

UNIVERSITY CODES

2018 - 2019



University Codes

(2018-2019 Academic Year)

In order to sustain an environment that supports optimal learning opportunities and promotes personal growth, the American University of Kuwait expects all community members to adhere to the guidelines and policies established by the institution. These guidelines and policies set forth the ethical standards and organizational values by which AUK operates as an institution of higher education.

This section includes the University Code of Conduct, Code Violations, Students Rights and Responsibilities, Disciplinary Procedures, and Other Policies & Procedures relevant to this context.

In addition, members of Student Clubs & Organizations must also adhere to the Student Clubs and Organizations Manual, and student employees must also adhere to the Student Employment Manual. Both manuals are available in the University Portal.

1. UNIVERSITY CODE OF CONDUCT

Applicability: This Code of Conduct applies to:

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

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

History: Approval date: 13th December 2006 By: Board of Trustees.

Section Headings:

1. Introduction and Purpose
2. Standards of Integrity and Quality
3. Compliance with Laws
4. Contractual Obligations
5. Confidentiality and Privacy
6. Conflict of Interest
7. Human Resources
8. Financial Reporting
9. Use of University Resources
10. Profession-Specific Standards
11. Reporting Possible Violations
12. Consequences of Violations
13. Questions

1. INTRODUCTION AND PURPOSE

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

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

2. STANDARDS OF INTEGRITY AND QUALITY

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

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

3. COMPLIANCE WITH LAWS

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

4. CONTRACTUAL OBLIGATIONS

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

5. CONFIDENTIALITY AND PRIVACY

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

6. CONFLICT OF INTEREST

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

7. HUMAN RESOURCES

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

8. FINANCIAL REPORTING

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

9. USE OF UNIVERSITY RESOURCES

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

10. PROFESSION-SPECIFIC STANDARDS

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

11. REPORTING POSSIBLE VIOLATIONS

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

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

12. CONSEQUENCES OF VIOLATIONS

Community members should recognize that noncompliance can have severe adverse financial and other consequences, potentially affecting the reputation and operations of the entire University. Violation of the Code, of laws and regulations, or of related university policies and procedures may carry disciplinary consequences up to and including dismissal.

13. QUESTIONS

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

2. CODE VIOLATIONS

1. Physical Misconduct

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

2. Alcohol, Drugs & Substance Abuse

Use, possession, or distribution of alcohol, narcotics or other controlled substances.

3. Weapons and Dangerous Materials

Possession of firearms, explosives, other weapons, dangerous chemicals, or other dangerous articles or substances.

4. Disruptive Behavior

Behavior which disrupts the educational process/environment or any on or off campus University function, such as unreasonable interference in or interruption of University operations or the educational environment. This includes making inappropriate demands for time and attention from faculty, staff and/or other students.

5. Harassment

Conduct that creates an intimidating, hostile, or offensive environment, inclusive of social media/internet harassment.

6. Endangering Behavior

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

7. Discrimination

Treating any community member differently than others are treated based upon race, color, religion, age, disability, gender, national origin, or marital status.

8. Dishonesty

Furnishing false information to any AUK employee, including forgery, alteration, or misuse of any AUK document, record, or instrument of identification; or tampering with the election of any recognized AUK student organization.

9. Inappropriate Conduct

Disorderly, lewd, or indecent conduct, and conduct which violates Islamic values, practices, beliefs.

10. 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.

11. Offensive Material

Producing, viewing, storing, possessing, or transmitting materials which are of an offensive nature (including harassing or obscene). Although personal opinions as to what is considered offensive may vary, the following items are viewed as offensive: lewd images, excessively violent or graphic content, and items considered to be discriminatory or demeaning in content.

12. Unauthorized Use of University Resources

Use of University resources should be in alignment with a person's role and responsibilities at the University. University resources include, but are not limited to, the use of University systems, and the use of University equipment, such as computers and peripherals, and other property; and the use of petty cash.

13. False Representation

False contracting or representation in the name of the University. Misuse of any University document, record, or instrument of institutional identification. Use of any such items, including the University logo, seal, and mascot require prior written approval.

14. 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.

15. Smoking Policy

Smoking is not permitted at university building entrances, within university buildings, or in university vehicles. The main hallway connecting the Administration Building to the Sciences Building is also a smoke-free zone.

