



## EASTERN KENTUCKY UNIVERSITY

*Serving Kentuckians Since 1906*

Student Conduct and  
Community Standards

Whitlock 347  
521 Lancaster Avenue  
Richmond, Kentucky 40475-3102  
(859) 622-1500

October 31, 2023

Hon. Stephen West, Co-Chair  
Interim Joint Committee on Education  
702 Capital Avenue  
Annex Room 228  
Frankfort, KY 40601

SENT VIA MAIL AND  
EMAIL ([steve.west@lrc.ky.gov](mailto:steve.west@lrc.ky.gov);  
[james.tipton@lrc.ky.gov](mailto:james.tipton@lrc.ky.gov);  
[yvette.perry@lrc.ky.gov](mailto:yvette.perry@lrc.ky.gov))

Hon. James Tipton, Co-Chair  
Interim Joint Committee on Education  
702 Capital Avenue  
Annex Room 396  
Frankfort, KY 40601

Dear Senator West and Representative Tipton,

Pursuant to KRS 164.372, Eastern Kentucky University (University) is hereby providing you, as Co-Chairs of the Interim Joint Committee on Education, with its report on student discipline. The data detailed herein is intended to align to the requirements of KRS 164.372(1)(a)-(b) and covers a time period of July 14, 2023, the date on which the statute took effect, through June 30, 2023, which spans the entirety of academic year 2022-2023.

Specifically, during the 2022-2023 academic year, the University's Office of Student Conduct and Community Standards reports the total number of disciplinary proceedings initiated for a reported violation of the University's Code of Conduct<sup>1</sup> was 2,568, which breaks down as follows:

- |                                     |                           |
|-------------------------------------|---------------------------|
| • Dismissed Prior to a Hearing:     | <u>1,795</u> <sup>2</sup> |
| • Resolved by Settlement Agreement: | <u>0</u>                  |
| • Resulted in a Hearing:            | <u>749</u> <sup>3</sup>   |
| • Dismissed Following a Hearing:    | <u>388</u>                |

---

<sup>1</sup>The University's Code of Conduct is publicly available at the following website: [https://policies.eku.edu/sites/policies.eku.edu/files/policies/student\\_conduct\\_regulation\\_final\\_0.pdf](https://policies.eku.edu/sites/policies.eku.edu/files/policies/student_conduct_regulation_final_0.pdf).

<sup>2</sup>These cases were determined, as a preliminary matter, not to constitute a violation of the University's Code of Conduct.

<sup>3</sup>This data includes hearings for Interim Measures as well as hearings before a judicial hearing officer and those before the Student Disciplinary Council, which is tasked with hearing what the University has defined as "Serious Misconduct Violations."

- Resulted in Suspension: 6<sup>4</sup>
- Resulted in Expulsion: 0
- Resulted in the Termination of Housing: 3
- Appealed to the Governing Board/Designee: 1
- Appealed in Accordance with KRS 164.370(4)(c): 0

As required by KRS 164.372(1)(b), the University has further analyzed these data points by breaking down as follows:

- Race;
- Gender;
- Residential Status;
- Student Academic Standing;
- Specific Code of Conduct Provisions;
- Reporter Identity; and,
- Representation by Counsel.

Please see the spreadsheets attached hereto to access this data. Regarding this data, the University wishes to proactively bring to your attention the following clarifying information:

1. In considering the 2,568 total disciplinary proceedings, of which 749 resulted in a hearing and 1,795 were dismissed prior to a hearing, please also be aware that, while such data is not required to be reported by KRS 164.372(1)(a)-(b), there were approximately 24 matters wherein the impacted student withdrew from the University prior to resolution. The University neither resolves nor dismisses the pending charges in these situations and, instead, reserves the right to resume disciplinary proceedings if and when the involved individual seeks to re-enroll at the University;
2. Data regarding cases “Dismissed Prior to a Hearing” encompasses University students and student groups reported to the Office of Student Conduct and Community Standards but never charged under the Code of Conduct. For this reason, there is no relevant breakdown for “Specific Code of Conduct Provisions” on the attached spreadsheets;
3. Data regarding cases “Dismissed Following a Hearing” includes instances where a student or student group charged with multiple violations of the Code of Conduct was found “not responsible” on at least one such charge. These students and student groups could, though, have been determined “responsible” on other charged violations of the Code of Conduct within the same disciplinary proceedings;
4. Data on the “Specific Code of Conduct Provisions” throughout only includes portions of the Code of Conduct that were invoked in one or more disciplinary proceedings during the set reporting timeframe; and,
5. Data on “Race,” “Gender,” “Residential Status,” and “Student Academic Standing” does include a category titled “Unknown,” which could be the result of inadequate or inaccurate data maintained by the Office of Student Conduct and Community Standards but is most

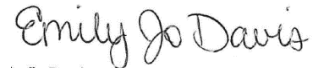
---

<sup>4</sup>This data includes suspensions issued as an Interim Measure as well as those that resulted from hearings before the Student Disciplinary Council.

likely attributable to the inclusion of student groups, as opposed to individual students, in the reported data.

