

# UNIVERSITY CODES

## (2023-2024 ACADEMIC YEAR)

To maintain an atmosphere that fosters ideal learning and personal development, the American University of Kuwait has set forth certain expectations for all individuals within the community. All members of the University, including students, must comply with the institution's policies and guidelines. The University's codes, policies, and procedures serve as a framework for ethical conduct and institutional values in higher education.

This section includes University codes that articulate expectations for behavior and conduct by members of the community, along with specific policies and procedures.

- 1) University Code of Conduct
- 2) Student Rights & Responsibilities
- 3) Student Code of Conduct
- 4) Code of Academic Honesty and Integrity
- 5) Student – Faculty Grievance

This section includes specific policies and procedures and provides a broader overview of student rights and responsibilities. The University Code of Conduct, Student Code of Conduct, and Code of Academic Honesty and Integrity establish a general framework outlining acceptable and unacceptable behaviors for AUK students and the appropriate disciplinary procedures and consequences.

AUK has established policies and procedures for students to address academic and non-academic concerns. Students should refer to the University Catalog and other policies or procedures that may not be included in this document for guidance. However, students may still appeal to issues that need to be explicitly outlined in these resources.

### 1) UNIVERSITY CODE OF CONDUCT

**Applicability:** This University Code of Conduct applies to:

- a) All American University of Kuwait (AUK) employees, including faculty, staff, and student employees, while working for the University or otherwise engaged in University-related activities.
- b) Consultants, vendors, and contractors when required by contract to conduct business with the University.
- 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 participating in University-sponsored activities on or off campus. All of these individuals are referred to in the code as “members of the University Community” or “community members.”

## INTRODUCTION AND PURPOSE

**Introduction:** As members of the University community, all faculty, staff, students, members of the Board of Trustees, University officers, and affiliates are responsible for upholding the institution's and community's highest ethical standards. As reflected in the Faculty Manual, Student Code of Conduct, Administrative Policies and Procedures, and all other University policies, the University is committed to integrating honesty, integrity, fairness, and responsible stewardship into all that we do. This Code of Conduct is intended to provide an overarching general statement that supplements existing University policies and codes but does not replace them. Other University policies and codes offer more specific guidance and must be applied as necessary.

**Purpose:** In this spirit, this Code of Conduct (the Code) is a shared declaration of our dedication to upholding the ethical, professional, and legal standards that guide our daily and long-term decisions and conduct. We will all be aware of and adhere to the pertinent policies, standards, laws, and regulations that govern our actions. Individually, we are responsible for our actions, and collectively, as members of the University Community, we are responsible for upholding these standards and complying 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, respect for the rights of others, for local traditions and values, and 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 about the interpretation or applicability of policy, the individual with a question should contact the appropriate individual or office with 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**

Every member within our community bears the responsibility of understanding and complying with the University's conflict of interest policies. There may be instances when personal financial interests, external professional pursuits, or the acquisition of benefits from third parties might result in an actual or apparent conflict between an individual's private interests and the mission of the University.

## **COMMUNITY RESPECT AND EQUALITY**

The American University of Kuwait is an institution deeply committed to the pursuit of outstanding scholarship and the creation of an environment that cultivates this goal. At the core of this commitment is the principle of treating each member of our community with fairness and respect. The University thus forbids any form of discrimination and harassment and assures equal opportunities for all community members and applicants, irrespective of their sex, race, religion, age, disability, or any other status protected by Kuwait laws. When actions contravene this standard, the University will swiftly intervene to halt offensive conduct, avert its recurrence, and impose suitable disciplinary measures on those responsible.

## **FINANCIAL INTEGRITY AND TRANSPARENCY**

The University upholds stringent principles of honesty and transparency in all its financial activities. This includes but is not limited to accounting entries, financial reports, expense reimbursements, and time sheets, along with any related supporting documents. All such documents must be accurate, clear, comprehensive, and strictly adhere to 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 or 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 appropriate avenues. If the possible violation includes students, then it would be reported to the Dean of Student Affairs. If the possible violation only includes staff and/or faculty then it would be reported to the HR. 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 violations from the Dean of Student Affairs or the Office of the President.