16. University Identification

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

17. Non-Compliance with Directions

Non-compliance with directions of AUK officials or law enforcement officers acting in performance of their duties.

18. Unauthorized Soliciting or Distribution of Materials

Unauthorized soliciting, selling or promoting private business, or distributing unauthorized materials by any individual, group, or organization.

19. Dress Code

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

20. 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.

21. Unauthorized Entry & Key Use

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

22. Obstruction of Movement

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

23. Computer Use

Use of AUK computing systems should be in alignment with a person's role and responsibilities at the University. 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.

24. Recording Prohibition

Recording audio or video of event, instructor, or speaker without prior consent.

25. Pets

No pets allowed on campus, except when authorized in advance, as with animals which aid those living with a disability.

26. Violation of Law and AUK Discipline

Violation of local or country law on AUK premises or at AUK sponsored or supervised activities. AUK will cooperate fully with law enforcement and other agencies to the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of violators.

27. Fundraising

All fundraising activities must have the approval of the University President, following the rules established by the Private Universities Council, Ministry of Higher Education-State of Kuwait.

3. STUDENT RIGHTS & RESPONSIBILITIES

By accepting membership in the University community, a student acquires rights as well as responsibilities to the whole University community. The following sections outline these rights and responsibilities.

STUDENT RIGHTS

These rights include, but are not limited to:

1. The right to be treated equally in academic and non-academic settings
2. The right to attend classes in a physically safe environment
3. The right to be free from discrimination and harassment
4. The right to express diverse opinions
5. The right to learn without disruption
6. The right to due process
7. The right to access academic and support services that enhance student learning
8. The right to explore personal growth and development
9. The right to participate in the creation of knowledge
10. The right to know academic requirements and to be evaluated fairly

11. The right to engage in educational opportunities that enhance learning outcomes, both within and outside of the campus community
12. The right to form student organizations

STUDENT RESPONSIBILITIES

These responsibilities include, but are not limited to:

1. Personal responsibility and accountability for one's own actions
2. Responsibility to maintain the property and facilities of the University
3. Responsibility for showing respect to faculty, staff, and fellow students
4. Responsibility to communicate and work towards problem resolution utilizing appropriate methods
5. Responsibility for academic progression and career planning
6. Responsibility to recognize the value of diversity and an exchange of ideas within a University community
7. Responsibility for being acquainted with and complying with rules and regulations (both academic & non-academic)
8. Responsibility to maintain a positive image of the University

4. DISCIPLINARY PROCEDURES

The Division of Student Affairs is responsible for the administration of the disciplinary procedures and sanctions pertaining to students, student organizations, guests and alumni. This includes the administration of the University Code of Conduct and the imposition of varying degrees of disciplinary actions. The Dean of Student Affairs appoints the Director of Student Life to oversee this adjudication process.

The laws of the country prohibit the consumption of alcoholic beverages and the use of drugs. AUK has a zero tolerance policy concerning the use of alcohol or any narcotic substance, weapons and/or dangerous materials brought to campus or to any university-sanctioned event, and physical altercations. Any person who is found guilty of alcohol consumption, substance abuse, carrying and/or using weapons or dangerous materials, or participation in a physical altercation is subject to immediate removal from the university.

All records of the disciplinary procedures and sanctions will be confidential and stored with the Division of Student Affairs. 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 (7) years after the student's last registration at the American University of Kuwait.

ADJUDICATION PROCESS

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. The adjudication process is as follows:

1. Anyone witnessing or experiencing a violation of the University Code of Conduct by a student, alumni or guests should **submit an incident report** through University Self-Service or report directly to the Director of Student Life/designee **within 30 days** of the alleged incident. For grievances against staff and faculty, see *Other Policies & Procedures* below.
2. The Director of Student Life/designee will review the incident **within 5 working days** of receiving the report, to determine whether to dismiss the report or move to investigation.
3. The Director of Student Life/designee will investigate the incident **within 5 working days** of the review to determine whether to dismiss the report or make a ruling. This may include meeting with all parties involved or having witnessed the incident, including the accused. Rules of investigations and types of rulings are listed below.

