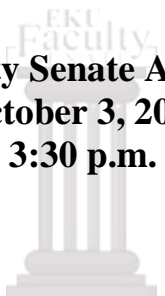


Faculty  
Faculty  
**Faculty Senate Agenda**  
**October 3, 2022**  
**3:30 p.m.**



**CALL TO ORDER**

**ATTENDANCE**

**APPROVAL OF MINUTES**

September 12, 2022

**PRESIDENT'S REPORT:** David McFaddin

**PROVOST'S REPORT:** Sara Zeigler

**UNFINISHED BUSINESS:**

- Motion for Elections & University Nominations Committee to continue to solicit faculty nominations for 4-university committees (General Education, Graduate Council, Library, and Research)  
*[Guests: Ryan Baggett, Gus Benson, Casey Humphrey, Garrett Yoder]*

**NEW BUSINESS:**

- Policy Updates – Lauren Keeler
  - Academic Regulation 4.3.16 – Academic Curriculum (memo & regulation) *Information Only*
  - Administrative Regulation 5.1.3 – Student Code of Conduct and Disciplinary Procedures (memo & regulation) *Information Only*
- Senate Standing Committee Election  
**Budget Committee** (1 vacancy)  
*Replace: Timothy Smit*  
*Continuing members: Anne Cizmar, Vonia Grabeel, Andrea Sexten, Don Yow, Senate Chair, Dean Representative, Provost, Financial Affairs VP*
- Other (*if any*)

**REPORTS & QUESTIONS:**

Executive Committee: Senator Crosby

Faculty Regent: Senator Marion

COSFL Representative: Senator Feltus reporting for Senator Cizmar

**STANDING COMMITTEES:**

Academic Quality Committee: Senator Sands

Budget Committee: TBD (*last year: Senator Yow, Chair*)

Elections/University Nominations Committee: Senator Spira

Information Technology Committee: TBD (*last year: Senator Hight, Chair*)

Rights & Responsibilities Committee: TBD (*last year: Senator Nachtwey, Chair*)

Rules Committee: Senators Bishop-Ross & Kay, Co-Chairs

Welfare Committee: Senators Blair & Manning, Co-Chairs

**ADJOURNMENT**

**FACULTY SENATE MINUTES**  
**September 12, 2022**  
**3:30 p.m.**

The Faculty Senate of Eastern Kentucky University met on Monday, September 12, 2022 via Zoom. Chair Crosby called the first meeting of the academic year to order at approximately 3:30 p.m.

The following members were absent: L. Foltz, J. Hensley, C. Streetman\*<sup>^</sup>, V. Thomas

*\* Indicates prior notification of absence*

*<sup>^</sup> ALT Andrew Putman attended for C. Streetman*

**APPROVAL OF MINUTES:**

Senator Crosby stated that without objection, the May 2 regular and organizational minutes would be approved by acclamation. As there were no objections, the minutes were approved.

**REPORT FROM THE PRESIDENT: David McFaddin**

*Freshman Enrollment*

Our 2022 Freshman class is currently at 2,762 compared to 2,504 from 2021, 2,321 in 2020, and 2,307 in 2019. This is a significant year-over-year improvement. Next fall's freshman class goal is 3,000.

*Overall Enrollment*

We are very excited about the strong freshman class but certainly see areas where we need to improve to get our overall enrollment to pre-covid numbers. This requires a focus on two areas, we need attention in our online programs and our graduate programs in order to meet our goals of increased overall enrollment.

*Big E Central*

Earlier this semester we launched Big E Central which is a one-stop location for Financial Aid, Student Accounting, and Registrar assistance. As with any launch there are always growing pains and the team is experiencing high call volume which results in longer wait times for our students. The team is working on streamlining measures to address reducing the hold times including a shifting of additional staff from other areas to support this work.

*Welcoming New Deans*

After what feels like years of searches, we are pleased to welcome our new deans. If you haven't had a chance to meet our new group of deans, I highly encourage you to do so.

*Parental Leave*

An email was distributed earlier today on parental leave. This change was intentional to ensure that we 1) provide our employees with benefits that allow employees to have work/life balance; 2) make us competitive with other public and private sector entities and 3) push our team to be focused on making EKU the Employer of Opportunity. Please work with your HR Business Partners and supervisors if you are interested in taking advantage of this leave option.

*Performance Management*

In the upcoming week, Human Resources will announce a new campus performance management system. This system is currently focused on staff reviews. It is important that all faculty overseeing the work of staff employees review the material. I want to stress that the reason we have feedback systems is to do just that...provide feedback. In numerous surveys and exit interviews, employees have shared that a common frustration is the lack of supervisory feedback.

*Pedway Update*

This week I provided an update at the Richmond Chamber of Commerce's State of the University about a variety of topics including the status of the Bypass Pedway. The pedway is not at the minimum height required for state approval. We are currently working with the contractor and our legal teams to reach a resolution between the parties. Once we reach an agreement, the contractor indicates it will take 60 days from the date of agreement to finish the project.

*Upcoming Legislative Session*

The 2023 short-session (30 working days) of the Kentucky General Assembly will begin in early January and will end by March 31st. There will be 20-25 new legislators in 2023 due to retirements and redistricting. We will be meeting and building relationships with the new members to brief them on EKU issues and our legislative priorities. We will host Colonels at the Capitol in mid-February and will be sharing more information about our agenda before the end of the year.

We expect the legislature may open the budget to narrowly address several pressing issues, including additional support for communities impacted by the flood devastation in Eastern Kentucky. We will highlight EKU's support for our students in the service region who were impacted by the flooding and will ask the General Assembly to fund some of those initiatives. If you have any questions, have identified opportunities to streamline legislative language, or are asked to testify or plan to meet with a General Assembly member, please contact our Chief Government, Community and Corporate Relations liaison Amy Scarborough.

*Powell Plaza*

We are finalizing an exciting amphitheater project in the Powell Plaza. This is going to provide an excellent opportunity for us to give students another location to collaborate with both faculty and each other, create a soft scape in what otherwise is a highly concrete space, and add appropriate lighting and sound capabilities to enable events and activities. We anticipate this being complete in the upcoming weeks.

*Veterans Memorial*

In addition, out of respect to our men and women who bravely fought for our country, it has not felt appropriate that the hub of energy of our campus, Powell Plaza, is colocated with a place of extreme reverence, the Veterans Memorial. For this reason, the Veterans Memorial will be moved to the Carloftis Garden. This will create a beautiful and peaceful place for staff, students, veterans and community members to reflect and appreciate the sacrifices of our servicemen and women. That project is anticipated to be completed in 2023.

*Faculty Lunch and Learns*

Faculty Lunch and Learns are an opportunity for faculty members to join the Faculty Senate Chair and me for discussions on the topic of your choice. Each Lunch and Learn will take place while breaking bread over a meal at Case Dining Hall in the upstairs Regents Room. Registration will close once each event reaches capacity. Lunch will be provided at each event for the first 30 faculty who RSVP at the following links:

<a href="#">Faculty Lunch and Learns</a>	<a href="#">September 27, 2022</a> , at 12 p.m.	Case Dining Regents Room
<a href="#">Faculty Lunch and Learns</a>	<a href="#">October 24, 2022</a> , at 12 p.m.	Case Dining Regents Room
<a href="#">Faculty Lunch and Learns</a>	<a href="#">November 9, 2022</a> , at 12 p.m.	Case Dining Regents Room

*Colonel Conversations*

Colonel Conversations will be topic-specific discussions on hot topics that you tell me are important to you. These sessions are designed to provide open dialogue and discussion about the issues and topics that impact you every day. Registration will close once each event reaches capacity.

- *Colonel Conversations: EKU...the Employer of Opportunity*  
October 5, 2022, at 3:00pm - Crabbe Library

This session will highlight the good, the bad, and the ugly of working at EKU. The goal is to have a productive conversation about what EKU is doing to be the Employer of Opportunity and brainstorm new ways and ideas to work towards being a Best Place to Work in Kentucky.

- *Colonel Conversations: Turn up the Heat-What Facilities are Hot and What are Not*  
December 1, 2022, at 3:00pm - Crabbe Library

A discussion about what are the hot places to work on campus and the ones that are not. We will share the long-term campus plan for asset preservation funds and realistic timelines on what you can expect in the future as it relates to campus offices, classrooms, and residence hall spaces on campus.

**REPORT FROM THE PROVOST: Sara Zeigler**

One clarification on the new performance management system that the president mentioned, this does not alter any of the policies or regulations relating to faculty evaluation or the evaluation of academic administrators who hold faculty rank. Those regulations have not changed in any way and will not change without all of the proper processes being followed.

I recently addressed each of your college convocations and talked with you about the high-level concept we're going to be using wherein advancement in faculty rank and longevity at the institution is awarded by higher level bumps to address compression issues. Melinda Compton has drafted a model for me looking at dollar figures and how much it would be for rank in each level. This model does include clinical faculty and lecturers as well as senior clinical faculty and senior lecturers. Again, this is a high-level concept and will not delve into individual cases. The deans and I will be reviewing this model at our meeting tomorrow and at that time I should be able to take it both to the Cabinet and to the chairs for further review. This year there is a \$500,000 pool set aside to address compression. The amount available is really easy to spend quickly, especially when addressing faculty and staff. As the fund is small this year, faculty may want to consider using those funds to increase our professional development fund.

Later in today's meeting, Chair Crosby will do an unofficial poll to see if you and your constituents prefer piloting the new compression model this year or using the \$500,000 instead to increase professional development.

The call has been issued for cross-college and interdisciplinary proposals again. Deans George and Baggett are co-chairing that. We are devoting \$100,000 to those efforts this year. The good news is the deadline will not be the day after we return from winter break.

In terms of opportunities to talk with me about your questions and concerns, an email will be sent out today or tomorrow listing some open office hours for me so that you can schedule a time to meet either by Zoom or in person during those set times. You're also always welcome to make an appointment at another time. Sometimes it's easier for last minute concerns to have some time blocked out.

There will be two social hours scheduled for faculty this semester on October 13 and December 1 around 4:30 pm so that you can come enjoy a little food and beverage and then move on about your evenings. The locations will be announced soon.

Finally, let me give you the update on the faculty liaison position. As you know, Beth Polin had occupied this role which came into being after we stood down the Ombud position. Beth is going to do some work on Leadership Development and a Leadership Center in the College of Business and will no longer be doing the faculty liaison work. At this time, we don't know what the best option is for replacing that. For an initial step, Chair Crosby and I are going to meet with Beth and find out what her experience was, what kinds of issues were coming up to her, recognizing that not everyone was bringing those issues forward, and also recognizing that staff need resources as well as faculty. As such a faculty liaison is probably not the best way to affect that.

Chair Crosby stated that one of the Faculty Welfare Committee's charges this year is to look at the issue of having an Ombud versus a faculty advocate and to make recommendations.

### **GUEST SPEAKERS:**

Introduction to Board of Regents Chair. Michael Eaves was in attendance to introduce himself to the Senate. He began his education at Eastern in 1971, graduated in 1975, went on to law school, and then came back to Richmond in 1979 to practice law. Last year he retired and was appointed to the Board of Regents. At the June meeting he was elected to serve as chair to the Board.

Introduction to Assistant Counsel. Ms. Dana Fohl introduced Ms. Lauren Keeler to the senators. Ms. Keeler has joined the University Counsel team as Assistant Counsel. While she'll also have legal duties, her chief responsibility will be that of policy development. She will be working closely with members of the faculty and staff as policy initiatives move forward.

Student Government Association. Ms. Paige Murphy, SGA President, gave a brief update.

- Students loved all of the events held during the Big E Welcome.
- Students are excited about the updates being made in the Powell Plaza.
- Faculty and/or departments can request money from our IT fund for IT-related expenditures this fall. The deadline to apply is this Friday.