### **CONSEQUENCES OF VIOLATION**

Community members should recognize that non-compliance can have severe adverse financial and other consequences, potentially affecting the reputation and operations of the entire University. Violation of the code, laws, and regulations, or related University policies and procedures may carry disciplinary consequences, including dismissal.

## **2) STUDENT RIGHTS & RESPONSIBILITIES**

At the American University of Kuwait, the standards for student conduct are based on the principle that individual rights must be exercised responsibly to ensure that they are not denied to others. As a member of the University community, each student bears a responsibility to act in a manner that reflects positively on both themselves and the larger community. Students acquire both rights and responsibilities when they become members of the University community. The American University of Kuwait recognizes that these rights and responsibilities are inherent in the student experience and within the AUK community. The following sections detail these rights and responsibilities for students.

### **STUDENT RIGHTS**

At the American University of Kuwait, students can anticipate exceptional instruction and support services provided by a committed team of faculty and staff. AUK students are entitled to the following fundamental rights:

These rights encompass, but are not restricted 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 outlined in University policy.

## **STUDENT RESPONSIBILITIES**

Along with the aforementioned rights, all AUK students bear the responsibilities that come with being members of the University community. Admission to the American University of Kuwait is a privilege, and each student voluntarily agrees to abide by the mission, values, policies, and procedures of the University upon admission and registration. A student must recognize that their actions reflect on both themselves and the entire University community, and as such, all AUK students are responsible for upholding University policies and maintaining the highest standards of moral and ethical behavior. These general responsibilities encompass, but are not restricted 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
- Responsibility for cultivating personal growth and development
- Responsibility to communicate and work towards problem resolution utilizing appropriate methods
- Responsibility to pursue educational opportunities to the best of one's ability
- Responsibility 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
- Responsibility 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**

We value the trust our students place in us, and we are dedicated to safeguarding their privacy and maintaining the confidentiality of their records. Our commitment to confidentiality extends to all aspects of student records, ensuring the protection and privacy of student information throughout their academic journey at the American University of Kuwait.

Student records, including academic, conduct, counseling, medical, pre-matriculation, and student life records, are considered confidential and will be handled with the utmost care and discretion. These records are directly related to students and are maintained by designated offices within the university.

Student records will only be disclosed to family members, third parties, or university officials with a legitimate educational interest if the student provides written consent or if required by law, court orders, subpoenas, or situations involving the safety of individuals or property.

Students have the right to request the release of specific educational information to identified individuals within a designated timeframe, following the procedures outlined by the Office of the Registrar.

Directory Information, excluding sensitive details, may be released without consent in certain university publications, while personal information such as race, gender, ID number, grades, GPA, country of citizenship, and religion remains strictly confidential.

**Exceptions to the Policy:** The policy acknowledges several exceptions to non-consensual disclosure of personally identifiable information, including situations involving authorized representatives of the Ministry of Higher Education, organizations conducting studies on behalf of the university, or compliance with judicial orders or lawfully issued subpoenas.

### **3) STUDENT CODE OF CONDUCT**

Upon acceptance to the American University of Kuwait, students agree to conduct themselves responsibly in all personal and social areas and to take full accountability for their individual and collective actions. A conducive learning environment can only be attained in a setting free from coercion and intimidation; therefore, students are required to adhere to both the local laws of Kuwait and the academic and behavioral regulations of the American University of Kuwait. The University is committed to facilitating students' academic and personal development in accordance with its mission statement, and any behavior that contradicts this commitment will not be tolerated. Violations of institutional policy, including campus safety regulations, institutional operational procedures, misuse of campus facilities, and any behavior that impedes the educational process, are subject to disciplinary action. Any student, student organization, or alumni found to have violated University policy, either on or off-campus, will be subject to the disciplinary sanctions outlined in the Student Code of Conduct. As English is the language of instruction at the American University of Kuwait, all official meetings with students and disciplinary proceedings will be conducted in English. Students who experience difficulty in comprehending the proceedings in English will be offered the option of a neutral third party to translate the proceedings.