Thank you for your consideration of the student disciplinary data provided herein. As this is the first report of this nature submitted for your review, the University welcomes your feedback as to content as well as format. The University also stands ready to answer any questions you or your colleagues on the Interim Joint Committee on Education may have.

Sincerely,



Emily Jo Davis  
Assistant Dean of Students and  
Director of Conduct

Encl.

Cc: Amy Scarborough, Chief Government, Community, and Corporate Relations Officer  
Dana Fohl, University Counsel  
Dr. Lara Vance, Dean of Students



Eastern Kentucky University is an Equal Opportunity/Affirmative Action Employer and Educational Institution.

## TOTAL NUMBER OF DISCIPLINARY PROCEEDINGS (2,568):

### Race

American Indian or Alaska Native	2.10%
Asian	1.05%
Black or African American	14.64%
More than One Race	3.43%
Native Hawaiian or Other Pacific Islander	0.23%
Unknown	13.43%
White	65.07%

### Reporter Identity

Employee	92.68%
Student	1.99%
Police	3.23%
Non-Affiliate	1.52%
Student Assistance and Intervention Team	0.58%

### Gender

Female	52.88%
Male	36.21%
Unknown	10.48%

### Representation by Counsel

Yes	0.12%
No	99.88%

### Residential Status

Yes	77.80%
No	11.02%
Unknown	11.18%

### Student Academic Standing

Freshman	48.01%
Sophomore	20.17%
Junior	11.29%
Senior	7.17%
Graduate Student	0.74%
Unknown	11.60%

### Specific Code of Conduct Provisions

1. Falsification	0.27%	22. Harm to Persons	1.01%
2. Academic dishonesty	0.08%	23. Threatening Behaviors	2.22%
3. Unauthorized access/entry	2.18%	24. Harrassment	0.16%
4. Collusion	0.19%	25. Hazing	0.16%
7. Taking of Property	0.97%	30. Alcohol	2.22%
8. Stolen Property	0.08%	31. Drugs	2.22%
9. IT and Acceptable Use	0.47%	33. Failure to Comply	1.09%
10. Disruptive Behavior	4.83%	34. Arrest	0.12%
13. Damage and Destruction	0.93%	36. Other Policies	10.20%
15. Weapons	0.43%	37. Health and Safety	0.35%
16. Tobacco	0.58%	38. Violations of Law	0.51%
17. Fire Safety	1.83%		

## DISMISSED PRIOR TO A HEARING (1,795):

### Race

American Indian or Alaska Native	1.89%
Asian	0.89%
Black or African American	12.81%
More than One Race	3.29%
Native Hawaiian or Other Pacific Islander	0.22%
Unknown	17.77%
White	63.12%

### Reporter Identity

Employee	93.09%
Student	2.01%
Police	2.45%
Non-Affiliate	1.78%
Student Assistance and Intervention Team	0.67%

### Gender

Female	54.15%
Male	30.92%
Unknown	14.93%

### Representation by Counsel

Yes	0.00%
No	100.00%

### Residential Status

Yes	73.59%
No	11.20%
Unknown	15.21%

### Student Academic Standing

Freshman	44.79%
Sophomore	18.66%
Junior	11.53%
Senior	7.24%
Graduate Student	0.95%
Unknown	16.82%

### Specific Code of Conduct Provisions

1. Falsification	0.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	0.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	0.00%	30. Alcohol	0.00%
8. Stolen Property	0.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	0.00%		

## RESOLVED BY SETTLEMENT AGREEMENT (0):

### Race

American Indian or Alaska Native	0.00%
Asian	0.00%
Black or African American	0.00%
More than One Race	0.00%
Native Hawaiian or Other Pacific Islander	0.00%
Unknown	0.00%
White	0.00%

### Reporter Identity

Employee	0.00%
Student	0.00%
Police	0.00%
Non-Affiliate	0.00%
Student Assistance and Intervention Team	0.00%