**NEW BUSINESS:**

2022-23 Committee Charges. Chair Crosby presented the 2022-23 Committee Charges as an information item. Many of the charges were based on recommendations that each of the committees made last year in their final report. Please remember to review the internal procedures (<http://facultysenate.eku.edu/internal/>) to review information that pertains to all committees as well as additional information for your specific committee.

Standing Committee Elections. The following committee vacancies were filled.

- *Board of Governors (2 vacancies)*  
(Reminder: Members on the Board of Governors do not have to be serving on the Faculty Senate.)

The following were nominated: Brittani Moberly, Raymond Lauk, Sara Evans, Senator Easterling and Senator Mayer.

Brittani Moberly and Raymond Lauk were elected to fill the vacancies.

(*Brittani Moberly = 16 votes    Raymond Lauk = 12 votes    James Kirby Easterling = 11 votes  
Jana Mayer = 7 votes    Sara Evans = 4 votes*) (See also: [Individual Votes](#))

- *Elections & University Nominations Committee (1 vacancy)*

Senators Easterling, Keller, and Stevenson were nominated.

Senator Easterling was elected to fill the vacancy.

(*James Kirby Easterling = 23 votes    James Keller = 7 votes    Erin Stevenson = 22votes*) (See also: [Individual Votes](#))

Unofficial Faculty Senate Poll. Chair Crosby asked the Senate to participate in an unofficial poll to see if faculty preferred that the one-time \$500,000 pool available this year be used to address salary compression issues or divided among faculty to increase faculty development.

Overwhelmingly, the faculty chose addressing compression issues. Chair Crosby will share the results of the poll with Provost Zeigler. (*Compression = 40 votes    Professional Development = 6 votes  
ABSTAIN = 4 votes*) (See also: [Individual Votes](#))

**GENERAL & STANDING COMMITTEE REPORTS:****REPORT FROM SENATE CHAIR: Senator Crosby**

For the past several years, the Elections & University Nominations Committee has solicited nominations to fill faculty vacancies on four university standing committees (General Education, Graduate Council, Library and Research). However, there are specific qualifications needed to serve in some of those positions. As there is a lot of turnover on the Senate Standing Committee, new members may be unaware of those qualifications and the faculty who self-nominate for those vacancies may not meet the necessary criteria. This has caused some problems over the years. The Executive Committee discussed the issue and was in agreement that, without Senate objection, the responsibility for filling those positions should revert back to the university committees.

Senator Winslow moved to keep the nomination process in the Senate, seconded by Senator Hartch.

Senator Kelley moved to postpone discussion to the May meeting, seconded by Senator Sexten.

**Motion carried.** (YE3 = 41 votes NO = 2 votes ABSTAIN = 2 votes) (See also: [Individual Votes](#))

### **REPORT FROM FACULTY REGENT: Senator Marion**

The next Board meeting will be on Friday, September 16 at 9am in Walnut Hall located on the first floor of the Keen Johnson Building. Once the agenda is available, it will be viewable on the agendas page of the Board of Regents website linked here: <https://regents.eku.edu/agendas-0>.

#### *Recapitulation of Summer Board Activities*

During this summer, the ECU Board had several new Board members appointed by Governor Beshear. Furthermore, a new Board Chair (Regent Michael Eaves) was elected at the June meeting of the Board as outgoing Chair Lewis Diaz completed his term of service on the Board. The [Board agenda on June 14](#) had a lot of information and action items, including approval of the 2022-23 operating budget.

The [July 21 Board agenda](#) and meeting were very brief as the Board met for the purpose of fulfilling a state statute which requires administering the oath of office to new appointees and electing a vice-chair and secretary within 30 days of gubernatorial appointments to the Board.

- In addition to the agenda links above, pre-meeting and post-meeting summaries and important items for sharing with our faculty were included in three summer Faculty Regent Updates.
  - Those updates can be viewed in a [Google Folder linked here](#).
  - Also, while not in the initial budget book on June 14, the detailed expenditures portion of the 2022-23 Board budget book were made available in late June, which can be viewed on the [University Operating Budget page linked here](#).

#### *Information from Council on Post-Secondary Education (CPE)*

Next week (September 19-20), regents and trustees from all of Kentucky's institutions will be attending the Kentucky Postsecondary Education Trusteeship Conference. [The agenda for that meeting is linked here](#). The CPE is actively working on the Healthcare Workforce Collaborative having recently [provided \\$8M in grants to institutions in Kentucky](#), and CPE is active this month with the Commonwealth Education Continuum which includes partners from K-12 Education and Economic Development. The CPE will be hosting the 4th annual Higher EDquity Symposium this November 14-15 at NKU, and a save-the-date announcement went out on August 21. The CPE also recently [released their 2022 Progress report](#) documenting how the state is fairing with respect to progress (enrollment, degrees/credentials) in regard to the Statewide Strategic Agenda's goals.

#### *Information from Council of Statewide Faculty Leadership (COSFL)*

COSFL will be hosting their first meeting this Friday afternoon on Zoom. Among information sharing by the various university COSFL members statewide, Dr. Aaron Thompson from CPE will provide remarks and host Q&A with COSFL membership.

**REPORT FROM COSFL: Senator Cizmar**

COSFL is scheduled to meet for the first time this academic year on Friday.

**ANNOUNCEMENTS:**

Chair Crosby reminded the standing committees to meet soon to elect a chair and set their meeting schedule and then forward the information to him and the Senate secretary.

**ADJOURNMENT:**

Senator Grabeel moved to adjourn at approximately 5:15pm, seconded by Senator Moore.



Timestamp	Email Address	Board of Governors Vote
9/12/2022 16:20:50	radhika.makecha@eku.edu	Brittani Moberly
9/12/2022 16:20:51	james.keller@eku.edu	Brittani Moberly
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Timestamp	Email Address	Elections and University Nominations Committee Vote
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9/12/2022 16:29:03	laura.rowe@eku.edu	Kirby Easterling

Timestamp	Email Address	Please vote for one:
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9/12/2022 16:40:57	matthew.winslow@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:40:57	laura.rowe@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:40:58	katie.moore@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:40:59	melanie.johnson@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:40:59	alison.buck@eku.edu	ABSTAIN
9/12/2022 16:41:00	erin.eliasen@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:01	pat.calie@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:01	andrea.sexten@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:02	todd.hartch@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:03	james.kirby.easterling@eku.edu	I prefer that the one-time funds be divided up this year to give faculty more PD money.
9/12/2022 16:41:05	andrew.putnam@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:05	lisa.jones@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:05	joanne.mcglown@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:06	luke.dodd@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:06	richard.crosby@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:07	carolin.walz@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:08	marie.manning@eku.edu	I prefer that the one-time funds be divided up this year to give faculty more PD money.
9/12/2022 16:41:09	james.blair@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:10	michael.fore@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:10	radhika.makecha@eku.edu	ABSTAIN
9/12/2022 16:41:11	jamie.shaffer@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:11	julie.george@eku.edu	ABSTAIN
9/12/2022 16:41:12	vonja.grabee@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:13	elizabeth.underwood@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:13	geela.spira@eku.edu	I prefer that the one-time funds be divided up this year to give faculty more PD money.
9/12/2022 16:41:14	fontaine.sands@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:14	jennifer.high@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:14	anne.cizmar@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:15	matthew.sabin@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:16	laura.edwards@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:18	don.yow@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:18	sarah.feltus@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:19	jackie.couture@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:19	karim.abdelhay@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:21	tricia.kelley@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:21	laura.newhart@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:21	vigs.chandra@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:22	ann.burns@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:23	bill.mcclanahan@eku.edu	I prefer that the one-time funds be divided up this year to give faculty more PD money.
9/12/2022 16:41:24	jason.fry@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:26	brian.clark@eku.edu	I prefer that the one-time funds be divided up this year to give faculty more PD money.
9/12/2022 16:41:26	rachel.bishop-ross@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:26	nedim.slijepcevic@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:29	lisa.kay@eku.edu	I prefer that the one-time funds be divided up this year to give faculty more PD money.
9/12/2022 16:41:31	erin.stevenson@eku.edu	ABSTAIN
9/12/2022 16:41:36	jana.mayer@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:39	jessica.price@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:40	kim.parsons@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.
9/12/2022 16:41:44	abby.brooks@eku.edu	I prefer that the one-time \$500,000 fund be divided up amongst faculty facing compression issues.

Timestamp	Email Address	Vote to move to postpone vote on election process for 4 Committees General Education, Graduate Council, Library and Research in Senate
9/12/2022 17:09:15	matthew.winslow@eku	YES
9/12/2022 17:09:17	katie.moore@eku.edu	YES
9/12/2022 17:09:18	todd.hartch@eku.edu	YES
9/12/2022 17:09:18	anne.cizmar@eku.edu	YES
9/12/2022 17:09:19	bill.mcclanahan@eku.e	YES
9/12/2022 17:09:19	erin.eliasen@eku.edu	YES
9/12/2022 17:09:21	alison.buck@eku.edu	YES
9/12/2022 17:09:21	laura.rowe@eku.edu	NO
9/12/2022 17:09:22	pat.calie@eku.edu	YES
9/12/2022 17:09:22	luke.dodd@eku.edu	YES
9/12/2022 17:09:23	matthew.sabin@eku.ec	YES
9/12/2022 17:09:23	james.keller@eku.edu	YES
9/12/2022 17:09:23	carolin.walz@eku.edu	YES
9/12/2022 17:09:23	julie.george@eku.edu	YES
9/12/2022 17:09:24	vonja.grabeel@eku.ed	YES
9/12/2022 17:09:24	nedim.slijepcevic@eku	YES
9/12/2022 17:09:24	fontaine.sands@eku.ec	YES
9/12/2022 17:09:27	joanne.mcglown@eku.i	YES
9/12/2022 17:09:27	lisa.kay@eku.edu	YES
9/12/2022 17:09:28	lisa.jones@eku.edu	YES
9/12/2022 17:09:28	james.kirby.easterling@	YES
9/12/2022 17:09:28	laura.newhart@eku.ed	NO
9/12/2022 17:09:29	don.yow@eku.edu	YES
9/12/2022 17:09:29	elizabeth.underwood@	YES
9/12/2022 17:09:29	ann.burns@eku.edu	YES
9/12/2022 17:09:30	erin.stevenson@eku.ec	YES
9/12/2022 17:09:31	geela.spira@eku.edu	YES
9/12/2022 17:09:31	andrea.sexten@eku.ed	YES
9/12/2022 17:09:32	radhika.makecha@eku	YES
9/12/2022 17:09:33	marie.manning@eku.ei	YES
9/12/2022 17:09:33	michael.fore@eku.edu	YES
9/12/2022 17:09:34	jennifer.hight@eku.edu	YES
9/12/2022 17:09:35	jackie.couture@eku.ed	YES
9/12/2022 17:09:37	melanie.johnson@eku.	ABSTAIN
9/12/2022 17:09:38	rachel.bishop-ross@ek	ABSTAIN
9/12/2022 17:09:44	karim.abdelhay@eku.e	YES
9/12/2022 17:09:45	jason.fry@eku.edu	YES
9/12/2022 17:09:47	andrew.putnam@eku.e	YES
9/12/2022 17:09:47	tricia.kelley@eku.edu	YES
9/12/2022 17:09:50	abby.brooks@eku.edu	YES
9/12/2022 17:09:56	laura.edwards@eku.ed	YES
9/12/2022 17:09:59	brian.clark@eku.edu	YES
9/12/2022 17:09:59	james.blair@eku.edu	YES
9/12/2022 17:10:21	jamie.shaffer@eku.edu	YES
9/12/2022 17:10:29	vigs.chandra@eku.edu	YES

TO: Eastern Kentucky University Faculty Senate

FROM: President David T. McFaddin

DATE: October 3, 2022

RE: Faculty Senate October Report

For anyone who has walked across campus, the crisp air lets us know that autumn is here. With the changing of the leaves comes so many exciting things on our campus. I encourage you to get out and share in the experiences with our students, alumni, and community partners.

