

Fisk University Policy of Zero Tolerance for Physical Violence and Victimization

It is the intent of Fisk University to promote a safe and supportive learning environment on our campus, to protect students, faculty, and staff from conduct that poses a serious threat to University safety. We do not tolerate gang activity, fighting, physical or verbal abuse against any individuals. The University finds that zero-tolerance policies must apply equally to all students.

The University views physical abuse as any encounter in which physical contact occurs between two or more persons. The Code of Student Conduct defines intentional bodily harm as:

“menacing, hazing, fighting-- (a) Intentionally inflicting bodily harm upon any person on University-owned or controlled property; (b) intentionally taking any action for the purpose of inflicting bodily harm upon any person; (c) taking any action with reckless disregard that bodily harm could result upon any person; (d) threatening to use force or alleged authority to inflict bodily harm upon any person on University-owned or controlled property; (e) menacing a member of the University community (i.e., knowingly causing a person to believe that the offender will cause serious physical harm to one or one's personal property). Such behavior includes rape, sexual assault, or sexually threatening actions.”

This further includes but is not limited to the following:

- an encounter with blows or other personal violence;
- rape or other forms of sexual assault & abuse;
- assault or battery;
- pushing or shoving;
- any act of physical abuse;
- slaps or punches; and/or
- conduct which endangers the health or safety of any individual.

Zero Tolerance for Physical Misconduct

The University will immediately summary suspend all parties involved in any physical altercation. Summary Suspension is defined as follows:

Interim or Summary Suspension – As a general rule, the status of a student accused of violations of these regulations should not be altered until a final determination has been made in regard to the charges against him or her. Nevertheless, summary suspension may be imposed upon a finding by the University Judicial Officer or designee that the continued presence of the accused on-campus will pose an immediate threat:

- a. to the physical safety or well-being of the accused, or of any other member of the University or its guests;
- b. to the integrity of institutional property or personal property of members of the University community or its guests; or
- c. substantial disruption of classroom or other campus activities.

During an interim suspension, the student shall be denied access to the Residence Hall and/or to campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Student Engagement, or a designee, may determine to be appropriate. A preliminary hearing will be held by a designee of the Office of Student Engagement within two (2) working days of the interim or summary suspension to determine if the suspension should continue until a formal hearing of the charges by a University adjudicating body can be held. If the interim or summary suspension is upheld, the formal hearing concerning suspension or expulsion shall be held no later than five (5) working days after the first day of interim suspension.

As a mandatory minimum sanction, the University's zero tolerance approach to students who violate this policy as a first offense, will result in a sanction of either suspension or permanent expulsion from the University as the only options for decision by the appropriate judicial body.

Only in clear and absolute cases of self-defense or being the victim of assault by multiple parties will an individual not receive the minimum sanction, however, they will be summary suspended until the investigation of said assault is complete.