

# STUDENT CODES



# Student Codes (2014-2015 ACADEMIC YEAR)

*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.*

*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.”

## 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.

## 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.

## **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.

## **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.

## **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.

## **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.

## **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.

## **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.

## **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.

## 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.

## 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 Vice President for Student Affairs, or by email to [studentaffairs@auk.edu.kw](mailto:studentaffairs@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 Vice President for Student Affairs or the Office of the President.

## 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.

## 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 conduct 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. A student has responsibility to recognize that his/her actions reflect upon the individuals involved and upon the entire University community. 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
- Responsible to communicate and work towards problem resolution utilizing appropriate methods



- 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 disclosure waiver form providing specified individuals access to information as indicated on the waiver. Counseling services, information, and records are confidential. The information shared is privileged, is kept private, and is only released to third party individuals as their requests comply with laws, court orders and subpoena; and/or circumstances involving the safety of persons or property including the intent to harm him/herself or someone else, or there is reasonable suspicion of abuse/neglect against a minor child, elderly person, or dependent adult.

## **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, student organization, or alumni 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. As English is the instructional language at the American University of Kuwait, official meetings with students and disciplinary proceedings are conducted in English and it is the responsibility of the non-English speaker to secure assistance as needed.

*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:**

Dishonesty, verbal abuse, harassment, threats, intimidation, social media/internet harassment 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.

AUK has a zero tolerance policy against physical altercations on campus or at a University sanctioned event. Such violations are subject to immediate suspension/expulsion from University or classes (regardless of fault) pending investigation.

#### **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, at functions sponsored by AUK, or participated in by AUK.

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

**1.9) Discrimination as defined in AUK Policy:**

See details later in the *Maintaining Educational Environments: Policies & Procedures* section.

**1.10) 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 charge an AUK student with violating the law, 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) Gender Separation:**

Students must comply with University policies and regulations as well as local or country laws pertaining to the separation of genders.

### **2.5) 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.

### **2.6) 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 details later in the *Maintaining Educational Environments: Policies & Procedure* section.

### **2.7) Disruptive Student as defined in AUK Policy:**

See details later in the *Maintaining Educational Environments: Policies & Procedures* section.

### **2.8) 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.

### **2.9) 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.

### **2.10) 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.

### **2.11) 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.

### **2.12) 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.*

### **2.13) Unauthorized Soliciting or Distribution of Materials:**

Unauthorized soliciting, selling or promoting private business, or distributing unauthorized materials by any individual, group, or organization on or adjacent to University premises or at any University event or function without authorization is a violation of the Student Code of Conduct.

### **2.14) 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.

### **2.15) Violation of published AUK policies/procedures, rules or regulations.**

### **2.16) 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.

### **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) Unauthorized Entry & Key Usage:**

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 later in this section of the Student Handbook. Additionally, the student may be referred to Student Affairs, or designee, for violations of the Student Conduct Code if applicable.

## 5. STUDENT ORGANIZATIONS

Student organizations, members and officers individually and collectively must comply with all university policies and procedures at the American University of Kuwait. Violations by Student Organizations of the Student Code of Conduct will be evaluated on a case-by-case basis by the Director of Student Life or designee, and the Coordinator of Student Organizations and Leadership Development. Incidents deemed in potential violation will be referred to the Student Conduct Officer, who may consult with other appropriate departments depending on the type of violation. Each violation will be considered, and sanctions will be determined accordingly. Depending on the type of violation, the procedure for determining the appropriate sanction may vary. Sanctions also vary depending on the type of violation; the more severe the infraction, the larger the potential for Organization suspension.

In addition, organizations, officers or individual students may be held accountable as per the applicable policies/procedures when an alleged offense is committed by one or more members or guests of the organization. Specific violations may include, but are not limited to:

- 5.1) Committing any act in violation of any policy, procedure or agreement, as well as rules and regulations established by appropriate University departments/officials. Examples may include; sponsorship, Office of Public Affairs policies and procedures and/or Student Affairs policies and procedures applicable to AUK Clubs & Organizations.
- 5.2) Inappropriate use of Organizational/University funds to finance the activity in question.
- 5.3) Occurrence of an offense at an event that is substantially affiliated or sponsored by the organization's membership.
- 5.4) Occurrence of an offense/violation at an event by an officer of the organization or member acting in a leadership role.
- 5.5) Members with knowledge of a forthcoming violation who refrain from attempting to prevent the infraction.

