

In order to sustain an environment which supports optimal learning opportunities and promotes personal growth the American University of Kuwait has expectations for all community members. All members of the University community (students, faculty, and staff) must adhere to the guidelines and policies set forth by the institution. These expectations are outlined through University codes, policies, and procedures to indicate the ethical standards and organizational values by which AUK operates as an institution of higher education.

Three different University codes are included in this section providing general statements and guidelines outlining the expectations by which members of the University community should conduct themselves, including specific policies and procedures.

- I. University Code of Conduct
- II. Student Rights & Responsibilities
- III. Student Code of Conduct
- IV. Code of Academic Honesty and Integrity

In addition to the specific policies and procedures outlined in this section, general explanations of student rights & responsibilities are further explained. The University Code of Conduct, Student Code of Conduct and the Code of Academic Honesty and Integrity intend to provide an overarching general statement, which outlines acceptable and unacceptable behavior for AUK students as well as appropriate disciplinary procedures and sanctions.

AUK provides policies and procedures for students to address instructional and non-instructional issues. Students shall follow the steps outlined in the University Catalog and Student Handbook, in addition to other policies or procedures that may not be included in this publication, although students are not precluded from appealing issues not specifically identified therein.

I. UNIVERSITY CODE OF CONDUCT

Applicability: This Code of Conduct applies to:

- a. all American University of Kuwait (AUK) employees, including faculty, staff, and student-workers, when working for the University or otherwise engaged in activities that are in the course and scope of their employment with the University;
- b. consultants, vendors, and contractors as they do business with the University when required by contract;
- c. individuals who perform services for the University as volunteers, including the Trustees, and those who assert an association with the University; and
- d. students of AUK when on campus or off-campus in a University-sponsored activity.

The code refers to all these persons as “members of the University community” or “community members.”

1. INTRODUCTION AND PURPOSE

a. Introduction:

As members of the University community, all faculty, staff, students, members of the Board of Trustees, University officers, and affiliates are responsible for sustaining the highest ethical standards of this institution, and of the broader community in which we function. The University values honesty, integrity, fairness, and responsible stewardship, and strives to integrate these values into all that we do, as reflected in the Faculty Manual, Student Code of Conduct, Administrative Policies and Procedures, and all other University policies. This Code of Conduct is intended to provide an overarching general statement that supplements, but does not replace, existing University policies and codes. Other University policies and codes provide more specific guidance and must be used as appropriate.

b. Purpose:

In this spirit, this Code of Conduct (the “Code”) is a shared statement of our commitment to upholding the ethical, professional and legal standards we use as the basis for our daily and long-term decisions and behavior. We will all be cognizant of, and comply with, the relevant policies, standards, laws, and regulations that guide our efforts. We are each individually accountable for our own actions and, as members of the University community, are collectively accountable for maintaining these standards and for compliance with all applicable laws and policies.

2. STANDARDS OF INTEGRITY AND QUALITY

The University recognizes the importance of maintaining a reputation for integrity that includes, but is not limited to, compliance with laws and regulations and its contractual obligations. AUK strives at all times to maintain the highest standards of quality and integrity.

Frequently, the operating activities and conduct of the community members of AUK are not governed by specific laws or regulations. In these instances, rules of fairness, honesty, and respect for the rights of others, for local tradition and values, and for shared global human values govern our conduct at all times. In addition, each individual is required to conduct University business and academic activities with the utmost honesty, professionalism, accuracy and fairness.

3. COMPLIANCE WITH LAWS

The University is in a heavily regulated environment. Compliance with laws is important as a matter of principle. Members of the University community will conduct University activities in compliance with applicable laws, regulations, and University policies and procedures. Administrators, supervisors, and faculty are responsible for teaching and monitoring compliance. When questions arise pertaining to interpretation or applicability of policy, the

individual with a question should contact the appropriate individual or office that has oversight responsibility for the policy.

4. CONTRACTUAL OBLIGATIONS

The acceptance of an agreement may create a legal obligation on the part of the American University of Kuwait to comply with the terms and conditions of the agreement and applicable laws and regulations. Therefore, only individuals who have authority delegated by an appropriate University official are authorized to commit to, or enter into agreements on behalf of the University.

5. CONFIDENTIALITY AND PRIVACY

On behalf of the University, community members receive and have access to various types of confidential, proprietary and private information. Each community member will comply with all Kuwait laws and regulations, agreements with third parties, and University policies and principles pertaining to the use, protection and disclosure of such information. No unauthorized use or disclosure of such information is allowed either during the community member's association with the University or after the association with the University ends.

6. CONFLICT OF INTEREST

Community members are responsible for being familiar with, and are bound by, applicable conflict of interest policies. Outside professional activities, private financial interests or the receipt of benefits from third parties can sometimes cause an actual or perceived divergence between the University mission and an individual's private interests.

7. HUMAN RESOURCES

The American University of Kuwait is an institution dedicated to the pursuit of excellence and facilitation of an environment that fosters this goal. Central to that institutional commitment is the principle of treating each community member fairly and with respect. To encourage such behavior, the University prohibits discrimination and harassment and provides equal opportunities for all community members and applicants regardless of their sex, race, religion, age, disability, or any other basis prohibited by Kuwait laws. Where actions are found to have occurred that violate this standard, the University will take prompt action to cease the offending conduct, prevent its recurrence and discipline those responsible.

8. FINANCIAL REPORTING

All University accounting entries, accounts, financial reports, expense reimbursements, time sheets, and other documents, including supporting documentation, must be accurate, clear and complete, and in accordance with applicable policies, agreements, standards, and regulations.

9. USE OF UNIVERSITY RESOURCES

University resources are reserved for operating purposes on behalf of the University in the pursuit of its mission. They may not be used for personal gain, and may not be used for personal use except in a manner that is incidental and reasonable in light of the person's role and responsibilities. University resources include, but are not limited to, the use of University systems, such as telephone systems, data communication and networking services, and the American University of Kuwait domain for electronic communication forums; and the use of University equipment, such as computers and peripherals, University vehicles, and other equipment; and the use of procurement tools such as credit/purchasing cards and petty cash; and the time and effort of other staff, students, and others at the University.

10. PROFESSION-SPECIFIC STANDARDS

Some professions and disciplines represented at the University are governed by standards and codes specific to their profession. Those professional standards generally advance the quality of the profession and/or discipline by developing codes of ethics, conduct, and professional responsibility and standards by which their members are guided. Those belonging to such organizations are expected to adhere to University policies and codes of conduct in addition to any professional standards. If a community member believes there is a conflict between a professional standard and University policy, s/he will consult with the appropriate member of the University administration.

11. REPORTING POSSIBLE VIOLATIONS

Members of the AUK community should report possible violations of applicable laws, regulations, contractual requirements, or other violations of this Code. The reporting should be made through avenues specified in applicable University policies and codes, normally beginning with the immediate supervisor. In the absence of applicable University policies and reporting processes, possible violations should be reported to the Executive Assistant to the President, the Executive Director of Finance and Administration, or by email to president@auk.edu.kw. Reports may be made confidentially, and the University will make every effort to honor confidentiality to the extent it does not conflict with external regulations and laws.

Each report will be reviewed as timely as possible, and at the appropriate level within the University. If a report involves an issue that should be dealt with through processes identified in other published University policies and codes, an appropriate and timely referral will be made. The Executive Committee of the Board of Trustees will receive regular reports of compliance violation from the Executive Director of Finance and Administration or the Office of the President.

12. CONSEQUENCES OF VIOLATION

Community members should recognize that noncompliance can have severe adverse financial

and other consequences, potentially affecting the reputation and operations of the entire University. Violation of the Code, of laws and regulations, or of related University policies and procedures may carry disciplinary consequences up to and including dismissal.

13. QUESTIONS

Please direct questions regarding the intent or applicability of this Code to the Executive Assistant to the President.

II. STUDENT RIGHTS & RESPONSIBILITIES

The American University of Kuwait student standards are founded on the premise that the exercise of individual rights must be accompanied by an equal amount of responsibility. This assures that the same rights are not denied to others. By accepting membership in the University community, a student acquires rights as well as responsibilities to the whole University community. The American University of Kuwait acknowledges the existence of both student rights and student responsibilities within an institution of higher learning and amidst the AUK community. The following sections outline these student rights and responsibilities.