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

### **CONDUCT REGULATIONS**

The American University of Kuwait values the welfare, safety, and integrity of our campus

community. In this section, we outline the primary conduct regulations that guide our commitment to fostering an environment conducive to academic, cultural, and personal growth. These regulations cover aspects ranging from physical and non-physical misconduct to substance abuse, weapons possession, discrimination, and violations of law. We emphasize the need for all community members to respect these guidelines as a matter of principle, ethical responsibility, and legal obligation. Non-compliance will be addressed with appropriate disciplinary actions, in line with our resolve to maintain an exemplary academic environment.

**Failure to adhere to these regulations may result in severe consequences including immediate removal from campus, and suspension or expulsion from the University or classes, pending investigation, irrespective of fault. Our goal is to ensure everyone's actions align with our dedication to maintaining an exemplary academic environment.**

## **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 endangers any person's physical or emotional health or safety.

### **1.2) Physical Misconduct:**

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

### **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:**

Engaging in any form of persecution, humiliation, or harassment of another individual on campus, particularly as part of the initiation 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 and Alcohol:**

The use, possession, or distribution of narcotics, other controlled substances, or alcoholic beverages is strictly prohibited by State law and AUK regulations, except as expressly permitted by law. Violating these rules regarding controlled substances or alcohol is considered a serious offense, potentially leading to significant legal and academic consequences.

### **1.7) 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 is not permitted.

### **1.8) Discrimination as defined in AUK Policy:**

The American University of Kuwait prohibits discrimination and harassment based on race, color, religion, age, disability, gender, national origin, or marital status. The university provides equal opportunities and established procedures for filing complaints. Discrimination and harassment are defined, and conduct falling into those categories is prohibited, including retaliation. It is a violation of policy and can result in disciplinary or other actions for any student or student applicant who engages in such behavior during all educational, cultural, and social activities.

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

### **1.9) Law Adherence and University Discipline:**

- a) Obligatory compliance with all national laws within AUK campus and during AUK-led activities.
- b) AUK reserves the right to proceed with disciplinary actions against any student for off-campus legal violations, particularly when these infractions critically undermine the AUK community or interfere with the University's core educational mission.
- c) The University holds the authority to initiate disciplinary proceedings against a student for legal breaches, with these proceedings potentially being carried out in tandem with, or subsequent to, off-campus legal proceedings.
- d) Should a student face legal charges, AUK neither requests nor grants any exceptional allowances because of the student's academic status.
- e) If the accused violation also contravenes the Student Code of Conduct, AUK reserves the right to alert off-campus law enforcement about the Student Code of Conduct and the internal handling of the violation.
- f) AUK is committed to full cooperation with law enforcement and associated government entities in enforcing the law on campus and adhering to any judicially imposed stipulations.
- g) AUK acknowledges that students and faculty members, in their personal capacity, have the autonomy to communicate with government officials as they deem fit.

## **2. UNIVERSITY OPERATIONS**

### **2.1) Disruption:**

Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other AUK activities, including its public-service functions on or off campus, or other authorized non-AUK activities, when the act takes place on AUK property. Refer to the Maintaining Educational Environments: Policies and Procedures section for additional information.

### **2.2) 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.

### **2.3) Offensive Material:**

Students are not to produce, view, store, possess, or transmit offensive materials (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 discriminatory or demeaning.

### **2.4) 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.

### **2.5) 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.

### **2.6) 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.

### **2.7) 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.

### **2.8) Prohibited Disruptions and Obstructions:**

Engaging in a campus demonstration that disrupts the normal operations of AUK, violates the rights of other members of the community, incites others to disrupt scheduled or normal activities within any campus building or area, or intentionally obstructs the freedom of movement, whether pedestrian or vehicular, on campus, is strictly prohibited.”

### **2.9) Animal Presence on Campus:**

Students are not permitted to bring animals onto campus due to potential health and emotional risks to others. Exceptions to this policy can be granted by the University’s Division of Student Affairs under special circumstances and must be approved in advance. This prohibition does not apply to service animals assisting individuals with disabilities.”

### **2.10) University Guests & Visitors:**

AUK welcomes visitors who come to campus for educational programs, activities, or business purposes. It is expected that all visitors respect and adhere to the university’s policies, procedures, regulations, and instructions from authorized campus personnel. If a visitor behaves in a manner inconsistent with this policy or any other university policy, or if their behavior is not in the best interests of the university, they will be asked to cease such conduct and may be required to immediately leave the AUK campus.