**5.6)** An Organization collectively, or individual officers/members, fail to promptly report or choose to protect an individual(s) alleged to have committed an offense.

*Please refer to the Student Clubs and Organizations Manual for further information and details. A copy will be provided by the Office of Student Life to all registered Clubs and Organizations.*

## **MAINTAINING EDUCATIONAL ENVIRONMENTS: POLICIES & PROCEDURES**

AUK is committed to preserving an environment free of intimidation and harassment. The Non-Discrimination, Disruptive Student, and Prohibition of Sexual Harassment policies were developed to uphold the principles protecting community members and maintain a productive educational environment.

### **A. NON DISCRIMINATION POLICY**

#### **Purpose:**

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, gender, national origin, or marital status. The University considers a diverse campus community and the many points of view represented within as a means to enhance the quality of one's overall educational experience. The University also affirms its commitment to providing equal opportunities for all community members. Therefore this policy outlines the procedures to file a complaint against any form of alleged discrimination or harassment.

#### **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, gender, 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 gender, 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, gender, 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:**

It shall be a violation of this policy for any student or student applicant to engage in behaviors or activities which discriminate or harass other members of the AUK community. Discrimination and harassment are forms of conduct that shall result in disciplinary or other action as provided by the rules of the University. Activities covered under this policy include, but are not limited to, all educational, cultural and social activities occurring on campus or sponsored by AUK.

The University does not condone any community members including faculty, employees, or other agents of the University to discriminate against or harass, as previously defined, any student or student applicant. Any possible infractions for non-student community

members should be addressed to the appropriate University department for clarification on related policies and procedures.

### **Procedures:**

*Administration:* The Director of Student Life as designated by the Vice President for Student Affairs, shall administer procedures as they apply to students. The Director or their designee known as the Student Conduct Officer, 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 who may informally advise the complainant in formulating a plan for resolution of the problem. The Student Ombudsman in addition to providing information about informal/formal grievance procedures is a resource for any kind of issue, including concerns, which fall outside the scope of formal complaint channels. Discussions with the Student Ombudsman do not constitute notice to the University.

To initiate an informal complaint the student or student applicant must submit his/her complaint within 10 working days from the date the alleged incident occurred to the Office of Student Life. The informal complaint may be addressed verbally or in the form of e-mail or letter. The Director or designee may participate in informal conflict resolution, and may mediate if all parties agree.

Students are encouraged to participate in the informal complaint process to assist in a timely and productive resolution before engaging in the formal complaint process. Should the problem not be resolved satisfactorily using the informal process, the complainant shall have 10 working days from the date of initiating the informal process to initiate a formal complaint. In total a student has a maximum of 20 working days from the date the alleged incident occurred to submit a formal complaint.

*Formal Complaints:* A formal student complaint must be made in writing and submitted to the Office of Student Life. The individual must complete an Incident Report Form, which 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). The written complaint

must be filed within 10 working days of initiating the informal process, or within 20 working days of the alleged act(s).

The Student Conduct Officer may attempt resolution during the course of an investigation of a complaint. 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 complainant believes that the Office of Student Life Officers lack impartiality, the complainant may choose to file a formal complaint with the Office of the Vice President for Student Affairs.

Incidents concerning employees of AUK will involve the Office 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.

*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 Vice President for Student Affairs or College Deans.*

## **B. DISRUPTIVE STUDENT POLICY**

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

### **Purpose:**

Student rights and responsibilities and University standards of conduct prohibit disruptive student behavior. The purpose of this policy is to clarify what constitutes disruptive behavior and outline the proceedings for addressing disruptive student conduct. For purposes of this policy, it may also be considered disruptive behavior for a student to exhibit threatening, intimidating, or other inappropriate behavior toward any AUK community member.