STUDENT RIGHTS

American University of Kuwait students should expect quality instruction and support services delivered by a dedicated team of engaged faculty and staff. AUK students have the following general rights as outlined:

These rights include, but are not limited to:

- The right to be treated equally in academic and social settings
- The right to attend classes in a physically safe environment
- The right to be free from discrimination and harassment
- The right to express diverse opinions
- The right to learn without disruption
- The right to due process
- The right to access academic and support services that enhance student learning
- The right to explore personal growth and development
- The right to participate in the creation of knowledge
- The right to know academic requirements and to be evaluated fairly
- The right to be informed of, and share opinions on, matters affecting the University community
- The right to have access to leadership development opportunities
- The right to participate in free and responsible journalism
- The right to engage in educational opportunities that enhance learning outcomes, both within and outside of the campus community
- The right to form student organizations and peacefully assemble on campus property per

the guidelines set forth in University policy.

STUDENT RESPONSIBILITIES

In addition to the above rights all AUK students have responsibilities inherent to members of the University community. Admission to the American University of Kuwait is a privilege; and the mission, values, policies, and procedures of the University are accepted by each student upon his/her admission and subsequent voluntary registration. A student has the responsibility to recognize that student actions reflect upon the individuals involved and upon the entire University community. All AUK students are responsible for upholding University policies and promoting the highest standards of moral and ethical responsibility.

General responsibilities include, but are not limited to:

- Personal responsibility and accountability for one's own actions
- Responsibility to maintain the property and facilities of the University
- Responsibility for showing respect to faculty, staff, and fellow students
- Responsible for cultivating personal growth and development
- Responsibility to pursue educational opportunities to the best of one's ability
- Responsible for academic progression and career planning
- Responsibility to participate in campus life
- Responsible for approaching differing and diverse viewpoints with an open mind
- Responsibility to recognize the value of diversity and an exchange of ideas within a University community
- Responsibility to the community
- Responsible for being acquainted with and complying with rules and regulations (both academic & social)
- Responsibility to maintain a positive image of the University

Please Note: Specific standards of behavior are outlined in the Student Code of Conduct section.

Confidentiality of Records: *The University and its offices respect the rights of students and their parents or guardians with respect to the confidentiality of student records. Limited student records, may be released to family members or third parties only with the written consent from the student. Students may sign and submit a waiver form providing specified individuals access to information as indicated on the waiver. Counseling information and records are privileged and may be released to third party individuals only as their requests comply with laws, court orders and subpoenas, and circumstances involving the safety of persons or property.*

III. STUDENT CODE OF CONDUCT

Upon admission to the American University of Kuwait, students agree to act responsibly in all areas of personal and social conduct and to take full responsibility for their individual and collective action. Because learning can only be achieved in an atmosphere free of intimidation and coercion, students shall observe local and country laws as well as the academic and behavioral regulations of the American University of Kuwait.

The American University of Kuwait is committed to facilitating the academic and personal growth of students as outlined in the University mission statement. Behavior that is in conflict with these processes will not be tolerated. Violations of institutional policy including campus safety regulations, institutional operational procedures, misuse of campus facilities, and actions which impede upon the educational process are subject to disciplinary sanctions. Any student or student organization found to have committed a violation of University policy, either on or off campus, is subject to the disciplinary sanctions outlined in this Student Code of Conduct.

Definitions for specific terms used within the Student Code of Conduct may be found at the end of section III.

CONDUCT REGULATIONS

1. CAMPUS WELFARE & SAFETY

1.1 Non-physical misconduct:

Verbal abuse, harassment, threats, intimidation, and/or other non-physical conduct which endangers the physical or emotional health or safety of any person.

1.2 Physical misconduct:

Physical abuse, threats, inappropriate physical contact, or contact which causes bodily harm, coercion and/or other conduct, which endangers the physical or emotional health or safety of any person.

1.3 Endangering Behavior

Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action, whether intentionally or as a result of recklessness or gross negligence.

1.4 Hazing:

Persecuting, humiliating, or harassing another on campus. Especially when related to the initiating process of a campus group or organization.

1.5 Fire Regulations:

Abuse, removal, tampering or wrongly activating fire and safety equipment. Falsely reporting a fire or dangerous materials on campus, or failure to comply with fire and safety regulations.

1.6 Controlled Substances:

Use, possession or distribution of narcotics or other controlled substances is a violation of State law and against AUK regulations except as expressly permitted by law.

1.7 Alcohol:

Use, possession or distribution of alcoholic beverages is not permitted by State law and AUK regulations.

1.8 Weapons and Dangerous Materials:

Illegal or unauthorized possession of firearms, explosives, other weapons, dangerous chemicals, or other dangerous articles or substances on AUK premises.

AUK has a zero tolerance policy for drugs and alcohol use, weapons and dangerous materials brought to campus or any University sanctioned event, and physical altercations. Such violations of the Code of Conduct are subject to immediate dismissal from the University.

1.9 Discrimination as defined in AUK Policy

See details later in this section

1.10 Sexual Harassment as defined in AUK Policy

See details later in this section

1.11 Violation of Law and AUK Discipline:

- a. Violation of local or country law on AUK premises or at AUK sponsored or supervised activities.
- b. If a student is charged only with an off-campus violation of the law, but not with any other violation of the Code, disciplinary action may be taken and sanctions imposed for grave misconduct that demonstrates flagrant disregard for the AUK community and/or disrupts the educational mission of the University.
- c. AUK disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of this Student Code. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
- d. When local authorities with a violation of law charge a student, AUK will neither request nor agree to special consideration for that individual because of his/her student status. If the alleged offense is also the subject of a proceeding before the Code of Conduct Committee under the Student Code, AUK may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the AUK community.
- e. AUK will cooperate fully with law enforcement and other agencies to the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

2. UNIVERSITY OPERATIONS

2.1 Dress code:

AUK Students are expected to abide by the values and traditions of Kuwaiti society; inappropriate dress for males and females is prohibited. This includes, but is not limited to, clothing bearing suggestive or offensive language or graphics, tank tops, low cut blouses, short clothing, and revealing clothes which show too much skin or expose the waist or back.

2.2 Inappropriate Conduct

Conduct which violates Islamic values, practices, beliefs; or that violates AUK's expectations on personal conduct either on AUK premises or at functions sponsored by, or participated in by AUK.

2.3 Disorderly Conduct:

Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on AUK premises or at functions sponsored by, or participated in by AUK.

2.4 Offensive Material:

Students are not to produce, view, store, possess, or transmit materials which are of an offensive nature (including harassing or obscene). Although personal opinions as to what is considered offensive may vary, the following items are viewed as offensive: lewd images, excessively violent or graphic content, and items considered to be discriminatory or demeaning in content.

2.5 Disruption:

Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other AUK activities, including its public-service functions on or off campus, or other authorized non-AUK activities, when the act occurs on AUK premises. See disruptive student policy later in this section.

2.6 Disruptive Student as defined in AUK Policy

See disruptive student policy later in this section

2.7 Unauthorized Demonstration:

Participation in a campus demonstration which disrupts the normal operations of AUK and infringes on the rights of other members of the AUK community, or leading or inciting others to disrupt scheduled and/or normal activities within any campus/center building or area, or intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

2.8 Non-Compliance with Directions:

Non-compliance with directions of AUK officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

2.9 University Identification:

Failure to adequately identify oneself and/or produce a valid AUK student identification card to a University official or designee upon request, including Campus Security. Every effort will be made to abide by cultural standards when requesting student identification.

2.10 University Guests & Visitors:

Failure to comply with University regulations regarding guests and visitors. Students are responsible for all actions of their guests while on campus.

2.11 Pets

Students are not permitted to be in possession of animals on campus as they may cause a health or emotional risk to others. Special circumstances must be authorized in advance by the University administration.

Please note: this does not apply to animals which aid those living with a disability.

2.12 Unauthorized Soliciting

Unauthorized soliciting, selling or promoting private business by any individual, group, or organization on University Campus or any University event or function without authorization is a violation of the Student Code of Conduct.

2.13 Charitable Fundraising

All student fundraising initiatives must be registered and approved in advance through the Division of Student Affairs. Students or student organizations must submit in writing the following:

- a. For whom the funds are being raised,
- b. When, how, and for how long funds will be collected,
- c. How funds will be stored,
- d. Date the funds will be distributed and to whom (i.e. Red Crescent, etc.)

In addition, the total amount raised must be announced on campus, and written confirmation of the delivery of funds to the appropriate parties must be submitted to the Division of Student Affairs.

2.14 Violation of published AUK policies/procedures, rules or regulations.

2.15 Bribery:

Offering or giving money or any item of service to an AUK employee for the purpose of attempting to obtain assistance that would not have otherwise been provided.

2.16 Abuse of the student discipline system, including but not limited to:

- a. Failure to appear before the Chief Student Affairs Officer, Code of Conduct Board Chair, Code of Conduct Board, or other AUK officials when requested to do so.