**Procedure:**

- All visitors must register at any of the designated gates and obtain a visitor's badge.
- Visitors need to present a valid personal photo ID and state their destination before receiving the badge.
- Visitor access is limited to regular business hours (Sunday to Thursday, 8:00 am to 4:00 pm) or the designated hours of an AUK-sanctioned event.

**Protocols and Guidelines:****1. All Visitors:**

- Visitors without a pre-booked visit should report to the reception on the ground floor of the G building as directed by gate security.
- Access is granted only to relevant information and departments during the visit.
- Visitors must return their visitor passes and sign out at the gates before leaving.
- Visitors should visibly wear their visitor ID badge or be prepared to show their ID.
- Visitors under 18 years old are generally not allowed, except for admissions purposes or approved university activities or events.

**2. Additional provisions :****1.1. Student Guests:**

- Student guests are permitted on campus on weekdays from 8:00 am to 4:00 pm, excluding university-approved public events.
- The hosting student must be present at the relevant gate and provide their valid AUK ID, while the guest must provide a valid photo ID.
- Each student is allowed to host only one guest on campus simultaneously, with exceptions for certain events.
- Students are responsible for ensuring that their guests comply with all AUK policies and procedures. Violations may result in a ban for the guest and disciplinary action for the student host.

**1.2. Dignitaries:**

- AUK departments, student clubs, and organizations must follow event guidelines and obtain necessary approvals for inviting dignitaries.
- Dignitary visitors and their entourage will receive access upon approval by the Public Relations and Marketing department, with coordination with the security team.

**1.3. Event Access:**

- Event organizers must inform the Campus Services Department about the event's nature and specify whether it is open to the public or by invitation.
- For invitation-only events, visitors must present their invitation at the gates for entry.
- Organizers must email the security team at least 24 hours in advance to provide essential information.

***Disclaimer: AUK reserves the right to refuse admission to any visitor or guest at its discretion.***

### **2.11) Unacceptable Behavior:**

Behavior that contradicts the laws of the State of Kuwait, practices, or the standards of personal conduct set by AUK, either on University premises or at University-sponsored or -participated events, is strictly prohibited.

### **2.12) Physical Displays of Intimacy**

Open displays of affection, encompassing but not limited to hand-holding, hugging, kissing, or any other intimate behavior, are expressly forbidden on campus and at any events endorsed by the University.

### **2.13) Dress Code:**

Students at AUK are expected to respect and adhere to the cultural norms and traditions of Kuwait, and dressing appropriately is a key part of this. Prohibited clothing includes, but is not limited to, items with inappropriate or offensive language or imagery, tank tops, low-cut tops, short garments, and any clothing that excessively reveals skin or exposes the waist or back.

### **2.14) Gender Separation:**

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

### **2.15) Charitable Fundraising:**

Cash fundraising is strictly prohibited. Fundraising is restricted to sanctioned Student Clubs and Organizations. Student Clubs and Organizations who wish to solicit donations such as food, clothing, etc., must follow the procedures outlined below. All fundraising activities must be registered and approved in advance by the Office of Student Life, Division of Student Affairs. The proposal should include the following information:

- a) The intended recipient(s) of the funds being raised.
- b) The specific details regarding the collection of funds, including the dates, methods, and duration of the fundraising campaign.
- c) The procedure for securely storing the funds collected.
- d) The scheduled date for the distribution of funds and the designated recipient(s) (e.g., Red Crescent, etc.).

Additionally, it is mandatory to announce the total amount of funds raised on campus. Moreover, written confirmation of the delivery of funds to the appropriate parties must be submitted to the Division of Student Affairs for documentation and verification purposes.

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

The Disruptive Student Policy prohibits disruptive behavior by students that interferes with the educational process and other university functions. The policy applies to students who are unable to adhere to the appropriate behavior standards set by the American University of Kuwait.

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

### **3. UNIVERSITY FACILITIES, PROPERTY, & RESOURCES**

This section outlines the standards and regulations pertaining to the use of American University of Kuwait's (AUK) resources. As members of the AUK community, it is incumbent upon all students, faculty, and staff to respect and uphold these rules. They cover a broad range of areas, including, but not limited to, the appropriate use of university facilities, resources, and materials, the adherence to policies regarding theft and damage to property, smoking regulations, key usage, obstruction of movement, and specific guidelines related to the use of AUK's computer systems. The goal of these guidelines is to ensure the ethical, legal, and responsible utilization of university resources, thereby fostering an environment conducive to learning, growth, and community welfare.