### **Definition:**

Disruptive student behavior is behavior which disrupts the educational process/environment or any other on or off campus University function. Such behavior includes, but is not limited to; unreasonable interference of University operations, intimidating, threatening or abusing any person or persons, or any other acts which may unreasonably interrupt the educational environment. Making inappropriate demands for time and attention from faculty, staff and/or other students may also be included depending on the behavior of the student in question.

### **Scope:**

This policy applies to student(s) who cannot conform to the standards of appropriate behavior as set forth by the American University of Kuwait. It is not permissible to interfere with other students' right of access to a university education. The Vice President for Student Affairs (or designee) is authorized to suspend or expel students pending investigation, because of disruptive behaviors, and may use the appropriate legal processes as required. 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 also refer the students for appropriate psychological/psychiatric evaluation.

### **Procedures:**

*Initiation and Investigation of Disruptive Students:* Depending upon the nature of the incident and student behavior some disruptive student actions may require reporting for appropriate follow-up and in more severe cases reported for immediate intervention.

*Immediate Intervention:* Any incidents in which a student is severely disruptive, threatens the health of themselves or others, or acts in a manner grossly inappropriate should be reported immediately for assistance and intervention. All referrals for immediate intervention must be made directly via phone call or personal contact to the Office of the Vice President for Student Affairs or Director of Student Life in conjunction with the Career Services & Wellness Center designated staff member in order to adequately intervene and assess student behavior.

*Follow-Up:* Any cases or incidents which do not require immediate intervention by professional staff the incident must be reported within 5 working days from the date the alleged act(s) occurred by submitting a formal incident report. The student's actions and general condition will be assessed accordingly in order to foster a safe and productive campus environment.

Depending on the circumstances and the type of intervention required the Student Conduct Officer (SCO) or the Coordinator of Safety & Security (CSS) may begin an initial review of the reports and collect supporting materials and/or information. Further steps regarding the initiation and investigation of student incidents are outlined in the *Adjudication Procedures: Student Code of Conduct* section.

### **Evaluation of Disruptive Students:**

Based on the information collected the Vice President for Student Affairs or Director of Student Life in consultation with the Career Services & Wellness Center designated staff member, will determine whether a formal evaluation is necessary, and if a referral to a professional clinician for psychological and/or psychiatric evaluation is required. 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.

If a formal evaluation is determined necessary the student will be informed of the reason(s) that s/he is being referred for the evaluation, which has to be conducted within 10 working days from the time this requirement is communicated to the student. Additional conditions may be placed on the student during this pending evaluation period which may include but are not be limited to suspension, limited access to campus, or other measures. The results of the evaluation will be used by the Vice President and the Career Services & Wellness Center designated staff member in determining the student's enrollment status with the University.



The University will identify the services of professional clinicians (as possible) 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 Office of the Vice President for 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.

#### **Dismissal of Disruptive Students:**

For students suspended or expelled under this policy, the Director of Student Life 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 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 Director of Student Life may share with the student's faculty otherwise confidential information concerning the student when in his/her judgment it will further support the student's welfare and educational process. To protect confidentiality and the possible sensitive nature of the information, the Director of Student Life (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.

Students suspended under this policy may re-enroll only after certification by a licensed clinical psychologist or psychiatrist, a recommendation from the Director of Student Life after consultation with Career Services & Wellness Center staff and approval from the Vice President for Student Affairs.