### **Homecoming**

We are excited to welcome back our Alumni and Friends for the 2022 Homecoming Weekend on October 21-22. The entire week is stacked with events and opportunities. Whether you join us Friday for the Homecoming Parade followed by the Street Festival Celebration of The Dog or gather with former colleagues and students at the Homecoming Football Game, we want you to come out and celebrate all that our campus community has done to enrich the lives of our students.

### **Strategic Plans**

In preparation to submit our 2022 Strategic Plan to CPE, each Dean presents their area's final plan during the President's Leadership Council meeting tomorrow. Based on that feedback, your Dean may be bringing additional changes or recommendations that need to be made prior to submission to CPE. I want to thank everyone who worked on their area plans and look forward to operationalizing those plans.

### **Open Enrollment**

The annual open enrollment for benefits will be on October 14-November 1, 2022. The ECU Enrollment Guide will be available later this week on the Human Resources website. There will be no changes to coverage.

We will be hosting two Benefits Fairs where Flu Shots will also be available:

- October 18, 2022, at Perkins Quads from 9-3 pm
- October 25, 2022, at Keen Johnson from 9-3 pm

### **Fall Commencement**

Fall Commencement is scheduled for Saturday, December 3, 2022, at Alumni Coliseum. The ceremonies will take place at:

- 9:00 am for Colleges of STEM, Business, and CLASS
- 1:30 pm for the Colleges of Criminal Justice and Safety, Education and Applied Human Sciences, and Health Sciences.

I consider graduation a mission-critical event for our faculty and expect you to be in attendance to support our students as they celebrate the culmination of all of their hard work.

### **Excellence Awards**

Start thinking about the colleagues you work with that positively impact the work you do, the lives of our students, and the effectiveness of the ECU. The window for nominations will open in November with the ceremony confirmed for Wednesday, April 26, 2022, at the Center for the Arts. With last year being the inaugural year, there will be some minor changes to the nomination process with the most significant one being the removal of the self nomination option.

### **Cold and Flu Season**

A reminder to our entire campus community that with the cold and flu season upon us, please be sure to visit your doctor or BluMine Clinic or the Benefit Fair to get your flu shots.

### **Facilities Heat Transition**

With fall here, it also means a transition for our heating system. Later this month, Facilities will begin systematically moving from air to heat for those campus facilities. If at any point you have an issue with the heat in your building, please see your building manager to properly document the issue so it can be addressed.

### **Cybersecurity Training**

All employees received communication regarding cybersecurity training. This training is a required component for faculty and staff to comply with our cybersecurity insurance coverage. ECU IT will be providing mandatory cybersecurity training via Blackboard starting next week.

### **Upcoming Events**

- Colonel Conversation: ECU the Employer of Opportunity Wednesday, October 5, 2022, at 3 pm Crabbe Library (10 slots remaining)
- Provost's Fall Faculty Reception Thursday, October 13, 2022, at 4:30 pm Keen Johnson Building
- Powell Amphitheater Ribbon Cutting Colonel Corn Roast, Powell Plaza, Thursday, October 20, 2022, at 5 pm

- Homecoming Weekend October 21-22, 2022
- Faculty Lunch and Learn October 24, 2022, at 12 pm Case Dining Hall

I am excited about the excitement in the air. From our students to our alumni, there is a palpable feeling of enthusiasm for EKV everywhere I go. Please keep up the hard work and keep the lines of communication open.

One Eastern,

A handwritten signature in black ink that reads "David T. McFaddin". The signature is written in a cursive style with a large, prominent "D" at the beginning.

David T. McFaddin, Ed.D.  
President  
Eastern Kentucky University

**TO:** The University Community

**CC:** Dr. David T. McFaddin, President  
Dana Fohl, University Counsel

**FROM:** Lauren E. Keeler, Assistant Counsel

**DATE:** September 22, 2022

**RE:** Academic Regulation 4.3.16, Academic Curriculum

### MEMORANDUM

Academic Regulation 4.3.16, Academic Curriculum, is intended to provide clarity on the processes by which curriculum changes are proposed and approved or disapproved. Additionally, this regulation discusses the composition of the Council on Academic Affairs (CAA), which is responsible for processing, reviewing, and voting on proposed curriculum changes. Finally, each type of curriculum modification is defined, as are academic programs generally. This policy will directly affect University Colleges, Departments, and the Council for Academic Affairs as it considers and proposes curriculum changes.

The purpose of this regulation is to provide clear, University-wide guidance regarding curriculum change proposals, and to serve as a communication tool for those who may be engaging in this process. While the regulation does not provide an exhaustive list of procedures for every type of proposed curriculum change, it does describe the typical process and points readers in the direction the Associate Provost for Academic Affairs, who can provide a more in-depth breakdown for each type of change. With all of the processes housed in the Associate Provost's office, that office shall serve as the entity directly responsible for the implementation of this policy.

This Regulation fulfills the University's obligations by:

- Discussing the procedures for approving educational programs and demonstrates that these programs are approved consistent with institutional policy and accreditation requirements
- Expanding upon the process for developing and approving curriculum changes
- Ensuring that the appropriate faculty and administrators are responsible for overseeing curricular content (and degree level) of a program

Please be advised that, in accordance with [University Policy 1.1.1, Policy on Policies and Regulations](#), a drafting team was formed in August 2022, and was led by Assistant Counsel Lauren Keeler in her capacity as the University Policy Designee. Additional team members included the Jennifer Wies, Associate Provost for Academic Affairs; Kelly Smith, the Coordinator of Collections and Discovery for ECU Libraries; Dr. Tim Ross, Professor and Associate Dean of the College of Science, Technology, Engineering and Mathematics; Dr. Scott Hunt, the Chair and Associate Dean of the School of Justice Studies; Dr. Hung-Tao Michael Chen, Associate Professor of Psychology; and Dr. Jamie Fredericks, Associate Professor of Chemistry.



Per Policy 1.1.1, this Regulation, which is currently in the ten-day public comment period, requires approval by the University Counsel, the Provost and the Provost's Council, and, thereafter, the President of the University. Accordingly, this Regulation is now being submitted to designated University constituents for vetting. For reference, the following entities also will receive this Regulation for informational purposes only: Faculty Senate.



# Eastern Kentucky University

## Policy and Regulation Library

Academic Regulation: 4.3.16

Responsible Office(s): Academic Affairs

Effective: [DATE]

Next Review Date: Fall 2027

## Academic Regulation: 4.3.16ACR

### Academic Curriculum

#### Statement

The Council on Academic Affairs (CAA) is the policy-making body for the academic programs of Eastern Kentucky University. It is composed of the Associate Provost for Academic Affairs (Counsel Chair), Associate Deans of the Academic Colleges, a Libraries representative, a Chairs Council representative, the University Registrar, a Faculty Senate representative, a Graduate School representative, the Associate Vice President of Student Success and Institutional Effectiveness and Research, an Honors Program representative, and a Student Government Association Representative. In addition, relevant and appropriate leaders in Student Success, Engagement, and Opportunity and eCampus may serve as Council members in non-voting roles. The Council processes, reviews, and votes on the approval or disapproval of curriculum items including but not limited to new courses, course revisions, course deactivations, new programs, program revisions, program suspensions, catalog policy, and catalogs of record.

#### Entities Affected

- Colleges
- Departments
- Council for Academic Affairs

#### Typical Processes

#### Proposed Changes to Curriculum

Proposed changes to curriculum are typically initiated at the department or equivalent level. Curriculum change proposals should describe, where applicable, the impact on academic programs, EKU students, faculty workload, staffing, facilities and

equipment, and budgetary impacts. Associate Deans are responsible for determining percentages of new and revised content throughout the approval process, as well as guiding departments in choosing the appropriate curriculum change process.

Course-level curriculum changes must include before and after syllabi. All program revisions and new programs must include updated curriculum maps, in a format appropriate for the discipline, and updated four-year curriculum guides.

**Examples:**

- **New Course:** A new course includes 100% new content.
- **Substantial Revised Course:** A course change that includes 50-99% revised content as measured via student learning outcomes, description, and/or title.
- **Routine Revised Course:** A course change that includes 25-49% revised content as measured via student learning outcomes, description, and/or title.
- **Editorial Revised Course:** A course change that includes 0-24% revised content as measured via student learning outcomes, description, and/or title.
- **Removing a Course from a Program of Study:** Proposal to remove or drop a course from a program of study.
- **New Program:** A proposal for a new program proposal with 25-100% new content and a request for a new CIP code.
- **Revised Program (greater than 50% change):** A proposal to revise 50-99% of program content as measured via program-level learning objectives, description, and/or title. Examples include: revisions to a program core, addition or deletion of a minor or concentration, changing a CIP code, combining or separating existing programs, changing program delivery modality.
- **Revised Program (49% or below change):** A proposal to revise 1-49% of program content as measured via program-level learning objectives, description, and/or title. Examples include: deleting dropped courses, updating course numbers and related credit hours, revising supporting courses.
- **Change of Modality:** A proposal to add a distance education modality to an existing academic program.
- **Program Closure:** A proposal to close a program by no longer admitting students to the academic program.

**Typical Process for Curriculum Change**

Internal to ECU, proposals may be approved, disapproved, or referred to previous levels for clarification or further review. Changes to curriculum typically progress through the following units in this specific order, either for approval or notification, depending on the type of change:

1. Department (or equivalent) Curriculum Committee
2. College Curriculum Committee
3. As relevant, for approval:
  - a. General Education Committee
  - b. Teacher Education Committee
  - c. Graduate Education Council
4. Council for Academic Affairs
5. Faculty Senate
6. EKU Board of Regents
7. Kentucky Council for Postsecondary Education
8. Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)

Though this list addresses most every unit involved in a curriculum change, it is not exhaustive and alternate units may approve or be notified of a change in certain circumstances. Additionally, certain changes require approval or notification to only a few of the units listed below. **A description of current curriculum change processes are maintained by the EKU Council on Academic Affairs.** More involved curriculum changes (such as a New Program or Program Closure) may require consultation with the Office of the Provost and/or Office of the College Dean.

<b>Definitions</b>
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- **Academic Programs:** Also referred to as educational programs, an academic program is a coherent course of study leading to a for-credit credential including a degree, diploma, certificate, or other generally recognized credential.

<b>Regulation Adoption Review and Approval</b>
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Regulation Issued

<u>Date</u>	<u>Entity</u>	<u>Action</u>
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**TO:** The University Community

**CC:** Dr. David T. McFaddin, President  
Dana Fohl, University Counsel

**FROM:** Lauren E. Keeler, Assistant Counsel

**DATE:** September 19, 2022

**RE:** Administrative Regulation 5.1.3, Student Code of Conduct and Disciplinary Procedures

### MEMORANDUM

[House Bill 290 \(2022\)](#) was passed during the 2022 Regular Session of the Kentucky General Assembly and became effective on July 14, 2022. This bill amended [KRS 164.370](#) to require Eastern Kentucky University (University), among other public post-secondary institutions in Kentucky, “adopt a code of student conduct that clearly sets forth the rules for nonacademic student conduct and establishes disciplinary procedures,” including very specific due process provisions applicable to a student or Registered Student Organization (RSO) facing suspension or expulsion from the University and/or eviction from University housing.

This Regulation fulfills the University’s new obligations under KRS 164.370 by:

- Codifying in Administrative Regulation the Code of Conduct, which was previously included and will continue to be included in the Student Handbook to put students and Registered Student Organizations on notice of the University’s behavioral expectations;
- Providing examples of the types of sanctions that may be issued by the University as well as clarifying which Code of Conduct violations have the potential to result in suspension, expulsion, and/or eviction and, accordingly, warrant a hearing before the Student Disciplinary Council;
- Establishing a University Appeals Committee that, at a minimum, will hear all appeals from the Student Disciplinary Council;
- Expanding student rights to align to those now granted under state law, including but not limited to the right to counsel when facing suspension, expulsion, and/or eviction, as well as by extending to Registered Student Organizations the same rights individual students possess in disciplinary matters; and,
- Setting forth the University’s commitment to complying with KRS 164.372, which was newly created by House Bill 290 (2022) and mandates reporting on disciplinary proceedings to the Interim Joint Committee on Education as well as on the University’s website.