RULES OF INVESTIGATIONS

All parties involved in or having witnessed the incident may be called for a meeting with the investigator. They will be informed via email and relevant information will be shared with them. The rules of investigation are as follows:

1. The investigation shall be conducted in private.
2. In sessions involving more than one accused, the investigator, at his/her discretion, may permit the session concerning each accused to be conducted separately.
3. The complainant and the accused are responsible for presenting their own case, but have the right to be assisted by any advisor they choose, at the discretion of the investigator. Advisors are not permitted to speak or to participate directly in the investigation.

4. The complainant and the accused have the right to present witnesses/evidence to the investigation, with prior notice given to the investigator.
5. Failure to appear for the investigation is subject to disciplinary sanctions as per the University Code of Conduct.
6. All parties of the investigation shall conduct themselves professionally. Harassment, dishonesty, disruption or intimidation are subject to disciplinary sanctions as per the University Code of Conduct.
7. The investigator will maintain written or taped recordings of the investigation.

TYPES OF RULINGS

EXCEPT FOR THE ORAL WARNING, ALL RULINGS MUST BE COMMUNICATED **within 5 working days** of the decision, via email and in person, explaining the violation and the appeal process, and warning the violator that a repeated violation will result in more severe sanctions. The ruling is to be made depending on the violation, as follows:

1. For minor violations, such as inappropriate or disorderly conduct, abuse of property, smoking and recording violations, etc, the **Director of Student Life/designee** may impose the following sanctions:
 - a) **Warning** – Oral or written.
 - b) **Probation** – For a specified period of time.
 - c) **Loss of Privileges** – For a specified period of time. This includes access to facilities, participation in sports, or clubs and organizations privileges.
 - d) **Fines** – For loss, damage or injury, in the form of monetary or material replacement.
 - e) **Community Service** – to AUK or general community.
2. For disruptive behavior, inclusive of harassment and endangering others, the Director of Student Life/designee shall refer the incident for the **Counseling Center**. See details below.
3. For major violations, such as physical altercations, substance abuse or weapons and dangerous materials, the Director of Student Life/designee shall refer the incident to the **Code of Conduct Board**. See details below.

REFERRAL TO COUNSELING CENTER

Based on referral from Director of Student Life/designee, the Director of the Counseling Center/designee will open a file for the accused in the Counseling Center then proceed as follows:

1. The Director of the Counseling Center/designee will **review** the complaint and supported materials and/or information. This may include meeting with all parties involved, including the accused and the complainant.
2. The Director of the Counseling Center/designee will make one of the following decisions **within 5 working days** of the referral:
 - a) **Return** to Director of Student Life/designee to impose sanction(s).
 - b) Plan **Counseling Sessions** with the violator, informing them that failure to meet the Counseling Sessions Plan may result in more severe sanctions.
 - c) Refer the violator to an external professional clinician for psychological and/or psychiatric **evaluation and/or treatment**.
3. If external referral is necessary, the University will identify the services of professional clinicians (as possible) who:
 - a) Are licensed and have appropriate credentials in the field of mental health.
 - b) Are available to the student within twenty-four hours after initial contact with the Director of the Counseling Center/designee.
 - c) Provide services that are available daily through 10:00 pm, seven days a week.
 - d) Are geographically accessible at convenient locations.
 - e) Will provide a written evaluation and diagnosis of the student in a timely manner following referral.
 - f) Will provide information regarding follow-up treatment if necessary.
 - g) Have the ability and available personnel to provide immediate crisis intervention, if the severity of the incident or client's condition so warrants.
4. Additional conditions may be placed on the violator during the evaluation/treatment period, which may include but are not be limited to suspension, limited access to campus, or other measures.
5. If suspension and/or expulsion is deemed necessary during or as a result of the evaluation process, the Director of Counseling Center/designee will draft a letter to the violator, explaining the violation, the terms of suspension/expulsion, and the appeal process, then signed and dated by the Dean of Student Affairs.
6. Suspension must be approved by the Dean of Student Affairs. Expulsion must be approved by the President. If the recommended sanction isn't approved, the President will recommend another sanction.
7. The Director of the Counseling Center/designee will deliver the letter to the violator in person and via email.

