University faculty, staff, students, affiliated organizations, and contractors, and the general public. This policy applies to all University facilities and grounds, including the exteriors of all buildings, owned or leased. It excludes open-air areas such as courtyards and University Stadium. This policy supersedes and renders null and void Kutztown University Policy 1994-201, entitled "Announcement Policy," which deals with posting outdoor announcements on designated bulletin boards.

POLICY & PROCEDURE(S)

Posting Materials

1. Within each building there are bulletin boards identified for posting of specific information: (i.e., union information, academic organizations, specialized university summer courses, student government, department information, etc.)
2. No interior bulletin board which is set aside for specialized information is to be used for posting of information other than that for which the bulletin board is intended to serve. General information may be posted only on

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bulletin boards, and moreover, only on bulletin which are designated for general information, or which are undesignated. Failure to abide by the guidelines will result in the removal of the posted material. Enforcement of this guideline will be at the discretion of the individual building coordinator.

3. Posting materials are defined as any poster, flyer, sign, brochure, or other advertisement, including electronic media or digital bulletins, items made of paper or similar material up to and including 18" x 24" in size for hard copies.
4. Bulletin boards designated for the posting of materials are designated to provide a means to advertise campus events, publicize services for students, faculty, and staff, and to inform of on-campus and off-campus activities. Posting materials shall be placed only within the assigned area on each outdoor bulletin board but shall not be placed on top of existing current notices.
5. All postings shall be made of paper and affixed with masking tape or staples.
6. No duplication of materials is allowed on one side of any outdoor bulletin board.
7. In keeping with the University's belief in responsible citizenship, sponsors of the events/services are asked to remove all posting materials from bulletin boards within 24 hours of completion of the event they advertise. Materials that do not have an ending date may be posted for a maximum of three weeks.
8. Posting materials may also be used to display temporary directional signage on sandwich boards available through University Facilities. Placards placed on these boards must be made of either vinyl or machine printed laminated paper.
9. Sandwich boards may be used only to promote an approved university event (see the Key, "Reservations and Use of University Facilities"). The requesting activity sponsor is responsible for the placement of the placards on the sandwich boards. Placards must be removed by the event sponsor immediately after the completion of the event.
10. Any posting requests to post in any residence hall must be made to the Department of Residence Life (106 Old Main). Distribution and posting of approved items, consistent with this policy, will be facilitated by Residence Life staff.
11. In support of the diverse needs of our community, an ADA compliance statement shall be included on any materials advertising events (hard copy and/or electronic media). Example: Persons with a disability, who need accommodations for this event, should notify the Disability Services Office two weeks prior to the event at 610-683-4108 or email accomodation@kutztown.edu, TDD number: 610-683-4499, in order to discuss accommodations. Every effort will be made to provide reasonable accommodations.

Banners

1. Banners are defined as any advertisement, normally larger in size than posting materials, made of vinyl and/or fabric material.

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2. Banners may be placed on the exterior of buildings only with the consent of the building coordinator.
3. Banners that are hung across Main Street must be approved by Maxatawny Township, the Pennsylvania Department of Transportation, and the Director of Public Relations through the Office of Environmental Health and Safety. Each banner shall be hung by Facilities Management for a maximum of one week.
4. Banners may be used only to promote an approved University event and must be removed by the event sponsor (with the exception of those hung across Main Street which shall be removed by Facilities) within 24 hours of completion of the event they advertise.

Chalking

1. Chalking is permitted only on sidewalks and other uncovered walkways.
2. All chalking designs and messages must be made using water-soluble chalk.

Prohibited Locations

1. Postings, banners, and sidewalk chalking are not permitted in areas where they could be potentially dangerous, destructive or difficult to remove. No materials may be displayed on the exterior surface of any University building, on interior or exterior pillars, breezeways or walkways, sidewalks, trees, plant life, light and lamp posts/poles, benches, trash receptacles, traffic control signs or other existing permanent signs or posts unless otherwise indicated by this policy. In addition, nothing shall be affixed to any walls, windows, doors, or door frames, glass panels, or painted surfaces either outside or inside.
2. Placing materials on windshields of vehicles on campus is prohibited. The only exceptions are official University notifications on parking related matters as approved through the Department of Public Safety and Police Services.

Violations

1. Violators of this policy are subject to the laws and regulations of the Commonwealth of Pennsylvania, applicable federal laws and regulations, municipal ordinances, and the rules and regulations of the University.
2. Violation of these provisions constitutes grounds for removal of the material.
3. The University reserves the right to charge back the cost of removal of any posting material, banner or chalking and any associated repairs to any entity or individual that violates this policy.

Reservation & Use of University Facilities

This policy defines procedures and provides guidelines utilized when individuals and groups request the use of university facilities for programs, events, sales/fundraising activities, solicitations, and public demonstrations. This policy seeks to assure the University community the opportunity to meet, to hear, and to exchange ideas and views, however controversial. This policy does not imply that Kutztown University condones or supports programs, events,

and activities conducted by groups for the purposes of advocating or inciting hatred against persons because of their race, national origin, religion, sex, or sexual orientation.

Event/Facilities Reservation Non-University Groups

1. Non-University groups who wish to reserve University facilities can do so through the Office of Conference and Event Services.
2. Non-University groups reserving facilities must complete a state system contract, sign a hold harmless agreement, and provide insurance listing the University as additionally insured (done through the Office of Conference and Event Services).
3. University Community members who wish to reserve university facilities for non-affiliated events are defined as “external events” and must adhere to the non-university groups reservation procedures.

Members of the University Community

Members of the University community and registered student organizations who wish to reserve University facilities for an event, must do so through the Office of Conference and Event Services.

Facilities Reservation Procedures

1. Requests to reserve University facilities for events and activities, except academic reservations (i.e., for classes and final exams) can be made online by logging into the EMS room reservation program (room scheduler).
2. The facility should be reserved as far in advance as possible but at least two weeks prior to the activity. These deadlines have been established to ensure time for such services as contacting other offices, locating alternate facilities, securing needed personnel, etc.
3. If another activity is already in the requested facility, the person making the request would not be able to select that facility and would have to choose another location through the on-line reservation system.
4. Academic reservations are the responsibility of the Registrar’s Office. When faculty members need to switch classes, the arrangements are made through the Registrar’s Office, who upon approving the revision, will make the appropriate revision in the campus wide reservation system.
5. The following guidelines apply to facility reservation requests:
 - a. Campus activities such as marathon sessions (single events scheduled to run longer than five hours) and major concerts may be held only in Keystone Hall, Schaeffer Auditorium, Georgian Room, or the Multipurpose Room in the McFarland Student Union. Attendance is limited to the facility's capacity.
 - b. Only one event requiring displacement of regularly scheduled classes may be held in Keystone Arena on a weekday (Monday through Thursday) in any one semester.
 - c. Events with a high potential of music or noise may be scheduled for the Georgian Room in Old Main or the Multipurpose Room in the McFarland Student Union on Sunday through Thursday night only if the event will end by midnight. Such events may be scheduled on Friday and Saturday nights only if the event ends by 2:00 a.m. of the subsequent morning.

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- d. Aramark is the contracted food service provider on campus. All events which plan to have food must contact them for service. Aramark has the first right of refusal for ALL food related services on campus. Aramark shall have first right of refusal for all Catering Services except for events under two hundred and fifty dollars (\$250.00) that comply with the below guidelines:
 - Food purchased should not require time and temperature controls for food safety. For example, hot foods such as lasagna, meatballs, casseroles, chicken wings, etc. Would not be approved. Examples of items that could be purchased are fruit and vegetable platters, baked goods, ice cream/flavored ice, packaged snack foods and pizza.
 - Requestor must have completed and submitted a Food Exception Waiver to the Executive Director of Residence Life, Housing, and Dining Services at least seven (7) business days in advance via email: (reasoner@kutztown.edu).
 - Outside food and beverage is not permitted within any of the event spaces managed by Aramark including South Dining Hall, Academic Food Court, or Cub Café.
 - Total may not exceed \$250.00.
 - e. Organizations or individuals are responsible for leaving all facilities as they found them. Failure to do so may result in being billed to restore the facility to its original condition. Also, events requiring a set-up may be billed to the organization or individual depending on the time and available resources.
 - f. Requests to use University facilities for events and activities that may violate University regulations will not be approved.
 - g. Requests for “restricted access” rooms are processed with different procedures. Please contact the Office of Conference and Event Services for details.
 - h. The sponsoring department or group is responsible for all arrangements for their reservation (work orders, catering arrangements, personnel needs such as custodial services or Public Safety) and are responsible for abiding by any University policy/ procedure that their event may require (bus parking, collection of fees, open flame, etc.).
6. Reservation requests can only be made by faculty and staff members. Advisors must approve and make the request on behalf of their student organization. The event registration becomes official when the person initiating the request receives a scheduled confirmation via email (this is different from a request confirmation)
 7. All events which are open to campus and held in university facilities are coordinated by the Events Advisory Council. This council has established procedures for event/facility registration intended to minimize problems associated with simultaneous events. When scheduling conflicts cannot be resolved by the parties directly involved, the Events Advisory Council will resolve the conflict.
 8. If you are making a reservation for a late-night event (any event ending after midnight), please refer to the *Policy for Student Sponsored High Profile & Late-Night Events*.
 9. Room reservation requests (web request) must be made at least 72 hours before the event. If a request is made within this time, an email must be sent to Conference and Event Services with the event details to be entered. The campus wide reservation system will not allow requests within 72 hours of the event. A scheduling confirmation will be sent once the reservation has been approved. Please note, emails received outside of normal business hours will not be scheduled until the next business day. Please plan accordingly.

Residence Halls Policies

Accessibility

Nine residence halls at Kutztown University are physically accessible. They are Berks, Deatricks, Dixon, Lehigh, Rothermel, Schuylkill, University Place, Golden Bear Village South and West. Other facilities such as classroom buildings, Stratton Administration Center, and the South Dining Hall are also accessible. If you have questions concerning accessibility, please contact the Disabilities Services Office.

Abandoned Items

Students are required to remove all personal property when they move out. Residence Life, Housing, and Dining Services reserves the right, without further notice, to remove students' personal belongings that remain in a residence hall 1 month after the termination of the housing agreement for any reason (withdrawal, academic dismissal, housing suspension, etc.). The student will be charged for expenses incurred in the disposal of such property.

Checking Out Equipment

Residence halls have a variety of recreational and kitchen equipment, games, and other miscellaneous items for residents to checkout from the front desk with a KU student ID card. Residents are expected to return the items within 24 hours in the condition that they received it.

Decoration Policy

Decorating your room, suite or apartment is a personal preference and can have an impact on your living experience while at Kutztown University. Please keep in mind how decorations can affect you, your roommate, guests, and other members of the community you live in. The following are topics you must keep in mind as you begin to decorate your space.

1. Student will be responsible for any damages to walls, ceilings, doors, and floors due to decorations and/or any other products. Please be very careful if you attach and/or use anything in these areas of your room, suite, or apartment. In non-cinder block buildings, push pins are the preferred method for hanging things.
2. Students are not permitted to paint student rooms, including all apartments. If there is any problem with the walls or ceilings, please contact your Building Director.
3. The placing of stickers or stars on walls, ceilings, or furnishings is prohibited.
4. The possession or use of metal-tip darts and dartboards in the residence halls and apartments is prohibited. Velcro, magnetic, and suction-cup style darts are permitted.
5. No items may be attached to, or hung from the ceiling, including light fixtures, or in any corridor or walkway area.
6. Student room door decorations are limited to a single dry erase board, and the door name tags which the Residence Life and Housing & Dining Services staff provides. The room number must be visible. At no time may any item on a student room door extend into the corridor.

Policy Information

7. Decorations may not be hung from door to door, over the lights, or across the corridor or walkway areas.
8. Decorative lights may be used in the interior of student rooms, suites, and/or apartments if they are UL approved.
9. Students who wish to decorate windows or mirrors should use only water-soluble paint. Add liquid soap to wet paint when applying to ease paint removal. It is the responsibility of anyone who decorates the windows and/or mirrors to remove the paint at the conclusion of the event or prior to checkout, whichever is earlier.
10. University installed light fixtures may only have university-issued bulbs. The use of incandescent, halogen, neon and other heat-producing lamps and bulbs is strictly prohibited in the residence halls and apartments. Only UL approved lamps and bulbs are permitted.
11. Standing or hanging any kind of object or container outside of the windowsill is prohibited.
12. Do not hang anything from or cover the sprinkler heads.
13. Residents will be responsible for any damages to their room, suite or apartment and will be billed accordingly.
14. The use of open flames and reed diffusers are prohibited in the residence halls, suites, or apartments. Candles (in any form) or burning incense is prohibited. Essential oil diffusers that use water are permitted.
15. The standing or arranging of furniture in a manner unintended of its purpose and use is prohibited. Furniture may not be arranged in such a manner that it creates an obstruction in front of the door or window.
16. Furniture may not be removed from any designated room, suite, or apartment. Furniture must remain on the floor in upright position.
17. Live trees, boughs, and corn stalks are not permitted in any residence hall, suite, or apartment at any time.
18. There may be special circumstances (e.g., wing/hall decoration contests) for which these rules may be modified by the university. These situations, approved at least one week in advance, will be under the supervision of the Building Director and Residence Life, Housing and Dining Services Office.
19. The use of alcohol bottles or cans for decorative purposes is prohibited in the residence halls, suites, and apartments.

Deliveries By Outside Vendors

The Residence Life, Housing, and Dining Services Office is not responsible for any deliveries made by any outside vendor. It is the student's responsibility to set up a time with the vendor for delivery.

Door Access

Policy Information

All traditional and suite-style residence halls have a swipe card door access system. Doors are locked at all times. Students, using their student ID card, will have access to the front door of their assigned residence hall 24 hours a day. Students are not permitted to allow others to follow them into the residence hall.

Entering and Exiting the Residence Halls

You must enter and exit the residence hall through the main entrance. The exterior-side doors are always locked. Exterior doors of the on-campus apartment complexes are to remain closed and not propped open under any circumstances. Once inside the building, students must swipe or show their student ID card at the front desk. Students in violation of this policy may be referred to Student Conduct. Students not assigned to the residence hall and visitors need to be signed into the residence hall. Please see the visitation policy for more information.

Housing License Agreement and Roommate Agreements

Residents are responsible for adhering to their [Housing License Agreement](#), roommate, community, living learning, and other shared space agreements.

Horseplay Policy

Behavior that would reasonably be considered inappropriate conduct for a residence hall community and not addressed in other specific policies is prohibited. Horseplay, pranks, the making of messes, or any other action which damages property or disturbs others will be considered inappropriate for the residence hall environment and surrounding area.

Improper Check-Out Policy

At hall closing times, all residents are required to follow the written procedures for check-outs that are made available by the hall staff. Failure to check out properly may result in being charged monetary for damages.

Key/Pin Code Policy

Each resident is responsible for their assigned keys and/or pin codes. Any resident who improperly uses and/or abuses these items will be subject to disciplinary action through the Kutztown University Student Conduct Services and/or PA State law. Resident will be charged a monetary fee for the replacement of keys and/or pin codes if necessary.

Latex Allergies

Individuals within the campus community are allergic to latex. Latex balloons are not permitted indoors on the campus. Latex balloons placed outdoors can also cause allergies because the latex can be spread by wind. Therefore, please use good judgment in the quantity of balloons used outdoors.

Lock-Outs

Always keep your University ID with you. It is your responsibility to ensure that you have access to your housing assignment. Should you get locked out, go to the front desk of your building and they will assist you. Staff will need to verify your identity before giving you a file key or keying you in. All file keys must be returned to the desk within 15 minutes. A student who requires more than 3 lockouts will be referred to the Building Director for a meeting.

Pet Policy

Policy Information

The only pets permitted in the residence halls and apartments are goldfish or tropical fish. They must be kept in self-sustaining fishbowls or aquariums, with a maximum of 10 gallons of water for habitation. Piranhas are not permitted. When the residence halls and apartments are closed for periods of more than four days, fish must be taken home. All other animals, such as an Emotional Support Animal or Service Animal, that are not registered with the Disabilities Service Office (DSO), must be removed within 24 hours upon Residence Hall Staff's discovery. Students' who live in our residence halls that require assistance animals may contact DSO for more information.

Posting Policy

Any student organization that wishes to post signs or publicity in a residential building must gain permission from the Residence Life and Housing and Dining Services Office. All posters must have the Kutztown University logo. Distribution of approved items will be handled centrally from the main office in Old Main 106.

Prohibited Items/Actions

It is difficult to present a comprehensive list of prohibited items. Common sense is appreciated while packing to come to campus. Please see our "What not to Bring" list at: www.tinyurl.com/packinlistKU

Items Permitted with Restrictions

Extension cords must meet the following guidelines:

- 14-gauge, 3-wire grounded, or heavier rating should the appliance it is supplying require a heavier cord rating
- 10 feet or less in length
- Extension cords shall never be strung together such as connecting two 10-foot cords across an area.
- Only one extension cord per outlet is permitted, with only one item plugged into each extension cord.
- Extension cords shall never be strung across or secured to the ceiling, furniture or under floor coverings.
- It is recommended that you use power strips with built-in circuit breakers to avoid overloading the electrical outlets. Never chain together (plug into each other) surge protectors or power strips.
- Decorative Lights are permitted for student use inside rooms, suites, or apartments. Decorative Lights are limited to the walls and may not be hung from the ceiling, windows, or door. Decorative Lights must have the UL seal of approval attached to the light.