- b. Falsification, distortion, or misrepresentation of information presented as part of the adjudication process.
- c. Disruption or interference with the orderly conduct of the disciplinary hearing and overall process.
- d. False accusations of student misconduct knowingly without cause.
- e. Attempting to discourage an individual's proper participation in, or use of, the student discipline system.
- f. Attempting to influence the impartiality of a member of the Code of Conduct Board prior to, and/or during the course of, the Code of Conduct Hearing.
- g. Harassment (verbal or physical) and/or intimidation of a member of the student disciplinary process, including the Code of Conduct Board prior to, during, and/or after the Conduct Hearing.
- h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
- i. Influencing or attempting to influence another person to commit an abuse of the student discipline system.

3. UNIVERSITY FACILITIES, PROPERTY, & RESOURCES

3.1 Unauthorized Usage of University Facilities

Enter or use AUK facilities or property without consent or authorization.

3.2 Unauthorized Usage of University Resources

Use of University resources for unauthorized activities or applications is prohibited. Usage of resources should be in alignment with a person's role and responsibilities at the University. University resources include, but are not limited to, the use of University systems, and the use of University equipment, such as computers and peripherals, and other property; and the use of petty cash; and the time and effort of other staff, students, and others at the University.

3.3 Unauthorized usage of University Materials/Falsely Representing AUK

Misuse of any University document, record, or instrument of institutional identification. Failing to use University identification documents in a manner other than their intended use is strictly prohibited. Usage of any such items, including the University logo, seal, and mascot require prior approval.

3.4 Theft or Damage to Property:

Attempted or actual theft of and/or damage to property of AUK or property of a member of the AUK community or other personal or public property.

3.5 Keys:

Unauthorized possession, duplication, or use of keys to any AUK premises or unauthorized entry to or use of AUK premises.

3.6 Obstruction of Movement:

Obstruction of the free flow of pedestrian or vehicular traffic on any AUK premises or at AUK sponsored or supervised functions.

3.7 Computer Usage:

The use of AUK computing systems for purposes unrelated to the mission of AUK is prohibited, although AUK computing systems and services may be used for personal purposes provided that such use does not directly or indirectly interfere with the operation of computing facilities, interfere with the computer user's obligations to AUK, or violate AUK policies or the laws of the State of Kuwait. The following outlines some, but not all, prohibited actions related to AUK computing systems and services:

- a. Sending or posting confidential material, trade secrets, proprietary information outside AUK.
- b. Infringing on the privacy of others or using or disclosing someone else's username or password without authorization, or attempting to break into the computer system of AUK or another organization or person.
- c. Sending or posting chain letters, solicitations, or advertisements unrelated to AUK business purposes or activities, or using AUK computing systems and services for any sort of unauthorized usages.
- d. Sending or posting discriminatory, harassing, threatening messages, images, or sending or posting messages that defame or slander other individuals.
- e. Violating copyright law, failing to observe licensing agreements.
- f. Participating in the viewing or exchange of inappropriate or obscene materials.
- g. Jeopardizing the security of AUK's computing systems and services, or tampering with or falsifying electronic information.

4. DISHONESTY & FALSE REPRESENTATION

4.1 Dishonesty, including but not limited to the following:

- a. Cheating, plagiarism, or other forms of academic dishonesty. The term "cheating," includes but is not limited to, copying homework assignments from another student; working together with another individual on a take-home test or homework when specifically prohibited from doing so by the instructor, looking at text, notes or another person's paper during an

examination when not permitted to do so. Cheating also includes the giving of work information to another student to be copied and/or used as his/her own. This includes but is not limited to, giving someone answers to exam questions either when the exam is being given or after having taken an exam; informing another student of specific questions that appear or have appeared on an exam in the same academic term; giving or selling a term paper, report, project or other restricted written materials to another student.

b. The term “plagiarism” includes, but is not limited to, an attempt of an individual to claim the work of another as the product of his/her own thoughts, regardless of whether that work has been published. Plagiarism includes, but is not limited to, quoting improperly or paraphrasing text or other written materials without proper citation on an exam, term paper, homework, or other written material submitted to an instructor as one’s own work. Plagiarism also includes handing in a paper to an instructor that was purchased from a term paper service or downloaded from the Internet and presenting another person’s academic work as one’s own. Individual academic departments may provide additional examples in writing of what does and does not constitute plagiarism, provided that such examples do not conflict with the intent of this policy.

4.2 Furnishing false information to any AUK official or faculty member.

4.3 Forgery, alteration, or misuse of any AUK document, record, or instrument of identification.

4.4 False Representation:

Contracting or representation in the name of the University.

4.5 Tampering with the election of any recognized AUK student organization.

4.6 Recording Prohibition

Students may not make an audio or video recording of an instructor or speaker without prior consent. However, if such recording is a Disabilities Act accommodation, such consent must be granted.

Breaches of the University’s policies pertaining to academic dishonesty may result in academic penalties and/or disciplinary action at the discretion of the instructor. Academic penalties may include, but are not limited to, a failing grade for the particular assignment or a failing grade for the particular course. The Code of Academic Honesty and Integrity and procedures for violations are outlined in the Academic Catalog. Additionally, the student may be referred to the Director of Student Life, or designee, for violations of the Student Conduct Code if applicable.

5. STUDENT ORGANIZATIONS

Student organizations, members and officers individually and collectively, may be held accountable when an alleged offense is committed by one or more members or guests of the

organization, and any of the following conditions apply:

5.1 The offense occurred at an event that was sanctioned by an officer of the organization.

5.2 Organizational/University funds are used to finance the activity that is considered in violation.

5.3 The event where the offense occurred is substantially supported by the organization's membership.

5.4 Members with knowledge of the forthcoming violation did not attempt to prevent the infraction.

5.5 The organization fails to report or chooses to protect the individual(s) alleged to have committed the offense.

MAINTAINING EDUCATIONAL ENVIRONMENTS: POLICIES & PROCEDURES

A. NON DISCRIMINATION POLICY

AUK is committed to preserving an environment free of intimidation and harassment. The Non-Discrimination and Harassment policy was developed to uphold the principles protecting community members against discrimination of all types:

The American University of Kuwait affirms its commitment to ensure that each student shall be permitted to study and otherwise participate in the AUK community in an environment free from any form of discrimination, including race, color, religion, age, disability, sex, national origin, or marital status. The University recognizes its obligation to work towards a community in which diversity is valued and opportunity is equalized. This rule establishes procedures for a student to file a complaint of the alleged discrimination or harassment.

It shall be a violation of this policy for any officer, employee, or agent of the University to discriminate against or harass, as hereinafter defined, any student or student applicant. Discrimination and harassment are forms of conduct that shall result in disciplinary or other action as provided by the rules of the University.

Definitions:

For the purpose of this policy discrimination and harassment are defined below as follows:

- Discrimination is defined as treating any student or student applicant differently than others are treated based upon race, color, religion, age, disability, sex, national origin, or marital status.
- Harassment is defined as conduct that unreasonably interferes with a student or student

applicant's status or performance by creating an intimidating, hostile, or offensive environment.

Conduct that falls into the definition of discrimination includes, but is not limited to:

- a. Disparity of treatment in educational programs and related support services on the basis of membership in one of the listed groups.
- b. Limitation in access to participation in athletic, social, cultural or other activities of the University because of membership in one of the listed groups.
- c. Discrimination of the foregoing types on the basis of sex, unless based on legal distinctions in needs for restrooms, athletics, and other such areas.
- d. Retaliation for filing complaints or protesting practices that are prohibited under this policy.

Conduct that falls into the definition of harassment includes, but is not limited to:

- a. Harassment based on race, color, religion, age, disability, sex, national origin, or marital status.
- b. Offensive or demeaning language or treatment of an individual where such language or treatment is based typically on prejudicial stereotypes of a group to which an individual may belong.
- c. Objectionable epithets, threatened or actual physical harm or abuse, or other intimidating or insulting conduct directed against the individual.

Scope of prohibitions: Activities covered under this policy include, but are not limited to, all educational, cultural and social activities occurring on campus or sponsored by AUK.

Procedures: Non-Discrimination Policy

Administration: The Dean of Student Affairs shall administer procedures as they apply to students. The Dean shall answer inquiries regarding procedures contained in policy and may provide informal advice to students who are unsure whether they have been victims of discrimination or harassment.

Informal Complaints: Any student or applicant for admission to the University who believes that s/he has been the subject of discrimination or harassment may seek advice or consultation from the Student Ombudsman (Director of Student Success) who may informally advise the complainant in formulating a plan for resolution of the problem. Should the problem not be resolved satisfactorily using the informal process, the complainant shall have 15 calendar days to file a formal complaint.

