I. Academic Affairs and Curriculum Committee

4 p.m. (ET), February 21, 2002
Capitol Annex Room 149, Frankfort, Ky

Call to Order

Roll Call

Approval of Minutes
   Approval of November 29, 2001, Committee Minutes.................................................................53

1. Action: Ratification of New Credit Certificate Programs .................................................................63

2. Action: Revised Candidates for Credentials Process........................................................................67

3. Action: Revised Review of Educational Units Policy.................................................................69


Next Meeting – April 25, 2002, Elizabethtown Technical College, Elizabethtown, KY

Adjournment
MINUTES

Kentucky Community and Technical College System
Academic Affairs and Curriculum Committee
November 29, 2001

Committee Members Present:
Ms. Penelope Logsdon, Vice Chair
Mr. Jeffery Butler
Mr. William E. Beasley
Dr. Joseph B. Wise, III

Committee Members Absent:
Dr. John F. Hanel, Chair
Ms. Pamala J. Dallas

CALL TO ORDER
Vice Chair Logsdon called to order the KCTCS Board of Regents
Academic Affairs and Curriculum Committee meeting at
3:15 p.m. (ET), November 29, 2001, in the First Floor Conference
Room, KCTCS Administration Building, Lexington, Kentucky. She
announced that the press was notified of the meeting

APPROVAL OF
MINUTES
MOTION: Mr. Beasley moved that the Committee approve the
minutes of the September 27, 2001, meeting. Dr. Wise seconded the
motion.

VOTE: The motion was approved unanimously.

ADDITIONS TO THE
AGENDA
There were no additions or changes to the agenda.

RATIFICATION OF
NEW CREDIT
CERTIFICATE
PROGRAMS
RECOMMENDATION: That the Board of Regents ratify the
approval of the new credit certificate programs listed on pages 56-57
of the agenda materials.

Dr. Keith Bird, KCTCS Chancellor, noted that Owensboro
Community College’s certificate in Biotechnology, the first such
program of its kind in KCTCS, fits closely with the Knowledge Based
Economy Initiative and will benefit agriculture. Some of the
certificate programs listed are a result of “rolling over” an existing
curriculum to a new integrated curriculum with multiple exit points.
All certificate programs included on the list are applicable toward at
least one degree program; additional resources are not required for their implementation. They meet all KCTCS program approval policies and procedures, the KCTCS Policy on Collaborative Program Development, the KCTCS Policy on Inter-Branch Transfer of Credit, and all applicable Council on Postsecondary Education policies and procedures.

MOTION: Mr. Beasley moved that the Committee approve the recommendation. Mr. Butler seconded the motion.

VOTE: The motion passed unanimously.

APPROVAL OF NEW PROGRAM

AAS IN AVIATION MAINTENANCE TECHNOLOGY, JEFFERSON TECHNICAL COLLEGE

RECOMMENDATION: That the Board of Regents approve an Associate in Applied Science in Aviation Maintenance Technology for Jefferson Technical College to be implemented in spring 2002.

Vice Chair Logsdon welcomed Dr. Marvin Copes, Acting Chief Administrative Officer, Jefferson Technical College; Mr. Jon Brumley, Aviation Maintenance Technology Coordinator; Ms. Rande Swann, Jefferson Technical College Program Advisory Board Chair and Public Relations for Regional Airport Authority; and Dr. Sheree Koppel, Jefferson Technical College Advisory Board Chair and Jefferson County Public Schools’ School to Work Coordinator.

Dr. Bird presented the program proposal. Jefferson Technical College has consistently met the needs of Kentucky’s aviation community for well-trained, competent employees by providing a high quality Aviation Maintenance Technology Certificate Program in Airframe and Powerplant Technology. To meet the industry’s needs, the college is now requesting an associate degree. The degree program is necessary to put the college’s graduates on an equal level with other airframe and powerplant college graduates. Expertise in the inspection, repair, service, and overhaul of aircraft and engines is the goal of this program. Students completing this program will be certified by the Federal Aviation Administration (FAA) to work in the aircraft industry upon completion of the FAA certification exam for both airframe and powerplant. The need for aviation maintenance technicians is great in Kentucky and elsewhere. The JTC Aviation Maintenance program could immediately find employment for 100 graduates based on calls and letters received daily offering employment opportunities.

The 76 credit hour Aviation Maintenance Technology Degree curriculum has two major components: 16 hours of general education and 60 hours of Aviation Maintenance Technology courses. Students will pursue general education requirements at Jefferson Community College, another regionally accredited college or university, or

MOTION: Dr. Wise moved that the Committee approve the recommendation. Mr. Beasley seconded the motion.

VOTE: The motion passed unanimously.

APPROVAL OF NEW PROGRAM

RECOMMENDATION: That the Board of Regents approve an Associate in Applied Science in Information Technology with options in Database Administration, Electronic Commerce, Network Administration, Computer Programming, Information Systems Support, and Web Development and Administration for Northern Kentucky Technical College to be implemented in spring 2002.

Vice Chair Logsdon welcomed Dr. Earl Wittrock, Director of Northern Kentucky Technical College; Ms. Carole Reed-Mahoney, Dean of Academic Affairs at Northern Kentucky Technical College; and Mr. Alan Hall of the Information Technology Department at Northern Kentucky Technical College to the meeting.

Dr. Bird presented this proposal. Even though there has been a recent slowdown in the economy, northern Kentucky continues to experience growth. A community-based survey of local industry demonstrated community need for the information technology program and proposed options. According to Northern Kentucky Occupational Outlook to 2005, employment growth for computer support specialists is expected to increase 75 percent; data processing equipment repairers’ projected growth for the same period is 54.4 percent. Both of these occupational categories are listed in the Top 50 Fastest Growing Northern Kentucky Area Occupations.

The proposed AAS program is based on the approved KCTCS curriculum and consists of 22-23 credit hours of general education courses, 24-27 credit hours of technical core courses, and 21-24 credit hours of courses designated as an “option” area. The general education courses will be delivered through the Kentucky Virtual University, Northern Kentucky University, or Thomas More College. Adequate faculty, staff, classrooms, equipment, library resources and technology infrastructure are presently in place to support this proposal. No additional funding will be necessary to implement this program.
According to the 1997-2002 Kentucky Plan for Equal Opportunities in Postsecondary Education, Northern Kentucky Technical College is eligible for a qualitative waiver, which the Board of Regents approved at the April 27, 2001, Board meeting. The Council on Postsecondary Education approved the qualitative waiver at its July 30, 2001, meeting.

MOTION: Mr. Butler moved that the Committee approve the recommendation. Dr. Wise seconded the motion.

VOTE: The motion passed unanimously.

RECOMMENDATION: That the Board of Regents approve an Associate in Applied Science in Interdisciplinary Early Childhood Education for Northern Kentucky Technical College to be implemented in spring 2002.

Vice Chair Logsdon welcomed Dr. Earl Wittrock, Director of Northern Kentucky Technical College; Ms. Carole Reed-Mahoney, Dean of Academic Affairs at Northern Kentucky Technical College; and Ms. Marinell Brown of the Interdisciplinary Early Childhood Education Department at Northern Kentucky Technical College to the meeting.

Dr. Anthony Newberry, KCTCS Chancellor, presented this proposal. The proposal represents a program expansion of an existing program that has been recognized for several years throughout the Commonwealth’s postsecondary education system as one of the premier programs of early childhood education. A community-based survey of local industry demonstrated community need for the Interdisciplinary Early Childhood Education program. Additionally, the Head Start Reauthorization Act of 1998 mandated that 50 percent of all Head Start lead teachers must hold an Associate or Baccalaureate Degree in Early Childhood Education or a related discipline by 2003. According to the Bureau of Labor Statistics, childcare workers are listed among Kentucky’s occupations with the most openings.

Northern Kentucky Technical College presently operates related certificate and diploma programs. Adequate faculty, staff, classrooms, equipment, library resources, and technology infrastructure are presently in place to support this proposal; therefore, additional resources will not be required to implement this AAS degree program. The program will consist of 30-31 credit hours of general education courses and 36 hours
of specific interdisciplinary early childhood education courses. The general education courses will be delivered through the Kentucky Virtual University, Northern Kentucky University, or Thomas More College. According to the 1997-2002 Kentucky Plan for Equal Opportunities in Postsecondary Education, Northern Kentucky Technical College is eligible for a qualitative waiver, which the Board of Regents approved at the April 27, 2001, Board meeting. The Council on Postsecondary Education approved the qualitative waiver at its July 30, 2001, meeting.

It was noted that the only other technical college offering a similar degree is Somerset Technical College and that only a few of the community colleges offer the degree. The Committee discussed the average salary of program graduates and concluded that the value added to society must also be considered when reviewing program proposals.

MOTION: Mr. Beasley moved that the Committee approve the recommendation. Mr. Butler seconded the motion.

VOTE: The motion passed unanimously.

RECOMMENDATIONS:

- That the Board of Regents approve the technical colleges’ candidates for credentials (degrees, diplomas, and certificates) with the credentials to be awarded to the candidates upon certification that the requirements have been satisfactorily completed (see Attachment A, pages 73-161 of the agenda materials).

- That the Board of Regents approve the awarding of credentials (degrees, diplomas, and certificates) to community college candidates that have met all requirements for programs approved by the Board of Regents, with the credentials to be awarded to the candidates upon certification that the requirements have been satisfactorily completed (see Attachment A, pages 73-161 of the agenda materials).

- That the Board of Regents approve the awarding of associate degrees to community college candidates that have met all requirements for programs approved by the University of Kentucky Board of Trustees, with the degrees to be awarded to the candidates by UK upon certification that degree requirements have been satisfactorily completed (see Attachment A, pages 73-161 of the agenda materials).
KRS 164.350 (1) (e) specifies that the Board of Regents may “grant diplomas and confer degrees upon the recommendation of the president and faculty.” The Memorandum of Understanding, effective September 15, 1998, between the Kentucky Community and Technical College System and the University of Kentucky specifies that community college students who were officially enrolled on or before June 30, 1999, in associate degree programs approved by the UK Board of Trustees and who complete the associate degree program on or before June 30, 2004, shall have their degrees conferred by the UK Board of Trustees. The degrees for all other students enrolled in community college programs shall be awarded by the KCTCS Board of Regents.

For December 2001, the Board ratified almost 4,100 credentials. Of that number, 1,356 are certificates; and 854 are diplomas. The number of KCTCS degrees is 1,032; and the number for KCTCS/UK degrees is 854.

MOTION: Mr. Beasley moved that the Committee approve the recommendations. Dr. Wise seconded the motion.

VOTE: The motion passed unanimously.