Quiet Hours Policy

The major ingredient for any successful group living arrangement is consideration. Consideration for others prevents many problems, especially in the area of excessive noise. Since residence halls and apartments must be quiet enough to allow students to study and sleep, quiet hours are in effect 24 hours a day. In order to maintain quiet in the halls and apartments, quiet hours are strongly enforced Sunday through Friday, 9 p.m. to 9 a.m. Consideration of others should also be observed Friday and Saturday, especially during the morning hours. Enforcement of quiet hours extends to outside of the halls and apartments, including any hall patio area, front entrance way, Bonner Hall, University Place and Dixon courtyards, Golden Bear Villages, and Honors Building breezeways and mailbox areas.

Room Vacancy

Residents who live in a double or triple and are missing a roommate are expected to keep the uninhabited part of the room clear so that the room is ready for another resident to move in at any time.

Sales and Solicitation Policy

Policy Information

Student rooms may not be used for any commercial activity. This applies to a wide range of activities that may include advertising, selling, petitioning, campaigning, distributing fliers, product promotion, and providing personal services (i.e., hair cutting, nails, baked goods). The Residence Life and Housing & Dining Services Office may permit some exceptions to this policy. If you would like further information about these exceptions, please contact the main office at Old Main 106.

Search of Parcels Policy

In order to prevent prohibited items from being brought into the residence halls and apartments, the Residence Life and Housing & Dining Services staff may ask permission to search bags, trunks, suitcases, boxes, garbage cans, etc. If you refuse to show the contents, the staff may request that you leave the building. If you refuse to show the contents and refuse to leave, Public Safety will be contacted.

Smoking Policy

All Kutztown University buildings, including the residence halls, are designated as smoke free. The use of smoking devices or equipment that includes but is not limited to electronic cigarettes (e-cigarettes), vaporizers, hookahs, and pipes are strictly prohibited within the residence halls. Each building will have one entrance designated as an outdoor smoking area. Smoking is not permitted within 25 feet of any window or main entrance to a residence hall or apartment. Violators of this policy may jeopardize their on-campus status within the residence system.

Theft

Theft or unauthorized possession of personal or University property is prohibited. Students who are victims of theft should contact Public Safety and inform a Residence Life, Housing and Dining Staff member.

Traffic Control/Road Signs

Signs or traffic control devices, including but not limited to stop signs, pedestrian/traffic control, and street signs, which are the property of federal, state, county or city governments are not permitted in the residence halls, suites or apartments. Possession of such signs/devices may result in referral to Public Safety, as well as the Student Conduct Office. These signs/devices may also be confiscated.

University Property

University property in common areas is the joint responsibility of the occupants sharing the facilities. Under no circumstances should university property be moved to students' personal spaces. This includes items from the Dining Hall facilities.

Vandalism

Vandalism is defined as any intentional behavior which causes damage when that behavior violates policy or is reckless or negligent. Willful destruction or defacement of any personal or University property is prohibited. When damages occur in common spaces, an investigation will occur, and the responsible individual(s) will be billed. A report will also be sent to the Student Conduct Office.

Visitation Policy

Residence Life and Housing & Dining Services at Kutztown University promote a safe environment, which encourages responsible decision making by members of the community. Recognizing student rights and responsibilities, as well

Policy Information

as the role of the department in fostering student development, the Visitation Policy of Residence Life and Housing & Dining Services at Kutztown University consists of gradual levels of student responsibility based on class rank.

Definition of Terms

- **Escort:** Visitors must be accompanied by their host when moving about in the residence hall they are visiting.
- **First Year Student:** Any first-time resident student with 30 or less earned credits.
- **Host:** The resident student living in the hall and/or room where the visitation option is being exercised.
- **Identification (ID):** Formal identification is required. Types of acceptable ID are: validated college ID, valid driver's license, valid ID with name and picture or name and address of presenter/visitor.
- **Parental (Guardian) Permission Form:** Students who are not of the age of majority must provide parental or legal guardian's approval for visitation rights covered in this policy. This form is no longer needed once a student turns 18.
- **Pre-Registration:** The process by which any student who has a visitor or visitors arriving after 11:59 p.m. on a Thursday, Friday, or Saturday evening notifies the hall desk of the anticipated arrival of a guest. The information needed to pre-register includes visitor's name, type of ID, anticipated time of arrival, and anticipated length of stay.
- **Sign-In:** The process by which host, and visitor(s) are recognized as participating in visitation. Resident students, as hosts, are responsible for registering visitors at the hall desk. A digital visitation pass is created by the Desk Receptionist that can only be accessed at the front desk of any hall while they remain in the building in which they sign in. All visitors must check out at the front desk in which they are signed in upon leaving.
- **Visitor:** A Visitor is considered anyone not residing in that particular residence hall including resident students from another hall, commuting students, students living off-campus, family, friends, acquaintances, etc.

Visitation Assignments: First Year Student (FIRST SEMESTER OF ON-CAMPUS RESIDENCY ONLY)

- Weekdays: Monday to Thursday from 9:00 a.m. to midnight.
- Weekends: First year students in their first semester can have overnight visitation on Friday and Saturday nights, regardless of their guest's sex or gender identity. Sunday from 9:00 am to Sunday 12:00 midnight.

Visitation Assignments: Upperclassmen

- 24-hour per day, 7 days a week Visitation
- Upperclassmen includes second semester freshmen with earned credits.

Policy

Operation of the Visitation Policy includes the following:

- Each resident student may host up to three visitors at one time.
- Visitors must sign into the building 24/7.
- Resident students, as hosts, are responsible for the behavior of their non-Kutztown University visitors. Kutztown University students are accountable for their own conduct at all times.
- All visitors (and resident students) must enter and exit the building by way of the main entrance.
- The host must escort visitors at all times while in the hall.
- Host students may only have overnight visitors (when permitted) for three overnights per week. The week begins on Monday at 9:00am and ends at 8:59am the next Monday.
- An overnight is when a visitor is signed in at any time between 12am and 9:00am.

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- Visitors arriving after 11:59pm. on Thursday, Friday, or Saturday evening must be pre-registered at the desk by the host informing the hall desk of visitor's name, type of visitor identification, time of arrival, and length of stay.
- Residents are responsible for informing visitors that presentation of a valid ID is required at the time of sign-in. Failure to provide ID could result in denial of entrance into the residence hall.

After one semester of on-campus residency, First Year Students will follow the upperclassman visitation assignments.

The professional staff of Housing and Dining Services or the Residence Life Office may grant exceptions to certain aspects of the Visitation Policy. The professional staff of Residence Life and Housing & Dining Services reserves the right to restrict this policy.

Fire Safety

Your safety, as well as the safety of all residents and property, is of paramount importance. All of the residence halls at Kutztown University conform to fire and safety standards as established by the Pennsylvania Department of Labor and Industry. The actions of the occupants are equally important in maintaining the fire safety of the building.

Fire Alarms, Fire Extinguishers, and Sprinklers

All residence halls are equipped with automatic Fire Alarm Systems. The systems include photoelectric smoke detectors in common areas (corridors, lounges, etc.), mechanical rooms, and special use rooms, as well as in each sleeping area. All fire alarms are monitored at the desk and report to Public Safety and Police Services. The smoke detection devices are very sensitive, and may be activated by aerosol sprays, hair care products, and hair irons. Caution should be taken to avoid detectors when using these products. Students using cooking appliances should never leave a stove or oven unattended or cook at a temperature setting higher than necessary to avoid causing a stove-top fire or generating smoke that may activate nearby detectors. Manual pull stations are installed near building exits that permit occupants to activate the alarm should they detect a fire condition before the smoke detector activates.

With the exception of the Golden Bear Village West and the Honors Building, all buildings are equipped with voice-communication fire alarm systems. This means that the alarm provides voice instruction to the occupants to evacuate the building; these alarm systems are also used to broadcast mass notification messages. In Golden Bear Village West and Honors Hall, alarm bells/horns sound to notify the residents to evacuate. All fire alarm systems are tested and inspected twice annually by qualified Simplex Grinnell technicians. All residence halls and apartments are equipped with portable Fire Extinguishers. In University Place and Golden Bear Villages they are located inside each suite or apartment. In all other halls, the fire extinguishers are in the corridors. Fire extinguishers should be used by trained individuals only. These units are inspected regularly and serviced annually.

All residence halls and apartments have full fire sprinkler protection. Where required by code, some buildings have standpipe systems that are used to supply water to fire hoses on each floor for firefighters. DO NOT tamper with, block, or hang any article or decoration from any portion of the fire sprinkler system. The sprinkler systems are inspected twice per year.

Emergency Evacuation and Drills

Policy Information

All students are required to evacuate the building at each and every sound of the fire alarm and treat every alarm as a true emergency. This evacuation policy is strictly enforced. Failure to evacuate is a violation of university policy; violators are subject to disciplinary action. Evacuation drills in all residence halls are conducted twice each semester in accordance with fire code requirements.

Any questions regarding fire safety equipment or issues can be sent to the Office of Environmental Health and Safety

Sexual Misconduct Policy & Procedures ([DIV-007](#))

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972⁴ that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence),
- Addresses how the University **must** respond to reports of misconduct falling within the definitions of "sexual harassment" under this Policy, and
- Mandates a grievance (or resolution) process the University **must** follow before issuing a disciplinary sanction against a person accused of "sexual harassment" under this Policy.

In addition to federal legislative requirements, Act 16 of 2019⁵ of the General Assembly of Pennsylvania requires all postsecondary institutions the Commonwealth of Pennsylvania to adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under Federal and State law, including the crime victims bill of rights.

Please refer to the **Sexual Misconduct Policy** in Chapter 2 of his handbook or Kutztown University [Policy Register](#) for the complete policy ([DIV-007](#)).

Social Equity Policy & Procedures ([DIV-008](#), [DIV-009](#))

Non-Discrimination Statement

Kutztown University does not discriminate in employment or educational opportunities on the basis of sex, race, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity, or veteran status. To discuss a complaint of discrimination, please contact the Office of Social Equity, Old Main A-Wing, Room 02, by phone at 610-683-4700 or by e-mail at pena@kutztown.edu. Pursuant to Title IX of the Education Amendments of 1972, Kutztown University does not discriminate on the basis of sex and prohibits sex discrimination in any education program or

⁴ The full text of the Final Rule and its extensive Preamble is available here: <http://bit.ly/TitleIXReg>

⁵ The text of Act 16 of 2019 is available here: <https://bit.ly/3f7DAr6>

activity that it operates, including admissions and employment. Any inquiries regarding the application of Title IX at Kutztown University may be made to Bradley Davis, the University's Title IX Coordinator, located in Old Main A-Wing, Room 02A, by phone at 610-683-4782 or by email at titleix@kutztown.edu, or the Office for Civil Rights located in the Lyndon Baines Johnson Department of Education Bldg., 400 Maryland Avenue, SW, Washington, DC 20202-1100, by phone at 800-421-3481 (TDD: 800-877-8339), by fax at 202-453-6012, or by e-mail at OCR@ed.gov. Kutztown University's Sexual Misconduct, Anti-Discrimination, and Anti-Harassment policies can be found in The Key student handbook or online at <https://www.kutztown.edu/about-ku/administrative-offices/social-equity.html>.

Other Resources Available

One or both parties may find it helpful to garner the assistance of the University Counseling Center, Women's Center, LGBTQ+ Resource Center, Office of Multicultural Services, Public Safety and Police Services, the Office of the Dean of Students, or other campus resources.

On-Campus Sales and Fundraising Policy (STU-031)

A. Governance:

1. The On-Campus Sales and Fundraising Committee shall consist of the Director for Student Involvement, Director of Housing, Director of Residence Life, Director of Public Safety and Police Services, Director of Athletics, the Secretary in Student Involvement, and a student appointed by the Student Government Board, or their designees.
2. The committee shall meet as needed to review sales and fundraising requests as follows:
 - a. from any group that does not meet the requirements for registration as specified by the Office for Student Involvement;
 - b. for any sale that does not meet the criteria for approved sales as set forth by this policy;
 - c. to set the maximum number of allowable sales per semester for eligible groups; and
 - d. to conduct other business related to the implementation of this policy.

B. Eligibility:

1. Student organizations that are recognized by the University are eligible to participate in the on-campus sales and fundraising process.
 - a. Student organizations classified as SGA recognized, SGA sponsored as designated by the Office for Student Involvement, and intercollegiate athletic teams are eligible to sponsor up to eight sales or fundraisers per semester, with a maximum of five of those being designated as external sales.
 - b. Student organizations not classified as registered by the Office for Student Involvement are not eligible to participate in the sales and fundraising process.
2. Other University-related organizations, groups, offices, or departments may request special authorization for on-campus sales and fundraisers. Such requests must be made in writing through the Office for Student Involvement at least two weeks in advance of the anticipated sale date. These requests will be acted upon by the On-Campus Sales and Fundraising Committee.
3. Outside organizations and vendors are allowed to conduct sales and fundraising activities only if sponsored by a University-related or recognized group.
4. The Student Bookstore and the McFarland Student Union Building may sponsor an unlimited number of service-related sales and promotions that fall within the confines of this policy.

C. Definitions of Sales and Fundraisers:

1. A sale is defined as the selling of one item or related group of items by one organization during the course of one calendar day without simultaneous locations. Each additional simultaneous location shall be counted as an additional sale or fundraiser.
 - a. An internal sale is defined as a sale that meets the aforementioned requirements and is sponsored by a University-recognized student organization or University- related group at which the sponsoring organization peddles its own goods.
 - b. An external sale is defined as a sale that meets the aforementioned requirements and is sponsored by a University-recognized student organization or University- related group at which goods are peddled by an outside vendor with the sponsoring group receiving a per diem or percentage of gross sales.
2. A sale is considered an extended sale when the sale of the product or service necessitates that orders be taken for the sale of the goods or when the product requires long-term exposure as determined by the On-Campus Sales and Fundraising Committee. Extended sales cannot exceed a three-week time frame and apply only to internal sales. If the sale is classified as an extended sale by the Committee, then that sale can be held campus-wide with non-specific times and locations. However, the sale must follow all other components of this policy.
3. A fundraiser is any activity that is not classified as a sale yet meets the following criteria:
 - a. the sponsoring organization is charging a fee in exchange for providing a service; or
 - b. the sponsoring organization is charging a fee in exchange for admission to an event. However, if the money raised through ticket sales is used strictly to offset the costs associated with production of the event, then the event is not a fundraiser. In cases that the sponsored event is considered a fundraiser, then that event must adhere to the following guidelines:
 1. Advance sales of tickets for events can be conducted only by student groups which are recognized by the University and maintain an account with the KUSI Accounting Office.
 2. All ticket sales must be conducted through the Information Desk located in the Student Union Building or at the ticket office located at the venue. Other locations can be used with special approval from the On-Campus Sales Committee. Arrangements for the sale of tickets must be made with the KUSI Fiscal Assistant at least one week in advance of the date of the sale.
 3. Advance sales of tickets for events sponsored by other non-student University groups may also be conducted at the SUB Information Desk. Special arrangements for advance sale of tickets for events sponsored by these organizations are subject to the approval of the Director for Student Involvement and must be made at least two weeks in advance of the first day of the sale.

D. Registration Procedures and Guidelines for Sales and Fundraising:

1. All on-campus sales and fundraising activities must be registered with the Office for Student Involvement at least one week in advance of the sale date to guarantee review of the request.
2. In order to reschedule a sale or fundraising activity, notice of cancellation must be received by the Office for Student Involvement at least one week in advance of the originally scheduled date.
3. Requests for exceptions to the sales/fundraising limit shall be made in writing and directed to the Director of Student Involvement for review by the On-Campus Sales and Fundraising Committee.
4. All funds raised through the sale/fundraising activity must be deposited in an SGA activity account as designated by the Director for Student Involvement.