### Gender

Female	0.00%
Male	0.00%
Unknown	0.00%

### Representation by Counsel

Yes	0.00%
No	0.00%

### Residential Status

Yes	0.00%
No	0.00%
Unknown	0.00%

### Student Academic Standing

Freshman	0.00%
Sophomore	0.00%
Junior	0.00%
Senior	0.00%
Graduate Student	0.00%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	0.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	0.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	0.00%	30. Alcohol	0.00%
8. Stolen Property	0.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	0.00%		

## RESULTED IN A HEARING (749):

### Race

American Indian or Alaska Native	2.67%
Asian	1.47%
Black or African American	19.63%
More than One Race	3.74%
Native Hawaiian or Other Pacific Islander	0.27%
Unknown	1.60%
White	70.23%

### Gender

Female	50.33%
Male	49.67%
Unknown	0.00%

### Residential Status

Yes	89.32%
No	10.81%
Unknown	0.00%

### Student Academic Standing

Freshman	57.47%
Sophomore	24.67%
Junior	10.80%
Senior	6.93%
Graduate Student	0.13%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	0.93%	22. Harm to Persons	3.47%
2. Academic dishonesty	0.27%	23. Threatening Behaviors	7.48%
3. Unauthorized access/entry	7.21%	24. Harrassment	0.27%
4. Collusion	0.93%	25. Hazing	0.27%
7. Taking of Property	3.47%	30. Alcohol	20.43%
8. Stolen Property	0.13%	31. Drugs	7.08%
9. IT and Acceptable Use	0.93%	33. Failure to Comply	3.60%
10. Disruptive Behavior	16.15%	34. Arrest	0.53%
13. Damage and Destruction	3.07%	36. Other Policies	33.51%
15. Weapons	1.47%	37. Health and Safety	1.20%
16. Tobacco	1.87%	38. Violations of Law	1.60%
17. Fire Safety	6.28%		

### Reporter Identity

Employee	92.26%
Student	1.34%
Police	5.07%
Non-Affiliate	0.93%
Student Assistance and Intervention Team	0.40%

### Representation by Counsel

Yes	0.40%
No	99.60%

## DISMISSED FOLLOWING A HEARING (388):

### Race

American Indian or Alaska Native	2.06%
Asian	1.03%
Black or African American	18.30%
More than One Race	4.12%
Native Hawaiian or Other Pacific Islander	0.26%
Unknown	71.39%
White	1.55%

### Reporter Identity

Employee	91.75%
Student	1.03%
Police	4.90%
Non-Affiliate	1.03%
Student Assistance and Intervention Team	0.52%

### Gender

Female	53.87%
Male	45.36%
Unknown	0.00%

### Representation by Counsel

Yes	0.00%
No	100.00%

### Residential Status

Yes	85.45%
No	14.55%
Unknown	0.00%

### Student Academic Standing

Freshman	56.36%
Sophomore	23.38%
Junior	12.21%
Senior	8.05%
Graduate Student	0.00%
Unknown	

### Specific Code of Conduct Provisions

1. Falsification	0.26%	22. Harm to Persons	4.12%
2. Academic dishonesty	0.26%	23. Threatening Behaviors	9.28%
3. Unauthorized access/entry	3.09%	24. Harrassment	0.00%
4. Collusion	1.03%	25. Hazing	0.26%
7. Taking of Property	4.38%	30. Alcohol	20.36%
8. Stolen Property	0.52%	31. Drugs	5.67%
9. IT and Acceptable Use	1.80%	33. Failure to Comply	2.32%
10. Disruptive Behavior	9.79%	34. Arrest	0.26%
13. Damage and Destruction	2.58%	36. Other Policies	25.52%
15. Weapons	1.29%	37. Health and Safety	1.03%
16. Tobacco	1.55%	38. Violations of Law	0.77%
17. Fire Safety	4.64%		



## RESULTED IN SUSPENSION (6):

### Race

American Indian or Alaska Native	0.00%
Asian	0.00%
Black or African American	33.00%
More than One Race	0.00%
Native Hawaiian or Other Pacific Islander	0.00%
Unknown	0.00%
White	67.00%

### Gender

Female	0.00%
Male	100.00%
Unknown	0.00%

### Residential Status

Yes	83.00%
No	17.00%
Unknown	0.00%

### Student Academic Standing

Freshman	67.00%
Sophomore	17.00%
Junior	0.00%
Senior	17.00%
Graduate Student	0.00%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	17.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	83.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	0.00%	30. Alcohol	0.00%
8. Stolen Property	0.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	0.00%		

### Reporter Identity

Employee	67.00%
Student	0.00%
Police	0.00%
Non-Affiliate	33.00%
Student Assistance and Intervention Team	0.00%

