

FISK UNIVERSITY MISSION STATEMENT:

Fisk University produces graduates from diverse backgrounds with the integrity and intellect required for substantive contributions to society. Our curriculum is grounded in the liberal arts. Our faculty and administrators emphasize the discovery and advancement of knowledge through research in the natural and social sciences, business and the humanities. We are committed to the success of scholars and leaders with global perspective

THE OFFICE OF STUDENT ENGAGEMENT

Learning occurs all over the University-both inside and outside the classroom. Fisk University provides a variety of student-centered social and educational activities, academic support programs, intramurals, and residence life programming as a part of the Fisk Experience. By developing your leadership skills, providing community service opportunities, and supporting student led initiatives, The Office of Student Engagement offers student access to participate and lead co-curricular programming. The Office of Student Engagement houses Student Housing and Residence Life, Student Activities, Student Government, Athletics, Registered Student Organizations, and Greek Life.

STUDENT GOVERNMENT ASSOCIATION

The Student Government Association (SGA) is the primary vehicle for student participation in University governance, as well as, in student government. Students serve on most of the decision-making bodies of the University, including the Board of Trustees. Additionally, the right of student organizations to govern themselves within the framework of University regulations is respected in democratic processes. The Student Government Association consists of an Executive Council, a House of Representatives, and a Judiciary Council. The Association has general responsibility for self-governance, administers its own budget, and represents the students in various ways. Through various standing committees, the SGA assists in providing services and programs for the student body, including student orientation, concerts, dances, lectures, films, and Homecoming activities.

THE OFFICE OF CAREER PLANNING AND DEVELOPMENT

MISSION

The Office of Career Planning and Development seeks to aid students in achieving their desired career goals by providing services that encourage professional development.

PURPOSE

Our office helps students build on their academic experiences by providing timely, practical and customized career information. We strive to motivate students and ensure that they possess skills that will allow them to remain marketable and competitive in the workplace.

Our services are the bridge between academic achievement and lifelong success. The Office of Career Planning and Development provides counseling for students and alumni. We assist them with acquiring self-awareness regarding goals and preferences and using that knowledge to make decisions related to career planning and professional development. Our office also helps students find service learning and community service opportunities, and we track volunteer hours during the academic year. Individual appointments are available upon request to provide assistance with the following services:

- Resume and Cover Letter Development
- Career Counseling
- Graduate School Counseling
- Mock Interviewing
- Professional Development Workshops
- Internship and Full-time Job Placement Assistance
- Networking and Professional Development Opportunities

- Service Learning/Volunteer Hours

RECRUITING OPPORTUNITIES

Annual Fall Career and Graduate School Fair - Open to all students regardless of major and classification.

Spring Nashville Area Career Fair - Hosted with 10 other Middle Tennessee universities where employers and graduate schools recruit students in one centralized location. Open to juniors and seniors only.

Campus Visits by Graduate Schools and Employers - Graduate schools and employers interface outside of fairs by presenting in classrooms and hosting information tables and sessions.

Alumni Networking and Mentoring - Alumni participate in various workshops, provide career exploration prospects, and facilitate internship and full-time job placements.

Industry-Specific/Job Shadowing Opportunities - Partner with local businesses to provide lunch & learn development sessions and job shadowing opportunities.

Please contact: Office of Career Planning & Development
(615) 329-8504
careerplanning@fisk.edu

Service Learning
(615) 329-8504
servicelearning@fisk.edu

ADA COMPLIANCE STATEMENT

The Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) require that “no qualified person shall, solely by reason of disability, be denied access to, be excluded from participation in, or the benefits of services, programs or activities or subjected to discrimination under any program or activity receiving federal assistance.” Through the Office of Academic Excellence and Student Performance, students who may need special accommodations in the learning process may receive services including assessment and identification of tutorial support and other services from faculty and staff.

ACADEMIC EXCELLENCE AND STUDENT PERFORMANCE (AESP)

AESP is responsible for the further development, implementation, and evaluation of the university-wide initiative to impact retention, persistence, and graduation rates at Fisk. AESP will assist students in achieving their educational goals with a positive academic experience. AESP will also support faculty in its efforts to produce academically superior students. AESP staff will work to ensure that students experience success and attain their goal of a Fisk degree.

AESP SERVICES

AESP collaborates with, oversees, coordinates, and manages diverse services to support Fisk students who desire to improve their academic performance or are experiencing academic difficulty. All students conditionally admitted and in weak academic standing, are required to enroll in tutoring, participate in academic skills workshops, and meet with AESP advisors on a scheduled basis. AESP academic advisors also provide advisement to students who have not yet selected majors. Your faculty advisor may refer you to AESP to receive tutoring or the appropriate supplemental instruction in writing, reading, or mathematics.

- **Math Lab** (Jubilee Hall)
- **Writing Center** (Jubilee Hall)
- **Living Learning Centers** (Jubilee, Crosthwaite, and New Livingstone Halls)

DIFFERENTLY-ABLED SERVICES

These services are designed for students who may have special needs as related to their successful matriculation at Fisk University. Whether the student has received a previous diagnosis or needs an assessment, the DSS staff ensures that the proper accommodations are provided, and every student at Fisk receives an equal opportunity to succeed, regardless of need and disability. Students should contact AESP if they need assistance.

LEADERSHIP ENRICHMENT AND ACADEMIC DEVELOPMENT (LEAD)

TRIO STUDENT SUPPORT SERVICES LEAD PROGRAM

Leadership Enrichment and Academic Development (LEAD) or Student Support Services is a federally-funded TRIO program designed to promote academic achievement and increase the college graduation rates of first-generation students and students from economically challenged families. LEAD provides services to qualifying students, who have the opportunity to participate in academic skill development workshops, tutoring, peer study groups and mentoring, financial literacy education, cultural enrichment, and graduate school preparation, as well as receive personal, career, and academic counseling.

Counseling Services

The Fisk University Counseling Center provides an array of psychological services designed to maximize the full potential of each student within his/her collegiate experience. The Counseling Center seeks to contribute to a campus environment that promotes mental health and wellness, and provides a supportive, confidential atmosphere to address personal challenges.

Counseling services are available to help students cope with academic, career, and interpersonal problems which may interfere with their ability to achieve academic success and actualize their human potential. Counseling services are provided to promote emotional stability and academic success among the student population and to create an environment in which learning, and growth can be maximized. The services available are: individual confidential counseling, grief counseling, specialized placement testing, vocational counseling, consultations and services for students with learning differences or learning disabilities.

Campus Safety

Fisk's Office of Campus Safety (OCS) is dedicated to the protection and security of Fisk University and the Fisk University Family. The staff – all with prior police/security experience and/or military backgrounds – are also all state certified security officers. They are committed to providing a safe, secure, and accessible campus for students, faculty, staff, parents, and visitors. They also provide patrolling, crime prevention, escort services, traffic/parking, investigative and administrative services of the university community.

The Office of Campus Safety is open 24 hours a day, seven days a week, to respond to emergencies, reports of criminal activities and to provide security for the campus. Campus facilities are patrolled routinely by security officers and all buildings are locked when not in use. Building checks are conducted on a regular basis. The grounds are unrestricted to students, faculty, staff, and their guests with legitimate reasons to be on the property. Campus residences (Crosthwaite, Jubilee, and New Livingston Halls) are restricted to occupants and their authorized guests.

OFFICE OF GLOBAL INITIATIVES

Mission:

The Office of Global Initiatives endeavors to cultivate and nurture generations of global leaders by promoting diversity, multiculturalism, and inclusion in all aspects of the Fisk experience.

The Office of Global Initiatives serves the international students who are attending Fisk University. The office provides students with any assistance needed in adjusting to life in the United States, whether it is cultural, personal, academic or immigration-related.

The Office of Global Initiatives provides the following services:

1. Process Admissions applications for all undergraduate international students.
2. Assist the Graduate Office in processing Admissions applications for graduate students
3. Generate Certificates of Eligibility (I-20's) for all undergraduate and graduate students
4. Monitor and maintain all Student Exchange Visitors Information System (SEVIS) Records
5. Assists international students in their adjustment to college life in the United States.

International students are often faced with concerns not encountered by American students. For example, an international student's funds from his or her home country may be unexpectedly delayed. Therefore, prior and timely financial planning is crucial. International students should not plan on remunerative employment other than through limited campus employment, when available. An international student holding an F-1 Visa may not be granted permission to engage in off-campus employment during his or her first full year in the United States. Off-campus employment without the approval of the U.S. Citizenship and Immigration Service (USCIS) is illegal. Spouses and

other dependents of an F-1 international student (while they are in the United States as such dependents) are prohibited by law from undertaking any kind of remunerative employment at any time, either on or off campus.

An international student on an F-1 visa must maintain lawful status. He/she must:

1. Attend the school he/she is authorized to attend. (12 hrs. undergraduate and 9 hrs. graduate)
2. Be a full-time student during the academic year. (Summer semester excluded)
3. Make normal progress towards the completion of the course of study.
4. Maintain a valid passport.
5. Apply for extension of program before the expiration date on the current I-20.
6. Follow USCIS procedures for transferring from one school to another.
7. Report a change of address to The International Student Affairs Office within ten days of the change. Students Should also report the change of address to USCIS by completing Form AR-11 (available online on the USCIS website).

INTERNATIONAL STUDENT HEALTH INSURANCE PLAN (ISHIP)

All full-time degree-seeking international students are automatically enrolled in—and will be billed for—a University-endorsed health insurance plan underwritten by LewerMark, unless they complete the [online waiver process](#). Information about the plan is available online at <https://lewermark.com/fisk>. In addition, an insurance representative can be reached at (800) 821-7715.

The annual premium is in addition to tuition. Coverage for students begins July 31 and extends through August 1 the following calendar year, if the student remains in school for 31 days beginning August 1. After 31 days, the coverage remains in effect whether the student is in school or is away from the University, and there is no *pro rata* refund for this coverage.

The plan provides hospital, surgical, and major medical benefits. A brochure explaining the limits, exclusions, and benefits of the plan is available online at <https://lewermark.com/fisk>. The plan provides physicians, hospitals and other healthcare providers (Network Providers) who have contracted with LewerMark Student Insurance to provide specific medical care at negotiated prices.

Waiver of Insurance Plan

A student who does not wish to subscribe to the insurance plan offered through the University must notify the University of comparable coverage under another policy. The online waiver process may be found [online](#). The insurance charge will not be waived if the [online](#) process is not completed two weeks before or after the fall semester, or by January 31 for students who are newly enrolled for the spring semester. *The waiver process must be completed before each billing period.*

FISK UNIVERSITY ADMISSION SCHOLARSHIP RENEWAL AND APPEAL REQUIREMENTS

Erastus Milo Cravath Presidential Scholarship – recognizes first-time students that have achieved at least a 3.7 cumulative GPA and 28 on the ACT (or 1860 on the SAT). This award covers full tuition, fees, room and board and up to \$1,000 for textbooks. **To Renew:** Recipient must earn a minimum of 12-18 credit hours per semester, maintain a **3.5** cumulative GPA and perform 50 volunteer hours per semester or 100 per academic year. Preapproval of volunteer service is required.

Ella Shepherd Moore Scholarship – recognizes first-time students that have achieved at least a 3.5 cumulative GPA and 25 on the ACT (or 1700 on the SAT). This award covers full tuition. **To Renew:** Recipient must earn a minimum of 12-18 credit hours per semester, maintain a **3.2** cumulative GPA and perform 50 volunteer hours per semester or 100 per academic year. Preapproval of volunteer service is required.

Clinton B. Fisk Outstanding Scholars and Leadership Scholarship – recognizes first-time students that have achieved at least a 3.0 GPA and 23 on the ACT (or 1590 on the SAT). This award ranges from \$5,000-\$10,000 **To Renew:** Recipient must earn a minimum of 12-18 credit hours per semester, maintain a **3.0** cumulative GPA

and perform 50 volunteer hours per semester of 100 per academic year. Preapproval of volunteer service is required.

SPECIAL NOTES:

Exclusions: Scholarships cover a maximum of 8 semesters or 120 hours. Maymester and Summer courses are at the student's expense. Scholarships do not cover Admissions/Housing deposits, parking stickers, fines, etc.

Appeal Process: Academic performance is evaluated at the end of every academic year by the Director of Recruitment and Admission and Director of Student Financial Aid. If a student falls below the required GPA or does not meet the service or student involvement requirement, the scholarship will be retracted. To be eligible for an appeal, a student must provide documentation of:

- Death in the immediate family
- Medical Illness
- Fault of university of faculty or staff

Poor academic performance is not reason for an appeal. Appeals with documentation must be submitted to either director by July 1 every year.

OFFICE OF STUDENT ACCOUNTS

TUITION, ROOM AND BOARD REFUND POLICY

If official withdrawal notice date is within the first day of class until one week after the semester begins:

100% REFUND

8 to 14 days after the semester begins: **80% REFUND**

15 to 21 days after the semester begins: **50% REFUND**

22 days or after the semester begins: 0% REFUND

TUITION REFUND POLICY – Summer School

If official withdrawal notice date is within the first day of class until one week after the semester begins:

100% REFUND

8 days or after the semester begins: 0% REFUND

(Please refer to Residence Life and Campus Services for Summer Room and Board Refund Policy)

CREDIT BALANCE/STUDENT REFUND POLICY

Fisk University uses the following policy for credit balances/student refunds:

The University will credit all outside resources (Federal and State Financial Aid, Outside Scholarships and Grants) to the student's bill first before Fisk University's Institutional funding is credited. Refunds of credit balance will be limited to Federal Pell Grant, Federal Direct Loans (Sub., Unsub. And Plus/Grad Plus) and Private Educational Loans; otherwise, if a credit balance generated by other outside financial aid resources and/or Institutional funds, the institutional funds will be adjusted down to remove the credit. Institutional Funds are not refundable.

Refunds of credit balances will be limited to Federal Direct Loans (Sub., Unsub. And Plus) and/or Private Educational Loans for *Presidential Scholars*, who follow a different scholarship agreement/contract.

Eligible Title IV credit balances are reviewed and refunded to the student within 14 days of the credit posting to the student account. Students are not required to request the refund.

If a student account reflects a credit balance created by a Parent Plus loan, the Parent Plus loan

applicant will receive the refund. If the Parent Plus applicant would like the refund to be issued in the student's name, written authorization is required each semester, unless already indicated as "credit to the student" on the Master Promissory Note.

OFFICE OF INSTITUTIONAL ADVANCEMENT

Please review the following information regarding Endowed and Annual Named Scholarships and the Refund Policy:

Annual and Endowed Scholarships

There are a limited number of Endowed and Annual Named scholarships available for incoming and returning students. For consideration students must complete a Scholarship Application and must reapply annually. For information on these scholarships, please contact Ms. Sheila Smith, Associate Vice President of Institutional Advancement and Enrollment Management, Division of Institutional Advancement.

Refund Policy: Any student receiving an Endowed and/or Annual Named scholarship who is eligible to receive a refund has a credit balance from any source will have that refund credit balance reduced by the amount of the Endowed and/or Annual scholarship award without exception.

OFFICE OF FINANCIAL AID

RETURN OF TITLE IV FEDERAL FINANCIAL AID FOR WITHDRAWALS

Students are encouraged to contact the Office of Student Financial Aid before withdrawing from classes to understand the complete financial impact of a withdrawal. Many times, a withdrawal can result in a student owing Fisk University and/or federal government financial aid that had already been refunded to the student.

Federal laws set forth regulations that govern the treatment and calculation of refunds for recipients of Federal Financial Aid (Title IV aid) when students withdraw from classes.

The Title IV Federal Financial Aid includes the following programs:

- Unsubsidized Federal Stafford loans
- Subsidized Federal Stafford loans
- Federal Parent PLUS loans
- Federal PELL Grant
- Federal Supplemental Educational Opportunity Grant (SEOG)
- Other Grants

For students who begin attendance in classes and then withdraw before they have completed 60% of the payment period, Fisk University is required, by regulations, to calculate the amount of earned and unearned Title IV aid for the students. The regulations state that a student is entitled to keep only the portion of the aid earned, and Fisk University/student must return the funds that were not earned to the appropriate program

Office of Student Financial Aid
1000 17th Avenue North
Nashville, Tennessee 37208
Phone: 615.329.8735
Fax: 615.329.8774

FISK DEPARTMENTAL SCHOLARSHIP RENEWAL AND APPEAL REQUIREMENTS

Fisk Performance Award for Music Majors – awarded by audition to declared Music majors (B.A., B.S. or

B.MUS.) that meet or exceed published audition requirements for the program. This award totals up to \$7,500. **To Renew:** Recipients must earn a **3.0** GPA or higher in coursework with MUS prefix or **3.5** GPA or higher in principal instrument. Must demonstrate progression through the performance coursework with required performance in at least one ensemble per semester, the level-appropriate principal instrument, successful completion of the sophomore proficiency at the end of the fourth semester, or 75 hours. Successful completion of all secondary piano requirements (for non-keyboard music majors) by the sixth semester. For B.MUS. students, the junior recital must be completed before the accumulation of 105 hours. Special consideration may be extended to students who demonstrate maturity, who are called upon to perform for fundraisers, campus guests, convocations, or in the touring semesters of Jubilee Singers or University Choir.

Department of Energy Scholars- Each year Fisk University selects 10 students (5 per semester) as Department of Energy Scholars. Students selected for this scholarship will major in an area in the hard sciences, and joint-degrees in Engineering. They shall have an academic grade point average of **3.0** (unweighted on a 4.0 scale). If a student's GPA drops below a 3.0, he/she will lose the scholarship and the University will identify another student in that classification year, who meets all the established criteria, to obtain the scholarship award. Each scholar will receive a variable amount of award towards their tuition costs per academic year and be matched by Fisk University with a \$1 to \$1 match. The only five majors supported are biology, chemistry, computer science, mathematics, and physics. DoE Scholars recipients must be US citizens.

Fisk Astronomy and Space Science Training (FASST) - awarded to a student with a passion for pursuing an astrophysics or astronomy career with a **3.0** GPA or higher. Award amounts vary, are applied towards their tuition costs per academic year and are be matched by Fisk University with a \$1 to \$1 match. Recipients must be physics majors and US citizens.

Tennessee Louis Stokes Alliance for Minority Participation (TLSAMP) – awarded to students as a stipend for research or tutoring. This award is valued at \$500. Students must have a **3.0** GPA or higher. The only five majors supported are biology, chemistry, computer science, mathematics, and physics. Scholarship recipients must be US citizens.

FISK UNIVERSITY ATHLETIC SCHOLARSHIPS RENEWAL AND APPEAL REQUIREMENTS

Athletic Award – awarded to university athletes, based on need. Award amounts vary. **To Renew:** Recipient must be an active participant, earn a minimum of 12-18 credit hours per semester and maintain a **2.0** cumulative GPA.

FISK UNIVERSITY MAIL CENTER

Hours of Operation

Monday – Friday 8:30am – 4:30pm, Closed 1pm-2pm for lunch

Sunday/Saturday/Holidays - Closed

Please use the following address format for all mail and packages sent to you:

FIRST NAME LAST NAME – MB #

FISK UNIVERSITY

1000 17TH AVE N

NASHVILLE, TN 37208

All items must include YOUR name and mailbox number

All items must include YOUR FULL NAME and mailbox number. Do not use nicknames or aliases. We will return all items that do not contain your full name as shown on the housing roster. Do not use your dorm address, any address other than the 1000 17th Ave address will be not be delivered to the university. If your mailbox number is not included on items, delivery of your mail will be delayed due to extra processes to locate your mailbox. Please start adding your Mailbox number to all your letters/packages being sent to you.

Student Mailbox Assignments and Keys

Student mailboxes are available only for students who reside in university housing. In order to receive mail, you must have a mailbox. If you decide to not receive a mailbox, your mail will be returned to sender. Student boxholders are responsible for informing Mail Center of their planned housing status at the end of the school

year in order to keep the same box assignment. Students who move off campus will not retain a campus mailbox and must return their key. Users are responsible for checking their physical mailbox at least once per week.

All mailbox holders will receive one mailbox key at the beginning of the Fall semester free of charge. Box-holders must have a mailbox key in order to check their mail. Mail will not be handed over the counter for any reason. If the key is lost, replacements cost \$25 per occurrence, payable at Student Accounts. Keys must be returned to mail services at the end of school year or if for any reason you move off campus during the school year.

Mail Delivery

USPS mail is delivered once a day (between 9:30am-11:30am) Monday-Friday by the US Postal Service and sorted into student mailboxes. Letter mail and magazines improperly addressed (without a correct mailbox number) will be subject to delays or returned to sender for correction. It is the boxholder's responsibility to confirm that all entities corresponding with them use the correct address format.

Package Delivery and Pickup

Student mail and packages are received by mail services from all major carriers (FedEx, UPS, USPS, DHL, Amazon) between 9am and 11:30am. Items are sorted and processed throughout the day and logged into an internal tracking system as they arrive. Please allow time for the mail center to process these items to properly distribute them. Mail center maybe closed to allow this process without interruption.

To claim a package, the boxholder must present a valid photo ID at the mail services counter. Packages will be held for two weeks. After two weeks, unclaimed packages may be returned to sender.

Mail Center often receives items with an unknown name and no box number. Most often it is the name of a parent or person ordering merchandise for a student. Items received with an unknown recipient will be held up to three business days before being returned to sender. For someone to claim an unknown package, please have information such as a tracking number, name of sender, name of carrier and student I.D. to present to Mail Center staff. Please keep in mind if you have perishable items being sent, the mail center is not capable of refrigerating items for cold storage.

Address Changes/forwarding

It is the boxholder's responsibility to inform all entities corresponding with them of their change of address when leaving or moving off campus. Mail will be returned to sender once you are not on the housing roster. Local and permanent address information must also be updated with the Registrar's office.

Outgoing mail and packages

The mail center at this time is not capable of sending any packages or mail unless it has a pre-paid postage attached to it. We can give pre-paid items to the delivery companies for pick up.

- If a package is not picked up in 3-5 days upon arrival, a notice will be placed in your assigned mailbox.
- Please understand that the Mail Center is just a receiving center. We have no control over the carriers if they will deliver your mail or packages on timely matter. Please contact your vendor or the carrier for any problems that may occur.
- Your outgoing mail (stamped letters) can be dropped at the Mail Center and will be picked up daily, at 3:00 PM, by the USPS carrier. Any outgoing packages (USPS or UPS only) should be already closed and sealed with packaging tape and have a prepaid postage label applied on. **We do not sell stamps or envelopes (these items may be purchased in the spiritstore). We do not provide packaging tape for outgoing packages.**
- Stamps and mailing supplies are available for purchase in the University Bookstore.

HELPFUL PHONE NUMBERS:

United States Post Office 1-800-275-8777

UPS 1-800-742-5877

FedEx 1-800-463-3339

STUDENT RIGHTS AND STANDARDS OF CONDUCT FISK UNIVERSITY

STUDENT RIGHTS

The University affirms and guarantees the following rights to all members of the student body:

1. The right to exercise freedom of religion, freedom of speech, freedom of the press, and freedom of peaceful assembly and petition.
2. The right to conduct oneself off-campus without specific restrictions imposed by the University except for violations of University policies or when one's conduct poses a continuing threat to the University community.
3. The right to be assured against prejudiced or capricious evaluation in the classroom; the right to decline disclosure of personal, religious, or political views; the right to take reasoned exception to information, conjecture, or views presented; and the right to seek mediation for any evaluation, disclosure or other decision which is felt to be unjustly made by a classroom instructor.
4. The right to know what items constitute the individual's permanent record kept by the University and to have access to review all such items, with the exception of those items supplied to the University in confidence; the right to be assured of the confidentiality of all records kept unless the University is released by the student or his or her guardian, or the University is compelled by a legal authority to reveal them.
5. The right to have peaceful and quiet conditions for study.