Formal Complaints: A formal student complaint must be made in writing and submitted to the appropriate University administrator. The written complaint shall contain the name of the complainant and state the nature of the act(s) complained of, including such details as the name of the alleged offender(s) and the date(s) on which the offending act(s) occurred, the name(s) of any witnesses, and the desired resolution(s). A formal complaint must be filed within 30 calendar days of the alleged act(s) of discrimination or harassment or within 15 calendar days following the informal complaint resolution.

The appropriate administrator may attempt resolution during the course of an investigation of a complaint. The administrator shall involve the Dean of Student Affairs in the investigation of all student/student and student/employee complaints. If resolution of the complaint was achieved between the parties and the alleged offender fails to abide by the agreement or retaliates against the alleged victim, the administrator may require the complaint to proceed as if resolution had not been reached.

If the complaint involves the investigating administrator or if the complainant believes that the administrator may lack impartiality, the complainant may choose to file a formal complaint with the Dean of Student Affairs.

Incidents involving employees of AUK will result in the involvement of the Department of Human Resources.

Resolution: The investigating University administrator may provide a reasonable resolution to the complaint and may also recommend or take disciplinary action against the alleged offender. Disciplinary action shall be taken in accordance with the Student Code of Conduct in the case of a student, or in accordance with the policies and procedures affecting the class of employee.

Prohibition of Retaliation: No University student or employee shall retaliate against a complainant. Any attempt to retaliate against a student, employee, or agent for initiating a complaint shall be treated as a separate incident of discrimination or harassment.

Confidentiality: All complaints of discrimination, harassment, or retaliation and investigations of the same will be kept as confidential as possible to the extent deemed possible.

Frivolous or Malicious Complaints: In the event that a claim of discrimination, harassment, or retaliation is found to be frivolous or malicious, appropriate University sanctions, including disciplinary action as appropriate, shall be taken against the complainant.

Concurrent Grievance: Nothing contained in this procedure shall affect the right of a complainant to pursue the matter with an appropriate external agency.

Informal and formal complaints regarding the academic treatment of students

with disabilities will be referred to the Dean of Student Affairs or Dean of the College of Arts & Sciences.

B. DISRUPTIVE STUDENT POLICY

The Disruptive Student Policy protects students, faculty and staff from any disruptive behavior of students:

Students, who cannot conform to the standards of appropriate behavior as set forth by the American University of Kuwait, shall not be permitted to interfere with other students' access to a university education. American University of Kuwait students are subject to country laws and all policies and procedures of the Board of Trustees of AUK. Violation of these published laws; policies and procedures may subject the violator to appropriate action by University authorities. The Dean of Student Affairs (or designee) is authorized to suspend or expel students because of disruptive behaviors. If required, the Dean of Student Affairs will use the appropriate legal processes.

Nonviolent student dissent does not fall under the purview of this policy. For students who exhibit disruptive behavior serious enough to merit disciplinary action, the University may refer the students for appropriate psychological/psychiatric evaluation. The University shall retain the names of psychological/psychiatric evaluators who can assess the behavior and psychological condition of students who exhibit disruptive behavior or threaten bodily harm to themselves or others or exhibit severely disoriented perceptions and/or behaviors. Students who exhibit less severe disruptive behavior will be assisted by appropriate staff and/or referred to the appropriate agency. All records associated with the treatment or disciplinary process shall be kept confidential.

Students suspended under this policy may re-enroll only after certification by a licensed clinical psychologist or psychiatrist, a recommendation from the Director of the Student Success Center and approval from the Dean of Student Affairs.

Procedures: Dismissal of Disruptive Students

For students suspended or expelled under this policy, the Dean of Student Affairs shall consult with the student's professors regarding the student's grades for the term during which they have been suspended or expelled. Final determination of grades, however, shall rest with the professors.

If a student has been removed from the University through disciplinary dismissal, expulsion, or suspension due to disruption of the educational process, or the endangerment of the health and safety of others, and is allowed to return to the University in a subsequent academic term as a student, the Dean of Student Affairs may share with the student's faculty otherwise confidential information concerning the student when in his/her judgment it will further educational interests. To protect confidentiality and the possible sensitive nature of the information, the Dean of Student Affairs (or designee) should share the information in

person with the faculty member, and point out the nature of the information and its educational relevance. Only relevant information should be shared, not the entire record. No copies of the record shall be made. All referrals for immediate intervention with a disruptive student will be made to the Dean of Student Affairs and Director of the Student Success Center. The student's condition will be assessed. The Dean, in consultation with the Director, will determine whether a formal evaluation is necessary, and/or his/her designated representative will make the referral to a professional clinician for psychological and/or psychiatric evaluation.

The student will be informed of the reason(s) that s/he is being referred for the evaluation. The results of the evaluation will be used by the Dean and Director in determining the student's enrollment status with the University.

The University will identify the services of professional clinicians who:

- a. are appropriately licensed and have appropriate credentials in the field of mental health.
- b. are available to the student within twenty-four hours after initial contact with the Dean of Student Affairs and his/her designee.
- c. provide services that are available daily through 10:00 pm, seven days a week.
- d. are geographically accessible at convenient locations.
- e. will provide a written evaluation and diagnosis of the student in a timely manner following referral.
- f. will provide information regarding follow-up treatment if necessary.
- g. have the ability and available personnel to provide immediate crisis intervention, if the severity of the incident or client's condition so warrants.

Re-entry Process: If a student who has been removed from the University under the Disruptive Student Policy, applies for re-entry to the University, the following process will be followed:

1. The student must contact the Dean of Student Affairs regarding his/her request for reentry.
2. The Director of the Student Success Center must approve the student's course selection during their first term re-enrolled at the University. Classes chosen will be appropriate to student's background and to their educational plans.
3. Prior to the beginning of the student's first term of re-enrollment, the Dean of Student Affairs (or designee) will inform the student's instructor of any relevant educational information.

C. PROHIBITION OF SEXUAL HARASSMENT

Purpose

The University strictly prohibits acts of sexual harassment against any member of the University community. AUK's policy on sexual harassment will be consistently enforced, and any violation will not be tolerated and will subject the person who commits such violations to disciplinary action under these guidelines and other relevant University policies and procedures.

Definition of Sexual Harassment

Sexual harassment is defined as any unwelcome act of a sexual nature including sexual advances, requests for sexual favors, or other verbal/written or physical conduct, creating an intimidating, hostile, or offensive environment which substantially interferes with an individual's performance or ability to benefit from an educational or work program.

Conduct which falls into the definition of sexual harassment includes, but is not limited to:

- a. **Verbal:** Innuendos or jokes of a sexual nature, including graphic or degrading verbal comments; use of sexually suggestive terms or gestures to describe a person's body, clothing, or sexual activities; sexual propositions or invitations; or overt or implied threats of a sexual nature.
- b. **Physical:** Unwelcome physical contact of a sexual nature; to engage in an unwelcome sexual relationship, act, or misconduct; or sexual assault.
- c. **Other:** Writing graffiti of a sexual nature; displaying or distributing sexually explicit drawings, pictures, or written materials; circulating or showing e-mails or websites of a sexual nature.

Scope

Acts of sexual harassment may take different forms depending on the nature of the harassment, the environment, and the parties involved. The conduct may be one, or a combination of either verbal, nonverbal, or physical acts. Both male and female community members may be victims of sexual harassment. When appropriate, it is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop. Acts of sexual harassment may occur in a variety of settings and environments. These include, but are not limited to a) University facilities or premises; b) during a University program or activity; c) or at an off-campus location as part of a University-sponsored event.

Additionally, students who are unsure as to the best way to respond to a possible harassment violation, those unsure of their rights, and those wanting to gain a better understanding of institutional procedures may contact the University Ombudsman (Director of the Student Success Center). This is not a requirement, however, students may choose to speak with the

Student Ombudsman because it is informal, maintains confidentiality, and is separate from the University administrative resolution procedures.

Reporting Procedures

As with all matters concerning possible violations of University policy the information, documents, and conversations are maintained as confidential as possible.

Someone who believes they have experienced sexual harassment should report the possible violation(s) to the Assistant Dean of Student Affairs. Individuals can speak informally about the alleged circumstances and harassment incident directly with the Assistant Dean of Student Affairs if s/he deems appropriate. An individual has the option for resolution through either an informal or formal process. The primary purpose of the informal process is to identify the violations and resolve the conflict to the mutual satisfaction of involved parties.

If deemed necessary, to formally report a possible sexual harassment violation an individual must complete an Incident Report form which must be filed within 30 calendar days of the alleged act(s) of harassment or within 15 calendar days following the conclusion of the informal complaint resolution. Please note that any related acts or incidents prior to the most recent alleged act(s) of harassment may be considered or reviewed as part of the investigation.