Dr. Bird presented this item. Currently, the list of candidates for credentials is compiled and submitted to the KCTCS Board of Regents for approval twice a year, in November and April. For the first time all candidates for credentials – certificates, diplomas, and associate degrees – were presented to the Board for approval in April 2001. Prior to that date, only associate degree candidates were presented for approval. The reporting of all candidates for graduation twice a year has raised the question of responsiveness to student need. In order to continue to be responsive in issuing diplomas and certificates to program completers, especially those completing such programs at correctional facilities or consolidated institutions, an action item is proposed for the February 2002 Board meeting that would allow candidates for all credentials to be presented at every Board meeting, if submitted for approval by the colleges.

It was noted by Vice Chair Logsdon that the Committee favors anything that promotes community responsiveness.
Dr. Newberry presented this item. The proposed policy represents a revision of an old, outmoded policy and an effort to establish a new policy that is streamlined and in alignment with KCTCS. The proposed revised policy incorporates the review of instructional programs on an annual basis as part of the college institutional effectiveness process. It would eliminate the currently required 5-7 year System review of the colleges since SACS no longer requires mid-accreditation reports. SACS now uses annual reports instead of the mid-accreditation reports. The revised policy will be presented as an action item at the February 2002 meeting.

It was noted that the revised policy would build upon the excellent program review process used by the technical colleges.

Dr. Newberry presented this item. He noted that this is another effort to create a unified policy for the System and clarifies the appeals process. The KCTCS Code of Student Conduct is proposed to replace the Community College Code of Student Conduct and the Technical College Code of Student Conduct approved by the KCTCS Board of Regents on September 16, 1998. A joint committee of community college and technical college academic and student affairs deans was formed in fall 2000 to develop an integrated code. Following review by academic and student affairs deans in spring 2001 and editing by a KCTCS staff committee in fall 2001, the proposed KCTCS Code of Student Conduct reflects a streamlined code consistent with federal and state regulations as well as KCTCS policies. The proposed KCTCS Code of Student Conduct is intended for implementation in spring 2002 for KCTCS colleges approved for consolidation and in fall 2002 for the remaining KCTCS colleges.

Dr. Bird noted that program profiling ensures that KCTCS colleges have the most up-to-date curriculum and that KCTCS students acquire the skills necessary to be successful in the workplace. He stated that the KCTCS ACT WorkKeys Job Profiling/DACUM (Developing A Curriculum) Model is a national model and that Dr. Carolyn O’Daniel and Ms. Donna Davis of the System Office presented the model at a regional level and at the National ACT Conference. Additionally, they have been asked to present the model to a group of ACT executives in the near future.

Dr. O’Daniel and Ms. Davis presented the Board with an update on program profiling. Following a pilot project of 11 programs in 2000-01, KCTCS initiated a 3-year project to use the ACT WorkKeys Job Profiling System in combination with the curriculum development process. The initiative has been incorporated into the
colleges’ Carl Perkins Accountability Measures and Program Effectiveness Plan and funding obtained via that plan at a rate of $20,000 per college ($13,000 for profiling and coordination and $7,000 for student assessment).

DACUM identifies technical competencies needed for specific jobs. WorkKeys identifies foundational skill levels needed for those same occupations and provides an assessment targeted at the instructional process. WorkKeys targets eight skill areas: reading, math, locating information, teamwork, observation, listening, writing, and applied technology.

The current focus of the initiative is to obtain business and industry guidance based upon a verifiable system and nationally recognized process. The development of a standards-driven curriculum model will provide for competency assessments based on state or national standards. Between 80-90 programs currently are being profiled and were selected based upon their need for curriculum review; however, in the future all diploma and degree programs will be assessed using this process. The profiles produced, which identify competencies that are aligned with current and emerging needs of business and industry, will be provided to faculty curriculum committees. These profiles will form the basis for curriculum revision by faculty committees, ensuring that curriculum is timely and directly relevant to current and emerging workforce needs.

The impact the initiative will have upon KCTCS includes:

- An improved curriculum process with content relevant to employer expectations.
- An improved accountability system to federal and state funding sources and related oversight.
- A system of continuous feedback on student achievement, business expectations, and curriculum revision.

Most importantly, the impact on student success includes, but is not limited to:

- Improvement of basic skills through targeted instruction and assessment.
- Acquisition of technical, academic, and employability skills linked to workforce development needs.
- Verification and documentation of achievement.
**NEXT MEETING**

It was noted that the locations of the Board of Regents and Committee meetings previously announced for 2002 have been modified as follows:

- February 21: Holiday Inn, Capital Plaza Tower, Frankfort
- April 25: Elizabethtown Technical College
- June 27: Rowan Technical College
- September 26: Prestonsburg Community College
- December 5: System Office, Lexington

**ADJOURNMENT**

MOTION: Mr. Beasley moved that the Committee adjourn. Mr. Butler seconded the motion.

VOTE: The motion passed unanimously, and the meeting adjourned at 4:50 p.m. (ET).

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**2/21/02**

Date Approved by the Academic Affairs and Curriculum Committee: John F. Hanel, Committee Chair
Recommendation

That the Board of Regents ratify the approval of the new credit certificate programs listed on pages 64-65 of the agenda materials.

Rationale

- The Board of Regents’ Policy on Program Approval, adopted April 30, 1999, specifies that the Board must approve all new programs that lead to the awarding of an associate degree or a diploma. The KCTCS President may approve new credit certificate programs upon recommendation by the chancellors, with such approvals to be presented to the Board for ratification.

- The certificate programs listed on the next page support the Kentucky Postsecondary Education Improvement Act of 1997 goals of being responsive to the needs of students and employers, avoiding unnecessary program duplication, and increasing inter-institutional collaboration. They meet all KCTCS program approval policies and procedures, the KCTCS Policy on Collaborative Program Development, the KCTCS Policy on Inter-Branch Transfer of Credit, and all applicable Council on Postsecondary Education policies and procedures.

- Some of the certificate programs listed are a result of “rolling over” an existing curriculum to a new integrated curriculum with multiple exit points, e.g., Network and Information Systems Technology curriculum “rolled over” to the new Information Technology curriculum. All certificate programs included on the list are applicable toward at least one degree program, and additional resources are not required for their implementation.

- At the November 30, 2001, KCTCS Board of Regent’s meeting, two (2) certificates were approved as one certificate - Web Development and Administration. The correct certificate names are Web Site Developer and Web Administrator.

Background

In April 1999, the Council on Postsecondary Education (CPE) delegated to the KCTCS Board of Regents authority to approve new academic programs at technical and community colleges. As part of the delegation, which was effective until December 2000, the CPE established a “Timeline for Implementation and Review of KCTCS New Program Approval Authority.” This timeline included a series of steps for the implementation, review, and audit of program approval policies at KCTCS. During fall 2000, CPE staff conducted a review of KCTCS program approval procedures and met with the Chair of the KCTCS Board of Regents Academic Affairs Committee to assess the Committee’s role and its evaluation of the process.

At its November 13, 2000, meeting, CPE reaffirmed the delegation of program approval authority to KCTCS for all new certificate, diploma, and associate degree programs offered by KCTCS community and technical colleges.
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*Pilot Status
**Previously approved/ratified as Web Development and Administration
Recommendation

That the KCTCS Board of Regents allow candidates for credentials to be presented at every Board meeting, if submitted for approval by the colleges.

Rationale

- The reporting of all candidates for graduation twice a year has raised the question of responsiveness to student need.
- A recent survey found that in varying circumstances 12 technical colleges as well as the corrections education centers have historically issued diplomas for credentials to program completers upon completion of the program and verification of such by the program faculty, particularly in the case of certificate and/or diploma program completers.
- As KCTCS continues to develop new just-in-time certificate programs and creates additional entry/exit points in all programs, Board approval will be needed on an ongoing basis for colleges to be able to issue credentials on demand.

Background

Currently, the list of candidates for credentials is compiled and submitted to the KCTCS Board of Regents for approval twice a year, in November and April. For the first time in April 2001, all candidates for credentials – certificates, diplomas, and associate degrees - were presented to the Board for approval. Prior to that time, only associate degree candidates were presented for approval.

This revised process was presented as an information item at the November 30, 2001, meeting of the Board of Regents.
Recommendation

That the KCTCS Board of Regents approve the revised Review of Educational Units Policy.

Rationale

- The proposed Policy is written as a KCTCS Policy and deletes a previously required five to seven year System review of the colleges.
- The Commission on Colleges of the Southern Association of Colleges and Schools (SACS) no longer requires mid-accreditation reports, utilizing annual reports instead.
- The Council on Occupational Education (COE) also utilizes an annual reporting process.
- The proposed KCTCS Policy focuses on annual review processes currently in place.
- The proposed Policy also incorporates the review of instructional programs on an annual basis as part of the college institutional effectiveness process.

Background

The existing Policy applies only to community colleges and requires a five to seven year System review of the colleges. This review encompasses college self-study reports and System ad hoc visiting review teams. The resulting System visiting team reports have been used SACS as mid-accreditation reports. However, the existing Policy is based on previous SACS requirements and that of the predecessor institution of the community colleges.

The proposed policy was presented as an information item at the November 30, 2001, meeting of the Board of Regents.
4.3 KCTCS Review of Educational Units

4.3.1 Review of Educational Units—Community Colleges

The work of each educational unit in the Community Colleges Kentucky Community and Technical College System (including individual community colleges) and of the unit’s chief administrative officer shall be reviewed at regular intervals by an ad hoc committee annually as part of the institutional planning and effectiveness process. The review periods shall normally be from five to seven years, except: Instructional program review shall also be conducted on an annual basis.

1. For educational units where the review period shall depend upon the term of office of the chairperson, the reviews being made so that the results are available when decisions to appoint or reappoint chairpersons are to be made; and

2. For units headed by acting administrators where the review period shall be one year. A review of the work of any educational unit at other than the regular interval may be initiated by the chief administrative officer of the unit, by an administrative officer responsible for the unit, or by the President. Ordinarily such a review shall be initiated if requested by a majority of the members of the unit.

3. For associate degree programs where the review period shall be established in consultation with the University of Kentucky Board of Trustees. These programs shall be periodically reviewed by a process established by the Board of Trustees of the University of Kentucky. A report shall be forwarded to the Chancellor of the Community Colleges, the KCTCS Board of Regents, and the Board of Trustees. If the Board of Trustees finds that a degree program does not meet its prescribed standards of quality and the institution does not correct deficiencies within a two (2) year period, the Board of Trustees may recommend to the Council on Postsecondary Education that the program no longer bear the name of the University of Kentucky. By Memorandum of Understanding between the University and KCTCS, September 15, 1998, UKCCS students who were officially enrolled on or before June 30, 1999, in associate degree programs approved by the Board of Trustees of the University of Kentucky and who complete the associate degree program on or before June 30, 2004, shall have their degrees conferred by the University of Kentucky Board of Trustees. The degrees for all other students enrolled in UKCCS programs shall be awarded by the Board of Regents of the Kentucky Community and Technical College System, not the Board of Trustees of the University of Kentucky.