Policy Information

5. A copy of the sales/fundraising form, which is given to the sponsoring organization upon approval of the sale or fundraiser must be carried with the seller(s) at all times during the scheduled activity.
6. The Committee reserves the right to refuse to approve requests for sale dates that would interfere with or impede the sale of similar items by another organization which previously was issued a sales permit. This includes sales which would run concurrently or prior to such a previously scheduled sale.
7. All door-to-door activities, including sales and fundraisers, are prohibited.
8. Sales can be held in various indoor and outdoor locations around campus. The time of day for each sale will be determined by the location's hours of operation, space availability, and schedule of events.
9. Sales held in residence halls must take place by the front desk of each hall or the immediate area and can take place from 7:00 p.m. through 11:00 p.m. only.
10. External sales held in the Student Union Building are subject to a rental fee for each table needed.
11. Raffles, lotteries, other forms of gambling, and other things in violation of local, state, and federal law cannot be conducted on campus. The On-Campus Sales and Fundraising Committee reserves the right to refuse to allow any sale or fundraiser that is inconsistent with the University's mission or contractual obligations.
12. The normal routine and operation of the University may not be interrupted or disrupted by the sale/fundraising activity. The Director of Public Safety and Police Services shall be consulted if there is any doubt regarding the potential for disruption. If it is determined that the sale/fundraising activity has the potential for disruption, then the Director of Public Safety and Police Services, a representative from the group conducting the activity, and the group's advisor shall meet to discuss preventative measures. If preventive measures cannot be developed and undertaken, permission for the activity will be denied.
13. Any sale or fundraising activity for which off-campus advertisement is planned is by definition to be considered potentially disruptive due to restricted campus parking policies. Consequently, the above procedures for review of plans should be implemented prior to registration of the sale.
14. The Student Housing Agreement precludes the use of student rooms for sales, for the storage of merchandise, or for any other commercial activity. The Housing Office allows exceptions to this policy for such activities as the sale of personally owned items such as textbooks and such personal services as typing.
15. Vendors promoting applications for financial services (e.g., credit cards) must provide each individual student with full written disclosure of the application's intended use and expected outcomes.
16. Vendors of financial services are prohibited from providing "free" merchandise in exchange for student applications for services.

E. Contracts:

1. When sponsoring an external sale, a group must have a vendor agreement completed by the vendor.
2. Three original copies of the completed contract, after being signed by the vendor, must be submitted to the Office for Student Involvement at least two weeks prior to the scheduled sale or fundraiser.

F. Advertising and Promotion:

1. Approval for any off-campus advertising must be obtained at the time the sale or fundraiser is registered.
2. On-campus advertising must be conducted in a manner consistent with University guidelines regarding the posting of information on-campus. Information distribution within the residence halls must conform with the Information Dissemination to Residence Hall Students Policy.

G. Off-Campus Fundraising:

1. All Kutztown University groups or individuals wanting to fundraise off-campus for University-related activities must obtain prior written approval from the Vice President of Enrollment Management and Student Affairs or designee who will act upon a recommendation from an Off-Campus Fundraising committee.
2. All funds raised off-campus for the University-related activities must be deposited in appropriate accounts as designated by the President or designee.

H. Failure to Comply:

Failure to comply with the foregoing procedures or any parts thereof shall result in one or more of the following:

1. Withdrawal of permission to conduct the sale or fundraising activity and/or revocation of sales and fundraising privileges for a specified period of time.
 - a. An opportunity for an appeal to the On-Campus Sales and Fundraising Committee is available.
 - b. On-campus sales/fundraising privileges will be suspended until the appeal is heard.
2. Disciplinary action through the Office of Student Conduct.
3. Other action consistent with federal, state, and local laws and University policies.

Non-Sponsored Demonstrations, Presentations, and Non-Commercial Literature Distribution Policy ([COT-002](#))

A. Purpose

The Kutztown University campus is for the primary use by its students, faculty and staff in their efforts to advance the educational mission of the university. Kutztown University recognizes its role as a public university to encourage the exchange of ideas and/or viewpoints. As such, Kutztown University is open to the presentation and free exchange of ideas by those who may, not necessarily, be affiliated with the University. The University has a significant interest to protect the educational experience of the students in the furthering of its educational mission by ensuring students' safety, security and fostering diversity.

To that end, this policy sets forth certain practices that enable the exchange of ideas while protecting the orderly nature of the campus.

B. Scope

This policy applies to all entities who intend to utilize the campus to exercise their constitutionally protected rights

C. Definitions

1. Distribution of non-commercial materials refers to such activities of a personal transaction nature that makes available paper or other material items which do not include the sale of goods or services or solicitation for funds.
2. Public Demonstration refers to an assembly of individuals for the purpose of expressing their views.
3. Presentation refers to any public display of information to express a viewpoint. This also applies to orally

Policy Information

expressed viewpoints by use of amplification devices.

4. Routine Operational Hours refers to standard workday hours and those evening times when public events occur.

D. Policy and Procedure

1. All entities are encouraged to provide advanced notice to the Chief of Police Services or his/her designee of their intent to utilize the Kutztown University campus for the purpose of non-commercial literature distribution, public demonstration or presentation.
2. The permitted activity shall not:
 - a. Obstruct vehicular, pedestrian, bicycle or other traffic;
 - b. Obstruct entrances or exits to the buildings or driveways;
 - c. Interfere with educational activities inside or outside of the building;
 - d. Engage in any disorderly conduct as defined by applicable state and local statutes and/or ordinances;
 - e. Interfere with or preclude a scheduled speaker from being heard;
 - f. Interfere with scheduled University operations, ceremonies or events;
 - g. Damage property, including but not limited to lawns, shrubs or trees;
 - h. Disturb the peace as defined by applicable state and local laws, statutes and/or ordinances; or
 - i. Engage in any conduct deemed to be unlawful by any applicable state and/or local law, statute and/or ordinances.

Should the activities of any group interfere with the operation of the University, jeopardize public safety, and/or fail to abide by the standards set forth above, campus public safety officials may take action as they deem appropriate, including, but not limited to, moving the event to another location, changing the time of the event or terminating the event. Failure to abide by the directive of campus public safety officials may result in arrest.

Chapter Four



Support Services

Bear Bucks

Bear Bucks is a prepaid debit balance attached to the KU ID Card that can be used to purchase food, merchandise, and services, on and off campus. Bear Bucks acts just like a debit account, but with no danger of overdraft. You can deposit money using cash, check, or a credit/debit card then simply swipe your card at any venue that takes Bear Bucks.

- It is safe. Forgot your cash? Did not have time to stop at the ATM? No problem! Your Bear Bucks is always available and usable only by you.
- It is reloadable, 24/7. If you are running low in your account, students can just log into MyKU to add more with a check or credit card, or they may stop at the KU Card Office to load their card with cash or check during normal business hours.
- It is convenient. You might not always have your wallet with you, but because you use your card for meals, door access, library privileges, and everything else, chances are you will have your ID card with you. And Bear Bucks funds remain in the student's account until the student leaves the university.
- Some restrictions. You cannot use Bear Bucks to purchase alcohol or tobacco products at any location on or off campus. You cannot withdraw money from your Bear Bucks account unless you leave or graduate from the university.

Please visit our website at <https://www.kutztown.edu/kucard> for all the information regarding the Bear Bucks program and a complete list of our on and off campus merchants. Follow us on Facebook (KU Card Office), Twitter and Instagram @KUCardOffice - for Bear Bucks updates and merchant deals, discounts, and specials, etc.

Career Development Center

The Career Development Center offers a comprehensive array of programs and services that support and facilitate career development for all students and empower them to choose and attain personally rewarding careers. Career planning is an educational process through which individuals can understand the relationship between their capabilities and interests; their University experiences and professional opportunities outside the University; and the steps necessary to prepare for those opportunities. Most need time to accomplish these steps and students should begin to explore possible options early. This process involves learning about various majors and working environments, the skills needed by employers, and the directions in which a career may evolve. Job Shadowing and Internships are highly recommended as part of this process.

Students must identify their interests, abilities, and skills. Rather than ask *"What can I do with a major in _____?"*, they should ask, *"What careers will use my skills and abilities?"* To acquire employment, individuals research the type(s) of work desired and the specific organizations that provide the work, interview for jobs through which career or professional objectives can be met, and then select from the options available the one that best meets their needs. During this phase, students must ask, *"Who hires people to do what I want to do?"* This process requires skills in such areas as writing effective cover letters and resumes, interviewing techniques, and job search strategies to enhance interaction with employers. The Career Development Center will not *"get you a job,"* but it will provide an

environment in which talented individuals and exciting career opportunities can find each other. The goals of this integrated career planning and employment acquisition process are for Kutztown University students and alumni to:

- Think of themselves as educated professionals with skills and abilities that have value to employers,
- Think in terms of functional responsibilities rather than merely linking a major to jobs,
- Acquire and develop the skills necessary to become self-reliant and informed decision makers,
- Prepare for a competitive job market, and
- Develop their potential of becoming self-reliant managers of their own careers.

The following resources and services are available to assist students:

One-on-One Appointments

Students are encouraged to meet with a Career Coach to discuss major selections, career options and goals, internships and related experiences, individual job search strategies, effective interviewing techniques, and/or other related concerns.

Assessments and Evaluations

To help students better identify their skills, abilities, and interests, the Career Development Center offers assessment instruments.

Career Presentations and Workshops

Employer panels and info sessions, resume/cover letter writing, job search and interviewing strategies, using social media in job searching, dining and workplace etiquette, and preparing for graduate and professional school.

Fairs

Internship, job and graduate school fairs are held each year.

On-campus Interviewing

Employers visit each semester to recruit and interview students for internships and full-time positions.

Internships & Related Experiences

Resources and support are offered to help prepare & connect students with job-shadowing and internship opportunities.

Review Service

Students are encouraged to have their resume, cover letter, and graduate admission essay reviewed, to develop successful professional writing skills.

Interviewing

Successful KU students practice interviewing with the career staff to be better prepared and more confident for real interviews.

Handshake

The primary online resource for preparing and connecting students and alumni with employers, which includes: on-campus job postings, internship and job postings, and employer profiles and online info sessions.

For more information, please contact the Career Development Center at careerhelp@kutztown.edu, 610-683-4067 or visit www.kutztown.edu/careercenter.

Center for Student Success & Academic Excellence

The Center for Student Success and Academic Excellence empowers students to be successful at Kutztown University through engagement in academic support programs to foster academic and personal growth along the path to graduation. The Center for Student Success and Academic Excellence is located in the Rohrbach Library Room 11 and is available by email at success@kutztown.edu. Visit <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center.html> for more details.

Academic Support Programs

The Center for Student Success & Academic Excellence provides programs to support KU students at every stage of their academic journey. Academic support programs offer essential support to students by providing a framework for success. This framework is comprised of skill-building seminars, campus resource connections, and personalized academic coaching. Engagement in these services helps students develop academic skills to enable them to achieve and remain in good standing. Visit <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center/student-success-programs.html> for more information.

KU Succeed program is designed to help students return to good academic standing by providing a framework for academic success. Any KU undergraduate student can participate in this program.

KU Achieve program is an academic support program required for all first-time, full-time students that earn less than a 2.0 GPA in their first semester here at KU.

KU Summer Reboot program is designed to support first-year students who may not have met the cumulative GPA requirement of 2.0 or have not yet reached the required 24 credits for financial aid eligibility. This program offers a valuable opportunity for eligible students to enhance their academic performance and progress towards meeting these requirements.

Summer Talent Academy for Rising Stars (STARS) program supports selected incoming freshmen and is designed to familiarize them with the rigor of KU's academic experience. It includes mentorship, advisement, support, and social activities. The program is a five-week experience that provides two courses (six college-level credits).

Starfish

Starfish is a retention tool facilitating communication among students, faculty, and staff. It provides an easy way for students to reach out for assistance, for faculty to provide feedback to students, and for all users to actively engage in supporting a student's opportunities for success. Starfish is FERPA Compliant, ADA Compliant, and HIPAA Compliant. Using the same login credentials and SSO as MyKU and D2L, students can easily connect to resources on campus to support their success.

Student Success Workshops

Student Success Workshops occur each week during the free hour throughout the Fall and Spring semesters. Topics include, but are not limited to, navigating the transition to KU, understanding transfer credit, syllabus mapping, utilizing KU technology, time management skills, and learning styles. For the full list of workshops offered, visit <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center/workshops.html>

Student Success Meetings

The Student Success team can help students with academic success strategies on an individual basis. Students can schedule appointments with a coordinator in Starfish, stop by the Rohrbach Library Room 11, or email success@kutztown.edu

First Year Experience

The First Year Experience (FYE) program at KU is dedicated to supporting first-year students through the early stages of their college and academic journey. The goal is to establish a supportive and welcoming educational setting through close collaboration with First-Year Seminar faculty as well as by engaging students through individual meetings and workshops. There is a dedicated Coordinator for Student Success & First-Year Experience who is available to help students through individual meetings in their first-year as they learn to navigate KU. Learn more by visiting, <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center/first-year-experience.html>

Academic Recovery

The Coordinator for Student Success & Academic Recovery is a valuable resource for students who may be facing challenges in their academic journey. This role provides personalized support, guidance, and strategies to help students overcome obstacles, improve their academic performance, and reach their full potential. Visit <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center/academic-recovery.html> for more information.

Transfer Engagement

The Coordinator for Student Success & Transfer Engagement is available for individual meetings to assist students with transfer credits, including test credit and dual enrollment credits. As a support staff for those who need assistance transitioning and acclimating to KU, this role reviews students for general education waivers, assists with reverse transfer and readmission students, and collaborates closely with faculty. The Coordinator for Student Success and Transfer Engagement oversees National Transfer Student Week and advises the honor society for transfer students- Tau Sigma. This personalized support is available to aid in success from the time students commit to KU through graduation. Visit <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center/transfer-student-engagement.html> for more information.

Tutoring Services

Tutoring Services offers a comprehensive program that helps students to improve their course content knowledge and study strategies, while supporting their individual learning goals. Tutors are available for most 100 and 200 level courses and some upper-level courses. Tutoring Services attempts to find tutors for all classes that have tutoring requests. However, it is not guaranteed that tutors will be available for the requested course.

Tutoring Services is located on the ground floor of Rohrbach Library in Room 26. Contact Tutoring Services at 610-683-4207 or tutor@kutztown.edu with questions or visit the website for additional information: <https://www.kutztown.edu/about-ku/administrative-offices/student-success-center/tutoring-services.html>.

Community Outreach Center

The Community Outreach Center, in MSU 281, is the KU hub for student-led community service and social advocacy work. The center promotes mutually beneficial collaborations between the University, the Lehigh/Berks County communities and beyond. Students can get involved in numerous volunteer opportunities such as Big Brothers/Big Sisters, before/after school mentor programs, environmental cleanups, blood drives, soup kitchens, alternative spring break trips and more! The Community Outreach Center can be reached at volunteer@kutztown.edu. The Associate Director of the COC, Amanda Garcia can be reached at agarcia@kutztown.edu. We welcome individual students, groups of friends, and student organizations to visit us and find out how you can get involved! Transportation provided for most projects, and work-study positions also available if you qualify through financial aid.

To view a listing of all of the upcoming service opportunities, please visit us at <https://engage.kutztown.edu/service-opportunities>.

Commuter Services

The Commuter Student Association provides specialized programs and services for non-traditional and commuter students. Commuter Services offers a variety of retention-based programs, services and information aimed at helping commuter students succeed at Kutztown University.

Commuter Lounge

Located on the upper level of the McFarland Student Union, the Commuter Lounge is the home away from home for many commuters and adult students. With a kitchenette featuring a refrigerator, microwave, Keurig, campus phone, computers, charging ports, and friendly faces, the Lounge is a place where commuters can connect and just relax or study in the friendly confines of a comfortable and convenient space.

Lockers

The Information Center in the main lobby of the McFarland Student Union rents lockers for \$15 a year. \$10 is refunded at the end of the year.

Programming

The Commuter Student Association coordinates many programs for commuter students throughout the year including Commuter Tuesdays and the Stress-Free Zones. Most programs are located in the McFarland Student Union for maximum convenience. For information on how to join the Commuter Student Association and help us plan these events please contact Associate Director, Amanda Garcia agarcia@kutztown.edu.

Dining Services

MyTime Dining Diamond Meal Plan

Provides unlimited access to both all-you-care-to-eat residential dining locations during hours of operations 7 days per week, plus *16 guest meals* and *\$250 in dining flex* per semester.

MyTime Dining Platinum Meal Plan

Provides unlimited access to both all-you-care-to-eat residential dining locations during hours of operations 7 days per week, plus *16 guest meals* and *\$150 in dining flex* per semester.

MyTime Dining Gold Meal Plan

Provides unlimited access to both all-you-care-to-eat residential dining locations during hours of operations 7 days per week, plus *8 guest meals* and *\$50 in dining flex* per semester.

MyTime Dining Maroon Plus Meal Plan

Provides unlimited access to both all-you-care-to-eat residential dining locations during hours of operations 5 days per week (Monday to Friday), plus *5 guest meals* and *\$200 in dining flex* per semester.

MyTime Dining Maroon Meal Plan

Provides unlimited access to both all-you-care-to-eat residential dining locations during hours of operations 5 days per week (Monday to Friday), plus *5 guest meals* and *\$50 in dining flex* per semester.

MyTime Dining 150 Block Meal Plan

This plan provides those students who are not required to have a meal plan the flexibility to use 150 meals per semester with access to both all-you-care-to-eat residential dining locations during hours of operations 7 days per week, plus 5 guest meals and \$250 in dining flex per semester.

MyTime Dining 75 Block Meal Plan

This plan provides those students who are not required to have a meal plan the flexibility to use 150 meals per semester with access to both all-you-care-to-eat residential dining locations during hours of operations 7 days per week, plus 5 guest meals and \$100 in dining flex per semester.

MyTime Dining 500 Flex Meal Plan

This plan provides those students who are not required to have a meal plan the flexibility to eat at any KU dining location and pay with dining flex dollars.