Students charged with violations of the Code of Student Conduct have the right to:

1. A written copy of the charges.
2. An expeditious, fair and impartial hearing.
3. Review all documents formally presented by the University against a student during a hearing.
4. To be present for all witnesses' testimony.
5. Present evidence and witnesses on his/her behalf.
6. Right not to incriminate oneself and to have no inference drawn as a result of the choice to remain silent.
7. Submit an appeal.

FISK UNIVERSITY JUDICIAL PHILOSOPHY

The Fisk University judicial system is designed to enrich student learning and development through acceptance of personal responsibility. The Fisk University judicial system seeks to protect the rights of each student by interpreting and enforcing campus regulations and policies and by adjudicating student behavioral issues in a fair and reasonable manner. The objective of each step of the judicial process is to develop an atmosphere of individual accountability, social enrichment, and community growth, while preparing each student to contribute to society with maturity, thoughtfulness, respect, and understanding.

The University has jurisdiction over the conduct of student's on- and off-campus. No disciplinary probation or entry of an adverse notation on any permanent record shall be imposed unless the student has been notified in writing of the charges against him or her in sufficient time that the student may have the opportunity to refute them. However, a student may be pre-emptorily suspended pending a hearing in exceptional circumstances.

Students are responsible for being knowledgeable of the University catalog, handbook, and other regulations relating to students and for complying with them in the interest of an orderly and productive community.

Failure or refusal to comply with the rules and policies established by the University may subject the offender to disciplinary action up to and including permanent dismissal from the University.

DEFINITION OF TERMS

1. The term "University" means Fisk University.
2. The term "student" includes all persons taking courses at Fisk University whether they are enrolled full-time or part-time, graduate or undergraduate, transient or cross-registered from another institution.
3. The term "faculty member" means any person contracted or otherwise employed by Fisk University to

conduct classroom activities.

4. The term “University official” includes any person contracted or employed by Fisk University, performing assigned professional or administrative responsibilities.
5. The term “organization” means any number of persons who comply with formal requirements of the Office of Student Activities and Fisk University for recognition as an active group.
6. The term “University Judicial Officer” refers to the Assistant Vice President and Dean of Student Engagement or any other person designated by the Assistant Vice President and Dean of Student Engagement to be responsible for the management of student conduct and disciplinary matters in addition to monitoring the completion of sanctions instituted against any student. The Judicial Officer is authorized to investigate, adjudicate, mediate, refer, or otherwise resolve any cases of alleged violation(s) of the Code of Student Conduct.
7. The term “University Judicial Board” and “University Hearing Officer” means any person or persons authorized by the Assistant Vice President and Dean of Student Engagement or University Judicial Officer to determine whether a student has violated the Code of Student Conduct and to recommend sanctions or disciplinary action to the Dean of Student Engagement.
8. The term “Appeal Officer” means any person or persons authorized by (or including) the Assistant Vice President and Dean of Student Engagement to review an appeal of a finding from any University judicial body.
9. The term “policy” is defined as the regulations of the University as found in the Code of Student Conduct, the Honor Code, Student Housing Policies, University Bulletin or Academic Catalog, University Website, or any University document or guideline.
10. The term “weapon” is defined as any instrument that inflicts or which is designed to appear as an instrument that inflicts bodily harm or injury.

STANDARDS OF CONDUCT

The University’s standards of student conduct address two major areas of integrity. The Honor Code, which includes both academic integrity and personal integrity, and the Code of Student Conduct, which addresses respect for the rights of both the University and the people within the University community. These standards of conduct are intended to encourage honesty in academic achievement as well as personal growth and development.

HONOR CODE

The Honor Code at Fisk University is based on the expectation that students will not lie, cheat, or steal in academic and non-academic matters. It has a dual function of protection both academic and personal integrity.

The Honor Code applies to students’ behavior on-campus and off-campus. Students are expected to abide by the Honor Code and not to tolerate actions by fellow students which breach the Honor Code.

The Hearing Committee of the Committee on Standards and Degrees or the University Disciplinary Council will adjudicate infractions against the Honor Code. However, the faculty, administration, and the Board of Trustees reserve authority to act in any case they deem to be extreme in their discretion.

The following are infractions of the Honor Code:

Academic Integrity

1. Academic cheating or plagiarism: intentionally using or attempting to use unauthorized materials, information, or study aids in any educational exercise.
2. Fabrication: furnishing false information to the University with the intent to deceive.
3. Facilitating academic dishonesty: intentionally or knowingly helping or attempting to help another to violate any provision of the Academic Integrity portion of the Honor Code.
4. Forgery, alteration, destruction, or misuse of University documents, records and identification.

Personal Integrity

1. Lying: knowingly giving false information or testimony during the investigation or hearing of a disciplinary matter.
2. Eluding or evading: refusal to respond to a request to report to a University administrative office.
3. Unauthorized use or misuse of the University’s computing facilities to include: logging on an account without the knowledge and permission of the owner; changing, deleting or adding to the programs, files and/or data without authorization of the owner; theft of program data or machine resources; attempts to thwart security

of the computer system; and attempts to disrupt the normal operations of the computer system, including hardware and software

4. Commission of any criminal offense as defined by any local, state and/or federal law, rule and/or regulation.

CODE OF STUDENT CONDUCT

The Code of Student Conduct has been established to insure the rights and privileges of all members of the University community, to communicate the expectations of the community to its members, and to provide a basis for orderly conduct of the University's affairs. The administration of discipline is a function of the Office of Student Engagement and/or the appropriate adjudicating body.

Reports of acts and incidents involving students may be referred for evaluation and possible disciplinary action by Residence Hall staff members, faculty, students, and other members of the University community. A student alleged to have acted in violation of any University regulation(s) will be interviewed by the University Judicial Officer or his/her designee. During this interview, the student will be advised as to what University regulation(s) have allegedly been violated and will be given an opportunity to explain his or her version of the act or incident or to otherwise refute the allegations.

The University Judicial Officer will review the incident, taking into account the information provided by the student. A determination will be made, and the student will be advised as to whether the University will seek a sanction of suspension or expulsion. Cases in which a suspension or expulsion is sought will be referred to the University Judicial Officer for assignment to the appropriate adjudicating body for a hearing. Cases in which the student is subject to less severe sanctions will be disposed of by the appropriate judicial body pursuant to procedures outlined below.

The following are violations of the University Code of Student Conduct and the recommended disciplinary sanction for each offense. The faculty, administration, and the Board of Trustees reserve authority to act in any case they deem to be extreme and shall not be limited by the violations enumerated below or elsewhere in the University Code of Student Conduct. *(See "Disciplinary Sanctions" herein for an explanation of the sanction code listed after each offense; each sanction code listed serves as the maximum recommended sanction and the actual sanction given for a violation may be lesser or, when merited, more severe.)*

1. Violation of the terms of probation; (S4)
2. Vandalism, malicious destruction, damage, or misuse of private or public property, including library materials; (S1 & S7)
3. Obstruction or disruption of teaching, research, administration, disciplinary proceedings, or other University activities, including public service functions, or of any authorized activities on or off University premises; (S2 & S12)
4. Intentional bodily harm: 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; (S6)
5. Theft, wrongful appropriation (i.e., theft with intent to temporarily deprive the owner of possession), unauthorized possession, or sale or damage to property of the University or of any organization affiliated with the University or of another member of the University community (i.e., faculty, staff, student, or campus visitor); (S4) (S7)
6. False representation, or any unauthorized claim to speak and/or act in the name of Fisk University, or any organization, student, University officials, or faculty members; (S6)
7. Unauthorized use of or entry to University facilities and/or unauthorized possession or distribution of keys to University facilities; (S4)
8. Unlawful use or possession of drugs, less than 0.5 oz. or 14 grams, drug paraphernalia and water pipes of all kinds on University-owned or controlled property or during University activities; *Note: University security or other law enforcement authorities may file additional charges for this violation and every subsequent drug violation, as with the violation of any other law, rule or regulation. Note: Parents of dependent*

undergraduates under the age of 21 are contacted after the student is found responsible of this violation and every subsequent violation until the student reaches 21 years of age; (S6) (S9)

9. Unlawful possession, distribution or apparent intent to distribute or dispense drugs, more than 0.5 oz. or 14 grams, drug paraphernalia and water pipes of all kinds; *Note: University security or other law enforcement authorities may file additional charges for this violation and every subsequent drug violation, as with the violation of any other law, rule or regulation. Parents of dependent undergraduates under the age of 21 are contacted after the student is found responsible of this violation and every subsequent violation until the student reaches 21 years of age; (S6) (S9)*
10. Use, or being under the influence of alcoholic beverages on University owned or controlled property or at a University sponsored or supervised activity, whether on or off campus; *Note: Parents of dependent undergraduates under the age of 21 are contacted after the student is found responsible of this violation and every subsequent alcohol violation until the student reaches 21 years of age (S4)*
11. Possession of alcoholic beverages on University owned or controlled property or at a University sponsored or supervised activity, whether on or off campus; *Note: Parents of dependent undergraduates under the age of 21 are contacted after the student is found responsible of this violation and every subsequent alcohol violation until the student reaches 21 years of age (S4)*
12. Possession, while on University-owned or controlled property or at University-sponsored or supervised activities, of any weapon in violation of the University Weapons Policy such as, but not limited to, rifles, shotguns, ammunition, handguns, and air guns, including explosives, such as firecrackers, including weapons for which the carrier has a legal permit; (S6)
13. Disorderly conduct or lewd, indecent, or obscene conduct on University owned or controlled property or at University sponsored or supervised functions, or any abuse or unauthorized use of sound amplification equipment; (S4)
14. Gambling or engaging in any form of gambling that is a violation of state or federal law; (S4)
15. Participation of students in group activities on or adjacent to the campus which causes damage to public or private property, causes injuries to persons, or interferes with the orderly functioning of the University or the normal flow of traffic; (S4 & S7)
16. Violation of properly constituted rules and regulations governing the use of motor vehicles on University owned or controlled property, which includes, non-authorized driving on the campus lawn or other secure areas, and disregard for the Davidson County vehicle noise ordinance; (S2 & S12)
17. Inciting other students to violate written University policies and regulations as promulgated and announced by authorized personnel; (S4)
18. Falsely reporting the presence of a weapon or unlawful explosive or incendiary device with the intent to mislead, deceive, or disrupt the operation of the University or a scheduled event sponsored by the University; (S6)
19. Any act of arson; (S6)
20. Falsely reporting a fire or other emergency, falsely setting off a fire alarm, tampering with or removing from its proper locations fire extinguishers, hoses, or any other fire emergency equipment except when done with real need for such equipment; (S4)
21. Violation of policies and regulations established for Student Housing and Residence Life, violating the residence hall contract, or violating rules of individual residence halls; (S4 & S14)
22. Altering, lending, or selling a student identification card, use of a student identification card by anyone than its original holder, using a student identification card in any unauthorized manner; (S4)
23. Willful failure to appear at a judicial board hearing following proper notification to appear either as a party or as a witness; (S4)
24. Violation of local, state or federal law when it appears that the student has acted in a way which may adversely affect institutional integrity or seriously interfere with the University's normal educational function, or which may impair or endanger the welfare of any member of the University community; (S6)
25. Failure to comply with directives of University officials acting in the performance of their official duty, failing to respond to a lawful request by properly identified University officials, security, or law enforcement officials

in the performance of their duties, failing to report for a conference, meeting, or appointment with any University official or faculty member; failing to appear as a witness in a disciplinary case when properly notified; failing to comply with any disciplinary action imposed on a person by any judicial body or administrator; (S4)

26. Violation of the Honor Code: Personal Integrity. (S4)

FISK UNIVERSITY WEAPONS POLICY

General Prohibition against Weapons

It is a Class E Felony under Tennessee law, and a violation of University policy, to possess or carry firearms and other statutorily defined weapons on University property (including, without limitation, all Fisk buildings or buses, its campus, grounds, recreation areas, athletic fields, housing facilities -- whether faculty, administration, staff or student housing -- or any other property owned, used or operated by Fisk). For purposes of this policy, University property shall be deemed to include any University-sanctioned or sponsored activity, whether on or off-campus. Pursuant to Tennessee law and University policy, "weapon" includes, but is not limited to, razors and razor blades, except those used solely for personal shaving, and any sharp pointed or edged instrument, except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance; it also includes firearms, explosives, dangerous compounds, gunpowder, firearm ammunitions, explosive weapons, bowie knives, hawk bill knives, ice picks, BB guns, pellet guns, air/CO2/paintball guns, blow guns, daggers, slingshots, leaded canes, switchblade knives, martial arts weapons (such as a nun-chuck or throwing star), black-jacks, knuckles, or any other weapons of like kind, not used solely for instructional or school-sanctioned ceremonial purposes. In response to any violation or alleged violation of this Policy, Fisk reserves the right to conduct an internal investigation, refer the matter to the appropriate law enforcement authority and to take appropriate action within the internal University disciplinary framework. Violation of this Policy may result in immediate dismissal from Fisk University. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF SIX (6) YEARS IMPRISONMENT AND A FINE NOT TO EXCEED THREE THOUSAND DOLLARS (\$3,000) FOR CARRYING WEAPONS ON SCHOOL PROPERTY.

Exception for Sports Weapons

As an exception to the general anti-weapons policy, stated above, Fisk allows students, employees and visitors to store paint guns and martial-arts implements with the Office of Public Safety for use these of sports weapons strictly off-campus. The Office of Public Safety has discretion to determine which sports weapons qualify for storage. Students wishing to use such weapons off-campus must adhere to the following procedure:

Sports Weapon Registration

The owner must complete an Office of Campus Safety weapons registration form and check the weapon with the Office of Campus Safety, which will tag the weapon and maintain a log. In exchange, the owner will be issued a "Permission to Possess Sports Weapon" card, which must be carried whenever the owner in possession of the weapon.

Sports Weapon Check-Out

Owners wishing to checkout their sports weapons for off campus use must present the Office of Campus Safety with both a photo ID and the Permission to Possess Sports Weapon card; complete a form provided by the Office of Campus Safety, both signing it out with the date and time, and confirming in writing that the owner will be taking the sports weapon directly off campus; and leave the weapon tag with the Office of Public Safety until the sports weapon is returned.

Sports Weapon Check-in

Upon returning the sports weapon to campus, the owner shall proceed immediately to the Office of Campus Safety, which will confirm that the sports weapon is the same one that was checked out; record the date and time of check-in, replace the weapons tag, and have the owner sign the check-in form.

WEAPONS MAY NEVER BE TAKEN ON FISK'S CAMPUS OR TO ANY FISK SANCTIONED OR AFFILIATED ACTIVITY, AND INSTEAD MUST BE TAKEN DIRECTLY FROM OFF-CAMPUS TO THE OFFICE OF PUBLIC SAFETY, AND FROM THE OFFICE OF CAMPUS-SAFETY TO AN OFF-CAMPUS LOCATION, WHICH IS NOT A FISK SANCTIONED OR AFFILIATED ACTIVITY.

Application

This policy applies to all students, employees, faculty, administrators and visitors of Fisk University. It also applies to all tenants in Fisk University-owned housing.

FISK UNIVERSITY

ZERO TOLERANCE TO PHYSICAL VIOLENCE AND VICTIMIZATION POLICY

I. Policy

Fisk University is dedicated to promoting and maintaining a safe and supportive learning environment that protects students, faculty, and staff from conduct that poses a serious threat to persons or property on the University campus. Understanding and mutual respect toward individuals are essential elements to excellence in teaching and learning, to the existence of a safe and healthy campus, and to the maintenance of a campus culture that serves the needs of the community. **The University prohibits violent acts or threats of violence, including gang activity, fighting, and physical abuse against any individual.** Any student who commits a violent act, or threatens to commit a violent act, is subject to disciplinary action in accordance with this policy and other applicable University policies.

Fisk University has **zero-tolerance** for violence against students, faculty members, administrators, employees, visitors, and any other person on the University campus, or its properties. Any person who makes threats of physical violence, exhibits threatening behavior, or engages in violent acts on University property shall be subject to removal from the premises as quickly as safety permits. For the purpose of this policy, violence and threats of violence include but are not limited to the following:

- intentional bodily harm, including menacing, hazing, and 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; or (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);
- rape, sexual assault, or sexually threatening actions;
- behavior or action that may place another person in reasonable fear or apprehension of immediate bodily harm;
- the destruction of, or damage to property; or
- any conduct that harms or endangers the health or safety of others.

II. Procedures

A. Reporting

Each allegation of violence or threat of violence will be taken seriously. Individuals (including students and employees) are responsible for reporting acts of violence, threats of violence, or any other behavior, which by intent, act, or outcome could harm another person or property. Reports shall be made to the most appropriate of the following:

- Faculty Members;
- Campus Security; and
- an appropriate College Dean.

B. Disciplinary Actions for Failure to Comply

1. **Interim or Summary Suspension** the University will immediately suspend all parties involved in any physical altercation.

As a general rule, the enrollment status of a student accused of violations of these regulations shall not be altered until the appropriate disciplinary body makes a final determination with regard to charges against the accused student. Nevertheless, summary suspension may be imposed upon a finding by the University Judicial Officer or designee that the continued presence of the accused on University premises will pose an immediate threat or disruption:

- i. to the physical safety or well-being of the accused, or any other member of the University or its invitees,
- ii. to the integrity of institutional property or personal property of members of the University or its invitees, or

- iii. to the learning or social environment, including classrooms or other campus activities.
2. **Condition of Interim Suspension.** During an interim suspension, the accused students shall be denied access to the (i) Residence Halls, (ii) other areas of the campus, including but not limited to classrooms, student facilities, etc., and/or (iii) all other University activities to which the student might be otherwise privileged, as the Dean of Student Engagement, or a designee, may determine appropriate.
 3. **Continuation of Interim Suspension.** Within two (2) working days of the interim or summary suspension, a designee of the Office of Student Engagement shall hold a preliminary hearing to determine if the suspension should continue until a formal hearing of the charges is held by a University adjudicating body.
 4. **Time for Hearing.** If the interim suspension 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 the interim suspension.
 5. **Mandatory Sanction.** The mandatory minimum sanction for a violation of this Zero Tolerance policy will be suspension or permanent expulsion from the University. This minimum sanction will apply regardless of whether the accused student is a first offender or a repeat offender.
 6. **Absolute Defense.** An accused student has the right to raise the right of self-defense. An accused student will not receive the mandatory minimum sanction if the accused student was acting in self-defense. Nonetheless, the accused student may still receive summary suspension until an investigation of said assault is completed.

FISK UNIVERSITY ZERO TOLERANCE PRANK POLICY

Fisk University has adopted a zero-tolerance policy for pranks on all University Owned or Controlled Property. All students are encouraged to respect other students, student organizations or campus related groups, and members of the Fisk Community at all times. Pranks can be humiliating to the person(s) “pranked”; they can also lead to destruction of personal property and unsafe activity; tax valuable University and community resources; or create illegitimate alarm in a time of legitimate concern.

Should a prank take place among due to the effort of any individual, student organization (registered or non-registered), class, or against any member of the University community the following actions will be taken:

First occurrence: Automatic \$200 fine for any individual, and all members of a student group, class, or organization without respect to participation.

Second occurrence: Automatic \$200 fine for any individual, and all members of a student group, class, or organization without respect to participation and permanent denial of active status for the violating organization.

Please note: The Office of Student Engagement may skip or amend any of the above steps and utilize more severe measures as required to maintain an atmosphere of learning and education on the Fisk campus. Any prank that results in a direct violation of the Fisk University Code of Student Conduct will result in adjudication through the University Judicial System for any individual or student organization.

DRUG AND ALCOHOL POLICY

Fisk University is committed to providing to students with a safe environment free of illegal drugs and alcohol misuse in keeping with the spirit and intent of the Drug-Free School and Communities Act of 1986, as amended.

Fisk strictly prohibits students and employees from unlawfully possessing, using or distributing alcohol and illicit drugs, drug paraphernalia and water pipes of all kinds on its property or as part of any University-sponsored event, including off-campus activities that Fisk sponsors or to which it is connected. Fisk also strictly prohibits the improper use and unauthorized possession of prescription drugs. Drug paraphernalia and water pipes of all kinds are prohibited. Fisk will impose discipline, up to and including expulsion and possible referral for prosecution by a law enforcement agency, for violation of this Policy. Applicable federal, state and local laws impose severe penalties on violators. The University will not offer protection or immunity from prosecution by law enforcement agencies. Fisk may also require completion of a treatment program for continued enrollment or re-enrollment.

Internal Sanctions:

- Sanctions for students using or possessing illegal drugs or alcohol include disciplinary probation, and in

appropriate cases, suspension or expulsion from the University. In addition, residence hall students may be removed from the on-campus housing. Individuals involved in the sale or distribution of illegal drugs or alcohol will be suspended or expelled from the University and referred to the appropriate authorities for criminal prosecution.

Sanctions under Tennessee law (summarized):

- It is unlawful for anyone under age 21 to buy, possess, transport (unless in the course of their lawful employment), or consume alcoholic beverages, including wine or beer; and, for any adult to buy alcoholic beverages for, or furnish them to, anyone under 21 years of age. Tennessee law classifies these offenses as Class A Misdemeanors, punishable by imprisonment for not more than 11 months and 29 days, or a fine of up to \$2,500, or both.
- Tennessee law classifies public intoxication as a Class C Misdemeanor, punishable by imprisonment for up to 30 days or a fine of not more than \$50, or both.
- Tennessee law classifies possession or casual exchange of a controlled substance (marijuana, for example) as a Class A Misdemeanor (described above). A third and any subsequent offense of possession of .5 ounces or less of marijuana is punishable by imprisonment for up to six years and a fine of \$3,000.
- Tennessee law classifies possession as a felony and exchange from one person over 21 years of age to a person under 21 years of age, where the older person is at least two years older than the younger person.
- Tennessee law provides punishment of one to six years imprisonment and a fine of \$5,000 for the first offense of possession of more than .5 ounces of marijuana under circumstances where the intent to resell may be implicit. Manufacturing or distributing, as well as possession of a substantial quantity of a controlled substance, is punishable by imprisonment of up to 15 to 60 years and a \$500,000 fine.

Sanctions under Federal law (summarized):

The following summarizes some of the penalties that can apply for illegal possession of a controlled substance under federal law:

- First conviction: up to one (1) year imprisonment and a fine of at least \$1,000, but not more than \$100,000, or both.
- After one prior drug conviction: at least 15 days in prison, not to exceed two (2) years, and a fine of at least \$2,500, but not more than \$250,000, or both.
- After two or more prior drug convictions: at least 90 days in prison, not to exceed three (3) years, and a fine of at least \$5,000, but not more than \$250,000, or both.

For crack cocaine, courts impose special sentencing: Mandatory minimum of five (5) years in prison, not to exceed 20 years, and a fine of up to \$250,000, or both, if: (a) the first conviction and the amount of crack possessed exceeded five grams; (b) it is the second crack conviction and the amount of crack possessed exceeded three grams; or (c) it is the third or subsequent crack conviction and the amount of crack possessed exceeded one gram.

Additional Sanctions:

Additional sanctions that can be imposed against a person for illegal possession of a controlled substance include, without limitation, the following:

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment.
- Forfeiture of vehicles, boats, aircraft or any other entity used to transport or conceal a controlled substance.
- A civil fine of up to \$10,000.
- Denial of federal benefits, such as student loans, grants, contracts and professional and commercial licenses, up to one year for the first offense, and up to five years for a second or subsequent offense.
- Ineligibility to purchase a firearm.