Procedures for appointment of review committees and for conduct of reviews, which have been established by the Kentucky Community and Technical College System President after consultation with appropriate administrative and faculty groups including the Community College Senate Council, are described in the Kentucky Community and Technical College System Procedures. Such review committees shall be formed principally from faculty personnel, and shall normally include members internal and external to the unit being reviewed, and may include members external to the Community Colleges.
Strikethrough and underlining are used to show proposed revisions.

The purpose of unit and annual instructional program/unit review is to improve the quality of teaching and learning, and public service by systematically reviewing mission, goals, priorities, activities, and outcomes. Continuous unit and program/unit improvement requires a planning process which integrates current goals and priorities with the basic mission. Continuous improvement also requires a review process which evaluates progress toward goal achievement and provides feedback which assists in refinement of plans and direction for the unit and program. The planning and review processes used by each unit should be appropriate to that unit, but all such processes will include three basic elements: (I) strategic planning; (II) annual review; and (III) periodic annual instructional program review.

The primary concern is the degree of progress of the educational unit. Thus, the chief administrative officers of the educational units will be evaluated in terms of the unit(s) and program(s) for which they are responsible and not in isolation from these, in relation to the contributions of their units to the broader goals of the Community Colleges KCTCS and the Commonwealth, in relation to available resources and support, in relation to established Community College KCTCS priorities, and in terms of the responsibilities defined in the Kentucky Community and Technical College System Procedures.

(I) STRATEGIC PLANNING. The Kentucky Community and Technical College System Strategic Plan establishes the broad framework for planning at all levels of the institution. Within this framework, each unit must engage in a continuous planning process which involves faculty, staff, and students. Clear goals and expected outcomes should be developed for the unit overall as well as for each of its instructional, research, and service programs.

(II) ANNUAL REVIEW. The performance of each educational unit (including each community college) should be reviewed annually by the administrator to whom the unit reports. The annual review should be utilized to assess progress toward goals and to modify where deemed appropriate the unit's goals, priorities, and expected outcomes.

(III) PERIODIC ANNUAL INSTRUCTIONAL PROGRAM REVIEW. The unit's performance will be comprehensively evaluated periodically. The primary purpose of both annual unit review and periodic annual instructional program review is improvement in the quality and effectiveness of the units and their programs.

Each district shall have an Institutional Effectiveness Plan that includes a review of instructional programs that meets Commission on Colleges of the Southern Association of Colleges and Schools (SACS) guidelines and Council on Postsecondary Education (CPE) productivity guidelines. The Institutional Effectiveness Plan is to be submitted to the System annually.
Recommendation

That the KCTCS Board of Regents adopt the *KCTCS Code of Student Conduct Handbook* for implementation in spring 2002 for KCTCS colleges approved for consolidation and in fall 2002 for the remaining KCTCS colleges; and that the Board approve the accompanying revised *KCTCS Board of Regents Policy 6.1: KCTCS Code of Student Conduct*.

Rationale

- The *KCTCS Code of Student Conduct* is proposed to replace the *Community College Code of Student Conduct* and the *Technical College Code of Student Conduct* approved by the KCTCS Board of Regents on September 16, 1998.
- A joint committee of community college and technical college academic and student affairs deans was formed in the fall of 2000 to develop an integrated *Code*.
- Following review by academic and student affairs deans in spring 2001 and editing by a KCTCS staff committee in fall 2001, the proposed *KCTCS Code of Student Conduct* reflects a streamlined *Code* consistent with federal and state regulations as well as KCTCS policies.
- Article II of the *Code* is subject to review and recommendation of the Community College Senate Council and the Technical College Senate Executive Council on February 15, 2002.

Background

The proposed *KCTCS Code of Student Conduct* was presented as an information item at the November 30, 2001, Board of Regents meeting.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

Kentucky Community and Technical College System

CODE OF STUDENT CONDUCT

Revised Spring 2002
INTRODUCTION

ARTICLE I – STUDENTS RIGHTS AND RESPONSIBILITIES

1.1 The Basis for Standards in the College Community

1.2 Fundamental Rights of Students

1.2.1 Rights as Citizens

1.2.2 Right of Admission and Access

1.2.3 Right of Freedom to Learn

1.2.4 Right of Free Expression

1.2.5 Right to be Evaluated

1.2.6 Right to Form Student Organizations

1.2.7 Right of Student Access to Meetings of Registered Student Organizations

1.2.8 Right of Student Access to Meetings of Registered Student Organizations

1.2.9 Right to a Free Student Press

1.3 Responsibility for Student Publications

1.3.1 Composition of the Board of Student Publications

1.3.2 The Role of the Board of Student Publications

1.4 Provisions of the Family Education Rights and Privacy Act of 1974

1.4.1 Access to Records

1.4.2 Procedures for Challenge

1.4.3 Directory Information

1.4.4 Notifications of Rights under FERPA for Postsecondary Institutions

ARTICLE II – ACADEMIC POLICIES AND PROCEDURES

2.1 Academic Rights of Students

2.1.1 Information about Course Content

2.1.2 Information about Course Grading Criteria

2.1.3 Contrary Opinion

2.1.4 Academic Evaluation

2.1.5 Academic Records

2.1.6 Evaluation of Student Character and Ability

2.2 Disposition of Cases Involving Alleged Violations of the Academic Rights of Students

2.2.1 Responsibilities of the Student

2.2.2 Responsibilities of the Division Chairperson and Chief Executive Officer

2.2.3 Responsibilities of the College Appeals Board

2.2.4 Authority of the College Appeals Board in Cases of Student Academic Rights

2.2.5 Student Rights During the Appeals Process

2.3 Academic Honesty Policy

2.4 Academic Offenses

2.4.1 Plagiarism

2.4.2 Cheating

TABLE OF CONTENTS

DRAFT 11-02-01

Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

2.4.3 Co-Responsibility

2.4.4 Falsification or Misuse of Academic Records

2.5 Sanctions/Penalties

2.6 Institutional Procedures

2.7 Student Appeal

2.8 Responsibility of the College Appeals Board

2.9 Composition of the College Appeals Board

ARTICLE III-POLICY GOVERNING ACCESS TO AND USE OF KCTCS COMPUTING RESOURCES (Administrative Policy 4.2.5)

3.1 Two Basic Rights

3.2 Principles Governing Use of Computing Resources

3.3 Examples of Violations

3.4 Responses to Violations

3.5 KCTCS Sanctions

3.6 Investing and Review of Charges

ARTICLE IV-THE COLLEGE AS SUPERVISOR OF STUDENT ORGANIZATIONS

4.1 Types of Organizations

4.2 Registration

4.3 Use of KCTCS Facilities

4.4 Procedural Guidelines for the Management and Use of Facilities in KCTCS

4.5 Advisors

4.6 Offenses

4.7 Sanctions

4.8 Right to Appeal

ARTICLE V-NON-ACADEMIC DISCIPLINARY POLICIES AND PROCEDURES

5.1 General Regulations Concerning Student Behavior

5.2 Disciplinary Offenses
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

5.3 Penalties and Sanctions ................................................................. 19

5.4 Enforcement ................................................................................. 19

5.5 The Procedures ........................................................................... 20

5.5.1 The Role of the Chief Executive Officer in Student Disciplinary Matters .......... 20
5.5.2 The College Judicial Board ..................................................... 21
5.5.3 The College Appeals Board .................................................... 22

5.6 Temporary Sanctions .................................................................... 22

COMPLIANCE STATEMENT .................................................................. 23
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM
CODE OF STUDENT CONDUCT

INTRODUCTION

Pursuant to the provisions of the Kentucky Postsecondary Education Improvement Act of 1997, the Board of Regents of the Kentucky Community and Technical College System (KCTCS) is responsible for the governance of the System. This shall include the establishment of a student code of conduct for all KCTCS colleges.

By this publication of the code governing student conduct, the KCTCS recognizes that students have the right to know the circumstances and manner in which disciplinary provisions will be exercised and advises students that such provisions will be enforced. According to the rights found within the United States Constitution, all students will be afforded due process.

Today’s student is at the college as a member of a community of students seeking to acquire and communicate knowledge. So long as the student’s conduct in and out of the classroom does not infringe on the rights of other such students, the college should not exercise its power to either condemn or condone. The concern of the college is to provide facilities and opportunities for those who seek knowledge.

All statements in the Kentucky Community and Technical College System Code of Student Conduct are announcements of present policy only and are subject to change at any time without prior notice. They are not to be regarded as offers to contract. Policies and regulations stated herein are subject to revision subsequent to date of publication. The Kentucky Community and Technical College System Code of Student Conduct serves as a means of communicating to the student the rights, responsibilities, and obligations of being a member of the college community.

ARTICLE I

STUDENTS RIGHTS AND RESPONSIBILITIES

Each college within the Kentucky Community and Technical College System has a varied and distinguished tradition of higher education. Each college’s students, faculty, and staff form an academic community that, while sharing certain characteristics with other types of associations, organizations, and societies, is rightly considered unique as a community, and should be governed, respected, and supported as a college community. The System has an obligation to maintain an atmosphere of academic freedom, to set and maintain standards of scholarship and conduct for students at each college, and to provide awareness for responsible student citizenship in the academic community.

1.1 The Basis for Standards in the College Community:

Certain fundamental concepts are recognized as forming the basis for standards of conduct developed as a result of the college’s obligations:

1.1.1 The academic community requires responsibility and a system of order supportive of the educational process that is the purpose of the college. Order implies non-disruptive conduct and observance of law, state of peace, and freedom from disorder. Disruption of the educational process by a member or group of members of the community denies to all members the pursuit of their individual education purposes.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

1.1.2 The college community, existing within a democratic society, can be maintained only through respect for law in addition to the maintenance of and working for laws and to college regulations worthy of respect. Obedience to national, state, and local laws and to college regulations is expected of each member of the academic community.

1.1.3 The college welcomes into its community those who sincerely share and agree to advance the college’s purposes. The purposes may be measured partly by the individual’s adequate preparation and respect for each member of the academic community.

1.1.4 Ethical and moral standards, evolved in society over the centuries, are a part of the fabric of culture. The anonymity of the college community cannot free the individual or the institution from many conventional expectations relative to behavior or societal relationships. Each member of the college community is expected to give due consideration to the highest standards of conduct and character. No one should either offend the wider community or infringe upon the rights and privileges of others.

1.1.5 While the college may appear to be set aside from the larger community of which it is a part, it is created and financially supported by the larger community and has responsibilities to it. Each member of the academic community must recognize the unique relationship to the larger community. Each individual must take responsibility for his or her own actions and values and for recognizing that his or her actions and values reflect upon the college community.