Resolution Proceedings

The University will take all reasonable steps to investigate and respond to the complaint in a confidential manner, considering its responsibility to provide a safe and nondiscriminatory environment for all students.

Upon receipt of a complaint the University will conduct a prompt, impartial, and thorough investigation to determine what happened and will take appropriate steps to resolve the situation. After resolution, follow-up inquiries may take place to ensure closure and no further incidents.

It may be necessary to take interim measures during the investigation of a complaint. For instance, if a student alleges harassment by another student, the University has the right to take intermediate disciplinary action such as keeping those students separated, or off University premises until the investigation is complete.

When investigating allegations of sexual harassment, the Division of Student Affairs administrator looks at the whole record: the circumstances, such as the nature of the complaint, and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts and all information gathered on a case-by-case basis.

The victim will be notified of the resolution of the investigation and of any sanctions

imposed that directly relate to the victim. Depending on the nature and severity of the harassment, counseling, discipline, or further separation of the parties involved may be necessary.

The Student Code of Conduct protects all parties involved from retaliation in the form of harassment, intimidation, or other inappropriate act. If retaliation or abuse of the student discipline system occurs, the University may take immediate and strong responsive actions towards those individuals found in violation.

The Sexual Harassment policy will be updated as appropriate and distributed to all administrators, faculty, students and staff.

ADJUDICATION PROCEDURES: STUDENT CODE OF CONDUCT

The administration of student discipline shall be flexible and consistent with the philosophy and educational objectives of the American University of Kuwait. The Division of Student Affairs is responsible for the administration of the University Judicial Affairs Program which includes the administration of the Student Code of Conduct, the delivery of student sanctions, and the imposition of varying degrees of disciplinary actions.

Note: The University disciplinary process is independent of governmental judicial processes.

ARTICLE I: JURISDICTION & ENFORCEMENT

The University student discipline process extends to conduct which adversely affects the University community and/or the pursuit of its mission. Students or organizations are subject to the Student Code of Conduct for any action found in violation of the Code which occurs on University premises, at University-sponsored events, or as a part of the University activities.

I.1. The Division of Student Affairs is responsible for the administration of the University student codes, and the imposition of varying degrees of disciplinary actions. The Dean of Students Affairs, as a senior administrator, authorizes the Office of Student Life to directly oversee the student adjudication process. Additionally, the Dean of Student Affairs authorizes the Code of Conduct Board and Assistant Dean of Students to fulfill designated roles as needed within the student adjudication processes.

I.2. Within the Office of Student Life the Director of Student Life (or designee), who is authorized to adjudicate student disciplinary cases and to impose sanctions upon any student(s) or student organization found to have violated the University policies serves as the Student Conduct Officer (SCO).

I.3. The Code of Conduct Board is a committee comprised of faculty, administrative staff, and students who serve to investigate referred alleged breaches of the AUK Student Code of Conduct, to make determinations on such charges, and to administer disciplinary sanctions as

appropriate. As an ad hoc Board the group will be convened under the Chairmanship (a non-voting member) of the Director of Student Life (or designee) when required.

I.4. Decisions made by the Student Conduct Officer and/or Code of Conduct Board shall be definitive, pending the normal appeal process based upon extenuating circumstances.

I.5. Campus Security is responsible for maintaining a safe and secure environment by enforcing the rules and regulations of AUK and the State of Kuwait. Campus Security is supervised by the Coordinator of Safety and Security (CSS), who oversees and coordinates the security needs of the campus. The Coordinator of Safety and Security reports to the Director of Campus Services under the Office of the Executive Director of Finance and Administration. The security officers on campus have the right to withhold and restrict any individual on campus that is involved in an unlawful activity or violation of AUK policy if the situation warrants. Some situations may require contacting the local law enforcement officials when suspected occurrence of criminal activity or a violation of the State of Kuwait law takes place.

I.6. Any member of the AUK community may file charges against any student or student organization for misconduct as it pertains to University policy. Charges shall be prepared in writing and forwarded to the Student Conduct Officer. Any charge(s) must be submitted in writing as soon as possible after the event takes place, preferably within 48 hours. The Student Conduct Officer, will review the allegations, and initiate the inquiry or investigative process as appropriate which may include interviewing the complainant, witnesses, and the accused.

I.7. Campus Security, the Student Conduct Officer, and/or other designated University personnel are authorized to investigate alleged violations that involve suspected infraction of University policies other than those involving academic misconduct.

I.8. Based upon careful review of the evidence, the Student Conduct Officer, will determine one of the following courses of actions:

a. **No Action:** review of the evidence was inconclusive or the infraction was unsubstantiated.

b. **Administrative Hearing:** the Student Conduct Officer will meet with the student(s) charged and will determine the appropriate sanction.

c. **Code of Conduct Board:** the incident will be referred to the Code of Conduct Board.

ARTICLE II: STUDENT CONDUCT PROCESS & PROCEEDINGS

The below procedures apply to students and student organizations accused of violating the Student Code of Conduct. Note: If the student or student organization poses a threat to any person, is unruly, disruptive, uncontrollable, damages or threatens to damage any property or some other very serious condition exists, the Dean of Student Affairs,(or designee) may

suspend the student or organization from activity at AUK immediately, and have the student(s) escorted off AUK property.

II.1. Initiation: Person(s) witnessing or experiencing what they believe to be a possible non-academic code violation should complete an incident report form and submit as appropriate:

- 1- If the alleged is an AUK student the report should be submitted to the Student Conduct Officer (SCO) within the Office of Student Life.
- 2- If the alleged is unknown or a non-AUK student the report should be submitted to the Coordinator of Safety & Security (CSS)
- 3- If the alleged is a faculty or staff member the report should be submitted to his/her direct supervisor

II.2. Initial Review: The Student Conduct Officer (SCO) or the Coordinator of Safety & Security (CSS) as designated above will begin an Initial Review of the complaint and supported materials and/or information. The process may include meeting with the indicated student(s) involved to determine whether relevant evidence exists and if there is a reasonable basis for believing the University's Student Code of Conduct was violated. Based on the nature of the incident further investigations and evidence gathering may be required.

II.3. Investigations & Gathering Evidence: Campus Security in conjunction with the Student Conduct Officer shall have primary responsibility for the investigation of acts that involve suspected violation of University policies or applicable State of Kuwait laws individually or collectively. CSS, SCO, and/or other designated University personnel are authorized to investigate alleged violations other than those involving academic misconduct. Any person believed to have information relevant to an investigation may be contacted and requested to make an appointment to discuss the matter.

All students have rights and responsibilities and are expected to comply with the University rules and regulations. During periods of investigation and inquiry throughout the adjudication process the complainant and the accused will have similar rights, even if another member of the University community submitted the charge itself. Deviations of such rights are at the discretion of the SCO or responsible University administrator in compliance with his/her duties.

Upon completion of an investigation, the investigator will decide upon an appropriate course of action, which may include, but is not limited to, taking no further action, deferring further action with or without conditions, or initiating charges. Please note: All investigations involving suspected students will be referred to the SCO for determination of the appropriate course of action.

At the conclusion of the Initial Review and the investigations, the SCO or CSS will conclude either that the referred incident has been dismissed or that the referral has been accepted, requiring further investigation and follow-up.

II.4. Hearing: The accused student shall be provided information about the charges or

pertinent information that has been provided to the Student Conduct Officer. The accused must meet with the SCO, to discuss the allegations. Failure for a student to meet with the SCO, within an adequate time period (set forth by the administrator), will require a determination to be made on the case without both sides being presented. It is the responsibility of the accused to make necessary arrangements to meet with the SCO, or they will forfeit the opportunity to present their case. In all cases, the evidence in support of the charges shall be presented and considered.

II.5. General Principles Applicable to Student Conduct Processes and Proceedings

II.5.1 The hearing sessions shall be conducted in private. Admission of any person to a meeting, other than those directly involved, shall be at the discretion of the Student Conduct Officer.

II.5.2 In sessions involving more than one accused student, the Student Conduct Officer, at his/her discretion, may permit the session concerning each student to be conducted separately.

II.5.3 The complainant and the accused have the privilege of being assisted by any advisor they choose. The complainant and/or the accused are responsible for presenting his/her own case and, therefore, advisors are not permitted to speak or to participate directly.

II.5.4 The complainant and the accused shall have the privilege of presenting witnesses, subject to questioning by the Student Conduct Officer.

II.5.5 The complainant or the accused must notify the Student Conduct Officer prior to the hearing of any witnesses and/or evidence they wish to present.

II.5.6 Pertinent records, exhibits and written statements may be accepted as evidence for consideration at the discretion of the Student Conduct Officer.