8. The Director of the Counseling Center/designee shall consult with the student's professors regarding the student's grades for the term during which they have been suspended or expelled. Final determination of grades, however, shall rest with the professors.
9. Students suspended under this policy may re-enroll only after certification by a licensed clinical psychologist or psychiatrist, a recommendation from the Director of the Counseling Center/designee and approval from the Dean of Student Affairs
10. If the student is allowed to return to the University in a subsequent academic term as a student, the Dean of Student Affairs may share with the student's faculty otherwise confidential information concerning the student when in his/her judgment it will further support the student's welfare and educational process. Only relevant information should be shared, not the entire record.

CODE OF CONDUCT BOARD

The Code of Conduct Board is a committee comprised of the Dean of the respective College or designee, a staff member appointed by the President, and a senior student appointed by Student Council or recommended by the accused. The Board will be convened under the Chairmanship (a non-voting member) of the Director of Student Life or designee.

Based on referral from Director of Student Life/designee, the Dean of Student Affairs will convene the Code of Conduct Board and proceed as follows:

1. The Chair will present the report and recommend appropriate sanctions.
2. The Code of Conduct Board will start a review and investigation of the incident **within 10 working days** of the referral. This may include meeting with all parties involved, including the accused and the complainant. Rules of investigations are listed above.
3. The Code of Conduct Board will make one of the following decisions by majority vote, **within 10 working days** of the start of the review and investigation:
 - a) **Return** to Director of Student Life/designee to impose sanction(s).
 - b) Recommend 1-2 semester **suspension** and submit for approval of the Dean of Student Affairs
 - c) Recommend **expulsion** and submit for approval of the President.

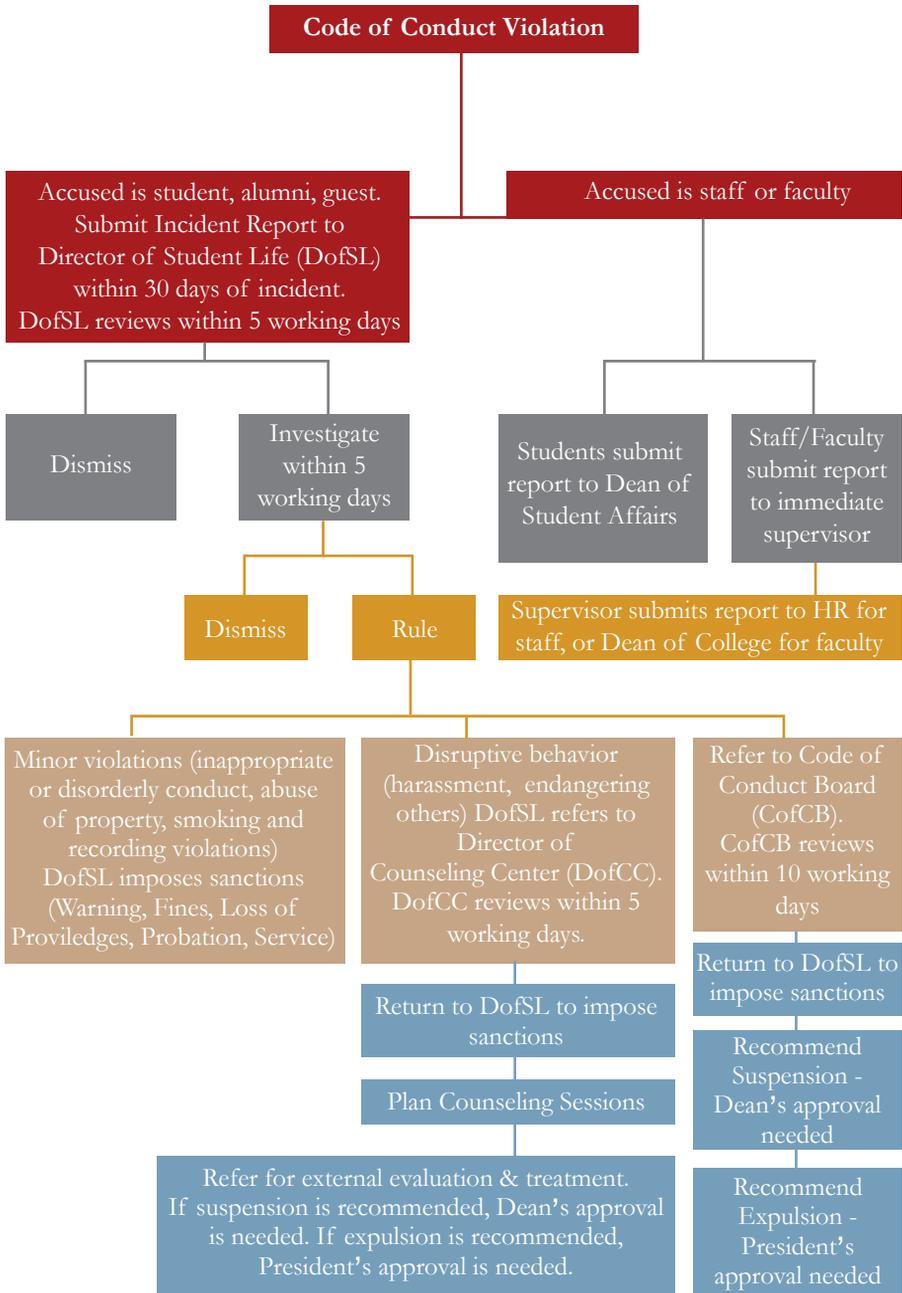
4. If the recommended sanction is approved, the Director of Student Life will draft a letter to the violator, explaining the violation and the appeal process. The letter must be reviewed by the Board members for accuracy and confirmation, then dated and signed by the Board Chair.
5. If the recommended sanction isn't approved, the Dean of Student Affairs or the President will impose another sanction.
6. The Director of Student Life/designee will deliver the letter to the violator in person and via email.
7. The Chair will maintain written or taped recordings of the investigation.

