

STUDENT CODE OF CONDUCT

From the 2010-2011 Student Planner & Handbook

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

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

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

CONDUCT REGULATIONS

1. CAMPUS WELFARE & SAFETY

1.1 Non-physical misconduct:

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

1.2 Physical misconduct:

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

1.3 Endangering Behavior

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

1.4 Hazing:

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

1.5 Fire Regulations:

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

1.6 Controlled Substances:

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

1.7 Alcohol:

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

1.8 Weapons and Dangerous Materials:

Illegal or unauthorized possession of firearms, explosives, other weapons, dangerous chemicals, or other dangerous articles or substances on AUK premises or at functions sponsored by or participated in by AUK or an AUK organization.

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

1.9 Discrimination as defined in AUK Policy

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

1.10 Sexual Harassment as defined in AUK Policy

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

1.11 Violation of Law and AUK Discipline:

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

2. UNIVERSITY OPERATIONS**2.1 Dress code:**

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

2.2 Inappropriate Conduct

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

2.3 Disorderly Conduct:

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

2.4 Gender Separation:

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

2.5 Offensive Material:

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

2.6 Disruption:

Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other AUK activities, including its public-service functions on or off campus, or other authorized non-AUK activities, when the act occurs on AUK premises. See details later in the *Maintaining Educational Environments: Policies and Procedures* section.

2.7 Disruptive Student as defined in AUK Policy

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

2.8 Unauthorized Demonstration:

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

2.9 Non-Compliance with Directions:

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

2.10 University Identification:

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

2.11 University Guests & Visitors:

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

2.12 Pets

Students are not permitted to be in possession of animals on campus as they may cause a health or emotional risk to others. Special circumstances must be authorized in advance by the University administration. *Please note: this does not apply to animals which aid those living with a disability.*

2.13 Unauthorized Soliciting or Distribution of Materials

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

2.14 Charitable Fundraising

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

- a. For whom the funds are being raised,
- b. When, how, and for how long funds will be collected,
- c. How funds will be stored,
- d. Date the funds will be distributed and to whom (i.e. Red Crescent, etc.) In addition, the total amount raised must be announced on campus, and written confirmation of the delivery of funds to the appropriate parties must be submitted to the Division of Student Affairs.

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

2.16 Bribery:

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

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

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

3. UNIVERSITY FACILITIES, PROPERTY, & RESOURCES

3.1 Unauthorized Usage of University Facilities

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

3.2 Unauthorized Usage of University Resources

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

3.3 Unauthorized Usage of University Materials/Falsely Representing AUK

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

3.4 Theft or Damage to Property:

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

3.5 Unauthorized Entry & Key Usage:

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

3.6 Obstruction of Movement:

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

3.7 Computer Usage:

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

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

4. DISHONESTY & FALSE REPRESENTATION

4.1 Dishonesty, including but not limited to the following:

- a. Cheating, plagiarism, or other forms of academic dishonesty. The term “cheating,” includes but is not limited to, copying homework assignments from another student; working together with another individual on a take-home test or homework when specifically prohibited from doing so by the instructor, looking at text, notes or another person’s paper during an examination when not permitted to do so. Cheating also includes the giving of work information to another student to be copied and/or used as his/her own. This includes but is not limited to, giving someone answers to exam questions either when the exam is being given or after having taken an exam; informing another student of specific questions that appear or have appeared on an exam in the same academic term; giving or selling a term paper, report, project or other restricted written materials to another student.
- b. The term “plagiarism” includes, but is not limited to, an attempt of an individual to claim the work of another as the product of his/her own thoughts, regardless of whether that work has been published. Plagiarism includes, but is not limited to, quoting improperly or paraphrasing text or other written materials without proper citation on an exam, term paper, homework, or other written material submitted to an instructor as one’s own work. Plagiarism also includes handing in a paper to an instructor that was purchased from a term paper service or downloaded from the Internet and presenting another person’s academic work as one’s own. Individual academic departments may provide additional examples in writing of what does and does not constitute plagiarism, provided that such examples do not conflict with the intent of this policy.