1.1.6 When becoming part of the college community, the student enjoys social, cultural, and educational opportunities. He or she also assumes the role of a citizen of the community and agrees to abide by the regulations and standards of conduct operative in the college community. Much more important, his or her assuming the role of citizen of the college community implies a positive responsibility toward the well being of the entire life of that community. Responsible citizenship in the college community may be looked upon:

(a) as a duty and obligation similar to the requirements of the members of any community;
(b) as an opportunity for educational growth and preparation for local, state, national, and world citizenship; and
(c) as a means of personal fulfillment, enrichment, and growth through participation in the decision-making processes in the academic community.

Responsible citizenship results from student initiative and cannot simply be decreed by the college faculty and staff, no matter how well meaning they may be. Effective campus citizenship and responsibility encompass every aspect of student life and activity. A student’s personal responsibility may be demonstrated and exercised through diligence and alertness in academic pursuits, as well as in effective and constructive action in recognized student organizations and other co-curricular activities.

1.2 Fundamental Rights of Students:

In determining the standards to be set and the manner in which sanctions shall be imposed, the College takes cognizance of certain fundamental rights, freedoms, and responsibilities of students:

1.2.1 Right as citizens: As citizens, students enjoy the same freedoms as are guaranteed by the Constitution of the United States and the Commonwealth of Kentucky and have the same duties and responsibilities as do other citizens.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

1.2.2 **Right of admission and access:** An applicant for admission to the college shall not be discriminated against based on race, color, religion, sex, sexual orientation, national origin, age, beliefs, political affiliation, or marital status. Moreover, no other qualified person with a disability will be denied admission solely because of the person’s disability. Similarly, an application for, or recipient of, college financial aid, a college grant-in-aid, or a college scholarship, shall not be discriminated against nor be denied financial assistance because of a person’s disability.

1.2.3 **Right of freedom to learn:** The freedom of students to learn and to evaluate ideas and concepts is basic to the educational process and is dependent upon general conditions conducive to the learning process in the classroom, on the campus, and in the larger community. The responsibility to secure and respect such general conditions is shared by all members of the academic community.

1.2.4 **Right of free expression:** Students are free to discuss, to express opinions, and to hear expression of opinion. Such expression of opinions and discussions must be accomplished without disrupting operations of the college. As part of the freedom to learn, students hear the widest expression of opinion. Speakers invited to the campus offer opportunities for the presentation and examination of ideas. Such speakers represent their own points of view and not those of the college, the sponsors within the college, or the System.

1.2.5 **Right to be evaluated:** Students have a right to be evaluated in courses solely on the basis of their performance in meeting appropriate academic criteria established for the course. Additionally, students have the right to participate in course evaluations during the term of each course. Through this evaluation method, the college has the opportunity to assess each course’s content, presentation, and effectiveness in a manner consistent to its educational mission.

1.2.6 **Right to form student organizations:** Students are free to form and join student organizations with other college students provided such organizations are consonant with the purposes of the college and conform to established college regulations and public laws.

1.2.7 **Right of student access to meetings of registered student organizations:** The System affirms the right of all students, including members of the student press, to attend meetings of registered student organizations that receive the majority of their regular operating budgets from allocations of student fees money and/or college allocations.

Exceptions to the foregoing right include:

a. Deliberations of election boards and selection committees.

b. Contract negotiations of student organizations and private contractors.

c. Discussions or hearings that might lead to the appointment, discipline, or dismissal of an individual employee, member or student without restricting that employee’s, member’s, or student’s right to a public hearing if requested, provided that this exception is designed to protect the reputation of individual persons and shall not be interpreted to permit discussion of general personnel matters in secret.

“Meeting” means any gathering of a quorum of the members, regardless of where the meeting is held, whether a regular or special meeting, including any informational or casual gathering held in anticipation of, or in conjunction with, a regular or special meeting.

1.2.8 **Right of fair disciplinary proceedings:** In the administration of disciplinary measures, the accused student shall be accorded procedural fairness in accordance with the procedures set
out below and KRS 164.370. In such situations, whether formal or informal, the fundamental principles of due process shall be recognized and followed.

1.2.8.1 Jurisdiction Over Cases Involving Student Rights Specified in Section 1.2
   a. The College Appeals Board shall hear any case referred to it by the chief executive officer or designee and may grant the written appeal of any student to hear a case not referred to it by the chief executive officer or designee. This written appeal must be submitted within 30 days after the chief executive officer or designee communicates both to the College Appeals Board and the student that either the case is without merit or that the grievance cannot be satisfactorily resolved.
   b. Upon receipt of the written appeal, the Chairperson of the College Appeals Board shall notify the chief executive officer or designee to forward all reports and evidence concerning the case.
   c. The College Appeals Board may then, by majority vote, agree to hear the student’s case, decline to hear the case if it finds that it is being processed through other appropriate College channels, or allow the chief executive officer’s or designee’s decision to be final.

1.2.8.2 Disposition of Cases of Students’ Rights
   After hearing a case and deciding that a violation of student rights has been proven, the College Appeals Board may select from the following remedies:
   a. The Board may request the chief executive officer or designee to admit an applicant denied admission in violation of Section 1.2.2.
   b. The Board may request the chief executive officer or designee to give an applicant a scholarship, or financial aid, when such have been denied or withdrawn in violation of Section 1.2.2.
   c. The Board may request the chief executive officer or designee to make available College facilities and services on a fair and equitable basis when a violation in Sections 1.2.6 and/or 4.3, has been proven.
   d. The Board may request the chief executive officer or designee to have any papers, property or personal effects, taken from a student’s person or premises in violation in Section 1.2.8, returned.
   e. The Board may request the chief executive officer or designee to direct compliance with Section 1.4.4 when a violation of the rights stated therein has been proven.
   f. The Board may request the appropriate College official to direct compliance with Section 1.2.
   g. The Board may request the appropriate College official to grant whatever other relief the Board deems proper. (See Section 2.9)

1.2.9 Right to a free student press: Student publications must be free to deal openly and responsibly with issues of interest and importance to the academic community. Student publications will avoid such practices as the use of libel, undocumented allegations, obscenity, attacks on personal integrity, deliberate deceptions of its readers, unnecessary harassment and innuendo, and other violations of individual rights. The editors shall have the right to address issues of interest and importance to the academic community. The editors shall have the right to editorial freedom without the prior approval of copy and will be protected against dismissal or suspension except for violations of policies and regulations established by the System.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

1.3 Responsibility for Student Publications:
Jurisdiction over campus-wide student publications of a KCTCS college shall be vested in a Board of Student Publications reporting to the president/director or designee. Jurisdiction means the responsibility for the fiscal management, the editorial policies, and the general operation of the student publications. A campus-wide student publication is defined as a publication which meets all of the following criteria: (a) any enrolled student is eligible to participate in its publication, (b) it is published for a campus-wide audience, and (c) it is supported in whole or in part by KCTCS funds. (Administrative Policy 6.4 KCTCS Boards of Student Publications)

1.3.1 Composition of the Board of Student Publications
Membership on a College Board of Student Publications will include, but is not limited to, the advisers and editors of student publications and representatives from the faculty, staff, and student body. One or more members-at-large may be appointed from the alumni, professional journalists, or public-at-large. Members of the Board will be appointed by the president/director.

1.3.2 The Role of the Board of Student Publications

- Consistent with the general philosophy of providing a free and responsive press on the college campus and consistent with Right to a Free Student Press of the Code of Student Conduct, the Board of Student Publications shall be responsible for the development and promulgation of a statement of policy for the guidance of the editorial staffs of publications under the Board’s jurisdiction. This statement will deal with operational, editorial, and financial policies of student publications and shall be submitted by the president/director to the KCTCS Office of Student Affairs for approval.

- The Board of Student Publications shall be available for immediate consultation with the editor and/or adviser; its role shall be one of policy interpretation and not one of censorship.

- The Board of Student Publications shall advise and consult with the student publications advisers and editors regarding financial management of the publications under the Board’s jurisdiction. The Board shall approve budget proposals prior to submission to the president/director.

- If, after thorough investigation which shall include affording the editor an opportunity to present personal views, the Board should conclude that an editor has violated the Board’s policies or has otherwise failed to perform appropriate duties as editor, the Board is authorized to take one or more of the following actions in reference to the student’s status as editor: counsel, warn, reprimand, suspend for a specified period of time, or dismiss.

1.4 Provisions of the Family Educational Rights and Privacy Act of 1974:
This is to serve notice to all students of the Kentucky Community and Technical College System of the rights and restrictions regarding the maintenance, inspection, and release of student records contained in the Family Educational Rights and Privacy Act of 1974 (FERPA). The colleges of KCTCS offer a wide variety of services to students. Each college requires the maintenance of records concerning students enrolled in that particular college. The following is a list of the types of records maintained by the College and/or the System Office for students:
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

1. Academic records from schools previously attended,
2. Scores or results on various standardized tests and interest/attitude inventories,
3. Degrees awarded,
4. Current academic work completed,
5. Grades and other faculty evaluations,
6. Applications for admissions,
7. Applications and other data related to financial aid,
8. Applications for employment,
9. Class rolls,
10. Letters of recommendation,
11. Academic advisor notes,
12. Attendance data,
13. Biographical and identifying information (including name, social security number, sex, marital status, date of birth, residency and citizenship status, ethnic background, academic major, and military status),
14. Medical data,
15. Current student status,
16. Accounts relating to fees,
17. Academic offenses,
18. Disciplinary offenses, and
19. Counseling notes.

In the System, the college is responsible for the maintenance of records in all categories although duplicates of some records are maintained in the Office of the Chancellors. The Kentucky Community and Technical College System Office maintains records in categories (1), (3), (4), (5), (8), (10), (15), and (16) that relate to students. The Office of Financial Aid and the Controller’s Office at the College have records in category (7).

1.4.1 Access to records: In general, the records maintained by the college are available only to the student, to college personnel with legitimate educational interests, to other institutions where the student is seeking financial aid, and to authorized representatives of the Comptroller General of the U.S., the Secretary of HEW, or an administrative head of an education agency, in connection with an audit or evaluation of federally supported programs, and as provided by Section 164.283 of the Kentucky Revised Statutes. Students may inspect and review all records pertaining to them within forty-five (45) days of making requests for the same, except for 1) records created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in a professional capacity in connection with the treatment of the student (except that the student may have these records reviewed by a physician or appropriate professional designated by the student), 2) financial records of the parents, 3) confidential letters and recommendations put in the files prior to January 1, 1975, and 4) confidential recommendations relating to admission, application for employment, or honors, if the student waived his or her right to review such records. Where a particular record cannot be reviewed by a student without revealing confidential information relating to other students, the records custodian will inform the student, upon request, of the contents of the record pertaining to that student. (See Section 1.44, #3.)

