

STUDENT CONDUCT POLICIES

Conduct Authority

Ultimate authority to govern student conduct rests with the University's Board of Regents. The Board of Regents has delegated authority to the President. Subsequently, the University President grants authority to the Vice President for Enrollment and Student Experience to assume responsibility to oversee execution of the Code of Student Conduct. When appropriate, the Vice President for Enrollment and Student Experience may delegate conduct authority to additional University officials and committees in keeping with University policies, rules, and regulations.

University's Scope Governing Conduct

The University's scope to address student conduct extends to on-campus and off-campus settings. Additionally, jurisdiction to address student conduct extends to organizations, covers person-to-person interface, and interactions that occur electronically.

Purpose of the Code of Student Conduct

WKU developed the Code of Student Conduct to fulfill its mission, to ensure an environment conducive to learning, to establish high standards of integrity and conduct, and to safeguard students' personal freedoms. These personal freedoms imply particular student rights and responsibilities. For more on Student Rights and Responsibilities, please visit: <https://www.wku.edu/studentconduct/>

Violations of Law and the Code of Student Conduct

Students who violate federal, state, or local laws may incur penalties prescribed by civil and criminal authorities. Nevertheless, the University reserves the right to review student incidents independent of action by civil and criminal authorities and to apply the University student conduct process as it serves the educational mission of WKU, a function separate and distinct from civil and criminal proceedings.

Academic freedom, constructive criticism, and due process of law depend upon civility of behavior by all members of the University community towards all other persons in all circumstances. The University will not tolerate the use or threat of force, violence, coercion, intimidation, obstruction, duress or disruption by any individual or group. Members of the University community found to be participants in such activities will be subject to immediate disciplinary action. Likewise, appropriate measures will be taken to stop and correct such activities by any non-member of the University community, whatever may be the claimed basis for his/her/their presence on the campus.

Following procedures of due process, if the WKU Code of Student Conduct is violated, the responsible parties will go through the University's disciplinary process, which is intended to be a fair and educational experience. Students are presumed not responsible until the institution has established every element of an alleged violation; however, this shall not be construed to mean that a complainant or any witnesses has presented false testimony or evidence. Although a student accused of academic or nonacademic misconduct will be granted every consideration, if actions and behaviors of the student are duly found to be detrimental to the University mission, function, property, or wellbeing, the University will apply an appropriate disciplinary outcome.

Any WKU student may be expelled, suspended, placed on probation, or given a lesser outcome for one or more violations of the Code of Student Conduct. The Code can be found at www.wku.edu/studentconduct (<https://www.wku.edu/studentconduct/student-code-of-conduct.php>).

Academic Dishonesty

Academic dishonesty is defined as engaging or attempting to engage in any activity that compromises the academic integrity of the institution or subverts the educational process. This definition applies to work submitted face-to-face or through on-line or electronic means and work submitted for face-to-face, hybrid, and on-line courses. Students who commit any act of academic dishonesty may receive from the instructor a failing grade in that portion of the coursework in which the act is detected, or a failing grade in the course without the possibility of withdrawal. The faculty member may also present the case to the Office of Student Conduct for disciplinary sanctions and the Office of the University Registrar if action by these offices are required. Students may be held responsible for committing academic dishonesty while enrolled even if the student withdraws from the course.

Conduct Actions/Outcomes for Violations of the Code of Student Conduct

Following procedures of due process, when a student is accused of academic or nonacademic misconduct, the alleged policy violator will be required to go through the University's Student Conduct process. Students are presumed Not Responsible until the institution has established every element of the alleged violation; however, this shall not be construed to mean that the complaint or any witness(es) has presented false testimony or evidence. The following list describes University outcomes that may be administered as a result of violating the WKU Code of Student Conduct. A student accused of an alleged violation of the Code of Student Conduct will have the opportunity to review accusations, review any information, and will be able to provide a response. Outcomes may be used independently or in combination depending on the particular circumstance of the violation. Chronic and/or multiple violations during the course of an individual student's college career may increase the severity of outcomes applied. The Office of the Vice President for Enrollment and Student Experience, or designee, will make the determination whether allegations are sufficiently egregious to warrant consideration of suspension, dismissal, or expulsion. The following shall be factored into the decision-making process:

1. The degree of willfulness or inadvertence;
2. The degree of injury or risk of injury to the accused or to another person, if any;
3. The extent of damage to property, if any;
4. The danger or risk of danger to the University community, if any; and,
5. Any other factor or circumstance bearing reasonably upon mitigation or aggravation or the seriousness of the alleged offense should it be established as a violation

For a list of actions/outcomes and their definitions, visit: www.wku.edu/studentconduct (<https://www.wku.edu/studentconduct/>).

Policy on Parental/Guardian Notification

Western Kentucky University is committed to student health and well-being. As a result, the University is concerned about the effect of alcohol and other drugs on the educational process. The Policy on Parental/Guardian Notification is designed to assist parents in developing a partnership with their student and the University to address behaviors that detract from the educational purpose. The University will notify parents or guardians of dependent students for behaviors associated with The Code of Student Conduct under the following conditions:

1. Any violation of the University Alcohol Policy
2. Any violation of the University Drug Policy

3. The student (under 21) was arrested by University Police in connection with a violation of the Alcohol or Drug Policy, or for DUI, public intoxication, Minor in Possession of any other drug or alcohol-related incident resulting in citation or arrest
4. The student received medical assistance due to incapacitation, suspected incapacitation, or self-injury

The Family Education Rights and Privacy Act (FERPA) allows the disclosure of specific information concerning the use or possession of alcohol or a controlled substance by students under the age of 21.

The goal of parental/guardian notification is to enlist parental/guardian support for fostering more appropriate student behavior to create a safer community environment and reduce the negative impacts of substance abuse.

Tailgating Policy and Procedures

Western Kentucky University encourages an enjoyable experience during tailgating visits to campus. During WKU events and activities, safety is our primary concern. This Tailgating Policy is designed to enhance safety and comfort and should result in an environment free of the abuse or illegal use of alcohol or illegal substances. The university condemns any act related to the consumption of alcohol or illegal substances that impairs, interferes, or endangers the safety or enjoyment of others, including the individual who chooses to consume alcohol or illegal drugs. This policy looks to preserve the academic environment without necessarily restricting other freedoms.

For more information regarding tailgating at WKU, visit: www.wku.edu/studentconduct (<http://www.wku.edu/studentconduct/>)

Policy for Supporting Students in Distress

The intent of the following policies, procedures, and definitions is to support an appropriate living and learning environment at Western Kentucky University for faculty, staff, and students. Incidents of disruptive behavior, brought on by student distress, will be assessed and a standard of care exercised to both assist the student in distress and to mitigate the ramifications of the distressing behavior on the University community.

Campus Partners Team

The Campus Partners Team (CPT) is a collaborative multidisciplinary team operating under the auspices of the Office of the Vice President for Enrollment and Student Engagement. The team is charged with providing a layer of support for students exhibiting behaviors that instigate concern or imminently reckless behavior. Additionally, the team works jointly to educate the University community on prevention strategies to disrupt the risk of threatening situations. Using a case management theoretical framework, the CPT assesses student behavior, links students to campus and community resources, determines reasonable interventions, determines reasonable modifications to the learning environment when appropriate, and develops and implements a coordinated standard of care plan for students. The Team meets bi-weekly to review referrals from faculty, staff, and students' exhibiting behavioral concerns. The CPT consists of the following offices:

- Office of the Dean of Students
- Office of Student Conduct
- Advising & Career Development Center
- Student Accessibility Resource Center
- University Police Department
- International Student Office

- Counseling Center
- Housing and Residence Life

Confidentiality and the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords privacy protections for educational records without students' express written consent. However, specific exceptions can be made between faculty and staff when necessary to protect the health or safety of the student and others. Therefore, faculty, staff, and students may report concerns about students' behaviors to the CPT without violating FERPA provisions.