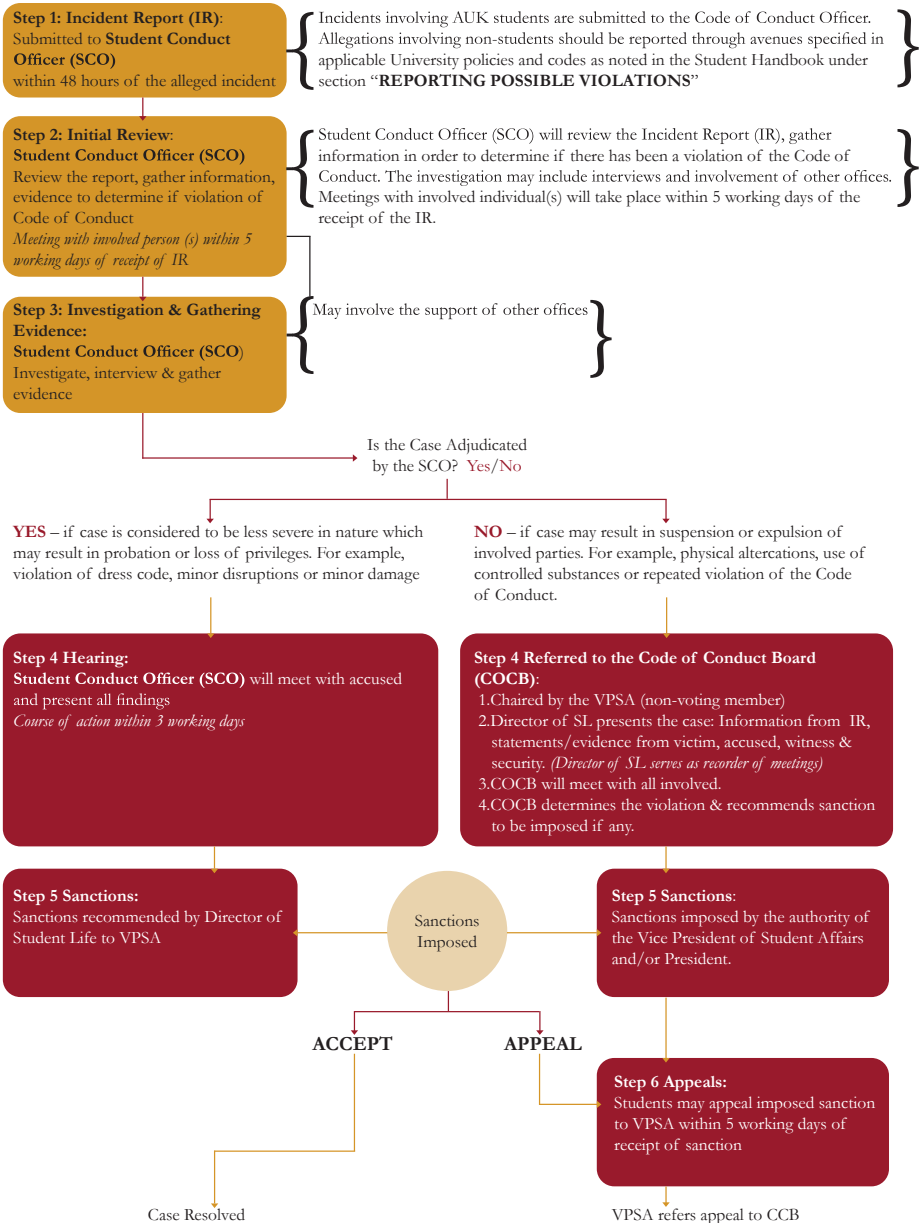
**Re-entry Procedures:**

If a student has been removed from the University under the Disruptive Student Policy, the following process applies for re-entry to the University:

- 1) The student must contact the Office of the Vice President for Student Affairs regarding his/her request for reentry.
- 2) The Office of the Vice President for Student Affairs in coordination with the Director of Student Life will review the request for re-entry along with any support documents and recommendations in order to assess the student's ability to reasonably re-enter the University.
- 3) Determination of suitability for re-entry to the institution may be based on a number of factors including health & safety issues, student progress, and may include conditions to promote student success as set forth by the Office of the Vice President for Student Affairs.
- 4) Upon approval for re-entry the Director of the Academic Advising 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.
- 5) Prior to the beginning of the student's first term of re-enrollment, the Director of Student Life will inform the student's instructor of any relevant educational information.