1.4.2 Procedures for challenge: A student who believes that any record maintained by the college, the college district, or the Kentucky Community and Technical College System pertaining directly to that student is inaccurate, misleading, or otherwise violative of the right of privacy of the student as provided by Title IV of Pub.L.90-247, as amended, and Pub.L.93-380 as amended by Senate Joint Resolution 40 (1974), may request a hearing before a panel of three persons appointed by the President of the Kentucky Community and
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

Technical College System. The panel may direct that appropriate action be taken to correct, explain, or expunge the record(s) challenged.

Requests for hearings should be sent to the Kentucky Community and Technical College System and will be addressed in a timely manner.

1.4.3 Directory information: In its discretion, a college or KCTCS as appropriate, may provide Directory Information in accordance with the provisions of the Act [Family Educational Rights and Privacy Act of 1974] to include: student name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Students may withhold Directory Information by notifying designated officials in writing within ten (10) calendar days from the first scheduled day of class of the fall term. All written requests for non-disclosure will be honored by the college for one (1) academic year. Requests to withhold Directory Information must be filed annually thereafter. (Administrative Policy 6.2.9 Directory Information)

1.4.4 Notifications of rights under FERPA for postsecondary institutions: The Family Educational Rights and Privacy affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student’s education records within 45 days after the college receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect.

   The college official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to “request for amendment” of the student’s education records that the student believes are inaccurate or misleading.

   Students may ask the college to amend a record that they believe is inaccurate or misleading. They should write the college official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

   If the college decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent FERPA authorizes disclosure without consent.

   There are, however, exceptions to the consent policy (Administrative Policy 6.2.6) and the colleges reserve the right, as allowed under the Act, to disclose education records or components thereof without written consent to:
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

1.) Personnel within the colleges who demonstrate a need to know and who act in the student’s educational interest including faculty, administration, and professional employees and other persons who manage students records;

2.) Officials of other institutions at which the student seeks to enroll, on the condition that the applicable college or System makes a reasonable attempt to inform the student of the disclosure at the student’s last known address, unless the student initiated the request to transfer;

3.) Officials of other schools at which the student is currently enrolled;

4.) Persons or organizations providing the student financial aid in order to determine the amount of, eligibility for, and conditions of an award, and to enforce the terms of the award;

5.) Accrediting organizations carrying out their accrediting functions;

6.) Authorized representatives of the Controller General of the United States, the Secretary of the Department of Education, and state educational authorities only if the information is necessary for audit and evaluation of federal or state supported programs;

7.) State and federal officials to whom disclosure is required by state statute adopted prior to November 19, 1974;

8.) Organizations conducting studies to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction, so long as there is no further external disclosure of personally identifiable information and the information is destroyed when no longer necessary for the projects;

9.) Parents of dependent students who have established the student’s status as a dependent according to Internal Revenue Code of 1954, Section 152 (as amended). This requires a certified copy of the parent’s most recent Federal Income Tax Form;

10.) Persons in compliance with a judicial order or a lawfully issued subpoena if reasonable effort is made to notify the student; and

11.) Appropriate persons in a health or safety emergency, so long as (1) there is a serious threat to the student or others, (2) the knowledge of the information is necessary to meet the emergency, (3) time is of the essence, and (4) the persons to whom the information is disclosed are in a position to deal with the emergency.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college, college district, or the Kentucky Community and Technical College System to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:
   Family Policy Compliance Office, U.S. Department of Education
   600 Independence Avenue SW
   Washington, DC 20202-4605
ARTICLE II

ACADEMIC POLICIES AND PROCEDURES

2.1 Academic Rights of Students:

2.1.1 Information about course content. A student has the right to be informed in reasonable
detail in writing at the first or second class meeting with the assigned instructor about the
nature of the course and to expect the course to correspond generally to its official
description.

2.1.2 Information about course grading criteria. A student has the right to be informed in
writing at the first or second class meeting with the assigned instructor about the criteria to
be used in evaluating the student’s performance, and to expect that the grading system
described in the KCTCS Catalog or College Handbook will be followed. Whenever factors
such as absences or late papers will be weighed heavily in determining grades, a student
shall be informed in writing at the first or second class meeting.

2.1.3 Contrary opinion. A student has the right to take reasoned exception to the data or views
offered in the classroom without being penalized.

2.1.4 Academic evaluation. A student has the right to receive a grade based only upon a fair and
just evaluation of performance in a course as measured by the standards announced by the
instructor at the first or second class meeting. Grades determined by anything other than
the instructor’s good-faith judgment based on such standards are improper. Among
irrelevant considerations are race, color, religion, gender, disability, national origin,
political affiliation, sexual orientation, or activities outside the classroom that are unrelated
to the course work. One form of sexual discrimination is sexual harassment.

2.1.5 Academic records. A student has the right to have academic records kept separate and
confidential unless the student consents in writing to have them released. However, the
chief executive officer or designee may disclose the student’s academic record without the
student’s consent if the information is required by authorized college personnel for official
use, such as advising students, writing recommendations, or selecting candidates for
honorary organizations.

2.1.6 Evaluation of student character and ability. A student has the right to have character
and ability evaluated only by individuals with a personal knowledge of the student.
Records containing information about a student’s character and ability shall indicate when
the information was provided, by whom, and the position of the individual.

2.2 Disposition of Cases Involving Alleged Violations of the Academic Rights of Students

2.2.1 Responsibilities of the Student

When a student believes that academic rights have been violated, the student shall report
the matter in writing to the appropriate Division Chairperson as soon as possible and no
later than ten calendar days after the first class day of the following semester. The student
shall specify which of the six rights enumerated above has been violated.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

2.2.2 Responsibilities of the Division Chairperson and Chief Executive Officer

The Division Chairperson shall attempt to resolve all cases referred by student appeal to the satisfaction of the student and the instructor. If the Division Chairperson cannot resolve the matter, the Division Chairperson shall refer the matter to the chief executive officer or designee within ten calendar days and shall so notify the student, the instructor and chief executive officer in writing. If the chief executive officer or designee is unable to resolve the matter to the satisfaction of the instructor and the student, the chief executive officer or designee shall notify the student and the instructor in writing within ten calendar days. The student then has ten calendar days to appeal in writing to the College Appeals Board; however, no new matter may be appealed which was not identified by the student in the student’s original report to the Division Chairperson.

2.2.3 Responsibilities of the College Appeals Board

Within six working days of receipt of a student request for an appeal, the Chairperson of the Appeals Board will convene the Board to determine if the alleged offense falls within Sections 2.1, and the student’s request falls under the authority of the Appeals Board as stated in Section 2.2.4. If the offense does not fall within these Sections, the Chairperson of the Appeals Board shall so notify the student and appropriate college officials as soon as practicable. The notice shall contain the reasons for the Board’s determination that the student’s request for appeal is being denied. If the Appeals Board determines that the alleged offense falls within Sections 2.1 and that the student’s request falls under the authority of the Appeals Board, within two working days the Chairperson of the Appeals Board shall invite the instructor, Division Chairperson and chief executive officer to file a statement with the Board within ten calendar days after the receipt of the invitation to file statements. Within ten calendar days of receipt of these statements, the Board will then convene, review the appeal and any statements and then decide by majority vote whether to grant a hearing in the case or not. The decision of whether or not a hearing will be granted as soon as practicable shall be communicated to the student and other appropriate persons with reasons for the decision. If the Board decides not to hear the case, the student has no further right to appeal within the System.

If the board decides to hear the case, its first order of business will be to establish procedures and so notify the student, instructor, Division Chairperson and the chief executive officer or designee. The parties shall have the opportunity to appear at the hearing to present evidence either oral or written in support of their positions. The Appeals Board may call for such further evidence as it deems appropriate. Once the decision has been made to hear the case, the hearing shall be held, and a final decision rendered by the Board on the student’s appeal within twenty-one calendar days.

2.2.4 Authority of the College Appeals Board in Cases of Student Academic Rights

After hearing a case involving a violation of student academic rights as set forth herein, the Board may select from the following:

1. The Board may direct that a student be informed about the content, grading standards and procedures of a course when a violation of the pertinent rules has been proven.
2. The Board may direct the student’s grade in a course be changed, but only to a W (Withdrawn) or a P (Passing - Credit toward graduation but not toward grade point standing) when a grade based upon anything other than a fair and just evaluation of a student’s performance in a course as measured by the standards announced by the instructor at the first or second class meeting has been proven. Under no circumstances shall a student’s grade be lowered as a result of the appeal.
3. The Board may take any other reasonable action calculated to guarantee the rights stated herein.
2.2.5 Student Rights During the Appeals Process
In cases of academic rights, the student shall have the right of class attendance and participation during the consideration of any appeal except that such attendance and participation may be limited in the following situations:

a. when outside agencies are used as a part of the student’s educational experience. In this situation, precedence will be given to the terms of any agreement(s), which have been negotiated between the College and the agency.

b. when patient/client contact is involved in the student’s educational experience. In this situation, only patient/client contact may be limited or excluded at the discretion of program faculty.

If the appeal is decided in the student’s favor, the institution must provide an opportunity for the student to complete any essential experiences missed due to the appeals process.

2.3 Academic Honesty Policy:
The KCTCS faculty and students are bonded by principle of truth and honesty that are recognized as fundamental for a community of teachers and scholars. The college expects that students will honor and that faculty will honor and enforce these principles that contribute to a foundation upon which a quality education can be built. With this premise, the college affirms that it will not tolerate academic dishonesty including, but not limited to, the academic offenses noted below.

2.4 Academic Offenses:
Academic penalty should not be imposed upon the student for non-academic infractions of college regulations. This principle does not compromise the right of the college to suspend or dismiss a student for non-academic reasons.

2.4.1 Plagiarism. All academic work, written or otherwise, submitted by a student to an instructor or other academic supervisor, is expected to be the result of the student’s own thought, research, or self-expression. In any case in which a student feels unsure about a question of plagiarism involving the student’s work, the student is obliged to consult the instructor on the matter before submitting it.

Plagiarism is the act of presenting ideas, words, or organization of a source (published or not) as if they were one’s own, without acknowledgement of the source. Since college instructors assume material presented by students is their own unless otherwise indicated, all quoted material must be in quotation marks, and all paraphrases, quotations, significant ideas, and organization must be acknowledged by footnotes or by some other form of documentation acceptable to the instructor for the course.

Plagiarism also includes the practice of employing or allowing another person to alter or revise the work that a student submits as the student’s own, whoever that other person may be. Students may discuss assignments among themselves or with an instructor or tutor, but when the actual material is completed, it must be done by the student and the student alone. The use of the term “material” refers to work in any form including written, oral, or electronic.

2.4.2 Cheating. Cheating includes buying, stealing, or otherwise fraudulently obtaining copies of examinations or assignments for the purpose of improving one’s academic standing. During examinations or in-class work, it includes receiving information from others and
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referring to unauthorized notes or other written or electronic information. In addition, copying from others, either during examinations or in the preparation of homework assignments, is a form of cheating.