APPEALS

The complainant(s) or the accused has the right to appeal the sanctions imposed. Such appeals must be in writing, specifying on what grounds the appeal is being made, as follows:

1. For appeals against sanctions imposed by the Director of Student Life/Director of Counseling Center or designee, an appeal letter must be delivered to Dean of Student Affairs within 10 working days of the receipt of the sanctions.
2. For appeals against sanctions imposed by the Code of Conduct Board, an appeal letter must be delivered to the President within 10 working days of the receipt of the sanctions.
3. The Dean of Student Affairs or the President, respectively, shall decide if sanctions shall be in effect immediately, or pending the outcome of the appeal process.
4. The Dean of Student Affairs or the President will review the accused's disciplinary record and refer back to the Director of Student Life/Director of Counseling Center or designee or to the Code of Conduct Board within 10 working days of the receipt of the appeal
5. After reviewing the case the Director of Student Life/Director of Counseling Center or designee or the Code of Conduct Board will make a determination to uphold, modify or overturn the decision within 10 working days of the receipt of the Dean's referral, and inform the Dean of Student Affairs or the President in writing.
6. Once the appeal decision is rendered, all appeal matters are considered final.

DISCIPLINARY PROCEDURES FLOWCHART



5. OTHER POLICIES & PROCEDURES

1. Student Complaints Concerning Staff & Faculty

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 staff and faculty, should such action become necessary.

A. Complaints for Non-Academic Reasons

Policy

1. A student who has an unresolved disagreement or dissatisfaction with a staff or faculty member for non-academic reasons has the right to file a formal complaint to the appropriate authority without retaliation and prejudicing his or her status with the University. *See B, below, for complaints for academic reasons.*
2. Examples of incidents that can result into a complaint for non-academic reasons are:
 - a) Non-physical misconduct: harassment, bullying, verbal abuse, threats, intimidation, or discrimination
 - b) Physical misconduct: inappropriate physical contact, contact that causes bodily harm, or other contact that endangers the physical and emotional health or safety
3. This policy does not apply to issues that are covered under separate policies and procedures such as financial appeal.
4. A complaint, which has not been resolved through informal process, should be filed within thirty (30) working days of the alleged incident to the appropriate authority.
5. Any student who brings a complaint has the burden of proof and must provide documentation and evidence to support the allegation.
6. Any action arising out of a student complaint will be addressed in strict confidence and in accordance with University policy.