The use of alcohol can lead to serious health risk:

- loss of muscle control, poor coordination, slurred speech
- fatigue, nausea, headache
- increased likelihood of accidents

- impaired judgment
- possible respiratory paralysis and death

Heavy drinking can lead to:

- alcoholism
- increased risk of cirrhosis, ulcers, heart disease, heart attack, and cancers of liver, mouth, throat, and stomach
- hallucinations
- personality disorders

Health risks associated with the use of illegal drugs include:

- increased susceptibility to disease due to a less efficient immune system
- increased likelihood of accidents
- personality disorders
- addiction
- death by overdose
- anemia
- poor concentration

Additional information about how the use of drugs and/or alcohol affects your health is available through the Fisk University Counseling Center (M-F, 8am-5pm).

For additional information, please refer to: www.whitehousedrugpolicy.gov/drugfact/index.html and <https://niaaa.nih.gov/publications/brochures-and-fact-sheets>.

The following services and referrals are available in the surrounding community:

- Alcoholics Anonymous – (615) 831-1050 or (800) 559-2252

Toll-Free Information and Referral Services:

- Cocaine Hotline: 800-COCAINE
- Drug Abuse Information Line: 800-522-5353
- National Institute on Drug Abuse: 800-662-HELP

SEXUAL ASSAULT POLICY

Title IX Coordinator

Mickey West
 Chief of Campus Safety & Interim Title IX Coordinator
 Fisk University
 1000 17th Ave. N - Nashville, TN 37208
 Office: 615-329-8680
 Cell: 615-438-4942
 mwest@fisk.edu

Fisk University strictly prohibits sexual assault including, but not limited to sexual offenses, as defined by Tennessee Law. Sexual assault is defined, without limitation, as non-consensual sexual activity or contact, sexual abuse or exploitation, or sexual activity or contact with one who is incapacitated. Date rape is no less of a criminal offense than rape of a stranger. In accordance with the University's Bylaws, harassment by any administrator, faculty, student, employee or non-employee, including vendors and visitors, is strictly prohibited and shall be subject to disciplinary action.

The disciplinary measures described in this Policy should not be construed to replace or serve as an alternative to contacting the Metropolitan Nashville Police Department.

Members of the University community, who are the victims of, or who have knowledge of, a sexual assault occurring on University property, or occurring in the course of a University-sponsored activity, or perpetrated by a member of the University community, are urged to report the incident promptly. Fisk University will treat

victims of sexual assault with the greatest concern, care, sensitivity and seriousness. Names of victims will not be released by the University to the public or media.

Victims are encouraged to report sex offenses to the Metropolitan Nashville Police Department, (615) 862-8600 (non-emergency); or, 911 (emergency). Victims are also urged to report sex offenses to the University Office of Public Safety, (615) 329-8777. A representative of the Office of Public Safety will come to the student victim when called, and security personnel will summon the police to campus when requested. Victims may also report to the Office of Student Engagement, University Counseling Services or a member of the residential life staff. The Office of Student Engagement is responsible for enforcing Student Standards of Conduct. Disclosures by a victim to any other office on campus necessitates that the office contact police authorities or (2) the University Office of Public Safety regarding the incident. University officials responding to the complaint will inform the victim, at a minimum, of the options available to him or her for criminal prosecution and civil proceedings, and inform the victim of the appropriate grievance procedure, the availability of mediation, alternative housing arrangements, academic assistance alternatives, and other pertinent information.

A victim may also report an incident(s) of sexual assault to a community resource including the Matthew Walker Comprehensive Health Center, (615) 327-9400; the Rape Crisis Center, (615) 256-8526 [crisis line] or, (615) 259-9055; or, a local hospital or health center.

It is important for victims of sexual assault to seek immediate medical attention and to preserve evidence of the assault. A medical examination, called a "Rape Test Kit", conducted at a local hospital will help to preserve evidence of a crime. Before removing clothing, washing or showering, or altering the scene of the crime, victims are strongly encouraged to consult the police or the Office of Public Safety to assist in the testing.

Support for students involved in sexual assault is provided through the residential life staff, the Dean of Student Engagement, University Counseling Services, and the Office of Public Safety. Friends and supporters of victims of assault may assist by listening, giving comfort, support and protection. Information about services for victims provided by outside agencies are available through any of the offices identified above and is listed in pamphlets distributed each year.

The University reserves the right to report any suspected crime or offense to the appropriate law enforcement authorities. Students charged with sexual assault are subject to disciplinary action as set forth in the Fisk Code of Student Conduct and the Fisk University Judicial System. Possible sanctions include warning, probation, suspension, expulsion and referral to public authorities for prosecution. Students involved may also be required to attend one or more appropriate anger management, drug or alcohol rehabilitation programs. Proceedings through the Fisk University Judicial System will not preclude the reporting and/or institution of criminal and/or civil charges against the assailant.

In circumstances where the victim or alleged perpetrator is a student at this University, the following rights are due to the student, as appropriate:

Victim's Human Dignity Rights

A victim of sexual assault has the right:

1. To be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this Policy or the Fisk University Judicial System.
2. To have any allegations of sexual assault treated seriously and the right to be treated with dignity.
3. To be free from any suggestion that victims are responsible for the commission of crimes against them.
4. To be free from any pressure from campus personnel to:
 - (a) Report crimes if the victim does not wish to do so.
 - (b) Report crimes as lesser offenses than the victim perceives the crimes to be.
 - (c) Refrain from reporting crimes.
 - (d) Refrain from reporting crimes to avoid unwanted personal publicity.

Rights to On- and Off-Campus Resources

1. To be notified of existing campus and community-based medical, counseling, mental health and student services for victims of sexual assault whether the crime formally reported to campus or civil authorities.
2. To have access to campus counseling under the same terms and conditions that applies to other students in their institution.

3. To be informed of and to be assisted in exercising:
 - (a) Any rights to confidential or anonymous testing for sexually transmitted diseases (including the human immunodeficiency virus – HIV) and/or pregnancy.
 - (b) Any rights that may be provided by law to compel and disclose the testing of sexual assault suspects for communicable diseases.

Campus Judicial Rights

1. To be afforded the same access to legal assistance as the accused.
2. To be afforded the same opportunity to have others present during any campus disciplinary proceeding that is allowed the accused.
3. To be notified of the outcome of the sexual assault disciplinary proceeding against the accused.

Legal Rights

1. To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault was reported and/or committed.
2. To receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities.

Campus Intervention Rights

1. To require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailants.
2. To be notified of the options and provided assistance in changing academic and living situations if such changes are reasonably available.

Accused's Rights during University Proceedings

Students accused of sexual assault are entitled to the following rights in a University Judicial proceeding, in addition to any others set forth pursuant to the Fisk University Judicial System:

1. To receive written notice of complaint.
2. To receive all documents provided to the review official(s).
3. To receive at least 48 hours' prior notice of a review date, time and place.
4. To be accompanied by an adviser from the University community.
5. To present witnesses.
6. To ask questions of witnesses.
7. To participate in the review process.
8. To an investigation provided by the Office of Student Engagement.
9. To receive written notice of findings of a review and an appeal.
10. To appeal a review outcome as provided under the Fisk University Judicial System.

POLICY ON BIAS OR HATE CRIMES

Definition of Bias or Hate Crimes

Bias crimes, also known as hate crimes, are unwelcome and unlawful activities motivated by the bias of a perpetrator toward another person(s) based upon personal characteristics which may be actual or perceived. Fisk University Policy and Federal Law prohibit crimes motivated by bias on the basis of race, ethnicity, color, gender, age, ancestry, national origin, disability, sexual preference or sexual orientation, religious or political belief, practice, or persuasion.

When the University receives a complaint related to bias or hate crime, the Assistant Vice President and Dean of Student Engagement will designate a University Judicial Officer to investigate the matter, which includes witness interviews, and the collection of evidence or information pertinent to the report. In certain circumstances, the Office of Public Safety may refer the matter to the Metro Nashville Police Department.

If a member of the Fisk University community is a victim or witnesses a bias or hate crime, he/she should contact the Fisk University Office of Public Safety or the Office of Student Engagement. The Department of Public Safety can be reached by telephone at (615) 329-8777 and is located in the Lower Level of Carnegie Hall, or by using an Emergency Telephone on campus, or at mwest@fisk.edu to contact The Office of Public Safety by email.

The Office of Student Engagement can be reached by telephone at (615) 329-8597 and is located in the Lower Level of Spence Hall. To contact the Office of Student Engagement by email, please contact ngarvin@fisk.edu. Additionally, any student or member of the University Community who may have knowledge of an activities related to crimes of bias or hate may report the matter to the Office of Public Safety or the Office of Student Engagement.

Student Standards Regarding Bias or Hate Crimes

Each student and student group are responsible for refraining from any conduct that is detrimental to the Fisk University campus. It is the responsibility of each student to maintain a healthy and safe environment based upon individual actions while enrolled at Fisk University. Any choice made that upsets such an atmosphere may result in the exclusion of any individual or group from the University.

Each student and student group are responsible for conducting themselves in a manner that supports that academic and social environment of the campus in a way that supports learning while respecting the rights, dignity, and freedom of other members or groups of the Fisk University Community.

Any violation of University policies, rules or regulations, or violation of federal, state, or local law may result in a violation of the student code of conduct and may result in the exclusion of any individual or group from the University.

The following non-exhaustive list of provisions outlines conduct or behavior that may result in disciplinary action against any individual or group in relation to crimes of bias or hate. This includes, but is not limited to the following:

No student shall harass, threaten, coerce the harassment of, or otherwise intimidate another person or identifiable group of persons, in a manner that is unlawful, while on University owned or controlled property, based upon the person or group's race, ethnicity, color, gender, age, ancestry, national origin, disability, sexual preference or sexual orientation, religious or political belief, practice, or persuasion.

No student shall engage in any type of unlawful harassment or behavior leading to a hostile environment on University owned or controlled property

Unlawful harassment includes but is not limited to actions that are:

- (a) directed toward a particular person or persons;
- (b) based upon the person or group's race, ethnicity, color, gender, age, ancestry, national origin, disability, sexual preference or sexual orientation, religious or political belief, practice, or persuasion;
- (c) unwelcome;
- (d) severe, extreme, or pervasive;
- (e) objectively offensive or derogatory; and/or
- (f) unreasonable in nature and interferes with the victim(s) student status, employment, academic pursuits, or participation in University-sponsored activities which causes the denial of equal access to the University Community

Federal Implications

Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (the "Clery Act")

Fisk University is required to report incidence of occurrences of bias crimes on campus annually. This report is provided as part of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (the "Clery Act"). The Clery Act requires the University to report such incidents to the Tennessee Bureau of Investigation.

The Clery Act defines hate crimes as a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin. For Clery purposes, hate crimes include any offense in the following two groups that is motivated by bias.

Group A

Murder and Non-negligent manslaughter

Forcible sex offenses Robbery

Aggravated assault Burglary
Motor vehicle theft Arson

Group B

Larceny-theft
Simple assault
Intimidation
Destruction/damage/vandalism of property

THE MATTHEW SHEPARD AND JAMES BYRD, JR., HATE CRIMES PREVENTION ACT OF 2009

The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009, **18 U.S.C. § 249**, was enacted as Division E of the National Defense Authorization Act for Fiscal Year 2010. Section 249 of Title 18 provides funding and technical assistance to state, local, and tribal jurisdictions to more effectively investigate and prosecute hate crimes. It also creates a new federal criminal law which criminalizes willfully causing bodily injury (or attempting to do so with fire, firearm, or other dangerous weapon) when (1) the crime was committed because of the actual or perceived race, color, religion, national origin of any person or (2) the crime was committed because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person and the crime affected interstate or foreign commerce or occurred within federal special maritime and territorial jurisdiction.

The newly enacted § 249 has three significant subsections. **Subsection (a) (1)** criminalizes violent acts (and attempts to commit violent acts undertaken with a dangerous weapon) when those acts occur because of the actual or perceived race, color, religion, or national origin of any person. This section of the statute has a broader reach than existing hate crime statutes. (18 U.S.C. § 245, for example, requires that government prove not only that the crime was motivated by animus but also because of the victim’s participation in one of six enumerated federally protected activities). Section 249(a) (1) was passed pursuant to Congress’s Thirteenth Amendment authority to eradicate badges and incidents of slavery. The government need prove no other “jurisdictional” element to obtain a conviction.

Subsection (a) (2) of § 249 protects a wider class of victims. Subsection (a) (2) criminalizes acts of violence (and attempts to commit violent acts undertaken with a dangerous weapon) when motivated by the actual or perceived gender, disability, sexual orientation, or gender identity of any person. It will also apply to violent acts motivated by animus against those religions and national origins which were not considered to be “races” at the time the Thirteenth Amendment was passed. This portion of the statute was passed pursuant to Congress’s Commerce Clause authority. Thus, to obtain a conviction, the government must prove that the crime was in or affected interstate or foreign commerce. Subsection (a) (2) (B) of the statute contains a detailed description of the ways the commerce clause element may be fulfilled.

Subsection (a)(3) of § 249 provides for prosecution of crimes committed because of any of the characteristics defined in (a)(1) or (a)(2), whenever such crimes occur within the Special Maritime and Territorial Jurisdiction (SMTJ) of the United States.

The statute criminalizes only violent acts resulting in bodily injury or attempts to inflict bodily injury, through the use of fire, firearms, explosive and incendiary devices, or other dangerous weapons. The statute does not criminalize threats of violence. Threats to inflict physical injury may be prosecutable under other hate crimes statutes, such as 42 U.S.C. § 3631 or 18 U.S.C. § 245. Such threats may also be prosecutable under generally applicable federal laws preventing interstate communication of threats.

ANTI-BULLYING POLICY

It is an important part of our mission to ensure that students, professors, staff and administrators at Fisk University experience an atmosphere that is free from threat or fear. We want each person to feel safe and work in a comfortable environment.

At Fisk University we strive to create the best environment for educational, social and emotional growth of each student. As a caring school community, we hold that all cruel and abusive behavior, which is persistent and pervasive, is unacceptable in our campus community.

Definition

The following definition of bullying behavior has been established:

- Bullying is behavior which may be characterized by repeated incidents that are conducted by individuals or groups against others, whose experience of such behavior is one of being subject to verbal, psychological or physical aggression or intimidation.
- Therefore, by its very nature, bullying behavior contradicts both the University's Mission Statement and the Code of Student Conduct.
- Bullying may take the forms of verbal or written (e.g. attacks of a highly personal or sexual nature, which may be directed at a student, staff member or at their families, attacks on their culture, race or religion, or the spreading of malicious rumors), physical, gesture (non-verbal threatening gestures which convey intimidator or frightening messages), exclusion, extortion (demands for money, possessions or equipment, or forcing a student to steal), interference with another's property or E-bullying (the use of web-pages, e-mails and especially text messages to abuse, intimidate or attack a student).
- It is not bullying when students of about the same age and strength have the occasional quarrel or conflict, or when a member of staff offers constructive or fair criticism of a student's behavior or work performance.

Rights and Responsibility

It is the responsibility of Fisk University to provide education on bullying to students, faculty, staff and administrator.

It is vital that bullying is dealt with quickly and effectively at Fisk University. Victims, faculty, students, staff, and administrators who witness bullying or have bullying reported to them are asked to report bullying Behaviors to the Assistant Vice President and Dean of Student Engagement and Director of Public of Safety.

- All members of the student body, faculty, and staff at Fisk University play a vital role in preventing, identifying and reporting bullying incidents
- The Division of Enrollment Management has been designated to be responsible for dealing with incidents of bullying behavior and co-coordinating strategies to counter bullying behavior at the University. The Dean of Student Engagement, Director of Public Safety and University Counselor will fulfill these roles.

Strategies that will be used to deter Bullies

1. Small group and individual counseling of victims of bullying.
2. Counseling of students who bully others and encouragement for them to change their behavior.
3. A hierarchy of appropriate responses developed to apply to particular situations.
4. Active supervision of the yard and school bus stop by teachers.
5. Awareness Anti-Bullying Programs for students.
6. Education Programs for students, faculty, and staff.

Strategies that may be used for students being bullied

1. Ignore the bullying/bully – show that you are not going to be upset by it.
2. Stay away from the bully, or places where bullying occurs
3. Be with supportive friends.
4. Be assertive – stand up for yourself by telling the bully to stop.
5. Tell a friend or talk it over with an older student (e.g. RA, a mentor).
6. Tell an adult that you are being bullied: e: parent, faculty, staff, Chaplain, University Counseling Services. They will help you make a plan to deal with the bullying.

Strategies that may be used by students if they are aware of someone being bullied

1. If possible, you could intervene as the bullying occurs by telling the bully to stop. This is very useful if you have influence with the bully.
2. Refuse to join in with the bullying.
3. Support students who are being bullied – just standing by them can be enough.
4. Tell an administrator, faculty, or staff member if you are concerned about the bullying.

Procedures for Reporting Incidents of Bullying Behavior

- All reported incidents of bullying behavior will be noted down on the University's Incident Report Form and

investigated by the Assistant Vice President and Dean of Student Engagement and the Director of Public of Safety.

- ii. Serious cases of bullying behavior, in which there is an imminent risk to a person's physical or psychological well-being, will be referred immediately to the Assistant Vice President and Dean of Student Engagement or the behavior Intervention Team.
- iii. The person who has witnessed the bullying incident or to whom the incident of bullying Behavior has been reported will fill out a college Incident Report Form. This will be passed on to one of the designated anti-bullying co-coordinators in the college at the first opportunity. The anti-bullying co-coordinator will liaise closely with the student/s, parents, the class tutor and the person who reported the incident.

Procedures for Investigating and Dealing with Incidents of Bullying Behavior

Investigations of bullying Behavior and dealing with such incidents are the direct responsibility of the Assistant Vice President and Dean of Student Engagement and Director of Public Safety. Written records of all procedures will be made and kept in student files.

- i. Individuals involved in the incident/s will be interviewed separately by at least one of the Behavior Intervention Team.
- ii. In the case of a group involvement in an incident, members will be interviewed at first separately and then together.
- iii. Individuals involved in the incident will be informed, in the first instance, that bullying Behavior is in breach of the Student Code Conduct.
- iv. Parents/ guardians will be informed by the University authority of bullying incidents.
- v. A designated behavioral contract form is to be filled out jointly by the perpetrators of the incident, one of the Behavior Intervention Team, and (where appropriate) the parent(s)/guardian(s) of the perpetrator. The form will specify behaviors to be agreed upon at the time of interview, from which the perpetrator will agree to refrain.
- vi. Sanctions will be taken against the perpetrator in line with the University disciplinary sanctions should this agreement be broken.
- vii. Arrangements will be made at the time of interview for a follow-up meeting to review progress and, if necessary, to implement the agreed sanctions. In cases of serious breaches of the Behavioral contract the matter will be referred directly to the University Judiciary Committee.
- viii. If the matter remains unresolved at the University level, such cases will be referred to the Judiciary Committee.

Raising Awareness of Bullying as a Form of Unacceptable Behavior

- Copies of the Fisk University Anti-Bullying Policy will be available to the student body, all faculty, and staff.
- All newly appointed members of college staff will receive a personal copy of this policy and be made aware of its contents and attendant strategies by one of the designated Behavior Intervention Team.

Encouraging Students to Disclose and-Discuss Incidents of Bullying Behavior.

- All students have a responsibility to report incidents of bullying behavior that they experience or witness at Fisk University.
- All incidents of bullying behavior that are reported to members of teaching and non-teaching staff will be treated with the utmost seriousness.

All University members are expected to report to the designated member of the Behavior Intervention Team on the matter as quickly as possible and to follow the procedures for reporting and dealing with incidents of bullying Behavior outlined above in sections **Procedures for Reporting Incidents of 'Bullying Behavior** and **Procedures for Investigating and Dealing with Incidents of Bullying Behavior**.

POLICY AND PROCEDURE ON MENTAL HEALTH STATUS

Laws of the state of Tennessee govern Fisk University's response to the mental health status of students or members of the university community. The University must follow two portions of statute, one governing children, and one governing adults. Specifically, the University observes the definition of **Mental illness** as "a psychiatric disorder, alcohol dependence, or drug dependence, but does not include mental retardation or other developmental disabilities" pursuant to Tennessee Code Annotated 33-1-101.

In accordance with Tennessee Code Annotated 33-1-101 (22) **"Serious emotional disturbance"** means a

condition in a child who currently or at any time during the past year has had a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet psychiatric diagnostic criteria that results in functional impairment that substantially interferes with or limits the child's role or functioning in family, school, or community activities and includes any mental disorder, regardless of whether it is of biological etiology;

In accordance with Tennessee Code Annotated 73-6-102 (2) "Adult" means a person eighteen (18) years of age or older who because of mental or physical dysfunction or advanced age is unable to manage such person's own resources, carry out the activities of daily living, or protect such person from neglect, hazardous or abusive situations without assistance from others and who has no available, willing, and responsibly able person for assistance and who may be in need of protective services; provided, however, that a person eighteen (18) years of age or older who is mentally impaired but still competent shall be deemed to be a person with mental dysfunction for the purposes of this chapter;

University Procedure

If a student is incapacitated, or declared to be a risk of danger to him/herself or to the campus community, the Provost, the Assistant Vice President and Dean of Student Engagement or the Director of Counseling Services submits written notice to the Office of the Registrar that the student is to be administratively withdrawn based on communication received from the student's parents or family, or based on communication from a physician, mental health practitioner, etc. This notice will state the reason for withdrawal, the effective withdrawal date, and provide supporting documentation.

STRUCTURE OF THE FISK UNIVERSITY JUDICIAL SYSTEM

Fisk students must comply with all local, state and federal laws and regulations. Students who violate these laws or regulations are subject to sanction by the University as well as prosecution by the appropriate governmental authorities. Sanction by the University does not constitute "double jeopardy" for criminal prosecution purposes. Students charged with a violation of the Fisk University Code of Student Conduct may have their case heard before the appropriate body within the Fisk University judicial system.

The Fisk University Judicial System includes:

COMMITTEE ON STANDARDS AND DEGREES

The Committee on Standards and Degrees reviews the academic performance of students and recommends to the Dean of Academic Affairs those students who should be placed or retained on academic probation, removed from academic probation, or suspended or dismissed from the University by reason of insufficient academic progress or performance. The Committee is comprised of the Dean of Academic Affairs, who chairs the Committee; the Director of Admissions and Records, or designee; the Registrar; a staff member in the student academic support services program, to be named by the President; the Director of Financial Aid; the Director of Student Engagement; and four faculty members elected by the Faculty Assembly.

The Hearing Committee is a standing subcommittee of the Committee on Standards and Degrees, and shall comprise at least one faculty member, and at least one administrative staff member, of the Committee on Standards and Degrees; two students of senior standing, each with a grade point average of 3.0 or higher; and, as a non-voting consultant, the Director of Student Engagement. When asked to do so by the Director of Student Engagement, or by a student requesting Committee review of disciplinary sanctions imposed by the Director of Student Engagement, the Hearing Committee shall review disciplinary sanctions imposed upon students charged with violating University standards of conduct and shall make appropriate recommendations to the Director of Student Engagement. The Hearing Committee may at its discretion also review disciplinary sanctions imposed by the Student Engagement staff when asked to do so by the affected student, following procedures outlined in the Student Handbook. It may also review disciplinary charges against students to make a determination of the validity of the charges and may function as an appeal body to hear appeals from actions by the Student Judiciary Council.

UNIVERSITY JUDICIAL OFFICER

In order to expedite the process, the University Judicial Officer (Dean of Student Engagement) or a designee may conduct an initial investigation to determine if the complaint can be resolved administratively or referral to a judicial council is necessary. The accused student and the University Judicial Officer or a designee must agree to an administrative decision. An administrative decision will be final and there will be no subsequent proceedings, including an appeal. If the complaint cannot be adjudicated administratively, the student will be charged with a violation of the Code of Student Conduct and the case will be resolved in a formal hearing. The student

must agree to administrative resolution in writing.