2.4.3 Co-Responsibility. Anyone who knowingly assists in any form of academic dishonesty shall be considered as guilty as the student who accepts such assistance. Students should not allow their work to be copied or otherwise used by fellow students, nor should they sell or give unauthorized copies of examinations to other students.

2.4.4 Falsification or misuse of academic records. Maintaining the integrity, accuracy, and appropriate privacy of student academic records is an essential administrative function of the college and a basic protection of all students. Accordingly, the actual or attempted falsification, theft, misrepresentation, or other alteration or misuse of any official academic record of the college, specifically including knowingly having unauthorized access to such records or the unauthorized disclosure of information contained in such records, is a serious academic offense. As used in this context, “academic record” includes all paper and electronic versions of the partial or complete permanent academic record, all official and unofficial academic transcripts, application documents and admission credentials, and all academic record transaction documents. The minimum sanction for falsification, including the omission of information, or attempted falsification or other misuse of academic records as described in this section is suspension for one semester.

2.5 Sanctions/Penalties:

For instances of academic dishonesty, the instructor may implement any of four sanctions: the student may be penalized with a failing grade for the specific assignment; the student may be penalized with a reduced grade for the course; the student may be penalized with a failing grade for the course; and/or the instructor may recommend that the student be dropped from a program in the department. The specific penalty depends upon the importance of the assignment in satisfying the requirements for the course. If an instructor assigns a failing grade for the course, the instructor shall notify the chair of the department, the chief academic officer, and the registrar. Any student found guilty of a second academic violation shall be expelled from the college. All academic misconduct actions must be reported to the chief academic officer for record keeping purposes.

2.6 Institutional Procedures:

In cases involving alleged academic offenses by students, instructors shall confer immediately with supervisors to determine appropriate sanctions for the student. Instructors shall meet with the student, explain the violation, the proposed sanction, and inform the student of his/her appeal rights.

Within ten (10) business days of the occurrence of an alleged student academic offense, an instructor shall submit, in writing, to the supervisor and the student, a description of the activity that resulted in the accusation of academic dishonesty and the decision of the instructor regarding the sanction and/or penalty. (Copies of letters should be forwarded to the chief academic and student affairs officers.)

2.7 Student Appeal:

The student shall have ten (10) business days from the date of the instructor’s letter in which to appeal, in writing, to the instructor’s supervisor. The student may appeal the fact of guilt and/or the severity of the sanction if the sanction is other than an assignment of a grade to the paper or test involved. In cases where the instructor is also the chair of the department, the appeal shall be submitted, in writing within ten (10) business days, to the chief academic officer. The instructor’s
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The supervisor should attempt to resolve all cases referred to the supervisor by student appeal to the satisfaction of the instructor and student. If the supervisor (or, in some cases, the chief academic affairs officer) upholds the decision of the instructor, the student may appeal, in writing, within ten (10) business days, to the chief executive officer or designee.

Upon reviewing the basis of the student appeal, the chief executive officer or designee may refer the case to the College Appeals Board.

The student shall have the right of class attendance and participation during the consideration of any appeal except in cases where outside agencies are used as a part of the student’s educational experiences. Precedence will be given to the terms of the agreement that have been negotiated between the College and the agency.

2.8 Responsibility of the College Appeals Board

Upon receipt of a student appeal and within two working days, the Chairperson of the Appeals Board shall invite the instructor, Division Chairperson and chief executive officer to file a statement with the Board within ten calendar days. The Board will, within ten calendar days of receipt of the statements, convene, review the appeal and any statements and then decide by majority vote whether to hear the case or not, except that it must hear all cases in which a student has appealed actual suspension or expulsion.

If the Board hears the case because of some question about the fact of the student's guilt, it shall have the authority to impose a final decision as to guilt. If the Board decides not to hear the case, the student has no further right of appeal within the College.

If the Board hears the case because of an appeal of the severity of the sanction, it shall recommend an appropriate sanction to the instructor or to the chief executive officer of the College in the case of dropping the student from a course or program. If the Board does not agree that such sanction be imposed, it shall return its decision and its recommendation of appropriate sanction to the chief executive officer who shall consult with the Division Chairperson and the faculty member as to the appropriate sanction. The instructor may refuse to accept a recommendation of the Appeals Board with respect to an appropriate sanction, but if the instructor does so, the Board shall have the authority to give the student a W in the course. If the Board decides not to hear the case, the student has no further right of appeal within the College.

When the Board hears a case in which the instructor and the chief executive officer have recommended actual suspension or expulsion, it may concur with the instructor and the chief executive officer, and recommend to the KCTCS Chancellors’ Office for approval and implementation that the sanction of actual suspension or expulsion be imposed. Suspension or expulsion decisions may be appealed to the KCTCS Board of Regents pursuant to KRS 164.370.

2.9 Composition of College Appeals Board

The College Appeals Board shall consist of six members: two full-time students and four faculty members. In addition, there shall be two student alternates and two faculty alternates who shall be selected on the same basis and with the same requirements as the regular members. All members of the Appeals Board and/or their alternates shall be expected to meet within 48 hours after notice from the Chairperson.

a. The Student Members - The student members must have sophomore standing, must have had one full year residence in the College and must be in good academic standing. They will be appointed by the chief executive officer or designee upon recommendation of the chief student
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affairs officer or the College's Student Affairs Committee by such methods and procedures as the chief executive officer shall deem appropriate. Their appointments shall be for one-year terms. A student may not serve concurrently on both the Appeals Board and the J-Board.

b. The Faculty Members - The faculty members shall be appointed to staggered three-year terms by the chief executive officer upon the recommendation of the chief academic affairs officer or the College’s Student Affairs Committee. The Chairperson shall be chosen from among the faculty members by like procedure.

c. Other Procedural Rules - A quorum for the conduct of business will be five members, not less than three of who are faculty members. If the Chairperson of the Appeals Board deems it necessary, the Chairperson may call upon legal counsel in order to assure the proper administration of a case. The Appeals Board shall establish such other procedural rules, not inconsistent with the provisions of this Code, which will ensure the orderly conduct of its functions.

d. Temporary Appointment to the Appeals Board - If a sufficient number of the members of the Appeals Board are not present at any time when that Board has duties to perform, the chief executive officer shall make such temporary appointments as are necessary to ensure that the required number of members are present. Such temporary appointments need not be preceded by the recommendation otherwise provided herein. However, in no case shall a faculty member be appointed to replace a student member, nor a student member to replace a faculty member.

ARTICLE III

POLICY GOVERNING ACCESS TO AND USE OF KCTCS COMPUTING RESOURCES  (Administrative Policy 4.2.5)

3.1 Two Basic Rights

Access to computing resources is granted to an individual by the Kentucky Community and Technical College System (KCTCS) solely for the grantee's own use. Every user of the KCTCS computing resources has two basic rights regarding computing:

1. Privacy
2. A fair share of resources

It is unethical and a violation of this policy for any person to violate these rights.

All users, in turn, are expected to exercise common sense and decency (due regard for the rights of others) with respect to the public computing resources, thereby reflecting the spirit of community and intellectual inquiry at KCTCS. Access is a right that may be limited or revoked if an individual misuses the right or violates applicable KCTCS policies or state or federal laws.

3.2 Principles Governing Use of Computing Resources

a. User access is granted to an individual and may not be transferred to or shared with another without explicit written authorization by the Vice President responsible for Information Technology, a designee, or the appropriate system administrator.

b. User access to computing resources is contingent upon prudent and responsible use.

c. The user may not use computing resources for any illegal or unauthorized act; in particular, the user may not use computing resources to violate any state or federal laws or any of the regulations
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specified in KCTCS policy or the student rights and responsibilities handbook (Code of Student Conduct).

d. The user may not use computing resources for any commercial purpose without prior written authorization from the Vice President (Information Technology), a designee, or the appropriate system administrator.

e. Computing resources must be shared among users in an equitable manner. The user may not participate in any behavior that unreasonably interferes with the fair use of computing resources by another.

3.3 Examples of Violations
Violations of these principles or any attempt to violate these principles constitutes misuse. Violations include, but are not limited to:

a. Sharing passwords or acquiring another's password without prior written authorization from KCTCS Information Technology or the appropriate system administrator.

b. Unauthorized accessing, using, copying, modifying, or deleting of files, data, user ids, access rights, usage records, or disk space allocations.

c. Accessing resources for purposes other than those for which the access was originally issued, including inappropriate use of authority or special privileges.

d. Copying or capturing licensed software for use on a system or by an individual for which the software is not authorized or licensed.

e. Use of computing resources for remote activities that are unauthorized at the remote site.

f. Causing computer failure through an intentional attempt to "crash the system," or through the intentional introduction of a program that is intended to subvert a system, such as a worm, virus, Trojan horse, or one that creates a trap door.

g. Intentional obscuring or forging of the date, time, physical source, logical source, or other header information of a message or transaction.

h. Interception of transmitted information without prior written authorization from KCTCS Information Technology or the appropriate system administrator.

i. Failure to protect one's account from unauthorized use (e.g., leaving one's terminal publicly logged on but unattended).

j. Violation of priorities for use of computing resources as established by an individual facility within the KCTCS.

3.4 Responses to Violations
Violation of this policy will result in action by the appropriate KCTCS office or agency. Violations of KRS 434.840 (Kentucky statutes dealing with unlawful access or use of a computer) may be referred to the Commonwealth Attorney or the police for investigation and/or prosecution. Similarly, violations of 18 U.S.C. Sec. 1030 (Federal laws dealing with unlawful access or use of a computer) may be referred to the Federal Bureau of Investigation.
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3.5 **KCTCS Sanctions**

KCTCS sanctions are imposed by the appropriate KCTCS authority and may include, but are not limited to, limitation or revocation of access rights and/or reimbursement to KCTCS for the computing and personnel charges incurred in detecting and proving the violation of these rules, as well as from the violation itself. Reimbursement may include compensation for staff work time related to the violation and for archiving information related to the incident. The usual rights and privileges of appeal apply.

3.6 **Investigating and Review of Charges**

When the Vice President responsible for Information Technology, a designee, or the appropriate system administrator has reason to believe that a violation may have occurred, he or she may initiate investigation and/or suspend computing privileges for the individual(s) involved, pending further investigation. If significant KCTCS sanctions are imposed, such action, together with an explanation of the causal events, shall be reported by the Vice President or the appropriate system administrator to the appropriate Chancellor's or Vice President's office.

In cases where a user's computing privileges are limited or revoked, a user should request a review of the action according to procedures established by KCTCS Information Technology before appealing through other KCTCS channels.

**ARTICLE IV**

**THE COLLEGE AS SUPERVISOR OF STUDENT ORGANIZATIONS**

The college recognizes the role that organized activities serve in enlarging the educational experience of the members of the college community. Intellectual and personal growth takes place in student organizations that have effective leaders and effective members. Membership in student organizations shall be limited to students, faculty, and staff of the college except Honor, Leadership, and Recognition Societies that may include other persons as provided for in their national constitutions.