Procedure

The student can first attempt to resolve the issue with the person(s) concerned, or their department chair (for faculty) or immediate supervisor (for staff). If a student does not pursue informal resolution or if informal resolution is unsuccessful, the student has the right to file a complaint with Dean of Student Affairs or designee, or with the President if the complaint is against the Dean of Student Affairs.

1. The complaint shall be filed within 30 days of the alleged misconduct. The complaint shall be as specific as possible in describing the incident.
2. After review, the Dean of Student Affairs or designee will submit the complaint as follow:
 - a) For complaints against faculty, the report will be submitted to the Dean of the College.
 - b) For complaints against staff, the report will be submitted to HR Director and direct supervisor of the accused.
3. Upon receiving the complaint, the Dean of the College/HR Director or designee will convene a panel to review the complaint within 10 working days.
4. The panel is to be comprised as follows:
 - a) For complaints against faculty, the panel will be made of Dean of the respective College/designee, Dean of Student Affairs/designee, and faculty representative chosen by the accused.
 - b) For complaints against staff, the panel will be made of HR Director/designee, Dean of Student Affairs/designee, and staff representative chosen by the accused.
5. The panel will select a chair.
6. 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 of the College/HR Director. The Dean of the College/HR Director will make the final decision and notify the Dean of Student Affairs and the relevant parties within 10 working days.
7. If the Dean of the College/HR Director 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.
8. If the Dean of the College/HR Director 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.

Appeals

The decision of the Dean of the College/HR Director may only be appealed on grounds of procedural defect. An appeal must be directed to the Office of the President within five (5) working days of receipt of the Dean's written report. The President's decision will be final and binding on all parties.

B. COMPLAINTS FOR ACADEMIC REASONS

Policy

1. A student who has an unresolved disagreement or dissatisfaction with a faculty member for academic reasons has the right to file a formal complaint to the appropriate authority without retaliation and prejudicing his or her status with the University. *See A, above, for complaints for non-academic reasons.*
2. Examples of incidents that can result in a complaint for academic reasons are: incompetent or inefficient service, neglect of duty, and mental incapacity in teaching related duties and settings.
3. This policy does not apply to issues that are covered under separate policies and procedures such as grade appeal.
4. A complaint, which has not been resolved through informal process, should be filed within thirty (30) working days of the alleged incident to the appropriate authority.
5. Any student who brings a complaint has the burden of proof and must provide documentation and evidence to support the allegation.
6. Any action arising out of a student complaint will be addressed in strict confidence and in accordance with University policy.

Procedure

Informal Resolution:

Normally, a student with a complaint against a faculty for academic reasons 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.

1. 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.
2. Upon receiving the complaint, the Dean or designee will convene an advisory panel to review the complaint within 10 working days.

3. 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.
4. 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.
5. 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.
6. 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.

Appeals

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 (5) working days of receipt of the Dean's written report. The President's decision will be final and binding on all parties.

2. 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 & Integrity 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. 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:

1) 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.

2) 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.

3) 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.

4) 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.

5) 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.

6) Falsification of Data:

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

7) Inappropriate Collaboration:

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

8) 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.

JURISDICTION

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.

1) 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

2) 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.

3) 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 (5) working days. Any statement or signed document by the student will become part of the evidence in the case.

If the student fails to attend the preliminary meeting, the 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.

4) 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:

- a) Resubmission of the work or the retaking of the exam in question. The resubmitted work or retaken examinations will be subject to a one (1) grade penalty; providing for a maximum of Grade “B” for that work or exam.
- b) Submission of alternative work or exam for the course in which the offense occurred. The submission of alternative work or examinations will be subject to a one (1) grade penalty; providing for a maximum Grade “B” for that work or exam.
- c) Disciplinary probation.
- d) A grade of “F” or “NP” for the work found to be in violation of the Code of Academic Honesty and Integrity.
- e) A grade of “F” or “NP” for the course in which the offense occurred.
- f) Denial of credit for the course in which the offense occurred.
- g) Suspension for one or more academic semesters, including the semester or session in which the offense occurred.
- h) 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.

5) 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.

6) Records of Disciplinary Actions:

All records related to student violation of the Code of Academic Honesty and Integrity will be retained for a period of seven (7) years after the student's last registration at the American University of Kuwait. The record will be housed in the 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.