RESIDENCE HALL JUDICIAL BOARD (RHJB)

The Residence Hall Judicial Board hears cases involving violations of residence hall regulations. The membership of the RHJB is selected through interview and selection by the Office of Student Engagement. This council has a minimum of four voting members. The chairman of the Residence Hall Judicial Board only votes in the case of a tie. Resident Assistants may not be members of the RHJB. All appeals of the Residence Hall Judicial Board's decisions are to be made to the University Disciplinary Council.

UNIVERSITY DISCIPLINARY COUNCIL (UDC)

The University Disciplinary Council routinely handles matters pertaining to breaches of the University's Standards of Conduct in all offenses which might result in suspension or expulsion from the University. They may hear cases and appeals referred to them by the University Judicial Officer or designee, the Residence Hall Judicial Board, or may handle cases directly without receiving a recommendation. The members of the UDC are appointed by the Office of Student Engagement. The UDC has four voting members consisting of faculty, staff and students, and one chairperson, who preside over the hearings. The chairperson will only vote when there is a deadlock among the UDC. The University Disciplinary Council is the University Judicial Board responsible for making recommendations in cases involving breach of University regulations to the Assistant Vice President and Dean of Student Engagement and may take the following actions: no action taken, agree with charges, or dismiss charges. The UDC may decide to implement additional sanctions in relation to findings in any judicial matter. Students may request an appeal of the decision of the University Disciplinary Council to the Dean of Student Engagement.

FILING CHARGES AND HEARING OPTIONS

Any member of the University community may file a complaint alleging a violation of the Code of Student Conduct by a student of the University. The complaint should be in written form and filed as soon as possible after the incident occurs. Persons filing complaints should do so in a timely manner in order to avoid unnecessary delays in the judicial process.

All formal charges shall be presented to the accused student in written form. A time shall be set for a hearing which normally will not be less than two (2) days and will not be more than twenty (20) calendar days after the student has been presented with the charges. Maximum time limits for the scheduling of hearings may be extended at the discretion of the Office of Student Engagement.

During holidays or between semesters or when an appropriate University Judicial Board cannot meet, a University Hearing Officer may be assigned to hear any case.

STUDENT HOUSING HEARINGS

The following rules of procedure for adjudicating alleged violations of the Code of Student Conduct are established for use by on-campus residential staff for violations of Student Housing Regulations:

1. Written notification of the alleged violation(s) shall be filed with the person designated as the Student Housing Hearing Officer.
2. The Student Housing Hearing Officer shall notify the student involved of a possible violation of the Code of Student Conduct and request that he/she report to the Student Housing Hearing Officer for a conference or a judicial letter will be sent to the student. The letter will outline the charge and the sanction. All letters of judicial notice will include a signature of receipt form.
3. Prior to adjudication, the Student Housing Hearing Officer must answer two questions:
 - A. Does the accused student have a previous disciplinary record? This information is available in the Office of Student Engagement.
 - B. Is the alleged offense serious enough to result in possible suspension or expulsion? The Student Housing Hearing Officer must consult with the Assistant Vice President and Dean of Student Engagement in making this determination.
4. If the offense could result in possible suspension or expulsion, the case shall be referred to the University Disciplinary Council for adjudication.
5. If the case is not referred and the student accepts responsibility for the violation, he or she may waive all further hearings and accept the decision and sanctions of the Student Housing Hearing Officer as final and

binding for all purposes.

6. If the student denies the charge, he or she may request a formal hearing before the Residence Hall Judicial Board.
7. If the student assumes responsibility for the violation, he or she may request that the Residence Hall Judicial Board determine the sanction.
8. When unusual circumstances exist and during periods when the Residence Hall Judicial Board cannot meet, the case will be referred to the University Disciplinary Council.
9. The Student Housing Hearing Officer and the Residence Hall Judicial Board may impose all disciplinary sanctions except suspension and expulsion.
10. In cases involving disciplinary action, all documents and materials will be kept in the Office of Student Engagement for inclusion in the student's disciplinary record.
11. All documents, records, and materials of any judicial hearing will be maintained in the Office of Student Engagement.

NON-HOUSING HEARINGS

The following rules of procedure shall be used for adjudicating all non-housing hearings:

- A. Normally, a hearing will be conducted in private. All hearings dealing with academic performance, scholastic probation, financial aid and medical/psychiatric records will be held in closed session. The University Judicial Officer may have a scribe attend any hearing at his or her discretion for the purpose of note-taking only.
- B. The University Judicial Officer may make an audio tape recording of judicial board hearings. No other recording devices or court reporters are permitted to record or transcribe a judicial board hearing. The audio tape recording is the property of the University and may be reviewed by the accused student or the complainant for the purpose of preparing an appeal. The time and location of such a review is subject to the discretion of the University Judicial Officer.
- C. A quorum (majority) of a University Judicial Board must be present in order to hear a case. A majority vote of the members present is required for all decisions of the University Judicial Board;
- D. A member of the University Judicial Board who cannot hear the evidence fairly and objectively for any reason is obligated to recuse himself/herself from the case;
- E. A student who fails to appear before the University Judicial Board, in accordance with proper notification, shall be deemed to have waived his/her rights to be present during the University Judicial Board's deliberation, to know the evidence against him/her, to present evidence in his/her own behalf, and to exercise reasonable cross-examination of witnesses appearing against him/her. This waiver shall become effective if the student fails to appear at the designated time and place of hearing and the case will be heard in absentia.
- F. A hearing may only be rescheduled 24 hours prior to the time set for the hearing if the student communicates in writing to the Assistant Vice President and Dean of Student Engagement good cause for granting a continuance of a scheduled hearing.
- G. The chairperson is in charge of maintaining an orderly discussion throughout the hearing. Proceedings should be conducted with fitting dignity and should reflect the importance and seriousness of the hearings. Any person, who fails to follow the instructions of the chairperson, after a warning, shall be referred for appropriate disciplinary action.
- H. Admission of any person to a hearing shall be at the discretion of the Chairperson of the University Judicial Board.
- I. The Chairperson shall ascertain that the accused has been advised of his/her rights.
- J. The secretary shall then read the statement of charges and advise of the maximum penalty for each charge.
- K. The accused shall enter a plea of guilty or not guilty. If a guilty plea is entered, he/she shall be advised of the maximum penalty. In the event that the accused pleads guilty, the board shall review the circumstances of the case and make appropriate decisions or recommendations regarding the sanction.
- L. The complainant and the accused student (as well as any victim/witness who is not also the complaining party) shall have the right to be assisted by an advisor. The advisor will be of the individual's own choosing and may be an attorney. The University Judicial Officer will present the case for the complainant and the

University. The accused student will be responsible for presenting his or her case and may be assisted by an advisor. However, advisors, including attorneys, will not be permitted to speak or to participate directly in the hearing.

- M. The complainant, the University Judicial Officer, and the accused student have the right to call witnesses. Members of a University Judicial Board, the University Judicial Officer, and the University Judicial Board Chairperson may question witnesses, including the complainant and the accused student. The complainant and the accused student may question witnesses. The complainant and the accused student will be permitted to review and examine evidence during the hearing, if approved by the Chairperson of the University Judicial Board.
- N. Pertinent records exhibits and taped, or written statements may be accepted as evidence for consideration at the discretion of the University Judicial Board Chairperson. Written evidence shall not be presented as evidence, unless circumstances make such presentation necessary and unavoidable. Under similar restrictions, the accused may present written statements in his/her defense. Unsigned statements shall not be admitted as evidence. Any drawings or statements written and accepted as evidence during a hearing shall be signed and submitted to the Chairperson during the hearing and shall become the property of the University.
- O. After the presentation of evidence by the University, the accused shall be allowed to present all relevant evidence.
- P. Procedural questions are subject to the final decision of the Chairperson of the adjudicating University Judicial Board, in consultation with the University Judicial Officer.
- Q. After the hearing, the University Judicial Board, and the Chairperson, will go into closed session. A majority vote of the student, administrative, and faculty members present at the hearing is necessary to reach a decision. The Chairperson may participate in the deliberations of the board. During deliberations all persons except the University Judicial Board members shall be excused from the hearing room. All matters upon which the decision may be based must be introduced at the hearing, and the decision shall be based solely upon the evidence presented.
- R. The University Judicial Board's determination of responsibility will be made on the basis of whether, by a preponderance of the evidence presented at the hearing, it is more likely than not that the accused student committed the violation (s) as charged.
- S. After a determination of guilt or innocence by a University Judicial Board, the previous disciplinary record of the accused (if any) shall be given to the University Judicial Board for consideration as to an appropriate sanction.
- T. Based upon findings in the hearing, the University Judicial Board will inform the Office of Student Engagement of their decision, and any sanctions. When a sanction is imposed, the student will be given a written statement of the decision of the University Judicial Board and any sanctions imposed.
- U. A University Judicial Board member shall not discuss cases prior to or after the hearing. The information received by members of a University Judicial Board during a case is considered strictly confidential. Violations of this confidence by any University Judicial Board member could result in disciplinary action.
- V. The student has the right to appeal any decision provided that relevant grounds for an appeal can be cited.
- W. All documents, records, and materials of any judicial hearing will be maintained in the Office of Student Engagement.

DISCIPLINARY SANCTIONS

A student or student organization found responsible for violating the Code of Student Conduct may receive one or more of the sanctions listed below. Prior to issuing a sanction, the University Judicial Officer will inform the University Judicial Board or the University Hearing Officer if the accused student or student organization has any previous violations of the Code of Student Conduct. This may have an effect on the type and level of the sanction(s) to be imposed.

The following list of sanctions is intended to show the range of sanctions that may be imposed on a student or student organization, either individually or in combination. This list is not to be regarded as all-inclusive but rather as a sample of sanctions that may be imposed.

- S1. Disciplinary Warning** - An official written reprimand stating that unacceptable behavior has occurred, and any further inappropriate behavior or other violations of the Student Conduct Code may result in more serious judicial actions by the University.
- S2. Disciplinary Probation** – Disciplinary Probation is a specific period of time, generally not less than three

months, during which further violations of the Code of Student Conduct may result in suspension or expulsion. Violations of disciplinary probation generally will result in more serious disciplinary action against the student, such as suspension or expulsion from the University.

- S3. Probationary Reporting** – A student may be required to report to an appropriate university official on a regularly scheduled basis for a specified period of time.
- S4. Suspension** – Suspension indicates that a student, by his/her actions, has forfeited the privilege of attending Fisk University for a specified period of time. Suspended students are prohibited from entering the campus without specific authorization from the Office of Student Engagement. Students who reside on-campus will have a minimum of 48 hours' notice to remove all of their belongings out of the residence hall after notification that the penalty of suspension is in effect. All residence hall fees and deposits may be forfeited. A student receiving a sanction of suspension from the University for less than one (1) semester assumes the responsibility for transportation and housing while under sanction. Fisk University will not recognize any academic credit earned from another institution during the period of suspension.
- S5. 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:
- to the physical safety or well-being of the accused, or of any other member of the University or its guests;
 - to the integrity of institutional property or personal property of members of the University community or its guests; or
 - 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.

- S6. Expulsion** – Expulsion is the most serious sanction that can be imposed on a Fisk University student. Expulsion is a permanent forced withdrawal from the University and entails a permanent separation from the institution. An expelled student may not enter any part of the campus without specific authorization from the Office of Student Engagement. Students who reside on-campus will have a maximum of 48 hours to remove all of their belongings out of the residence hall after notification that the penalty of expulsion is in effect.
- S7. Restitution** – Requiring restitution allows for the compensation of loss, damage or injury caused by a student or student organization's misconduct. Compensation may take the form of appropriate service, and/or monetary or material replacement.
- S8. Educational Sanction** – An educational sanction may consist of the assignment of specific projects to be performed by a student or student organization. Examples include, but are not limited to, sanctions such as writing a research paper on a specific topic, performing community service hours, attending or conducting an educational program, and/or writing reaction papers on a specified topic. Educational sanctions also include completing mandated alcohol and drug education programs, referral to University counseling, or counseling services outside of the University.
- S9. Alcohol and Drug Testing** – A student may be required to show proof of having a clean drug test to the Assistant Vice President and Dean of Student Engagement as a part of a judicial sanction by the University Disciplinary Council only as a sanction for drug related infractions of the Code of Student Conduct.
- S10. Counseling** – A student may be required to attend counseling sessions for a specified period of time with a University counselor or be referred for counseling resources outside of the University. Proof of completion of any sanctioned counseling is required to be presented to the Office of Student Engagement.
- S11. Work Hours** – A student may be required to perform specified tasks of service to the University under the supervision of a University official.

- S12. Loss of Privileges** – Denial of specific social privileges or campus activities or organizational membership for a designated period of time.
- S13. Residence Hall Suspension** – Separation of the student from the residence halls for a specific period of time.
- S14. Residence Hall Expulsion** – Permanent separation of the student from the residence halls and termination of the Student Housing Contract.
- S15. Organization Deactivation** – Loss of privileges, including University recognition for a specific period of time or permanently. Loss of privileges may include, but is not limited to, a prohibition on social events, fund-raising projects, intramural events, and completion of community service hours and special projects. When a student organization engages in an act of misconduct, the University reserves the right to take action not only against the organization but also against any individual student member of the organization as well.

Note: Any student found responsible for violating University policy who withdraws from the University and has not completed all assigned judicial sanctions or sat before any judicial body may be prohibited from obtaining a diploma/transcript or denied readmission to the university pending completion of all sanctions or request for judicial hearing. Failure to comply with any assigned judicial sanctions will result in immediate and permanent revocation of housing contract or suspension from Fisk University.

Note: Seniors who are administratively found responsible for violating University policy during the last 45 days of classes, finals, or senior days or any senior who has not completed all assigned judicial sanctions by any judicial body may be prohibited from participating in Commencement exercises or ceremonies and/or from obtaining a diploma/transcript pending completion of all sanctions. Seniors who are administratively found responsible for violating University policy during the last 45 days of classes, finals, or senior days are not entitled to a judicial hearing. Recent graduates who willfully obstruct the University following completion of their degree or commencement may be temporarily or permanently denied transcripts or access to the campus.

FISK UNIVERSITY STUDENT APPEAL POLICY & PROCEDURES

In the interest of fairness, only the recipient of a disciplinary action(s) has the right to appeal. It is the responsibility of either the Fisk University Disciplinary Council (co-curricular or student conduct) or the Fisk University Academic Standards & Degrees Committee (academic), as appropriate, to inform the disciplined student of the appeals process which shall include (i) the right to appeal, (ii) to whom the appeal should be presented, and (iii) the deadline by which an appeal must be requested. The Fisk University Disciplinary Council and/or the Fisk University Academic Standards & Degrees Committee are referred to collectively in this Fisk University Appeal Policy & Procedure as the “Disciplinary Body.” Disciplinary sanctions imposed through institutional hearings do not become effective until the sanctions imposed by the Disciplinary Body have been approved by either the Assistant Vice President and Dean of Student Engagement or the Associate Provost (“Approving Authority”). Notification of appeal rights shall be made in writing within the correspondence which notifies the student of any sanction imposed.

Submission of Appeal

Every recipient of a disciplinary action(s) shall have the right to appeal. All appeals must (i) be submitted in writing within forty-eight (48) hours after receipt of the written notification detailing the decision of the case, (ii) be signed by the student, and (iii) state the specific grounds for the appeal. In the event the Approving Authority issues a decision on a Friday, then the appeal must be submitted by 12:00 p.m. the following Monday. If the time period includes a holiday, the 48-hour period shall be calculated to exclude any official Fisk University holiday. Disciplinary sanctions not appealed within such time are deemed final.

Grounds for Appeal

All appeals shall specify the grounds which would justify consideration of the appeal by the appellate body. An appeal will be granted only if it is determined that at least one of the following grounds exist:

1. ***Violation of Procedural Due Process.*** There was an error in the procedural due process by the complainant who initiated the disciplinary process or the Disciplinary Body which prejudiced the disciplined student to the extent that he or she was denied a fundamentally fair hearing as a result of the error.
2. ***Reasonable Person Standard.*** The Disciplinary Body made a decision which no reasonable person would find comprehensible; provided, however, disagreement with the decision does not make it manifestly unreasonable. To apply this ground, you must provide substantive argumentation as to why no reasonable person

could have arrived at the decision that was made.

3. ***New Information or Evidence.*** There is significant new information or evidence related to the case that was not available or previously considered at the time of the hearing which is substantial enough to have affected the decision of the Disciplinary Body; provided, however, if the student could have undertaken reasonable due diligence to discover such information and/or evidence for purposes of presenting it to the Disciplinary Body at the original hearing, such information and/or evidence shall not qualify to serve as the basis for an appeal.
4. ***Disproportionate Result.*** The disciplinary action or sanction(s) imposed by the Disciplinary Body is grossly disproportionate to the severity of the violation.

Any appeal which does not state sufficient grounds to justify an appeal shall be denied consideration and dismissed.

Appellate Review Board

All appeals shall initially be submitted to a board comprised of the Vice President of Student Engagement, the Executive Vice President & Provost, and the Student Government Association President or his or her student designee (collectively referred to herein as the "Appellate Review Board"). When the Appellate Review Board receives and accepts a petition for an appeal of a disciplinary sanction(s), the Appellate Review Board shall instruct the Disciplinary Body to notify all persons who were sent formal notification of the disciplinary sanction(s) that the student has submitted an appeal of the sanction(s) and that the implementation of the sanction(s) is contingent on the results of the appeal. Appeals will be decided on the basis of the record of the original proceeding and the written appeals. Oral arguments shall not be permitted unless new information and/or evidence is provided with the appeal.

The Appellate Review Board shall make a determination as to whether or not sufficient grounds for appeal have been stated no later than three (3) business days from the date the appeal is received. If the Appellate Review Board determines that the appeal does not state sufficient grounds, the appeal shall be denied consideration and dismissed, and the Appellate Review Board shall issue a final written decision to the student and any other relevant parties, in which case the appellant student may submit a final appeal to Office of the President. If the Appellate Review Board determines that the appeal states sufficient grounds for consideration, the Appellate Review Board, by majority vote, shall grant the appeal, and then decide whether to affirm, modify, or reverse the determination of the Disciplinary Body or to remand the case to the Disciplinary Body with instructions. The Appellate Review Board will render a decision on the appeal within ten (10) business days from the date the appeal is received.

In the event the ground for appeal is based on an error in the procedural due process either on the part of the Disciplinary Body or the complainant, the Appellate Review Board shall either consider the appeal or send the appeal to the Appeal Panel as provided below. In the event the ground for appeal is based on the presentation of new information and/or evidence only, the disciplinary action shall be remanded to the Disciplinary Body for reconsideration.

The Disciplinary Body shall then re-hear the case no later than twenty (20) days from the day the Appellate Review Board remands the action. Only in cases of physical violence, threat or danger to the campus or campus community or to the student, shall a student be denied the ability to attend class during an appeal or remain on the University property; provided, however, the University may impose other sanctions or limitations during the appeal process and the University is not precluded from taking such interim action(s) deemed necessary and/or appropriate to ensure the safety and security of the student or the campus community.

Appeal Panel

At the discretion of the Appellate Review Board, an appeal panel ("Appeal Panel") may be constituted to consider the appeal. The Appeal Panel shall consist of two (2) faculty members and two (2) student members and two (2) administrators. All members of the Appeal Panel are required to be present to review the case. After reviewing the record of the original proceeding and the written appeal, the Appeal Panel, by majority vote, shall decide whether to affirm, modify, or reverse the determination of the Disciplinary Body or to remand the case to the Disciplinary Body with instructions. The Appeal Panel will render a decision on the appeal within fifteen (15) business days from the date the appeal is received. In cases where there has been an error in the procedural due process on the part of the Disciplinary Body or the complainant, the Appeal Panel shall re-hear the case; make a determination as to the validity of the procedural error and remand the case back to the Disciplinary Body with instructions. While a case is pending, policy changes that might affect a case cannot be considered in the appeal.

If the Appeal Panel has a question about the meaning or application of a University policy or procedure, the Appeal Panel may consult with the Appellate Review Board to determine how best to proceed. At no time may the Appeal Panel substitute its own opinions or values for University policy. No person, including the petitioning student, may appear before the Appeal Panel, except at the invitation of the Appeal Panel.

Appeal to the President

The President of the University retains final authority on all campus matters, including disciplinary decisions. The President will not hear any appeal which has not gone through the proper and complete disciplinary appeals process. However, the President may, at the President's discretion, determine to hear a direct appeal if the disciplinary sanction to be imposed involves suspension or expulsion. The President reserves the right to provide a final review of all disciplinary actions.

If an appeal is submitted to the President, he/she shall make an initial determination as to whether or not sufficient grounds for appeal, based on the grounds provided above, have been stated. Appeals, which do not state sufficient grounds, shall be denied consideration and dismissed.

Appeals, which allege sufficient grounds, will be accepted for consideration. The President shall not conduct a new hearing but will consider only the record made by the Disciplinary Body, as supplemented by any appellate body and/or written appeals. The President may, at his/her own discretion, permit written or oral statements from the concerned parties at the time the appeal is considered. The President will render a decision on the appeal within fifteen (15) business days from the date the President receives the appeal.

Actions of the President

The President of the University may consider a number of non-exhaustive alternatives when considering an appeal. Actions of the President may include, but are not limited to, the following:

1. to affirm or amend the recommended sanction(s);
2. to reverse the verdict;
3. to remand it to the original judicial body with instructions;
4. to grant a new hearing based on new information and/or evidence provided; and/or
5. to dismiss the case in whole or part.

Transfer of Records

Once a final determination has been made, all records of the Disciplinary Body shall be returned to that body. All student records are maintained in the Office of Vice President of Student Engagement & Enrollment Management (Co-Curricular or Disciplinary Matters) or the Office of the Provost (Academic Matters).

Conflict of Interest

No person may participate on any appellate body involved in the disciplinary process (e.g., Disciplinary Body, Appellate Review Board or Appeal Panel) if such person has a conflict of interest that might render such person's objectivity questionable. Each member of any of the appellate bodies involved in the disciplinary process is responsible for determining whether a conflict of interest exists and may consult the Dean of Students if necessary. However, a person may be disqualified from being involved in the disciplinary process upon a motion by another member of such appellate body and by the subsequent affirmative vote by a majority of the members of such appellate body. In the event any member of an appellate body is disqualified as a result of this process, the Appellate Review Board shall select a replacement. In the event that a member of the Appellate Review Board has a conflict of interest or is disqualified, the President shall select a replacement.

RETENTION OF STUDENT DISCIPLINARY RECORDS

Disciplinary files developed will be voided if the student is determined to be innocent of the rules violation(s) charged against him or her. A permanent file will be maintained if a student is suspended or expelled as a result of his or her being found guilty of a rules violation(s). No reference to the suspension or expulsion will be made on the student's transcript unless the sanction so specifies. Files developed in cases in which a lesser sanction has been imposed will be retained for a period of four (4) years after graduation or seven (7) years after date of action unless the sanction specifies that it should be retained for a longer period.

WRITTEN STUDENT COMPLAINTS POLICY

Students with general complaints are encouraged to resolve the issue at an informal level by discussing the concern with the other party identified as causing or contributing to the grievance (another student, volunteer, faculty

member and/or administrator) or their supervisor.

If the student is unable to resolve the concern at the informal level – no later than 15 working days after the alleged incident – a written statement of the complaint should be filed with the Office of Student Engagement (non-academic related)/Office of the Provost (academic related).

FORMAL STUDENT COMPLAINT RESOLUTION PROCESS

The Formal Student Complaint Resolution Process is the exclusive means for resolving a grievance or formal complaint within Fisk University. Complaints must be filed within 15 working days of the alleged incident. The Formal Student Complaint Resolution Process proceeds whether or not the parties involved pursue outside remedies. Parties involved as complainants or respondents or as participants in the resolution process will maintain confidentiality of the proceedings. Information revealed in the proceedings will be disclosed only to those individuals who need to know as defined by the Dean of Student Engagement/Associate Provost. The timelines noted in this procedure may be altered as deemed necessary by the Office of Student Engagement (non-academic related)/Office of the Provost (academic related).