4.1 **Types of Organizations:**

The college recognizes and encourages students to participate in the following types of organizations:

a. Honor, Leadership, and Recognition Societies;

b. Divisional Organizations and Professional Fraternities;

c. Political Organizations;

d. Governmental Organizations; and

e. Specialty Organizations (religious, athletic, military, etc.).

4.2 **Registration:**

The registration of any student organization is at the discretion of the college and is dependent upon the completion of the required application form and compliance with the rules and additional criteria, such as a probationary period, the college may set forth. Such criteria shall be established and published by the college and made uniform for all similar types of organizations.

Student organizations must be registered before they may use college facilities or property.
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4.3 Use of KCTCS Facilities (Excerpts Administrative Policy 3.3.16)

- In order to promote operational efficiency and to provide administrative flexibility within KCTCS, the KCTCS President … delegates this function to the president of each community college and director of each technical college.

- The System’s facilities shall be used only for educational, cultural, or charitable purposes, or other purposes as determined by the President for KCTCS in accordance with the KCTCS Board of Regents and the Rules of the Senate.

- College facilities shall not be used to further the interests of a political party or be used to advance or inhibit religion.

- College facilities shall be made available to college units and groups and non-college groups only after it has been determined that the facility has not been scheduled and is not otherwise expected to be used for academic functions.

- Solicitations by any college unit or group, or any non-college group, for subscriptions, sales of merchandise of any kind whatsoever, publications, or services upon college property (other than by the authorized stores, eating places, or vending operations of a college) are prohibited except upon written permission of the college president or director.

4.4 Procedural Guidelines for the Management and Use of Facilities in KCTCS (Excerpts Administrative Policy 3.3.16)

- All requests for the use of facilities by college units and groups and non-college groups shall be forwarded to the local college president or director or the president’s or director’s designee.

- All requests shall be in writing and received by the local college president or director or the president’s or director’s designee at least 48 hours prior to the scheduled event.

- All applications from college units and groups and non-college groups will be considered in order of receipt. Scheduled academic activities and community service functions shall have priority for the use of a college facility.

- The best interest of the college may make it necessary occasionally to cancel an event. When such a cancellation becomes necessary, the unit or group holding the reservation shall be given notice as far in advance as possible.

- Any organization or group using a college facility shall take proper care of the facility and its equipment and shall be financially responsible for any damage thereto during use resulting from abuse or neglect.

4.5 Advisors:

Advisors of organizations can be members of the college staff, faculty or any other responsible adult who is interested in the purpose of the organization and who will agree to carry out the responsibilities of an advisor.

Responsibilities
  a. Offer support and guidance to the organization in carrying out the purposes of the organization.
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b. Counsel and advise the officers of the organization as to their powers and responsibilities.

c. Attend regular and specially called meetings of the organization.

Each student organization will have two advisors. The college President/Director or designee may make exception to allow an organization have only one advisor when appropriate or necessary.

a. The membership of the organization may elect persons to be recommended to hold the position of advisor to the college President/Director or designee for approval.

b. When approval is not granted, the membership will be given the opportunity to submit additional names.

c. In absence of recommendations from the membership, the college President/Director or designee will appoint advisors.

4.6 Offenses:

Offenses as defined below are punishable when committed by student organizations, their visitors, or invitees:

a. Hazing by subjecting college students to unnecessary and excessive abuse, humiliation, or physical danger, or by committing any action or causing any situation that recklessly or intentionally endangers mental or physical health or involves the forced consumption of alcohol or drugs for the purpose of initiation into or affiliation with any organization.

b. Interference, coercion, or disruption that impedes, impairs, or disrupts the college mission, processes, or functions, or interferes with the rights of others on college property, or the rights of registered student organizations.

c. Conduct that is disorderly, abusive, drunken, violent, or excessively noisy.

d. Discrimination against any person due to race, color, national origin, age, marital status, sex, sexual orientation, political or religious affiliation or belief, except when the expressed and legitimate purposes of the organization require limitation as to sex or religion.

e. Knowingly enrolling as an official member or electing, appointing, or retaining as an elected or appointed officer or committee chairperson, any student on academic probation or under any disciplinary sanction that prohibits the student from holding such office.

f. Organizing, sponsoring, implementing, or conducting programs or activities that are disorderly or that are violations of law or college regulations.

g. Distributing obscene matter or knowingly organizing, sponsoring, implementing, or conducting programs or activities that contain indecent or obscene behavior.

h. Recurrent financial over-obligation and non-payment of debts financially delinquent to the college.

i. Any violation of college rules or policies that apply to registered student organizations or their use of college facilities or property.

4.7 Sanctions:

Student organizations are entities of the college and, therefore, without legal status. The chief executive officer or designee may impose sanctions up to and including refusal or cancellation of registration.

4.8 Right to Appeal:

Within 30 days of receipt of notice that the chief executive officer or authorized representative has refused or canceled the registration of an organization, the officers or proponents of such organization may appeal in writing to the chief executive officer or designee.
The chief executive officer or designee may either grant or reinstate the registration in question or refer the matter to the College Appeals Board. The Appeals Board shall forward its recommendation to the KCTCS Chancellor’s Office. The Chancellor’s decision shall be final.

ARTICLE V

NON-ACADEMIC DISCIPLINARY POLICIES AND PROCEDURES

5.1 General Regulations Concerning Student Behavior:

Students are responsible for knowing the college’s regulations, disciplinary procedures, and penalties. It should be emphasized that students are subject to criminal statutes and legal action, in addition to the college’s regulations and disciplinary system.

5.2 Disciplinary Offenses:

Though not an inclusive list, the offenses as defined below are punishable disciplinary offenses. Lack of intent may be asserted as an affirmative defense by any student charged with an offense listed below.

1. Material disruption or obstruction of teaching, research, administration, disciplinary proceedings, or any other college activities. Under no circumstances will fighting be tolerated while on college property or at off-campus events sponsored by the college.
2. Assault and/or battery.
3. Psychological abuse or harassment.
4. Participating in or inciting a riot or an unauthorized disorderly assembly.
5. Seizing, holding, commandeering, or damaging any property or facilities of the college or threatening to do so, or refusing to depart from any property or facilities of the college upon direction by college officials or other persons authorized by the institution.
7. Use of alcoholic beverages, including the purchase, consumption, possession, or sale of such items except where specifically authorized by state law and regulations of the college.
8. Failure to comply with the official and proper order of a duly designated college official.
9. Gambling or holding an unauthorized raffle or lottery.
10. Manufacturing, possessing, using, selling, or distributing any type of controlled substances or illegal drugs.
11. Use or possession of weapons (guns, knives, etc.) on college property, on one’s person, or in one’s motor vehicle.
12. Creating a fire or safety hazard or abusing/misusing safety equipment, or transmitting false fire alarms.
13. Littering.
14. Defacing, destroying, damaging, removing, or using public or private property without proper authorization.
15. Violating any rule or regulation not contained within the official college publications, but announced as administrative policy by the chief executive officer or his/her designee.
16. Encouraging or assisting others to commit any of the acts that are prohibited by the Code of Student Conduct.
17. Knowingly furnishing false information to the college, including the forgery, alteration, or misuse of college documents, instruments, or identification.
18. Unauthorized use of computers or word processors or unauthorized efforts to penetrate or modify the computer or word processing security system or any program software.
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19. Allowing children under age sixteen (16) to remain unsupervised while on campus.
20. Offering or passing a worthless check or failing to meet financial obligations of the college.
21. Failing to abide by any terms of any disciplinary sanctions properly imposed by a college official, committee, or agency.

5.3 Penalties and Sanctions:

The college has the authority to penalize or impose sanctions on students who violate college regulations. In determining possible sanctions, the college shall consider such matters as the nature of the particular offense, the welfare of the student and the college community, and the prior disciplinary record of the student. Usual sanctions are listed and explained in this section. In addition to these sanctions, other sanctions, as appropriate for a particular case, may be imposed. Each level of hearing body may use creative sanctions that are designed to be educational in nature.

1. Reprimand: Official written or oral statement to the student that he or she is guilty of violating a college regulation. A reprimand warns that any further such actions may result in a more severe sanction.
2. Restitution: Compensation to the college for damages to college property.
3. Social Probation: Status given to less serious policy violations, and in some cases, a restriction of privileges for a specified time.
4. College/Community Service: Service to the college or community of up to 16 hours be served within a specified time frame.
5. Educational Sanction: An educational sanction requiring attendance or participation in a pre-arranged class, program, or activity designed to prevent or deal with high-risk behavior.
6. Counseling: Student may be referred to counseling evaluation on appointment by Counseling Services.
7. Eviction: Forced removal from a classroom or other college property.
8. College Probation: Status that carries a severe warning that any further violation of college regulations that may result in the student going before the College Appeals Board for consideration of suspension or expulsion. This may include restrictions of privileges for a specified period of time.
9. Suspension: Forced withdrawal from the college for a specified period of time or until stated conditions have been met as determined by the College Appeals Board.
10. Immediate Suspension: A student may be suspended immediately when:
   a. In the judgment of the chief executive officer (upon consultation with the chief student affair’s officer), the presence of the student poses a serious threat to persons and/or property provided informal opportunity is first given to the student, except in the case of exigent circumstances, to discuss the matter and possible resolution.
   b. The student refuses to cease disruptive behavior or conduct in violation of this policy after direct orders from the chief executive officer (upon consultation with the chief student affair’s officer).
   c. When such suspension is involved, the student must leave the campus immediately. Students refusing to do so will be removed by law enforcement authorities and charged with trespassing.
   When a student is placed on immediate suspension, a disciplinary hearing will be held at the earliest reasonable time. (See Section 5.6.)
11. Expulsion: Permanent, forced withdrawal from the college as determined by the College Appeals Board.

5.4 Enforcement:

All college personnel are responsible for enforcing college rules and regulations. When a violation is observed, it should be reported in writing to the chief student affairs officer. The accused will be
notified in writing of the charge and an impeding hearing. The college reserves the right at all times to take such prompt action as may be needed to preserve the peace, integrity, and safety of the educational process and campus environment.

### 5.5 The Procedures

#### 5.5.1 The Role of the Chief Executive Officer in Student Disciplinary Matters

5.5.1.1 When the chief executive officer or designee, after investigation into an alleged violation of the disciplinary rules, believes a student has committed a disciplinary offense defined in Section 5.2, the chief executive officer or designee shall notify and charge the student with said offense. Thereafter, the chief executive officer or designee shall notify the student of “The Rights of the Accused” (See Section 5.5.1.5), after which the chief executive officer or designee may solicit a plea of guilty or not guilty, which shall be in writing and notarized.