MyTime Dining 250 Flex Meal Plan

This plan provides those students who are not required to have a meal plan the flexibility to eat at any KU dining location and pay with dining flex dollars.

Your dining flex may be used 7 days a week at any campus-dining venue. Students living in traditional and suite style residence halls must select one of the unlimited access meal plans. Students living off campus, commuting or living

in the Golden Bear Village Apartments, Honors Building, and efficiency apartments in Dixon Hall have the option to choose any meal plan if they desire to do so.

For instructions on signing up for a meal plan, adding dining flex dollars and other dining service information and more, please visit www.kutztown.edu/dining.

Dining Locations

South Dining Hall and Cub Café

- South Dining Hall, a two-story, all-you-care-to-eat dining experience, is conveniently located on the South Side of campus near residence halls for Golden Bears.
- The Cub Café in the McFarland Student Union as well offers unlimited dining at a variety of food stations.

Both South and the Cub Café accept your meal plans as well as dining flex dollars, cash, Bear Bucks, MasterCard, and Visa at a walk-in rate per visit.

Retail Dining Locations:

Accepts Dining Flex Dollars, Cash, Bear Bucks, Credit Cards. (Meal plan swipes are not accepted at retail areas.)

- Academic Forum Food Court features Chick-fil-A, as well as several other options for meals on the go.
- The Rohrbach Library serves Java City Coffee, snacks, and a variety of grab and go at the Book & Brew.
- Bear's Den in the McFarland Student Union features Starbucks.

Dietary Needs

It is strongly recommended that students with special dietary needs, allergies, or intolerances first register with Disability Services and then contact Dining Services to request a meeting with our culinary team and dietitian.

Additional Information:

For menus, nutritional information, dining venues, hours of operation, and more, visit: <https://kutztown.campusdish.com>.

Follow us on social media:

- Facebook: kutztowndining
- Instagram: kutztowndining
- TikTok: kutztowndining

For more information, please call 610-683-4921.

Terms and Conditions of Refund Adjustments

All changes and cancellations of a meal plan or dining flex dollars will be reviewed through the first five weeks of class. All requests will be reviewed on an individual basis according to the university policy. Changes will NOT be accepted over the phone.

Students who graduate in December, or do not return for the spring semester, are not eligible for any refund adjustment of their unused dining flex dollars or meal plan. KU Dining Services will not issue a refund for less than one dollar.

Dining Policies

- Smoking and vaping is prohibited inside dining facilities.
- Proper clothing, including shirts and shoes, must be worn at all times.
- With the exception of Service Animals, pets are not permitted in dining areas.

Regulations for Entering Dining Areas

Student KU IDs must be presented to the cashier for each entry into the South Dining Hall and/or Cub Café if using a meal plan, dining flex dollars or Bear Bucks.

You may NOT lend your KU ID to anyone for purposes of using a meal swipe, dining flex dollars or Bear Bucks. Misusing a student's KU ID will result in disciplinary action. Full current semester dining fees may be levied as a fine if found responsible.

Dining Flex Dollars Terms and Conditions

Any student registered for classes may open a Dining Flex Dollar account. Unused dining flex dollars are non-refundable and non-transferable. Remaining dining flex dollar balances at the end of the fall semester will rollover to the spring semester. Remaining balances at the end of the spring semester DO NOT ROLLOVER and will not be refunded.

Enforcement of Dining Hall Regulations

Enforcement is the responsibility of the University and/or Dining Services employees. If asked, a student must provide his or her KU ID upon request. Employees shall submit an incident report to the Dean of Students Office for adjudication in accordance with student conduct procedures and prosecution to the fullest extent of the law.

Conduct in the Dining Service Areas

All students and guests are expected to conduct themselves in a mature, civil manner at all times. This includes extending common courtesy to all personnel and peers while in the dining facilities.

Conduct in the Dining Service Areas

All students and guests are expected to conduct themselves in a mature, civil manner at all times. This includes extending common courtesy to all personnel and peers while in the dining facilities.

1. There will be no removal, damage, or destruction to furniture or property in dining facilities.
2. The throwing of objects will not be tolerated.
3. Excessive noise or abusive language is not conducive to a positive social environment. Such incidents are violations of Kutztown University regulations.
4. All persons are responsible for returning all dishes and eating utensils to the dish room window in the South Dining Hall or Cub Café in the McFarland Student Union.
5. Orderly conduct is essential. The rights of those persons orderly waiting their turn in line will be upheld.

6. Persons using the South Dining Hall or Cub Café shall enter and exit the building via the main entrance doors **and appropriate exit doors.**
7. Food (with the exception of fruit and hand-held desserts), beverages, dishes, and eating utensils may not be taken from the South Dining Hall or Cub Café. The Cub Café does have a take-out food option Monday – Friday from 11:00 a.m. – 6:00 p.m. **See the Cub Café cashier for additional information.**
8. Property taken from the dining locations will be considered stolen property and individuals may be held accountable through the University Judicial process of the University Police.
9. Students shall produce their Kutztown University ID card when requested by Dining staff.

Dining Regulations and Procedures

Any student may enter the dining areas and purchase food through their meal plan, dining flex dollars, Bear Bucks, cash, or credit cards (Visa, MasterCard). KU identification cards are used for the purpose of securing meals and dining flex dollars and Bear Bucks. The KU Card Office is located in the Academic Forum.

Persons attempting to enter the South Dining Hall or Cub Café or leaving other dining facilities without paying may be reported to the Student Conduct office for adjudication in accordance with the student conduct procedures and prosecution to the fullest extent of the law.

Questions or Comments

Please call KU Dining Services at 610-683-1314, visit the office in Old Main 106 “A” wing Residence Life, Housing & Dining Services Office or email kudiningservices@kutztown.edu.

Disability Services

Kutztown University is committed to increasing access and opportunity for individuals with disabilities by creating a welcoming and respectful learning environment and promoting equity and fairness to all. KU adheres to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and its amendments.

The Disability Services Office coordinates services and accommodations to ensure that individuals with disabilities have access to programs, services and facilities. When requesting reasonable accommodations, it is the responsibility of the student to self-disclose to the Disability Services Office by completing an Accommodation Request Form and by providing documentation that adheres to documentation guidelines. Please note: Physical injuries, PTSD or TBI incurred from military service are covered by the ADA. All records are confidential.

Reasonable accommodations may include, but are not limited to, extra test time, a distraction-reduced testing environment, note taking assistance, alternate text format (electronic materials), use of a recording device in the classroom, priority registration, and other auxiliary aids and services. For students with disabilities and their helpers, please note the “Emergency Evacuation for Persons with Disabilities” at: <https://www.kutztown.edu/about-ku/administrative-offices/disability-services-dso/current-students/evacuations.htm>. For students with disabilities

who utilize a trained Service Animal, please review KU's Service Animal Handler guidelines at: [https://www.kutztown.edu/about-ku/administrative-offices/disability-services-\(dso\)/service-animals.html](https://www.kutztown.edu/about-ku/administrative-offices/disability-services-(dso)/service-animals.html).

Disability Services seeks to provide an atmosphere of support and affirmation for students with disabilities. Students with concerns regarding compliance should contact the Disability Services Office, 215 Stratton Administration Center, 610-683-4108. The Director of Disability Services will investigate the complaint and work toward a resolution. If the student is unable to resolve the matter with the Director in this informal stage, the student may then follow the formal grievance process through the Office of Social Equity, Old Main 02, 610-683-4700 for complaints of discrimination and/or denial of approved accommodations or initiate the Accommodation Appeal Process by completing the DSO Concern Form available on the DSO website under "Forms": [https://www.kutztown.edu/about-ku/administrative-offices/disability-services-\(dso\)/forms.html](https://www.kutztown.edu/about-ku/administrative-offices/disability-services-(dso)/forms.html).

The Disability Services Office (DSO) is located at Stratton Administration Building 215. For more information, please visit www.kutztown.edu/DSO, call 610-683-4108, or email DSO@kutztown.edu.

Procedures and Information for Severe Weather

Kutztown University's current procedures and information for Severe Weather can be found at the following link. This information is revised and updated annually and shared with campus via email in November. <https://www.kutztown.edu/safety-and-emergency/severe-weather.html>

University weather delays, cancellations and closing information can be obtained in several ways:

- The weather hotline at [610-683-4649](tel:610-683-4649).
- The KU homepage at www.kutztown.edu.
- KU Alert. We will once again be using the KU Alert system to relay weather-related information via text message and email. Faculty/staff must register for the system if they have not already done so at www.kutztown.edu/kualert. Students are automatically registered and must opt-out through the Omnilet portal if they don't want to receive these important alerts.
- Email at your Kutztown.edu email address from KUAlerts@kutztown.edu.
- KU's official Facebook (www.facebook.com/KutztownU) page.
- WFMZ Channel 69

Financial Aid

Financial Aid Services is located in Stratton Administration Center 209. The telephone number is 610-683-4077. Financial aid is available to afford the student access and choice when considering post-secondary education. A basic principle of financial aid is the primary responsibility for educational costs must be assumed by the family, including the student. The family's resources - both student's and parents' - are federally computed to calculate an index for determining eligibility for the financial aid programs. Aid from federal, state, private and institutional sources are used to assist in covering educational expenses to the extent that funds are available.

Financial Aid Services' major functions includes processing aid application information for the purpose of delivering federal and state aid to eligible students, administering institutional and private aid as well as counseling students. This assists in the University's efforts to provide access and the recruitment and retention of students.

The amount of financial aid is dependent upon the extent of the student's need and availability of funds. Typically, aid is processed for the entire year, which consists of two semesters of 15 weeks for a total of 30 weeks of instruction time.

Students seeking financial aid are required to submit the *Free Application for Federal Student Aid* (FAFSA). The FAFSA must be filed each year by our priority filing deadline of February 15 to be considered on time for all forms of aid. This process applies to both in-state and out-of-state students seeking consideration for all available aid from the institution. Students should also complete KU's online scholarship application by March 1 which is available on the Financial Aid Office website.

Student and Parent Loans

The Financial Aid Office will automatically certify a Federal Direct Stafford Loan for students who complete a Free Application for Federal Student Aid (FAFSA). First-time borrowers or students who have not had Direct Stafford Loans before must go to studentaid.gov to (1) complete loan entrance counseling and (2) sign a master promissory note. The student will use their FAFSA FSA ID to electronically sign the master promissory note. Loan funds are delivered via EFT to the Office of Student Accounts at the beginning of each term.

To decline the Stafford loan, the student must complete a Loan Change Form and return it to the Financial Aid Office. A loan cancelled for fall is automatically cancelled for the whole year. The Loan Change Form is available in the Financial Aid Office or online:

- Go to www.kutztown.edu.
- Click on "Current Students" link then click on the "Financial Aid" link.
- On the Financial Aid Office's website, click on the "Forms" link. Parents seeking to borrow the parent PLUS loan also apply at studentaid.gov. If a parent is denied a PLUS Loan, the student may be eligible to receive more unsubsidized Stafford Loan funds.

Financial Aid Progress Requirements

Continued aid eligibility for incumbent students requires maintaining financial aid progress toward a degree. This measure is both quantitative (completion rate based on credits) and qualitative (GPA) in nature.

Financial aid progress requirements are not the same as the University's academic policy. Advice from an academic advisor may differ from what is needed to maintain financial aid eligibility.

Financial Aid progress is measured after every period of enrollment (fall/winter, spring, summer). If a student drops below the minimum requirements following a term of good financial aid standing, they are permitted to have a financial aid warning term in which they will still receive federal Title IV financial aid. If they do not regain satisfactory financial aid progress by the end of the warning term, they will lose all federal Title IV aid until they have met the following financial aid progress requirements or are granted a semester of appeal.

The financial aid progress policy is a two-part policy:

1. Successfully complete 2/3 of the total cumulative credits attempted (credits attempted are all credits which the student is enrolled in at the end of Drop/Add).
2. Maintain a cumulative 2.0 GPA.

Every time a course is repeated, it will be included in cumulative credits attempted. However, the repeated course will only be counted as credits earned the first time a passing grade is received.

Only credits earned from a course in which the student was actually enrolled will count for financial aid progress. CLEP credits, credits received by challenge exam, and credits received as a result of placement testing to determine proficiency are not included in the financial aid progress formula and cannot be used to make progress.

Students who need to raise their GPA will need to take classes at Kutztown University, as transfer credits do not affect the GPA at KU. Taking classes at another institution will increase a student's completion average, but will not necessarily be enough to regain financial aid eligibility.

Withdrawing & Impact on Financial Aid

Financial Aid Services strongly recommends that a student who is considering withdrawing from a course or from an entire semester meet with a financial aid counselor before taking any action. The counselor can explain how the withdrawal will affect the student at the time of the withdrawal or in subsequent semesters for measurement of financial aid progress.

Also, based on the return of funds calculation for the different types of aid, the student could be obligated to repay any refunds from financial aid that the student was given prior to withdrawing or the student could owe the Office of Student Accounts for costs that are no longer being covered by financial aid based on the withdrawal date. Please visit the Financial Aid Office website www.kutztown.edu/financialaid or contact the office for assistance.

Health & Wellness Services

The Health & Wellness Center is located on the first floor of Beck Hall and includes the following departments:

- Clinical Services
- Counseling and Psychological Services
- Health Administrative Services
- Health Promotion and Alcohol & Other Drugs Services

Clinical Services

All undergraduate students who are currently enrolled in classes and have paid the semester health center fee are eligible for healthcare services. Graduate students who choose to pay the health center fee will have access to health center services. The facility is an ambulatory healthcare center where students can receive care and treatment by registered nurses, family practice physicians, physician assistants, and certified registered nurse practitioners. Listed below is an overview of services provided at no additional cost:

- Illness and injury care & treatment

- Reproductive health services, including gynecological exams, pregnancy testing, and birth control
- Confidential STI screening and treatment
- Self-care station containing first aid supplies, over-the-counter medications, period products, and condoms
- Telehealth services for acute medical concerns are available to students living on-campus during times when the health center is closed.

All emergencies are referred to local hospitals. Ambulance transports are billed directly to the medical insurance carrier, or directly to the student if no insurance is in place.

Students are encouraged to bring their student ID and insurance information to all appointments. The health insurance information will be needed for any off-campus referrals and laboratory testing provided in-house. Some services will incur a nominal fee that will be charged to the student's account or billed to the student's medical insurance carrier, such as:

- Prescription medication (except birth control & STD treatment)
- Laboratory testing (Testing for flu, COVID-19, strep throat, urinary infections, etc.)
- Basic physicals required for driver's license exams, ROTC programs, & limited daycare & law enforcement employment
- Tuberculosis screenings
- Vaccines
- Various medical supplies not covered under the student health center fee

Clinical Services will provide excuse notes when absence from class is warranted. No excuses will be provided when students are treated by non-university providers or not seen by Health Center staff at the time of illness. Verification of student encounters to professors, employers, parents/guardians, and others violates federal privacy regulations and will not be provided.

Counseling & Psychological Services (CPS)

Counseling and Psychological Services offers short-term counseling services to undergraduate and graduate students struggling with emotional and psychological difficulties. Our faculty counselors work with students to foster personal and academic growth and success.

CPS services include individual and group counseling, outreach, and crisis intervention. To avoid dual relationships, students who receive counseling services through CPS may not concurrently or subsequently work at CPS (as a practicum student, intern, student worker or graduate assistant, etc.).

Psychological services are provided by doctoral and master's level licensed mental health professionals. Services are also provided by master's and doctoral level student counselors in-training under professional faculty counselor supervision.

Students who require more intensive, long-term, or specialized psychological services not offered by CPS will be offered referrals to appropriate services in the community.

Counseling services provided by CPS are confidential, within the limits of applicable laws.

CPS (610-683-4072) is in Beck Hall 122 and is open 8:30 a.m. – 4:30 p.m. Mondays and Fridays, and 11:00am – 7:00pm on Tuesdays, Wednesdays, and Thursdays. When CPS is closed, students experiencing a mental health emergency should contact Holcomb Crisis Intervention, the Berks County mental health crisis agency, at 610-379-2007 or toll free at 1-888-219-3910. Holcomb has crisis workers available 24/7, 365 days per year. You may also go to your nearest hospital emergency room. Additionally, if you are on campus, Health Center staff can assist you Monday through Friday 8:00am-4:30pm, and Public Safety is available 24/7 in Old Main at 610-683-4001.

Health Administrative Services

This department provides the following services to students:

- Coordinates the submission of required medical forms
- Assesses billing fees for Clinical Services and Counseling and Psychological Services
- Processes requests for medical records

Staff of Health Administrative Services can assist you whenever the Health Center is open. For current hours of operation and more information about programs and services sponsored by Health & Wellness Services, please visit <http://www.kutztown.edu/healthandwellness>.

Health Promotion and Alcohol & Other Drug Services

A full-time director for Health Promotion and Alcohol and Other Drug (HPAOD) Services and a team of graduate and undergraduate students provides activities and programs that encourage healthy lifestyle choices.

Health Promotion services feature peer-to-peer educators who plan, organize, and implement educational prevention wellness programs. Some of the activities include health expos, wellness prevention programs, drop-in wellness days, and interactive educational displays for students. The office is open during the weekdays and by appointment. Call 610-683-4240 for more information.