#### **3.1) Unauthorized Usage of University Facilities:**

Entry or use of 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. Resource usage should align 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 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 such items, including the University logo, seal, and mascot, requires prior written 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) Smoking and Vaping:**

Smoking, vaping, and the use of e-cigarettes or other related devices are not permitted at university building entrances, within university buildings, or in University vehicles. This includes the main hallway connecting the Administration Building to the Sciences Building, which is designated as a smoke-free zone. Adherence to this policy is crucial in maintaining a healthy and conducive environment for all members of the AUK community.

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

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

#### **3.7) Obstruction of Movement:**

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

#### **3.8) 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, and 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 usage.
- d) Sending or posting discriminatory, harassing, threatening messages, or images, or sending or posting messages that defame or slander other individuals.
- e) Violating copyright law and 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) Acts of dishonesty include, but are not limited to:**

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.**

Providing inaccurate or misleading information to any AUK official or faculty member is strictly prohibited. This includes, but is not limited to, falsifying academic or personal records, providing dishonest information during inquiries or investigations, and misrepresenting

oneself or others in any communications within the AUK community. The integrity of the university community is built on the truthfulness, transparency, and honesty of its members.

#### **4.3) Forgery, Alteration, or Misuse of AUK Documents:**

Forgery, alteration, or misuse of any AUK document, record, or instrument of identification is a serious offense. This can include modifying academic transcripts, altering or fabricating University documents, or using another person's identification as your own. Any such actions undermine the trust and integrity of the University and its records. This behavior will not be tolerated and can lead to severe disciplinary actions, including suspension or expulsion.

#### **4.4) False Representation:**

Engaging in unauthorized representation or contracting in the name of the University is strictly prohibited. This includes falsely portraying oneself as an official representative of the University for financial transactions, agreements, or any actions that could bind or impact the University's interests. Such false representation undermines the University's credibility and reputation. Only individuals with proper authorization are permitted to act on behalf of the University, following established protocols and procedures. Violations of this policy may result in disciplinary actions, including legal consequences, to uphold the integrity of the University.

#### **4.5) Recording, Sharing, and Communication:**

The following guidelines address the responsible use of recording, sharing, and communication within the University community.

**Recording Prohibition:** Recording an instructor, staff member, or speaker without prior consent is strictly prohibited, unless required under the Disabilities Act, in which case consent must be obtained from the Counseling Center.

**Respecting Privacy and Academic Integrity:** Respecting the privacy and rights of individuals is crucial in the academic environment. Violations of the recording policy may result in academic penalties and/or disciplinary action, as determined by the instructor and in accordance with the Code of Academic Honesty and Integrity outlined later in this section of the Student Handbook.

**Sharing News, Videos, and Photos:** Upholding the values of integrity and respect, students are not to share news, videos, or photos with news or social media outlets. It is essential to consider the privacy, consent, and reputation of individuals and the University when engaging in any form of public communication.

**Violations and Consequences:** Any violations of these policies may result in disciplinary action, as outlined in the Student Conduct Code and at the discretion of the designated authorities. Responsible and ethical communication practices contribute to a positive and inclusive academic community.

## **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, and the Coordinator of Student Organizations. Violations will be adjudicated as defined by the Code of Conduct procedure.

In addition, organizations, officers, or individual students may be held accountable 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 with 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.

**5.7)** Tampering with the election of any recognized AUK student organization.

*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 and Disruptive Student policies were developed to uphold the principles of protecting community members and maintaining a productive educational environment.

### **A) Inclusion & Equality Policy**

#### **Purpose:**

At the American University of Kuwait, we are committed to providing an environment free from all forms of discrimination, including those based on race, color, religion, age, disability, gender, national origin, or marital status. We believe that a diverse campus community, representing various perspectives, enriches the overall educational experience. The University is dedicated to providing equal opportunities for all members of the community. To ensure this commitment, we have established procedures for filing a complaint against any 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 on race, color, religion, age, disability, gender, national origin, or marital status.
- Harassment is defined as conduct that interferes unreasonably with the status or performance of a student or student applicant 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 Dean of Student Affairs, shall administer procedures as they apply to students. The Director or their designee shall answer inquiries regarding procedures contained in the policy and may provide informal

advice to students who are unsure whether they have been victims of discrimination or harassment.