5.5.1.2 When a student enters a plea of guilty, the chief executive officer or designee shall confer with the student and outline proposed disciplinary action as defined in Section 5.3 and/or counseling. Any information obtained from the student during a counseling session is strictly confidential and inadmissible in any judicial proceeding of the College except in cases where the student withdraws from the counseling process or refuses to comply with the conditions of the counseling process.

5.5.1.3 The accused shall enjoy the right to choose an advisor to assist during all preliminary conferences and judicial hearings and shall be informed of this right. However, the student is not entitled to an advisor during any counseling session except at the request of the chief executive officer or designee.

5.5.1.4 If the chief executive officer or designee and the student are unable to resolve the matter to their mutual satisfaction in the counseling process, the chief executive officer or designee shall forward the reports and evidence concerning the case to the College Judicial Board for evaluation and possible prosecution. The chief executive officer or designee is thereafter concerned with keeping the records of the College Judicial Board and Appeals Board and in aiding the student to comply with any sanction decreed by either Board.

5.5.1.5 To guarantee that a student receives due process, the following elements will be made available to the parties involved:

1. Published rules, regulations, and procedures (including, but not limited to, the KCTCS Catalog and KCTCS Code of Student Conduct).
2. Written notice of the charge(s) violating rules and regulations.
3. A hearing or oral proceeding before an administrative officer or committee.
4. Information about witnesses who may give evidence to support the charge(s) and the hearing.
5. Right to have counsel at the hearing to advise the student, but counsel may not participate in the hearing.
6. A written record of the hearing.
7. A prompt written decision within ten (10) business days following deliberations.
8. Information about appeals procedures.

5.5.1.6 Within the rights of the student at a College, the chief executive officer or designee may contact the parents, or other persons as the chief executive officer or designee deems appropriate in matters of discipline only if the student is under eighteen years of age or consents.

5.5.1.7 All student complaints involving rights stated herein shall be reported to the chief executive officer or designee within 30 days of their occurrence. Complaints reported after this period or which otherwise come to the attention of the chief...
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

executive officer or designee may be acted upon according to the chief executive officer’s determination of the circumstances.

5.5.1.8 The chief executive officer or designee shall investigate each student complaint to determine whether it contains merit.

a. If the chief executive officer or designee decides that it does contain merit, the chief executive officer or designee shall use moral persuasion, negotiation, personal appeal, and the prestige of the chief executive officer’s or designee’s office to settle the case to the chief executive officer’s or designee’s satisfaction and that of the student.

b. When the chief executive officer or designee is unable to satisfy the complaint to the satisfaction of the student or when the chief executive officer or designee has notified the student that the complaint does not contain merit, the student has the right to appeal within 30 days to the College Appeals Board.

5.5.1.9 The chief executive officer or designee shall have broad investigatory powers in nonacademic cases and shall receive prompt and full cooperation from students, student organizations, faculty and administrators. The chief executive officer or designee may recommend policies or practices that should be terminated, modified or initiated to the Student Government, the Senate Council, division heads, or other appropriate persons.

5.5.2 The College Judicial Board

Each College shall have a Judicial Board, hereinafter referred to as the J-Board, with original jurisdiction over cases involving alleged violations by students and the stated College disciplinary offenses defined in Section 5.2.

5.5.2.1 Authority

The J-Board shall have the sole authority to determine the issue of guilt in those cases referred to it pursuant to Section 5.2. It shall have the sole authority to impose sanction(s) short of actual suspension or dismissal upon any student found guilty of a violation of College disciplinary rules defined in Section 5.2. If the J-Board believes that actual suspension or dismissal is the appropriate remedy, it shall recommend such action to the chief executive officer or designee.

5.5.2.2 Composition

The J-Board shall consist of ten students, five male and five female. The college shall make every effort to ensure proportionate ethnic diversity. There shall be two co-chairpersons, one male and one female. In order for any proceeding to be taken against a student for a violation of College rules, at least five members of the J-Board must be present to hear the case, with at least two members of each sex represented. Prior to the hearing, the student may request that the Board be comprised of the student’s sex only. Any decision of the J-Board must be by a majority of the members of the Board hearing the case.

5.5.2.3 Eligibility Requirements

Any student, who is enrolled in at least six (6) hours of coursework and has earned at least twelve (12) credit hours in residence in the College and who is a student in good standing is eligible for appointment to the J-Board. Consideration will be given to academic standing of the students.

5.5.2.4 The Appointment Process

a. The chief student affairs officer or the Student Affairs Committee shall nominate all applicants for membership and forward those who have been nominated to the President of the Student Government or equivalent organization, who, with the advice and approval of the chief executive officer of the College, shall make the final appointment of the J-Board members.
b. Any member of the J-Board is obliged to withdraw from participation in a hearing when the member feels unable to hear the case fairly and objectively and to decide its outcome impartially on the basis of the evidence presented.

c. Representatives of the College administration and the accused shall have the right to challenge, for cause, any member of the J-Board. Any challenge(s) shall be submitted in writing to the chief executive officer no later than twenty-four hours prior to the established date of the hearing. Any challenge(s) shall be sustained or denied by the chief executive officer. Should such challenge(s) be sustained, the alternate shall be appointed by the chief executive officer.

5.5.2.5 Terms of Office
Students selected for membership on the J-Board will serve one year terms or, at the discretion of the chief executive officer, a term not exceeding three semesters.

5.5.2.6 Absences
Three unexcused absences in any one semester shall constitute automatic dismissal from the J-Board. The J-Board, acting as a unit, may make such additional regulations regarding absences as it may deem appropriate. All requests for excused absences shall be made to the chief executive officer whose decision shall be final.

5.5.2.7 Temporary Appointments to the Judicial Board
If a sufficient number of the members of the College Judicial Board are not present at any time when that Board has duties to perform, the President of the Student Government Association or equivalent organization, with the advice and consent of the chief executive officer of the College, shall make such temporary appointments as are necessary to ensure that the required number of members are present. Such temporary appointments need not be preceded by the recommendations otherwise provided herein.

5.5.3 The College Appeals Board
There shall be a College Appeals Board with appellate jurisdiction over all decisions of the College Judicial Board and over decisions of any faculty members on matters of College academic offenses.

5.5.3.1 Jurisdiction on Cases of Disciplinary Offenses

a. Within 30 days after receipt of the decision of the College J-Board, any accused student may appeal in writing to the chief executive officer for review by the College Appeals Board of the J-Board’s finding of guilt or for review of the nature or severity of the sanction imposed or recommended by the J-Board. The chief executive officer shall forward the appeal to the Chairperson of the College Appeals Board for the appropriate action.

b. If the chief executive officer believes that the sanction imposed by the J-Board was inappropriate for the offense committed, the chief executive officer may request a review thereof by the College Appeals Board. Such a request shall be directed to the Chairperson of the College Appeals Board within 30 days of the decision by the J-Board.

5.5.3.2 Disposition of Cases of Disciplinary Offenses

a. If the student appeals on the issue of fact regarding commission of the offense, the College Appeals Board shall review the evidence, and its decision shall be final.

b. If the student requests a review of the sanction, the College Appeals Board shall recommend what it believes to be the appropriate sanction to the chief executive officer who shall set the sanction.

c. Any decision and/or recommendation by the College Appeals Board must be by a majority of those members sitting on the case.
Article II is subject to review and recommendation of the Faculty Senate Councils on February 15, 2002.

5.6 Temporary Sanctions

In the event that the chief executive officer (upon consultation with the chief student affairs officer) has reasonable cause to believe that a student’s presence may result in injury to the student, others, or College property, or in the event that the student has been charged with a crime so serious as to threaten the welfare of the College community, the chief executive officer may impose such temporary sanctions necessary to protect members of the College community or its property including expulsion from College property. Upon taking such action, the chief executive officer shall notify the College Appeals Board and the affected student of his or her rights to be heard. The student may appeal the chief executive officer’s decision to the College Appeals Board in writing within 30 days. If requested in the written appeal, the Chairperson shall call a meeting of the Board to hear the case within 48 hours, or as soon as practicable thereafter. The Board shall consider the student's academic needs to attend class, use the library, and fulfill other academic responsibilities in making its recommendation. This Board may recommend to the Chancellor changes or extensions of the chief executive officer’s action. The Chancellor then shall determine the sanctions to be imposed. Such temporary sanctions shall be enforced only for such time as the conditions requiring them exist. Accordingly, the College official who made the final determination of the sanction to be imposed shall have jurisdiction for the purpose of reconsidering this sanction in the light of new circumstances. Alternatively, the circumstances shall be reviewed by the Board whenever there are indications that they have changed and upon an appeal in writing from the student involved.
COMPLIANCE STATEMENT

The Kentucky Community and Technical College System is committed to a policy of providing educational opportunities to all qualified students regardless of economic or social status, and will not discriminate based on race, color, religion, sex, marital status, beliefs, age, national origin, sexual orientation, or physical or mental disability.

Compliance with Title IX of the Educational Amendments of 1972, which prohibits sex discrimination, and with Title VI of the Civil Rights Act of 1964 is coordinated by the Director of Diversity Programs, KCTCS, 2750 Research Park Drive, P.O. Box 14092, Lexington, Kentucky 40512-4092 (phone 859-246-3100, ext. 3201).

Efforts to comply with the laws and regulations applicable to people with disabilities, as required by Section 504 of the Rehabilitation Act of 1973 (revised 1992), and the Americans with Disabilities Act of 1990, are also coordinated by the Director of Diversity Programs.

Questions concerning compliance with regulations may be directed to the Kentucky Community and Technical College System’s Executive Director of Human Resources, 2780 Research Park Drive, P.O. Box 14092, Lexington, KY 40512-4092, (859) 246-3113, or to the Director of the Office of Civil Rights, U.S. Department of Education, Philadelphia, PA.

The Kentucky Community and Technical College System is in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. Questions may be directed to the KCTCS Student Affairs Division or the Human Resource Coordinator’s Office at each college.

Questions about admissions to any college within the Kentucky Community and Technical College System should be directed to the appropriate admissions office.
6.1 **KCTCS Code of Student Conduct**

6.1.1 **The Community College Code of Student Conduct: Rules, Procedures, Rights, and Responsibilities**


6.1.2 **The Technical College Code of Student Conduct: Rules, Procedures, Rights, and Responsibilities**

Student rights, procedures, and responsibilities are covered in a handbook entitled, “Technical College Branch Code of Student Conduct.”

The KCTCS Student Code of Conduct is an integrated code of student conduct for all KCTCS colleges. The following sections are included in the KCTCS Code:

- **Article I: Student Rights and Responsibilities**
- **Article II: Academic Policies and Procedures**
- **Article III: Policy Governing Access to and Use of KCTCS Computing Resources**
- **Article IV: The College as Supervisor of Student Organizations**
- **Article V: Non-Academic Disciplinary Policies and Procedures**

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104