FILING COMPLAINTS

The student may obtain a “Written Student Complaint Form” from the Office of Student Engagement, Office of the Provost, Residence Hall Offices, or on the Fisk website at www.fisk.edu.

For General Complaints:

The completed form should be taken to the Office of Student Engagement in a sealed envelope addressed to: AVP and Dean of Student Engagement, CONFIDENTIAL

For Residence Hall Complaints:

The completed form should be taken to the Residence Hall Director of the building where the violation occurred in a sealed envelope addressed to: Office of Residence Life, CONFIDENTIAL.

For Criminal Complaints:

The completed form should be taken to the Office of Public Safety in a sealed envelope addressed to: Director of Public Safety, CONFIDENTIAL.

For Academic Complaints

The completed form should be taken to the Office of the Provost in a sealed envelope addressed to: Office of the Provost, CONFIDENTIAL.

A copy will be forwarded to the Student Government Association’s Grievance Director within 72 hours after receipt.

The Dean of Student Engagement/Associate Provost will review the written complaint and meet with the complainant within 72 hours of receipt.

NOTIFICATION OF RESPONDENT

Within five (5) working days of the receipt of the complaint, the Dean of Student Engagement/Associate Provost will notify the respondent in writing, advise the respondent of the name of the complainant and the nature of the allegations, and refer the respondent to the Fisk University written Student Complaints Policy. The complainant will choose the complaint resolution option he or she prefers (mediation, administrative resolution, or hearing committee). The respondent may agree to the option chosen by the complainant or may request the appointment of a Hearing Committee (as appointed by the Dean of Student Engagement/Associate Provost). The respondent will also be advised that any speech or conduct threatening or constituting retaliation against the complainant or any witness will be regarded as a serious and separate infraction. The respondent must reply to the Assistant Vice President and Assistant Vice President and Dean of Student Engagement in writing, within five (5) working days of receiving notice of the complaint.

MEDIATION

Either the complainant or the respondent may request the Dean of Student Engagement/Associate Provost to attempt resolution of the complaint through mediation. Either party may decline to participate. If good faith efforts to mediate the complaint are ongoing, the Dean of Student Engagement/Associate Provost will suspend other complaint resolution options. If both parties agree to a settlement through mediation, no further option for resolution will be available. The case will be recorded in writing and kept on file by the Office of Student

Engagement/Office of the Provost. If no settlement is reached, the complainant may choose either the Administrative Resolution or the Hearing Committee option.

ADMINISTRATIVE RESOLUTION

The complainant has the prerogative of choosing the administrative resolution option, subject to the right of the respondent to request mediation or the right of the respondent or the Dean of Student Engagement/Office of the Provost to request the appointment of a Hearing Committee. In an administrative resolution, the Dean of Student Engagement/Associate Provost or appointed administrator will review the complaint and meet with the complainant and will also meet with the respondent. The Dean of Student Engagement/Associate Provost will seek to resolve any factual disputes by interviewing witnesses and reviewing documents in order to establish the credibility of the parties. The Dean of Student Engagement/Associate Provost or appointed administrator will ordinarily complete this investigation within fifteen (15) working days of the notification of the respondent. After completing the investigation, the Dean of Student Engagement/Associate Provost or the administrator will meet with the complainant and respondent either together or separately, to discuss the appropriate resolution to the complaint. After the meeting(s) the Dean of Student Engagement/Associate Provost or administrator will prepare a statement of the facts and a conclusion. Administrative resolution of a complaint is binding on both the complainant and the respondent.

HEARING COMMITTEE

At the request of either party, or the Dean of Student Engagement/Associate Provost request, a committee will be appointed to review the case, and after determining the facts, make a recommendation of resolution.

The appointed committee will consist of five members and two alternates to hear the case. Committee members will be chosen from the following pools within Fisk University.

- a. Faculty members recommended by the Dean of Student Engagement/Associate Provost.
- b. Staff from a pool recommended by either the Director of Human Resources or the Dean of Student Engagement/Associate Provost.
- c. Students who are active members of one of the Fisk University Judicial Boards.

The Committee will include at least one member of the same status (e.g., staff, faculty member, student) as the respondent and at least one student. The Dean of Student Engagement/Associate Provost will designate a chairperson for the Hearing Committee.

HEARING COMMITTEE PROCEDURES

1. The Dean of Student Engagement/Associate Provost will provide Committee members with copies of the complaint and the complete policy of the alleged infraction, deliver to the Chairperson of the Hearing Committee a complete set of documents in the case, provide a procedural outline for the hearing to the Chairperson, assist the Chairperson in scheduling a hearing, ordinarily within ten (10) working days of the request for a hearing, assist the Chairperson in identifying the witnesses whom the complainant and respondent intend to call, and identify other person who might assist the Committee.
2. The Chairperson will notify the complainant and respondent not less than five (5) working days prior to the hearing of its location, time, and date. The Chairperson also will identify the members of the Committee and inform the parties that challenges for bias must be made not less than two (2) working days prior to the hearing. The Chairperson will determine the sufficiency of the challenges, and, if appropriate, choose a replacement from the alternates originally designated by the Dean of Student Engagement/Associate Provost. If the Chairperson is challenged, the Dean of Student Engagement/Associate Provost or his or her designee will determine if this challenge is sufficient. The Chairperson may extend the deadlines in the Hearing Committee process if he or she finds just cause.
3. The hearing will ordinarily be held on consecutive working days and will not be open to any person who is not directly participating. Either party may exercise the option to select an advisor with whom he or she may consult upon request to the Chairperson at reasonable times during the hearing. Only a current faculty or staff member can act as an advisor. Off-campus individuals, parents, or those who have no direct affiliation with the University cannot serve as advisors. Request to be accompanied by an advisor must be made to the Chairperson in writing within three (3) working days of the hearing. The Chairperson may allow or decline an advisor to be present based on his or her judgment and must respond to the request in writing within one (1) working day of the hearing. Advisors who are admitted to the hearing may not address the Committee

nor question witnesses.

4. The hearing will begin with a presentation of the complainant's case and be followed by the respondent's response to the allegations. The Committee may question both parties. Questions asked by the complainant or respondent may be disallowed by the Chairperson if he or she determines that any question or statement is irrelevant to the proceedings. Both parties will be provided an opportunity for appropriate rebuttal. Neither the complainant nor the respondent will be allowed to directly question each other, nor shall the Committee be questioned directly. The burden of proof is upon the complainant, who must establish the guilt of the respondent by an overwhelming preponderance of the evidence. All proceedings will be tape recorded for review by the Committee during deliberation of the facts or may be utilized by the Dean of Student Engagement/Provost in the case of an appeal. Tape recordings of the proceedings will be kept on record by the Office of Student Engagement/Provost's Office and will not be available to either the complainant or respondent after the hearing.
5. Witnesses will not be present except during their testimony. The complainants' witness will first be allowed to provide their knowledge of relevant facts through questions posed by the Committee and by both parties followed by the respondents' witnesses. Once the Committee is satisfied that all relevant information has been presented, both parties will be allowed to present summary statements and or written briefs to the Committee.
6. Once the hearing is adjourned, the Committee will privately meet to discuss the evidence and testimony, and to determine the facts and the extent to which they constitute proof of the allegations made against the respondent.

POSSIBLE FINDINGS

If the Hearing Committee determines that the alleged infraction has occurred, the Committee will be given access to any records of prior infractions by the respondent. The Committee will then assess the seriousness of the case based on the severity of the infraction, the extent to which it was a single or repeated incident, and any record of past infractions. The Committee will develop a recommendation of sanctions, which will apply only to the respondent. Sanctions recommended by the Committee may include termination of employment for any faculty or staff member of the University, or exclusion from the University or any lesser sanction for any student. The Committee will communicate its findings and recommendation of sanctions to the Dean of Student Engagement/Associate Provost. The Dean of Student Engagement/Associate Provost will then accept or reject the report or refer the case back to the Hearing Committee for additional review. If the Dean of Student Engagement/Associate Provost accepts the report, after consultation with the Director of Human Resources, he or she will determine if the sanctions are appropriate and impose the sanctions. A copy of the decision will be placed in the respondents file; no record will be made in the complainants file. If it is determined that there are insufficient grounds to support the claim or allegation made by the complainant, both parties will be so informed in writing and the complaint will be dismissed. The complaint will be recorded in the institutional tally and the records of the Dean of Student Engagement/Associate Provost.

PROCEDURES FOR APPEAL

Either party may appeal the decision of the Dean of Student Engagement/Associate Provost to the Dean of Student Engagement/Provost. A formal appeal must be filed in writing within three (3) working days after receipt of a decision. The Assistant Vice President and Dean of Student Engagement /Provost's response to the appeal will be one of the following:

1. Accept the Dean of Student Engagement's/Associate Provost's findings and sanctions.
2. Accept the Dean of Student Engagement/Associate Provost's findings and modify the sanctions.
3. Send the case back to the Dean of Student Engagement/Associate Provost to review the findings and/or modify the sanction.
4. Reject the Dean of Student Engagement's/Associate Provost's findings and sanctions.

KNOWINGLY MAKING FALSE COMPLAINTS

If it is determined during the Formal Student Complaint Resolution Process the complainant knowingly made a false complaint, the Dean of Student Engagement/Associate Provost may charge the complainant with a violation of the Personal Integrity section of the Fisk University Honor Code and may result in exclusion from the University or any lesser penalty.

RESIDENCE LIFE POLICY AND CODE OF STUDENT CONDUCT MANUAL

STUDENT HOUSING AND LIVING LEARNING CENTER POLICIES

A living learning center is a densely populated community composed of students with many different interests, habits and preferences. Fisk University is committed to the concept that living learning centers should provide a living and learning environment, where, in a spirit of cooperation and consideration for others, students may live, study and relax together. It is the students' responsibility to become acquainted with each item as it relates to the following policies. These policies are reviewed annually by Residence Life staff.

CAMPUS RESIDENCE REQUIREMENTS

All undergraduate students who are unmarried and financially dependent on parental support are required to reside on-campus. The Assistant Vice President and Dean of Student Engagement may make exceptions when the student is a legal resident of Davidson County, when there is a temporary shortage of residence hall space, or personal circumstances. Fisk believes that participation in the campus life is an indispensable part of a wholesome, well-rounded university education. When an exception is granted, it must come in the form of written approval from the Assistant Vice President and Dean of Student Engagement and must be received prior to the beginning of the registration period in which the student seeks permission for off-campus residence.

CANCELLATION OF LIVING LEARNING CENTER CONTRACT

Cancellation of the living learning center contract are used in situations where it is determined that a student should not be allowed the privilege of living in a University living learning center. The determination to revoke the contract may be made in accordance with language contained within the contract or in accordance to the University Judicial system: Students who receive a cancellation of contract:

- A. Shall be advised in writing by the Assistant Vice President and Dean of Student Engagement of appropriate administrative procedures;
- B. May not be permitted to enter any living learning center or the cafeteria; and
- C. May be suspended or dismissed from the University.

COHABITATION AND OVERNIGHT GUESTS IN LIVING LEARNING CENTERS

Cohabitation is strictly prohibited in living learning centers. This includes friends, family members and significant others of residents. Assigned students to a room, apartment, or house are the only individuals permitted to reside there. Violation of this policy could result in cancellation of the offending student's living learning center contract, as well as additional disciplinary action(s). If the cohabitant is a Fisk student, he or she will also receive the same sanction. If the cohabitant is not a Fisk student, he or she may be sanctioned for trespassing by the Fisk University Office of Public Safety and referred to the Metropolitan Nashville Police Department for appropriate action based on the trespass. The cohabitant will also be barred from campus. (Also refer to the "Visitation" section of this handbook for the University's policy on visitation.)

Overnight guests are permitted with roommate approval. Special permission to stay overnight is granted with parental permission, roommate permission and must be submitted in writing 48 hours advance notice to the Living Learning Center Manager. Guests must be of the same gender. Guests may stay for a maximum of two successive nights with prior approval by the Living Learning Center Manager. No guest may spend more than three nights in a one-month period in any residence hall. The maximum of three overnight stays is inclusive of all on-campus facilities. If a guest does not have valid proof of age they will be considered to be under the ageing of 17 and must leave the residence hall at 12AM. Individuals remaining for an extended period of time, or without the permission of a Living Learning Center Manager are subject to a charge billed to the assigned resident. Extended periods are considered to be more than two (2) nights in any residence hall within a seven (7) day period. All overnight guests must be registered with the Living Learning Center Manager regardless of the length of their stay or relationship to the resident they are visiting. Students are responsible for the actions of their guests. For health and safety reasons, the University reserves the right to limit the number of guests per building. Guests of students must be escorted at all times by their hosts in the residence hall. NOTE: The University does not allow persons under 18 years of age to be overnight guests unless they are part of a University sponsored event. Babysitting is prohibited in all residence facilities. (Also refer to the "Residence Life Code of Student Conduct- Guests 4.0" section of this handbook for more information).

COMPUTERS

All students are encouraged to have their own computer (laptop or desktop). Currently, all residence halls have wireless access to the Internet. Fisk University does not assume responsibility for repairs or upgrades for student-owned computers and peripherals. It is recommended that students purchase a security cable for their desktop or notebook computer.

Each living learning center contains a computer lab for students' use, as indicated below.

Jubilee Hall - 3rd Floor (10 PCs) & Basement (10PCs)

Crosthwaite - 3rd Floor (10 PCs)

New Livingstone - 2nd Floor (10 PCs)

Shane – 4th Floor (5 PC's)

All registered students are eligible to receive a network account and email address. Contact Information Technology Systems Office, located on the lower level of Crosthwaite Hall, to receive the required Account Request Form.

CONFISCATION POLICY

Certain items are prohibited in the living learning centers because they pose health, fire and/or safety hazards. Weapons, alcohol, illegal drugs and drug paraphernalia will be turned over to the Office of Public Safety or the Metropolitan Nashville Police Department as determined in the sole discretion of the University will not be returned, since a violation of state law has occurred. (Also refer to the "Residence Life Code of Student Conduct-Safety, Health and Well Being 2.10" section of this handbook for more information).

CURFEW

All living learning centers close at 12:00 midnight Monday through Sunday, and have restricted access based on individual residency. Freshmen men and women are required to be in their residence hall at curfew (12:00 midnight). Exceptions are made for special campus programs and with the permission from the Dean of Student Engagement. Upperclassmen must use their student identifications to enter the residence halls after midnight but are not subject to the curfew applicable to freshmen. (Also refer to the "Residence Life Code of Student Conduct– Freshmen curfew, occupancy and visitation rules" section of this handbook for more information).

Curfew is extended to 2:00am Friday and Saturday, exceptions are made for special campus programs and with permission from the Dean of Student Engagement

OFFENSIVE SIGNS AND PICTURES

Signs which use curse words, derogatory and demeaning names, racial names, or depict violent acts, are not permitted on room doors or in any facility within the University, including residence halls and rooms.

OPENING AND CLOSING OF RESIDENCE HALLS

There is an official opening and closing time and date for each academic semester. This information is sent to each student during the preceding semester and is listed on the University Academic Calendar. Students will not be allowed to stay in the living learning centers before or after scheduled opening and closing times.

At the beginning of each semester, there is an official check-in period/procedure for the living learning centers. Upon arrival on-campus, students should ensure all accounts are clear, and go directly to their assigned living learning center. Students must be financially cleared before room keys are issued. If a student is not listed as financially cleared on the living learning center registration list, that student will need to go to the business office to rectify the matter before he or she can move into the living learning center.

During the first week of each semester, the Resident Assistant will contact each student on his or her floor to complete a Room Checklist form. The student and the Resident Assistant will check the condition of all items in the student's room. It is important that all damages be noted on the form to identify those that occurred prior to the student's occupying the room. Residents will be held responsible for any damages to their rooms over and above those noted on the form at the time they check into the residence halls.

At the end of each semester, there is an official checkout period/procedure for the living learning centers. Before leaving the living learning center, students must clear out all personal belongings and turn in their room, closet, and mailbox keys. No personal items will be stored in living learning center rooms once the academic year has ended. Students are required to store all personal belongings off-campus.

PERSONAL PROPERTY

The University and the living learning center staff assume no responsibility for theft, damage or loss of money, valuables or personal property. Students are strongly encouraged to consider carrying renter's insurance if their family's homeowner's policy does not cover them while they are away from home.

PETS

For environmental health and safety reasons, no pets other than tropical fish can be kept in the living learning centers. Tropical fish tanks may not infringe upon the rights of the roommate. Feeding stray animals is prohibited. (Also refer to the "Residence Life Code of Student Conduct-Safety, Health and Well-Being 2.09" section of this handbook for more information).

POSTING NOTICES

While Fisk University believes in the communication of events, programs and activities throughout its campus, students, faculty, staff and the general public must seek authorization to post notices from the Office of Student Engagement or the department or division head over the bulletin board in question. Notices are not to be posted on buildings, trees, utility poles, etc. Unauthorized signs will be removed. Signs displayed in violation of this rule will be confiscated.

QUIET HOURS

The living learning center is a community that strives for an atmosphere conducive to study and rest so that students will be able to perform well at Fisk University. With this goal in mind, quiet hours are in effect from 8:00 p.m. - 8:00 a.m., Sunday - Thursday, and 12:00 a.m. - 12:00 p.m., Friday and Saturday. Quiet Hours are extended to 24 hours during examination periods. (Also refer to the "Residence Life Code of Student Conduct-Safety, Health and Well-Being 2.08" section of this handbook for more information).

LIVING LEARNING CENTER ASSOCIATION

The Living Learning Center Association is a body elected by the residents. The Association is the active link of communication between the residence hall staff and the students. This is an excellent way for the new members of the campus to become involved in University governance. The role of the Living Learning Center Association is to plan and implement programming for your living learning center. The Association meets regularly to plan residence hall functions and activities. Living Learning Center students are welcome to attend RHA meetings. All residence hall students are encouraged to become involved in the Living Learning Center Association.

LIVING LEARNING CENTER SECURITY

Security is an important matter and students play a key role in their own security. Students should take care to lock their rooms; keep all monies, jewelry and valuables in a safe place; report suspicious individuals; and avoid walking alone at night. In addition, students should never give keys, ID cards, or mailbox keys to anyone under any circumstances; or let unknown persons into the residence hall; or leave personal belongings unsecured.

The University provides 24-hour security services. To maintain the safety of all residents, students and visitors must follow the guidelines established and the requests of the desk attendants.

Visiting students must have a current photo ID to enter a residence hall and abide by visiting hours of their guest. All visitors must sign in at the residence desk and leave proper photo identification with the desk attendant that will be returned when they leave the residence hall. The desk attendant will call the resident to come to the desk to meet his/her visitor.

Students and visitors who refuse to show proper identification will not be permitted to enter the residence hall. Students who fail to respond to the requests of the desk attendant will be deemed to be in violation of this policy and subject to disciplinary action. Visitors who fail to respond to the requests of the desk attendant may be barred from the residence halls and/or the campus. Students should always carry their ID card.

ROOM DECORATIONS

Fisk University encourages students to express their individuality and creativity through their room decorations. Painting of rooms is not permitted. Students are permitted to use curtains, carpets and plants to personalize their home away from home. It is important to consider all University safety regulations. Decorations must be arranged so as not to obstruct any exits in case of an emergency. Structural modifications or building on to a student's room is prohibited. Residents are advised to use masking tape or mounting adhesives, not nails, for hanging items on the doors, walls or ceiling. Windows are not for the use of drying personal belongings or displaying food and

drink items. Decorations should not be posted or hung between the window and blinds or directly inside or outside of the window. Empty alcoholic beverage containers may not be displayed or stored in on-campus housing. (Also refer to the “Residence Life Code of Student Conduct-Respect for Protection for Person and Property 1.09, 2.03, 2.04” sections of this handbook for more information).

ROOM/HALL CHANGES

Room or hall changes are only permitted under rare and unusual circumstances with the permission of the Living Learning Center Manager. Students who change rooms without the permission of the Living Learning Center will be subject to disciplinary action.

SANITATION AND CLEANLINESS

Residents are expected to observe acceptable standards of cleanliness and sanitation in rooms, bathrooms, and all residential community areas. No student shall throw waste materials on floors or out of windows. Residents shall not cause plumbing fixtures to become clogged.

VENDING MACHINES

Vending machines are installed for students’ convenience. If the machines are out of order, report it to the Living Learning Center Manager. Tampering or misuse of any service equipment will result in removal of the equipment and subject students to disciplinary actions. Stealing or vandalizing any coin-operated vending machine may also result in arrest or arraignment by legal authorities.

VISITATION

Visitation is a privilege and not a right. The University reserves the right to suspend or cancel visitation at any time. In-room visitation by members of the opposite sex is strictly prohibited for freshmen students. Visitation is permissible in designated common areas of the living learning centers.

The rights of a resident always supersede those of any visitors at any time/event if it is a time when visitors are permitted. If a resident is inconvenienced by the presence of any visitor at any time, the resident should ask the host or a Residence Life staff member to have the visitor leave. If unable to resolve a situation in this manner, the resident should contact the Living Learning Center Manager. Multiple violations of this policy may result in immediate revocation of the student’s residence hall contract. (Also refer to the “Residence Life Code of Student Conduct-Visitation” 3.12 section of this handbook for more information).

Visitation hours for upperclassmen starts at 7pm and ends at 12 midnight Sunday through Thursday, 7pm-2am Friday and Saturday.

WASHER AND DRYER SERVICE

Washers and dryers are conveniently located in each living learning center. Students are prohibited from washing articles other than clothing (i.e. rugs or shoes) or using dye in the washers. Students should not leave their articles unattended in the laundry room. Fisk University is not responsible for lost or stolen articles. Stealing or vandalizing any coin-operated vending machine may result in arrest by law enforcement authorities.

UNIVERSITY PARKING

All members of the Fisk University community who drive/and or park on campus are required to register their vehicles with Campus Safety and to display a current, permanent or temporary registration decal. A valid driver’s license and proof of insurance are required to obtain a registration decal. Registration decals are distributed at the time of registration/validation. Parking or driving an unregistered vehicle on campus is considered a violation of University policy for which the University may issue a citation or tow the vehicle at the owner’s expense. Visitor parking is considered “reserved” 24 hours a day, seven days a week. Areas designated as visitor parking are strictly reserved for visitors to the campus only. Unauthorized parking in a visitor’s space is a violation of University policy. Any vehicle parked in an unauthorized space will result in a citation and the University reserves the right to tow any such vehicle.

The University makes every effort to insure privacy in all living learning center. Nevertheless, designated University officials have the right to enter a student’s room for matters pertaining to general health and safety; to perform reasonable custodial, maintenance and repair service; to inspect for damages or cleanliness; and for suspected rule violations. In addition, designated University officials may enter and search a student’s room if there is any reason to believe that the premises are being used for an illegal purpose, or a purpose which violates health or safety regulations, or interferes with normal university operations. Physical evidence of violations of this

policy may be confiscated and used as evidence in disciplinary proceedings. (Also refer to the “Residence Life Code of Student Conduct-Official Directives” 7.05 section of this handbook for more information).