II.5.7 All procedural questions regarding the case are subject to the final decision of the Student Conduct Officer and the Assistant Dean of Student Affairs.

II.5.8 At the discretion of the Student Conduct Officer, the accused may have the privilege of facing the accuser.

II.5.9 As appropriate, the Student Conduct Officer will maintain recordings or notes of the evidence gathering sessions. These records shall be the property of AUK and stored in the Division of Student Affairs.

II.5.10 Based upon the information gathered from the review of information and interviews conducted, the Student Conduct Officer shall determine if the accused has violated the section(s) of the Student Code of Conduct.

II.5.11 The Student Conduct Officer shall determine whether it is more likely than not that the accused student violated a University policy or policies. A case may at this point be referred to the Code of Conduct Board if deemed appropriate for further review and final determination. *See Code of Conduct Board Procedures in this section.*

II.5.12 If not referred to the Code of Conduct Board, the Student Conduct Officer determines if a violation(s) of the Student Code has occurred. If so, the appropriate sanction is to be imposed.

II.5.13 Sanctions shall be delivered to the student/student organization in writing.

II.5.14 The decision of the Student Conduct Officer shall be definitive, pending the normal appeal process. Appeals must be made on legitimate grounds and based upon extenuating circumstances or violation of procedures.

ARTICLE III: CODE OF CONDUCT BOARD

The Code of Conduct Board is a committee comprised of faculty, administrative staff, and students who serve to investigate alleged breaches of the AUK Student Code of Conduct, to make determinations on such charges, and to administer disciplinary sanctions as appropriate. The Board is comprised of 4 faculty, 4 administrative staff, and 4 students, however when the Board is convened only 5 members will hear a case (2 faculty, 1 staff, & 2 students). Board members are nominated for the board as follows: faculty appointed by the Dean of the College of Arts and Sciences, staff appointed by the Human Resources Department, and students appointed by Student Government (cannot be SGA officers). As an ad hoc Board, the group will be convened under the Chairmanship (a non-voting member) of the Director of Student Life (or designee) when required.

A. REFERRAL for a BOARD HEARING

III.A.1 An incident is referred to the Code of Conduct Board for review from the Director of Student Life (or designee) as indicated in Article II: Student Conduct Process & Proceedings in this handbook. If a case is deemed necessary for referral, the Director of Student Life (or designee) must inform the accused in writing of the date, time, and location of the Code of Conduct Board hearing.

III.A.2 The Director of Student Life (or designee) will confirm the participation of the designated quorum (5 Board members) which will hear the case, and notify them in writing of the date, time, and location of the Code of Conduct Board hearing.

III.A.3 The Code of Conduct Board reserves the right to conduct its proceedings in an adequate timeframe that will allow for a thorough examination of the case presented, including provisions for reviewing reports, interviewing those involved, calling witnesses, and adequate time for deliberation.

III.A.4 In hearings involving more than one accused student, the Board Chair, in his/her discretion, may permit the hearings concerning each student to be conducted separately. At the discretion of the Code of Conduct Board Chair, the accused may have the privilege of facing the accuser.

III.A.5 The complainant and the accused have the privilege of being assisted by any advisor they choose. The complainant and/or the accused are responsible for presenting his/ her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing. Advisors may not be legal counsel, as University judicial processes are independent of any governmental procedures.

B. HEARING PROCEDURES

III.B.1 All procedural questions regarding the student's case are subject to the final decision of the Board Chair and the Dean of Student Affairs.

III.B.2 Code of Conduct Board hearings shall be conducted in private. Admission of any person to the hearing shall be at the discretion of the Chair of the Code of Conduct Board. All persons involved at the beginning of the hearing are reminded of the confidentiality of the case and the continuous obligation to maintain confidentiality even after the proceedings have completed. In addition, the Board Chair will describe the procedures under which the hearing will progress.

III.B.3 The Board Chair shall present to the Board a short overview of the case including all information and evidence pertinent to the incident in question. Information should include but is not limited to written reports, notes from the administrative evidence gathering procedures, and other physical evidence. The Board has the right to request further documentation or evidence as it deems appropriate.

III.B.4 Following the overview of the case the accused is asked if s/he understands the violation charged, and how s/he wishes to plea.

III.B.5 The complainant, the accused, and the Code of Conduct Board shall have the privilege of presenting witnesses, subject to questioning by the Code of Conduct Board. The complainant and the accused must notify the Board Chair of any witnesses and/or evidence they wish to present, at least three business days prior to the hearing. Character witnesses are not permitted, only witnesses relevant to the case. All witnesses must be honest and provide accurate accounts to the best of their ability. The Board has the right to individually question each of the parties involved and witnesses. Each Board member conducting the hearing may question those giving accounts.

III.B.6 There shall be a single verbatim record, such as a tape recording, of all hearings before the Code of Conduct Board. The record shall be the property of AUK and stored in the Division of Student Affairs.

III.B.7 After the hearing, the Code of Conduct Board shall determine by simple majority vote if the student has violated the section(s) of the Student Code that the student is charged with violating. If the Code of Conduct Board determines that a violation(s) of the Student Code has occurred, they will determine the appropriate sanctions.

III.B.8 The violation of the Student Code of Conduct along with sanctions determined by the Code of Conduct Board shall be delivered to the student in writing. The letter must be reviewed by the Board Hearing members for accuracy and confirmation. The letter must be dated and signed by the Board Chair, outlining the conditions of the sanction, and the timeline for appeal. Copies of the letter must be sent to the student’s file, the Dean of Student Affairs, and other offices deemed necessary given the nature of the violation and sanction.

III.B.9 After verification of the sanctions and notification to the student, the Director of Student Life (or designee) shall impose sanctions on the student or student organization as appropriate.

ARTICLE IV: SANCTIONS

Student Code of Conduct sanctions are administered as a component of the overall educational and personal growth process of a student at the American University of Kuwait. The below information identifies the means of resolution under which student sanctions are administered.

Violations – Disciplinary Phases	Possible Disciplinary Sanctions*
Phase 1 ~ <i>includes but is not limited to:</i> Disruptive behavior, Inappropriate or Disorderly conduct, Minor Damage of AUK property, etc	Mediation Verbal or Written Warning Probation – 30 days or greater Restitution/Fines/Loss of Privileges Discretionary Sanctions
Phase 2 ~ <i>includes but is not limited to:</i> Disrespectful behavior, Discrimination, Disorderly Conduct, Major Damage of AUK property, Minor physical altercations, etc.	Probation – 1 semester or greater Restitution/Fines/Loss of Privileges Discretionary Sanctions
Phase 3 ~ <i>includes but is not limited to:</i> Controlled substances, Theft, Weapons and dangerous materials, Severe physical altercations.	Suspension –with Mandatory Probation Expulsion

NOTE: Any additional violation during the probationary period will increase the nature of the violation to the next highest disciplinary phase.

**Above listed sanctions serve as a guide and may be administered as deemed appropriate by the administration given the specific violation and student’s history.*

Mediation – A means by which people in conflict can positively express their views, feelings, and opinions in a safe and controlled environment. The ultimate objective is to work towards an agreeable resolution for all parties involved. Mediation is conducted by an impartial individual and is confidential.

Warning – An oral or written notice in writing to the student that s/he is violating or has violated institutional regulations.

Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during or after the probationary period.

Loss of Privileges – Denial of specified privileges for a designated period of time.

Fines – Established and published fines may be imposed.

Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

Discretionary Sanctions – Work assignments, service to AUK or other related discretionary assignments.

AUK Suspension – Separation of the student from AUK for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

AUK Expulsion – Permanent separation of the student from AUK. Expulsion is recommended to the University President who in turn imposes the sanction.

The following sanctions may be imposed upon AUK groups or organizations:

- a. Those sanctions listed above.
- b. Deactivation or loss of specific organizational privileges for a specified period of time.

Other than AUK expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record held in the Office of Student Life. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than expulsion and suspension upon written application to the Dean of Student Affairs. Cases involving the imposition of sanctions other than suspension or expulsion shall be expunged from the student's confidential record seven years after final conclusion of the case.

ARTICLE V: APPEALS

V.1 In extenuating circumstances, a student, student organization, or complainant may appeal the sanctions imposed by the Student Conduct Officer or the Code of Conduct Board. Such appeals must be in writing, specifying on what grounds the appeal is being made. The appeal must be complete and thorough for consideration. The appeal letter must be delivered to the Assistant Dean of Student Affairs within five business days of the receipt of the sanctions.