As a final matter, to ensure compliance with KRS 164.375, this Regulation also sets forth a prohibition on any activity which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization, commonly known as hazing, and establishes the process and disciplinary

procedures which apply. This prohibition was previously included and will continue to be included in the Student Handbook as well as in the RSO Manual, both of which are published on the University’s website.

Please be advised that, in accordance with [University Policy 1.1.1, Policy on Policies and Regulations](#), a drafting team was formed in April 2022, immediately following the end of the legislative session, and was led by representatives from the Office of University Counsel. Additional team members included the Dean of Students and Assistant Dean of Students; the Interim Executive Director of Housing and Residence Life; and, the Executive Director of Student Life and First Year Experience as well as various additional stakeholders from University Housing and the Office of Student Conduct and Community Standards.

Per Policy 1.1.1, this Regulation, which is currently in the ten-day public comment period, requires approval by the University Counsel, all members of the President’s Cabinet, and, thereafter, the President of the University. Accordingly, this Regulation is now being submitted to designated University constituents for vetting. For reference, the following entities also will receive this Regulation for informational purposes only: Provost’s Council, Staff Council, and Faculty Senate.

**For Use by President’s Cabinet Members Only:**

To ensure timely consideration of received feedback, I respectfully request this Memorandum be completed and returned to me no later than **Friday, September 23, 2022**. Members of the President’s Cabinet are free to consult additional stakeholders, who may provide comments and recommendations on this matter; however, the Action indicated below should only be submitted by or on behalf of a member of the President’s Cabinet.

**Action:**

- Approve and recommend forwarding to the President for signature;
- Do not approve and do not recommend forwarding to the President for signature; or,
- Recommend other action as follows: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**For Use by the President Only:**

The ten-day public comment period on this Regulation has lapsed; this Regulation has been provided to Provost’s Council, Staff Council, and Faculty Senate for informational purposes; and, members of the President’s Cabinet have overwhelmingly recommended this Regulation be approved. Accordingly, this Regulation is approved with the President’s signature below:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**Eastern  
Kentucky  
University  
Policy and Regulation Library**

Administrative Regulation: 5.1.3ADR

Responsible Office(s): Student Conduct  
and Community Standards

Effective: October 1, 2022

Next Review Date: March 4, 2026

**Administrative Regulation: 5.1.3ADR**

**Student Code of Conduct and Disciplinary Procedures**

**Statement**

The Office of Student Conduct and Community Standards (Office of Student Conduct or Office) at Eastern Kentucky University (University) promotes student success by upholding the Student Code of Conduct (Code of Conduct), advocating for community standards, and maintaining a fair conduct system that addresses the diverse needs of the individual and community. The Office fosters student development through the values of honesty, mutual respect, responsibility, and integrity.

In compliance with KRS 164.370, this Regulation sets forth the rules for non-academic student conduct and establishes disciplinary procedures to enforce those rules. Additionally, this Regulation provides the rules for establishing the admissibility of evidence.

Further, in compliance with KRS 164.375, this Regulation sets forth a prohibition on any activity which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization, commonly known as hazing, and establishes the process and disciplinary procedures which apply.

**Individuals/Entities Affected**

All Students and Registered Student Organizations

## Related Documents and Forms

University Policies and Documents  
Student Code of Conduct  
Discrimination and Harassment Policy  
Academic Integrity Policy

## Procedures

### **I. What the University Expects of Students**

Students will:

- Show respect for others, themselves, and the University community;
- Take responsibility for their behavior;
- Read and understand this Regulation as well as the University Student Handbook; and.
- Act with honesty and integrity upholding the Student Code of Conduct.

### **II. Rights of Students and Registered Student Organizations Involved in the Student Conduct Process**

#### **A. Right of All Students**

1. To be treated fairly and impartially in the student conduct process.
2. For Respondents, to be provided written notice of a formal charge for any alleged violation of the Code of Conduct or another University Policy or Regulation, as well as the specific details of the facts upon which the alleged violation is based.
3. For Respondents, to be presumed not responsible for a violation until determined otherwise; however, this presumption shall not be construed to mean that a Complainant or any witness has presented false testimony or evidence. The burden of proving a violation of the Code of Conduct is on the University.
4. To present relevant information verbally or in writing on their behalf and to otherwise participate meaningfully at any disciplinary hearing to which they are a party.
5. To know the identity of persons speaking or providing written information during any disciplinary hearing to which they are a party.



6. To ask reasonable questions or challenge, either verbally or in writing, the allegation(s), formal charge(s), or information provided during a student conduct meeting.
7. A Respondent or Complainant may have up to two (2) Support Persons present at any phase of the disciplinary process so long as such does not violate the privacy rights of another Student or substantially delay the disciplinary process. Support Persons can provide emotional or other support but cannot participate in the disciplinary process. To not speak or answer any questions during a student conduct meeting. Refusal to do so is not considered admitting responsibility for an alleged violation.
8. To request that a member of the hearing body be removed from the hearing based on a conflict of interest or bias.
9. For Respondents, to appeal any decision pursuant to this Regulation.

**B. Additional Rights Afforded to Students and Registered Student Organizations for a Serious Misconduct Violation**

1. Any Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation will also be provided written notice of:
  - a. The rights of the Respondent and Complainant as set forth in the Code of Conduct as well as in KRS 164.370 and other applicable law, if any; and,
  - b. The date, time, and location of each phase of the disciplinary process at least:
    - i. Three (3) business days prior to any scheduled event at which the Participant is expected to participate; and,
    - ii. Ten (10) business days prior to a disciplinary hearing.
2. A Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation will also be granted reasonable continuing access to the General Incident Reporting Form as well as all other information in the University's Administrative File, which encompasses all documents and evidence in the University's possession or control relevant to the alleged violation with the exception of privileged documents or internal memorandums the University does not intend to introduce at any hearing.
3. A Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation also will have access to the hearing recording.
4. A Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation may be represented, at the Participant's own

expense, by counsel at each material phase of the disciplinary process. Upon written notice, the University will direct all communications related to disciplinary proceedings to both counsel and the Respondent or Complainant.

### **III. Core Values and Behavioral Expectations**

#### **A. Code of Conduct**

The following expectations and rules, hereinafter referred to as the Code of Conduct, apply to all Students, whether undergraduate, graduate, doctoral, or professional:

1. \*Falsification. Knowingly falsifying one's identity, or furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification, social media, or financial instruments.
2. Academic Dishonesty. Acts of academic dishonesty as outlined in the Academic Integrity Policy 4.1.3. Academic dishonesty is addressed through the process outlined in Policy 4.1.3, which may not follow the Procedures in Non-Academic Student Conduct Cases outlined below, and, to the extent this Regulation conflicts with Policy 4.1.3, Policy 4.1.3 governs.
3. Unauthorized Access/Entry. Unauthorized access to any University building (i.e. keys, cards, fobs, etc.) or services; unauthorized possession, duplication, use of means, providing access to any University building. Unauthorized entry by misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a University building.
4. Collusion. Encouraging, assisting or helping someone violate University Policy or Regulation.
5. Breach of Trust. Violations of positions of authority, whether elected, hired or appointed, within the University community.
6. Election Tampering. Tampering with the election of any Registered Student Organization.
7. \*Taking of Property. Intentional and unauthorized taking of University property or the personal property of another, including goods, services and other valuables.
8. \*Stolen Property. Knowingly taking or maintaining possession of stolen property.
9. IT and Acceptable Use. Violating the Acceptable Use of Information Technology Resources Policy 11.2.1. Interfering with the use of or abusing any part of University computing services or facilities.
10. Disruptive Behavior. Substantial disruption of University operations including but not limited to, obstruction of teaching, research, administration, residential living, other University activities, and/or other authorized non-University activities which occur on campus.

11. \*Rioting. Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property.
12. Trademark. Unauthorized use or misuse of University or organizational names and images. See Intellectual Property Policy 4.4.2 for more information.
13. \*Damage and Destruction. Intentional, reckless and/or unauthorized damage to or destruction of University property or the personal property of another.
14. Gambling. Gambling, including but not limited to raffles, lotteries, sports pools and online betting activities, as prohibited by the laws of the Commonwealth of Kentucky. See KRS Chapter 158.
15. \*Weapons. Unless expressly exempt by Policy 9.3.2, all persons are prohibited from possessing Deadly Weapons and Dangerous Materials/Instruments including, but not limited to, tasers/stun guns, pellet guns, BB guns, airsoft guns, paintball guns and firearms, explosives, fireworks or other deadly weapons or look-alike or replica weapons on all property owned, leased, or controlled by the University. Specifically, Weapons are prohibited in, for example, all classrooms; laboratories; residence halls; clinics; office buildings; performance halls; athletics and recreation facilities; farms, forests and other natural areas; parking lots and structures; University owned, leased or controlled vehicles; and, all outdoor areas of the campus, including extended campuses and all other property now or hereafter owned, leased, or controlled by the University or any unit of the University. This provision applies equally to all persons whether or not they possess lawfully issued licenses or permits pursuant to KRS 237.110.
16. Tobacco. Smoking or tobacco use in any area of campus, to include vaping or electronic cigarettes.
17. \*Fire Safety. Violation of local, state, federal or campus fire policies including, but not limited to:
  - a. Intentionally or recklessly causing or attempting to cause a fire on University or personal property;
  - b. Failure to evacuate a University-controlled building during a fire alarm;
  - c. Improper use of University fire safety equipment; and/or,
  - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property. Such action may result in a local fine in addition to University Sanctions.
18. Ineligible Association. Pledging or associating with a Registered Student Organization without having met eligibility requirements established by the University or organization.
19. Wheeled Devices. Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted to be operated inside University buildings or residence halls or on tennis courts. Hover-boards are prohibited on campus. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities,

and individuals may be liable for damage to University property caused by these activities.

20. Retaliatory Actions. Any intentional, adverse action taken by a responding individual or allied third party against an individual participating or supporting someone participating in a protected activity under this Code.
21. Abuse of Conduct Process. Abuse or interference with, or failure to comply in, University processes including conduct and academic integrity hearings including, but not limited to:
  - a. Falsification, distortion, or misrepresentation of information;
  - b. Failure to provide, destroying or concealing information during an investigation of an alleged Policy or Regulation violation;
  - c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
  - d. Verbal or physical harassment and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
  - e. Failure to comply with the Sanction(s) imposed by the campus conduct system; and/or,
  - f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
22. \*Harm to Persons. Intentionally or recklessly causing or attempting to cause physical harm or endangering the health or safety of any person.
23. \*Threatening Behaviors:
  - a. Threat: Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property; and/or
  - b. Intimidation: Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
24. \*Harassment. Defined as repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.
25. \*Hazing. Defined as an act that endangers the mental or physical health or safety of a Student and/or that destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this provision. See Section V. below for more information.
26. \*Intimate Partner/Relationship Violence. Violence or abuse by a person in an intimate relationship with another. Intimate Partner/Relationship Violence is addressed through the process outlined in Policy 1.4.1, which may not follow the Procedures in Non-Academic Student Conduct Cases outlined below, and, to the extent this Regulation conflicts with Policy 1.4.1, Policy 1.4.1 governs.