DAMAGE, DESTRUCTION, OR OBSTRUCTION OF COMMUNITY PROPERTY

Living Learning Center common area property (lobby furniture, kitchen equipment, etc.) or Living Learning Center community property (computer lab equipment, bathroom equipment, etc.) shall be the financial responsibility of the living learning center community, including any cost related to the damage, destruction, obstruction or loss. Residents are expected to observe acceptable standards of cleanliness and sanitation in rooms, bathrooms and common areas. Misuse, lack of cleanliness or destruction of these areas shall be the financial responsibility of the living learning center community. The total cost of cleaning, repair or replacement shall be assessed and divided among the total number of residents in a defined residential living space or the entire living learning center. Written notice of a living learning center community financial penalty shall be given to all students of the living learning center by the Living Learning Center Manager or a member of the Student Engagement staff. Once assessed, it shall be placed on the student’s University account. The University also reserves the right to refer the matter for adjudication under the University Judicial System.

FACILITIES/EQUIPMENT AND EXIT DOORS

For safety reasons, exit doors may not be propped open or otherwise obstructed to prevent complete closure. Entering or exiting a building through unauthorized doors or windows is prohibited. Residents are required to use only the main entrance of each residence hall. (Also refer to the “Residence Life Code of Student Conduct-Security of Building and Facilities 5.0” section of this handbook for more information).

FIRE PREVENTION AND EMERGENCY EVACUATION

ALL FIRES, NO MATTER HOW SMALL, MUST BE REPORTED TO THE LIVING LEARNING CENTER MANAGER IMMEDIATELY.

Students should be familiar with the exits nearest to their rooms, so they can exit quickly and safely when the fire alarm sounds. When the alarm sounds, students should close the room door and leave the building quickly. Students may return only upon authorization from the staff. Failure to exit a building while a fire alarm is sounding will be considered a violation of the Student Code of Conduct. (Also refer to the “Residence Life Code of Student Conduct-Safety, Health and Well Being 2.06” section of this handbook for more information).

FIRE EQUIPMENT EXIT SIGNS AND FIRE DOORS

All fire-related equipment including fire extinguishers, hoses, alarms, exit signs are to be used for fires purposes only. Unauthorized use of or tampering with any of this equipment, as well as the blocking of fire exits, is a serious violation and may subject the student to appropriate sanctions under the University Judicial System and may result in suspension or expulsion from the University. It is also a criminal offense and may result in prosecution or any other appropriate sanction by a law enforcement agency or any other appropriate governmental authority.

Fire doors must remain closed at all times to contain smoke and fire. Any person knowingly causing a false alarm of fire or other emergency transmitted involving a risk of physical harm to person or property, is guilty of a misdemeanor of the first degree for which the maximum penalty is six months in jail or a \$1,000.00 fine or both. The University reserves the right to deem any objects to be hazardous. Repeat offenders will be subject to discipline under the University Judicial System. (Also refer to the “Residence Life Code of Student Conduct-Safety, Health and Well Being 2.06” section of this handbook for more information).

IMPROPER BEHAVIOR

No student shall participate in any behavior that is disruptive to the living learning center community. Examples include but are not limited to, water, food or shaving cream fights, or any behavior in or outside of a living learning center that is not conducive to the educational atmosphere. Obscene, intimidating, or socially inappropriate behaviors which are offensive to the prevailing standards of an academic community are prohibited. (Also refer to the “Zero Tolerance Policy” section of this handbook for more information).

LITTERING AND TRASH DISPOSAL

To limit the likelihood of pests, students should not store perishable food items in open containers. It is the students’ responsibility to keep his or her room clean. No person shall discard trash of any kind on the grounds of on-campus facilities, except in appropriate receptacles provided for such purpose. No public area trashcans (bathroom, kitchen, laundry room, etc.) should be utilized for personal trash. Windows are not for the use of

discarding trash are other objects.

LOCK-OUT POLICY

If students get locked out of their rooms, the staff will let them into their room with no charge once each semester. To minimize overuse of this service, a charge of \$5.00 will be assessed for additional lockouts. After a third lockout, possession of the key must be verified by the Living Learning Center Manager. Failure to present the key will result in automatic charge for a lock change.

LOST KEY OR IDENTIFICATION CARD

If a student loses a residence key or identification card, a new one can be obtained by reporting it within 24 hours to the Living Learning Center Manager. Students will be charged a cost for labor of \$100 to replace lost or stolen room entry keys and \$50 for lost or stolen ID cards. The cost of key replacement will be automatically charged to the student's account to maintain the security of the residential facility. The fee may be waived in appropriate circumstances. Appropriate sanctions may be imposed.

ROOM ENTRY AND SEARCH IN RESIDENCE HALLS

The Code of Student Conduct emphasizes the University's obligation to promote personal freedom, maturity and responsibility and applies in all aspects of campus life. All students accept the responsibility to conform to all University rules and regulations. Failure to meet this obligation will result in appropriate disciplinary action, which may include a fine, probation, suspension or dismissal from the University, relocation to another residence hall, termination of the University housing contract and/or other sanctions. Any member of the University community may report an individual who is in violation of the Code of Student Conduct. In addition to the University Code of Student Conduct, all residence halls operate and function under the Residence Life Code of Student Conduct. The Residence Life Code of Student Conduct is complimentary to the University Code of Student Conduct. All students and guests must conform to all residence life policies, failure to meet this obligation will result in appropriate disciplinary action.

STATEMENT OF STUDENT RIGHTS

Students retain those rights common to all U.S. citizens under the federal and state constitutions, and through pertinent laws. These rights include, but are not limited to, the following: privacy, equal opportunity, non-discrimination, freedoms of speech, assembly and association. Examples of the application of these rights in the University setting include the students' right to organize and join organizations to promote their common interests; the right to engage in discussions to exchange thoughts and opinions; and the rights to speak, write, or publish on any subject in accordance with established law. To protect the rights of everyone, and to preserve common order, the University must reserve the right to determine the time, place, and manner in which individuals may exercise their rights. For example, in order to function on campus, all student organizations must be registered with the Office of Student Engagement and are subject to University policies, regulations and procedures that pertain to such organizations.

LIVING LEARNING CENTER JUDICIAL BOARD

The Living Learning Center Judicial Board (LLCJB) hears cases involving violations of Fisk University Living Learning Center regulations. The LLCJB has a minimum of four voting members comprised of undergraduate students. The membership of the board is selected, interviewed and trained through the Office of Student Engagement and Residence Life. Board members must also be in good standing with the University, maintain at least a 2.75 GPA and reside on-campus (Resident Assistants may not be considered). The LLCJB reports to the Living Learning Center Manager of which one Living Learning Center Manager sits as the chairman. The chairman of the Living Learning Center Judicial Board only votes in the case of a tie. All decisions to appeal must be made through the University Disciplinary Council.

All students are expected to maintain a high standard of conduct. Each student is expected to be responsible for his/her actions/activities whether acting individually or in a group. The following behaviors represent violations of the responsibilities students have toward the community of scholars and may subject a student to disciplinary action, up to and including dismissal from the University. This list is representative and not intended to be exhaustive.

MISSION STATEMENT

The mission of the Residence Hall Code of Student Conduct is to promote concepts of fairness and due process in a judicial setting within the residence halls and throughout the University community, while striking a balance

between community standards, individual behavior, and the educational development of students.

DEFINITIONS

- The term “University” means Fisk University
- The term “student” includes all persons taking courses at Fisk University whether they are enrolled full-time or part-time, graduate or undergraduate, transient or cross-registered from another institution
- The term “University official” includes any person contracted or otherwise employed by Fisk University, performing assigned professional or administrative responsibilities
- The term “Living Learning Center Judicial Officer” refers to the Living Learning Center Manager (s) or any other person designated by the Office of Student Engagement to be responsible for the management of student conduct and disciplinary matters in addition to monitoring the completion of sanctions instituted against any student. The Living Learning Center Manager Judicial Officer is authorized to investigate, adjudicate, mediate, refer, or otherwise resolve any cases of alleged violation (s) of the Residence Life Code of Student Conduct.
- The term “Living Learning Center Judicial Board” or “RHJB” means any person or persons authorized by the Living Learning Center Manager (s) to determine whether a student has violated the Residence Hall Code of Student Conduct and to recommend sanction (s) or disciplinary action (s).
- The term “Appeal Officer” means any person or persons authorized by (or including) the Living Learning Center Manager (s) to review an appeal of a finding from the Living Learning Center Manager Judicial Body, not limited to, the Code of Student Conduct or Living Learning Center policy (s) or other documents pertaining to student engagement.

ZERO TOLERANCE POLICY

The following inappropriate behaviors shall lead to student’s immediate removal or dismissal from the living learning centers or Fisk University. Immediate interim suspension pending a hearing will occur whenever the accused student is deemed a safety threat.

Serious acts against persons, including, but not limited to:

- Hate crimes
- Murder
- Physical assault
- Rape or other sexual assault
- Pranks

Serious acts against property, including, but not limited to:

- Arson
- Illegal occupation of a building
- Possession or discharge of illegal weapons
- Illegal alcohol or drug distribution
- Pranks

Seriously jeopardizing the safety and lives of others, including but not limited to:

- Creating or false reporting of bombs
- Hazing
- Inciting a riot
- Intentionally tampering with fire safety equipment including causing a false alarm
- Pranks

1. Respect and Protection for Persons and Property

Respect for persons means always acting to enhance their safety, well-being, and freedom to pursue all their legitimate aims. Respect for property means recognizing not only the ownership rights of persons and of the University, but also the dependence of all on the availability and preservation of facilities and equipment.

1.01 Physical assault which includes but is not limited to intentionally, knowingly, or recklessly causing

bodily injury to someone; intentionally or knowingly causing another to reasonably fear imminent injury; or intentionally or knowingly causing physical contact with someone that they would regard as offensive or provocative.

1.02 Conduct less than physical assault or physical interference which interferes with a person in the conduct of his or her customary or usual affairs, such as the posting of threatening letters directed to the person, the use of threatening language directed at another, harassing or threatening telephone calls, email, voicemail, posting of materials in on-line communities, instant messaging (IM), social media or the vandalism of a person's room (e.g. by graffiti).

1.03 Sexual assault or any other unwanted behavior of a sexually explicit nature is defined as but not limited to:

Rape: In Tennessee, rape is defined as (1) Force or coercion used to accomplish the act; (2) Sexual penetration accomplished without the consent of the victim (3) If the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual penetration is accomplished by fraud.

Sexual harassment: In Tennessee, sexual harassment is defined as (1) Unwelcomed sexual advances (2) Requests for sexual favor; or (3) Verbal or physical conduct of a sexual nature.

Indecent assault and battery: Any unwanted sexual contact; including but not limited to unwanted touching, kissing, or fondling of any body part of a person.

1.04 Against property: No student shall intentionally take, possess, damage, or deface any property that is not his or her own. Students are not permitted to make architectural changes or repairs to walls, doors, closets, furnishings or any other portion of the residential facilities nor place holes in walls for decorative purposes. Students may not hang or place objects such as stickers, bottle caps, dry erase boards, stars, speakers, tapestries, etc. on ceilings or walls. Attempting to repair damaged property is strictly prohibited.

1.05 Weapons: No student shall possess or carry firearms and other statutorily defined weapon on University property. Weapons as defined by Tennessee law can be found in the 2012-2013 Student Handbook and Academic Planner. **Violation of this section will result in immediate referral to the University Judicial Council.**

1.06 Hazing: No student organization or individual shall engage in or condone any form of hazing. For a comprehensive list and definition of hazing, see the 2014-2015 Student Handbook and Academic Planner. **Violation of this section will result in immediate referral to the University Judicial Council.**

1.07 Stolen property: No student may possess any stolen or illegally acquired University, private or public property within the residence halls including, but not limited to street signs, construction items, food service equipment, parking gates, etc.

Students in possession of such items will be asked to provide ownership or proof of sale.

1.08 Furniture: No student shall move any University furniture out of their assigned room or move any unassigned University furniture into their assigned room. Students found in possession of Common Area furniture will be fined per student, per incident or piece of furniture, and may face other sanctions. Furniture must be used as designed and beds may only be raised by the use of an item designed for that purpose or approved by the Living Learning Center Manager for that specific use. Furniture must remain as assembled; any alteration from the assembly will result in monetary fine. Furniture may not be placed on cinder blocks, radiators, or other furniture unless specifically designed for such use. Lofts, homemade beds, and waterbeds are not permitted. Cinder blocks are not permitted in the residence halls. Damage beyond normal wear and tear may result in the replacement cost for that particular furniture item.

1.09 Painting: Students are restricted from painting any bedroom or common areas in or around the residence halls. Wallpaper, borders, stencils, glow paint, etc. are all prohibited. Any students painting any areas will be held financially responsible for the restoration of that area and subject to the additional sanctions.

1.10 Lewd acts and displays: The presence and performance of strippers and/or exotic dancers, hired or voluntary, in or around the residence halls, is strictly prohibited. Lewd acts including, but not limited to, public urination, "mooning", streaking, "flashing" and public nudity are considered a violation of this section. Public displays of pornographic material, in or around the residence hall, are strictly

prohibited; this includes transmission, sharing, or posting of pornographic material via electronic means. Students and their guests are not permitted to film, photograph, or broadcast pornographic material. The solicitation of participants for the above purposes is strictly prohibited.

- 1.11 Computer, internet and network:** Residents are expected to comply with all rules, regulations, and guidelines of the University's Information Technology Services office. Misuse of the computer, Internet, or the network, including but not limited to: harassment via email, webcam, or website, running a server from a student bedroom or suite room, the operation of any type of business via their computer/Internet, and the violation of the above-mentioned rules and regulations, is strictly forbidden.

2. Safety, Health and Well Being

- 2.01 Safe conditions:** No student shall create a safety or health hazard or nuisance in any living learning center. Examples of prohibited behavior include but are not limited to: the possession or use of fog machines, excessive accumulation of garbage or filth in rooms, suites, hallways or lounges; changes in electrical wiring; homemade beds, water beds, or other unapproved constructions; additional items or acts may be prohibited by the Living Learning Center Manager. The maximum occupancy for any residential area shall not exceed two guests per resident living in the room.

- 2.02 Personal safety:** No student shall knowingly create a condition, which unnecessarily endangers or threatens the safety or wellbeing of themselves, any student, persons or property on the University campus including propping doors or emergency exits, preventing a door from closing or locking properly, as well as circumventing security procedures (i.e. entering or exiting through a window or an alarmed door).

- 2.03 Alcohol:** No student shall possess, use or distribute alcohol within or around the living learning centers. Public Safety or Living Learning Center staff will confiscate all alcohol and alcohol containers whether empty or full of students in public and private areas. Alcohol and alcohol containers, including decorative bottles and cans, whether empty or full are prohibited. Behaviors committed under the influence of alcohol will be considered a violation of the University's Illicit Drugs and Alcohol Policy. **Major violations of this section may result in removal from housing as well as a referral to the University Judicial Council.**

- 2.04 Windows and roofs:** No individual shall open the window to place objects to the outside of the window/sill or roof; this includes cable wires, mini-satellite dishes, amplifiers, etc. No student shall throw, drop, project, or excrete any objects or liquids from any window or roof areas. Students and guests are prohibited from all roof areas, or from entering or exiting persons or belongings through windows. **Violation of this section may result in removal from housing as well as a referral to the University Judicial Council.**

- 2.05 Drugs and controlled substances:** No student shall possess, use or distribute drugs or controlled substances within or around the residence halls. Drug paraphernalia and water pipes of all kinds are prohibited. Behaviors committed under the influence of any drug or controlled substance will be considered a violation of the University's Illicit Drugs and Alcohol Policy. **Major violations of this section may result in removal from housing as well as a referral to the University Judicial Council.**

- In the event that drug paraphernalia or drug use occurs in a room, all assigned residents of a room may be held responsible, regardless of whether or not the drugs or drug paraphernalia are in their possession. In the event that the drug paraphernalia or drug use occurs in a common area or suite all occupants may be held responsible.
- All persons are prohibited from being in the presence of any drug activity while in or around the residence halls. If a resident student is found to be in the presence of others using drugs or drug paraphernalia, they may receive the same sanctioning as those using the drugs or drug paraphernalia.
- Minimal proof of the presence of marijuana within a room shall be defined as the confirmation of odor by University Staff or Police Officer. Other contributing factors may include but are not limited to: haziness within the room, fans blowing out the window, towel under the door, presence of air freshener or other odor masking devices.
- Any object whose design is to use or hide the presence of drugs within the room shall, itself, be considered drug paraphernalia.

Any or all person (s) deemed by University Police or Living Learning Center Staff to be selling,

distributing, or providing drugs within or around the residence halls will receive a mandatory sanction of removal from housing, may be subject to arrest.

2.06 Fire safety: No student shall refuse to observe any safety regulations or procedure and are required to evacuate during all fire alarms. No student shall cover, tamper with or otherwise misuse or endanger the proper functioning of smoke detectors, exit signs, fire extinguishers, fire safety systems, fire doors or other safety equipment on the campus. smoke detectors, doorways, ceilings or sprinkler heads and pipes. Soldering, welding, or any open flame is prohibited in the living learning center.

The following policies have been established in accordance with fire and safety laws of the State of Tennessee regarding public buildings. The procedure set forth in this policy for building maintenance is applicable to all residence halls.

- Fire doors are to be kept closed. Fire doors serve to protect you in the event of fire but are useless when left open. Fire doors are located throughout the residence halls in the corridors, at the stairwells, and at some of the lobbies and, if properly closed, prevent fire, smoke, and fumes from spreading throughout the building in the event of fire, thus keeping some routes clear for safe exit.
- Care should be taken in the use of all electrical cords and sockets. Extension cords are to be used only as an extension of a single unit, not as a multiple plug adapter. All electrical cords should bear the label "Approved by Underwriter's Laboratories." Do not overload circuits. Multiple extension cords cannot be connected to each other. UL approved power strips with surge protectors are permitted.
- The use or storage of kerosene, gasoline, naphtha, benzene, or any similar flammable material in residence halls is prohibited. Halogen lamps are prohibited.
- Flammable items such as sheets, fish net, tapestries, banners, flags, holiday lights, sheets etc., should not be hung or draped from the walls or ceiling. Light fixtures, smoke detectors, doorways, ceilings or sprinkler heads and pipes are not to be covered with flammable items.
- No live Christmas trees or live greenery may be used anywhere within the buildings. Fireproof trees of vinyl/aluminum are acceptable. No strung holiday lights may be used in the residence halls.
- All decorating materials used on floors where residents live must be fireproof.
- No straw or similar flammable material may be used inside the building.
- Doors may be covered with flameproof material during the holiday season only if it is attached by tape (no tacks) on the sides, top, or bottom of the door.
- There should be nothing used at any time that will impede the flow of traffic in the halls in the event an evacuation of the building should become necessary.
- Glass inserts in the fire doors may not be covered at any time.
- Light bulbs and light fixtures must not be covered with paper, cellophane, or paint. Theater gels may be attached to desk lamps, etc., for colored lighting effects.
- All room smoke alarms are equipped with the appropriate battery. If an alarm is found missing a battery, it will be assumed that the student has removed the battery. All missing batteries may lead to a fine of up to \$100.00 plus the replacement cost, all of which shall be assessed to each resident of the room. It is the responsibility of each resident to report non-working batteries to their Living Learning Center Manager.

VIOLATION OF THESE FIRE SAFETY RULES IS A SERIOUS OFFENSE. FAILURE TO COMPLY WITH THE FIRE SAFETY REGULATIONS SHALL RESULT IN THE FOLLOWING SANCTIONS:

- First Offense- Written Warning, \$200 Fine, and community service (Possible Revocation of Housing Contract)
- Second Offense- Referral to Tribunal Disciplinary Council (Recommended Sanction- Suspension or Expulsion)
- If violation of the above fire safety regulations results in fire or property damage, the University may impose more severe sanctions including significant fines and suspension or expulsion.

2.07 Candles, incense and potpourri: Incense, candles, potpourri, and oil burners with open flames or coils

may not be burned in the living learning centers. Decorative candles may be displayed provided they do not show evidence of burning. Any candle showing evidence of burning will be confiscated immediately. The student will be subject to an assessment for any damages, the cost of removal and/or storage.

2.08 Noise: All residents are expected to respect each other's study, sleep, and privacy needs. Quiet hours are in effect from 8:00 p.m. - 8:00 a.m., Sunday - Thursday, and 12:00 a.m. - 12:00 p.m., Friday and Saturday. During quiet hours, noise may not be heard outside of the room so as not to disturb fellow residents. Residents are held accountable for any noise that can be heard beyond their own bedrooms and/or common areas in keeping with quiet hours. Residents are expected to adhere to quiet hours per respective living learning center. Quiet Hours are extended to 24 hours during examination periods. If residents within any living unit believe that quiet hours should be extended, the Living Learning Center Manager within that living unit may take a vote of all residents who would be affected by that change. According to the majority vote, extended quiet hours may be implemented or minimal quiet hours may be retained.

The use of amplified instruments or drums is prohibited without the written consent of the Living Learning Center Manager. Because of the close proximity of the living learning center, noise outside of the halls must be maintained at a reasonable level. For this reason, loud music (including stereo speakers in room windows) and other noises are not permitted in the residential areas. This includes noise external to the building.

2.09 Pets and animals: No person shall have or allow dogs, cats, snakes, lizards, rabbits, rodents, birds, fish or any other animals in the residence halls.

2.10 Appliances: Cooking appliances are prohibited in all residence hall bedrooms, suites and common areas. Possession and use of prohibited appliances is a strict violation. The student will be subject to an assessment for any damages, the cost of removal and/or storage. If students have any confiscated items pursuant to this policy, he or she will receive a receipt. Upon full payment of any fee or expense imposed, students are entitled to the return of their appliances at the end of year as they leave campus. Any item not claimed within one (1) calendar year becomes Fisk University's property and will be discarded. The following policy has been established in accordance with fire and safety laws of the State of Tennessee regarding public buildings. The procedure set forth in this policy for building maintenance is applicable to all residence halls.

- Resistance coils or gas appliances of any kind such as hot plates, emersion coils, grills, skillets, toasters, toaster ovens or any appliance with an exposed heating element or heating surface are prohibited.
- Microwaves and hot surface appliances, such as hot plates, George Foreman Grills, space heaters, popcorn poppers, etc., are not allowed in student rooms.
- The use of UL approved portable electric hair dryers, curling irons, portable refrigerators (3.5 cubic feet, 1.5 amps), razors, radios, clocks, computers, desk lamps, irons, televisions set, tape recorders, CD players, and stereos are permitted in student rooms.

2.11 Misuse of elevators: No student shall overload, jam, jump in, or in any way misuse, damage or create an unsafe condition in any elevator in the residence halls. Vandalism to elevators will result in disciplinary action and restitution.

2.12 Smoking: Smoking is prohibited in all buildings on-campus, including residential facilities. Any smoking, including cigarette smoking, vaping, smoking of cigars, beedis, clove, herbal cigarettes, pipes or hookahs, is prohibited in all residence halls. Smokers are not permitted to smoke within 25 feet of the front entrance of the residence halls and must use proper receptacles to dispose of cigarette butts. Additionally, smoking is prohibited during all campus ceremonies and activities sponsored under the auspices of Fisk University. Guests or visitors of our students are expected to comply with this smoking policy.

2.13 Sports and activities: Use of sports equipment including but not limited to bicycles, metal tipped darts, skate boards, and roller blades are prohibited in the residence halls. Physical activities including wrestling, martial arts demonstrations, and sports games are prohibited in the residence halls. Students and guests should put on recreational equipment (i.e. roller blades) outside of, or in the foyer of their

buildings. The use of water guns and water balloons is prohibited in the residence halls.

- 2.14 Solicitations and distribution of literature:** All persons are strictly prohibited from solicitation of any product, service, non-university group or organization, or alcohol establishment within the residence halls and/or parking lots. Posters and fliers must be approved by the Living Learning Center Manager and may only be posted by Residence Life Staff.
- 2.15 Gambling:** All persons are prohibited from gambling. (Exception: games of sport and social pastimes that are not for profit, do not affect the public and do not breach the peace are permitted.) Running a business within the living learning center is not permitted.