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

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

4.4 False Representation:

Contracting or representation in the name of the University.

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

4.6 Recording Prohibition

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

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

5. STUDENT ORGANIZATIONS

Student organizations, members and officers individually and collectively must comply with all university policies and procedures at the American University of Kuwait. In addition, organizations, officers or individual students may be held accountable as per the applicable policies/procedures when an alleged offense is committed by one or more members or guests of the organization. Specific violations may include, but are not limited to:

5.1 Committing any act in violation of any policy, procedure or agreement, as well as rules and regulations established by appropriate University departments/officials. Examples may include; sponsorship, PR/Marketing policies and procedures and/or Student Life policies and procedures applicable to AUK Clubs & Organizations.

5.2 Inappropriate use of Organizational/University funds to finance the activity in question.

5.3 Occurrence of an offense at an event that is substantially affiliated or sponsored by the organization's membership.

5.4 Occurrence of an offense/violation at an event by an officer of the organization or member acting in a leadership role.

5.5 Members with knowledge of a forthcoming violation who refrain from attempting to prevent the infraction.

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

MAINTAINING EDUCATIONAL ENVIRONMENTS: POLICIES & PROCEDURES

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

A. NON DISCRIMINATION POLICY

Purpose

The American University of Kuwait affirms its commitment to ensure that each student shall be permitted to study and otherwise participate in the AUK community in an environment free from any form of discrimination, including race, color, religion, age, disability, gender, national origin, or marital status.. The University considers a diverse campus community and the many points of view represented within as a means to enhance the quality of one's overall educational experience. The University also affirms its commitment to providing equal opportunities for all community members. Therefore this policy outlines the procedures to file a complaint against any form of alleged discrimination or harassment.

Definitions

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

- Discrimination is defined as treating any student or student applicant differently than others are treated based upon race, color, religion, age, disability, gender, national origin, or marital status.
- Harassment is defined as conduct that unreasonably interferes with a student or student applicant's status or performance by creating an intimidating, hostile, or offensive environment.

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

- a.** Disparity of treatment in educational programs and related support services on the basis of membership in one of the listed groups.
- b.** Limitation in access to participation in athletic, social, cultural or other activities of the University because of membership in one of the listed groups.
- c.** Discrimination of the foregoing types on the basis of gender, unless based on legal distinctions in needs for restrooms, athletics, and other such areas.

- d. Retaliation for filing complaints or protesting practices that are prohibited under this policy.

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

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

Scope

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

The University does not condone any community members including faculty, employees, or other agents of the University to discriminate against or harass, as previously defined, any student or student applicant. Any possible infractions for non-student community members should be addressed to the appropriate University department for clarification on related policies and procedures.

Procedures

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

Informal Complaints: Any student or applicant for admission to the University who believes that s/he has been the subject of discrimination or harassment may seek advice or consultation from the Student Ombudsman who may informally advise the complainant in formulating a plan for resolution of the problem. The Student Ombudsman in addition to providing information about informal/formal grievance procedures is a resource for any kind of issue, including concerns which fall outside the scope of formal complaint channels. Discussions with the Student Ombudsman do not constitute notice to the University.

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

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

Formal Complaints: A formal student complaint must be made in writing and submitted to the Office of the Dean of Student Affairs designee. The individual must complete an Incident Report Form which shall contain the name of the complainant and state the nature of the act(s) complained of, including such details as the name of the alleged offender(s) and the date(s) on which the offending act(s) occurred, the

name(s) of any witnesses, and the desired resolution(s). The written complaint must be filed within 10 working days of initiating the informal process, or within 20 working days of the alleged act(s).

The Office of the Dean of Student Affairs designee may attempt resolution during the course of an investigation of a complaint. If resolution of the complaint was achieved between the parties and the alleged offender fails to abide by the agreement or retaliates against the alleged victim, the administrator may require the complaint to proceed as if resolution had not been reached.

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

Incidents concerning employees of AUK will involve the Office of Human Resources.