27. \*Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. Stalking is addressed through the process outlined in Policy 1.4.1, which may not follow the Procedures in Non-Academic Student Conduct Cases outlined below, and, to the extent this Regulation conflicts with Policy 1.4.1, Policy 1.4.1 governs.
28. \*Sexual Misconduct. Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and/or other sexually based behavior included in Policy 1.4.1. Sexual Misconduct is addressed through the process outlined in Policy 1.4.1, which may not follow the Procedures in Non-Academic Student Conduct Cases outlined below, and, to the extent this Regulation conflicts with Policy 1.4.1, Policy 1.4.1 governs.
29. \*Public Exposure. Includes deliberately and publicly exposing one's intimate body parts; urinating and/or defecating; and/or, engaged in sex acts. Public Exposure is addressed through the process outlined in Policy 1.4.1, which may not follow the Procedures in Non-Academic Student Conduct Cases outlined below, and, to the extent this Regulation conflicts with Policy 1.4.1, Policy 1.4.1 governs.
30. Alcohol. Use, possession, or distribution of alcoholic beverages, except as expressly permitted by law and the University/College's Alcohol Policy 9.1.1, and includes but is not limited to exhibiting behavior under the influence of alcohol that unreasonably disrupts others in the vicinity or that endangers self, others, or property.
31. \*Drugs. Use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia, except as expressly permitted by law, including but not limited to exhibiting behavior under the influence of drugs that unreasonably disrupts others in the vicinity or that endangers self, others, or property.
32. \*Prescription or Over-the-Counter Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.
33. Failure to Comply. Failure to comply with the reasonable directives of University employee or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so. This includes but is not limited to any public health protocols and expectations.
34. Arrest. Failure of any Student to accurately report an off-campus arrest by any law enforcement agency for any crime to the Office of Student Conduct within three (3) business days of release.
35. \*Sex Offender Registration. Failure to self-report as a registered sex offender within five (5) business days of classes starting. See Policy 8.3.5 for more information.

36. Other Policies. Violating other published University Policies, Regulations, and/or rules, including all Residence Hall policies and the Residential Community Guide.
37. Health and Safety. Creation of health and/or safety hazards (e.g., dangerous pranks; hanging out of or climbing from/on/in windows, balconies, roofs; etc.).
38. Violations of Law. Evidence of violation(s) of local, state, or federal laws substantiated through the University's conduct process.

The University considers the behavior described above as inappropriate for the University community and in opposition to the core values set forth in this document. Any Student found to have committed or to have attempted to commit the above misconduct is subject to the Sanctions outlined in Section IV, paragraph H.

All paragraphs designated by the asterisk (\*) shall be considered Serious Misconduct Violations at intake and may be heard by the Student Disciplinary Council, who may issue sanctions up to and including suspension or expulsion from the University and/or eviction from University housing.

Charges other than those identified above as Serious Misconduct Violations that are egregious and/or frequent may also, at the discretion of the Office of Student Conduct and Community Standards, be designated as Serious Misconduct Violations, heard by the Student Disciplinary Council, and result in suspension or expulsion from the University and/or eviction from University housing.

## **B. Medical Amnesty**

When a Student finds themselves or another Student's safety at risk due to the use of alcohol or other drugs, they should contact emergency responders immediately for medical assistance. Formal disciplinary action for violations of paragraphs 30, 31, and/or 32 of the Code of Conduct will not be enforced provided the involved Students do as follows:

1. Request emergency medical attention for themselves or for someone else who reasonably appears to be in need of medical assistance due to alcohol or other drug consumption;
2. Provide their own full name to responding University employees and emergency responders;
3. Provide any other relevant information requested by the responding University employees that is known to such person;
4. Remain with, or is, the individual who reasonably appears to be in need of medical assistance due to alcohol or drug consumption until professional emergency medical assistance is provided; and,
5. Cooperate with emergency medical assistance personnel and law enforcement officers.

Students granted amnesty will be required to participate in an educational follow-up process with the University or meet other conditions in order to avoid creation of a student conduct record. Parents may be notified of the incident. Repeated incidents by an individual may result in an elevated response from the University. Violation of other regulations such as vandalism, disrupting the peace, or sexual misconduct may still apply.

### **C. Scope of Code of Conduct**

The University's jurisdiction for application of the Student Code of Conduct shall be limited to conduct which occurs on University Premises; the off-campus conduct of Students in direct connection with any credit-bearing experiences, including, but not limited to, internships, field trips, study abroad, or student teaching; any activity supporting pursuit of a degree, including, but not limited to, research at another institution or a professional practice assignment; any activity related to an athletic or other extracurricular activity as a representative of the University; or, conduct which adversely affects the University Community and its pursuit of its objectives.

## **IV. Procedures in Non-Academic Student Conduct Cases**

The following procedures are designed to provide fair and unbiased management of the Code of Conduct. These procedures do not, however, apply to cases involving Policy 1.4.1, Discrimination and Harassment or Policy 4.1.3, Academic Integrity.

### **A. Reporting Code of Conduct Violations**

1. Any person may report violation(s) of the Code of Conduct, either by a Student or Registered Student Organization. To do so, written reports should be submitted to the Office of Student Conduct. Reported Students and Registered Student Organizations retain all rights and privileges of a Student or Registered Student Organization in good standing unless Interim Measures are issued, as detailed further below in paragraph B., and until determined to be in violation of the Code of Conduct.
2. Reports of harassment and/or discrimination should be made directly to the Office of Institutional Equity. See Policy 1.4.1, Discrimination and Harassment.
3. Reports of criminal behavior (e.g., harm to persons, damage or destruction, drugs, sexual assault, stalking, dating violence, etc.) should be reported to the University's Police Department or to other appropriate law enforcement in the location where the reported criminal activity occurred. Reports may also be made to the Office of Student Conduct, the Office of Institutional Equity, and/or another University department or official, where appropriate.

Because the standard of proof required in criminal law is different from the standard of proof required in the Code of Conduct and University Policy or Regulation, the result of any criminal investigation does not influence the student conduct process. A criminal investigation may supplement but will not take the place of a University investigation. To that end, the University will not wait for the conclusion of a criminal investigation to begin conducting its own investigation, issue interim measures, or instigate any portion of the student conduct process.

## **B. Interim Measures**

1. Interim Measures may be determined and imposed by the Dean of Students, or designee, in consultation with the Office of Student Conduct when a Student or Registered Student Organization presents a clear and present danger to themselves or to another member of the University Community. Such Interim Measures are meant to be temporary, to address immediate emergencies, and to preserve the safety of the community.
2. Upon issuance of any Interim Measure, the Dean of Students, or designee, will notify the Respondent in writing within twenty-four (24) hours, including the reasons for the Interim Measure and right to a hearing, and provide the Respondent a chance to waive the Interim Measure hearing.
3. Unless waived by the Respondent, an Interim Measure hearing will be held within three (3) business days following written notice to determine whether there is substantial evidence that the Respondent poses a risk to the physical safety of a member of the campus community and that the Interim Measure is appropriate to mitigate that risk.
4. The Interim Measures hearing officer shall be selected by the Office of Student Conduct and Community Standards from the pool of members that may make up the Student Disciplinary Council.
5. At the Interim Measures hearing, the Respondent has the right to be represented by counsel.
6. Waiver of an Interim Measures hearing does not constitute an admission of guilt or a waiver of any additional rights afforded in this Regulation or by law.
7. The Interim Measure remains in effect during the hearing process unless otherwise stated. If the Interim Measure is upheld at the hearing, the Interim Measure remains in place until the issuance of a final order in the matter.



**C. Initial Review**

1. Upon receipt of a report, the Office of Student Conduct will open a case and conduct an initial review to determine if there is enough information to support an alleged violation of the Code of Conduct and, if so, which violations may have occurred.
2. If the Office of Student Conduct determines a report lacks merit or, even if true, would not violate the Code of Conduct or another University Policy or Regulation, the case will be dismissed without prejudice. Additional report(s) may always be filed that could result in a case being reopened.
3. A case also may be dismissed without prejudice by the Office of Student Conduct if it is determined, at any point in the conduct process, that sufficient information does not exist to prove an alleged violation.

**D. Notice and Administrative Measures**

1. If an initial review determines that a violation of the Code of Conduct may have occurred, the Office of Student Conduct will notify the Respondent via a Notice of Alleged Code Violation (Notice). The Notice will include written notice of a formal charge for any alleged violation of the Code of Conduct or another University Policy, as well as the specific details of the facts upon which the alleged violation is based.
2. Any Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation will also be provided Notice of:
  - a. The rights of the Respondent and Complainant as set forth in the Code of Conduct as well as in KRS 164.370 and other applicable law, if any; and,
  - b. The date, time, and location of each phase of the disciplinary process at least:
    - i. Three (3) business days prior to any scheduled event at which the Participant is expected to participate; and,
    - ii. Ten (10) business days prior to a disciplinary hearing.
3. Notices will be sent to the official University email address(es) but also may be sent by other available means. For Registered Student Organizations, the Notice will be emailed to the organization's primary representative, typically the President, on file with the Office of Student Life. Failure to read and comply with the Notice is not grounds for appeal.
4. The Office of Student Conduct schedules meetings and formal hearings, which can only be rescheduled for good cause as determined by the Office of Student

Conduct. Prior to any student conduct meeting or hearing, the Respondent or Complainant may contact the Office of Student Conduct to arrange an opportunity to review all information relevant to the allegations.

5. Respondents, including Registered Student Organizations, can review the information contained in the Reporting Form, with all personally identifying information of other Students removed (if appropriate), in advance of any meeting or hearing.
6. Any Respondent who is charged with a Serious Misconduct Violation will be granted reasonable continuing access to the University's Administrative File. All evidence the University or another Participant intends to introduce at a disciplinary hearing will be submitted to the Administrative File at least three (3) business days prior to such hearing. When evidence is submitted less than three (3) business days prior, all Participants will be immediately notified and such evidence will only be admissible at the hearing at the discretion of the hearing body.

#### **E. Investigation**

1. A Respondent, Complainant, and/or any witness may be asked to appear at an investigative meeting with the Office of Student Conduct to discuss the report or gather additional information.
2. The Office of Student Conduct reserves the right to convene an investigative committee to conduct meetings with Respondents, Complainants, and/or witnesses as well as to gather evidence.
3. Upon the conclusion of the investigation for matters involving Serious Misconduct Violations, an Investigative Report will be completed by the Office of Student Conduct or the investigative committee, if any, that summarizes the investigative process, witnesses, and evidence.

#### **F. Hearings Before a Judicial Hearing Officer**

1. Respondents not charged with a Serious Misconduct Violation may be provided an individual meeting with a judicial hearing officer to resolve the allegations. Office of Student Conduct staff, University Housing staff, and other University officials as designated by the Office of Student Conduct may serve as judicial hearing officers.
2. In the event an individual meeting is provided, such will be in the form of a closed meeting that permits the Respondent to discuss the matter with a judicial hearing officer. During the meeting, the referral is discussed as is whether it is more likely

than not that a violation of the Code of Conduct or other University Policy or Regulation has occurred.

3. If sufficient information does not exist to prove an alleged violation by a preponderance of the evidence, the judicial hearing officer will dismiss the case.
4. If sufficient information exists to prove an alleged violation by a preponderance of the evidence, the judicial hearing officer will determine responsibility and an appropriate Sanction, which are outlined in paragraph H. below, and issue a decision letter within five (5) business days of the hearing.
5. Within five (5) business days of the date of the decision letter, the Respondent may:
  - a. Accept responsibility and, thereafter, fulfill the Sanction imposed; or,
  - b. Appeal pursuant to paragraph I. below.
6. A Respondent or Complainant may have up to two (2) Support Persons present at any phase of the disciplinary process, excluding deliberations, so long as such does not violate the privacy rights of another Student or substantially delay the disciplinary process. Support Persons can provide emotional or other support but cannot participate in the disciplinary process.

#### **G. Hearings Before the Student Disciplinary Council**

1. Where charges involve a Serious Misconduct Violation, the case will be heard by the Student Disciplinary Council (SDC) with the purpose of arriving at a fair and just decision. Hearings before the SDC are closed meetings that permit the Complainant, including the University, and Respondent to address the alleged violation. If the Complainant or Respondent does not appear for the hearing, the hearing may proceed without them being present.
2. A Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation may have up to two (2) Support Persons present at any phase of the disciplinary process, excluding deliberations, so long as such does not violate the privacy rights of another Student or substantially delay the disciplinary process. Support Persons can provide emotional or other support but cannot participate in the disciplinary process.
3. A Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation may be represented, at the Participant's own expense, by counsel at each material phase of the disciplinary process, excluding deliberations. Upon written notice, the University will direct all communications related to disciplinary proceedings to both counsel and the Respondent or Complainant.