Alcohol and other drugs (AOD) programming provides campus and community support in implementing strategies to reduce high-risk drinking and other drug use. Staff members conduct campus alcohol risk assessments, facilitate BASICS (Brief Alcohol Screening and Intervention for College Students) and CASICS (Cannabis Screening and Intervention for College Students). AOD services coordinates an alcohol education program for first-year undergraduate students. Also, Freedom Place is a special interest housing community for students interested in living and learning with other students who share similar substance-free lifestyle values. Students who seek collegiate recovery support and recovery support advocates meet weekly in the Health and Wellness Center.

Confidentiality

To ensure compliance with FERPA (Family Education Rights and Privacy Act) and HIPAA (Health Insurance Portability and Accountability Act), the Health Center adheres to the procedures established to protect health information of the students.

International Student Services & Study Abroad / Away

International Student Services

Kutztown University recognizes that international students studying at KU have a unique set of needs, including adjusting to a new country and educational system as well as learning the rules and regulations of maintaining their F-1 or J-1 nonimmigrant student status. The Office of International Education and Global Engagement has been designated to assist international students with their adjustments to the U.S. and KU, and in their interaction with the Students and Exchange Visitor Program (SEVP).

Study Abroad/Away

The Office of International Education and Global Engagement provides study abroad/away advising to all Kutztown University students interested in short-term or semester experiences. KU students have the option to participate in traditional study abroad or exchange programs, international internships and research opportunities, KU-Led programs with faculty or staff, regional or international conferences, and more!

The International Office is available to assist students in-person and virtually and provides many resources on the following website: www.kutztown.edu/international.

KU Identification (ID) Cards

The ID card is an official Kutztown University photo ID card. In addition to identifying the relationship to Kutztown University, the card provides access to campus events and activities, residence halls/other buildings, the Library, meal plans, flex dollars, and Bear Bucks which can only be used via the ID card.

All Kutztown University ID cards are issued by the KU Card Office located in the Academic Forum room 107. Each cardholder is permitted to have only one valid card at any time. A fee is charged for each new ID card issued. Each potential cardholder must present a photo ID showing his/her name, and the photo on the ID must resemble the potential cardholder before a KU ID photo will be taken. The cost for a Kutztown University ID card is \$15. Undergraduate students who pay the advanced registration deposit have their first ID charge included in the fee. The application fee for Master students includes the ID charge. Master students whose application fees are waived by the university also have their first ID fee waived. All other students who have not paid one of the inclusive fees above or had it waived, will have an "ID Fee" added to their University student account, payable online or at the Office of Student Accounts located in the Stratton Administration Center room 225.

The replacement fee for a lost or stolen student ID card is \$15. The replacement fee also applies to legal name changes. Visibly damaged cards (e.g., visible scratches on the back-mag stripe, holes punched in the card, etc.) also carry a replacement fee. Non-functioning cards with no visible damage, faded or unrecognizable photos, or cards where the University has made an error, will be replaced at no charge if the nonfunctioning card is turned in to KU Card Office.

A student ID card does not expire but is suspended indefinitely when the student leaves the university. Students are not required to relinquish their cards when they leave or graduate from the University.

The KU ID card should be in the cardholder's possession at all times. Cards may be confiscated if presented by someone other than the cardholder or if the card is or was used inappropriately or illegally. Fraudulent use of the card, the data printed on it, or the data encoded on its magnetic stripe may result in disciplinary action.

Tampering with a KU ID card, attaching labels or stickers or punching holes in the KU card is prohibited. Any of these actions could interfere with the electronic reading of the card. Any alteration or fabrication of the card will subject the holder to disciplinary action by the University.

Use of the KU ID card indicates agreement to the terms and conditions that govern its use. Changes in the terms and conditions will apply to all cards in circulation and in use at that time and will supersede the terms and conditions in effect at the time the card was acquired.

The Cardholder is responsible for the security of the card, the information printed on it, and the information encoded in the magnetic stripe. If a card is lost or stolen, it is up to the cardholder to suspend the card to prevent fraudulent use. If the cardholder finds the card and has suspended it online, he or she can reinstate it online as well. If the card is suspended by the KU Card Office, the cardholder must bring the found card into the KU Card Office for photo verification before the card can be reinstated. Once a card has been removed from the card system (i.e., replaced with another card with a new card number) it cannot be reinstated.

The rights and privileges associated with the card are non-transferable and are contingent upon active status with the University.

Cardholder information is confidential as defined by FERPA; the KU Card Office must comply with all government agencies and with Kutztown University's Office of Public Safety and Police Services to aid with investigations. Information is shared with other University offices on a need-to-know basis.

Kutztown University Student Services, Inc. (KUSI)

(KUSI) Kutztown University Student Services, Inc. (KUSI) is an independent, non-profit affiliate of Kutztown University. KUSI works with the University and the Student Government Board (SGB) to provide free and low-cost services to students and student-led organizations. As the student non-profit corporation, KUSI contributes its operating surplus to student organizations, student scholarships, and campus athletics. KUSI offers a multitude of services to students through its operating divisions including the KUSI Service Center, KU Campus Store and Dixon Marketplace. For additional information, please visit the KUSI website at www.kutztown.edu/kusi.

KUSI Service Center

KUSI Service Center, in MSU Room 171, provides a multitude of accounting and auxiliary services to students and student-led organizations. The service center provides SGA Accounting services (such as deposits, purchase orders, funding requests, private accounts and cash boxes) to all sponsored and registered student organizations on campus. The KUSI Service Center further supports student organizations through the SGA budgeting process and funding initiatives, along with SGA vehicle rentals and copier services for eligible organizations. KUSI Service Center also oversees a variety of student-related Auxiliary services, including campus laundry facilities, snack and beverage

vending machines, Micro-Fridge rentals, graduation regalia, Graduation Festival, and senior portraits. KUSSI Service Center may be contacted at (610) 683-4090 or kussi@kutztown.edu.

KU Campus Store

KU Campus Store, a division of KUSSI, is a one-stop shopping location for official KU apparel and gifts, tech accessories, snacks, required course materials, art supplies, and school supplies. KU Campus Store offers new, used, and digital course materials, as well as convenient online ordering and payment options. Every KU student has access to our Virtual Shelf app, which automatically generates a customized cart with all your required course materials at the lowest priced options available in our store. KU Campus Store offers a book voucher program to purchase course materials using financial aid obtained through Student Accounts. KU Campus Store is conveniently located on the lower level of the McFarland Student Union. For additional information, please contact the store at (610) 683-4099 or shop online at www.kubstore.com.

Dixon Marketplace (DXMP)

Dixon Marketplace, a division of KUSSI, is an on-campus marketplace of student goods, including convenience items, health & beauty aids, dorm and school supplies, trendy gifts, branded and non-branded apparel. Dixon Marketplace is located on the ground level of the Dixon Residence Hall. During the academic year Dixon Marketplace is open every day from noon until midnight, seven days a week. For additional information, please contact Dixon Marketplace at (610) 683-4966.

Learning with Technology

Technologies available at Kutztown University for student learning include teaching computer laboratories, mobile laptop computer labs, classroom technology audio/visual computer presentation systems, and general-purpose computing facilities.

The campus network provides Internet access to support the university mission. Students have access to wireless connectivity for personal devices across campus and access to wired connections in residential living facilities.

Kutztown University provides computer-enhanced classroom technology presentation systems in more than 200 classrooms, which includes twelve that are large venue lecture halls, using touch panel classroom technology to control computer projection equipment, a variety of instructional media equipment, sound and lighting. The theatre classrooms contain large projection screens, enhanced sound and lighting systems, optimized acoustics, ergonomic seating, and enhanced air exchange capability for our students.

The university maintains over 40 computer teaching classrooms or academic computing labs providing seating for students at 15 or more computers. Kutztown University has several active learning facilities including a Social Media/Analytics, Public Relations, and College of Business Active learning labs utilized to support various academic programs.

The campus currently provides approximately 1,300 computers for student learning located in the campus computer laboratory facilities, with a ratio of approximately 75% Windows to 25% Macintosh computers for student use across

the curriculum. A comprehensive lifecycle replenishment program has been established to keep computer technology current at Kutztown University.

Off-Campus Housing

Students seeking private off-campus housing can search via www.perchn.com.

Property owners will list vacancies directly to the site. Students can conduct off-campus-housing searches and see photos. Descriptions of listed properties are provided through the web site for prospective tenants. The university will assist in answering any questions regarding off-campus housing, and will also provide referrals for legal advice, when necessary.

The arrangements for off-campus housing are a private matter between a property owner and a prospective tenant. Kutztown University does not inspect, recommend, regulate, nor approve privately owned off-campus properties.

Parking Permits

Obtaining a Parking Permit

All students who wish to park a vehicle on campus must register the vehicle with KU Business Services by accessing the vehicle service page located in their MyKU account. After the vehicle is registered online and the registration fee paid, students MUST take the valid vehicle registration and their photo identification to room 107 of the Academic Forum, Monday through Friday from 8:00 a.m. to 4:30 p.m. to pick up their permanent decal.

Lot assignments will be designated upon registering the vehicle by the student's classification. Students must park in white-lined spaces only. Faculty and Staff spaces are designated by yellow lines. Acceptance of a permit from the University acknowledges the existence of the Kutztown University Motor Vehicle Regulations and the permit holder's responsibility for adherence to these University regulations. Copies of the complete Motor Vehicle Regulations can be viewed online at <https://www.kutztown.edu/about-ku/administrative-offices/public-safety-and-police-services/motor-vehicle-regulations.html>.

Registration Requirements

A valid driver's license or KU ID and the valid vehicle registration card MUST be presented to obtain a parking decal. A change in motor vehicle registration number, license plate number, owner's name or address, or vehicle must be immediately reported to the department. The cost for registering a vehicle is \$50 per semester or \$75 for the academic year.

Decal Display

In the event an unregistered vehicle is illegally parked on campus, the owner of the vehicle will be charged with the violation. Permits are to be installed as directed by KU Business Services and as noted on the instructions on the back of the decal. Improperly placed permits may result in the issuance of a parking ticket. Mutilated or defaced

decals will be considered invalid and must be replaced. Approval to utilize on-campus parking facilities terminates automatically upon expiration of the respective decal, whereupon the decal must be removed.

Temporary Placards

Should a registered vehicle be replaced, either temporarily or permanently, the person to whom the vehicle is registered may obtain a new decal or temporary placard free of charge. In any emergency case in which it is necessary to use a substitute vehicle, a temporary loaner vehicle permit may be picked up from KU Business Services during regular operating hours and after hours, from the Public Safety Communication Center.

Vehicle Replacement

When a registered vehicle is permanently replaced by another vehicle, the registration information must be entered into a student's MyKU account. The new registration card must be presented to KU Business Services to obtain a new permit. The old vehicle permit will become invalid.

Visitor Permits

All visitors are required to have a visitor placard displayed on their rearview mirror prior to parking on campus. A visitor is defined as someone who is visiting campus for reasons of friendship, business, duty, travel, or the like and is not a member of the KU student body, faculty, staff, emeriti or employed by a contractor of KU. Visitor hangtags may be obtained from KU Business Services.

To secure a temporary parking permit, a visitor must present their vehicle's registration and photo ID to KU Business Services during normal business hours. After normal operating hours and on weekends, temporary permits may be obtained from the Public Safety Communications Center located in the basement of Old Main (room 11).

Illegal Registration

Anyone who illegally registers or attempts to register a motor vehicle for another person, whether the other person is a student, employee, or other non-student, is subject to the fines for illegal registration and violations and may have their parking privileges revoked or their vehicle towed.

Fraudulent Use or Falsification of Registration or Decal

Anyone who willingly falsifies, omits information on, or forges a vehicle registration or parking decal or placard and/or attempts to misrepresent himself/herself is subject to being charged with violations of the Student Code of Conduct, revocation of parking privileges or towing of their vehicle.

Revocation of Parking Privileges

Permission to operate a motor vehicle on campus may be rescinded or suspended at the discretion of university authorities. Failure to comply with university regulations or any type of conduct which may reflect unfavorably upon the University will be valid reason for revocation.

Permit fees (All fees and costs are subject to change):

\$50.00 per semester

\$75.00 annually

Public Safety & Police Services

The Department of Public Safety and Police Services is responsible for promoting and maintaining a campus that feels safe and secure for all students, staff, faculty and visitors who are further served by the department through the protection of life and property, traffic and parking enforcement. Unique informational and training programs such as CPR and First Aid, Rape Aggression Defense (RAD) System, Emergency Preparedness Awareness, and Crime Prevention are offered to the KU community in support of the high quality of campus life.

As MPOETC (Municipal Police Officers Education & Training Commission) certified officers, the Police Department acts as any other law enforcement agency in the Commonwealth to prevent and respond to crime within the KU community. The department teams with local, state and federal agencies as needed to ensure a high degree of safety for all who are affiliated with KU.

The department also provides services such as educational programs, property engravers for identification of personal items, a jump box service for dead car batteries, after-hours replacement of lost or stolen KU ID cards, and on-campus safety escorts which are provided 24 hours a day. (Safety escorts can be requested by calling 610-683-4002 or by picking up any blue light emergency phone located across campus.) The department is located in I-wing of Old Main and is accessible through the entrance of the building on the Old Main Circle.

The non-emergency phone number is 610-683-4002 and the emergency number is 610-683-4001.

For more information, please visit www.kutztown.edu/publicsafety or send an email to publicsafety@kutztown.edu.

Opening and Closing of School

All students may have vehicles on campus at the beginning and end of each semester as specified by Public Safety. Though the vehicle need not be registered, it must be legally parked. Students must park in white lined areas only. Please check with Public Safety and Police Services to learn the valid dates for this “open parking.”

Safe Driving

The maximum speed limit on campus is (15) miles per hour, unless otherwise posted. Safe driving practices must be adhered to at all times. Violators will be fined and/or possibly lose their parking privilege.

Skateboards, Scooters, Hoverboards, Roller Skates, and Roller Blades Policy (STU-024)

To minimize the risk of personal injury and property damage upon the campus of Kutztown University:

- Due to concerns regarding fire safety and operator safety, the use, possession or storage of hoverboards and similar devices is not permitted anywhere on the Kutztown University campus.
- The use of skateboards, scooters, hoverboards, roller skates, or roller blades and similar devices – hereafter riding devices - is prohibited within all *buildings* upon the campus of Kutztown University.
- Riding devices, of any type, shall not be ridden upon any stairway, wall, bench, fountain, or other structure or facility or on or over landscaping, shrubbery, grass or flower beds. Operators may not do tricks or stunts. Such devices are limited to use as transportation.
- Riding devices may only be used upon pedestrian pathways. Riding such devices on roadways or in parking lots is strictly prohibited at all times – because the University has determined that such uses would present unacceptable risks of injury to riders and other users, and unacceptable impeding of motor vehicle traffic in such

areas. Also, the University may identify and by appropriate signage designate certain areas in which riding of any particular type of riding device is prohibited (e.g., it may designate certain pedestrian pathways as off-limits for skateboard riding because risk of personal injury are heightened due to steep grades or congestion). Persons riding such devices shall comply with all official traffic control devices and signs including posted signs prohibiting riding in a particular designated location. Device users may dismount and carry their devices across any pedestrian accessible area in which riding of such devices is prohibited.

- Every person operating a riding device in any pedestrian accessible area shall yield the right of way to pedestrians at all times.
- Every person riding a device shall ride their device in a controlled manner and shall exercise due care and reasonable caution to prevent injury to others, to self, or to property. Individuals using such devices upon the campus of Kutztown University do so at their own risk.
- Riding devices may not be operated two or more abreast on any pedestrian pathway, except as part of a university approved competition or function.

KU Alert Emergency Messaging Systems

In the event of an emergency, timely and accurate communication of information is critical. Current students' primary mobile phone number on record with KU will receive emergency text alerts automatically* via KU's mass text message warning system powered by Omnilert.

You can customize your account to add an additional mobile number (e.g., for your parents) and email address.

Kutztown University has developed a plan for emergency communication that utilizes multiple and redundant methods of communication and notification, in order to maximize the effectiveness and reach of the emergency information. For more information, please visit www.kutztown.edu/KUAlert.

**If desired, you may opt out of receiving these important text alerts by logging into the Omnilert portal with your KU credentials.*

Residence Life and Housing & Dining Services

The Residence Life and Housing & Dining Services offices are responsible for all aspects of students' residence on campus. The programs are designed to meet students' needs on the physical, emotional, interpersonal, and educational levels. Residence Life and Housing & Dining Services staff manage nine traditional halls, two suite-style halls, and two apartment-style villages which accommodate approximately 4,100 students. Each residence hall is managed and supervised by a Graduate Resident Director. There are 225-300 student staff serving as Desk Receptionists and Community Assistants to assist in providing a safe, congenial, and educationally supportive environment within the residence halls. Each staff team works with the residents of the hall to develop a strong sense of community within each hall; to explore personal and academic interests which enhance out-of-classroom learning; to develop strong interpersonal skills within a diverse population, and to plan and execute activities in which residents have an opportunity to develop leadership potential. Members of the Residence Life and Housing & Dining Services are available 24 hours a day, 7 days a week, to address questions, and refer students to the appropriate services when special needs arise. Students are encouraged to take advantage of the services and support that these staff members provide while making their residency a positive living-learning experience. The

two central office staffs coordinate the programs, its processes, and the facilities. Both offices are located in Old Main 106. Inquiries about the housing contract, eligibility for housing, room damages, facilities upkeep, the residence hall computer network, residence hall personnel, hall leadership, and programming resources, should be directed to the staff in this office.