# DISCIPLINARY PROCESS

## NON-ACADEMIC MISCONDUCT



# **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 Vice President for Student Affairs, as a senior administrator, authorizes the Office of Student Life to directly oversee the student adjudication process. Additionally, the Vice President for Student Affairs authorizes the Code of Conduct Board and Director of Student Life 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) 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.

**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 recommend disciplinary sanctions as appropriate. As an ad hoc Board the group will be convened under the Chairmanship (a non-voting member) of the Vice President of Student Affairs 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. 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 a complaint against any student or student organization for misconduct as it pertains to University policy. Complaints shall be prepared in writing and forwarded to the Student Conduct Officer. Any complaint(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.

**1.7)** 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.*** If the case is considered to be less severe in nature which may result in probation or loss of privileges (such as violation of the dress code, minor disruptions or minor damage), the Student Conduct Officer will meet with the student(s) charged and will determine the appropriate sanction, and recommend to the VPSA.
- c) *Code of Conduct Board.*** if the case may result in suspension or expulsion of involved parties (such as physical altercations, use of controlled substances or repeated violation of the Code of Conduct) 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 Vice President for 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 it within 48 hours of the alleged incident as appropriate. Incident Reports submitted after this timeframe will be assessed by the Student Conduct Officer, who will determine whether the Incident Report should be investigated further as set forth in II.2.

- 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. The involved person(s) will be informed that her/his name appears on an Incident Report and an initial meeting with the SCO is to be scheduled within 5 working days of receiving the incident report.

**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. Investigations,

witnesses' interviews, and hearing sessions will be scheduled during the 5 working days following the initial meeting.

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.

If the case is considered to be less severe in nature which may result in probation or loss of privileges (such as violation of the dress code, minor disruptions or minor damage), the Student Conduct Officer will meet with the student(s) charged and will conduct the hearing.

If the case may result in suspension or expulsion of involved parties (such as physical altercations, use of controlled substances or repeated violation of the Code of Conduct) the hearing will be conducted by the Code of Conduct Board (COCB).

**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/COCB, to discuss the allegations. Failure for a student to meet with the SCO/COCB, 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/COCB, 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. The SCO/COCB will make a determination on the appropriate course of action within 3 working days of the final hearing /meeting with the accused.

*The timelines set forth in this document may be extended in unusual circumstances or if the incident is overseen by the Code of Conduct Board (please refer to Article III) or as determined by the Vice President for Student Affairs or his/her designee. Requests for extensions and approvals must be made in writing and all parties will be notified of the extension granted.*

Incidents which fall under *Maintaining Educational Environments Policies & Procedures* will follow the due process outlined within each individual section.

## **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/COCB.

**II.5.5)** The complainant or the accused must notify the Student Conduct Officer/COCB 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/COCB.

**II.5.7)** All procedural questions regarding the case are subject to the final decision of the Student Conduct Officer/COCB and the Director of Student Life (as applicable). *For information on Appeals please refer to Section V.*

**II.5.8)** At the discretion of the Student Conduct Officer/COCB, 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/COCB shall determine if the accused has violated section(s) of the Student Code of Conduct.

**II.5.11)** The Student Conduct Officer/COCB shall determine whether it is more likely than not that the accused student violated a University policy or policies. From this point forward a case may 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 If the Code of Conduct Board/Student Conduct Officer determines a violation(s) of the Student Code has occurred, the appropriate sanction will be recommended by the COCB to be imposed by the VPSA/designee.

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

**II.5.14)** The decision of the Student Conduct Officer/COCB 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 will be appointed for 2 consecutive years; however at any point if a member is separated from the University a replacement member will be recruited. Board members are nominated for the board as follows: faculty appointed by the Vice President of Academic Affairs, 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 Vice President of Student Affairs when required.

### **A) REFERRAL for a BOARD HEARING**

**III.A.1)** An incident will be referred to the Code of Conduct Board for review by the Director of Student Life (or designee) as indicated in Article II: Student

Conduct Process & Proceedings or by the Vice President for Student Affairs as relevant. If a case, initially reviewed by the Director of Student Life, is deemed necessary for referral, the accused will be informed in writing of the date, time, and location of the Code of Conduct Board hearing.