4. Attendance of any other individual at the hearing is at the discretion of the Student Disciplinary Council.
5. Hearings involving more than one (1) Respondent may be conducted either separately or jointly. Joint hearings will only be conducted at the discretion of the Office of Student Conduct and upon agreement of the Respondents as demonstrated through the execution of an appropriate waiver under the Family Educational Rights and Privacy Act (FERPA).
6. Strict rules of evidence shall not apply during the hearing; however, the admissibility of evidence shall generally conform with KRS 13B.090 and Kentucky Rules of Evidence 412. The burden of proving a violation of the Code of Conduct is on the University. The Respondent is presumed to be not responsible until determined otherwise. The Student Disciplinary Council's determination will be based on the preponderance of the evidence standard, which means that it is more likely than not (i.e., at least 50.1% certain) that the Respondent is responsible for the alleged act.
7. The order of presentation of the hearing is at the discretion of the SDC but will normally follow the steps indicated below:
  - a. Introductions and reading of alleged violations;
  - b. Opening statement by the Complainant, including the University;
  - c. Opening statement by the Respondent;
  - d. Presentation of witnesses and information by the Complainant, including the University;
  - e. Presentation of witnesses and information by the Respondent;
  - f. Questions from the SDC;
  - g. Closing statement by the Respondent;
  - h. Closing statement by the Complainant, including the University;
  - i. Closed session deliberation by the SDC; and,
  - j. Decision of responsibility and Sanctions, if any, rendered by the SDC.
8. The University and all Participants will submit a list of all witnesses to the Administrative File maintained by the University at least three (3) business days prior to the disciplinary hearing. When an additional witness is submitted less than three (3) business days prior, all Participants will be immediately notified and such witness will only be admissible at the hearing at the discretion of the Chair of the SDC, who will act as hearing officer.
9. During the presentation of information and witnesses, the party presenting the information or witnesses will be able to ask initial questions followed by questions from the other party and, subsequently, the hearing body. The Chair of the SDC will act as hearing officer and, accordingly, retains the discretion to determine

whether any information, witness, or question is relevant to the proceedings and to exclude anything deemed irrelevant.

10. A Respondent's questions for a Complainant who is a Student must be submitted through and asked by the Chair of the SDC, acting as hearing officer thereof. When the Chair of the SDC declines to ask any submitted question, the Chair will provide the specific rationale for excluding such and grant the Respondent the opportunity to cure any objection thereto and resubmit a revised question. A Respondent shall also be afforded the opportunity to submit follow-up questions.
11. All hearings, with the exception of the hearing body's deliberation, will be recorded, either by audio or video recording or, alternatively, by a written transcript at the University's discretion. The record created is property of the University and shall become part of the Administrative File.
12. During the closed deliberation session, the hearing body will meet to decide whether or not the Respondent is responsible for violating the Code of Conduct by a preponderance of the evidence:
  - a. If the Respondent is found responsible for violating the Code of Conduct, the SDC will determine Sanctions, taking into consideration the violation at hand, the welfare of the University community, and any prior disciplinary record of the Respondent; or,
  - b. If the Respondent is not found responsible, the SDC will determine that no action be taken and that the case be dismissed.
13. Within seven (7) business days following a hearing, unless circumstances exist that warrant delay, the Respondent will receive a written outcome at least via the Student's University email address and through other available means, if necessary. The written outcome must describe the rationale for the decision and any Sanction.
14. A Respondent may appeal the written outcome as outlined by paragraph I. below. Failure to timely appeal will result in the written outcome serving as the final order in the matter.
15. The Administrative File will be maintained by the University permanently when the Sanction is expulsion and, for all other sanctions, for the latter of the following:
  - a. Three (3) years after the Respondent's graduation date or last date of attendance; or,
  - b. Three (3) years after all Sanctions have been met.

## H. Sanctions

Judicial hearing officers and the Student Disciplinary Council have the authority to impose Sanctions on Students or Registered Student Organizations who are found to have violated the Code of Conduct. Such Sanctions shall bear a reasonable relation to the nature of the violation and, in determining possible Sanctions, judicial hearing officers and the Student Disciplinary Council shall consider the violation at hand, the welfare of the University community, and any prior disciplinary record of the Respondent. The following are examples of Sanctions:

1. Administrative Referral. Mandatory referral to another campus office/department to address concerns regarding a particular behavior or need.
2. Administrative Hold. A disciplinary hold may be placed on a Student's record when a Student:
  - a. Is not presently enrolled at the University and a conduct matter is pending;
  - b. Has a pending conduct matter that must be resolved prior to graduation;
  - c. Has failed to complete Sanctions by the assigned deadline(s);
  - d. Is suspended or expelled from the University; or,
  - e. Presents behavior that puts the University community at risk.
3. Alcohol/Substance Abuse Assessment. A Student may be referred to an appropriate provider for an assessment to identify alcohol and/or substance misuse/abuse risk factors, likelihood, and potential recommendations for treatment.
4. Disciplinary Probation Status. Carries a moderate warning, and in some cases a restriction of specified privileges or extracurricular institutional activities, other than those necessary or required for courses (e.g., libraries, lectures, work-study), for a specified period of time.
5. Educational Sanction. An educational sanction refers to attendance or participation in a prearranged class, program, or activity. Educational sanctions are designed to address a particular behavior, topic, or issue by educating the Student or Registered Student Organization on their responsibilities to abide by the Code of Conduct and learn from the violation in an educational way.
6. Election of Withdrawal. When the violation is one that indicates possible suspension or expulsion, the Respondent may elect to voluntarily withdraw from the University without appearing before the Student Disciplinary Council. The accused Student or Registered Student Organization shall sign a statement indicating that they have been advised of their rights to a hearing but instead intend to withdraw from the University on their own accord.
7. Eviction. Permanent, forced removal from University Housing, a classroom, or other University Premises. Removal from housing due to a violation of the Code of Conduct can only be imposed by the SDC following the hearing procedures outlined in paragraph G. above. Nothing here shall prevent eviction when a breach of the housing contract between the Student and the University has occurred, and evictions from housing due to contract breach are outside the scope of this Policy and not bound to the procedures outlined herein.

8. Expulsion. Permanent, forced withdrawal from the University. This sanction can only be imposed by the Student Disciplinary Council following the hearing procedures outlined in paragraph G. above.
9. Housing Relocation. Mandated relocation to a different housing assignment.
10. Loss of Visitation Privileges. Period of time where a Student loses all visitation privileges. During loss of visitation privileges the Student is not allowed to check visitors into their residence hall, and they are not allowed to be checked into the residence hall of any other Student.
11. Parental Notification. FERPA permits the University to notify a Student's parent(s) if: (a) the Student is under the age of twenty-one (21) and has violated any law or University Policy or Regulation related to alcohol or controlled substances or (b) the Student is considered a threat to themselves or to others, or there is a need to protect the health and safety of the Student.
12. Reprimand. Official written notice to the Student or Registered Student Organization found responsible for a violation of the Code of Conduct or University Policy. The reprimand warns that any further such actions may result in a more severe sanction.
13. Restitution. A measure intended to compensate for the loss, damage, or injury caused by the Student or Registered Student Organization. This action may take the form of appropriate service, monetary compensation, or material replacement.
14. Service Work. Mandated service to the University or a designated community agency to be completed within a specified time frame.
15. Suspension. Forced withdrawal from the University for a specific period of time or until stated conditions have been met as determined by the Student Disciplinary Council. A Registered Student Organization receiving this sanction will not be recognized by the University and, accordingly, will not receive designated privileges. This sanction can only be imposed by the Student Disciplinary Council following the hearing procedures outlined in paragraph G. above.
16. University Probation. Status which carries a severe warning that any further violation of the Code of Conduct or University Policy or Regulation may result in the Student or Registered Student Organization being required to appear before the Student Disciplinary Council for consideration of suspension, expulsion, or eviction from housing.

## **I. Appeals**

1. Appeals from an Order of a Judicial Hearing Officer:
  - a. Within five (5) business days of the date of the decision letter, a Respondent may submit a written appeal (i.e., handwritten, typed, or emailed) to the appeals officer indicated in the decision letter, which will be either:
    - i. The hearing officer's direct supervisor, or designee; or

- ii. When the hearing officer was a Housing staff member or other University official as designated by the Office of Student Conduct, a staff member within the Office of Student Conduct.
  - b. The appeal is not a new hearing, but rather a review of the process and of the original hearing. Accordingly, an appeal only may be made on one or more of the following justifiable grounds:
    - i. Whether deviations in procedures, if any, were significantly prejudicial (i.e., would alter the outcome of the hearing). In such cases, the appeal will focus on whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures providing the University a reasonable opportunity to prepare and present information regarding the alleged Code of Conduct violations, and providing the Respondent a reasonable opportunity to prepare and present a response to those allegations;
    - ii. Whether Sanctions imposed were appropriate in light of the nature of the violation; and/or,
    - iii. Whether additional, pertinent information not presented to the hearing officer and not known to the Respondent at the time of the hearing would have altered the decision letter.
  - c. The appeals officer may uphold, overturn, or modify the decision letter and will notify the Respondent of the results of the appeal in writing within five (5) business days of receipt of the appeal.
  - d. This shall be the only appeal afforded, and the appeal officer's decision is binding on the Respondent.
- 2. Appeals from an Order of the Student Disciplinary Council:
  - a. A Respondent may appeal an order of the Student Disciplinary Council by submitting a request to appeal in writing (i.e., handwritten, typed, or emailed) to the Office of Student Conduct within five (5) business days of the Student Disciplinary Committee's written outcome. The Office of Student Conduct will be given an opportunity to respond in writing to any appeal received and will have three (3) business days of receiving the appeal to do so.
  - b. The appeal is not a new hearing, but rather a review of the process and of the original hearing. Accordingly, an appeal only may be made on one or more of the following justifiable grounds:



- i. Whether deviations in procedures, if any, were significantly prejudicial (i.e., would alter the outcome of the hearing). In such cases, the appeal will focus on whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures providing the University a reasonable opportunity to prepare and present information regarding the alleged Code of Conduct violations, and providing the Respondent a reasonable opportunity to prepare and present a response to those allegations;
  - ii. Whether Sanctions imposed were appropriate in light of the nature of the violation; and/or,
  - iii. Whether additional, pertinent information not presented to the SDC and not known to the Respondent at the time of the hearing would have altered the written outcome.
- c. Appeals from the Student Disciplinary Committee will be heard by the University Appeals Committee. The University Appeals Committee is composed of three (3) members selected from a pool of trained faculty and staff. This committee has the authority to do one (1) of the following:
  - i. Uphold the findings and recommendations of the SDC; or,
  - ii. Remand the case back to the SDC. However, an appeal can only be remanded due to procedural error or new information:
    1. For issues of procedural error, a new SDC will be appointed and convened to reconsider the referral; and/or,
    2. For issues of new information, the previous SDC will be reconvened and instructed to resume the hearing to reconsider the referral in light of the new information.
- d. The University Appeals Committee will consider the following on appeal:
  - i. The Administrative File, including the recording or transcript of the hearing;
  - ii. The written outcome of the hearing body;
  - iii. The Respondent's written appeal; and,
  - iv. Any written response timely submitted by the Office of Student Conduct.
- e. Within five (5) business days of receipt of the appeal, the Respondent will be notified in writing of the decision of the University Appeals Committee. The decision of the University Appeals Committee is a final order and binding upon all involved.

- f. In accordance with KRS 164.370, a Respondent has the right to appeal the final order issued by the University Appeals Committee in accordance with KRS 13B.140.