3. Freshmen curfew, Occupancy and Visitation rules

- 3.01 Freshmen curfew:** All freshmen students are expected to be in their assigned rooms no later than 12am Monday through Sunday; all residents have restricted access based upon individual residency. Freshmen men and women are required to be in their residence hall at curfew (12:00 midnight). Exceptions are made for special campus programs and with the permission from the Dean of Student Engagement. In the event curfew is lifted or extended, notification will be given through the Living Learning Center Manager or Residence Life Staff. Upperclassmen must use their keys to enter the residence halls after midnight but are not subject to the curfew applicable to freshmen and women.
- 3.02 Room exchange/changes:** No student may exchange their room within the residence halls without proper authorization. Use of coercive actions to force room changes is expressly forbidden.
- 3.03 Unauthorized facilities use:** Unless approved by the Living Learning Center Manager non-sleeping facilities in the residence halls such as living rooms and lounges shall not be used as a sleeping area.
- 3.12 Visitation:** Residents are responsible for all actions of their guests and are responsible for informing them of housing rules and regulations. Guests will remain with their hosts at all times while in on-campus residential facilities. Residents are responsible for all activities of their guests that occur within their rooms in any residential public or common area. The hours of visitation for all residence halls are Monday through Sunday 7:00 p.m. - 12:00am.
- Visitors must abide by all rules and regulations of the living learning center and the university
 - Visitors must remain in the room of the host/hostess and are not permitted to loiter in the living learning center
 - Visitors and residents must use the public and community bathrooms designated for use by their respective gender only
 - The maximum number of visitors in a room is two per resident
 - Visitors must sign in at the main desk of each living learning center and leave their ID with the Desk Attendant
 - Hosts and hostesses must go to the main desk to sign in and escort their visitors to their room
 - They must also escort their visitors out of their room and back to the main desk
 - Visitors must pick up their ID when they check out at the main desk upon leaving the living learning center

4. Guests

Having guests visit in the living learning center is a privilege, not a right that may be revoked due to violations of Residence Life Code of Student Conduct.

- 4.01 Permission to remain overnight:** Overnight guests are permitted with roommate approval. Special permission to stay overnight is granted with parental permission, roommate permission and must be submitted in writing 48 hours advance notice to the Resident Director. Guests must be of the same gender. Guests may stay for a maximum of two successive nights with prior approval by the Living Learning Center Manager. No guest may spend more than three nights in a one-month period in any living learning center. The maximum of three overnight stays is inclusive of all on-campus residential facilities. If a guest does not have valid proof of age they will be considered to be under the age of 17 and must leave the residence hall at 12pm. Individuals remaining for an extended period of time, or without the permission of a Living Learning Center Manager, are subject to a charge billed to the assigned resident. Extended periods are considered to be more than two (2) nights in any residence hall within a seven (7) day period. All overnight guests must be registered with the Living Learning Center Manager regardless of the length of their

stay or relationship to the resident they are visiting. Students are responsible for the actions of their guests. For health and safety reasons, the University reserves the right to limit the number of guests per building. Guests of students must be escorted at all times by their hosts in the residence hall. NOTE: The University does not allow persons under 18 years of age to be overnight guests unless they are part of a University sponsored event. Babysitting is prohibited in all residence facilities.

4.02 Responsibility for guests: When a resident has a guest, they assume full responsibility for the conduct of that guest even if they are separated in the building. The host is subject to disciplinary action as a result of their guest's behavior. Guests are expected to abide by all University and Living Learning Center Regulations. A host is defined as the student who signs the guest into the residence hall.

4.03 Absence of occupants: A guest may not occupy the hosts' bedroom or suite room in the absence of the host. The host must be in the presence of the guest (s) at all times within of the living learning center.

4.04 Maximum occupancy: Residents may have up to two (2) guests in accordance with the sign in procedures and must have the permission of a Living Learning Center Manager to exceed this limit. The maximum occupancy for any residential area shall not exceed three times the designed occupancy.

4.05 Denial of accommodations: A Living Learning Center Manager may deny a guest permission to remain overnight or be a guest in the future. The guest shall be informed of the reasons when she or he is asked to leave or in writing.

4.06 Trespassers: Any person living in or visiting the living learning center, without a valid housing contract or without sign-in procedures is a trespasser. Trespassers shall be reported to Campus Safety and/or subject to criminal charges.

4.07 Intoxicated guests: Residents may be restricted from signing in a guest if Public Safety or the Residence Life staff determines the guest appears to be under the influence of alcohol or other drugs.

5. Security of Building and Facilities

5.01 Unauthorized access: No individual shall use or possess any key or ID card to any room or area to which she or he is not specifically assigned. Residents may not grant permission or give use of keys and/or I.D. to an unassigned student.

5.02 Illegal entrance, unauthorized presence: No student shall break into, or without authority or permission, enter any living learning center office or designated work space, or bedroom (of any other living learning center); nor shall any unauthorized student enter or remain in any residence hall at a time when that facility is officially closed.

5.03 Restricted areas: No unauthorized student shall enter into any restricted area; nor shall any student assist or make possible the unauthorized entry of any person into any restricted area. Restricted areas may include tunnels, roofs, posted or enclosed construction sites, secured utility areas, and identified staff parking spaces.

6. Integrity of Transactions

6.01 False testimony: No person shall give false testimony, or withhold information, in matters related to the University Conduct of Code, or a disciplinary investigation. Violations of this regulation will be considered a violation of the University Conduct of Code and will result in further disciplinary action.

6.02 Misrepresentation: No student shall represent himself or herself as another person, in person, in writing or otherwise, with the intent to obtain benefit or to injure or defraud another. Prank 911 phone calls will be considered misrepresentation.

6.03 False information: No student shall give false or misleading information or identification at any time (including during any part of a disciplinary process or when completing documents issued by or used by the University for official functions or activities). No student shall give false or misleading information, which could damage or discredit another person.

6.04 Theft of service: No student shall tamper with or misuse cable TV, laundry, vending machines, or University phone services which she or he is not authorized to use. Any student found misusing University or non-University services will be subject to restitution for charges or resulting damage.

7. Official Directives

7.01 Staff Directives: Students must comply with the appropriate directives of University officials exercising assigned duties. University officials include Police, Security Officers, Fire Safety personnel,

Residence Life staff, administrators, and faculty. Students must not interfere with the actions taken by University officials or personnel. Students must comply with the directive to accept medical assessment; failure to do so may cause a medical emergency or injury to the student. When a student or guest is asked to open their backpack or bag (s) for suspicious contents and the student refuses to comply, the bag (s) or backpack will not be allowed into the residence hall.

7.02 I.D. cards: All students must immediately surrender their University I.D. card upon request by an authorized University official. All students are to have functional University I.D. cards in their possession at all times.

7.03 Disciplinary summonses: Failure to respond to a summons or a disciplinary meeting may be considered an additional violation of the Residence Life Code of Student Conduct, resulting in an increased sanction. Failure to attend a disciplinary meeting may result in the matter being adjudicated in absentia.

7.04 Failure to complete sanction: Failure to complete a community service/educational sanction will be considered an additional violation of the Residence Life Code of Student Conduct, resulting in a further sanction (s).

7.05 Right to entry: Residence Life staff, Public Safety and other University designees may enter a living learning center room at any time for the purpose of health, safety, and/or maintenance. Students may contact the Assistant Vice President and Dean of Student Engagement with any concerns about the implementation of this policy. In addition, the University reserves the right to enter a room when state, local, or federal laws and/or the Fisk University Student Code of Conduct or Residence Life Code of Student Conduct, as related to the safety and wellbeing of a resident or community member, is suspected to be in violation. Whenever possible, the University will attempt to provide the assigned resident with advance notice. As with fire, health and safety inspections if a room entry should occur, notification will be left for the residents of the room whenever feasible.

- “Room inspection” is an entrance into a student’s room to fulfill the duties of authorized personnel or to inspect the conditions within the room for health and safety reasons.
- “Room search” is a formal entry into a student’s room to search for evidence when reasonable cause exists to believe that the Code of Student Conduct may have been violated or that the health, safety or welfare of students or others may be at risk.

The following personnel shall be authorized to enter students’ rooms under the conditions prescribed:

- Full-time professional members of the living learning center staff, excluding clerical personnel;
- Living Learning Center Manager alone or Resident Assistant escorted by Residence Life Staff;
- Employees of the maintenance staff of the Physical Plant Services escorted by Residence Life Staff;
- Non-University personnel contracted to perform maintenance or repair services on behalf of Residence Life or Physical Plant Services escorted by Residence Life Staff;
- In the absence of the Living Learning Center Manager, a Graduate Assistant or a Resident Assistant with a security officer may act in the case of an emergency regarding health and safety. Other cases should be referred to the Dean of Student Engagement;

SANCTIONING GUIDELINES

The following guide explains typical sanctions and assigned community service as a recommendation based on past sanctions in similar cases. The sanctioning is up to the discretion of the residence life judicial officer or LLCJB.

Discretion: the trait of judging and objectively; a mental faculty, is the action of discerning or judging, judgment, decision, discrimination, ability to discern or distinguish what is right, befitting, or advisable, especially as regards one’s own conduct or action.

More likely than not: is the standard by which an accused student is judged “*in violation*” or “*not in violation*” of a section of the Residence Hall Code of Student Conduct; describes a totality of evidence that persuades the hearing officer or panel to lean to one side as opposed to the other. Decision is based on preponderance of evidence.

Status Sanctions:

Not applicable, warning, probation inside the residence halls, suspension held in abeyance (requires Behavior Contract), suspension from the Living Learning Center. (A Notice Against Trespass (NAT) can be issued in association with the sanctions which involve removal from residence halls). When the status is deciding, it may not necessarily be in this particular order (it depends on the severity of the issue).

Discretionary Sanctions:

Loss of privileges (visitation revoked, curfew enforced, etc.), restitution (repayment or compensation for damaged or stolen items), community service (within or outside of residence halls), no contact order (s), imposed reassignments, removal from residence halls, counseling, and/or other discretionary sanctions.

Educational Aspects:

Apology letter (s), substance abuse education assignment, anger management program, personal assessment, making signs or banners to educate the University community.

Alcohol Case*:

1st Violation: Confiscation of alcohol containers empty or full, warning, 5-10 hours of assigned services, substance abuse prevention education assignment; probation may be a possibility.

2nd Violation: Confiscation of alcohol containers empty, probation for one semester, 10-20 hours of assigned services, substance abuse prevention education assignment (#2); probation for a longer period of time may be a possibility.

3rd Violation: Confiscation of alcohol containers, possible extension of probation or suspension/suspension held in abeyance, up to 30 hours of assigned services, substance abuse prevention education assignment (#3) along with a counseling evaluation; removal from residence hall may be a possibility.

Drug Case*:

1st Violation: All cases will be transferred to the University Disciplinary Council and handed according to University, federal and state policy and/or law (s). Removal from residence halls may be a possibility.

Physical Altercations:

1st Violation: Minimum probation (two semesters is not uncommon), suspension held in abeyance or suspension from residence halls depending on severity of incidence may be a possibility, 15-20 assigned service hours.

**The above cases are examples of potential sanctions and/or University disciplinary actions.*

Recommended time for completion of Substance Abuse Prevention Education Assignments: 4-6 weeks

Recommended time for completion of Assigned Services within the Living Learning Centers: 2-4 weeks depending on number of hours

Sanctions for violations of all other sections of the Residence Hall Code of Student Conduct will be fair and reasonable and left to the discretion of the Residence Judicial Officer or the RHJB.

SUMMARY OF THE DISCIPLINARY PROCESS

- A. Incident Report is filed to the Living Learning Center Manager by a Residence Life staff or University administrator or staff member, or Campus Safety officer
- B. Investigation by Living Learning Center or Residence Life staff to determine the specific details of alleged violation
- C. Decision is made to either issue a Letter of Warning based upon a preliminary investigation or reports or to dismiss the charges
- D. Decision is made by the student on who will hear the hearing (a Living Learning Center Manager or the Living Learning Center Judicial Board)
- E. If proceedings continue with the Living Learning Center Manager, the Resident Director will determine the sanction (s). The student will be contacted in person, by phone, voice mail, email, or letter to discuss the incident, charges, and possible outcomes.
- F. If proceedings continue, with the Living Learning Center Judicial Board the student is contacted in person, by phone, voice mail, email, or letter to discuss the incident, charges, and possible outcomes.
- G. After notification, if a student fails to schedule a meeting within three business days, or fails to attend a

scheduled meeting, a determination will be reached in absentia.

The Living Learning Center Manager or Living Learning Center Judicial Board after careful consideration of all details may drop all charges, administer a sanction, or make a referral to the University Disciplinary Council. The student will be notified in writing of any outcome including an official sanction. These sanctions will be kept on file in the Office of Student Engagement.

APPEAL PROCESS

A written appeal must be filed in writing within three working days of being notified of the outcome of a disciplinary matter. Sanctions may remain in effect during the period of appeal. Grounds for appeal include fairness of sanction, due process or bias by the Living Learning Center Judicial Officer. All decisions made by the Director of Residence Life are final. Only concerns regarding due process may be submitted in writing within three working days of the outcome of an appeal to the Dean of Student Engagement, whose decision is final. Students found responsible in absentia are not entitled to the appeals process.

POLICY ON STUDENT ORGANIZATIONS

I. Scope

The following policy provides minimum standards for the registration and conduct of student organizations at Fisk University. Fisk University is authorized to establish additional policies and procedures affecting student organizations, which are consistent with the provisions of this policy.

II. Types of Student Organizations

Student organizations may be either organizations sponsored by Fisk University such as the student government association, associated student body organizations, professional and honor societies, or organizations officially registered by the institution. Organizations, which may be officially registered on-campus, include the following:

- A. Honor and leadership organizations/recognition societies;
- B. Departmental organizations and professional fraternities and sororities;
- C. Social fraternities and sororities;
- D. Special interest groups (political, religious, athletic, etc.).

Registration of a student organization by Fisk University shall neither constitute nor be construed as approval or endorsement by the institution of the purposes or objectives of the organization.

Class Organizations – Class organizations exist for freshmen, sophomores, juniors, and seniors. The members of each entering class comprise an organization that retains its identity as long as there are living alumni of the class. Membership in each class is according to student classification, and officers are elected or appointed for the academic year.

III. General Policies on Student Organizations

- A. No student organization may carry on any activity on the campus of Fisk University unless the organization has been officially registered by the Office of Student Activities.
- B. Fisk University shall not be responsible for injuries or damages to persons or property resulting from the activities of student organizations, or for any debts or liabilities incurred by such organizations.
- C. No student organization shall deny membership to any person on the basis of age, race, sex, religion, handicap or national origin, provided that social fraternities and sororities may have gender-restricted membership.
- D. No student organization or individual shall engage in or condone any form of hazing. Prohibitions include, but are not limited to, any action taken, or situation created intentionally to produce mental or physical discomfort, embarrassment or ridicule, any form of verbal or physical harassment or abuse; and engaging in public stunts or morally degrading or humiliating behavior or games whether on or off-campus. Excessive demands on a student's time so as to interfere with academic performance are prohibited. Threatening in any manner or form for the purpose of cajoling individuals into secrecy in regard to breaches (planned, threatened, attempted, or perpetrated) of hazing violations also is prohibited. Hazing activities, which are in violation of Fisk University's regulations such as the misuse of alcohol, drugs, school property, etc. are strictly forbidden.

- E. Student organizations shall be vicariously responsible and liable for the conduct and actions of each member of the organization while acting in the capacity of a member or while attending or participating in any activity of the organization.
- F. No person, group, or organization may use the name of Fisk University in any manner, except registered student organization(s) may use the name of Fisk University following the name of the organization. No person, group, or organization may use the seal or any symbol of Fisk University without the prior written approval of the President of Fisk University or her designee.

IV. Criteria for Recognition of Organizations

- A. Any proposed student organization shall be open to all students of Fisk University who otherwise meet membership requirements. Membership in the organization shall be limited to currently enrolled students, provided that organization(s) may include faculty and staff of Fisk University; spouses of students, faculty and staff; and provided further that professional organizations may include members of the professional and business communities as members.
- B. A proposed organization must represent the interests of the members, and the control of the organization must be within the local campus group. The organization must not have a knowing affiliation with an organization professing illegal aims and goals with a specific purpose to further those illegal aims and goals.
- C. The proposed organization must agree to comply with all policies, regulations, and procedures established by Fisk University and with all federal and state laws and regulations.
- D. The proposed organization must not: (a) have illegal aims and goals; (b) propose activities which would violate regulations of Fisk University or federal or state laws and regulations, materially and substantially disrupt the work and discipline of the institution; or (c) advocate incitement of imminent lawless action which is likely to produce such action.
- E. The proposed organization must have the minimum number of charter members designated by Fisk University, and there must be a demonstration of continuous interest in the purposes of the organization sufficient to afford recognition on a long-term basis. In the event there is not sufficient interest to warrant long-term registration, Fisk University may grant temporary registration to an organization for a limited period of time.
- F. New organizations may be denied registration where the purposes are within the scope of a currently registered organization. No organization may use the same name or a name, which is misleading and similar to the name of the currently registered organization.
- G. The organization must provide for the distribution of all funds and assets in the event of dissolution.

V. Procedures of Organization Registration

- A. In order to become officially registered as a student organization, a group must meet the criteria set forth in Section IV and must provide Fisk University with a minimum of the following:
 - 1. an application or request to start the organization on the form designated by the Office of Student Activities;
 - 2. the proposed constitution and bylaws of the organization, which must clearly contain the following: name, purpose, proposed activities, rules of membership of the organization, the officers, their terms and methods of selection, the proposed nature and frequency of meetings and activities, and the financial plans of the organization, including any proposed fees, dues and assessments;
 - 3. the names and signatures of the charter members of the organization;
 - 4. the names of the faculty advisors (2) and/or the administrative officers of Fisk University who will sponsor the organization.
- B. The designated number of copies of the foregoing document and information must be submitted to the office of Student Activities who is authorized to review and make recommendations concerning proposed organizations. Recommendations regarding registration of a proposed organization must be forwarded by the Assistant Vice President and Dean of Student Engagement to the President of Fisk University or his designee. Before the organization can be officially registered, its application for registration must be approved by the President's Council.
- C. Any official or body responsible for reviewing or registering proposed organizations may require the

sponsors to clarify any materials or information provided in the registration process; to resubmit the application or request with non-conforming materials; or provisions deleted; or to appear at a hearing for the purpose, aims or proposed activities of the organization.

VI. Nature and Conditions of Registrations

- A. Registration of a student organization for other than a temporary period will be on an annual basis only, effective until the beginning of the next fall term of Fisk University, and shall be subject to annual renewal by Fisk University for each ensuing year.
- B. Annual renewal or registration of an organization shall be dependent upon the organization's demonstration of compliance with the following:
 1. It must adhere to the purposes, aims and activities as stated in the approved constitution and by-laws;
 2. It must continue to meet all of the requirements for initial registration;
 3. It must have remained in compliance with all rules and regulations of Fisk University and all federal and state laws;
 4. It must submit all changes in the constitution and by-laws to Fisk University for approval;
 5. It must maintain a current list of officers, faculty advisors and sponsors on file with Fisk University; and
 6. It must submit all required financial and other reports to Fisk University.

VII. Reports

- A. Each organization is required to submit an annual report concerning its programs and activities during the preceding year. If required, this report shall be reviewed by the Office of Student Engagement and shall be a requirement for renewal of registration.
- B. Each organization is required to submit an annual financial report reflecting all revenues received and disbursed by the organization, and/or an interim financial report or such a report concerning any fundraising activity of the organization. This report shall be a requirement for renewal of registration.

VIII. Probation, Suspension, and Withdrawal of Registration

- A. An organization may be placed on probation, be suspended, or registration may be withdrawn by the Director of Student Activities for any of the following reasons:
 1. The organization fails to maintain compliance with the initial requirements for recognition;
 2. the organization ceases to operate as an active organization;
 3. the organization requests withdrawal of registration;
 4. the organization operates or engages in any activity in violation of the rules and regulations of Fisk University or federal or state laws; or
 5. the organization fails to submit any required reports.
- B. An organization which is placed on probation may continue to hold meetings but may not sponsor any activity or program. An organization, which is placed under suspension, may not engage in or sponsor any activity or program and may not hold meetings. Where registration of an organization is withdrawn, it shall cease to exist as an organization.
- C. In the event an organization is placed on probation or suspension, or registration is withdrawn on the basis on Section A.4.), the organization shall be afforded the opportunity for a hearing before the appropriate institutional representative or University Tribunal Council.

IX. Officers of Student Organizations

No student who is under academic, social probation or suspension from Fisk University shall be eligible to become or maintain the status of an officer of an organization.

X. Fiscal Procedures

- A. Each organization shall maintain a sound financial system related to the collection and disbursement of revenue in accordance with generally accepted accounting principles. An organization may be subject to audit by representatives of Fisk University at any time, and appropriate financial records shall be maintained for the purpose of audit.

- B. Each organization shall designate an officer of the organization who is responsible for the collection and disbursement of funds and the maintenance of books and records.

XI. Programs and Activities

- A. The use of any campus property or buildings by an organization shall be subject to the rules and regulations of Fisk University concerning use of property and facilities. All organizations registered pursuant to this policy shall be “affiliated organizations” for the purposes of institutional policies concerning use of campus property and facilities.
- B. Except for routine meetings of the organization, no on-campus program or activity shall be engaged, unless approved by the Office of Student Engagement and/or officials of Fisk University. Fisk University requires prior approval of the off-campus programs and activities. Prior to approval, Fisk University may require a specified number of officials or security officers for any event, activity or program.
- C. No organization may host an event that includes personal touching; partial or complete nudity; removal of garments or clothing; physical, gratifying or sensual interactions; or invasion of personal space such as spa nights, massage parlors, pamper events, or any activity similar in scope, nature, or intent. Any such event or similar program that is reasonably assumed to be such an event will result in the exclusion of an organization from the campus.
- D. Any fundraising activity on-campus shall be for the benefit of the organization as a whole or a charity, and no funds shall be distributed to the officers or members of an organization for personal profit or gain.
- E. No guest speakers shall be invited to the campus except pursuant to policies of Fisk University concerning guests or off-campus speakers.

POLICY GOVERNING FRATERNITIES AND SORORITIES

The Office of Student Engagement oversees all activities related to the National Pan-Hellenic Council (NPHC) and Greek Letter Organizations (GLOs). Policies are also included in the Advisor’s Guide for Student and Greek Letter Organizations.

Article I. Authorization

Fraternities and Sororities, admitted to the Fisk campus in 1927 and 1928 by vote of the Faculty and the Board of Trustees are organized under National Charter, and local matters are under the jurisdiction of the Fisk University National Pan-Hellenic Council and the Office of Student Engagement.

This policy governs the life and activities of fraternities and sororities at Fisk University. No fraternity, sorority, student, teacher, committee, or administrative officer may arbitrarily modify or set aside these policies. Any proposed change must be submitted in writing to the Dean of Student Engagement.

Section 1

The University recognizes four NPHC sororities: Alpha Kappa Alpha, Delta Sigma Theta, Sigma Gamma Rho, and Zeta Phi Beta; and four NPHC fraternities: Alpha Phi Alpha, Kappa Alpha Psi, Omega Psi Phi, and Phi Beta Sigma. For the purposes of this policy, the University also recognizes co-ed service fraternity Alpha Phi Omega Fraternity and Phi Mu Alpha Sinfonia Fraternity.

Section 2

Any other organization desiring recognition as a fraternity or sorority must petition the Office of Student Engagement, submitting in writing a list of its prospective members and a general statement of its purpose, along with approval by the local graduate chapter, and dates of national or regional intake.

Section 3

Any organization desiring recognition must be part of a national body.