**Informal Complaints:** To initiate an informal complaint, the student or student applicant must submit their complaint within five 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 an e-mail or letter. The Director or designee may participate in informal conflict resolution and 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 five working days from the date of initiating the informal process to initiate a formal complaint. In total, a student has a maximum of 10 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 days of initiating the informal process, or within 5 days of the alleged act(s).

The Student Life designee may attempt resolution during the course of an investigation of a complaint. If a resolution was reached between the parties, but the alleged offender fails to comply with the agreement or retaliates against the alleged victim, the administrator may require the complaint to proceed as if no resolution was reached.

If the complainant believes that the Office of Student Life Officers lacks impartiality, the complainant may choose to file a formal complaint with the Office of the Dean of Student Affairs.

In the event of incidents involving AUK employees, the Office of Human Resources will be involved.

**Resolution:** The investigating University administrator may reasonably resolve the complaint and 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 Dean of Student Affairs or College Deans.

## **B) Disruptive Behavior 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. This policy aims 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 behavior by a student, whether on or off-campus, interferes with the educational process and other University functions. This can include acts such as yelling profanity in public areas on campus or during AUK sponsored events, unreasonably disrupting University operations, intimidating or threatening individuals, or engaging in any behavior that unreasonably interrupts the educational environment. Inappropriate demands for time and attention from faculty, staff, and other students may also be considered disruptive, depending on the nature of the student's behavior.

**Scope:** This policy applies to students who fail to comply with the standards of appropriate behavior set by the American University of Kuwait. It is unacceptable to hinder other students' access to their educational experience. The Dean of Student Affairs or their designated representative possesses the authority to suspend students pending investigation in response to disruptive behavior. In cases where nonviolent student dissent is involved, this policy does not apply. If a student's disruptive behavior warrants disciplinary action, the University may refer them to the Counseling Center for further evaluation.

The University reserves the right to employ appropriate legal processes, as necessary, in addressing disruptive student conduct.

### **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 Dean of Student Affairs or Director of Student Life in conjunction with the Counseling Center designated staff member to adequately intervene and assess student behavior.

**Follow-Up:** Any cases or incidents which do not require immediate intervention by professional staff 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 Life designee 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 Dean of Student Affairs or Director of Student Life in consultation with the Director of the Counseling Center and/or 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 for a formal evaluation. All records associated with the treatment or disciplinary process shall be kept confidential.

If a student is referred for a formal evaluation, they will be provided with the reason(s) for the referral and the evaluation must be conducted within 10 working days of notification. During this evaluation period, additional conditions may be imposed on the student, such as suspension or limited access to campus, as deemed necessary. The results of the evaluation will be used by the Dean of Student Affairs and the Counseling Center to recommend the student's enrollment status with President's Cabinet.

These measures are put in place to ensure the safety and well-being of the University community.

The University identifies the services of professional clinicians as follows:

- Are appropriately licensed and have appropriate credentials in the field of mental health.
- Are available to the student within twenty-four hours after initial contact with the Office of the Dean of Student Affairs and his/her designee.
- Provide services that are available daily through 10:00 pm, seven days a week.
- Are geographically accessible at convenient locations.
- Will provide a written evaluation and diagnosis of the student in a timely manner following referral.
- Will provide information regarding follow-up treatment if necessary.
- 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:**

If a student is suspended under this policy, a hold will be placed on their account by relevant offices in the division of student affairs. To be eligible for re-enrollment, suspended

students must obtain certification from a licensed clinical psychologist or psychiatrist. The recommendation of the mental health professional will be submitted to the Dean of Student Affairs, who will then consult with the President.

In cases where a student's return is permitted and there is a need to safeguard the educational environment, the Dean of Student Affairs reserves the right to disclose relevant and confidential information about the student to their faculty. This disclosure aims to support the student's well-being and academic progress. The Dean of Student Affairs will personally communicate with the faculty member(s), emphasizing the nature and educational relevance of the shared information, while upholding confidentiality. Copying the record is strictly prohibited.