## **V. Statement on Hazing and Other Forms of Organizational Misconduct**

### **A. Introduction**

The University is concerned about the emotional, psychological, and physical health and well-being of its Students. Any form of Hazing by individuals or groups is unacceptable and is in direct conflict with institutional values related to the rights and dignity of Students, all of whom have the right to belong to groups without risk of danger or humiliation. Consent to Hazing is never a defense to a violation of this statement.

All Kentucky colleges and universities are required by KRS 164.375 to adopt policy statements regarding hazing activities, and, as required by statute, this statement applies to the conduct of Students, Registered Student Organizations, faculty and staff, as well as visitors and other licensees and guests on campus. This statement applies to incidents on or off the University's campus.

The intent is to set forth the University's position regarding Hazing and to fulfill the statutory directive. The University believes that new and existing members of groups and teams can expect to participate in educational and enjoyable activities that build teamwork and camaraderie among all members of the group. Such activities are intended to create a sense of identity and commitment within a group and are generally acceptable and encouraged. However, Students should never be subject to any form of hazing by either an individual or a group.

### **B. Criteria**

There are two primary conditions that create a Hazing dynamic:

1. New members often wish to be accepted, either formally or informally, into any group, and will submit to Hazing in order to be included. However, consent to be hazed does not excuse Hazing. Students have died or have been seriously injured as a result of participating in activities to which they have "consented." The psychological pull to be accepted is so strong that hazing victims cannot be expected to resist Hazing, even if the Hazing is presented as optional. That this pull can be so coercive should make this need to prohibit this conduct, to any degree, undeniably clear.
2. Any activity that places new or existing members in a subservient position to experienced members creates an unhealthy and unsafe power dynamic in which control has been yielded to the experienced member. New or existing members in any organization may expect to be trained, oriented, or indoctrinated, but

membership in any group that puts a new or existing member in a lesser role, unrelated to the original conditions for membership or mission of the group, is inappropriate and unfair to the new or existing members. Any activities of membership should be equally shared among experienced and new members in order to eliminate any possible elements of Hazing or the perception of Hazing.

3. While it would be impossible to list all behaviors that could be deemed to be Hazing, Hazing behaviors include but are not limited to the following:
  - a. Any physical act of violence expected of, or inflicted upon, another;
  - b. Any physical activity expected of, or inflicted upon, another, including calisthenics;
  - c. Pressure or coercion of another to consume any legal or illegal substance;
  - d. Making available unlawful substances;
  - e. Excessive fatigue or sleep deprivation as a result of any activities;
  - f. Forced exposure to the weather;
  - g. Kidnapping, forced road trips, and/or abandonment;
  - h. Required carrying of or possessing of a specific item or items;
  - i. Servitude (expecting a new member to do the tasks of an experienced member);
  - j. Costuming and alteration of appearance;
  - k. Line-ups and berating;
  - l. Coerced lewd conduct;
  - m. Degrading games, activities or public stunts;
  - n. Interference with academic pursuits;
  - o. Violation of University Policy or Regulation;
  - p. Assignment of illegal and unlawful activities; and/or,
  - q. Forced consumption of drugs or alcohol.

### **C. Other Forms of Organizational Misconduct**

In addition to Hazing, the University oversees other forms of organizational misconduct by Registered Student Organizations. All Registered Student Organizations are expected to comply with all policies and procedures of the University, including but not limited to the Code of Conduct as well as additional terms specified within the Registered Student Organizations Manual and within other directives published by the University's Office of Student Life.

Registered Student Organizations are collectively responsible for any action committed by their members on behalf of the organization that violates the Code of Conduct, University Policy, directives, or Regulations. This applies to on campus incidents, but also to off campus behaviors that may affect the University community. Disciplinary action against Registered Student Organizations is separate from action taken against individuals.

#### **D. Factors Used in Attributing Fault**

The following criteria is used to determine whether the offense was committed by the organization or by one or more individuals:

1. Knowledge of the incident by the executive board or leadership, including if they had reasonably should have known;
2. Whether members and/or alumni were acting on behalf of the organization or otherwise permitted, encouraged, aided or assisted in the incident;
3. Whether the incident occurred at events sponsored by the organization, in their facilities, or as part of an activity/assignment voted on by the organization and/or otherwise approved by the organization;
4. Whether that incident was committed by members attending a function representing the organization;
5. Failure of the organization to implement preventative measures where it is reasonably foreseeable that a violation would occur;
6. Use of organization funding or funding by an individual or members in the name of the organization; and/or,
7. Members and/or officers fail to report the incident to appropriate University authorities.

#### **E. Reinstatement of Registered Student Organizations**

A Registered Student Organization (RSO) that receives a sanction of suspension shall have the opportunity to seek reinstatement at Eastern Kentucky University after the required period of suspension has lapsed. To seek reinstatement, an RSO must first satisfy all requirements as outlined by the disciplinary sanctions. A currently enrolled student who desires to represent the RSO may then contact the Office of Student Conduct and Community Standards to begin the process to petition for reinstatement.

Reinstatement will be based on the written responses contained in the petition, adherence to the terms of suspension, and input from other relevant departments at the University. The outcome is subject to no further appeal. If the petition for reinstatement is denied, the RSO may petition for reinstatement again the next academic semester or at a later date in the future. The Office of Student Conduct and Community Standards will only consider one (1) reinstatement petition by the RSO per academic semester.

The RSO must have complied with the terms of their suspension. Noncompliance can include, but is not limited to, hosting events or meetings (on or off campus), conducting recruitment, or producing materials/marketing. Reports of non-compliance of the suspension terms will be reviewed during reinstatement proceedings and may affect/jeopardize the RSO's ability to be reinstated.

Even where an RSO satisfies all requirements as outlined by the disciplinary sanctions and submits the required Reinstatement Petition, the Director of Student Conduct and Community Standards, or designee, has the discretion to grant or deny the petition. This may happen, for example, if the submission does not adequately explain how the RSO will ensure that the violation of the Policy(ies) or Regulation(s) that led to the organization's suspension will not occur again.

Reinstatement Petition contents include:

- A. The mission statement of the RSO, which must be compatible with the mission of the Eastern Kentucky University;
- B. A detailed plan on how the RSO will prevent organizational misconduct, specifically the behaviors that led to the suspension;
- C. The educational opportunities that will be offered or required by the RSO;
- D. Requirements for members of the RSO;
- E. Support that will be provided by nationals, advisors, and alumni board;
- F. The RSO's risk management plan;
- G. A detailed explanation as to the steps taken by the RSO to assure that all violations are addressed and no longer a part of the culture; and,
- H. Identify in sequential implementation order the corrective steps addressing the RSO's recruitment/intake efforts, new member education process, and the degree of adherence to inter/national regulations and policies.

The Office of Student Conduct and Community Standards may establish additional requirements for reinstatement beyond the standard requirements listed above. Additionally, an RSO approved for reinstatement must follow all guidelines and requirements as outlined by the Office of Student Life and First Year Experience. The RSO will not be considered active and eligible for full reinstatement until these requirements are satisfied, as determined by the Office of Student Conduct and Community Standards.

## **VI. University Housing**

1. The standards and regulations for University residential living are contained in the written rental agreement between the Student and the University and in the Residential Community Guide. University Housing and Residence Life investigates alleged violations of the rules and regulations outlined in the rental agreement. Management of such cases is conducted in accordance with

established and published procedures. A compilation of all rules established under the rental agreement is available to all residents of the facility to which such rules apply.

2. In cases where an alleged violation of the rental agreement could also constitute a violation of the provisions of the Code of Conduct, University Housing may refer the case to the Office of Student Conduct.
3. If the behavior or conduct of a Respondent has the potential to be deemed a Serious Misconduct Violation, Housing will refer the case directly to the Office of Student Conduct.

## **VII. Reporting on Disciplinary Proceedings**

1. In accordance with KRS 164.372, the University will report on disciplinary proceedings, by November 1, 2023 and by November 1 every five (5) years thereafter, on a prominent location on the University's website and by filing with the Interim Joint Committee on Education.
2. The report will be prepared by the Office of Student Conduct and, as required by state law, will include the total number of disciplinary proceedings, including formal investigations, for violations of the Code of Conduct during the reporting period and, of those, the total number that resulted in:
  - a. A dismissal prior to a hearing;
  - b. A negotiated resolution prior to a hearing;
  - c. A hearing;
  - d. A dismissal following a hearing;
  - e. Suspension;
  - f. Expulsion;
  - g. Termination of residence;
  - h. An appeal to the governing board or its designee; and,
  - i. An appeal from a final decision of the governing board or its designee.
3. For each data point, the University also will provide:
  - a. A summary of the basic demographics of any Student subject to the disciplinary proceedings, including but not limited to race, gender, whether the Student resided in campus housing at the time the violation occurred, and the approximate number of credit hours earned;
  - b. The specific rule(s) in the Code of Conduct the Student violated;
  - c. The general source of the initial information (e.g., another student, faculty, staff, community member, or law enforcement); and,
  - d. The percentage of Students that were subject to disciplinary proceedings and represented by an attorney licensed to practice law in Kentucky.

4. Notwithstanding the above, KRS 164.372, permits the University to seek an exemption to this reporting requirement by petitioning the Kentucky Attorney General.

Definitions
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These definitions apply to terms as they are used in this Regulation.

<b>Administrative File</b>	Includes the initial conduct report as well as all documents and evidence in the University's possession or control relevant to the alleged violation and the University's investigation thereof, including but not limited to exculpatory evidence, documents submitted by any Participant, and the hearing transcript or recording. The Administrative File does not include privileged documents or internal memorandums that the University does not intend to introduce as evidence at any hearing in the matter.
<b>Complainant</b>	Any person, including but not limited to a Student, or their proxy who has alleged a violation of the Code of Conduct. The University may initiate disciplinary proceedings against a Student or Registered Student Organization without a formal complaint from the victim of an alleged violation of the Code of Conduct.
<b>General Incident Reporting Form</b>	Any document that describes an alleged violation of the Code of Conduct, including but not limited to University incident reports, investigative reports, police reports, or verbal, written, or electronic communication.
<b>Hazing</b>	Any reckless or intentional act, occurring on or off campus, that produces physical, mental, or emotional pain, discomfort, humiliation, embarrassment, or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected of new members and which is not related to the mission of the team, group, or organization. This includes any activity, whether it is presented as optional or required, that places any member in a position of servitude as a condition of membership or continuing membership.
<b>Interim Measures</b>	The temporary application of any Sanction prior to the investigation and finding reaching a conclusion in a conduct matter, which may include, but are not limited to, denial of access to certain facilities, no contact orders, removal from housing, and relocation in housing.

<b>Participant</b>	A Respondent or Complainant participating in a disciplinary matter.
<b>Registered Student Organization</b>	Any organization that operates under <u>Policy 5.1.2, Student Organizations</u> as either a Sponsored Student Organization or, alternatively, as a Voluntarily-Affiliated Student Organization.
<b>Respondent</b>	A Student or Registered Student Organization alleged to have violated the Code of Conduct.
<b>Sanctions</b>	An educational or disciplinary measure given in response to a Code of Conduct violation by a Student or Registered Student Organization. Possible Sanctions issued by the University are outlined in Section IV, paragraph H. of this Regulation.
<b>Serious Misconduct Violation</b>	A violation of the Code of Conduct for which the possible sanctions include suspension or expulsion from the University and/or eviction from University housing.
<b>Student</b>	Any person who is enrolled at the University and who has not completed a program of study in which they are enrolled. Student status continues whether or not the University's academic programs are in session. Student status includes those taking courses for credit or non-credit at the University, either full-time or part-time, while pursuing undergraduate, graduate, or professional studies.
<b>Student Disciplinary Council</b>	The hearing body authorized to resolve alleged Serious Misconduct Violations.
<b>Support Person</b>	An individual who may attend an informal meeting or formal hearing to provide advice, support, or guidance to either the Respondent or Complainant participating in disciplinary proceedings involving a Serious Misconduct Violation. A Support Person may not represent or speak on behalf of a Participant and may not delay, disrupt, or otherwise interfere with a student conduct meeting or hearing. An attorney may serve as a Support Person, although the attorney's participation would be limited to the role of Support Person as described herein.
<b>University Community</b>	Employees, Students, visitors, volunteers, and, potentially, members of the public.