Rohrbach Library

Rohrbach Library's collections, services and policies are primarily intended to serve the University community. During the fall and spring semesters, normal operating hours are:

- Monday–Thursday: 7:30 a.m. – midnight
- Friday: 7:30 a.m. – 5:00 p.m.
- Saturday: 9:00 a.m. – 5:00 p.m.
- Sunday: 2:00 p.m. – midnight

Exceptions to regular hours are posted at the library.

Collection Access

The library's online catalog allows users to search for books, journals, audiovisual materials, and more, as well as request items. Also, the library's webpage provides access to more than 90,000 journals electronically and links to numerous other resources.

Loan Periods

- Circulating Books: 28 days (1 renewal)
- Non-Circulating: Library Use Only
- Overnight Reserve: 1 day (no renewals)
- 3-day Reserve: 3 days (no renewals)
- 7-day Reserve: 7 days (no renewals)

Patrons must present their KU ID each time books are checked out. Patrons are notified of the due date at the time materials are checked out and assume responsibility for their prompt return. Failure to receive an overdue notice does not relieve patrons of fines.

Renewals

Regular circulating books may be renewed online or in person unless a hold has been placed on the item by another patron. Course reserve material may not be renewed.

Student Accounts

The Office of Student Accounts is located in Stratton Administration Building 225. They handle billing of tuition, required fees, housing and meal charges as well as items such as, but not limited to: Health Center fees, ID card fees, parking fines and adding Bear Bucks and Flex Dollars. All billing is done online in MyKU, with an email notification sent to the students' KU email account. Online payment options include credit card (for a non-refundable fee of

2.75% [subject to change]) and e-checks. In their office, they accept cash, checks, money orders, or certified funds. Sorry, no credit cards over the phone or in person for your security! Payments are expected by the due date to avoid late fees or account seals that could prohibit registration, or result in courses being dropped. Need help understanding your account or how to pay? Call them, they are happy to help! They also have a robust website with tons of information that can help you www.kutztown.edu/studentaccounts. Still have questions? You can email for assistance as well at studentaccounts@kutztown.edu.

Military and Veterans Affairs

KU offers many services for Veterans, military members, and their families. Veterans' liaisons are in key areas such as Admissions, Military & Veterans Services, Registrar's Office, Financial Aid, Student Accounts, Career Development Center, Disability Services, and Housing to name a few. Additionally, we offer:

1. Military and Veterans Services Office

The Military and Veterans Services is located on north campus in MSU 262 and is a vital hub where students can receive Veteran and military-related education benefits assistance, study, relax, grab a snack, recharge electronics, and have access to computers and printers. The officer offers a lounge area with a TV and kitchenette. Students can also meet other Veterans, Military-Affiliated students, and members of the. Please contact Military & Veterans Services at 610-683-1571 or veterans@kutztown.edu.

2. VA School Certifying Officer (Office of the Registrar)

Our VA School Certifying Officer (SCO) assists Veterans to initiate and maintain VA education benefits. Contact our SCO at 610-683-4505.

3. Special Interest Housing

KU offers a variety of specialized housing options that are built to enhance academic and social learning of our students outside of the classroom. Students using military benefits can enjoy priority housing assignments and the usual advantages of living on-campus, with the added benefit of living among a group of students who share similar interests or characteristics. Contact the Housing Office at housing@kutztown.edu.

4. Student Veterans Organization

The Student Veterans Association (SVA) is a recognized student organization and is also a Student Veterans of America chapter. SVA is open to current, former, and future military members, their families, and civilians. A few of the club's goals are to serve as student-veteran advocates, improve retention, serve the community, and provide networking and educational opportunities for academic and post-career growth. Contact the Student Veterans Association at military@kutztown.edu.

5. Army ROTC (Reserve Officers' Training Corps)

Army ROTC enables students to enroll in elective leadership and military courses in addition to their required courses. Army Reserve Officer Training Corps (ROTC) is one of the nation's top prestigious leadership programs, and it is considered an honor to participate in the program. You will gain important qualities including leadership skills, discipline, and maturity. Plus, you will have no trouble staying active and healthy. Students can take a class and participate in ROTC training without committing to service their freshman and sophomore years. Contact

ROTC at 610-758-3275 or <https://www.kutztown.edu/about-ku/administrative-offices/military-and-veterans-services.html>.

6. Military and Veterans Affairs Advisory Board

A committee of students, faculty members, administrative staff, and Veteran-related organizations who meet regularly to improve university services for our campus Veterans and Military-affiliated students.

Who can help?

KU's Office of Military & Veterans Services, Office of the Registrar, and Office of Student Accounts are knowledgeable of veteran and military-related benefits (e.g., VA GI Bill, EAP, TA) including available scholarships and tuition assistance options. Skilled veterans' liaisons from these offices are available to assist and guide you through the benefits process. They will help you understand government and military programs as well as Kutztown University policies as they relate to veterans and their families. Additionally, the Office of Admissions has a veterans' liaison who can assist you with admissions-related matters, and the Disability Services Office (DSO) can assist by providing reasonable accommodations for individuals with disabilities who are members of the university community (students and employees). For more information, please call: 610-683-4108 (TDD: 610-683-4499) or visit www.kutztown.edu/disabilityservices

Chapter Five



Involvement & Engagement

Dean of Students Office

The Office of the Dean of Students provides students, faculty, and staff a range of resources that support student success by promoting the critical importance of civility, self-accountability, responsible decision-making and community building. As part of the university's division of Enrollment Management and Student Affairs, our team of professionals build opportunities for students to become engaged in life outside the classroom, foster the overall development of students, enhance the learning experience for students, and value social justice and community building through intentionally designed programs and services.

Whatever your need or interest, we offer many ways to assist you and provide opportunities for learning and personal growth. You are encouraged to take full advantage of them. Contact this office at www.kutztown.edu/deanofstudents or deanofstudents@kutztown.edu.

Student Assistance

Student Assistance provides confidential and informal assistance services to Kutztown University students by providing information, guidance, and referrals in areas that interfere with students' academic and personal success. Student Assistance staff can:

- Help students problem-solve when life or school present challenges that are hard to navigate;
- Answer questions about KU and university processes and policies;
- Connect students with resources on- and off-campus to address challenges that make it hard to focus on school;
- Provide a network of support for students so they can keep moving forward.

Student Assistance is located in 119 Stratton Administration Center and is open during Kutztown University's standard office hours. Students can ask for assistance in the following ways:

- Schedule an appointment through this link: [Schedule a Meeting with Student Assistance](#)
- Complete the [Request for Student Assistance form](#)
- Email studentassistance@kutztown.edu
- Phone 610-683-1396

Find more information on the Student Assistance webpage: www.kutztown.edu/studentassistance.

KUBIT (Kutztown University Behavioral Intervention Team)

The KUBIT team works to provide a safe and caring campus environment by intervening with students of concern before there is a significant problem. Team members include the Dean of Students, Associate Dean of Students for Student Conduct, Associate Dean of Students for Student Assistance, and Directors of Health & Wellness, Public Safety, Counseling, and Residence Life. KUBIT meets weekly during the fall and spring semesters to identify students at risk, gather and evaluate information about students of concern, and intervene when necessary.

Concerns about a student can be referred to KUBIT in the following ways:

- Complete the [Student of Concern Referral Form](#)
- Phone 610-683-4075 or 610-683-1396
- Email kubit@kutztown.edu

Find more information on the KUBIT webpage: www.kutztown.edu/kubit.

NOTE: *When there is an immediate concern about safety, call Public Safety at 610-683-4001 or 911 **FIRST**, then refer the student situation to KUBIT.*

McFarland Student Union

The McFarland Student Union is known on campus as the “MSU.” It serves as the living room of the campus community for casual conversation or meals before and after class activities. The building is designed as the hub of the University and provides multiple lounges and amenities to enhance the collegiate environment. On the main floor, you can find the university’s information desk. The information desk is a great place to visit if you have questions about campus, or can’t seem to find your way. The information desk is also the home of the university’s Lost and Found. The building boasts many technological resources including a 29 PC print lab with 28” computer monitors and print station to support academic enrichment. We also offer ADA listening devices, Extron classroom technology, webinar, and conference support for all guests. Over 50 access points throughout the building provides a strong Wi-Fi connection in every area of the MSU. The MSU proudly boasts 3 Art Galleries: The Bear’s Den Art Gallery, The Brass Rail Gallery, and the Corner Gallery.

Multiple lounges throughout the 103,000 square foot facility provide students and guests with plenty of space to relax independently or engage with friends and colleagues. The fireside lounge is available for quiet study and has a working fireplace with lounge furniture and additional seating on the second-floor mezzanine. The Bear’s Den and mezzanine have been renovated and expanded to provide an open concept lounge, bar style seating, and group work space for student study groups. Large screen TV’s, lounge furniture, large tables, and additional outlets for supporting smart phones, laptops, iPads, etc. for independent or collaborative group work are provided. A small conference room located in the mezzanine can be accessed through the MSU Information Desk. The Bear’s Den Lounge has an expansive area for comfortable seating while listening to University entertainers in the performance area as well as KUR (Kutztown University’s student run radio station). A designated commuter student lounge has been upgraded with additional computers and study tables that contain multiple USB ports, network access and power outlets to accommodate all of your technology devices. Additionally, the commuter lounge has comfortable lounge furniture and a kitchenette with a sink, microwave, Keurig, and refrigerator/freezer to accommodate the commuting student’s experience.

The McFarland Student Union Operations office is located on the second floor behind the Information Desk. Employees work to support the daily operations for events, programs and services and assist more the 7,000 guests daily. The staff members include student information desk workers, production assistants, Building Assistants and Managers who, along with a dedicated professional staff are always willing to provide information and support to your event or program.

Finally, there is plenty to do in the building, grab a quick meal at the Cub Café or drop by Starbucks for a coffee, dessert, or sandwich, then head to a meeting or event coordinated by one of University departments or student organizations. Stop in to one of the student organization offices: Community Outreach Center, Student Government Board, Kutztown University Activities Board, Greek Life, Gamers of Kutztown, KU Radio, and the Keystone Newspaper. The MSU is the

home to our newly established E-sports area located in room 157. Remember to drop by the Campus Store for all of your textbook and classroom needs, as well as to check out the latest in KU gear and apparel!

Student Involvement

The Office for Student Involvement provides students with numerous opportunities in which to invest leisure time and to learn and develop outside the formal academic environment. In addition, it offers a variety of resources and services designed to support a well-balanced, year-round program for student engagement and development. The office officially recognizes an abundance of organizations in the following categories: academic departmental, academic honor, academic professional, civic engagement, diversified focus, faith based, Greek, media and publications, recreational and sports clubs, residence halls, special interest, and visual and performing arts.

Students are also encouraged to participate in the planning and production of campus activities, thereby improving leadership, interpersonal and social skills. Through the Kutztown University Activities Board (KUAB), a student organization under the auspices of the office, student leaders provide the University community with a diversified schedule of social, cultural, intellectual, and leisure activities. Some of these programs include guest speakers, artistic performances, comedy performances, dance parties, welcome week events, Homecoming festivities, and evening events.

The office works closely with the Kutztown University Activities Board [KUAB].

The office coordinates activities and events for students (including Welcome Week, Homecoming, etc.), provides resources and maintains records for student organizations. In this office you will find the senior director, assistant director for student involvement and community outreach, the office coordinator, graduate assistants, graphic design students and undergraduate event coordinators. Contact this office at 610-683-1383 or at involvement@kutztown.edu.

Student Government Association

All students enrolled at Kutztown University are members of Student Government Association (SGA) upon payment of the Student Activity Fee. Kutztown University Student Services, Inc. (KUSSI) is responsible for all of the SGA assets and is authorized by the University President to administer certain financial operations through SGA for the benefit of the students. The Student Government Board (SGB) is the legislative body governing SGA. KUSSI works closely with the SGB to provide financial assistance and other support services to students and student-led organizations at Kutztown University. Access to funding and free/low cost services is contingent upon the adherence to certain standards as determined by the Student Government Board (SGB). For more information on these policies, please contact the SGB Office at 610-683-4045 or email SGB@kutztown.edu or visit the SGB at <https://engage.kutztown.edu/organization/student-government-board>.

Student Organization Involvement

Kutztown University supports a variety of student organizations based on a belief in their co-curricular value as part of the general education of students, and as an asset to the University community. Students have the opportunity to participate in activities that are athletic, literary, pre-professional, religious, social, artistic, political, or special interest in nature. No matter what one's interests are, Kutztown probably has an organization that will help prepare a student for a career in their chosen field. If not, the office will help a student tailor make an organization to fit their specific needs and interests.

KU recognizes the valuable experiences that students can gain through involvement in co-curricular organizations and activities. This involvement allows students to develop and apply leadership skills outside the formal academic arena. Involvement in campus organizations provides members with opportunities to develop lasting friendships which enhance the college experience. In addition, organizational involvement is a great resume builder that interests prospective employers.

Eligibility Requirements for Membership

Membership in any registered student organization is open to those students on the basis of personal interest, ability and performance who meet the following minimum criteria:

- Enrolled as a Student Activity Fee paying student during each semester of membership;
- Satisfy the membership requirements of the organization;
- Kutztown University employees and alumni may be non-voting members.

Eligibility Requirements for Leadership Positions

While the minimum eligibility requirements for holding an office/ leadership position within student organizations are similar to those of membership, student leaders are often held to higher standards. Organizations may establish higher requirements for participation or leadership, but may not waive these minimum membership requirements. Any student organization leader must:

- Be enrolled as a Student Activity Fee paying student during each semester of leadership;
- Maintain a Grade Point Average of at least 2.0;
- Remain in good standing (not on academic or disciplinary probation) during each semester of membership; and free of holds on University records; and
- Kutztown University employees and alumni may not hold office.

Registration of a Student Organization

Any student organization which develops objectives that are consistent with the mission of the University is eligible for registration. It is recommended that a student organization have 10 members to start, but at minimum must be able to list four officers and at least one staff/faculty as an advisor.

Any group of students wishing to begin a new student organization must petition the University for official recognition by completing an online form and attending a session for students wishing to start a new organization. Once an online form is completed, and a session is attended, the organization approval can be considered. The online form can be found on ENGAGE at <https://engage.kutztown.edu>. Click "Sign In" on the upper right corner. Click the Organizations. Then, click the "register a new organization" button.

There is a three-tier pyramid classification system of student organizations. Although the privileges and responsibilities increase as a group moves higher in the pyramid, all groups must register with the Office for Student Involvement each academic year and update the registration form each time any information changes.

Organization Classification System

Different students have varied levels of interest and participation in student organizations. In order to meet these varied needs, there is a three-tier system that exists in order for student organizations to become recognized by either the University or the Student Government Association, or both. REGISTERED student organizations usually include those groups that simply want to reserve University facilities for meetings and programs. These groups may be granted the following University privileges by meeting the requirements for registration (enrolled, activity fee, paying students, organization member requirements, good academic and financial standing with the university).

Groups with registered status have the following privileges:

- Use of “Kutztown University” as part of the organization’s name;
- Use of University facilities for organization meetings and programs;
- Limited participation in the campus sales and solicitation process;
- Utilization of the campus circulated mail service;
- Use of bulletin boards, activities calendar, Bear Essentials, and KU Daily Brief for advertising which conforms to regulations;
- Use of Engage software program for enhanced engagement; and
- Other appropriate privileges as approved by the president of Kutztown University.

SGA-Maroon Status

Organizations are those groups that meet eligibility criteria as determined by the Student Government Association and have met the University registration requirements for a minimum of fifteen consecutive academic weeks. Typically, these groups are organizations that are more structured in nature, sponsor various organized activities, and wish to utilize the various services offered by the SGA or KUSSI. Additionally, these groups serve the Kutztown University community by providing opportunities for development in such aspects of life as intellectual, aesthetic, physical, spiritual and social, and serve the special interests of its membership as indicated by the organization’s mission and bylaws. Privileges of SGA-Maroon status organizations are plentiful. They include:

- All privileges accorded to registered organizations;
- Use of SGA-owned equipment and resources for organization functions, including vehicles, copier, fax machine, and SGB office telephone;
- Use of the “SGA-Maroon status” title in information; and
- Other appropriate privileges as approved by the president of the University and/or the Student Government Board.

Before SGA-Maroon Status can be granted, a student organization must submit an application to the Student Government Board and develop a mission statement and constitution. That mission statement must then be approved by the Student Government Board, the University President, or designee.