### **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 Dean of Student Affairs regarding his/her request for re-entry.
- 2) The Office of the Dean of Student Affairs in coordination with the Director of Student Life and the Director of Counseling Center 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. The Dean of Student Affairs will offer the recommendation to members of the President's Cabinet.
- 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 Dean of 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 the 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.

## **C) 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.

**1.1)** 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 Student 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 Director of Student Life to fulfill designated roles as needed within the student adjudication processes.

**1.2)** 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.

**1.3)** 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. The group will be convened under the Chairmanship (a non-voting member) of the Dean of Student Affairs when required.

**1.4)** Recommendations made by the Code of Conduct Board shall be raised to the Dean of Student Affairs pending final decision. In all cases, the appeal process begins after the decision is final. If the decision is to suspend or expel students, then the recommendation by the Dean of Student Affairs will be raised to the President for review and final decision.

**1.5)** Campus Security, as their primary responsibility and duty, is tasked with maintaining a safe and secure environment to safeguard the university community. They work diligently to enforce the university's rules and regulations, ensuring the safety and well-being of all members.

**1.6)** 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 Office of Student Life. Any complaint(s) must be submitted in writing as soon as possible after the event takes place, preferably within 48 hours. The Student Life designee 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 Life designee, 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.

**1.8)** Based upon careful review of the evidence, the Student Life designee, 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 Life designee will meet with the student(s) charged, will determine the appropriate sanction, and recommend to the Dean of Student Affairs.
- 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 Dean of Student Affairs (or designee) may suspend the student or organization from activity at AUK immediately pending investigation 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 Life designee, who will determine whether the Incident Report should be investigated further as set forth in II.2.

- a) If the alleged is an AUK student, the report should be submitted to the Student Life designee within the Office of Student Life.
- b) If the alleged is unknown or a non-AUK student, the report should be submitted to the Coordinator of Safety & Security (CSS).
- c) 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 Life designee 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 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 Life designee shall have primary responsibility for the investigation of acts that involve suspected violation of university policies. 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 Student Life designee 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 for determination of the appropriate course of action.

At the conclusion of the Initial Review and the investigations, the Student Life designee 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 Life designee 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 with information about the charges or pertinent information that has been provided to the Student Life designee. The accused must meet with the COCB, to discuss the allegations. Failure for a student to meet with the COCB, within an adequate time period (set forth by the administrator), will require a decision 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 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 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 Dean of 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 Dean of Student Affairs/Student Life designee.

**II.5.2)** In sessions involving more than one accused student, the Dean of Student Affairs/Student Life designee, 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 COCB.

**II.5.5)** The complainant or the accused must notify the Dean of Student Affairs/Student Life designee/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 Dean of Student Affairs/Student Life designee/COCB.

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

**II.5.8)** At the discretion of the Dean of Student Affairs/Student Life designee/COCB, the accused may have the privilege of facing the accuser.

**II.5.9)** As appropriate, the Student Life designee 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 COCB shall determine if the accused has violated section(s) of the Student Code of Conduct.

**II.5.11)** COCB shall determine whether it is more likely than not that the accused student violated a University policy or policies.

**II.5.12)** If the COCB determines a violation(s) of the Student Code has occurred, the appropriate sanction will be recommended by the COCB to the Dean of Student Affairs/designee.

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

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

**II.5.15)** Abuse of the student discipline system, including but not limited to:

- a) Failure to appear before the requesting AUK official, such as Code of Conduct Board Chair, Code of Conduct Board, or Student Affairs Officers when required.
- 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.

### **ARTICLE III: CODE OF CONDUCT BOARD**

The Code of Conduct Board is 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 recommend disciplinary sanctions as appropriate. The Board is comprised of 3 faculty, 1 administrative staff, and 1 student. 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 and staff are appointed by the University President, and students appointed by Student Council (cannot be SC officers). As a standing committee, the group will be convened under the Chairmanship (a non-voting member) of the Dean of Student Affairs /Student Life designee.