V.2 If a student appeals the decision, the Assistant Dean of Student Affairs shall decide if sanctions shall be in effect immediately, or pending the outcome of the appeal process. If the student or student organization poses a threat to any person, is unruly, disruptive, uncontrollable, damages or threatens to damage any property or some other very serious condition exists, the Assistant Dean of Student Affairs may suspend the student or organization from activity at AUK immediately, and have the student escorted off AUK property.

V.3 The Director of Student Life will forward all necessary paperwork to the Assistant Dean of Student Affairs, including, but not limited to, all incident reports filled out by AUK personnel, all security reports, any witness statements, and any police reports.

V.4 After reviewing the case the Assistant Dean of Student Affairs will make a determination to uphold, modify or overturn the decision, and will submit the decision in writing within 7-10 business days of receiving the appeal letter from the student.

V.5 In extreme cases, a second and final appeal may be made to the Dean of Student Affairs at his/her discretion. Such appeals must be in writing, specifying on what grounds the appeal is being made. The appeal must be complete and thorough for consideration. The letter of appeal must be delivered to the Dean of Student Affairs within 5 business days of the receipt of Assistant Dean of Student Affairs decision. **The decision of the Dean of Student Affairs in all appeal matters is considered final**, and will be submitted in writing within 10 business days of receiving the appeal letter from the student.

ARTICLE VI: GRIEVANCE PROCESS FOR NON-INSTRUCTIONAL ISSUES

The Grievance Policy assures rapid resolution of conflicts between members of the University community.

The University encourages students to resolve their differences with University community members as soon as possible; however, in order that students may be assured fair consideration of their problems, a means of review and appeal to a higher-level authority has been established.

VI.1 Grievance Defined:

For the purpose of this policy, a grievance is defined as a student's perception of the improper application of University policies or procedures. Any student has a right to file a grievance. The following procedures are defined for facilitating grievances.

VI.2 Informal Resolution:

The student shall informally submit his/her grievance, either verbally or in writing, to the supervisor of the department where the alleged improper application of University policy or procedure occurred. For grievances between students, submit informal submission to the Office of Student Life staff. The student must submit his/her grievance within 15 calendar days after the incident is alleged to have occurred and the grievance must refer to the specific policy or procedure that was unfair or misapplied. Students may choose to either ask for a specific action on the part of the University or are free to simply voice their grievance without asking for any action on the part of the University.

VI.3 Formal Resolution:

The student must submit his/her grievance within 15 calendar days after a response is received from the informal process. Appeals to higher levels of authority end with the appropriate Dean of the Division. The University Ombudsman may serve as a liaison between students and staff at all levels of the grievance process. If a satisfactory resolution cannot be reached with the supervisor of the department, the student may formally appeal the decision, in writing, to the next higher-level supervisor requesting that the grievance either be reviewed administratively or heard by the University Grievance Board. It is at the discretion of the next higher-level supervisor whether to address the concern through a final administrative determination by that individual, or to refer the matter to the Grievance Board.

VI.4 Grievance Board:

The Grievance Board is a committee comprised of faculty, administrative staff, and students who serve to identify the improper application of University policies or procedures. The Board is comprised of the same 4 faculty, 4 administrative staff, and 4 students that comprise the Code of Conduct Board, however, when the Board is convened only 5 members will hear a case (1 faculty, 2 staff, & 2 students). Board members are nominated for the board as follows: faculty appointed by the Dean of the College of Arts and Sciences, staff appointed by the Human Resources Department, and students appointed by Student Government (cannot be SGA officers). As an ad hoc Board the group will be convened under the Chairmanship (a non-voting member) of the Director of Human Resources (or designee) when required.

Grievance Board Hearing

VI.4.1 An incident is referred to the Grievance Board for review from the higher-level supervisor. If a case is deemed necessary for referral, than the Chair (or designee) must inform the accused in writing of the date, time, and location of the Grievance Board hearing.

VI.4.2 The Chair (or designee) will confirm the participation of the designated quorum (5 Board members) which will hear the case, and notify them in writing of the date, time, and location of the Grievance Board hearing.

VI.4.3 The Grievance Board reserves the right to conduct its proceedings in an adequate timeframe that will allow for a thorough examination of the case presented, to include time

for reviewing reports, interviewing those involved, calling witnesses, and for deliberation.

VI.4.4 In hearings involving more than one individual the Board Chair, in his/her discretion, may permit the hearings concerning each to be conducted separately. At the discretion of the Board Chair, the accused may have the privilege of facing the accuser.

VI.4.5 The complainant and the accused have the privilege of being assisted by any advisor they choose. The complainant and/or the accused are responsible for presenting his/her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing. Advisors may not be legal counsel, as internal grievance processes are independent of any governmental procedures.

VI.4.6 All procedural questions regarding the case are subject to the final decision of the Board Chair and the Dean of Student Affairs.

VI.4.7 Grievance Board hearings shall be conducted in private. Admission of any person to the hearing shall be at the discretion of the Board Chair. All persons involved at the beginning of the hearing are reminded of the confidentiality of the case and the continuous obligation to maintain confidentiality even after the proceedings have completed. In addition the Board Chair will describe the procedures under which the hearing will progress.

VI.4.8 The Board Chair shall present to the Board a short overview of the case including all information and evidence pertinent to the incident in question. Information should include but is not limited to written reports, notes from the administrative evidence gathering procedures, and other physical evidence. The Board has the right to request further documentation or evidence as it deems appropriate.

VI.4.9 Following the overview of the case the accused is asked if s/he understands the violation charged, and how s/he wishes to plea.

VI.4.10 The complainant, the accused, and the Grievance Board shall have the privilege of presenting witnesses, subject to questioning by the Board. The complainant and the accused must notify the Board Chair of any witnesses and/or evidence they wish to present, at least three business days prior to the hearing. All witnesses must be honest and provide accurate accounts to the best of their ability. The Board has the right to individually question each of the parties involved and witnesses. Each Board member conducting the hearing may question those giving accounts.

VI.4.11 There shall be a single verbatim record, such as a tape recording, of all hearings before the Grievance Board. The record shall be the property of AUK and stored in the Human Resources Department.

VI.4.12 After the hearing, the Grievance Board shall determine by simple majority vote if the individual has violated the section(s) of University policy or procedure that the person is charged with violating. If the Grievance Board determines that a violation(s) has occurred, they will determine the appropriate course of action.

VI.4.13 The violation of University policies or procedures along with outcomes determined by the Grievance Board shall be delivered to the individual(s) in writing. The letter must be reviewed by the Board Hearing members for accuracy and confirmation. The letter must be dated and signed by the Board Chair, outlining the conditions of the sanction, and the timeline for appeal. Copies of the letter must be sent to University records, the Dean of Student Affairs, the President, and other offices deemed necessary given the nature of the violation and sanction.

ARTICLE VII: INTERPRETATION AND REVISION

VII.1 Any question of interpretation regarding the Student Code of Conduct shall be referred to the Dean of Student Affairs (or designee) for final determination.

VII.2 The Student Code of Conduct shall be reviewed annually, and at the discretion of the Dean of Student Affairs.

VII.3 The most up-to-date version of the Student Code of Conduct and relevant procedures can be located on the University webpage.

ARTICLE VIII: RECORDS OF DISCIPLINARY ACTIONS

Certain circumstances require the University to release information: Government requirements, legal requests and health and safety risk. Students' disciplinary records are considered confidential and will not be released without the expressed written consent of the student. Other than AUK expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record held in the Office of Student Life. Cases involving the imposition of sanctions shall be retained for a period of seven (7) years after final conclusions of the case. Other than suspension or expulsion, upon graduation, the student's confidential record may be expunged of disciplinary actions upon written application to the Dean of Student Affairs.

ARTICLE IX: DEFINITIONS

The following terms used in the Student Code of Conduct are defined below.

1. The term "UNIVERSITY" refers to the American University of Kuwait.
2. The term "FACULTY MEMBER" refers to any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
3. The term "UNIVERSITY OFFICIAL" includes any person employed and/or charged by the University performing assigned administrative or professional responsibilities.
4. The term "UNIVERSITY PREMISES" includes all land, buildings, facilities, and other

property in the possession of, owned, used, or controlled by the University.

5. The term “STUDENT” includes all persons registered for courses at the University either full-time or part-time, including pre-university programs, intensive english program, pursuing undergraduate degree, non-degree seeking, professional studies, enrolled in the Center for Continuing Education, and who have been accepted for admission are considered “students”.

6. The term “ORGANIZATION” refers to any number of persons who have registered with the formal requirements for University recognition, and other non-registered student groups.

7. The term “STUDENT CONDUCT OFFICER” refers to a University official designated by the Dean of Student Affairs who is authorized to adjudicate student disciplinary cases and to impose sanctions upon any student(s) or student organization found to have violated University policies.