SGA-Maroon Status groups must utilize the SGA accounting resources for all financial activity and maintain compliance with University and SGA regulations. They also must submit a monthly student organization Activity Report to the

Secretary of the Student Government Board via the Office for Student Involvement. Their mission statement and bylaws must be approved by the Student Government Board before being granted SGA-Maroon Status.

SGA-Gold Status

SGA-Gold Status organizations have a great deal of autonomy on campus, but are also subject to stringent regulations of the Student Government Association. These groups typically are those that serve the general purpose of the Kutztown University community by providing opportunities for development in such aspects of life as intellectual, aesthetic, physical, spiritual and social, often including campus-wide programs in addition to those specifically designed to support the purpose of the organizations as stated in its mission statement and bylaws.

Privileges of SGA-Gold Status organizations are abundant. They include:

- All privileges accorded to SGA-maroon status organizations;
- Eligibility for SGA funding as allocated during the SGB budget process;
- Use of the “SGA-Gold” title in communications and information; and
- Other appropriate privileges as approved by the President of the University and the SGB.

In order to be eligible to apply for SGA-Gold Status, an organization must fulfill University registration requirements, maintain SGA-Maroon Status for fifteen consecutive academic weeks, and request a change of status including a copy of its mission statement and constitution. Its membership must be open to all members of the Student Government Association. SGA-Gold Status groups must utilize the SGA accounting resources for all financial activity and maintain compliance with University and SGA regulations. They also may submit a monthly student organization Activity Report to the Secretary of Student Government Board via the Office for Student Involvement.

For more information on student engagement opportunities, please review the SGB Standing Committees. A complete description of the procedures for registering a student organization or applying for SGA-Maroon or SGA-Gold Status may be obtained from the Office for Student Involvement located MSU 153 or at 610- 683-1383.

Advisors

Student organizations at Kutztown are autonomous and are, therefore, comprised of students and promote traditions and new initiations for students. Each is also a part of KU, a community of students, faculty, and staff together. This relationship is represented by the role of faculty/staff advisors to student groups.

Students are encouraged to develop strong functional relationships with their advisors to promote learning and development for their members and the KU community.

Prior to registering each year, all organizations must enlist the service of a full-time member of the faculty or staff to serve as an advisor to the organization. Often filling many roles, the advisor assists the organization with meeting its objectives while ensuring that all activities are in compliance with University rules and regulations and local, state, and federal laws.

Student Organization Monthly Activity Reports

Gold and Maroon status organizations may submit monthly SGB activity reports to the Student Involvement Office, MSU 153.

Complete membership lists and financial statements should be available upon request by the Director. Any changes in information occurring during the academic year should be reported in writing to the Director within one week of the change.

Compliance with Kutztown University's Regulations and the Law

Student organizations that support an organized program of activities play an important part in total university life and must, therefore, exercise judgment and responsibility, individually, as members, and collectively as organizations.

The purpose and activities of each student organization will conform to and comply with federal, state and local laws and policies and regulations of Kutztown University and the Student Government Association. Student organizations and their officers and advisors are responsible and accountable for all actions of the organization. Any violations of law or rules and regulations of Kutztown University or its Student Government Association may be considered violations by the organization and its officers and shall be processed in accordance with the *Document on Student Rights and Welfare*, *Student Code of Conduct* and *Student Organization Conduct Review Process*, as well as federal and state law. Advisors and officers are liable only when violations of law are observed and reasonable steps are not taken to terminate and/or prevent a reoccurrence of unlawful activity by an announcement that Commonwealth laws will be followed and an expulsion of the offenders from the premises occurs.

Organizations which violate Kutztown University or Student Government regulations are subject to disciplinary action. Such action may include, but not be limited to:

- Limitation of privileges;
- Temporary suspension of the organization's activities;
- Withdrawal of registration, recognition, or sponsorship of the organization; or disciplinary action through the office of the Dean of Students

University Support of Student Organizations

The University is committed to maintaining itself as a place where students and student groups are exposed to and learn from their contact with a wide array of viewpoints and ideas. Therefore, it discourages, to the extent that it can without infringing unduly on personal, political or religious liberty, those forms of activity and association, which close students off from new and/or different ideas.

The University recognizes that somewhat exclusive student organizations and groups may be necessary for the nurturing of minority ideas, and by doing so may contribute over the long run to the richness of intellectual and social life of the individual as well as the campus as a whole. However, the University strongly discourages organizations or groupings, which undermine the intellectual and/or social development of students either by extreme isolation of members from other students on campus, or by such a closely-knit structure that students in the group lose their individuality. In order to comply with the University's commitment to non-discrimination, no organization shall illegally discriminate on the basis of race, ethnicity, gender, age, national origin, religion, disability, marital status, sexual orientation, parental status, or veteran's status.

Registration of a student organization by the University shall not imply support for any student organization's purpose, philosophy, or activity. The University will not assume any legal liability for activities of student organizations. In acknowledgment of this fact, in seeking, securing and maintaining the privilege to be a registered organization, each

student organization must agree, in writing, to abide by all pertinent University policies and regulations and to hold harmless the University for any actions of the club or organization.

Student Organizations

More than 180 student clubs register with Student Involvement Office each year. Information regarding student organizations can be obtained from the Office for Student Involvement located in MSU 153. Drop by to gather more information or contact the office via telephone at 610-683-1383, via email at involvement@kutztown.edu, or visit the web site at www.kutztown.edu/involvement.

Student Government Board (SGB)

The Kutztown University Student Government Association (SGA) is Kutztown University's chief body of student government and is comprised of students who have paid the Student Activity Fee entering each semester of matriculation. This fee, mandatory for all undergraduate students who are registered for four or more credits, is used to create a programming budget for student organizations, auxiliary services, and special Student Government-supported programs.

The SGA is governed by its constitution and is managed by 32 elected student officials who serve as members of the Student Government Board (see Bylaws of the Student Government Board). Members are elected to two-semester terms by a vote of the SGA. The SGB is led by the Executive Council, including the President, Vice-President, Parliamentarian, Treasurer, and Secretary.

The major functions of the SGB are to represent student opinion to the administration and faculty, to oversee the committee system and the administration of the Student Activity Fee fund, and to encourage discussion of important community issues within the student body. The SGB selects students to serve on the many administrative, faculty, and University & SGB committees. New appointments are made regularly, allowing many students the opportunity to participate in committees and to become involved in the University community. The Student Government Board has been influential in shaping and reacting to University policies, as well as developing or supporting innovative programs for students. However, it is best recognized for administering the budget associated with the Student Activity Fee, allocating more than \$2 million to student organizations, the athletic program, special SGB-supported projects, and other related activities and programs.

The SGB meets on every Tuesday that classes are in session at 5 p.m. in the McFarland Student Union, in the Formal Dining Room. The organization utilizes *Robert's Rules of Order* in its decision-making process and all SGB meetings are open to the entire University community.

Kutztown University Activities Board (KUAB)

One of the best ways to be involved on campus is to be part of the Kutztown University Activities Board (KUAB). KUAB is a student organization that selects and implements a diverse series of events for the student body.

The mission of KUAB is threefold:

- To create an atmosphere of social, cultural, and community awareness through diverse programming;
- To maximize student learning and personal enrichment through the provision of programs that complement the curriculum;

Involvement & Engagement

- To serve as social outlets which allow for the constructive use of free time.

Membership is open to any student who pays the student activity fee and meets the following criteria:

- 2.0 GPA; and
- Student must attend two consecutive KUAB general board meetings, one KUAB event and one committee meeting.

KUAB designs and coordinates a wide variety of programming including lectures, debates, musical performances, off campus day trips, tournaments as well as supporting University-wide events such as Welcome Week, Family Day, and Homecoming. The executive board of KUAB consists of four members: President, Vice-President, Treasurer, and Secretary.

In addition to the executive board, there are four committees, which coordinate all aspects of specific events. These include social media, fundraising, social diversity and recruitment.

KUAB can be contacted via email at kuab@kutztown.edu or by visiting MSU 166.

Recreational and Sports Club Council (RSCC)

This organization oversees the governance of and allocation of funds to all recreational and sports clubs. In addition, RSCC works to ensure that there are numerous opportunities for various types of structured, recreational and competitive outlets for all KU students. For more information, please contact the Recreational Services Office at 484-646-4214.

Student Athletic Advisory Council (SAAC)

The mission of the Kutztown University Student Athletic Advisory Council (SAAC) will be to deliver an open line of communication between athletes and campus administration, as well as improving the overall student athlete experience. We will do this by developing our leadership skills, supporting student athlete wellbeing, and growing into well rounded individuals while upholding and endorsing a positive representation of the campus of Kutztown University and in the borough of Kutztown, through community involvement and other SAAC sponsored events.

Residence Hall Association (RHA)

Every residence hall student is a member of the Residence Hall Association (RHA). RHA is a federation of residence hall governments. It provides a governmental structure as well as an informal forum to foster communication between students, staff, faculty, and administration. Although each residence hall student is a member of RHA, they operate on a representative voting system through the hall councils. The Residence Hall Association is led by an elected Executive Board of five positions. RHA provides the Residence Life and Housing & Dining Services offices with the students' viewpoint on important issues pertaining to life in the residence halls. RHA also provides a wide range of services, including social, recreational, and educational programs to meet the needs and interests of residence hall students. All meetings are open to any resident student. Meetings are held each Monday at 6 p.m. in the Dixon Hall Conference Room.

United Greek Council (UGC)

The United Greek Council (UGC) of Kutztown University is the programming organization for all social fraternities and sororities on campus. All recognized chapters at KU serve as the delegation to UGC. Individual members of the fraternity and sorority community are elected or appointed to executive board positions and committees.

Involvement & Engagement

All fraternal organizations were founded on the principles of scholarship, leadership, service, and fellowship. Because of this, the United Greek Council exists to promote a collaborative pursuit of excellence among these four pillars. UGC is involved in planning and participating in various educational and social programs throughout the year. Some of these programs/events include:

- Welcome Week Events
- National Hazing Prevention Week
- Meet the Greeks
- Homecoming events
- Educational programming on topics such as alcohol awareness and sexual assault prevention
- Sponsorship of student delegates to regional and national Greek conferences and leadership institutes
- Leadership workshops
- Stompin' Grounds Yard show
- Greek Week

There are three governing councils that fall under UGC: College Panhellenic Council (CPC), Kutztown Fraternal Council (KFC), and Multicultural Greek Council (MGC). These councils provide governance and programming to their respective member chapters and coordinate recruitment/intake efforts on campus.

In addition to programming and educational efforts through all four Greek councils on campus, each recognized chapter sponsors programs for their members and the campus community throughout the year. UGC is a standing committee represented on the Student Government Board.

If you are interested in learning more about becoming involved with Greek Life on campus or about upcoming events, please visit MSU 153, or call 610-683-4043.

Please visit the Greek Life Services home page at www.kutztown.edu/involvement for more information.

Diversity Council (DC)

The Diversity Council is a diversity focused organization that serves as a forum to address the concerns that diverse communities face both within the campus community and beyond to the Student Government Board and administration. The DC consists of diversified organizations with a dedication to issues such as women's and gender rights, the LGBTQ+ community, disabilities, multicultural issues, faith & spirituality, international students, socioeconomic issues, and veteran's and military affairs. Any organization that chooses to be a part of the Diversity Council can have up to two representatives attend the meetings. Organizations in DC can also collaborate on programs and events and request funding. The Diversity Council also appoints 5 students to the Commission on Human Diversity. To join or for more information please contact the Multicultural Services Director or the Chief Diversity Officer

Greek Life

Involvement in a fraternal organization can be very rewarding. There are many opportunities to gain valuable leadership experiences and make friendships that will last a lifetime.

Greek Life Services provides guidance and support to all nationally affiliated fraternities and sororities at Kutztown University and coordinates hazing prevention programming. Housed in the Office of Student Involvement all councils and chapters are assisted in the areas of scholarship development, leadership development, recruitment/ intake, new member education, community service/philanthropy, risk management, and programming.

To find out more information about Greek Life or the services provided, please drop by the Student Involvement Office in MSU 153 or call 610-683-4043.

Greek Letter Organizations Expansion Policy

Kutztown University's Greek community is proud of the accomplishments achieved over the last several years and the United Greek Council continues to be a part of leading such a transformation. This outlined expansion policy has been created to ensure controlled growth while maintaining a stable, viable membership in the existing groups. As we look to the future of Greek life at Kutztown, we must also continue to focus on the existing chapters and work to improve the community internally, which may result in a lowered need for future expansion.

As our chapters become stronger and continuously strive for excellence, our community also recognizes the importance of healthy and sustainable growth from the expansion and re-founding of new and/or existing chapters. Each expansion process is unique, but similar in the fact that colonizations require a cohesive effort from all parties. Specifically, the students, national organizations, and university representatives must work together in order to develop successful new colonies and organizations that thrive.

Kutztown University does not recognize local organizations, described as fraternities or sororities, which are not full members of one of the following umbrella organizations.

- A. The National Panhellenic Conference (NPC)
- B. The National Pan-Hellenic Conference (NPHC)
- C. The National Interfraternity Conference (NIC)
- D. The National Latin Fraternal Organization (NALFO)
- E. The National Multicultural Greek Council (NMGC)
- F. The National APIA Panhellenic Association (NAPA)

The Office of Student Involvement also recognizes and respects alumni of former organizations and therefore may attempt to bring back organizations who had previously been members of the Kutztown University Greek community before bringing new chapters onto campus.

Governing Council Recognition/Extension Policies & Procedures

A. Kutztown Fraternal Council:

1. The KFC will allow expansion/extension to take place every 2- 4 calendar years.
2. KFC, in collaboration with and support of the Office of Student Involvement, will only permit one organization to expand/extend as a new organization for four consecutive semesters. During this time no other organization may expand or form. If, after two years, the new organization does not become a chartered organization, the group may not proceed further to organize on campus.

B. Panhellenic Council:

1. Will follow the extension/ expansion guidelines and procedures outlined in the Panhellenic Conference Manual of Information. The manual states that expansion will be considered once formal recruitment has taken place and a number of women have not been able to affiliate with the existing groups on campus.
2. Through the use of an exploratory committee and with NPC guidance, CPC may choose to increase total for the existing chapters or open the campus for expansion.
3. CPC, in collaboration with and support of the Office of Student Involvement, will only permit one organization to expand/ extend as a new organization for four consecutive semesters. During this time no other organization may expand or form. If, after two years, the new organization does not become a chartered organization, the group may not proceed further to organize on campus.

C. Multicultural Greek Council:

1. Will support and expand in working with the Office of Student Involvement to network and partner with a National Organization during the expansion process.
2. All interest groups will work closely with the Office of Student Involvement for direction and advisement regarding expansion and recognition.
3. MGC, in collaboration with and support of the Office of Student Involvement, will only permit one organization to expand/ extend as a new organization for four consecutive semesters. During this time no other organization may expand or form. If, after two years, the colony does not become a chartered organization, the group may not proceed further to organize on campus.

Steps to Becoming a Recognized Organization

A. Interest Group

1. The interest group must submit the "Application to Form a Greek- Letter Fraternal Organization" packet to the Assistant Director of the Student Involvement office.
2. The application must also include the name and contact information of the group's advisor, who is a current faculty or staff member at Kutztown University.
3. The Assistant Director will review the packet and pending a positive review, will forward the packet onto UGC for a vote on expansion. For details on new application criteria, please see the document, "Application packet procedures."
4. The requesting group's proposal will be placed on the agenda at a UGC meeting to be held two weeks from the date of a positive review from the Assistant Director. The interest group must present any and all relevant information to UGC in order to help it make an informed decision. Three-fourths of the UGC voting organizations must approve the request for expansion. The group's application will then proceed to the Dean of Students for a final approval.
5. If UGC declines the interest group's proposal, the group can appeal the decision in writing to the Dean of Students within 10 business days. If the Director upholds the decision made by UGC, the group may not proceed further to attempt to organize on campus. If the Director reverses the UGC decision, the interest group must represent to UGC with new information.

B. New Organization

1. Once UGC has endorsed the interest group as a new organization, it will be given Provisional Recognition status and has one year to complete the expectations outlined below. The group will then apply for recognition to one of the three governing bodies: KFC, CPC, or MGC. Throughout the process, UGC will provide a mentorship program for the new group.

2. As a new organization, the group must:
 - a. Meet with its faculty advisor and the Assistant Director of Student Involvement at least once a month.
 - b. Utilize an alumni advisory board and forward names and contact information to the Office of Student Involvement.
 - c. Provide the Office of Student Involvement with a calendar of all group events at the beginning of each academic semester. It is recommended that the group perform some type of community service during the colonization period.
 - d. Appoint a representative to attend all UGC meetings as well as the other governing body meetings (KFC, CPC, MGC) as appropriate.
 - e. Wait to begin recruiting potential new members until after the formal recruitment period is completed.
 - f. Assure that the group will follow the Anti-Hazing policies of Kutztown University and Pennsylvania State Law and forbid hazing within your organization. Once the new member education/intake process begins, the Anti-Hazing Agreement Form must be signed by all members.
 - g. Provide the Office of Student Involvement with a schedule of the new member education process at least three weeks before the educational process begins.
 - h. Provide the Office of Student Involvement a schedule of visiting national officers and meeting times as needed.
 - i. Adhere to all provisions concerning fraternities or sororities, as noted in the United Greek Council, Kutztown Fraternal Council, Panhellenic Council, and Multicultural Greek Council Constitution and By-Laws as well as the Student Code of Conduct.