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Responsibilities
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<b>Housing and Residence Life</b>	Staff in Housing and Residence Life will, as needed, act as judicial hearing officers to hear and resolve, in accordance with this Regulation, Code of Conduct violations not constituting Serious Misconduct Violations.
<b>Registered Student Organization</b>	Registered Student Organizations (RSOs) are expected to comply with this Regulation as well as terms and policies specified within the RSO Manual published by and other directives of the Office of Student Life. RSOs are collectively responsible for any action committed by their members on behalf of the organization that violates this Regulation or other applicable University policies or directives.
<b>Student Disciplinary Council</b>	The Student Disciplinary Council (SDC) will hear and resolve all alleged Serious Misconduct Violations in accordance with this Regulation.
<b>Students</b>	Students will: (1) Show respect for others, themselves, and the University community; (2) Take responsibility for their behavior; (3) Read and understand this Regulation as well as the University Student Handbook; and, (4) Act with honesty and integrity upholding the Student Code of Conduct.
<b>Office of Student Conduct and Community Standards</b>	The Office of Student Conduct and Community Standards will: (1) Provide information to all students relating to the Code of Conduct and this Regulation; (2) Adjudicate all reports of alleged violations of the Code of Conduct in a consistent manner; (3) Facilitate due process rights set forth by the this Regulation and applicable law; and, (4) Conduct fair and impartial hearings.
<b>University Appeals Committee</b>	The University Appeals Committee will hear and resolve all appeals from the Student Disciplinary Council in accordance with this Regulation.

Violations of the Policy
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Violations of this Regulation will be handled through the applicable processes outlined herein.

Interpreting Authority
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The Office of University Counsel shall be the Interpreting Authority of this Regulation.

Policy Adoption Review and Approval

Policy Issued

Date

Entity

Action

President

## Report of the Senate Chair for 10-3-22

The Executive Committee met on 9-26. Much of the meeting was devoted to the postponed motion regarding filling the vacancies for the 4 University Committees. We were joined by Ryan Baggett and Gus Benson, who gave us much-needed perspective on the issue. The Executive Committee thought it would be beneficial for you to hear their thoughts on the matter, so we have invited them, along with Garrett Yoder, to join us for the discussion today and answer questions before we vote on the postponed motion.

President McFaddin and I hosted about 6 faculty along with the Provost, Chief of Staff Colleen Chaney and Regent Marion, for the first “Lunch and Learns” on 9-27 in the Regents Dining Room at the Case Dining Hall. The discussion was enjoyable and informative. These events are not only a chance to bring up topics/questions that are on your mind, but they give The President a chance to hear faculty perspectives and concerns. With his emphasis on shared governance and transparency, these lunches are an excellent opportunity to pursue those goals. The next Lunch and Learn is scheduled for Monday, October 24<sup>th</sup> at Noon. There are spaces reserved for 30-35 participants and I hope that many faculty will avail themselves of this excellent opportunity.

I was able to attend the meeting of the Board of Regents meeting on 9-16 in Walnut Hall in the Keen Johnson Building. Chairman Mike Eaves mentioned how much he enjoyed getting to participate in our last Senate meeting. Regent Marion will give more details in his report but suffice it to say that Chairman Eaves keeps things moving and on schedule and a great many topics were covered, including the President’s update on the campus master plan. And I was able to report that the Senate voted by 80% to recommend that the one-time fund of \$500,000 be used towards beginning to address salary compression. (As a side note, the President and Provost informed those of us at the Lunch and Learns that the plan for this year’s funds will be released in the early Spring semester and that the long-term plan for addressing the issue will be rolled out by the end of the Spring semester).

By now most committees have, or will shortly have, elected their Chairs and begun work on their charges. Senator Kay, Regent Marion and I are scheduled to have our next Problem Solvers meeting with Provost Ziegler a few hours before this Senate meeting. As I have said many times, I appreciate this opportunity to bring issues to the Provost and her receptiveness to finding solutions.

Sincerely,

Richard A. Crosby  
Faculty Senate Chair

## Faculty Regent Report to Faculty Senate

October 3, 2022

Dear Senators,

Since our last Faculty Senate meeting, the Board of Regents had a quarterly meeting on Friday, September 16. A summary of that meeting is provided below. The next Board meeting is scheduled for Thursday, December 1, 2022.

### **Summary of September 16<sup>th</sup> Board Meeting:**

The Board of Regents met on September 16 at 9 a.m. in Walnut Hall of the Keen Johnson Building. The [Board Agenda](#) document is available on the Board Webpage. The Board agenda was much lighter than the June meeting. On the agenda were usual reports pertaining to updates related to (1) construction, (2) academic affairs, (3) university finances, (4) enrollment and the student experience, (5) development/fundraising and alumni relations, (6) athletics update, and (7) any committee reports from the Board. Brief reports were presented by Faculty Senate, Staff Council, SGA, President McFaddin, and Chair Eaves.

For action items on the agenda were the usual items (approval of prior meeting minutes, personnel actions, and Fall 2022 degree candidates). Some noteworthy items are listed below:

### **Noteworthy Agenda Items:**

The items that were relatively new for the Fall Quarterly Board of Regents meeting include the following:

#### **Item IV-E on the Agenda: Recommendation for Approval of the Asset Preservation Projects**

In total, \$35,000,000 will be spent using the General Fund appropriation to ECU for this purpose. An outlay is provided in the Board Book on pdf page 41 ([linked directly here](#)). Specific details documenting specific locations/buildings where the funds will go could not be provided; however overarching areas for spending funds were provided. A substantial portion of the funds will be allocated to upgrades related to HVAC, water, plumbing, cooling towers, chillers, etc. Upon some discussion with the Board, there was an indication from the University that a summary of the work that will be completed will be provided, including which buildings and areas were serviced by this state allocation. There is hope, and a desire, for ECU along with all the public universities to request furtherance of these types funds in the next biennium as the two-year allocation in this biennium, while helpful, will not address the far greater deferred maintenance costs at ECU and the other universities.

**Item IV-F on the Agenda: Recommendation for Approval and Ratification of the Football Field Naming Agreement.** The Board approved a naming rights agreement for the football field at ECU. The \$1.15M agreement has named the field, CG Bank field, located at Roy Kidd Stadium, for eleven years. Some news stories on the naming agreement went out the day of the announcement, one of which is [linked here to a WEKU story](#).

**Item VIII on the Agenda: Appointment of Ad Hoc Committee on Board Governance & Evaluation.** Chair Eaves appointed a committee including Regent Ashley Ward, Staff Regent Jeremiah Duerson, Student Regent Paige Murphy, and the Faculty Regent (me) as Chair, to align our regulatory evaluation duties

prescribed by state statute with best practices in presidential assessments and university governing board self-assessments. The process is likely to yield a more efficient and useful annual evaluations for the Board itself and the President, while laying the groundwork for a future comprehensive evaluation that aligns with the current strategic plan versus the expired plan.

### **Informational Updates:**

A [Construction Update](#) was provided by Dr. Byran Makinen detailing completed, on-going, and some future projects. Information was provided on the two state budget-appropriated projects (Model Lab School [\$94M] and Alumni Coliseum [\$31.35M]). Additionally, \$54M in housing bond projects (using EKU's housing funds) to renovate Keene Hall, Palmer Hall, Sullivan Hall, and Burnham Hall are underway. The extent of the substantial renovations will keep our available housing capacity at capacity or may exceed capacity as the demand for EKU housing remains high and as enrollment increases in the on-campus underclassmen populations. The bonded projects took advantage of favorable rates to do desperately needed renovations. In addition to ongoing projects, particular attention was given to the relocation and enhancement of the Veteran's Memorial coupled with the Powell Plaza Phase 1 enhancement. The Veteran's Memorial Plaza is moving to the Carloftis Garden and will be more attractive and more conducive to enabling access to the space for everyone (alumni, community, students, and others) for reflection and ongoing memorialization.

The [Financial Update](#) indicated that university was on budget for this year and is maintaining a solid financial position for this fiscal year due to increased enrollment- and housing-related revenue and from some modest increases in state support.

An [Academic Affairs update](#) was provided by Provost Zeigler. The update oriented the Board to the current profile of EKU's academic leadership, notably the deans, as there have been a number of newly appointed deans in the last year. Notable activities of each college were presented by the Provost, and particularly exciting for the Board, were the Provost's presentation of EKU Faculty Highlights. Professors David Fifer and Carter Sickels were highlighted. Specifically, Professor Fifer was recognized for his roles with helicopter rescue operations during the floods in Eastern Kentucky and his growing reputation in the field of wilderness medicine and tactical rescue from the Red River Gorge and beyond. Professor Sickels was recognized for his 2021 novel, *The Prettiest Star*, which won the Southern Book Prize and the Weatherford Award. Additional information pertaining to student spotlights and EKU's sponsored awards were also presented, which included EKU having received \$29M in new sponsored award funding across 71 new awards.

The [Student Success & Student Life Update](#) was provided by Drs. Tanlee Wasson and Dannie Moore. Overall, enrollment increased to 14,238 representing a 2% increase year-over-year. Within that increase was a 12% increase in underrepresented minority (URM) students. There was also a 4.2% increase in e-campus enrollment. Freshmen enrollment increased 9% year-over-year to 2,765. Retention is also up, now at 77.6% retention, this is up 4% year-over-year and near the all-time high freshmen-sophomore retention rate. More details, including a couple videos, were presented to the Board showcasing the Big E Welcome events and other orientation programs. Included in the update were a description of some of the on-going activities to foster community within the student population and to give students a sense of belonging worthy of celebration among their peers. There's enthusiasm that EKU can eclipse 3,000 freshmen students in Fall 2023 building upon investments and successes from BookSmart, increased college recruitment efforts, and the palpable excitement associated with the Exceptional Eastern Experience (E3) programming that is ongoing.

The [Development Update](#) from Vice President Betina Gardner spotlighted the *Make No Little Plans* Capital Campaign which finished with a grand total of \$61M which surpassed the \$50M goal. Overall, there were 27,699 donors, including 11,694 new donors. Special attention was given to the 209% increase in faculty/staff (employee) giving during the campaign. Also, noteworthy were food donations and cash donations to the EKU SAFE fund (Student Assistance Fund for Eastern), which has helped students during the Pandemic, with unusual challenges (like home fires) or attending EKU following the devastating floods in our service region.

**Athletics Update:** Athletic Director Matt Roan presented an update for the Department of Athletics including points of pride for the various athletic teams, including the football program being in the Top-25 rankings. Season ticket sales and revenue have continued to increase the last several years, with 2021 surpassing 2017 sales. Projections are positive for 2022. Alumni Coliseum renovations are to start following basketball season in March 2023 with occupancy in the renovated facility expected in September 2024.

**Information from Council on Post-Secondary Education (CPE):**

The regents and trustees from all of Kentucky's institutions attended the Kentucky Postsecondary Education Trusteeship Conference. A wealth of information is available in the slides presented at that meeting, all of which is available on [the CPE's Trusteeship Conference page](#).

The CPE will be hosting the [4<sup>th</sup> annual Higher EDequity Symposium](#) this November 14-15 at NKU, and is currently welcoming proposals.

**Closing:**

As the Board meeting finished, Chair Eaves enabled time for Regents to share thoughts. Part of my comments were related to the Board and leadership remaining cognizant of cost-of-living in the university's region and the value of having a retained quality faculty and staff. The Chair and Board are committed with the President to continue to build upon progress made thus far as resources permit, and we are optimistic for enhanced state, CPE, and enrollment support. Thank you for the opportunity to be of service to you and the faculty. If you have any questions or recommendations for me to consider, you may let me know by email ([jason.marion@eku.edu](mailto:jason.marion@eku.edu)) or by phone (513-317-9508).

Respectfully submitted,  
Jason