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

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

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

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

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

Informal and formal complaints regarding the academic treatment of students with disabilities will be referred to the Dean of Student Affairs or Dean of the College of Arts & Sciences.

B. DISRUPTIVE STUDENT POLICY

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

Purpose

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

Definition

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

Scope

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

Nonviolent student dissent does not fall under the purview of this policy. For students who exhibit disruptive behavior serious enough to merit disciplinary action, the University may refer the students for appropriate psychological/psychiatric evaluation.

Procedures

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

Immediate Intervention: Any incidents in which a student is severely disruptive, threatens the health of themselves or others, or acts in a manner grossly inappropriate should be reported immediately for assistance and possible intervention. All referrals for immediate intervention must be made straight away via phone call or personal contact to the Office of the Dean of Student Affairs (or designee) in conjunction with the Director of the Student Success Center in order to adequately intervene and assess student behavior.

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

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

Evaluation of Disruptive Students

Based on the information collected the Dean of Student Affairs (or designee) in consultation with the Director of the Student Success Center, will determine whether a formal evaluation is necessary, and if a referral to a professional clinician for psychological and/or psychiatric evaluation is required.

The University shall retain the names of psychological/psychiatric evaluators who can assess the behavior and psychological condition of students who exhibit disruptive behavior or threaten bodily harm to themselves or others or exhibit severely disoriented perceptions and/or behaviors. Students who exhibit less severe disruptive behavior will be assisted by appropriate staff and/or referred to the appropriate agency. All records associated with the treatment or disciplinary process shall be kept confidential.

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

The University will identify the services of professional clinicians (as possible) who:

- a. are appropriately licensed and have appropriate credentials in the field of mental health.

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

Dismissal of Disruptive Students

For students suspended or expelled under this policy, the Office of the Dean of Student Affairs 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.

If a student has been removed from the University through disciplinary dismissal or suspension due to disruption of the educational process, or the endangerment of the health and safety of others, and is allowed to return to the University in a subsequent academic term as a student, the Office of the Dean of Student Affairs designee may share with the student's faculty otherwise confidential information concerning the student when in his/her judgment it will further support the student's welfare and educational process. To protect confidentiality and the possible sensitive nature of the information, the Dean of Student Affairs (or designee) should share the information in person with the faculty member, and point out the nature of the information and its educational relevance. Only relevant information should be shared, not the entire record. No copies of the record shall be made.

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

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 reentry.
2. The Office of the Dean of Student Affairs in coordination with the Director of the Student Success 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.
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 Student Success Center must approve the student's course selection during their first term re-enrolled at the University. Classes chosen will be appropriate to student's background and to their educational plans.
5. Prior to the beginning of the student's first term of re-enrollment, the Director of the Student Success Center will inform the student's instructor of any relevant educational information.

C. PROHIBITION OF SEXUAL HARASSMENT

Purpose

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

Definition of Sexual Harassment

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

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

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

Scope

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

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

This policy only applies to incidents in which the accused is a student.

Reporting Procedures

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

Someone who believes they have experienced sexual harassment should report the possible violation(s) to the Assistant Dean of Student Affairs. Individuals can speak informally about the alleged circumstances and harassment incident directly with the Assistant Dean of Student Affairs if s/he deems appropriate. An individual has the option for resolution through either an informal or formal process. The primary purpose of the informal process is to identify the violations and resolve the conflict to the mutual satisfaction of involved parties. The student must submit his/ her complaint within 20 working days after the alleged incident has occurred. Should the problem not be resolved satisfactorily within 10 working days of initiating the informal process, the complainant may file a formal complaint.

If deemed necessary, to formally report a possible sexual harassment violation an individual must complete an Incident Report Form which must be filed within 30 working days of the alleged act(s) of harassment or within 10 working days of initiating the informal process. A formal student complaint must be made in writing and submitted to the Office of the Dean of Student Affairs designee. 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).

Please note that any related acts or incidents prior to the most recent alleged act(s) of harassment may be considered or reviewed as part of the investigation.