C. Kutztown University expects the National Organization supporting the New Organization to:

1. Meet regularly with the group, at least once a month.
2. Provide staff to the new organization for one year during the expansion process.
3. Communicate regularly with the Assistant Director of Student Involvement on the group's status and progress.

D. Chartering

Upon completion of the items outlined above, the group will be formally reviewed by one of the three governing bodies: KFC, CPC, or MGC, the Assistant Director of Student Involvement. This presentation will be both oral and in writing to these groups. Upon approval, the group will move on to the final phase, chartering.

Multicultural Services

Our mission is to develop positive, forward-thinking individuals from diverse backgrounds by assisting them with attaining their academic goals and promoting multicultural competencies. Serving all Kutztown University students, our purpose is to provide activities and services focusing on the exploration of cultural and racial identity, awareness, and social exchange, as well as assist with personal and academic growth and leadership skills development. We attempt to provide a safe environment conducive to and encompassing concepts of community and unity.

We invite you to join our university family.

Multicultural Center (located on the DMZ) • 610-683-4807 • multicultural@kutztown.edu

LGBTQ+ Resource Center

The Kutztown University Lesbian, Gay, Bisexual, Transgender, and Questioning Resource Center's mission is to create a welcoming and inclusive campus for individuals of all genders and sexualities. The Center provides LGBTQ+ resources and support, educational workshops, programs that empower and promote diversity, and a safe space that embraces individuality, authenticity and equality. ALL members of the KU community are welcome in the LGBTQ+ resource center.

Our Goals:

The LGBTQ+ Resource Center advocates for the personal well-being and academic success of students who identify with the LGBTQ+ community; provides training sessions, discussion groups, campus-wide events and access to library resources that reflect and support a diverse campus, with a focus on equity and justice; creates a safe space that is open to productive discourse, free of all forms of discrimination, and welcoming to all; promotes education and understanding of the LGBTQ+ community through workshops, resource materials, and community outreach; and honors and celebrate the history and culture of the LGBTQ+ movement with an emphasis on intersectional identities and experiences.

The LGBTQ+ Resource Center works closely with the student club, Allies. To get involved and find more information, please visit: <https://www.kutztown.edu/about-ku/administrative-offices/lgbtq-resource-center.html>.

Boxwood House, across from Old Main • 484-646-4111 • lgbtqresourcecenter@kutztown.edu

Women's Center

The Kutztown University Women's Center strives to create a campus culture that supports gender equity and inclusion. Through our cultural and educational resource library and events, advocacy, prevention initiatives, and leadership opportunities, we are committed to fostering an environment that is safe, supportive, and empowering for all community members. ALL members of the KU community are welcome in the Women's Center.

Our Goals:

The Women's Center educates through diverse programs, trainings and discussion groups on interpersonal and global gender issues; increases awareness and celebrate the rich history of the feminist movement; encourages personal growth and intellectual development by empowering and engaging students as leaders, responsible community members, and change-agents in pursuit of feminist goals; provides a safe space and resources for students seeking support; supports the academic mission of the university, with a focus on collaboration with the Women's, Gender, and Sexuality Studies Minor; and partners and collaborates with campus and community constituents to create an environment free from gender-based violence and harassment while promoting a culture of respect.

The Women's Center works closely with the student clubs, the Feminist Majority Leadership Alliance, and the student chapter of It's On Us. To get involved and learn more, please visit: <https://www.kutztown.edu/about-ku/administrative-offices/womens-center.html>.

Boxwood House, across from Old Main • 610-683-4655 • womenscenter@kutztown.edu

Recreational Services

Recreational Service provides students with a variety of different options for recreating, maintaining or developing their physical fitness. In 2006, Kutztown University opened the doors to its new state-of-the-art Student Recreation Center, a dedicated facility for the development and enhancement of recreation on campus. Recreational Services has four main component areas for students— Open Recreation, Intramurals, Recreational & Sports Clubs and Group Fitness. For more information on all the activities available, please contact the department at 484-646-4200 or visit the website at www.kutztown.edu/recreation.

Student Recreation Center

Open Recreation is an unstructured recreational option for all students at KU and the Student Recreation Center (SRC) is the focal area of that program. The Student Recreation Center is equipped with a fitness center, two gyms, two racquetball courts, a running track, two dance studios and an indoor climbing wall. The 8,800 square feet fitness center includes a variety of Selectorized Equipment, free weights, over 45 cardiovascular pieces and a state-of-the-art entertainment system to enhance any workout. The West Gym, with its curved corners, recessed goals and multipurpose synthetic surface can be used for basketball, volleyball, badminton, hockey, soccer and lacrosse, while the wood floor East Gym can accommodate students interested in basketball, volleyball and badminton. Suspended above both gyms is a three-lane, 1/10th of a mile indoor track. Also located in the SRC is an indoor rock-climbing wall, which can be used for bouldering, top roping and lead climbing. Additionally, a full slate of group exercise classes are available to students in both the North and South Studios. Other amenities include an equipment check-out area, locker rooms and a lounge featuring a big screen TV, table tennis and pool tables.

In addition to the Student Recreation Center, other open recreation opportunities are available in the following facilities:

- Keystone Hall pool
- O’Pake Fieldhouse
- Tennis courts
- Outdoor track within the stadium
- Keystone Field

Intramurals

Intramurals (IM’s) are a collection of one-day tournaments, special events, and leagues that pit KU student organized teams against other KU student organized teams. IM’s vary in their competitiveness from activity to activity and from team to team. It provides all students an opportunity to participate in some type of activity as regularly as his or her interest, ability, and time will permit. Students will find throughout the course of the year that there is something for everyone. Leagues are classified as men’s, women’s or “co-rec” and some of the sports offered are: flag football, basketball, softball, volleyball, dodgeball, floor hockey, and soccer (Indoor & Outdoor). Recreational Services also offers a variety of individual league tournaments and special events. Some examples of these activities are: 3-on-3 Basketball Tournaments, a weekly Fantasy Football contest and a Home Run Derby.

Recreational & Sports Clubs

For students who are interested in gathering, participating, or competing as a group in an activity and are not interested in an intercollegiate sport we offer Recreational & Sports Clubs. Rec & Sports Clubs vary in their competitive scope; some are instructional while others are highly competitive and compete on a regional and national level. These clubs are

student run and have guidance from knowledgeable volunteer coaches and advisors. The Rec and Sports Club Council is the governing body for all of these clubs.

The following are a list of active Recreational and Sports Clubs: Bass Fishing, Black Flame Dance Team, Dance Team, Disc Golf, Equestrian, Esports, Fencing, Men's Golf, Ice Hockey, Men's Lacrosse, Outdoors Club, Performing Dance Portmanteau (PDP), Quidditch, Men's Rugby, Women's Rugby, Men's Soccer, Ultimate Frisbee and Men's Volleyball. Students interested in creating a new club must petition the RSCC for admission.

Group Exercise

Group Exercise offers a professionally led, organized workout in a variety of formats and intensities. No experience or advanced registration is required. All sessions are on a first come, first serve basis. For a complete schedule of sessions, visit the website www.kutztown.edu/recreation or check the schedule card at the Student Rec Center Info Desk.

Intercollegiate Athletics

The University supports a 23-sport intercollegiate athletic program that participates in Division II of the National Collegiate Athletic Association (NCAA) and is a member of the Pennsylvania State Athletic Conference (PSAC). They include: Baseball, Men's and Women's Basketball, Men's and Women's Cross Country, Field Hockey, Women's Golf, Football, Women's Soccer, Softball, Men's and Women's Swimming, Men's and Women's Tennis, Men's and Women's Track & Field (indoor and outdoor), Women's Bowling (competes as an Associate member of the East Coast Conference), Women's Lacrosse, Women's Volleyball, Women's Acrobatics and Tumbling and Men's Wrestling.

Eligibility

Students interested in participating on an intercollegiate athletic team should contact the coach as soon as possible. Students must be cleared medically and academically before they may participate. All potential athletes must be full-time students enrolled in a minimum of 12 credits before they may even practice. Tryouts are not necessarily conducted in each sport.

Incoming students must have been cleared through the NCAA Eligibility Center which requires an application, final high school transcripts, and SAT or ACT test scores. Initial eligibility will be determined through a sliding scale. Students who are not eligible as freshmen may be eligible to compete after completing 24 credits at the University. The initial eligibility center also requires amateurism certification.

Athletic scholarships are offered in each sport based upon recommendations initiated by the coach and are renewable each year.

Continuing Eligibility

To continue to be eligible to participate on an intercollegiate athletic team, students must be eligible under the rules of the NCAA. The basic continuing eligibility rules are that a student must remain in good academic standing (cannot be on probation) and maintain satisfactory progress (an average of 12 credits per full-time semester enrolled).

Questions relating specifically to eligibility should be directed to the Compliance Coordinator in the Athletic Department. Questions about the intercollegiate athletic program should be directed to the Director of Intercollegiate Athletics at 610-683- 4094 in Keystone Hall 105. Detailed information may also be obtained at www.kubears.com.

Student Government Association Constitution

PREAMBLE

In order for the students of Kutztown University of Pennsylvania to create a unified association of student government, to promote communication within the University, and to ensure the rights and privileges of all our constituents, we the students do hereby establish the Student Government Association of Kutztown University of Pennsylvania.

ARTICLE I. NAME

This association shall from henceforth be designated as the Student Government Association of Kutztown University of Pennsylvania.

ARTICLE II. MEMBERSHIP OF THE STUDENT GOVERNMENT ASSOCIATION

All students enrolled at Kutztown University shall be members of the Student Government Association (“SGA”) upon payment of the Student Activity Fee.

ARTICLE III. FUNCTIONS

The Student Government Association shall function as a collective body from which a Student Activity Fee shall be collected, and which shall elect as its executive and legislative body the Student Government Board as set forth in this document.

ARTICLE IV. COMPOSITION OF THE STUDENT GOVERNMENT BOARD

Section 1: The Student Government Association shall be represented by a minimum of thirty-two (32) voting members of the Student Government Board, in accordance with the composition formula set forth within the Redistribution Policy, including:

- (a) Representatives elected from the College of Business.
- (b) Representatives elected from the College of Education.
- (c) Representatives elected from the College of Liberal Arts and Sciences.
- (d) Representatives elected from the College of Visual & Performing Arts.
- (e) Representatives elected from the student body At-Large.
- (f) Representatives elected from the new students registered at Kutztown University with less than 21 credits.

Section 2: Members of the Student Government Board must be elected by the students in their select group or college (Article IV, Section 1).

Section 3: Members of the Student Government Board shall:

- (a) Be a constituent of their elected group (i.e., college or at-large) for the duration of their term of office. If a member’s college changes mid-term, said member will continue to represent the original constituent group until their term expires.
- (b) Represent the interests of their constituent group (Article IV, Section 1).
- (c) Represent the interests of the student body in all business brought before the Student Government Board.
- (d) Plan to serve for the duration of one year, with the exception of those members who have served on the board in the past and have less than one full year remaining; or members who were elected to fulfill a vacancy for the remainder of a term (Article VIII, Section 5).
- (e) Remain in good disciplinary standing.
- (f) Maintain a 2.3 cumulative grade point average during each semester of membership.

Section 4: The term of each Representative shall begin on June 1st and ends May 31st.

Section 5: There shall be no limitations on the number of terms a Representative may serve.

Section 6: If a college ceases to exist, the numbers will be redistributed in accordance to the Redistribution Policy.

Section 7: If the structure of the current colleges changes then the Student Government Board will reapportion constituencies in accordance with the Redistribution Policy.

ARTICLE V. EXECUTIVE COUNCIL

The executive power of the Student Government Board shall be vested in the Executive Council.

Section 1: The officers of the Student Government Board, in order of succession, shall consist of the President, Vice President, Parliamentarian, Treasurer, and Secretary.

Section 2: Each officer may serve in only one position at one time on the Executive Council of the Student Government Board.

Section 3: In order to be eligible to run for office, a representative must be a member of the Student Government Board for two semesters.

Section 4: At the first regular meeting after the regular election, the newly elected Student Government Board shall nominate representatives to serve as officers. During the following meeting, the newly elected Student Government Board shall vote by secret ballot to elect the new officers.

Section 5: Should a vacancy occur on the Executive Council during the academic year, nominations to fill the position shall be made at the next regular meeting, with an election to be held at the next regular meeting following nominations. The newly elected officer shall fulfill the remainder of the term.

ARTICLE VI. MEETINGS

Section 1: Regular meeting times shall be decided by the Student Government Board Executive Council.

Section 2: All special meetings shall be called by the Executive Council of the Student Government Board.

Section 3: All voting and standing members are expected to follow the Student Government Board Attendance Policy.

Section 4: All meetings will be open to the public with the exception of Executive Session in accordance with Robert's Rules of Order, Newly Revised.

ARTICLE VII. COMMITTEES

Section 1: All standing committees and non-standing committee chairpersons of the Student Government Board shall be designated by the Vice President of the Student Government Board in conjunction with a consensus of the Executive Council and the Student Government Board.

Section 2: Any member of the Student Government Association may be a member of any Student Government Board Committee upon the approval of the committee chairperson.

Section 3: The standing committees shall be filled in accordance with the Standing Committee Policy.

Section 4: Each of the above stated committees shall have a liaison to the Student Government Board.

Section 5: All committees shall promote the rules, regulations and orderly business of the Student Government Board.

Section 6: All committees shall be run in accordance with the Robert's Rules of Order, Newly Revised.

ARTICLE VIII. ELECTIONS

Section 1: All representatives shall be elected in elections supervised by the Student Government Board and its advisor.

Section 2: Each select group (Article IV, Section 1) shall vote for candidates in their constituent group by secret ballot for their representatives to the Student Government Board.

Section 3: The general election of Student Government Board representatives shall be held no later than three (3) weeks prior to the end of the academic year, and no earlier than six (6) weeks prior to the end of the academic year.

Section 4: The newly registered students shall be elected as representatives no later than four weeks into the fall semester.

Section 5: A new academic year election will be held to fill seat vacancies identified at the first SGB meeting of the semester. These empty seats will be filled by election no later than four (4) weeks into the fall semester.

Section 6: A mid-year election shall be held no later than two (2) weeks after the beginning of the spring semester should any vacancies have occurred up until that time. In the event vacancies bring the Board below 85% of full membership, a special election may be called at any time by the SGB Executive Council to return the Board to its full membership.

Section 7: Students elected at the regular spring election shall take office on June 1st.

Section 8: All Student Government Board elections will be in accordance with the Election Policy.

ARTICLE IX. IMPEACHMENT

Section 1: Any member of the Student Government Board may be impeached for failure to conform to Student Government Board policies and the rules set forth within said policies, or member's failure to fulfill his/her duties and responsibilities set down in this Constitution (Article IV, Section 3) and under the Bylaws of the Student Government Board of Kutztown University of Pennsylvania.

Section 2: Charges of impeachment may be brought up by any representative to the Student Government Board and requires a three fourths affirmative vote.

Section 3: Removal from office must be done in order of due process of law as set forth in the Resignation and Dismissal Policy.

ARTICLE X. PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised shall govern all meetings.

ARTICLE XI. ADVISORS

The advisor to the Student Government Board shall be determined by the Division of Enrollment Management and Student Affairs and the Student Government Board, and he/she shall be a professional member of the faculty and/or staff employed by the Commonwealth.

ARTICLE XII. JUDICIAL

The judicial power of the Student Government Association shall be vested in the Student Judicial Boards established under the Student Rights and Welfare Document.

ARTICLE XIII. AMENDMENTS

Section 1: Amendments to this Constitution may be initiated by a petition signed by ten percent (10%) of the Student Government Association, or a motion supported by a two-thirds affirmative vote of the Student Government Board. Such amendments shall be submitted in writing during New Business at any regular meeting of the Student Government Board at least one (1) week prior to Student Government Board taking action on the amendments.

Section 2: Following Student Government Board approval, the proposed amendments must be published before they are brought to a vote. The proposed amendments must be distributed to the Student Government Association at least ten (10) class days prior to voting.

Section 3: Proposed amendments must be approved by a two-thirds majority of the Student Government Association members voting, with a minimum participation of five percent (5%) of the Student Government Association required, during a voting period not to exceed twenty (20) class days from the date voting begins.

Section 4: Unless otherwise stated, all amendments shall take effect at the start of the next regular meeting of the Student Government Board. No amendment will take place retroactively.

ARTICLE XIV. RATIFICATION

To ratify this constitution, at least 50% of the Student Government Association must vote. At least 51% of those voting must vote affirmatively.

Alma Mater

*Where stately trees are bending
Where nature's glories shine
And loveliness unending in
beauty rare combine
There rise the Kutztown towers
And there the college stands
The wellspring of our powers
The shrine our love commands
And we will ever love her
And live to spread her fame
Our lives shall add new luster
Unto her glorious name
As guardians of her new day
Our work will ever be
To labor so that she may
achieve her destiny*