Section 4

The name and roster of the fraternities and sororities recognized by the University shall be published on the Office of Student Engagement Website each semester.

Section 5

Each fraternity and sorority shall be represented on the National Pan-Hellenic Council unless suspended by the University and/or its National Organization.

Article II. Functions of the Advisor(s)

Section 1

Each fraternity and sorority shall have at least one (1) on-campus faculty or staff advisors chosen from the active membership of the particular fraternity or sorority, and one adviser from the advising graduate chapter, unless otherwise approved by the Office of Student Engagement. Verification of the graduate, regional, or state representative of the fraternity or sorority who is responsible for advisement of the chapter must be provided in writing by the appropriate graduate, state, or regional representative at the beginning of each semester.

Section 2

All advisors shall be members of the Fisk University NPHC unless otherwise approved by the Office of Student Engagement.

Section 3

At least one of the advisors is required to attend NPHC meetings. Failure to attend two or more meetings without prior written approval from the Office of Student Engagement will result in the suspension of the organization for a semester. Supporting documentation must be provided to receive approval to miss a scheduled NPHC.

Section 4

At least one of the advisors is required to attend all events, activities, programs, etc. on or off-campus sponsored or participated by their organization. Failure in an advisor(s) attendance at an event(s) will result in immediate cancellation of the event and could result in other disciplinary actions. All events must have supporting documentation and approved by advisor(s) and the Office of Student Engagement.

Section 5

The advisor(s) is required to obtain and provide all semester grade reports to the Office of Student Engagement at the end of each semester for the purpose of monitoring academic progress of each organization.

Article III. Requirement for University Membership

Section 1

In order to be considered for membership in a Greek Organization, the student must meet the following University requirements:

- A. Have been enrolled at Fisk University one semester.
- B. Have completed at least thirty-one (31) semester hours.
- C. Have a grade point average of at least 2.75 during the preceding semester, as well as a cumulative average of at least 2.75.
- D. Not be on academic and/or disciplinary probation and be in good financial standing.
- E. Transfer students must be in registered at Fisk University for at least one semester prior to membership.

Section 2

A member of a fraternity or sorority who fails to maintain at least a 2.75 grade point average on a per-semester and cumulative basis is not in good standing and will not be recognized as active or allowed to participate in University activities related to Greek Letter Organizations.

Section 3

It is understood that these policies are minimal and that the national or local body may set higher requirements for a chapter.

Section 4

Each fraternity and sorority shall furnish the Office of Student Engagement and the National Pan-Hellenic Council a complete roster of members and officers of the Fisk chapter at the beginning of each semester.

Article IV. General Regulations

Section 1

The University strictly prohibits and expressly denounces the practice of hazing in any form at any time. See Article VI.

Section 2

Organizations and members are prohibited from requiring applicants to make gifts to any organization or to any

individual. See Article VI.

Section 3

All official University functions shall take precedence over fraternity or sorority activities in the scheduling of University space.

Section 4

Meetings of fraternities or sororities may not be held during class hours.

Section 5

No student may participate in the intake process unless the Office of Student Engagement has cleared his or her name.

Section 6

The required chapter grade point average for each fraternity and sorority is at least a 2.75. If the average falls below this standard for one semester, the fraternity or sorority shall be suspended automatically until the chapter average returns above a 2.75. An average of two successive semesters below this standard shall result in the fraternity or sorority chapter being suspended for one year.

Section 7

The previous semester average for each fraternity and sorority will be on file in the Office of Student Engagement by the second week of each semester.

Article V. Policies and Procedures

Membership Intake Program

In February 1990, the eight (8) historically Black Greek-letter organizations agreed to eliminate “pledging” as a prerequisite for membership, effective September 1990. Fisk University supports this historical decision.

1. There shall be no “pledge” or “pre-pledge” process in any of the constituent organizations comprising the National Pan Hellenic Council.
2. Each organization shall develop its own membership intake process/program, which shall be limited to the National approved program, which may or may not include:
 - (a) An Interest Activity (tea, rush, get-to-together, etc.).
 - (b) Conducting an application process/evaluation.
 - (c) Conducting a membership induction/initiation ceremony, that will take no longer than the designated national process.
3. Membership recruitment is limited to an acceptable process/program signed by the organization president, advisors and approved by the Office of Student Engagement.
4. Verification of academic and citizenship eligibility by the Office of Student Engagement is required prior to an invitation to be considered for membership.
5. Membership intake is limited to once per academic year, during the fall semester unless written permission is granted by the Office of Student Engagement. Fall semester intake must be completed one week prior to Thanksgiving.
6. “Pledge clubs” or “interest groups” are strictly prohibited.
7. There will be no “pledge lines or pledge activities” of any type in association with membership recruitment (i.e. dress-alike, walk in lines, eating together, etc.) at any time.
8. All activities related to the membership intake process will be held on-campus unless the Office of Student Engagement grants prior approval.
9. No Membership Intake process/program will take place during Spring Arts Festival without the prior approval of the Office of Student Engagement.
10. Little sister and little brother groups are strictly prohibited.

Article VI. Statement of Policy on Hazing

A. PURPOSE

It is the responsibility of all student organizations to encourage an atmosphere of learning, social

responsibility, and respect for human dignity and to provide positive influence and constructive development for members and aspiring members. "Hazing" is an unproductive and hazardous custom that is incongruous with this responsibility and has no place in university life, either on or off-campus.

The purpose of this policy is to define hazing and provide guidelines which student organizations and their members must follow.

B. PROHIBITION AND SANCTIONS

Hazing as defined in this handbook is prohibited:

1. An organization found to be in violation of this policy will lose its status as recognized student organizations of the University for mandatory minimum of up to five (5) years; and
2. Individual members who are found to be in violation of this policy are in violation of the Student Code of Conduct and may be disciplined in accordance with the University's disciplinary procedures; and
3. By law, Pledging/Hazing is illegal at Fisk University or any campus or higher education institution in Tennessee and is a crime punishable as a felony pursuant to Tennessee Code Annotated §49-7-123.

C. DEFINITION OF HAZING:

The word Hazing is defined as any intentional action taken, activity required, or situation created, however communicated, involving or resulting in abusive physical contact, mental harassment, excessive mental or physical discomfort and/or embarrassment to any individual. This policy applies to activities which take place on or off the campus so long as they take place in the name of the organization involved.

Under the Tennessee Hazing Law, (*Tennessee Code Annotated §49-7-123*) hazing is defined as follows:

- (a) As used in this section, unless the context otherwise requires:
 - (1) "Hazing" means any intentional or reckless act in Tennessee on or off the property of any higher education institution by one (1) student acting alone or with others which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger such student's mental or physical health or safety. "Hazing" does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization; and
 - (2) "Higher education institution" means a public or private college, community college or university.
- (b) Each higher education institution shall adopt a written policy prohibiting hazing by any student or organization operating under the sanction of the institution. The policy shall be distributed or made available to each student at the beginning of each school year. Time shall be set aside during orientation to specifically discuss the policy and its ramifications as a criminal offense and the institutional penalties that may be imposed by the higher education institution.

The following non-exhaustive list of examples outlines conduct or behavior which might constitute hazing:

1. Paddling;
2. Requiring or compelling exercise and calisthenics, favors, or requiring the spending of money;
3. Road trips (involuntary or voluntary excursions);
4. Requiring or compelling exposure to unreasonable elements;
5. Requiring or compelling activities creating work, duties, detention, or any duties which impair academic efforts;
6. Requiring or compelling favors, or requiring the spending of money in any way;
7. Verbal harassment;
8. Requiring or compelling the wearing in public of apparel which is not in good taste; and
9. Requiring the forced consumption of any liquid or solid substance, alcohol or drugs, or the forced inhalation or any substance.

E. RESPONSIBILITY

The Dean of Student Engagement, or designated representative, is the University Official who has primary responsibility for administering this policy. **Any incident of hazing must be reported to the Office of Student Engagement, or designated representative.**

POLICY ON ORGANIZATIONAL PLOTS ON CAMPUS FISK UNIVERSITY

The privilege of an organized plot on the Fisk University campus is allowed to members of the National Pan-Hellenic Council and/or University approved Greek Letter Organizations. Permission to establish or the continued permission to maintain a plot, the assignment of plot location and notification of dismantling of plots, and the requirements for oversight of features related to the physical layout and upkeep of plots will be supervised by the Office of Student Engagement and the Office of Facilities and Grounds.

Regarding organizational plots on campus (as defined herein), the University requires that the following regulations be followed:

1. The area of an organization plot remains a part of the total campus and must be accessible to any person. Requests, orders, demands, or physical intimidation by organization members to have a non-member vacate areas beyond eight feet of a plot, sidewalk or bench will result in punitive measures against the organization.
2. Throughout the year, the organization is responsible for the cleanliness and attractiveness of the plot, including grass, flowers, shrubs, symbols, etc. Advice, equipment and assistance can be sought from the Office of Facilities and Grounds.
3. The University reserves the right to dismantle and remove plot materials whenever the area is in need of campus development.
4. Existing mechanical and/or electrical equipment/structure on or near the organizational plot are not allowed to be used by the organization. This includes, but not limited to, painting of or the use of the equipment/structure as a prop.
5. Plots will be dismantled by the Office of Facilities and Grounds whenever an organization arbitrarily fails to register as a campus organization for two consecutive academic years. Advance notification of this action will be sent to the latest Faculty Advisor of the said organization and to the national office of the same.
6. Plots are considered to be on University owned property, and all behavior associated with organizational activities, sanctioned or non-sanctioned by the University, are subject to the Code of Student Conduct and Policies Governing Greek Letter Organizations.

The University also has specifications for campus plots that must be followed:

1. All plots shall not exceed 200 sq. ft. in total area.
2. All requests for construction and/or landscaping on existing plots must be submitted to the Office of Student Engagement and the Office of Facilities and Grounds. The organization must submit a diagram of the plot with any changes or additions, and approval must be given by the University a minimum of six weeks PRIOR to any construction or physical alterations to the plot that do not fall into general maintenance and upkeep such as cleaning, refreshing current paint colors, or removing trash.
3. All materials used for the construction, upkeep and/or landscaping of the plot shall be supplied solely by the organization after approval by Office of Student Engagement and the Office of Facilities and Grounds.
4. All materials shall be approved by Office of Facilities and Grounds. Improper or non-approved materials shall be removed immediately at the expense of the organization. No further painting on the asphalt road surfaces or concrete side walk surfaces will be allowed, due to the safety impact for walking pedestrians during inclement weather.
5. Absolutely no changes, marking, or attachments can be made to existing landscape post, trees and bushes, utility, or facility. Repair of same shall be at the expense of the organization.
6. Safety measures and maintenance access requires that no structure or obstructions shall be within five feet of any passage/access way or utility boundary, i.e., sidewalk, curbs, railing, etc. or it will be removed at the expense of the organization.
7. No structure (s) (benches, signs, pedestals, etc.) shall exceed 42" in height (without approval from Office of Facilities and Grounds). (Benches need to match the metal type located on 17th Ave. in front of Spence Hall)
8. All structures must be placed in a safe and stable manner, i.e., sidewalks shall be rough finished to prevent slippage by pedestrians. (See #4 above)
9. Each plot shall be subject to formal inspections annually, with the Office of Student Engagement and the Office of Facilities and Grounds reserving the right to inspect without notice.

10. Failure to pass formal inspections will result in probation status for plots. Failure to pass a subsequent inspection will result in termination and removal of plot for a period of two years. During termination period, plot site shall become available to qualifying organizations (see #11 for definition). The organization shall be responsible for the cost of removal and/or the storage of the removed materials.
11. Organizations that qualify to erect a new plot on campus cannot have an existing plot; cannot be on probation or under termination status; and must be a member of the National Pan-Hellenic Council and/or University approved Greek Letter Organizations as defined by the Office of Student Engagement.

FISK UNIVERSITY PARKING POLICY

All members of the Fisk University community who drive and/or park on campus are required to register their vehicles with the Campus Safety Department and to display a current, permanent or temporary registration decal. Additionally, students who use a vehicle, but plan to park off campus should also register their vehicle with the Public Safety Department and indicate this fact on the form provided.

A valid driver's license and proof of insurance are required to obtain a registration decal. Registration decals are distributed at the time of registration/validation.

Parking or driving an unregistered vehicle on campus is considered a violation of University policy for which the University may issue a citation or tow the vehicle at the owner's expense.

Vehicle Use on Campus

If a Campus Safety officer is on duty at any entrance onto the campus to control traffic for an event or otherwise direct the flow of traffic, drivers must stop or slow down enough to be acknowledged and identified before continuing.

The maximum speed limit on University property is 15 miles per hour. Vehicle operators must have their vehicles under control at all times regardless of their speed to avoid collision or endangering others well-being. Vehicle operators who fail to control their vehicle, who endanger others, or who have the potential to endanger others while operating a vehicle are subject to being held accountable for reckless driving. Driving under the influence of drugs/alcohol on campus is strictly prohibited and the University may refer the matter to the Metropolitan Nashville Davidson County Police Department for appropriate handling by that agency. Driving is permitted only on designated, surfaced drives on campus. No vehicles are allowed on grass, lawns, or fields without special permission which shall be obtained in advance and in writing from the Public Safety Department.

No Parking Areas.

Areas behind Spence Hall, between Spence Hall and Shane Hall and on Meharry Street provide access to campus buildings for emergency vehicles and must remain open. Fire lanes provide routes of egress to open areas from many of the campus buildings in case of fire or other emergency and must be kept absolutely free of parked vehicles at all times. If an area is not marked as a parking space, it is considered a violation of University policy to park in the space and any vehicle parked in such a space will be cited accordingly. The University reserves the right to tow any vehicle parked in an area that is not marked as a parking space at the owner's expense.

Fire Lanes

Fire lanes are currently designated as all roads throughout the campus. Persons who park in these areas are not only in violation of Fisk University parking regulations, but of the City of Nashville Ordinances as well. Violator's vehicles will be towed by the City of Nashville in addition to a citation from the Nashville Police Department and Fisk University. Fisk University's Campus Safety Department may issue a citation for any car parked in a fire lane and it reserves the right to tow the vehicle at the owner's sole expense.

Illegal Parking

All legal parking areas within University property are clearly indicated as such both onsite and in University publications. Parking in areas other than those properly lined as parking spaces is a violation of University policy and will be cited accordingly. Parking along curbs, unless clearly marked as a parking space or unless otherwise authorized is strictly prohibited, except on public roadways where appropriately marked. The University reserves the right to tow a car parked in an illegal area at the vehicle owner's expense.

Visitor parking

Visitor parking is considered "reserved" twenty-four hours a day, seven days a week. Areas designated as visitor parking are strictly reserved for visitors to the campus only. Unauthorized parking in a visitor's space is a violation of University policy. Any vehicle parked in an unauthorized space will result in a citation and the University

reserves the right to tow any such vehicle.

Reserved Parking

Reserved Parking spaces are premium paid slots and any car parked in a reserved space will be cited and may be towed at the owner's expense.

Off Campus Parking and Other Violations of Parking Violations

While parking on campus is recommended, those who choose to park on streets near Fisk University should be aware of restrictions imposed by both the City of Nashville and also those regulations held by Fisk University. Use of emergency flashers **does not justify** parking in violation of regulations and is not an appropriate cause for an appeal. Use of flashers does not legitimize a violation of parking regulations. Time elapsed is not an element of a violation. Violating a parking regulation "for only two minutes to run inside" is not a defense to the violation.

University Fines (Charged to Student Accounts)

The following are the current fines which the University may impose for parking violations. If a student incurs a fine, that fine will be charged to the student's account.

No Registration on file: \$25.00

Parking in a Fire Lane: \$50.00

Parking in an Unmarked Space: \$20.00

Blocking Drive/Parked on Grass: \$20.00

Parking in a Reserved Space: \$50.00

Parking in a Handicapped Space: \$100

All other Offenses: \$20.00

Offenses

1st Offense: Ticket/Fine

2nd Offense: Ticket/Fine

3rd Offense: Ticket/Fine/Tow*

*The University reserves the right to tow any vehicle at the owner's expense, regardless of the number of offenses a person has committed, if any.

Habitual Offenders

After receiving a third parking citation and any reoccurring citation, the responsible party will be subject to Disciplinary Sanction by the University Judicial Board.

Parking Citation Appeal

In accordance with Fisk University Policy, any person who is issued a parking citation by the University has ten (10) calendar days to appeal the citation. If any person feels he or she was issued a citation in error, he or she may complete an Appeal Form and return it to the Campus Safety Department within ten (10) calendar days. Parking Appeal Forms are available online or in the Campus Safety Department.

INTELLECTUAL PROPERTY POLICY

The Intellectual Property Policy of Fisk University is a compilation of information and guidelines related to scientific research, discoveries, inventions, scholarship, and other creative activity by the University's faculty, staff and students. This policy is designed and intended to foster and reward these activities, to define ownership of the related rights, to provide for their protection and management, to facilitate their utilization to the benefit of the public, the University and the members of the academic community, and to provide for the equitable sharing of any proceeds derived from their commercial exploitation. The policy is available for review at the Web site for the Office of the Provost, which is accessible through the University's home Web page, at <http://www.fisk.edu>.

FISK UNIVERSITY DRESS CODE

The Dress Code is based on the theory that learning to use socially acceptable manners and selecting attire appropriate for specific occasions and activities are critical factors in the education process. Understanding and employing these behaviors not only improves the quality of one's life, but also contributes to school morale, enhances

the overall campus image, and has significant impact in instilling a sense of integrity and an appreciation for the values and ethics promoted at Fisk University.

During business hours or when representing Fisk University, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. On the campus and at Fisk University sponsored events and activities, students will be expected to dress neatly and appropriately at all times. Students who choose not to abide by this policy will be denied admission into class, various functions and services of Fisk University if their manner of attire is deemed inappropriate. Examples of inappropriate attire and/or appearance include but are not limited to:

1. No caps, do-rags and/or hoods in classrooms, the cafeteria, or other indoor venues. This policy item does not apply to headgear considered as a part of religious or cultural dress.
2. Sun glasses or “shades” are not acceptable in class or at formal programs, unless medical documentation is provided to support use.
3. Decorative orthodontic appliances (e. g. “grillz”) be they permanent or removable shall not be worn on the campus or at University sponsored events.
4. Jeans are not to be worn during programs such as, Opening Convocation, Commencement, or other programs dictating professional, business casual attire, semi-formal or formal attire.
5. Clothing with derogatory, offensive and/or lewd messages either in Words or pictures are not to be worn on campus.
6. Top and bottom coverings should be worn at all times.
7. No bare feet are allowed in public venues.
8. No sagging or wearing of one’s pants or shorts low enough to reveal undergarments or secondary layers of clothing.
9. Pajamas shall not be worn while in public or in common areas of the campus.
10. Additional dress regulations may be imposed upon students participating in certain extracurricular activities that are sponsored or organized by the University (e. g. athletic teams, University Choir, SGA, etc.).
11. The college reserves the right to modify this policy as deemed appropriate.

GUIDELINES FOR PROFESSIONAL DRESS

FOR WOMEN:

Basic 2-Piece Suit:

Choose classic colors such as navy blue, black, gray and brown. The jacket is the most important item of professional clothing at all times.

Suit Skirt:

The length of the skirt should be no shorter than 3 inches above the knee so that your thighs will not show when you sit or cross your legs at the ankle. The split should be in the back, 3-6 inches. Avoid overly tight skirts; they are unacceptable for business.

Pantsuits:

Are acceptable for business/professional dress at Fisk University. Choose classic colors such as navy blue, black, gray, and brown. Pantsuits must be of the same fabric.

Hosiery:

Always wear hosiery. Colors should be slightly darker or lighter than your skin tone. NO RUNS. No designer or fancy hosiery, e.g. flowers, bows, etc.

Jewelry:

Do not wear anything that dangles or jingles. Wear small stud pearl, gold or silver earrings and one ring per hand. Chain bracelets are acceptable. Charm bracelets are not professional. If you have more than one piercing in your ear, adorn only one per ear. Wear no more than 4 pieces of jewelry.

Fingernails:

Keep nails clean, well-manicured, and short. Clear polish is always appropriate. If you do wear a color, be sure that all nails are the same color

Makeup:

Use neutral (skin color) toned make up.

GUIDELINES FOR PROFESSIONAL DRESS

FOR MEN:

Suit:

Single or double-breasted suits are acceptable. Acceptable colors are navy blue, black, and gray. Long suit jackets are not acceptable.

Trousers:

Jeans, Dockers, Nautical, and Dickies are unacceptable for business/professional dress.

Shirt:

Shirt should be long sleeved white, light blue or beige (French cuffs are acceptable). Conservative ties with subtle patterns. A band collar is unacceptable. Short-sleeved shirts are accepted with a suit.

Jewelry:

Appropriate jewelry includes a conservative watch and one ring per hand. Do not wear earrings, bracelets, or gold chains. Cuff links should be small and simple. Lapel pins are acceptable if professional organization is being represented; fraternity pins, or large rings are not appropriate for business. Limit jewelry to 2 to 3 pieces. Gold cap or teeth are not acceptable for business.

Hair:

Hair should be neatly trimmed, also, moustache, sideburns and beards. Braids are acceptable for business attire if it is brushed or comb neatly.

Shoes:

Shoe color should be black, blue, brown, or cordovan (burgundy), and SHINED. Loafers, lace-ups, penny loafers, and wing tips are acceptable. Patent leather shoes, sandals, and brogans are unacceptable. If shoes have metal ornaments on them, they should be limited to factory form.

Socks:

Men should wear dark, mid-calf length dress socks that match the color of the suit so that skin is not seen when legs are crossed.

Belt:

Wear a black, blue, gray, burgundy, or brown leather belt. The belt should match your shoe color. Suspenders should be the same color as suit.

Note: For men, there is to be no wearing of clothing usually worn by women (dresses, tops, tunics, purses, pumps, etc.) on the Fisk campus or at university-sponsored events.

PROCEDURES FOR CULTURAL OR RELIGIOUS HEAD COVERINGS

1. Students seeking approval to wear headgear as an expression of religious or cultural dress may make a written request for a review through the office of the Student Government Association (SGA).
2. SGA will forward a recommendation to the Dean of Students for final approval.
3. Students that are approved will then have their new ID card picture taken by Campus Safety with the headgear being worn.

PROCEDURE WHEN DRESS AND/OR APPEARANCE IS NOT APPROPRIATE

Faculty, staff, administrator, and the immediate supervisor, has the authority to counsel students about clothing or appearance. If deemed necessary the faculty, staff, administrator, and the immediate supervisor will send the student(s) to Residence Hall or residence to change into appropriate clothing or other disciplinary action.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed.

After 3 documented citations for dress, a student receives notice of a scheduled hearing from the Fisk University Disciplinary Council. After the hearing, the student is notified of the disciplinary action incurred.

All administrative, faculty, students and support staff members are asked to assist in enforcing this policy and may report disregard or violations to the Office of Student Engagement.

FISK UNIVERSITY ALMA MATER

THE GOLD AND BLUE

John W. Work

Class of 1895

The warm and genial setting sun
Lights up the hills with mellow hue,
Where Fisk our Alma Mater stands
Majestic dear old Gold and Blue.
From North, from East, from South, from West,
Ethiopia's children gather here,
And breathe in loft'est light and love
Of thy inspiring atmosphere.
To North, to East, to South, to West,
Thy loyal children make their way;
To execute thy fine behest,
"Go turn the darkness into day."
To heav'n, to country, and to thee,
Our hearts shall first and last be true,
We e'en shall die with loyalty
To heav'n, to country, Gold and Blue.

Chorus:

Then hurrah and hurrah!
For the Gold and the Blue,
Her sons are steadfast,
Her daughters true,
Where e're we be we shall still love thee
Fisk our Alma Mater.

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