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

**III.A.1)** An incident will be referred to in the Code of Conduct Board as indicated in Article II: Student Conduct Process & Proceedings or by the Dean of Student Affairs as relevant. If a case initially reviewed by the Dean of Student Affairs/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 Dean of 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 appropriate sanctions to the Dean of 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 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 Dean of 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><b>Probation</b> – 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><b>Suspension</b> – with Mandatory Probation Expulsion</p>

**NOTE:**

*Physical altercations on campus or at a university-sanctioned event are not tolerated, and any violation of this policy will result in immediate removal from campus and a temporary **suspension from the University or classes (without consideration of fault) pending investigation.***

*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 Dean of 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 Dean of 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 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 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 Life designee or the decision made by the Dean of Student Affairs following a Code of Conduct Board hearing. 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 Office of the President within five working days of the receipt of the sanctions.

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

**V.3)** The President 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 President 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.

## **4) CODE OF ACADEMIC HONESTY & 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 Academic Deans.

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 not approved 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 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 Chairs 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 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 Chair's review.

The Chair will notify the student of the charge and will arrange to discuss the charge with the student in a preliminary meeting. The 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 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 Chair may proceed with the process as appropriate. The 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 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 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 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 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 Chair 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 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 years after the student's last registration at the American University of Kuwait. The record will be housed in the Department 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.

## **5) STUDENT COMPLAINTS CONCERNING FACULTY**

### **POLICY**

- a) AUK is committed to providing an educational environment that is conducive to personal and professional development of each student. In order to ensure that commitment, the University has developed procedures for students to pursue complaints against faculty, should such action become necessary.
- b) A student, who has an unresolved disagreement or dissatisfaction with a faculty member, has the right to file a formal complaint to the appropriate authority without retaliation and prejudicing his or her status with the University.
- c) Examples of incidents that can result into a complaint are: misconduct, incompetent or inefficient service, neglect of duty, and mental incapacity in teaching related duties and settings.
- d) This policy does not apply to issues that are covered under separate policies and procedures such as grade appeal, allegations of discrimination or sexual harassment.
- e) A complaint, which has not been resolved through informal process, should be filed within thirty working days of the alleged incident to the appropriate authority.
- f) Any student who brings a complaint has the burden of proof and must provide documentation and evidence to support the allegation.
- g) False, frivolous, or malicious complaints are reported to Student Affairs and are dealt with under the Student Code of Conduct.

## PROCEDURES

### **Informal Resolution:**

Normally, a student with a complaint against a faculty should first attempt to resolve the issue with the faculty member concerned. Lacking a satisfactory outcome, the student should discuss the matter with the chair of the faculty member's department.

If a student is uncomfortable dealing directly with the concerned faculty member, s/he may seek assistance from the department chair or faculty's immediate supervisor in resolving the complaint.

### **Formal Complaint:**

If a student does not pursue informal resolution or if informal resolution is unsuccessful, the student may file a written complaint with the appropriate Dean (or designee) of the college in which the faculty member works.

- a) The complaint shall be filed within 30 days of the alleged misconduct. The complaint shall be as specific as possible in describing the incident of the faculty.
- b) Upon receiving the complaint, the Dean or designee will convene an advisory panel to review the complaint within 10 working days.
- c) The panel will consist of three faculty members: one chosen by the faculty member concerned, and two chosen by the Dean or designee. The panel will select a chair.
- d) The panel will arrange to meet with the parties and may gather additional information, and conduct interviews, in order to complete its investigation. Following this fact-finding process, the panel will submit a written report with recommendation for appropriate action to the Dean. The Dean will make the final decision and notify the parties within 10 working days.
- e) If the Dean determines that the complaint is without merit, the only record will be a copy of the student complaint form upon which such a notation will be made. The form will be placed on file with the student's permanent record for as long as may be necessary to permit response to potential legal action.
- f) If the Dean determines that the complaint is justified, an appropriate disciplinary action will be initiated, and the report will be placed in the faculty member's official personnel file.
- g) Any action arising out of a student complaint will be addressed in strict confidence and in accordance with University policy.

## APPEAL

The decision of the Dean may only be appealed on grounds of procedural defect. An appeal must be directed to the Office of the President within five working days of receipt of the Dean's written report. The President's decision will be final and binding on all parties.