Resolution Proceedings

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

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

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

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

The victim will be notified of the resolution of the investigation and of any sanctions imposed that directly relate to the victim. Depending on the nature and severity of the harassment, counseling, discipline, or further separation of the parties involved may be necessary.

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

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

ADJUDICATION PROCEDURES: STUDENT CODE OF CONDUCT

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

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

ARTICLE I: JURISDICTION & ENFORCEMENT

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

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

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

I.3. The Code of Conduct Board is a committee comprised of faculty, administrative staff, and students who serve to investigate referred alleged breaches of the AUK Student Code of Conduct, to make determinations on such charges, and to administer disciplinary sanctions as appropriate. As an ad hoc Board the group will be convened under the Chairmanship (a non-voting member) of the Director of Student Life (or designee) when required.

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

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

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

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

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

- a.** No Action: review of the evidence was inconclusive or the infraction was unsubstantiated.
- b.** Administrative Hearing: the Student Conduct Officer will meet with the student(s) charged and will determine the appropriate sanction.
- c.** Code of Conduct Board: The incident will be referred to the Code of Conduct Board.

ARTICLE II: STUDENT CONDUCT PROCESS & PROCEEDINGS

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

the Dean of Student Affairs,(or designee) may suspend the student or organization from activity at AUK immediately, and have the student(s) escorted off AUK property.

II.1 Initiation: Person(s) witnessing or experiencing what they believe to be a possible non- academic code violation should complete an Incident Report Form and submit it within 10 working days of the alleged incident as appropriate. Incident Reports submitted after this timeframe will be assessed by the Student Conduct Officer, who will determine whether the Incident Report should be investigated further as set forth in II.2.

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

II.2 Initial Review: The Student Conduct Officer (SCO) or the Coordinator of Safety & Security (CSS) as designated above will begin an Initial Review of the complaint and supported materials and/or information. The process may include meeting with the indicated student(s) involved to determine whether relevant evidence exists and if there is a reasonable basis for believing the University's Student Code of Conduct was violated. Based on the nature of the incident further investigations and evidence gathering may be required. The involved person(s) will be informed that her/his name appears on an Incident Report and an initial meeting with the SCO is to be scheduled within 5-7 working days of receiving the incident report.

II.3 Investigations & Gathering Evidence: Campus Security in conjunction with the Student Conduct Officer shall have primary responsibility for the investigation of acts that involve suspected violation of University policies or applicable State of Kuwait laws individually or collectively. CSS, SCO, and/or other designated University personnel are authorized to investigate alleged violations other than those involving academic misconduct. Any person believed to have information relevant to an investigation may be contacted and requested to make an appointment to discuss the matter. Investigations, witnesses' interviews, and hearing sessions will be scheduled during the 10 working days following the initial meeting.

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

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

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

II.4 Hearing: The accused student shall be provided information about the charges or pertinent information that has been provided to the Student Conduct Officer. The accused must meet with the SCO, to discuss the allegations. Failure for a student to meet with the SCO, within an adequate time period (set forth by the administrator), will require a determination to be made on the case without both sides being presented. It is the responsibility of the accused to make necessary arrangements to meet with the SCO, or they will forfeit the opportunity to present their case. In all cases, the evidence

in support of the charges shall be presented and considered. The SCO 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 Students or his/her designee. Requests for extensions and approvals must be made in writing and all parties will be notified of the extension granted.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE III: CODE OF CONDUCT BOARD

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

A. REFERRAL for a BOARD HEARING

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

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

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

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

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

B. HEARING PROCEDURES

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

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

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

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

III.B.5 The complainant, the accused, and the Code of Conduct Board shall have the privilege of presenting witnesses, subject to questioning by the Code of Conduct Board. The complainant and the accused must notify the Board Chair of any witnesses and/or evidence they wish to present, at least three 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 determine the appropriate sanctions.

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

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

ARTICLE IV: SANCTIONS

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

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

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

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

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

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

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

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

Fines – Established and published fines may be imposed.