**III.A.2)** The Vice President for Student Affairs 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.

**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 working 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 recommend the Vice President for Student Affairs for implementation by Student Life.

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

**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.*

*\* Suspensions require the approval of the Vice President for Student Affairs.*

*\* Expulsions require the affirmation of the President.*

**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 defined period of time, after which the student is eligible to return. Conditions for readmission may be specified. The Vice President for Student Affairs affirms the student suspension. Students may also be suspended pending investigation.

**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 Vice President for Student Affairs. Cases involving the imposition of sanctions other than suspension or expulsion shall be expunged from the student's confidential record seven (7) years after the student's last registration at the American University of Kuwait.

## **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 Vice President for Student Affairs within five working days of the receipt of the sanctions. In cases where the Director of Student Life serves as the Student Conduct Officer or from cases handled by the Code of Conduct Board all appeal requests must be directed to the Vice President for Student Affairs (see section V.5 below).

**V.2)** If a student appeals the decision, the Vice President for 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 Vice President for Student Affairs may suspend the student or organization from activity at AUK immediately, and have the student escorted off AUK property.

**V.3)** The Vice President for Student Affairs will review all necessary paperwork, including, but not limited to, all incident reports filled out by AUK personnel, all security reports, any witness statements, and any police reports and refer back to the Code of Conduct Board if necessary.

**V.4)** After reviewing the case the Code of Conduct Board will make a determination to uphold, modify or overturn the decision, and will submit the recommendation in writing to the Vice President for Student Affairs within 7-10 working days of receiving the appeal letter from the student.

Appeals, if necessary, should be based on grounds related to procedural issues and not on an undesirable outcome. The grounds for appeal must be thorough and relevant otherwise the appeal may not be considered. Once the appeal decision is rendered, all appeal matters are considered final.

## 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, and the AUK website at [www.auk.edu.kw](http://www.auk.edu.kw). Any question of interpretation regarding the Code of Academic Honesty and Integrity shall be reported to the appropriate Academic Dean. The Code shall be reviewed annually at the discretion of the appropriate Academic Dean.

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 on the next page.

**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. Students found in the possession of materials violating international copyright laws will be referred in writing to the Department Chair of the appropriate discipline and to the appropriate Academic Dean.

**Dishonesty 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.

**Dishonesty During Exams:**

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

**Adjudication of Academic Dishonesty 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 in writing to the Department Chair of the appropriate discipline and the appropriate Academic Dean.

**Frivolous or Malicious Complaints:**

In the event that a claim of violation of academic honesty against another student is found to be frivolous or malicious, the appropriate University sanctions, including disciplinary action as appropriate, shall be taken against the complainant.

**Administration Jurisdiction:**

In circumstances in which the faculty member chooses to refer such violation to the Department Chair, 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 Department Chair review.

The Department Chair will notify the student of the charge and will arrange to discuss the charge with the student in a preliminary meeting. The Department Chair will also notify the appropriate Academic Dean 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 Department Chair may proceed with the process as appropriate. The Department Chair 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 "NR" will be entered on the transcript for that course.

After reviewing the charges and evidence, the Department Chair will make a decision about the case. The Chair may dismiss the case, remand the case to the faculty member bringing charges or assign a penalty. The Department Chair 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. The resubmitted work or retaken examinations will be subject to a one (1) grade penalty; providing for a maximum of Grade “B” for that work or exam.
- Submission of alternative work or exam for the course in which the offense occurred. The submission of alternative work or examinations will be subject to a one (1) grade penalty; providing for a maximum Grade “B” for that work or exam.
- Disciplinary probation.
- A grade of “F” or “NP” for the work found to be in violation of the Code of Academic Honesty and Integrity.
- A grade of “F” or “NP” 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 Department Chair 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 appropriate Academic Dean will review appeals. This Dean may consult the record of the case, the appeal request, and any person involved in the process of adjudication. This Dean 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 appropriate Academic Dean.