### Representation by Counsel

Yes	33.33%
No	66.67%

## RESULTED IN EXPULSION (0):

### Race

American Indian or Alaska Native	0.00%
Asian	0.00%
Black or African American	0.00%
More than One Race	0.00%
Native Hawaiian or Other Pacific Islander	0.00%
Unknown	0.00%
White	0.00%

### Gender

Female	0.00%
Male	0.00%
Unknown	0.00%

### Residential Status

Yes	0.00%
No	0.00%
Unknown	0.00%

### Student Academic Standing

Freshman	0.00%
Sophomore	0.00%
Junior	0.00%
Senior	0.00%
Graduate Student	0.00%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	0.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	0.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	0.00%	30. Alcohol	0.00%
8. Stolen Property	0.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	0.00%		

### Reporter Identity

Employee	0.00%
Student	0.00%
Police	0.00%
Non-Affiliate	0.00%
Student Assistance and Intervention Team	0.00%

### Representation by Counsel

Yes	0.00%
No	0.00%

## RESULTED IN TERMINATION OF HOUSING (3):

### Race

American Indian or Alaska Native	0.00%
Asian	33.00%
Black or African American	0.00%
More than One Race	0.00%
Native Hawaiian or Other Pacific Islander	0.00%
Unknown	0.00%
White	67.00%

### Reporter Identity

Employee	67.00%
Student	0.00%
Police	33.00%
Non-Affiliate	0.00%
Student Assistance and Intervention Team	0.00%

### Gender

Female	0.00%
Male	100.00%
Unknown	0.00%

### Representation by Counsel

Yes	0.00%
No	100.00%

### Residential Status

Yes	100.00%
No	0.00%
Unknown	0.00%

### Student Academic Standing

Freshman	100.00%
Sophomore	0.00%
Junior	0.00%
Senior	0.00%
Graduate Student	0.00%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	0.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	0.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	33.00%	30. Alcohol	0.00%
8. Stolen Property	33.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	67.00%		

## APPEALED TO THE GOVERNING BOARD/DESIGNEE (1):

### Race

American Indian or Alaska Native	0.00%
Asian	0.00%
Black or African American	0.00%
More than One Race	0.00%
Native Hawaiian or Other Pacific Islander	0.00%
Unknown	0.00%
White	100.00%

### Reporter Identity

Employee	0.00%
Student	0.00%
Police	100.00%
Non-Affiliate	0.00%
Student Assistance and Intervention Team	0.00%

### Gender

female	0.00%
male	100.00%
Unknown	0.00%

### Representation by Counsel

Yes	0.00%
No	100.00%

### Residential Status

Yes	100.00%
No	0.00%
Unknown	0.00%

### Student Academic Standing

Freshman	100.00%
Sophomore	0.00%
Junior	0.00%
Senior	0.00%
Graduate Student	0.00%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	0.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	0.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	100.00%	30. Alcohol	0.00%
8. Stolen Property	100.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	0.00%		

## APPEALED IN ACCORDANCE WITH KRS 164.370(4)(c) (0):

### Race

American Indian or Alaska Native	0.00%
Asian	0.00%
Black or African American	0.00%
More than One Race	0.00%
Native Hawaiian or Other Pacific Islander	0.00%
Unknown	0.00%
White	0.00%

### Reporter Identity

Employee	0.00%
Student	0.00%
Police	0.00%
Non-Affiliate	0.00%
Student Assistance and Intervention Team	0.00%

### Gender

Female	0.00%
Male	0.00%
Unknown	0.00%

### Representation by Counsel

Yes	0.00%
No	0.00%

### Residential Status

Yes	0.00%
No	0.00%
Unknown	0.00%

### Student Academic Standing

Freshman	0.00%
Sophomore	0.00%
Junior	0.00%
Senior	0.00%
Graduate Student	0.00%
Unknown	0.00%

### Specific Code of Conduct Provisions

1. Falsification	0.00%	22. Harm to Persons	0.00%
2. Academic dishonesty	0.00%	23. Threatening Behaviors	0.00%
3. Unauthorized access/entry	0.00%	24. Harrassment	0.00%
4. Collusion	0.00%	25. Hazing	0.00%
7. Taking of Property	0.00%	30. Alcohol	0.00%
8. Stolen Property	0.00%	31. Drugs	0.00%
9. IT and Acceptable Use	0.00%	33. Failure to Comply	0.00%
10. Disruptive Behavior	0.00%	34. Arrest	0.00%
13. Damage and Destruction	0.00%	36. Other Policies	0.00%
15. Weapons	0.00%	37. Health and Safety	0.00%
16. Tobacco	0.00%	38. Violations of Law	0.00%
17. Fire Safety	0.00%		