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

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

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

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

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

- a. Those sanctions listed above.
- b. Deactivation or loss of specific organizational privileges for a specified period of time. Other than AUK expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record held in the Office of Student Life. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than expulsion and suspension upon written application to the Dean of Student Affairs. Cases involving the imposition of sanctions other than suspension or expulsion shall be expunged from the student's confidential record seven (7) years after final conclusion of the case.

ARTICLE V: APPEALS

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

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

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

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

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

ARTICLE VI: GRIEVANCE PROCESS FOR NON-INSTRUCTIONAL ISSUES

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

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

VI.1 Grievance Defined:

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

VI.2 Informal Resolution:

The student shall informally submit his/her grievance, either verbally or in writing, to the supervisor of the department where the alleged improper application of University policy or procedure occurred. For grievances between students, submit informal submission to the Office of Student Life staff. The student must submit his/her grievance within 10 working days after the incident is alleged to have occurred and the grievance must refer to the specific policy or procedure that was unfair or misapplied. Students may choose to either ask for a specific action on the part of the University or are free to simply voice their grievance without asking for any action on the part of the University.

VI.3 Formal Resolution:

The student must submit his/her grievance within 20 working days from the date the alleged incident occurred or 10 working days after a response is received from the informal process. Appeals to higher levels of authority end with the appropriate Dean of the Division or administrative equivalent. The University Ombudsman may serve as a liaison between students and staff at all levels of the grievance process. If a satisfactory resolution cannot be reached with the supervisor of the department, the student may formally appeal the decision, in writing, to the next higher-level supervisor requesting that the grievance either be reviewed administratively or heard by the University Grievance Board. It is at the discretion of the next higher-level supervisor whether to address the concern through a final administrative determination by that individual, or to refer the matter to the Grievance Board.

VI.4 Grievance Board:

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

Grievance Board Hearing

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

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

VI.4.3 The Grievance Board reserves the right to conduct its proceedings in an adequate timeframe that will allow for a thorough examination of the case presented, to include time for reviewing reports, interviewing those involved, calling witnesses, and for deliberation.

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

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

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

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

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

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

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

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

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

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

ARTICLE VII: INTERPRETATION AND REVISION

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

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

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

ARTICLE VIII: RECORDS OF DISCIPLINARY ACTIONS

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

ARTICLE IX: DEFINITIONS

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

1. The term "UNIVERSITY" refers to the American University of Kuwait.
2. The term "FACULTY MEMBER" refers to any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
3. The term "UNIVERSITY OFFICIAL" includes any person employed and/or charged by the University performing assigned administrative or professional responsibilities.
4. The term "UNIVERSITY PREMISES" includes all land, buildings, facilities, and other property in the possession of, owned, used, or controlled by the University.
5. The term "STUDENT" includes all persons registered for courses at the University either full-time or part-time, including pre-university programs, Intensive English Program, pursuing undergraduate degree, non-degree seeking, professional studies, enrolled in the Center for Continuing Education, and who have been accepted for admission are considered "students".
6. The term "ORGANIZATION" refers to any number of persons who have registered with the formal requirements for University recognition, and other non-registered student groups.
7. The term "STUDENT CONDUCT OFFICER" refers to a University official designated by the Dean of Student Affairs who is authorized to adjudicate student disciplinary cases and to impose sanctions upon any student(s) or student organization found to have violated University policies.
8. The term "CODE OF CONDUCT BOARD" is a committee comprised of faculty, administrative staff, and students who serve to investigate alleged breaches of the AUK policies to recommend sanctions that may be imposed when a violation has been committed.
9. The term "GRIEVANCE BOARD" is a committee comprised of faculty, administrative staff, and students who serve to identify the improper application of University policies or procedures.

10. The term “POLICY” refers to the regulations of the University, which govern institutional procedures and guidelines. Many are found in, but are not limited to, the Student Code section of the Student Handbook, Academic Catalog, and the University web page.
11. The term “COMPLAINANT” refers to any person who submits a complaint alleging that a student or other individual violated the University policies or law(s) of Kuwait.
12. The term “ACCUSED STUDENT” refers to any student alleged of violating University policies.