8. The term “CODE OF CONDUCT BOARD” is a committee comprised of faculty, administrative staff, and students who serve to investigate alleged breaches of the AUK policies to recommend sanctions that may be imposed when a violation has been committed.

9. The term “GRIEVANCE BOARD” is a committee comprised of faculty, administrative staff, and students who serve to identify the improper application of University policies or procedures.

10. The term “POLICY” refers to the regulations of the University which govern institutional procedures and guidelines. Many are found in, but are not limited to, the Student Code section of the Student Handbook, Academic Catalog, and the University web page.

11. The term “COMPLAINANT” refers to any person who submits a charge alleging that a student or other individual violated the University policies or law(s) of Kuwait.

12. The term “ACCUSED STUDENT” refers to any student alleged of violating University policies.

IV. CODE OF ACADEMIC HONESTY and INTEGRITY

Members of the American University of Kuwait community study and work together in an institutional framework dedicated to the pursuit of knowledge and learning. Freedom of inquiry, learning and intellectual pursuit flourishes only in a community in which the participants are committed to the mutual respect of each other’s role and activity. Academic freedom, freedom of expression and dissent, tolerance of diversity are values that guide the norms of conduct of students, faculty, staff and administration at AUK. The educational mission of the University community is best realized and advanced when the rights, responsibilities, and reasonable standards of conduct and academic integrity are observed. The American University of Kuwait expects the highest standards of academic

integrity and honesty from its students.

In light of the above noted values and norms of conduct, the Student Code of Academic Honesty outlines acceptable and unacceptable academic behavior for AUK students as well as appropriate disciplinary procedures, penalties and sanctions for violations of academic integrity.

Upon admission to the American University of Kuwait, students agree to act responsibly in all areas of academic, personal and social conduct and to take full responsibility for their individual and collective action. Such regulations are found in the American University of Kuwait Catalog, Student Handbook, other official publications, and the AUK website at www.auk.edu.kw.

Any student or student organization found to have committed the following violations or misconduct, either on or off campus, is subject to the disciplinary sanctions outlined in Adjudication Procedures:

VIOLATIONS OF ACADEMIC HONESTY AND INTEGRITY

Academic Dishonesty

Including but not limited to the following:

Cheating

The term “cheating,” includes but is not limited to, copying homework assignments from another student; working together with another individual on a take-home test or homework when specifically prohibited from doing so by the Instructor, looking at and/or copying text, notes or another person’s paper during an examination when not permitted to do so.

Cheating also includes the giving of work information to another student to be copied and/ or used as his/her own. This includes but is not limited to giving someone answers to exam questions either when the exam is being given or after having taken an exam; informing another student of specific questions that appear or have appeared on an exam in the same academic semester; giving or selling a term paper, report, project or other restricted written materials to another student. Some forms of dishonesty are detailed below.

Plagiarism

The term “plagiarism” includes, but is not limited to, an attempt of an individual to claim the work of another as the product of his/her own thoughts, regardless of whether that work has been published. Plagiarism includes, but is not limited to, quoting improperly or paraphrasing text or other written materials without proper citation on an exam, term paper, homework, or other written material submitted to an Instructor as one’s own work. Plagiarism also includes handing in a paper to an Instructor that was purchased from a term paper service or downloaded from the Internet and presenting another person’s academic work as one’s own.

Individual academic departments may provide additional examples in writing of what does and does not constitute plagiarism, provided that such examples do not conflict with the intent of this policy.

Violations of Copyrights

International copyright laws must be observed by all students. Violations of copyright laws include making unauthorized use of printed materials, duplicating computer software, duplicating copyrighted materials, and reproducing audio-visual works.

Disonesty in Papers

Papers submitted in courses must be the original work of the student with appropriate citations and references. Papers or other reports prepared by another person or purchased from another person or company and submitted as one's own work is a violation of academic honesty.

Work for One Course Submitted for Another

Work submitted for one course may not be submitted for another. It is a violation of academic integrity to submit the same work in more than one course. The incorporation by students of past writing or research into current projects must be clearly indicated.

Falsification of Data

Deliberate falsification of data for coursework, research papers or projects and other academic activity is a violation of academic integrity.

Inappropriate Collaboration

Working and collaborating with a fellow student or others without acknowledging their assistance is a violation of academic integrity.

Disonesty during Exams

This includes the use of unauthorized materials, receipt of information and/or answers from others during the examination, or the transferal of unauthorized materials, information or answers to another student.

Adjudication of Academic Disonesty and Integrity

The University reserves the right of imposing on the violators of academic honesty disciplinary action ranging from a failing grade in the exam, paper or course to suspension or dismissal from the University.

Jurisdiction

Faculty Jurisdiction

The course Instructor has full authority to impose penalties in cases of academic violation of the University's Code of Academic Honesty and Integrity that occur in his/her course.

Students wishing to bring charges of violation of academic honesty against another student

should do so through the faculty member in whose course or academic activity the alleged code violation has occurred. In the case of students bringing charges against other students, the student bringing charges must identify himself or herself to the faculty member.

All cases of violations of academic honesty must be reported to the Division Head of the appropriate discipline.

Administration Jurisdiction

In circumstances in which the faculty member chooses to refer such violation to the Division Head, the following procedures will be observed:

Faculty members reporting an alleged case or incident of dishonesty must do so within two weeks from the date of discovery of the alleged dishonesty. The charge of dishonesty must be supported by appropriate documentation for the Division Head's review.

The Division Head will notify the student of the charge and will arrange to discuss the charge with the student in a preliminary meeting. The Division Head will also notify the Dean of the College of Arts and Sciences that the alleged offense occurred. At the preliminary meeting, the student will be presented with the charge made and the evidence provided by the faculty member. The student will be advised of the adjudication procedures including his/her rights and given the opportunity to respond. The student may respond immediately or may be asked to respond in writing within five (5) working days. Any statement or signed document by the student will become part of the evidence in the case.

If the student fails to attend the preliminary meeting, the Division Head may proceed with the process as appropriate. The Division Head may gather additional evidence from the student, the complainant, and other appropriate parties prior to the adjudication process.

Faculty members will not submit grades for the work in question or for the course until the case has been adjudicated. The faculty member may, at his/her discretion, discuss the alleged case of dishonesty with the student before the case has been adjudicated. If a semester grade is to be submitted before the resolution of the case, a grade of "N" will be entered on the transcript for that course.

After reviewing the charges and evidence, the Division Head will make a decision about the case. The Head may dismiss the case, remand the case to the faculty member bringing charges or assign a penalty. The Head has the authority to request a meeting with the student at any time.

No legal counsel or external advisor is permitted at any point during the adjudication procedure.

Penalties

Students are advised that violations of the Code of Academic Honesty and Integrity will be treated seriously by the University. The adjudication of violations will take into account

both the seriousness of the offense and any particular circumstances involved in assigning a penalty. Repeat offenders may be subject to more severe penalties.

Penalties for an academic offense may include but are not limited to one or more of the following, progressively more severe:

- Resubmission of the work or the retaking of the exam in question;
- Submission of alternative work or exam for the course in which the offense occurred;
- Disciplinary probation;
- A grade of “F” for the work found to be in violation of the Code of Academic Honesty and Integrity ;
- A grade of “F” or “WF” for the course in which the offense occurred;
- Denial of credit for the course in which the offense occurred;
- Suspension for one or more academic semesters, including the semester or session in which the offense occurred;
- Dismissal for a specified time or permanently from the University.

The student found in violation of the Code may not withdraw from a course in which an academic infraction has occurred and a penalty applied.

No refund or cancellation of tuition or fees is provided in such cases.

The Division Head of the department will notify the student in writing of the finding of violation and the appropriate penalty assigned. The faculty member bringing the charge will also be notified in writing of these results.

Student's Right of Appeal

Students have the right of appeal of the adjudication process. Appeals must be made in writing within 21 days of the date of notice.

Appeals are limited to grounds of improper procedure or lack of relevant evidence at the time of the original administrative review, or excessive penalty. The Dean of the College of Arts and Sciences will review appeals. The Dean may consult the record of the case, the appeal request, and any person involved in the process of adjudication. The Dean of the College of Arts and Sciences will make the final decision.

Records of Disciplinary Actions

All records related to student violation of the Code of Academic Honesty and Integrity will be retained for a period of seven (7) years after the student's last registration at the American University of Kuwait. The record will be housed in the division adjudicating the student. If the violation and penalty is noted on the student's permanent record, the record is maintained indefinitely. These, as all student records, are subject to University regulations of confidentiality of student records.

Students have the right to review their records of the violations of the Code of Academic Honesty and Integrity through a written request to the Dean of the College of Arts and Sciences.